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## LICENSURE FOR BEHAVIOR ANALYSTS: THE PATH TO RESPONSIBLE AND COOPERATIVE ACTION

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The increase in the prevalence of autism spectrum disorders in the last decade has contributed to growth in the field of applied behavior analysis (ABA). This growth has been spurred by consumer demand for access to this evidence-based treatment for those with an autism spectrum disorder. Presently, there are at least 34 states that have laws or regulations in place that mandate insurance coverage for autism spectrum disorders. There are also 14 states that have passed licensure or a similar regulatory mechanism for identifying competent providers of ABA. The following paper documents the process of insuring consumer advocacy and protection in the states of Missouri and Wisconsin through the passage of legislation that established licensure for practitioners of ABA. The evolution of this process in both of these states will be detailed as well as a number of lessons learned that should prove to be helpful as additional states move toward licensure for practitioners of ABA. Copyright © 2014 John Wiley & Sons, Ltd.

The field of applied behavior analysis (ABA) is growing rapidly, with extreme growth noted in the last 10 years. In 2004, there were approximately 3200 board certified behavior analysts (BCBAs) and board certified assistant behavior analysts (BCaBAs). That number has grown to over 14 000 Behavior Analyst Certification Board® (BACB) certificants (BCBAs and BCaBAs) worldwide as of January of 2014 (bacb.com, retrieved 1/30/14). This growth can be attributed in large part to the adoption of autism insurance reform legislation across the USA. The majority of these mandates for insurance carriers to cover autism related services stipulate that ABA services are to be reimbursable expenses. This, in combination with a number of other factors, has led to the pursuit of licensure for behavior analytic services in several states.

A recent article on the risks and benefits of practitioners pursuing licensure of behavior analysts states that a necessary first step in this process is to have a firm strategy in place prior to engaging in legislative activity (Green & Johnston, 2009). Green and Johnston caution that the practice of ABA could become narrowly defined

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as a result of the pursuit of licensure. For example, some states may confine the scope of practice to treating persons with autism spectrum disorders. This paper attempts to shed light on these and other questions from the viewpoint of two states, Missouri and Wisconsin, that have been implemented licensure mechanisms for behavior analysts. The intent here is to provide guidance related to the legislative process, as well as suggestions to make navigating this process less aversive in the short term and more reinforcing in the long term for competent behavior analysts.

The passage of autism insurance mandates that name the practice of ABA as effective intervention for persons with autism may set in motion the question of whether there should be licensure mechanisms in place for behavior analysts. There have been efforts in some states for establishing state licensing of behavior analysts in order to protect the consumers of these services and ensure the public can identify competent service providers. In some states, licensure has presumably been driven in part by insurance companies wanting to include behavior analysts in their autism insurance mandate but not currently having a mechanism in place to identify competent providers. One of the first steps that should be taken in the process of pursuing legislation for the licensure of behavior analysts is to ensure a campaign is developed to provide sound information about the field of ABA and how practitioners are typically trained.

## EDUCATION AND ADVOCACY

In recent years, the general public has come into contact with a few key concepts with respect to the field of ABA. One of the most conspicuous of these is the acknowledgement that ABA is an evidence-based treatment of choice for a number of behavioral, educational, and life skills issues of social significance. However, there is still a great deal of misinformation about ABA and its practice in the public domain. Misconceptions can lead to overly restrictive or wholly irrelevant regulations being put in place if sound information about ABA is not used to guide legislation relative to licensure. To achieve this, it is critically important that competent behavior analysts are participants in crafting the legislation. Behavior analysts must have a presence in these legislative forums to educate politicians and help craft effective and reasonable licensing guidelines. Behavior analysts must ensure that those who claim to know and practice our science are appropriately educated, credentialed, and trained. Similarly, the guidelines for licensure development must be created under an umbrella that is focused on both appropriate provider qualifications as well as the protection of consumers. One sound way to advocate for the field of ABA is to share information, specifically published applied research relative to treatment outcomes via the application of ABA.

