

Submitter: Robert Nickel

On Behalf Of:

Committee: House Committee On Behavioral Health and Health Care

Measure: HB2421

Chair Nosse and committee members:

I'm writing to ask you to support HB2421. This bill is designed to fix critical licensing and regulatory issues with the practice of Applied Behavior Analysis (ABA) therapy in Oregon. It will also enhance patient safety for the children who receive this therapy. I am a Developmental Pediatrician and Adjunct Professor of Pediatrics at Oregon Health & Science University (OHSU). My current area of clinical focus is the identification and treatment of children with autism spectrum disorder (ASD). In that regard, I frequently refer young children to ABA service providers and continue to track their progress during recommended treatments.

ABA therapy has been shown to be an evidence-based treatment, especially for young children with ASD. Intensity or hours of treatment is critically important for young children with ASD and other developmental delays and behavioral health conditions. ABA therapists can provide 15 hours or more of services weekly which results in improved attention, focus, and communication skills; and a decrease in problem behaviors.

HB2421 fixes critical gaps and issues with licensing and regulation of ABA therapy in Oregon. It also addresses safety issues. Here are a few of the critical issues that HB2421 will fix:

- Child abuse reporting: unlike essentially every other professional that has any contact with children, ABA therapists are currently exempt from the responsibility to report child abuse. Even dog catchers in Oregon must report child abuse – but not ABA therapists.
- Gay conversion therapy: Oregon prohibits the harmful practice of gay conversion therapy to attempt to change a child's sexual orientation by psychologists, social workers, professional counselors, and occupational therapists – but NOT by ABA therapists.
- Professional misconduct by ABA interventionists: due to a drafting error, the Health Licensing Office currently has NO authority to discipline the Registered Behavior Analysis Interventionists who work most closely with disabled children, without direct supervision. This means that even if an interventionist is convicted of abusing a patient, there is no way to even rescind their registration authorizing them to practice ABA.
- Duty to report unprofessional conduct, arrests, and convictions: Oregon requires all other health professionals to report prohibited or unprofessional conduct by other licensees or their own criminal convictions – but not ABA therapists.

Please support this critical bill, HB2421

Sincerely,

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