

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 745

(Delegate Guyton, *et al.*)

Health and Government Operations

Finance

**State Board of Professional Counselors and Therapists - Behavior Analysts -
Licensure Applications**

This bill requires the State Board of Professional Counselors and Therapists to issue a behavior analyst license within 30 days after receiving a completed application from a qualified applicant. If an applicant submits an incomplete application but is determined to meet licensure requirements based on additional information submitted, the board must issue a license within 50 days of receiving the additional information. The board must notify an applicant for a behavior analyst license by email when the board (1) receives the application; (2) begins reviewing the application; (3) determines the application is complete or needs more information; or (4) decides to issue or deny the license. Upon request of an applicant (or a third party designated by the applicant), the board must send additional email notifications regarding the status of the application.

Fiscal Summary

State Effect: The board can handle the bill's requirements with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Board of Professional Counselors and Therapists licenses and certifies professional counselors, alcohol and drug counselors, marriage and

family therapists, professional art therapists, and behavior analysts; receives and resolves complaints; and sets standards for the practice of counseling and therapy.

The “practice of behavior analysis” means the design, implementation, and evaluation of systematic instructional and environmental modifications to produce socially significant improvements in human behavior. “Practice of behavior analysis” includes (1) the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis and (2) interventions based on scientific research and the direct observation and measurement of behavior and environment. “Practice of behavior analysis” does not include psychological testing, diagnosis of a mental or physical disorder, neuropsychology, psychotherapy, cognitive therapy, sex therapy, psychoanalysis, hypnotherapy, counseling, or any subdiscipline of psychology as treatment modalities.

Generally, an individual must be licensed by the board before practicing behavior analysis in the State. To qualify for a license, an individual must be (1) at least 18 years old; (2) of good moral character; (3) have current certification by the Behavior Analyst Certification Board or its successor organization; (4) have a master’s degree or higher from an accredited program; (5) be able to speak and write in English; and (6) meet any other requirements established by the board.

A qualified applicant must submit an application to the board, pay the application fee, and submit to a criminal history records check to obtain a license.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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