The voluminous amount of data represented by the treatment research literature should be used to aide in answering any questions about the efficacy of a behavior analytic treatment approach (e.g., Lovaas, 1987; McEachin, Smith, & Lovaas, 1993; Reichow, Servili, Yasamy, Barbui, & Saxema, 2013; Sallows & Graupner, 2005; Vanderkerken, Heyvaert, & Onghena, 2013). Be prepared and come with brief, readily consumable, summaries of these data in hand when these discussions are held so that you can clearly state the evidence for ABA as a treatment and to refute those who will attempt to speak against ABA. Use the collective wealth of research and data to inform decision makers. Consistent refutations and repeated requests for clarification of our practices will soon impart the reality that there is a great deal of evidence but that more research is necessary to complement the current evidence of ABA's effectiveness.

As the political process unfolds, you will hear the words 'consumer protection' repeatedly related to the professional practice as licensure mechanisms are constructed with this stated purpose (Dorsey, Weinberg, Zane, & Guidi, 2009). By opening up the possibilities of expanded funding for treatment services, one concern is that unqualified individuals will attempt to provide treatment given the increased opportunity for reimbursement. At this point, tying licensure statutes to establish means of identifying competent providers is paramount. The BACB has established a process for training competent applied behavior analysts. This process includes coursework, supervised experience, and a psychometrically sound examination that follows standards outlined by National Commission for Certifying Agencies<sup>®</sup> (NCCA; the NCCA is the accreditation body of the National Organization for Competency Assurance). In addition to eligibility standards for taking the BACB certification examinations, the BACB has developed renewal and recertification standards for maintaining certification, ethics guidelines, disciplinary standards, continuing education requirements, and a process for approving university course sequences and experience-based practica.

In addition to clearly articulating the process behind the BACB's credentialing procedures, it is important to educate the public on the unique nature and quality of services that behavior analysts provide. In one of the many spoken testimonies offered by proponents of the licensure bill in Missouri, the statement was made that autism was an 'educational' diagnosis and that the practice of ABA was primarily provided in an educational setting (i.e., in schools). What was intended as a brief description of how ABA treatment can be conducted in an academic environment was then used by opponents of the legislation to try and legislate that interventions should only be offered in the school setting. Behavior analysis can contribute many things to the educational setting where children learn. This proved to be an insignificant obstacle, as ABA was acknowledged as a medically necessary treatment but providing fuel for the opposition's fire can hurt your efforts for establishing effective regulations that identify competent providers of ABA.

## EVOLUTION OF A LICENSING LAW

Throughout the process of establishing licensure in both the states of Missouri and Wisconsin, the authors gained extensive knowledge and experience related to the process of licensure for behavior analysts. What follows is a primer on this process, presented in a generic task analytic format, to provide behavior analysts in states that have yet to go through the process with a blueprint and guidelines to follow.

As the legislative process unfolds, a number of events will require significant time and effort (Table 1). Of these, we will detail a few of the most critical ones and share some of the information gathered in the Missouri and Wisconsin legislative actions that might facilitate a smoother process in other states that pursue similar legislation. The first step to take in this process is to gain grassroots support for the ABA licensure bill.

There will be a time when the behavior analytic community will need to act in unison and preparation for pursuing licensure is critically important. Organizers of state behavior analytic organizations should meet to internally discuss the pursuit of licensure and then act with a unified goal. It is highly recommended to identify and gain support from those who can provide strong legal advice such as state legislators and lobbyists. It is also critical to incorporate parent advocate representation, as the consumers of our services are often our strongest supporters and proponents. Family involvement was critical and helped rally others around the efforts in both Missouri and Wisconsin, and these efforts cannot be overemphasized, as politicians often care the most what families (i.e., voters) think about the ABA services they have received. Families will help to, in part, drive the legislative response and will continue to be one of the most critical links in future legislative efforts as well as the support of existing legislation.

