

BEHAVIOR ANALYST CERTIFICATION BOARD®



# Professional and Ethical Compliance Code for Behavior Analysts

The Behavior Analyst Certification Board's (BACB's) Professional and Ethical Compliance Code for Behavior Analysts (the "Code") consolidates, updates, and replaces the BACB's Professional Disciplinary and Ethical Standards and Guidelines for Responsible Conduct for Behavior Analysts. The Code includes 10 sections relevant to professional and ethical behavior of behavior analysts, along with a glossary of terms. Effective January 1, 2016, all BACB applicants and certificants will be required to adhere to the Code.

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In the original version of the Guidelines for Professional Conduct for Behavior Analysts, the authors acknowledged ethics codes from the following organizations: American Anthropological Association, American Educational Research Association, American Psychological Association, American Sociological Association, California Association for Behavior Analysis, Florida Association for Behavior Analysis, National Association of Social Workers, National Association of School Psychologists, and Texas Association for Behavior Analysis. We acknowledge and thank these professional organizations that have provided substantial guidance and clear models from which the Code has evolved.

Approved by the BACB's Board of Directors on August 7, 2014.

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## Contents

### 1.0 Responsible Conduct of Behavior Analysts

- 1.01 Reliance on Scientific Knowledge
- 1.02 Boundaries of Competence
- 1.03 Maintaining Competence through Professional Development
- 1.04 Integrity
- 1.05 Professional and Scientific Relationships
- 1.06 Multiple Relationships and Conflicts of Interest
- 1.07 Exploitative Relationships

### 2.0 Behavior Analysts' Responsibility to Clients

- 2.01 Accepting Clients
- 2.02 Responsibility
- 2.03 Consultation
- 2.04 Third-Party Involvement in Services
- 2.05 Rights and Prerogatives of Clients
- 2.06 Maintaining Confidentiality
- 2.07 Maintaining Records
- 2.08 Disclosures
- 2.09 Treatment/Intervention Efficacy
- 2.10 Documenting Professional Work and Research
- 2.11 Records and Data
- 2.12 Contracts, Fees, and Financial Arrangements
- 2.13 Accuracy in Billing Reports
- 2.14 Referrals and Fees
- 2.15 Interrupting or Discontinuing Services

### 3.0 Assessing Behavior

- 3.01 Behavior-Analytic Assessment
- 3.02 Medical Consultation
- 3.03 Behavior-Analytic Assessment Consent
- 3.04 Explaining Assessment Results
- 3.05 Consent-Client Records

### 4.0 Behavior Analysts and the Behavior-Change Program

- 4.01 Conceptual Consistency
- 4.02 Involving Clients in Planning and Consent
- 4.03 Individualized Behavior-Change Programs
- 4.04 Approving Behavior-Change Programs
- 4.05 Describing Behavior-Change Program Objectives
- 4.06 Describing Conditions for Behavior-Change Program Success
- 4.07 Environmental Conditions that Interfere with Implementation
- 4.08 Considerations Regarding Punishment Procedures
- 4.09 Least Restrictive Procedures
- 4.10 Avoiding Harmful Reinforcers
- 4.11 Discontinuing Behavior-Change Programs and Behavior-Analytic Services



## Contents, continued

### 5.0 Behavior Analysts as Supervisors

- 5.01 Supervisory Competence
- 5.02 Supervisory Volume
- 5.03 Supervisory Delegation
- 5.04 Designing Effective Supervision and Training
- 5.05 Communication of Supervision Conditions
- 5.06 Providing Feedback to Supervisees
- 5.07 Evaluating the Effects of Supervision

### 6.0 Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysts

- 6.01 Affirming Principles
- 6.02 Disseminating Behavior Analysis

### 7.0 Behavior Analysts' Ethical Responsibility to Colleagues

- 7.01 Promoting an Ethical Culture
- 7.02 Ethical Violations by Others and Risk of Harm

