

RCW 18.380.030 Exemptions. Nothing in this chapter may be construed to prohibit or restrict:

(1) An individual who holds a credential issued by this state, other than as a licensed behavior analyst, a licensed assistant behavior analyst, or a certified behavior technician, to engage in the practice of that occupation or profession without obtaining an additional credential from the state, so long as the practice is within that profession's or occupation's scope of practice;

(2) A person employed as a behavior analyst, assistant behavior analyst, or behavior technician by the government of the United States if the person provides behavior analysis services solely under the direction or control of the agency by which the person is employed;

(3) An employee of a school district, charter school, or private school approved under chapter 28A.195 RCW in the performance of his or her regular duties of employment, so long as the employee does not offer behavior analytic services to any person or entity other than the school employer and does not accept remuneration for providing behavior analytic services other than the remuneration he or she receives from the school employer;

(4) The practice of applied behavior analysis by a matriculated college or university student if he or she: (a) Participates in a defined course, internship, practicum, or program of study; (b) is supervised by college or university faculty or a licensed behavior analyst; and (c) uses a title that clearly indicates trainee status, such as "behavior analysis student," "behavior analysis intern," or "behavior analysis trainee";

(5) The practice of applied behavior analysis by an individual pursuing supervised experiential training to meet eligibility requirements for licensure under this chapter or national certification in behavior analysis, so long as the training is supervised by a licensed behavior analyst who meets any additional requirements established by the secretary or by a professional who meets supervisor requirements determined by a national certifying entity;

(6) Implementation of a behavior analysis treatment plan by a family member or legal guardian of a recipient of behavior analysis services, as defined in rule, so long as the family member or legal guardian is under the supervision of a licensed behavior analyst or a licensed assistant behavior analyst;

(7) The activities of a behavior analyst who practices with nonhumans including, but not limited to, animal trainers and applied animal behaviorists; or

(8) The activities of a behavior analyst who provides general behavior analysis services to organizations so long as those services are for the benefit of the organization and do not involve direct services to individuals. [2015 c 118 s 3.]

Effective date—2015 c 118: See note following RCW 18.380.010.