

Origin Date: 11-28-2017 RLM  
Revise Date: 12-28-2017 RLM  
Revise Date: 1-5-2018  
Revise Date: 2-22-2018 RLM  
Revise Date: 5-4-2018 RLM

## CHAPTER 20:85:03

### ASSISTANT BEHAVIOR ANALYSTS or PARAPROFESSIONALS

#### **20:85:03:01. Delivery of Services of an Assistant Behavior Analyst or Paraprofessional.**

Unless exempt under applicable law, assistant behavior analysts (BCaBA) and paraprofessionals (RBT) are individuals who deliver applied behavior analysis services under the extended authority and direction and supervision of a behavior analyst licensed in South Dakota, provided that the services are supervised in accordance with the requirements of the Behavior Analyst Certification Board, Inc.

**Source:**

**General Authority:** SDCL 36-38-27

**Law Implemented:** SDCL 36-38-27

**Resource:** <https://www.bacb.com/>

#### **20:85:03:02. Qualifications Necessary.** The qualifications necessary are:

1. An assistant behavior analyst must meet the requirements of the Behavior Analyst Certification Board, Inc. and receive BCaBA certification.
2. A paraprofessional must meet the requirements of the Behavior Analyst Certification Board, Inc. and receive RBT certification.
3. An assistant behavior analyst with BCaBA certification by the Behavior Analyst Certification Board, Inc. or a paraprofessional with an RBT certification by the Behavior Analyst Certification Board, Inc. and in good standing with the Behavior Analyst Certification Board, Inc., must be supervised by a licensed behavior analyst.

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**20:85:03:03. Title to be Used by Assistant Behavior Analyst or Paraprofessional.** The assistant behavior analyst or paraprofessional may not represent himself or herself as a behavior analyst. The assistant behavior analyst (BCaBA) shall use a title that indicates assistant status, such as an assistant behavior analyst or Board Certified Assistant Behavior Analyst. The paraprofessional (RBT) shall use a title that indicates paraprofessional status, such as Registered Behavior Technician, tutor, or line therapist.

**Source:**

**General Authority:** SDCL 36-38-27

**Law Implemented:** SDCL 36-38-27

**20:85:03:04. Scope of the Delivery of Behavioral Health Treatment.** The scope of behavioral health treatment shall be guided as follows:

1. Applied behavior analysis is the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.
2. The practice of applied behavioral analysis is the application of principles, methods, and procedures of the analysis of behavior including principles of operant and respondent learning.
3. The practice of applied behavioral analysis may only be undertaken by a South Dakota licensed behavior analyst.
4. Behavioral health treatment is evidenced based interventions which achieve specific improvements in functional capacity of a person.
5. The delivery of behavioral health treatment services may be provided by an assistant behavior analyst (BCaBA) or paraprofessional (RBT) under the extended authority, direction, and supervision of a South Dakota licensed behavior analyst, provided that the services are supervised in accordance with the requirements of the Behavior Analyst Certification Board, Inc.

Bob's Notes: SDCL 58-17-154; SDCL 36-38-1 and 36-38-2.

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**General Authority:** SDCL 36-38-27

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**20:85:03:05. Limitations of Duties of a Paraprofessional (RBT).** The duties of a paraprofessional are limited to those duties and services allowed to be performed at their level of certification in accordance with the requirements of the Behavior Analyst Certification Board, Inc.

**Source:**

**General Authority:** SDCL 36-38-27

**Law Implemented:** SDCL 36-38-27

**Resource:** <https://www.bacb.com/>

**20:85:03:06. Limitations of Duties of Assistant Behavior Analyst (BCaBA).** The duties of an assistant behavior analyst are limited to those duties and services allowed to be performed at their level of certification in accordance with the requirements of the Behavior Analyst Certification Board, Inc.

**Source:**

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