Many behavior analysts, and persons in the lay community, may be skeptical of entering the political arena. Distaste for participation in the political process is not a functional response for behavior analysts given the positive impact our involvement can have and the negative consequences having persons unaware of our field or in a position of conflict (such as clinical psychologists with little to no training in ABA) establish licensing mechanisms. A number of behavior analysts in both Missouri and Wisconsin appeared disinterested in the state behavior analytic organization's efforts to disseminate what their options were as licensure details developed. Whereas a number of individual practitioners and members of the state groups were very rule governed about the process, the vast majority appeared to be more contingency shaped and were willing to wait to see what the outcome would be and deal with the consequences at that time. Although perhaps understandable given the complex nature of the legislative process, it is worthwhile to outline the legislative process and hurdles that may be expected pertaining to behavior analytic services, so as to

Table 1. An outline of the licensure process from start to finish.

Key step	Stage in the process/key parties	Action steps
Determine key supporters of ABA licensure	Initial stages prior to licensure proposal Supportive politicians Board members from state ABA chapters	Secure support from state ABA chapter. Likely supporters: State ABAI chapter, university programs, and parents Potential detractors: other licensed professionals and the 'anti-ABA' crowd. Keep in mind that all of these individuals may not be necessary. A small group of key individuals should be identified to carry on the work through the legislative process.
Educate relevant individuals and groups	Initial stages prior to licensure proposal	Educate key groups regarding ABA and behavior analysts, inform and involve strong advocates and other influential entities (licensing department, health department).
Gather supporters	Initial stages prior to licensure proposal	Gather supporters Determine strategy for moving forward, consider interests of non-autism behavior analysts, prepare data, and gather research
Involvement in legislative process	Initial stages prior to licensure proposal, Deliver expert testimony, have data ready, and involve a lobbyist	Involvement in legislative process Deliver expert testimony, have data ready, and involve a lobbyist.
Gather relevant literature for presentation	Prior to proposed licensure language being crafted, Involve local ABA academic programs and involved local chapter board members and interested practitioners.	Combine a key list of seminal articles in behavior analysis that apply to different populations and age groups.
Formulate a comprehensive code of ethics	Immediately after proposed licensure bill has been approved in state legislature. State ABA organization, interested practitioners, BACB, and ABAI	Integrate the BACB code of ethics with any existing codes that may include relevant components to include, work to ensure appropriate qualifications and training, and ensure ethical considerations.

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Table 1. (Continued)

Key step	Stage in the process/key parties	Action steps
Mobilize state ABA chapter	Initial stages as licensure legislation are being proposed. Board members of state ABA chapter	Communicate what is happening on website of state chapter and have board members of chapter involved in all meetings related to licensure language and the parameters of a Licensing Act prior to these meetings being closed to participation.
Outline supervision parameters	Rules promulgation stage after licensure has been passed, Involved local chapter board members and interested practitioners.	Use the BACB guidelines for supervision and oversight to formulate appropriate supervision for BCaBAs.
Determine your board structure	Final stages prior to licensure implementation, State government/Governor's office	In compiling a list of potential licensure board members, try to include at least one doctoral level BCBA (BCBA-D), three BCBAs, one BCaBA, one community member, and a member of the department or association that the advisory board sits under if this is the case. Having seven members assures a majority vote on matters. Provide a list of viable candidates for the Behavior Analyst Advisory Board. Understand financial impact and minimize where possible, while maximizing independence from other existing boards.
Define continuing education requirements	Initial stages of implementation after approval	Integrate continuing education with the continuing education requirements of the BACB. Some adjustments may have to be made based upon the cycle that the state chooses for license renewal.
Determine budget for ABA activities	Initial stages of implementation after approval	The formulation of a separate board would be the primary objective. Budget constraints may dictate that the board be subsumed under an existing department or board. Determine the economic and political feasibility of all of the options placed before you.

