

MAY 5 2026

Angie Darnell

REGULATIONS COMPILER

1 GENERAL GOVERNMENT CABINET
2 APPLIED BEHAVIOR ANALYSIS LICENSING BOARD
3 (Amendment)
4 201 KAR 43:010. Application procedures for licensure.

5 RELATES TO: KRS 319C.070, 319C.080(1), (2)

6 STATUTORY AUTHORITY: KRS 319C.060(2)(a)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 319C.060(2)(a) requires the board to
8 promulgate administrative regulations establishing the requirements for an applicant for licensure as a
9 behavior analyst or assistant behavior analyst. This administrative regulation establishes the requirements
10 for applicants for licensure.

11 Section 1. Application Procedures.

12 (1) An Application for Licensure as a behavior analyst shall be submitted after the requirements
13 established in KRS 319C.080(1) are met.

14 (2) An Application for Licensure as an assistant behavior analyst shall be submitted after the
15 requirements established in KRS 319C.080(2) are met.

16 (3) The application required by subsections (1) and (2) of this section shall be made by submitting a
17 completed Form ABA-001, Application for Licensure, to the board. The application shall include:

18 (a) A certification by the applicant that the:

1 1. Information in the application is true, correct, and complete to the best of his or her knowledge and
2 belief; and

3 2. Applicant is aware that a misrepresentation or falsification in the application is grounds for denial or
4 revocation of the license at any time;

5 (b) A copy of the degree obtained;

6 (c) A check or money order payable to the Kentucky State Treasurer for the application review and
7 licensure fee as required by 201 KAR 43:030;

8 (d) Proof of compliance with the educational, examination, and credentialing requirements established
9 in KRS 319C.080(1) for applicants seeking licensure as a behavior analyst and KRS 319C.080(2) for
10 applicants seeking licensure as an assistant behavior analyst; and

11 (e) Proof of completion, within the past seven (7) years, of at least five (5) hours of training in:

12 1. Adult abuse, ~~[and]~~ neglect, and dependency;

13 2. Child abuse, neglect, and dependency; or

14 3. A combination of subparagraphs 1. and 2. of this paragraph. The completed proof shall indicate that
15 the training: [abuse, neglect, or dependency was explicitly covered in the training]

16 (i) explicitly covers abuse, neglect, adult dependency, or child dependency;

17 (ii) adheres to the ethics requirements of 201 KAR 43:040;

18 (iii) references evidence-based practices, research, and policy updated within the last seven (7) years;

19 and

20 (iv) includes a completion certificate issued by the training provider or providers, which states the total
21 hours earned.

22 (4) Applicants for licensure as an assistant behavior analyst shall also submit a completed Supervisory
23 Plan, Form ABA-002, as incorporated by reference in 201 KAR 43:050, for board approval.

1 (5) A licensed assistant behavior analyst may apply for licensure as a licensed behavior analyst at any
2 time within the two (2) year licensure period after meeting the requirements established in this
3 administrative regulation. A final Report of Supervision, Form ABA-003, as incorporated by reference in
4 201 KAR 43:050, shall also be submitted for board approval.

5 (6) An applicant for licensure as any type of behavior analyst shall have completed all requirements of
6 any other license that the applicant holds with the board prior to submitting an application for licensure as
7 a behavior analyst.

8 Section 2. Applications Committee. The applications committee shall consist of at least two (2) board
9 members appointed by the chair of the board. The applications committee may be assisted by the board
10 staff and counsel to the board. The applications committee shall:

- 11 (1) Review applications for licensure including renewals and reinstatements;
12 (2) Review Supervisory Plans and Reports of Supervision;
13 (3) Make recommendations to the board to approve, defer, or deny applications; and
14 (4) Make recommendations to the board to approve or require revisions to Supervisory Plans and
15 Reports of Supervision.

16 Section 3. Incorporation by Reference.

17 (1) Form ABA-001, "Application for Licensure", May 2022, is incorporated by reference.

18 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the
19 Kentucky Applied Behavior Analysis Licensing Board, 500 Mero Street, [2SC32,] Frankfort, Kentucky
20 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site
21 at aba.ky.gov.

