



March 12, 2024  
Representative Tina Liebling  
477 State Office Building  
St. Paul, MN 55155

Dear Representative Liebling and Members of the House Health Finance Committee,

I am a Board Certified Behavior Analyst (BCBA) writing to request your support of the 3741/SF 3523 behavior analyst licensure bill this session. I have been working with families at the Rochester Center for Children providing therapy for children with autism since 2010. Despite witnessing substantial growth in the field of behavior analysis, the needs in our community are not being met. It is regrettably not uncommon for families to endure wait times exceeding a year to access essential services for their children.

As a parent of two young children, I cannot comprehend what these families are experiencing. Parents learn about the importance of early intervention for their child with autism only to find that these services are just out of reach. Through both my work as a BCBA and as a volunteer in our community, I've had the privilege of standing beside families while they navigate this journey. During this period of waiting, families are desperate to find the best care for their child and often experience high levels of stress.

We appreciate changes made at the state level that have led to more services being provided in our area in recent years, notably the development of the EIDBI benefit. ABA (Applied Behavior Analysis) therapy, covered under this benefit, has allowed more children to access services. I strongly believe the piece we are still missing in the state of MN is a licensure program for behavior analysts. As ABA therapy programs expand to meet the needs of families in Minnesota, there continues to be a shortage of BCBAs. This has led to more off-site BCBA supervision, mainly Licensed Behavior Analysts working from out-of-state to provide care for children in MN. Although technology has many benefits, ABA therapy requires intensive training and dedicated on-site supervision to ensure treatment fidelity and promote best outcomes. I do not fault providers for seeking more expertise for clients, especially in remote areas of the state, but I strongly believe families would benefit from more high quality BCBAs within MN. BCBAs undergo extensive graduate level training focused on implementing best practices in ABA therapy. This includes using evidence-based treatment procedures and integrating insights from ongoing research in the field.

A licensure bill would prevent unlicensed behavior analysts from using the title and provide clarity for families desperate for services due to the provider shortage. It would promote better pathways for career opportunities for BCBAs, which in turn would be likely to increase the number of behavior analysts practicing in the area. The current status regrettably encourages highly motivated and capable BCBAs to move out of state to practice in areas where they can obtain a license.

Current BCBAs are required to complete continuing education and follow the code of ethics provided by the Behavior Analyst Certification Board which is an organization created to ensure a professional standard of practice at the national level. As the number of practicing BCBAs grows, I strongly believe it would benefit families to have oversight of practicing behavior analysts within the state of MN. A licensure program would offer both a clear distinction for families looking for a provider and an avenue for parent complaints to be investigated and resolved on a local level.

I sincerely thank you for your time and consideration. A licensure bill would significantly impact BCBAs practicing in Minnesota and in turn, help us provide the best support for children in our community.

*Stephanie Johnson*

Stephanie Johnson, MS, BCBA  
Stephaniejohnson@rcenterforchildren.com  
Rochester Center for Children  
1811 Greenview PL SW  
Rochester, MN 55902

## Testimony Summary

March 12, 2023

**Josh Sande**  
**Committee Administrator - Health Finance Committee**

### Joel Bakken Professional Credentials

- Executive Director of Solutions Behavioral Healthcare Professionals, PC x 25 years
- Licensed Psychologist in Minnesota; Licensed Behavior Analyst in North Dakota

### Solutions Behavioral Healthcare Professionals

- Licensed Community Behavioral Health Care Center
- 320 staff
- Numerous professionals, including psychiatrists, nurse practitioners, psychologists, social workers, marriage and family therapists, professional counselors and behavior analysts
- All professionals are licensed except for behavior analysts
- Nationwide status of licensure for behavior analysts
- 37 states license behavior analysts
- All of Minnesota's neighboring states license behavior analysts

### Current Risks

- Behavior analysts serve the most vulnerable populations in our state
- Behavior analysts prohibited from practicing in neighboring states can set up shop in Minnesota
- No path of recourse for citizens harmed by a "bad" behavior analyst, only legal remedy

### Benefits

- Professional management of behavior analysts
- Protection of the safety and well-being of our vulnerable citizens





March 12, 2024

Chair Tina Liebling  
Health Finance and Policy  
Minnesota House of Representatives  
477 State Office Building  
St. Paul, MN 55155

Via E-mail only

**RE: Support for HF 3741 / SF 3523**

Dear Representative Liebling and committee members:

I am writing on behalf of Fraser, Minnesota's largest provider of children's mental health services, to request your support for House File 3741, the Board Certified Behavior Analyst (BCBA) Licensing bill.