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Table 1. (Continued)

Key step	Stage in the process/key parties	Action steps
Befriend state registration and professional licensure	Initial stages of implementation after approval	As soon as a determination is made related to the state department that licensing activities will be subsumed under, initiate interaction with that office. Make offers to help in any way that you can to forward the licensing process and to educate them related to the field of behavior analysis
Be an active participant in the rules formulation process	Initial stages of implementation after approval, Involved local chapter board members and interested practitioners	Gather data related to the materials that a behavior analyst uses in their practice. Compile a list of common assessment and therapeutic activities and the accompanying materials and resources that they require. Include subscriptions to academic journals and assessment materials

The column to the far left indicates the necessary licensure stage, and the center column identifies the stage in the licensure process that this step represents as well as key participants in this step. The last column defines the actual action steps required to successfully implement that stage.

ABA, applied behavior analysis; BACB, Behavior Analyst Certification Board; ABAL, Association for Behavior Analysis International; BCaBAs, board certified assistant behavior analysts.

inform behavior analysts and their supporters. One of the best pieces of advice for behavior analysts in any state is to remain alert, for at any point a suggestion can be made to pursue licensure for behavior analysts with or without their knowledge. For this reason, state and regional behavior analytic organizations must closely follow the political developments relative to behavior analysis in their state(s).

Delaying one’s reinforcers is not desirable, and engaging in political activity is a prime example of foregoing smaller, more immediate reinforcers in lieu of larger delayed incentives. That said, many of the team members that drove the licensure process in Wisconsin found the process quite reinforcing, as it forged stronger ties among the state’s behavior analytic community, helped develop relationships with several key allies, and ultimately resulted in a licensing structure for behavior analysts. Everyone is busy—people have full time jobs, hectic family lives, and other obligations, but for many behavior analysts, the process of getting involved in political activity and seeing it through to a positive

ending has set the stage for future political efforts directed at enhancing the existing licensure statute.

A number of recommendations are outlined in the succeeding text that should be of interest to behavior analysts everywhere, as licensure and insurance legislation for autism spectrum disorders continue. As the process in Missouri and Wisconsin unfolded, it became evident that it was unfamiliar for most of the behavior analysts involved. For example, despite efforts to enlist large-scale support among the behavior analytic community in Wisconsin, there was interest, but only among a relatively small group of dedicated people, who collaborated to pursue licensure. They worked together and only shared information about their plans to likely allies and key stakeholders. In Missouri, it was believed that the Department of Insurance had initiated the licensure conversation, though that was never verified. Thus, behavior analysts in this state had the prospect of licensure thrust upon them. In both cases, what mattered most was diligence, thoughtful planning, and perseverance throughout the process. The Association of Professional Behavior Analysts was very helpful in reviewing aspects of the proposed licensure language and making suggestions throughout the process. Such involvement can be an invaluable step in assuring the most effective licensure language that serves all behavior analysts in the state. Once established as law, the implementation of licensure specific regulations can (but do not always) move rapidly, unlike the stages leading up to the proposal.

The initial stages of legislation that involves licensure for behavior analysts start with a bill being championed by a member of either the House of Representatives or the Senate for the state. The development of the bill in Wisconsin involved input from the small group of active behavior analysts in the state. Once a licensure bill has been proposed, the language that defines the practice of behavior analysis and the education and experience standards are outlined. It is in this stage of the political process that having a lobbyist (see the succeeding text) or some other form of political counsel can be critically important. The lobbyist can assist with obtaining the language that has been proposed for the bill or speculate about the probability of success that the bill may have in the respective House and Senate votes on its passage. It is at this stage of deliberation in the state legislature that the involvement of the behavior analytic community can be of most assistance. Through our advocacy and involvement at the legislative and policy levels, we demonstrate our commitment to consumer protection, evidence-based practice, and the promotion of our field. As soon as the end looks near, additional issues may arise that require further efforts from relevant professionals. These issues may involve, as mentioned earlier, educating others or making suggestions about the education and training that are required to provide ABA services. The length of the political process makes clear the reality that these laws are put in place through a detailed set of deliberations, much of it appearing clandestine. The meticulous detail can

be frustrating but serves as a testament to the importance of the process and the ultimate benefits for both practitioners and our clientele. There are times when a person skilled in the political process is needed to promote the cause of behavior analysts.

