

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Behavior Analyst Licensing Act is amended  
5 by changing Section 20 and 150 as follows:

6 (225 ILCS 6/20)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 20. License required; exemptions.

9 (a) Beginning 10 months after the adoption of the rules  
10 required under subsection (b) of Section 80 ~~30 months after~~  
11 ~~the effective date of this Act~~, an individual shall not engage  
12 in the practice of applied behavior analysis unless licensed  
13 under this Act or covered by an exemption under subsection  
14 (c).

15 (a-5) An individual licensed under this Act as an  
16 assistant behavior analyst shall not engage in the practice of  
17 applied behavior analysis unless supervised by a licensed  
18 clinical psychologist or licensed behavior analyst.

19 (b) Beginning 10 months after the adoption of the rules  
20 required under subsection (b) of Section 80 ~~30 months after~~  
21 ~~the effective date of this Act~~, an individual shall not use the  
22 title "licensed behavior analyst", "L.B.A.", "licensed  
23 assistant behavior analyst", "L.A.B.A.", or similar words or

1 letters indicating the individual is licensed as a behavior  
2 analyst or assistant behavior analyst unless the individual is  
3 actually licensed under this Act.

4 (c) This Act does not prohibit any of the following:

5 (1) Self-care by a patient or uncompensated care by a  
6 friend or family member who does not represent or hold  
7 oneself out to be a behavior analyst or assistant behavior  
8 analyst.

9 (2) An individual from implementing a behavior  
10 analytic treatment plan under the extended authority,  
11 direction, and supervision of a licensed behavior analyst  
12 or licensed assistant behavior analyst.

13 (3) A clinical psychologist, social worker,  
14 psychiatric nurse, speech-language pathologist,  
15 audiologist, professional counselor, clinical  
16 professional counselor, clinical social worker, or  
17 marriage and family therapist from performing or  
18 advertising activities that are considered to be the  
19 practice of applied behavior analysis under this Act if  
20 the activities are consistent with the laws of this State,  
21 the individual's training, and any code of ethics of the  
22 individual's respective professions, so long as the  
23 individual does not use the titles provided in subsection  
24 (b).

25 (4) An individual from performing activities that are  
26 considered to be the practice of applied behavior analysis

1 under this Act if the activities are with nonhumans,  
2 including applied animal behaviorists and animal trainers.  
3 The individual may use the title "behavior analyst" but  
4 shall not represent oneself as a licensed behavior analyst  
5 or licensed assistant behavior analyst unless the  
6 individual holds a license issued by the State.

7 (5) An individual who provides general applied  
8 behavior analysis services to organizations, so long as  
9 the services are for the benefit of the organizations and  
10 do not involve direct services to individuals. The  
11 individual may use the title "behavior analyst" but may  
12 not represent oneself as a licensed behavior analyst or  
13 licensed assistant behavior analyst unless the individual  
14 holds a license issued by the State.

15 (6) An individual who is a matriculated student at a  
16 nationally accredited university approved in rules or a  
17 postdoctoral fellow from performing activities that are  
18 considered to be the practice of applied behavior analysis  
19 under this Act if the activities are part of a defined  
20 program of study, course, practicum, internship, or  
21 postdoctoral fellowship, provided that the applied  
22 behavior analysis activities are directly supervised by a  
23 licensed behavior analyst under this Act or a licensed  
24 clinical psychologist.

25 (7) An individual who is not licensed under this Act  
26 from pursuing field experience in the practice of behavior

1 analysis if the experience is supervised by a licensed  
2 behavior analyst or a licensed psychologist.

3 (8) An individual with a learning behavior specialist  
4 or school support personnel endorsement from the State  
5 Board of Education, the school district in which the  
6 school is located, or a special education joint agreement  
7 serving the school district in which the school is located  
8 from delivering behavior analytic services in a school  
9 setting when employed by that school as long as those  
10 services are defined in the scope of practice for that  
11 endorsement and that person is not in any manner held out  
12 to the public as a licensed behavior analyst or licensed  
13 assistant behavior analyst.

14 (9) A qualified intellectual disabilities  
15 professional, meeting the minimum federal education  
16 requirements outlined in 42 CFR 483.430, who is performing  
17 the duties required for individuals with intellectual or  
18 developmental disabilities in programs and facilities  
19 regulated by the federal Centers for Medicare and Medicaid  
20 Services, the Department of Human Services, or the  
21 Department of Public Health, so long as the individual  
22 does not use the titles provided in subsection (b).

23 (10) A service provider, designated by the Department  
24 of Human Services, from providing behavior intervention  
25 and treatment, so long as the individual does not use the  
26 titles provided in subsection (b).

1 (d) This Act does not apply to an individual who, on the  
2 effective date of this Act, is engaging in the practice of  
3 applied behavior analysis under the medical assistance program  
4 under the Illinois Public Aid Code while that individual is  
5 seeking the education, training, and experience necessary to  
6 obtain a license under this Act.

7 (e) No licensed behavior analyst or licensed assistant  
8 behavior analyst shall engage in the practice of  
9 speech-language pathology or the practice of audiology, as  
10 defined in the Illinois Speech-Language Pathology and  
11 Audiology Practice Act, unless licensed to do so under that  
12 Act.

13 (Source: P.A. 102-953, eff. 5-27-22.)

14 (225 ILCS 6/150)

15 (Section scheduled to be repealed on January 1, 2028)

16 Sec. 150. License restrictions and limitations.  
17 Notwithstanding the exclusion in paragraph (2) of subsection  
18 (c) of Section 20 that permits an individual to implement a  
19 behavior analytic treatment plan under the extended authority,  
20 direction, and supervision of a licensed behavior analyst or  
21 licensed assistant behavior analyst, beginning 24 months after  
22 the Department has commenced issuance of licenses under this  
23 Act, no business organization shall provide, attempt to  
24 provide, or offer to provide behavior analysis services unless  
25 every member, partner, shareholder, director, officer, holder

1 of any other ownership interest, agent, and employee who  
2 renders applied behavior analysis services holds a currently  
3 valid license issued under this Act. No business shall be  
4 created that (i) has a stated purpose that includes behavior  
5 analysis, or (ii) practices or holds itself out as available  
6 to practice behavior analysis therapy, unless it is organized  
7 under the Professional Service Corporation Act or Professional  
8 Limited Liability Company Act. Nothing in this Act shall  
9 preclude individuals licensed under this Act from practicing  
10 directly or indirectly for a physician licensed to practice  
11 medicine in all its branches under the Medical Practice Act of  
12 1987 or for any legal entity as provided under subsection (c)  
13 of Section 22.2 of the Medical Practice Act of 1987.

14 (Source: P.A. 102-953, eff. 5-27-22; 102-1118, eff. 1-18-23.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.