



February 25, 2024

To: Senator Ron Latz  
Chair, Senate Health and Human Services Committee  
2017 Minnesota Senate Building  
St. Paul, MN 55155

RE: Support for SF3523

The Minnesota Board of Psychology writes in support of SF 3523. 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 Board would like to highlight to the Committee that language in sections three, six, nine, ten, and twelve are consistent with how licensing boards regulate other health professions and consistent with how the Board currently regulates the practice of psychology. In particular, the background check language in Section three, as amended, requires applicants undergo criminal background checks as required of all other licensed health professions under Minnesota Statute 214.075. Section twelve mirrors language to the Board's existing duty to warn for psychologists and is very similar to duty to warn language enforced by other health licensing boards.

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 SF3523. 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