### 8.0 Public Statements

- 8.01 Avoiding False or Deceptive Statements
- 8.02 Intellectual Property
- 8.03 Statements by Others
- 8.04 Media Presentations and Media-Based Services
- 8.05 Testimonials and Advertising
- 8.06 In-Person Solicitation

### 9.0 Behavior Analysts and Research

- 9.01 Conforming with Laws and Regulations
- 9.02 Characteristics of Responsible Research
- 9.03 Informed Consent
- 9.04 Using Confidential Information for Didactic or Instructive Purposes
- 9.05 Debriefing
- 9.06 Grant and Journal Reviews
- 9.07 Plagiarism
- 9.08 Acknowledging Contributions
- 9.09 Accuracy and Use of Data

### 10.0 Behavior Analysts' Ethical Responsibility to the BACB

- 10.01 Truthful and Accurate Information Provided to the BACB
- 10.02 Timely Responding, Reporting, and Updating of Information Provided to the BACB
- 10.03 Confidentiality and BACB Intellectual Property
- 10.04 Examination Honesty and Irregularities
- 10.05 Compliance with BACB Supervision and Coursework Standards
- 10.06 Being Familiar with This Code
- 10.07 Discouraging Misrepresentation by Non-Certified Individuals



# Professional and Ethical Compliance Code for Behavior Analysts

## 1.0 Responsible Conduct of Behavior Analysts.

Behavior analysts maintain the high standards of behavior of the profession.

### 1.01 Reliance on Scientific Knowledge.

Behavior analysts rely on professionally derived knowledge based on science and behavior analysis when making scientific or professional judgments in human service provision, or when engaging in scholarly or professional endeavors.

### 1.02 Boundaries of Competence.

- (a) All behavior analysts provide services, teach, and conduct research only within the boundaries of their competence, defined as being commensurate with their education, training, and supervised experience.
- (b) Behavior analysts provide services, teach, or conduct research in new areas (e.g., populations, techniques, behaviors) only after first undertaking appropriate study, training, supervision, and/or consultation from persons who are competent in those areas.

### 1.03 Maintaining Competence through Professional Development.

Behavior analysts maintain knowledge of current scientific and professional information in their areas of practice and undertake ongoing efforts to maintain competence in the skills they use by reading the appropriate literature, attending conferences and conventions, participating in workshops, obtaining additional coursework, and/or obtaining and maintaining appropriate professional credentials.

### 1.04 Integrity.

- (a) Behavior analysts are truthful and honest and arrange the environment to promote truthful and honest behavior in others.
- (b) Behavior analysts do not implement contingencies that would cause others to engage in fraudulent, illegal, or unethical conduct.
- (c) Behavior analysts follow through on obligations, and contractual and professional commitments with high quality work and refrain from making professional commitments they cannot keep.
- (d) Behavior analysts' behavior conforms to the legal and ethical codes of the social and professional community of which they are members. *(See also, 10.02a Timely Responding, Reporting, and Updating of Information Provided to the BACB)*
- (e) If behavior analysts' ethical responsibilities conflict with law or any policy of an organization with which they are affiliated, behavior analysts make known their commitment to this Code and take steps to resolve the conflict in a responsible manner in accordance with law.



### 1.05 Professional and Scientific Relationships.

- (a) Behavior analysts provide behavior-analytic services only in the context of a defined, professional, or scientific relationship or role.
- (b) When behavior analysts provide behavior-analytic services, they use language that is fully understandable to the recipient of those services while remaining conceptually systematic with the profession of behavior analysis. They provide appropriate information prior to service delivery about the nature of such services and appropriate information later about results and conclusions.
- (c) Where differences of age, gender, race, culture, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status significantly affect behavior analysts' work concerning particular individuals or groups, behavior analysts obtain the training, experience, consultation, and/or supervision necessary to ensure the competence of their services, or they make appropriate referrals.
- (d) In their work-related activities, behavior analysts do not engage in discrimination against individuals or groups based on age, gender, race, culture, ethnicity, national origin, religion, sexual orientation, disability, language, socioeconomic status, or any basis proscribed by law.
- (e) Behavior analysts do not knowingly engage in behavior that is harassing or demeaning to persons with whom they interact in their work based on factors such as those persons' age, gender, race, culture, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status, in accordance with law.
- (f) Behavior analysts recognize that their personal problems and conflicts may interfere with their effectiveness. Behavior analysts refrain from providing services when their personal circumstances may compromise delivering services to the best of their abilities.