22

201 KAR 43:010

Kirsti Singer
KIRSTI SINGER, CHAIR
APPLIED BEHAVIOR ANALYSIS BOARD

5/1/2026
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on July 21, 2026 at 10:00 a.m., eastern time, in the Applied Behavior Analysis Board, 500 Mero Street, First Floor, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through July 31, 2026 at 11:59 p.m., Eastern time. Send written notification of the intent to be heard at the public hearing or written comments on the proposed administrative regulation by the above date to the contact person below:

Contact Person: Jennifer Wolsing, Attorney
Applied Behavior Analysis Board
500 Mero Street, 2nd Floor
Frankfort, Kentucky 40601
Phone: (502) 401-7617
Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 43:010

Contact Person: Jennifer Wolsing

Phone: (502) 401-7617

Email: jennifer.wolsing@ky.gov

Subject Headings: *Behavioral Health, Mental Health, Education*

(1) Provide a brief summary of:

(a) What this administrative regulation does: KRS 319C.060(2)(a) requires the board to promulgate administrative regulations establishing the requirements for an applicant for licensure as a behavior analyst or assistant behavior analyst. This administrative regulation establishes the requirements for licensure applicants.

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 319C.060(2)(a).

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 319C.060(2)(a) requires the board to promulgate administrative regulations establishing the requirements for an applicant for licensure as a behavior analyst or assistant behavior analyst. This administrative regulation establishes the requirements for applicants for licensure.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the effective administration of KRS Chapter 319C by carrying out the legislative mandate for the board to establish regulations for the practice of behavior analysis.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This proposed regulatory amendment clarifies application requirements regarding necessary training. The amendment also adds a requirement that any applicant must have completed all requirements for any other board license held by that applicant.

(b) The necessity of the amendment to this administrative regulation: This proposed regulatory amendment is necessary because the board observed licensees attempting to obtain credit for outdated trainings or trainings that were not relevant to applied behavior analysis in Kentucky. The requirement of completing all necessary requirements for any other board license held by a license applicant incentivizes applicants to finish all outstanding tasks and thereby deliver better client services.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 319C.060(2)(a) requires the board to promulgate administrative regulations establishing the requirements for an applicant for licensure as a behavior analyst or assistant behavior analyst. This proposed amendment clarifies the training requirements for licensure applicants.

(d) How the amendment will assist in the effective administration of the statutes: This administrative regulation establishes the training requirements for licensure applicants.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect an unknown number of applicants for licensure as behavior analysts and assistant behavior analysts. The regulation will affect the Board via the creation of the Applications Committee.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Licensure applicants must take the appropriate trainings to qualify for licensure.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): Licensure applicants already had certain training requirements. This proposed regulatory amendment merely clarifies the pre-existing requirements. Therefore, applicants will not have to pay any more for training than they already did.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Trainings will be more appropriate and tailored to properly provide useful education necessary to practice applied behavior analysis in Kentucky.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis: There are no anticipated continuing costs to administer this regulatory amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: Any department costs of implementation will be met with existing agency funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: This amendment will not necessitate an increase in fees or require funding from the agency for implementation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: There are no fees increased by this amendment.

(10) TIERING: Is tiering applied? Tiering is not applied.

FISCAL IMPACT STATEMENT

201 KAR 43:010

Contact Person: Jennifer Wolsing

Phone: (502) 401-7617

Email: jennifer.wolsing@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 319C.060(2)(a).

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: *{Response}*

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Applied Behavior Analysis Licensing Board.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: None.

For subsequent years: None.

2. Revenues:

For the first year: None.

For subsequent years: None.

3. Cost Savings:

For the first year: None.

For subsequent years: None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):
None.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): Prospective licensees will be impacted by this proposed regulatory amendment.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: None.

For subsequent years: None.

2. Revenues:

For the first year: None.

For subsequent years: None.

3. Cost Savings:

For the first year: None.

For subsequent years: None.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: This regulation changes and clarifies license application requirements, none of which require a financial expenditure.

(b) Methodology and resources used to reach this conclusion: Please see the answer to (5)(a).

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(14): No.

(b) The methodology and resources used to reach this conclusion: Please see the answer to (5)(a).