STATE OF NEW YORK

3523

2021-2022 Regular Sessions

IN ASSEMBLY

January 27, 2021

Introduced by M. of A. PEOPLES-STOKES, SOLAGES, GUNTHER, M. MILLER, THIELE, BYRNE, SANTABARBARA, ABINANTI, WALSH, GRIFFIN, STIRPE, BARCLAY, ZEBROWSKI, SCHMITT, WALLACE, GOTTFRIED, DiPIETRO, JACOBSON, PICHARDO, DICKENS, COLTON, NIOU, McMAHON, PAULIN, DINOWITZ -- Multi-Sponsored by -- M. of A. BRABENEC, BRONSON, HEVESI, LALOR, MANKTELOW -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to applied behavior analysis

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 8802 of the education law, as added by chapter 554 of the laws of 2013, is amended to read as follows:

1. The practice of applied behavior analysis by a "licensed behavior analyst" shall mean the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior, pursuant to a [~~diagnosis and~~] prescription or order from a person who is licensed or otherwise authorized to provide such [~~diagnosis and~~] prescription or ordering services pursuant to a profession enumerated in this title, for the purpose of providing behavioral health treatment [~~for persons with autism and autism spectrum disorders and related disorders~~].

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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