### 1.06 Multiple Relationships and Conflicts of Interest.

- (a) Due to the potentially harmful effects of multiple relationships, behavior analysts avoid multiple relationships.
- (b) Behavior analysts must always be sensitive to the potentially harmful effects of multiple relationships. If behavior analysts find that, due to unforeseen factors, a multiple relationship has arisen, they seek to resolve it.
- (c) Behavior analysts recognize and inform clients and supervisees about the potential harmful effects of multiple relationships.
- (d) Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship.

### 1.07 Exploitative Relationships.

- (a) Behavior analysts do not exploit persons over whom they have supervisory, evaluative, or other authority such as students, supervisees, employees, research participants, and clients.



- (b) Behavior analysts do not engage in sexual relationships with clients, students, or supervisees, because such relationships easily impair judgment or become exploitative.
- (c) Behavior analysts refrain from any sexual relationships with clients, students, or supervisees, for at least two years after the date the professional relationship has formally ended.
- (d) Behavior analysts do not barter for services, unless a written agreement is in place for the barter that is (1) requested by the client or supervisee; (2) customary to the area where services are provided; and (3) fair and commensurate with the value of behavior-analytic services provided.

## 2.0 Behavior Analysts' Responsibility to Clients.

Behavior analysts have a responsibility to operate in the best interest of clients. The term client as used here is broadly applicable to whomever behavior analysts provide services, whether an individual person (service recipient), a parent or guardian of a service recipient, an organizational representative, a public or private organization, a firm, or a corporation.

### 2.01 Accepting Clients.

Behavior analysts accept as clients only those individuals or entities whose requested services are commensurate with the behavior analysts' education, training, experience, available resources, and organizational policies. In lieu of these conditions, behavior analysts must function under the supervision of or in consultation with a behavior analyst whose credentials permit performing such services.

### 2.02 Responsibility.

Behavior analysts' responsibility is to all parties affected by behavior-analytic services. When multiple parties are involved and could be defined as a client, a hierarchy of parties must be established and communicated from the outset of the defined relationship. Behavior analysts identify and communicate who the primary ultimate beneficiary of services is in any given situation and advocate for his or her best interests.

### 2.03 Consultation.

- (a) Behavior analysts arrange for appropriate consultations and referrals based principally on the best interests of their clients, with appropriate consent, and subject to other relevant considerations, including applicable law and contractual obligations.
- (b) When indicated and professionally appropriate, behavior analysts cooperate with other professionals, in a manner that is consistent with the philosophical assumptions and principles of behavior analysis, in order to effectively and appropriately serve their clients.



## 2.04 Third-Party Involvement in Services.

- (a) When behavior analysts agree to provide services to a person or entity at the request of a third party, behavior analysts clarify, to the extent feasible and at the outset of the service, the nature of the relationship with each party and any potential conflicts. This clarification includes the role of the behavior analyst (such as therapist, organizational consultant, or expert witness), the probable uses of the services provided or the information obtained, and the fact that there may be limits to confidentiality.
- (b) If there is a foreseeable risk of behavior analysts being called upon to perform conflicting roles because of the involvement of a third party, behavior analysts clarify the nature and direction of their responsibilities, keep all parties appropriately informed as matters develop, and resolve the situation in accordance with this Code.
- (c) When providing services to a minor or individual who is a member of a protected population at the request of a third party, behavior analysts ensure that the parent or client-surrogate of the ultimate recipient of services is informed of the nature and scope of services to be provided, as well as their right to all service records and data.
- (d) Behavior analysts put the client's care above all others and, should the third party make requirements for services that are contraindicated by the behavior analyst's recommendations, behavior analysts are obligated to resolve such conflicts in the best interest of the client. If said conflict cannot be resolved, that behavior analyst's services to the client may be discontinued following appropriate transition.

