

By: Coleman

H.B. No. 3077

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regulation of applied behavior analysis
3 paraprofessional technicians; requiring a registration.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter F, Chapter 506, Occupations Code, is
6 amended by adding Section 506.258 to read as follows:

7 Sec. 506.258. REGISTRATION OF PARAPROFESSIONAL TECHNICIAN.

8 (a) A person may deliver applied behavior analysis services under
9 the extended authority and direction of a licensed behavior analyst
10 or licensed assistant behavior analyst only if the person is
11 registered with the department as a paraprofessional technician. A
12 person registered under this section shall be designated as an
13 "applied behavior analysis technician," "behavior technician,"
14 "tutor," or "front-line therapist."

15 (b) The department shall register a person as a
16 paraprofessional technician if the person:

17 (1) applies for registration in the manner and on a
18 form prescribed by the department;

19 (2) pays the application fee set by the commission;
20 and

21 (3) meets the requirements for registration
22 established by the commission.

23 (c) The commission by rule shall establish requirements
24 for:

1 (1) obtaining and renewing a registration under this
2 section; and

3 (2) the supervision by a license holder of a
4 paraprofessional technician, including the maximum number of
5 paraprofessional technicians who may deliver services under a
6 license holder's supervision.

7 (d) A person who violates this section or a rule adopted
8 under this section is subject to the enforcement provisions of
9 Subchapter I.

10 SECTION 2. Effective January 1, 2022, Section 506.054,
11 Occupations Code, is repealed.

12 SECTION 3. Not later than December 1, 2021, the Texas
13 Commission of Licensing and Regulation shall adopt rules necessary
14 to implement Section 506.258, Occupations Code, as added by this
15 Act.

16 SECTION 4. Notwithstanding Section 506.258, Occupations
17 Code, as added by this Act:

18 (1) a person is not required to register as a
19 paraprofessional technician under that section before January 1,
20 2022; and

21 (2) Subchapter I, Chapter 506, Occupations Code, does
22 not apply to conduct described by that section before January 1,
23 2022.

24 SECTION 5. Except as otherwise provided by this Act, this
25 Act takes effect September 1, 2021.