HOUSE DOCKET, NO. 5417 FILED ON: 12/10/2025

HOUSE . . . . . No. 4927

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to relative to protecting access to applied behavior analysis services in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James J. O'Day	*14th Worcester*	*12/10/2025*
Sean Garballey	*23rd Middlesex*	*12/19/2025*

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By Representative O'Day of West Boylston, a petition (subject to Joint Rule 12) of James J. O'Day relative to access to applied behavior analysis services in schools. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to relative to protecting access to applied behavior analysis services in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 71B of the General Laws is here by amended by adding the following section:-

Section 18. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Applied behavior analysis", evidence-based therapeutic interventions to improve socially significant behaviors and address behavioral challenges.

"Department", the department of elementary and secondary education.

"Licensed applied behavior analyst", an individual who, by training, experience and examination, meets the requirements for licensing by the board and is duly licensed to engage in the practice of applied behavior analysis in the commonwealth.

"Private instructional personnel", applied behavior analysis professionals contracted by parents or guardians to provide services in educational settings.

"Registered behavior technician", a professional certified in behavior analysis by the Behavior Analyst Certification Board , working under the supervision of a licensed applied behavior analyst or board certified behavior analyst.

(b)(1) All public, charter and private schools shall provide access to applied behavior analysis services for students with Autism Spectrum Disorder diagnosis. Applied behavior analysis services shall be delivered on school premises by a: (i) licensed applied behavior analysts; (ii) board certified behavior analysts; or (iii) registered behavior technicians. Registered behavior technicians shall be supervised by a licensed applied behavior analyst or a board certified behavior analyst.

(2) School districts shall not deny access to any qualified applied behavior analysis provider, including private instructional personnel contracted by a student's parent or guardian; provided, that the qualified applied behavior analysis provider meets the requirements of this section.

(c) All public, charter and private schools and school districts shall collaborate with private applied behavior analysis providers to integrate their services into the student's academic environment.

(d)(1) All public, charter and private schools and school districts shall be prohibited from:

(i) imposing additional requirements on applied behavior analysis providers beyond licensure or certification pursuant to chapter 112 or the behavior analyst certification board;

(ii) denying applied behavior analysis providers, including private instructional personnel access to classrooms or other school facilities;

(iii) charging parents or providers additional fees for applied behavior analysis services delivered in school settings.

(2) School staff, including teachers and administrators, shall not interfere with or obstruct applied behavior analysis providers in the performance of their duties.

(e)(1) Registered behavior technicians delivering applied behavior analysis services in schools shall be supervised by a licensed applied behavior analyst or board certified behavior analyst, with supervision conducted in accordance with national certification standards.

(2) The supervising licensed applied behavior analyst or board certified behavior analyst shall be responsible for ensuring the quality and fidelity of applied behavior analysis interventions.

(f)(1) Applied behavior analysis providers shall complete all state-mandated background checks and provide proof of licensure or certification to school districts.

(2) A public, charter and private school may request necessary documentation applied behavior analysis providers, but not delay services longer that 45 days due to providing necessary documentation.

(g)(1) Parents, guardians or applied behavior analysis providers may file a complaint with the department if a school or school district denies access to applied behavior analysis services.

(2) The department shall investigate all complaints and may impose penalties or corrective actions on non-compliant schools or districts.

SECTION 2. This act shall take effect on July 1, 2025 and shall apply to all applied behavior analysis services delivered on or after this date.