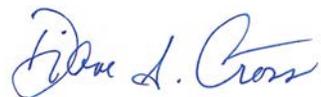
House File 3741 creates a licensing structure for Board Certified Behavior Analysts, which is essential to ensuring public safety, access to quality care, and a career path within the healthcare sector. Thirty-seven other states have already moved to license BCBA's for these very reasons.

Fraser offers Applied Behavior Analysis (ABA) at 12 clinic locations throughout the state of Minnesota. Under the leadership of Board Certified Behavior Analysts (BCBA's) staff work closely with clients to implement individual care plans. The children and adults receiving ABA services make progress toward goals they identify for themselves - goals that allow individuals to more fully participate at school or in the community. Positive Behavior Supports, another service offered by Fraser, utilizes BCBA's to provide services in a client's home or a community setting. Providing services in a person's home allows the BCBA to observe and assess a client's behavior in the environment where the behavior occurs and tailor a support plan to the individual's needs. Making sure that the public has a method for assessing the quality and safety of someone offering services in their homes is essential to maintaining high quality services and preventing harm.

The need for BCBA services exceeds the number of qualified providers in the state. Professional licensing will help clients and providers assess quality for BCBA's who are currently working in Minnesota or BCBA's who may consider offering services here. Professional licensing also provides a career path for individuals who want to enter the field.

Thank you for taking time to consider HF 3741. This bill has the potential to increase access to quality care for many Minnesotans. If you have any questions, you are welcome to call or email me at [Diane.Cross@fraser.org](mailto:Diane.Cross@fraser.org) or 612-861-1688.

Sincerely,

A handwritten signature in blue ink that reads "Diane S. Cross". The signature is written in a cursive, flowing style.

Diane S. Cross  
President and CEO



**ATAM – The Autism Treatment Association of Minnesota**

---

March 13, 2024

**RE: Support HF 3741 / SF 3523**

Representative Tina Liebling  
Chair, Health Finance and Policy Committee  
Minnesota House of Representatives  
477 State Office Building  
St. Paul, MN 55155

Dear Representative Liebling:

I am Dr. Eric Larsson, a Licensed Psychologist, a Board Certified Behavior Analyst, and the President of the Autism Treatment Association of Minnesota, a trade group that is composed of 13 in-home and center-based provider agencies. These agencies serve over 6,000 children and adults in their homes, schools, community, and service centers through a variety of professions, including behavior analysis.

The Minnesota Department of Health estimates that there are 100,000 children in Minnesota with behavioral health needs. 32,000 children in Minnesota have Medical Assistance for behavioral health needs which can be met through Behavior Analysis services as part of a plan of coordinated care with other helping professions.

Behavior Analysts work out in the field, in homes, neighborhoods, community centers, group homes, and hospitals with challenging behaviors that include isolation, aggression, and self-injury. They work as part of a team to help the family develop goals that are meaningful to them, and then observe the behaviors where they are causing concern, develop an objective measurement system, and implement reinforcement and training systems that can remediate the challenges. The goal is to enable the child to more fully engage with their family and community. With competent services, this intervention improves the child's quality of life. Done poorly, the situation can become worse and lead to more restrictive services.

This bill empowers the Board of Psychology to regulate the practice of behavior analysis in the same way that it regulates the practice of psychology. The Minnesota Psychological Association, the Minnesota Northland Association for Behavior Analysis, Fraser, and the Autism Treatment Association of Minnesota all support passage of HF 3741(Edelson)/SF 3523(Kupec), this behavior analyst licensing bill to protect these vulnerable populations and provide a local process to investigate complaints and discipline bad actors where allegations are proven.

The Council of Minnesota Health Boards has recommended that behavior analysts be licensed in Minnesota based on the national Behavior Analysis Certification Board (BACB) credential. There are 470 master's-level BCBA's and bachelor's-level BCaBA's who hold this credential in Minnesota. Thirty-seven other States, including all of Minnesota's surrounding States, already have laws that regulate BCBA's and 30 have laws that regulate BCaBA's.

The intent of this bill is to license behavior analysts without impacting the existing licensed professions who provide needed behavioral health and special needs services. The bill includes exemptions for any licensed professionals who currently provide behavior analytic services within their own existing scope of practice.

The bill also creates a Behavior Analyst Advisory Council that will collaborate with the Board of Psychology in implementing the Minnesota License. The cost to create licensure in Minnesota will be nominal as the licensure will be administered by the existing Board of Psychology, utilizing the existing credentialing system of the national Behavior Analysis Certification Board. By using this same national standard as the other states, the bill will streamline the ability of behavior analysts who are already licensed in other states, to enter and practice safely in Minnesota.