A lobbyist is an individual working for a special interest group to champion their political agenda on the floor of the House or Senate as their legislation is being presented. Jon Bailey (2010) correctly labeled these individuals with the location where most of their efforts are undertaken, the 'lobby'. In truth, a vast majority of the conversations and information that is presented to legislators is done in private meetings and through chance conversations that happen everywhere other than the legislative floor. Once the agenda item is in the stage of being debated on the House or Senate Floor, there is a need to educate legislators on the topic at hand.

Expert testimony is crucial at this stage in the legislative process, and local experts are called in to present the scientific data relative to ABA therapy. Presentations and statements can be taken from developmental pediatricians, representatives (preferably local) of Autism Speaks and other parent advocacy organizations, and concerned parents and behavior analysts. This is an excellent opportunity for behavior analysts to present the data collected over the years in the provision of services to a myriad of populations. Time is typically not allotted for questions in these forums, so be as detailed yet succinct as possible, and conform to the time limits that will be put in place. This information is then used in special meetings or hearings to determine the fate of the proposed bill.

Committee hearings are times when key legislators work out details related to specific aspects of the bill. Individuals on all sides of the legislation are brought together to create the final language for a licensure bill. Once the passage of the bill is complete, those working on the promulgation of rules and the parameters of licensure will need to act.

As licensing legislation moves toward implementation, there is a great deal of pressure based upon time constraints, as legislative sessions have a discrete beginning and ending. An insistence on having certain items included in a bill can be the difference between it moving on and it being stopped in its tracks. Licensure language in both Missouri and Wisconsin related to the topic of paraprofessional staff, who implement ABA procedures under the supervision of an applied behavior analyst, in the licensure process became a key issue early on. All of the professional staff from the field recognized that, although autism is a major target population for the efforts of behavior analysts, the inclusion of licensing or certification standards for these staff was currently outside of the scope of the proposed legislation. In both Missouri and Wisconsin, BCaBAs also fell outside the scope of initial licensure efforts but were later included in Missouri. It was quickly made evident by the behavior analysts involved in

the political process that the BCaBAs required oversight by qualified behavior analysts, and this had to be outlined in the bill. The appropriate frequency of supervision by BCaBAs had to be delineated once its necessity was pointed out. These issues were worked out amicably but could have stalled the legislation had they not been resolved. Behavior analysts have to decide what issues are worth fighting for in their respective states and which can (and should) be addressed at a later time. Beyond the efforts of behavior analysts, political maneuvering on the part of legislators will occur. It is real and often times challenging hurdle that has to be endured and skillfully overcome. A careful evaluation of the issues brought before the behavior analytic community will require you to ensure the field is regulated in ways that meet the industry standards of the practice of behavior analysis. Be alert to the fact that the proposed licensure of behavior analysts in many states has been in response to insurance mandates for autism treatment. Consider the implications that licensure may have for practicing behavior analysts working with other target groups, for while autism is an area of focus today, there are behavior analysts practicing in corporate environments, brain-injury facilities, developmental disability programs, and with a host of other client populations (Austin & Carr, 2000; Guercio & Dixon, 2011; Reid & Parsons, 1996). Licensure guidelines must address all of those professionals that practice ABA, not just those in the field of autism.

Behavior analysts involved in licensure efforts will encounter a number of duties once a licensure bill has been passed by the state legislative bodies and endorsed by the Governor. These duties can include the promulgation of the rules by which a behavior analyst licensing board will operate. To formulate these rules, the financial impact that the creation and maintenance of the board will have on the state budget has to be determined. All possible costs associated with creating, maintaining, and monitoring the licensure of behavior analysts can be examined to determine the financial impact. This is an excellent opportunity to educate those in state government about what behavior analysts do for a living and how they are trained.