## 2.05 Rights and Prerogatives of Clients.

- (a) The rights of the client are paramount and behavior analysts support clients' legal rights and prerogatives.
- (b) Clients and supervisees must be provided, on request, an accurate and current set of the behavior analyst's credentials.
- (c) Permission for electronic recording of interviews and service delivery sessions is secured from clients and relevant staff in all relevant settings. Consent for different uses must be obtained specifically and separately.
- (d) Clients and supervisees must be informed of their rights and about procedures to lodge complaints about professional practices of behavior analysts with the employer, appropriate authorities, and the BACB.
- (e) Behavior analysts comply with any requirements for criminal background checks.

## 2.06 Maintaining Confidentiality.

- (a) Behavior analysts have a primary obligation and take reasonable precautions to protect the confidentiality of those with whom they work or consult, recognizing that confidentiality may be established by law, organizational rules, or professional or scientific relationships.



- (b) Behavior analysts discuss confidentiality at the outset of the relationship and thereafter as new circumstances may warrant.
- (c) In order to minimize intrusions on privacy, behavior analysts include only information germane to the purpose for which the communication is made in written, oral, and electronic reports, consultations, and other avenues.
- (d) Behavior analysts discuss confidential information obtained in clinical or consulting relationships, or evaluative data concerning clients, students, research participants, supervisees, and employees, only for appropriate scientific or professional purposes and only with persons clearly concerned with such matters.
- (e) Behavior analysts must not share or create situations likely to result in the sharing of any identifying information (written, photographic, or video) about current clients and supervisees within social media contexts.

## 2.07 Maintaining Records.

- (a) Behavior analysts maintain appropriate confidentiality in creating, storing, accessing, transferring, and disposing of records under their control, whether these are written, automated, electronic, or in any other medium.
- (b) Behavior analysts maintain and dispose of records in accordance with applicable laws, regulations, corporate policies, and organizational policies, and in a manner that permits compliance with the requirements of this Code.

## 2.08 Disclosures.

Behavior analysts never disclose confidential information without the consent of the client, except as mandated by law, or where permitted by law for a valid purpose, such as (1) to provide needed professional services to the client, (2) to obtain appropriate professional consultations, (3) to protect the client or others from harm, or (4) to obtain payment for services, in which instance disclosure is limited to the minimum that is necessary to achieve the purpose. Behavior analysts recognize that parameters of consent for disclosure should be acquired at the outset of any defined relationship and is an ongoing procedure throughout the duration of the professional relationship.

## 2.09 Treatment/Intervention Efficacy.

- (a) Clients have a right to effective treatment (i.e., based on the research literature and adapted to the individual client). Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most-effective treatment procedures. Effective treatment procedures have been validated as having both long-term and short-term benefits to clients and society.
- (b) Behavior analysts have the responsibility to advocate for the appropriate amount and level of





- service provision and oversight required to meet the defined behavior-change program goals.
- (c) In those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions, including, but not limited to, efficiency and cost-effectiveness, risks and side-effects of the interventions, client preference, and practitioner experience and training.
  - (d) Behavior analysts review and appraise the effects of any treatments about which they are aware that might impact the goals of the behavior-change program, and their possible impact on the behavior-change program, to the extent possible.

## 2.10 Documenting Professional Work and Research.

- (a) Behavior analysts appropriately document their professional work in order to facilitate provision of services later by them or by other professionals, to ensure accountability, and to meet other requirements of organizations or the law.
- (b) Behavior analysts have a responsibility to create and maintain documentation in the kind of detail and quality that would be consistent with best practices and the law.

## 2.11 Records and Data.

- (a) Behavior analysts create, maintain, disseminate, store, retain, and dispose of records and data relating to their research, practice, and other work in accordance with applicable laws, regulations, and policies; in a manner that permits compliance with the requirements of this Code; and in a manner that allows for appropriate transition of service oversight at any moment in time.
- (b) Behavior analysts must retain records and data for at least seven (7) years and as otherwise required by law.