The Minnesota licensure will protect the public by discouraging unlicensed or sanctioned behavior analysts from moving into Minnesota. It will also keep competent behavior analysts from moving out of the State for better career prospects. With licensure, consumers will have the assurance that comes with knowing a behavior analyst has a license and the benefit of a local process to file a complaint. This licensure bill will provide for the same regulation and protections that exist for the other Minnesota health professions.

The BACB developed a tiered model of services that facilitates the hiring, training, and direct supervision of disadvantaged workers. This tiered system expands a career pathway that can lead to retention and recruitment of critical providers to meet the demand for these services in the years to come.

Please support this much needed licensure protection for Minnesotans.

Yours,

A handwritten signature in black ink, appearing to read "E. V. Larsson", is written over a horizontal line.

Eric V. Larsson, PhD, LP, BCBA-D  
President,  
Autism Treatment Association of Minnesota

Executive Director  
Lovaas Institute Midwest  
2925 Dean Parkway, #300,  
Minneapolis MN, 55416  
612.281.8331  
elarsson@lovaas.com



March 13, 2024

To: Representative Tina Liebling  
Chair, Health Finance and Policy Committee  
477 State Office Building  
St. Paul, MN 55155

RE: Support for HF3741

The Minnesota Board of Psychology writes in support of HF 3741. Licensing behavior analysts is the appropriate level of regulation needed to protect the public in this field. Behavior analysts provide access to crucial services to individuals with behavior disorders and developmental disabilities, children with autism, and their families. These recipients of services are often vulnerable adults or children who may have an impaired ability to protect themselves from maltreatment.

The proposed legislation equips the state with the tools it needs to ensure that only qualified individuals provide behavior analysis services in the state. It brings Minnesota into regulatory parity with its neighboring states. The bill also establishes an efficient and effective system to investigate and adjudicate complaints against behavior analysts, provides a mechanism to hold behavior analysts accountable should their conduct fall below the standards of practice, and authorizes the state to remove bad actors from practice if necessary.

The statutory language is the work of compromise between many stakeholders and is also in line with what's required in many of the other 37 states that license behavior analysts. It also creates an advisory committee to the Board to update standards as the field evolves.

Thank you for considering HF3741. If you have any questions, please call or email me at [Samuel.Sands@state.mn.us](mailto:Samuel.Sands@state.mn.us) or (612) 548-2100.

Kind Regards,

Sam Sands  
Executive Director



The Minnesota Northland Association for Behavior Analysis  
www.mnaba.org  
info@mnaba.org

March 13, 2024

Representative Tina Liebling  
Chair, Health Finance and Policy Committee  
Minnesota House of Representatives  
477 State Office Building  
St. Paul, MN 55155

Support of HF 3741/SF 3523

Dear Representative Liebling:

I am the President of the Minnesota Northland Association for Behavior Analysis (MNABA), which is a professional organization of over 300 members who are psychologists, teachers, professors, and other human service professionals across Minnesota. Our members provide behavior analysis services to children and adults with behavioral health disorders in their homes, schools, and communities.

I am writing to introduce myself and MNABA, as well as to share some important information about the urgent need to license behavior analysts in Minnesota. Behavior Analysis should have the same level of support and regulation as Minnesota's other helping professions.

As you may be aware, applied behavior analysis (ABA) services are a vital resource for individuals with behavioral health disorders and special needs, providing them with the direct support they need to reach their full potential. Thank you for your long-term support of autism services and the several laws passed last year that were aimed at helping families access critical EIDBI and other services that enable children and adults to live, work, and thrive in their communities.

MNABA seeks your support for licensing behavior analysts in this legislative session to ensure that the State can protect and deliver the best possible services to vulnerable children and adults with behavioral disorders. Right now, there is no local process for Minnesota consumers of behavior analysis to report complaints of potential unethical or incompetent treatment practices. SF 3523/HF 3741 creates that local process by authorizing the Minnesota Board of Psychology to license behavior analysts, including the power to investigate and resolve consumer complaints to protect the public from the harmful effects of incompetent or unethical providers.

37 other States already license behavior analysts, including all surrounding States. A Minnesota license precludes persons sanctioned in other States from working in Minnesota. It also builds a career path so as not to lose current qualified behavior analysts to an already licensed State.

Our membership would be very grateful if you can pass HF 3741 out of committee and further its path into law.

Thank you in advance for considering my request.

