

# Advocacy Alert: AB 2449

## California



### AB 2449 Action Alert

### Action Required by Monday May 21, 2024

#### What can you do to help?

**AB 2449 has passed out of the Assembly and to the Senate. The bill will be heard for a vote in the Senate Committee on Health on May 29, 2024. Therefore, we need individuals and organizations to do the following no later than Monday, May 21, 2024:**

- Read CASP's letter of opposition [here](#).
- Write a letter opposing AB 2449 on behalf of yourself or your organization (1-2 pages on agency letterhead, if possible). A template is provided, with guidance for customizing it. Feel free to paraphrase content from this document or the CASP letter.
- Submit your letter via the legislative portal <https://calegislature.ca.gov/Advocates/> and/or send it to Mariel Fernandez: [mfernandez@casproviders.org](mailto:mfernandez@casproviders.org) for submission **no later than 5:00 p.m. Monday, May 21.**
- Share this information alert with others, including the families of consumers you serve, and urge them to consider writing letters to oppose AB 2449. A template is appended, with guidance for customizing it.

#### Collaborative Effort

CASP and CalABA strive to ensure laws and regulations in California protect all consumers of applied behavior analysis (ABA) services and their families and advance and support the practice of ABA. To that end, CASP and CalABA are urging members and others to oppose a bill being considered by the California legislature that would weaken qualifications for providers of behavioral health services for people diagnosed with autism. **Assembly Bill 2449** (Ta) proposes to amend the definition of "qualified autism service provider" in California's autism insurance law by adding individuals certified as Qualified Behavior Analysts (QBA) by the Qualified Applied Behavior Analysis Credentialing Board (QABA).

While we recognize that QBA or other similar certification organizations are intended to support the field of ABA and protect consumers, it is essential that any identified organizations being considered for the legislative process, meet or exceed the criteria of existing certification bodies. For reasons outlined below,

we are deeply concerned that adoption of this bill would put individuals with autism at risk and undermine the integrity of behavioral health professionals in California and beyond.

## Major Differences in QABA requirements:

The QABA certification programs are substantially weaker than other programs for licensing or certifying practitioners in behavioral health professions. They contrast with those programs and the entities that manage them in several important ways:

- QABA bylaws show that QABA is owned and controlled by a **privately held, for-profit company**. Other national entities that credential practitioners in health care and other human service professions are nonprofit organizations.
- Most nonprofit professional certifying entities make information about their governance, certification requirements and how those are developed, and other standards readily **available on their websites**. Parallel information is unavailable or difficult to find on the QABA website.
- Candidates for the QABA certification through QABA need not complete any university coursework; instead, they can take **training from private vendors who are approved by the QABA Board**.
- Candidates for licensure or certification in most professions must pass a professional **exam** that is administered at a **secure testing center**. Candidates for the QABA certification take an exam **in their home or workplace that is proctored by a company (Examity) that has been the subject of numerous complaints**. That raises questions about the integrity and security of the QABA exam.
- Information on the QABA website indicates clearly that the **QABA certification is in autism intervention** rather than the practice of behavior analysis or another behavior health profession. QABA candidates are not required to take coursework in the theoretical underpinnings of the science of behavior analysis.
- Enforcement of **ethical standards** is essential for protecting consumers. Oversight of the ethical conduct of QBAs is exercised by the QABA Board. It is difficult to find information on the QABA website about its ethics code and how it was developed and how it is enforced, and there are no instructions for reporting possible ethical violations. No information about disciplinary actions is available on the website. That raises serious questions about the protection of consumers who receive services from QABA certificants.