

Submitter: Kelly Headrick

On Behalf Of: HB2421

Committee: House Committee On Behavioral Health and Health Care

Measure: HB2421

Dear Chair Nosse and Members of the Committee:

I'm writing to ask you to support HB2421, which fixes critical licensing and regulatory issues with the practice of Applied Behavior Analysis (ABA) therapy in Oregon and enhances patient safety.

Autism Speaks is a national nonprofit organization dedicated to promoting solutions, across the spectrum and throughout the life span, for the needs of individuals with autism and their families. We do this through advocacy and support, increasing understanding and acceptance of people with autism spectrum disorder, and advancing research into causes and better interventions for autism and related comorbidities.

In 2013, Autism Speaks was part of a coalition of organizations and individuals in Oregon that worked with legislative champions to pass then-SB 365, Autism Health Insurance Reform. That bill ensured coverage of ABA and other medically-necessary autism services, within state-regulated health insurance plans. Autism Speaks has been an organizational leader in such important insurance coverage legislation in all fifty states, and we thank you for past support as well as current.

In 2021, Autism Speaks also endorsed SB358, which originally had the same provisions that are now presented in HB2421. We understand that those provisions were removed in the last-minute rush to passage before the end of the session.

ABA is a common and often life-changing behavioral health therapy for individuals with autism and their families. Together with other prescribed services for some autistic children and adults, such as occupational therapy and/or speech therapy, ABA helps people with autism reach their full potential in areas including education, employment, independent living, and life satisfaction.

HB2421 fixes critical gaps and issues with licensing and regulation of ABA therapy in Oregon, and improves patient safety. 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.
- 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 vote favorably for HB2421 in support of the autism community and individuals' rights to reach their full potential and to be protected along the way. Thanks very much.

Respectfully submitted,

Kelly Headrick, Senior Director – State Government Affairs, Autism Speaks