## 2.12 Contracts, Fees, and Financial Arrangements.

- (a) Prior to the implementation of services, behavior analysts ensure that there is in place a signed contract outlining the responsibilities of all parties, the scope of behavior-analytic services to be provided, and behavior analysts' obligations under this Code.
- (b) As early as is feasible in a professional or scientific relationship, behavior analysts reach an agreement with their clients specifying compensation and billing arrangements.
- (c) Behavior analysts' fee practices are consistent with law and behavior analysts do not misrepresent their fees. If limitations to services can be anticipated because of limitations in funding, this is discussed with the client as early as is feasible.
- (d) When funding circumstances change, the financial responsibilities and limits must be revisited with the client.



### 2.13 Accuracy in Billing Reports.

Behavior analysts accurately state the nature of the services provided, the fees or charges, the identity of the provider, relevant outcomes, and other required descriptive data.

### 2.14 Referrals and Fees.

Behavior analysts must not receive or provide money, gifts, or other enticements for any professional referrals. Referrals should include multiple options and be made based on objective determination of the client need and subsequent alignment with the repertoire of the referee. When providing or receiving a referral, the extent of any relationship between the two parties is disclosed to the client.

### 2.15 Interrupting or Discontinuing Services.

- (a) Behavior analysts act in the best interests of the client and supervisee to avoid interruption or disruption of service.
- (b) Behavior analysts make reasonable and timely efforts for facilitating the continuation of behavior-analytic services in the event of unplanned interruptions (e.g., due to illness, impairment, unavailability, relocation, disruption of funding, disaster).
- (c) When entering into employment or contractual relationships, behavior analysts provide for orderly and appropriate resolution of responsibility for services in the event that the employment or contractual relationship ends, with paramount consideration given to the welfare of the ultimate beneficiary of services.
- (d) Discontinuation only occurs after efforts to transition have been made. Behavior analysts discontinue a professional relationship in a timely manner when the client: (1) no longer needs the service, (2) is not benefiting from the service, (3) is being harmed by continued service, or (4) when the client requests discontinuation. *(See also, 4.11 Discontinuing Behavior-Change Programs and Behavior-Analytic Services)*
- (e) Behavior analysts do not abandon clients and supervisees. Prior to discontinuation, for whatever reason, behavior analysts: discuss service needs, provide appropriate pre-termination services, suggest alternative service providers as appropriate, and, upon consent, take other reasonable steps to facilitate timely transfer of responsibility to another provider.

## 3.0 Assessing Behavior.

Behavior analysts using behavior-analytic assessment techniques do so for purposes that are appropriate given current research.



### 3.01 Behavior-Analytic Assessment.

- (a) Behavior analysts conduct current assessments prior to making recommendations or developing behavior-change programs. The type of assessment used is determined by client's needs and consent, environmental parameters, and other contextual variables. When behavior analysts are developing a behavior-reduction program, they must first conduct a functional assessment.
- (b) Behavior analysts have an obligation to collect and graphically display data, using behavior-analytic conventions, in a manner that allows for decisions and recommendations for behavior-change program development.

### 3.02 Medical Consultation.

Behavior analysts recommend seeking a medical consultation if there is any reasonable possibility that a referred behavior is influenced by medical or biological variables.

### 3.03 Behavior-Analytic Assessment Consent.

- (a) Prior to conducting an assessment, behavior analysts must explain to the client the procedure(s) to be used, who will participate, and how the resulting information will be used.
- (b) Behavior analysts must obtain the client's written approval of the assessment procedures before implementing them.

### 3.04 Explaining Assessment Results.

Behavior analysts explain assessment results using language and graphic displays of data that are reasonably understandable to the client.

### 3.05 Consent-Client Records.

Behavior analysts obtain the written consent of the client before obtaining or disclosing client records from or to other sources, for assessment purposes.

## 4.0 Behavior Analysts and the Behavior-Change Program.

Behavior analysts are responsible for all aspects of the behavior-change program from conceptualization to implementation and ultimately to discontinuation.