Sincerely,

Dr. Odessa Luna, Ph.D., BCBA-D  
President  
Minnesota Northland Association for Behavior Analysis  
president@mnaba.org

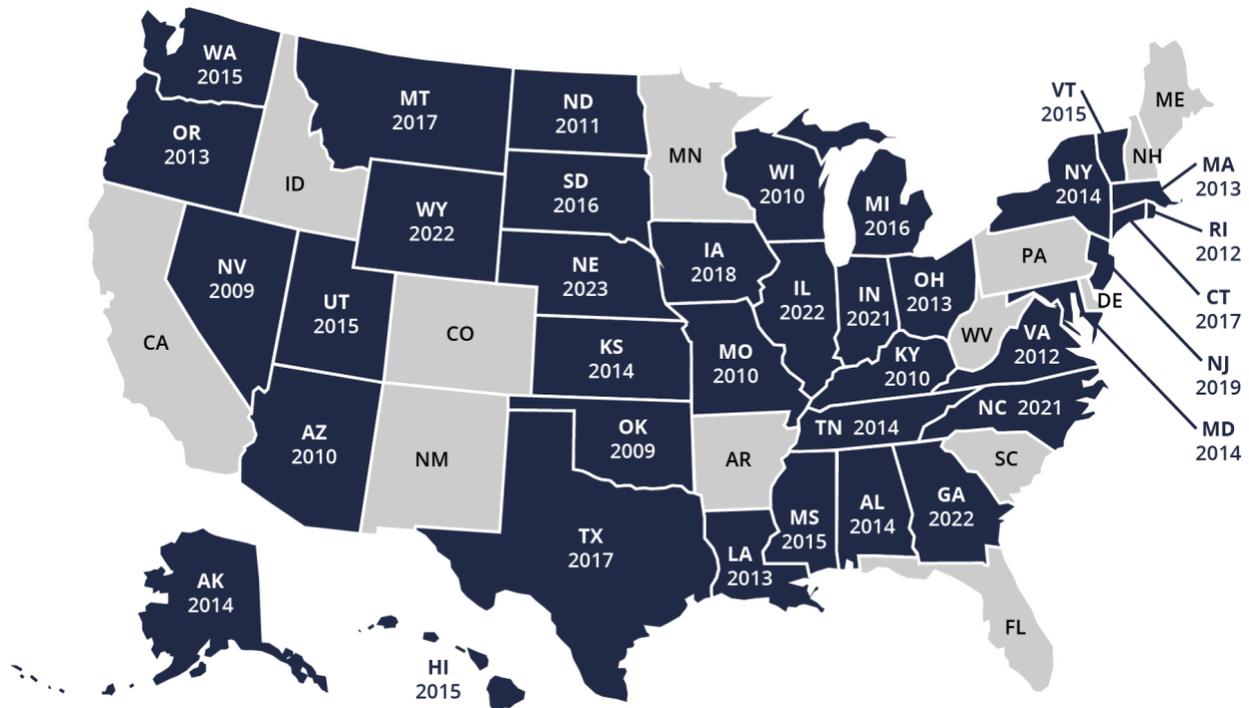
Associate Professor  
Department of Community Psychology, Counseling, and Family Therapy  
B211 Brown Hall  
Saint Cloud State University  
320-308-4167  
odluna@stcloudstate.edu

MNABA is an affiliated chapter of the Association for Behavior Analysis International  
And of the Association of Professional Behavior Analysts

# In support of SF 3523/HF 3741

## U.S. LICENSURE OF BEHAVIOR ANALYSTS

Since 2009, the applied behavior analysis profession has rapidly become regulated. The following US map indicates the states that have passed legislation to license or otherwise regulate behavior analysts and the year the licensure law was enacted.



Source: Behavior Analyst Certification Board (BACB) licensing web page



March 13, 2024

To: Representative Tina Liebling  
Chair, Health Finance and Policy Committee  
477 State Office Building  
St. Paul, MN 55155

RE: Support for HF3741

The Minnesota Board of Psychology writes in support of HF 3741. Licensing behavior analysts is the appropriate level of regulation needed to protect the public in this field. Behavior analysts provide access to crucial services to individuals with behavior disorders and developmental disabilities, children with autism, and their families. These recipients of services are often vulnerable adults or children who may have an impaired ability to protect themselves from maltreatment.

The proposed legislation equips the state with the tools it needs to ensure that only qualified individuals provide behavior analysis services in the state. It brings Minnesota into regulatory parity with its neighboring states. The bill also establishes an efficient and effective system to investigate and adjudicate complaints against behavior analysts, provides a mechanism to hold behavior analysts accountable should their conduct fall below the standards of practice, and authorizes the state to remove bad actors from practice if necessary.

The statutory language is the work of compromise between many stakeholders and is also in line with what's required in many of the other 37 states that license behavior analysts. It also creates an advisory committee to the Board to update standards as the field evolves.

Thank you for considering HF3741. If you have any questions, please call or email me at [Samuel.Sands@state.mn.us](mailto:Samuel.Sands@state.mn.us) or (612) 548-2100.

Kind Regards,

Sam Sands  
Executive Director