As the process of licensing behavior analysts moves forward, participants must decide whether to create a separate licensing board or include behavior analysts under an existing board. While independent boards are preferable and should be pursued when possible, today's economic realities dictate that this may not be feasible, so behavior analyst licensure may be placed under an existing board. The decision of where the board will be located within the state's governmental structure will largely be made by the state entity managing licensing boards in the state. It is critically important to effectively inform the state entity of the need to have competent behavior analysts manage the licensure board and that other professions in a position of significant conflict of interest (e.g., clinical psychology, and speech pathologists) do not exert undue influence on licensure.

Codes of conduct and the promulgation of rules for the board are then compiled to guide the activity of the board. The foundation for the ethical guidelines can be found in the BACB's Guidelines for Responsible Conduct, and the integrity of these guidelines is enhanced because of the BACB's accreditation by the NCCA. This accreditation attests to the rigor of the process by which these standards are developed.

After legislation is passed, the promulgation of regulations completes the process. State departments responsible for licensing are bound by law to develop rules and regulations that govern any licensed profession. This process involves considerable deliberation and political maneuvering, as separate codes of conduct, and the definition of terms may be proposed and consensus sought prior to their inclusion in statute. This is a critical time for behavior analysts to be active participants in the process to ensure our beliefs and core tenets are represented accurately in the language of the rules. Questions and concerns may arise from other professions related to their qualifications in providing quality services for individuals with autism. An example of this occurred during the rules formulation process in Missouri. A member of the state committee of psychologists asked the question, 'You mean that a psychologist with a Ph.D. and 2 years of a post-doctoral fellowship can't bill for these services?' A member of the division of professional licensure very aptly responded implying that clinical psychology is not synonymous with ABA. The main point here is that the academic and learning history of the behavior analyst and the clinical psychologist are almost always quite different. More than 50% of behavior analysts do not have degrees in psychology, and behavior analysis in psychology has its origin in experimental psychology not clinical psychology. The two fields are distinct, and the training provided for each bears this out. These points were underscored as members of the Missouri Association for Behavior Analysis board contributed to the rules formulation process after the licensure law was passed.

## THE LICENSING PROCESS

The core of any responsible licensure criteria includes recognition of the qualifications of the profession. Given that certification by the BACB is the measuring stick that most states and funding sources look for in identifying a qualified behavior analyst, this is the first place to start. It has been noted that the cost effectiveness of an existing certification standard can go a long way toward making the implementation of a licensure act as cost neutral as it can be. Such a cost savings can be reflected in licensure fees down the road (Shook, 2009). Licensure within Missouri and Wisconsin is primarily based upon BACB certification and good professional standing with the BACB. In order to register with the state, a potential licensee must submit all required documentation, which will likely vary by state, and proof that they are a BACB certificant in good standing with

the certification board. Once this has been determined, and depending on each state's law, applicants will need to meet other requirements; some of which will be determined by the established practices within a state for licensing professionals. The state of Missouri has a \$150.00 fee that must be submitted with the application for licensure, whereas Wisconsin's fee is \$75.00 and good for 2 years. Once the application is processed, an official license is issued through the state licensing entity (typically a state-level Department). The Behavior Analyst Advisory Board in Missouri issues licenses as well as handling disciplinary matters related to the practice of behavior analysis within the state, whereas in Wisconsin, the Department of Safety and Professional Services issues licenses and works collaboratively with the BACB to handle any potential disciplinary matters.

Missouri's Behavior Analyst Advisory Board is subsumed under the Committee of Psychologists in the state. This is similar to the state of Oklahoma that has its board within the Department of Human Services. Most licensure boards will consist of a certain number of the members of the profession to be licensed. In Missouri's case, there is representation from doctoral level BCBA-Ds, BCBAs, BCaBAs, a community member, and a representative from the state Committee of Psychologists. Once regulations are developed and promulgated, they are difficult to change. Given this fact, it is crucial that behavior analysts be active in these endeavors to better promote our future by starting with sound regulations.

