

# STATE OF NEW YORK

---

1662

2021-2022 Regular Sessions

## IN SENATE

January 14, 2021

---

Introduced by Sens. SKOUFIS, BIAGGI, BOYLE, BRESLIN, BROOKS, GALLIVAN, GAUGHRAN, GOUNARDES, HARCKHAM, HELMING, HOYLMAN, JACKSON, KAMINSKY, KAPLAN, KENNEDY, MAY, ORTT, RITCHIE, SAVINO, SERINO, TEDISCO -- read twice and ordered printed, and when printed to be committed 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:

1 Section 1. Subdivision 1 of section 8802 of the education law, as  
2 added by chapter 554 of the laws of 2013, is amended to read as follows:  
3 1. The practice of applied behavior analysis by a "licensed behavior  
4 analyst" shall mean the design, implementation and evaluation of envi-  
5 ronmental modifications, using behavioral stimuli and consequences, to  
6 produce socially significant improvement in human behavior, including  
7 the use of direct observation, measurement, and functional analysis of  
8 the relationship between environment and behavior, pursuant to a [~~diag-~~  
9 ~~nosis-and~~] prescription or order from a person who is licensed or other-  
10 wise authorized to provide such [~~diagnosis-and~~] prescription or ordering  
11 services pursuant to a profession enumerated in this title, for the  
12 purpose of providing behavioral health treatment [~~for persons with~~  
13 ~~autism and autism spectrum disorders and related disorders~~].  
14 § 2. This act shall take effect immediately.

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

LBD05851-01-1