

**319C.020 Use of titles "licensed behavior analyst" or "licensed assistant behavior analyst" -- Performance of services by person not licensed -- Persons not subject to chapter.**

- (1) No person shall:
  - (a) Engage in the practice of applied behavior analysis, assist in the practice of applied behavior analysis, render services designated as applied behavior analysis, or hold himself or herself out as a practitioner of applied behavior analysis in this state, unless licensed under the provisions of this chapter; or
  - (b) Use the title "licensed behavior analyst" or "licensed assistant behavior analyst" or any title which is substantially the same unless licensed by the board.

Any person who violates this subsection shall be subject to the penalties contained in KRS 319C.990.

- (2) The provisions of this chapter shall not apply to any person who is:
  - (a) Providing applied behavior analysis services to an individual in a public school setting;
  - (b) Implementing applied behavior analysis intervention services to an immediate family member or as a supervisee;
  - (c) Licensed, certified, or registered as a health or allied health professional under any other provisions of the Kentucky Revised Statutes, including but not limited to physicians, psychologists, social workers, nurses, counselors, therapists, including occupational therapists, physical therapists and speech therapists, or students within accredited training programs of these professions. Nothing in this chapter shall be construed to limit, interfere with, or restrict the practice, descriptions of services, or manner in which the health or allied health professional listed in this subsection hold themselves out to the public; or
  - (d) Providing applicable Medicaid waiver services.

**Effective:** July 15, 2010

**History:** Created 2010 Ky. Acts ch. 150, sec. 2, effective July 15, 2010.