## **EFFECTS OF THE LICENSING PROCESS**

The state of Missouri has revised a number of its Medicaid waiver laws that govern behavioral assessment and treatment. These were services that previously could be performed with minimal qualifications prior to licensure. Subsequent to the licensure laws, both Missouri and Wisconsin revised a number of their Medicaid waiver laws related to behavioral assessment and treatment. Previously, these were services that could be performed with minimal qualifications in Missouri and now can only be provided by a licensed behavior analyst or similar professional. In Wisconsin, the Medicaid waiver rules allowed for certified behavior analysts (and other licensed or certified professionals) to deliver treatment, but now, a license is required in both states to help promote consumer protection and access to competent providers.

The creation of a behavior analyst license defines a standard by which commercial insurance carriers can identify qualified practitioners of behavior analytic services. This standard is one that families and other consumers of behavior analytic services can consult to be assured that the individual providing behavioral services meets the required educational, experience, and ethical guidelines necessary to hold a national certificate and a state license.

## LESSONS LEARNED

During the advocacy process for the licensure of behavior analysts, there may be an urge to discount treatment approaches other than ABA that do not have the empirical support that exists for ABA. It is important to resist this urge, while at the same time not abandoning our core beliefs and principles. Turf wars and arguments with others will appear petty and serve to confuse and alienate decision makers. Remember most of our lawmakers and members of the public in attendance at legislative hearings have never heard of a behavior analyst, though in all probability, they have heard of a psychologist, occupational therapist, or speech pathologist. It is important to maintain professionalism and respect the treatment approaches of other disciplines in order to further our own interests. While maintaining professional courtesies is key, if threatened as a discipline or when others misrepresent themselves and their qualifications, it will be necessary to respond based upon facts and not let them distort our training, the strength of our basic and applied science, and our collective efforts.

Relationships with other disciplines can educate us about their work and foster greater professionalism on the part of behavior analysts. Consistent with the points shared earlier, attempts to discredit or demean other treatment approaches will be viewed negatively. Although ethically bound to advocate for the empirical foundation of our science, this can be done professionally, and integrity can be maintained. Legislative hearings can produce controversy, and it is important to not be defensive, as doing so may hamper our efforts. Engagement in activities such as legislative open hearings related to the practice of behavior analysis and therapy are crucial. Through effective partnerships, the best interests of our field are promoted. Parents of children on the autism spectrum (as well as other disabilities) are strong advocates for their children and concomitantly for effective treatment options that produce tangible outcomes. These families often do substantial research into the numerous issues related to the disability of their child and are aware of the benefits of different treatment options. Other family members may not have as much knowledge in these areas but are open to the coaching behavior analysts that can share in the provision of evidence-based autism treatment. Advocacy groups such as Autism Speaks have many members who are parents of children with autism spectrum disorders. Most states will have a grass roots movement comprised of parents of children with autism spectrum disorders and professionals/advocates, and these groups will typically have at least a few individuals that are affiliated with Autism Speaks. These organizations are powerful in that they bring their expertise and personal experience to the legislative and advocacy table.

Although involved in advocating for effective services, organizations such as Autism Speaks would likely not involve themselves in the details of licensing

behavior analysts other than to support the efforts of the professionals that they have partnered with in obtaining services. Their efforts are not without benefit to behavior analysts however. Autism Speaks, as an organization, is well aware that ABA is the treatment of choice for autism spectrum disorders. Their support in the insurance mandates for states can lend support and advocacy to the licensing effort as well in terms of proof of treatment efficacy.

