

DRAFT

36-38-25. Criminal background checks of assistant behavior analysts and paraprofessionals

Any assistant behavior analyst or paraprofessional who delivers applied behavior analysis services under the extended authority and direction of a behavior analyst shall submit to a criminal background investigation, by means of fingerprint checks by the Division of Criminal Investigation, ~~and the Federal Bureau of Investigation. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal history check.~~ The behavior analyst who supervises the assistant behavior analyst or paraprofessional is responsible for any fees charged for the cost of fingerprinting or the criminal background investigation as required by this section. Each criminal record provided to the board under this section is confidential. The board may use the records only in determining an assistant behavior analyst's or paraprofessional's eligibility to be supervised by an applied behavior analyst for the delivery of applied behavior analysis.

For Consideration See:

SDCL 13-10-12
SDCL 23-3-15.2
SDCL 13-49-14.13
SDCL 1-43-34
SDCL 27B-3-52
SDCL 27A-4-22
SDCL 9-14-42
SDCL 1-53-20
SDCL 1-36-36
SDCL 51A-17-11
SDCL 36-11-16.1
SDCL 36-4A-8.2
SDCL 36-28-12.1
SDCL 36-6A-44.1

See also pdf title "Westlaw – SD Statutes DCI and FBI."