



HB 2048: Oregon Health Licensing Office (HLO) Provisional Approval of Behavior Analysis Interventionist (BAI, Behavior Technician) Key Considerations

January 2023

Current draft proposed language (HB 2048) directs Health Licensing Office to issue provisional registration to applicant for Behavior Analysis Interventionist registration.

Issue: The Health Licensing Office (HLO) Behavior Analysis Interventionist¹ (BAI) Registry delays staffing and starts of care. As a result, a barrier to timely access to care is created for families seeking service (see data below). Additionally, in the current turbulent labor market this delay is disruptive for providers delivering Applied Behavior Analysis (ABA) services – it increases recruiting and onboarding expenses and contributes to BAI turnover. BAIs cannot work on a case until the registration is complete.

Background

There is no federal mandate to register Behavior Technicians (BT). However, Oregon requires licensing of the BT ([Oregon Health Authority : Behavior Analysis Regulatory Board - License Information : Health Licensing Office : State of Oregon](#)). The timelines to receive HLO approval can be as short as two weeks, but there are circumstances where it takes much longer sometimes a month or more. The delays seem to be occurring more frequently and approvals are taking longer (see table below). The registration delay prevents an individual seeking service from receiving timely ABA and can increase the likelihood of a team member quitting (gap between hire date and starting a case – i.e., first paycheck – creates financial hardships).

The table below presents Centria’s experience in 2022 by quarter in obtaining HLO approvals for 223 RBAI candidates (expressed in days).

While the approval median remains relatively constant (ranging from 6.0-7.0 days, i.e., one calendar week), the upper limit maximum increases dramatically (from 25 days to 83 days, or almost three months) and drives up the approval average duration by 65% from Q1 to Q4 2022. This implies the approval process is less in control

	<u>Q4</u>	<u>Q3</u>	<u>Q2</u>	<u>Q1</u>
Median	6.5	7.0	6.0	6.0
Minimum	1.0	1.0	2.0	1.0
Maximum	83	48	33	25
Count	56	63	52	52

statistically speaking in Q4 than it was in Q1. Volume has been fairly constant throughout 2022. It is important to note fully 37% of approvals took longer than one week (the Median duration) in 2022.

The actual performance is likely worse than reflected in the data as behavior technicians are likely quitting before receiving RBAI approval because candidates can’t afford to wait too long without earning a paycheck.

Potential Solution

It is important to understand registration of Behavior Technicians is not required by federal regulations and other states do not have such a process.

The ABA provider community would be in favor of ending the HLO registration process altogether and holding individual ABA providers accountable for the training, competency, and quality of their employed BAI.

In the absence of eliminating the registration requirement, implementing a “grace” period or providing provisional registration would allow a BAI to be staffed on a case and a client to begin receiving ABA services while the formal BAI registration application is being processed by the HLO.

¹ Commonly referred to as a BT or Behavior Technician in the industry