## RECOMMENDATIONS TO PRACTITIONERS

Be aware of the impact that statements made in public forums can have before you make them. Emphasize the quality of service representing by competent practice in our field by clearly communicating our primary interest in services based on sound science. During the licensure process, opponents to the licensing of behavior analysts will seize the opportunity to discredit our science, and consequently, you will need timely access to pertinent research. Take time to organize your files and categorize journal articles so that you can easily access them. Many of the seminal articles in our field speak loudly to those unfamiliar with ABA and can present unequivocal evidence regarding the effectiveness of our methods in the treatment of the symptoms associated with autism and a variety of other disorders. For example, Lovaas (1987) examined the methods necessary to promote skill acquisition, and these findings have been replicated and extended a number of times (e.g., McEachin, Smith, & Lovaas, 1993; New York State Department of Health, 1999; Sallows & Graupner, 2005; Smith, Groen, & Wynn, 2000). Similar outcomes in IQ and adaptive functioning can be obtained with ABA services provided between 10 and 20 hours per week (Eldevik, Eikeseth, Jahr, & Smith, 2006). In addition, Chasson, Harris, and Neely (2007) compared the costs of 3 years of early intensive behavioral intervention (30–40 hours weekly) relative to 18 years of special education services in the state of Texas and found a savings of over \$200,000.00 **per child** in favor of early intensive ABA. The comparisons of behavior analytic interventions continue to bring forth robust outcomes compared with treatment as usual. Sophisticated meta-analysis of several studies has corroborated the fact that ABA-based interventions for problem behavior are efficacious (see Eldevik, Hastings, Jahr, & Hughes, 2012). Given that we know legislators and other key decision makers are concerned over fiscal issues, promoting the financial savings to the taxpayer and the functional results produced by a behavior analyst provides strong evidence to the benefits of ABA.

Although it is necessary to be prepared with sound research, it is important to know that legislators care most about their constituents. Legislators and their staff have little time or interest in poring over research articles, so concise and illustrative summaries are helpful. Educate yourself about recent developments in our field, and

familiarize yourself with the literature on the efficacy of behavior analysis across multiple populations and age groups.

Intense political debate produces controversy and divisive statements on both sides of an issue, which will be the case in the process of working toward licensure for behavior analysts. There will be a number of misrepresentations of behavior analysis, and those with little or no experience in the field will speak as though they have expertise. In order to craft legislative language in the best interest of the practitioner and the client, one must be tempered in one's response to such actions, as the most advantageous outcomes will occur through collaboration. To effectively address some of the aforementioned problems, we propose a set of guidelines to help establish a cogent and amicable licensing entity in your state (Table 1).

Although the education and involvement of behavior analysts is necessary as more states introduce legislation regarding licensure, we must accept that we do not have as much experience as career politicians. The performance management literature labels the '10-year rule of engagement in domain related activities' (Ericsson, 2004) as a prerequisite to demonstrating high levels of performance in a given area, and it is posited that most behavior analysts would not meet this with respect to political endeavors. Given this, the best approach to take may be to offer guidance and feedback when requested, striving to educate all of those involved related to the evidence behind our approaches and allowing the science to speak for itself. Once those skilled in the political arena have this information, they can engage in the necessary political behavior to assist us. The unfortunate reality is that politicians with minimal expertise and experience with behavior analysis will have to be providing information about its practice. The more that motivated behavior analysts can assist in this process the better, including key advocates who can bridge gaps when evident.

People will come out of the woodwork to claim that their field can produce the same results that are seen with ABA. Once it is known that treatment approaches such as ABA are being incorporated into the language within insurance mandate legislation, other professions will work to add themselves to the language, as everybody wants their piece of the insurance reimbursement pie.

The licensing process is arduous and having allies familiar with the political process will make it easier. Being professional and representing our field well should be the prime objective as events unfold. Although we will encounter resistance and attempts to demean our approaches, and others will question the inclusion of our practice for third party reimbursement, as we represent the 'new guy' on the block, hence a further divvying up of the reimbursement pie. The primary response is to leave no question as to the validity of ABA in the treatment of a multitude of clinical disorders and the qualifications of behavior analysts to competently deliver these services.

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