#### 4.01 Conceptual Consistency.

Behavior analysts design behavior-change programs that are conceptually consistent with behavior-analytic principles.

#### 4.02 Involving Clients in Planning and Consent.

Behavior analysts involve the client in the planning of and consent for behavior-change programs.

#### 4.03 Individualized Behavior-Change Programs.

- (a) Behavior analysts must tailor behavior-change programs to the unique behaviors, environmental variables, assessment results, and goals of each client.
- (b) Behavior analysts do not plagiarize other professionals' behavior-change programs.

#### 4.04 Approving Behavior-Change Programs.

Behavior analysts must obtain the client's written approval of the behavior-change program before implementation or making significant modifications (e.g., change in goals, use of new procedures).

#### 4.05 Describing Behavior-Change Program Objectives.

Behavior analysts describe, in writing, the objectives of the behavior-change program to the client before attempting to implement the program. To the extent possible, a risk-benefit analysis should be conducted on the procedures to be implemented to reach the objective. The description of program objectives and the means by which they will be accomplished is an ongoing process throughout the duration of the client-practitioner relationship.

#### 4.06 Describing Conditions for Behavior-Change Program Success.

Behavior analysts describe to the client the environmental conditions that are necessary for the behavior-change program to be effective.

#### 4.07 Environmental Conditions that Interfere with Implementation.

- (a) If environmental conditions prevent implementation of a behavior-change program, behavior analysts recommend that other professional assistance (e.g., assessment, consultation or therapeutic intervention by other professionals) be sought.
- (b) If environmental conditions hinder implementation of the behavior-change program, behavior analysts seek to eliminate the environmental constraints, or identify in writing the obstacles to doing so.



#### 4.08 Considerations Regarding Punishment Procedures.

- (a) Behavior analysts recommend reinforcement rather than punishment whenever possible.
- (b) If punishment procedures are necessary, behavior analysts always include reinforcement procedures for alternative behavior in the behavior-change program.
- (c) Before implementing punishment-based procedures, behavior analysts ensure that appropriate steps have been taken to implement reinforcement-based procedures unless the severity or dangerousness of the behavior necessitates immediate use of aversive procedures.
- (d) Behavior analysts ensure that aversive procedures are accompanied by an increased level of training, supervision, and oversight. Behavior analysts must evaluate the effectiveness of aversive procedures in a timely manner and modify the behavior-change program if it is ineffective. Behavior analysts always include a plan to discontinue the use of aversive procedures when no longer needed.

#### 4.09 Least Restrictive Procedures.

Behavior analysts review and appraise the restrictiveness of procedures and always recommend the least restrictive procedures likely to be effective.

#### 4.10 Avoiding Harmful Reinforcers.

Behavior analysts minimize the use of items as potential reinforcers that may be harmful to the health and development of the client, or that may require excessive motivating operations to be effective.

#### 4.11 Discontinuing Behavior-Change Programs and Behavior-Analytic Services.

- (a) Behavior analysts establish understandable and objective (i.e., measurable) criteria for the discontinuation of the behavior change program and describe them to the client. *(See also, 2.15d Interrupting or Discontinuing Services)*
- (b) Behavior analysts discontinue services with the client when the established criteria for discontinuation are attained, as in when a series of agreed-upon goals have been met. *(See also, 2.15d Interrupting or Discontinuing Services)*

### 5.0 Behavior Analysts as Supervisors.

When behavior analysts are functioning as supervisors, they must take full responsibility for all facets of this undertaking. *(See also, 1.06 Multiple Relationships and Conflict of Interest, 1.07 Exploitative Relationships, 2.05 Rights and Prerogatives of Clients, 2.06 Maintaining Confidentiality, 2.15 Interrupting or Discontinuing Services, 8.04 Media Presentations and Media-Based Services, 9.02 Characteristics of Responsible Research, 10.05 Compliance with BACB Supervision and Coursework Standards)*



### 5.01 Supervisory Competence.

Behavior analysts supervise only within their areas of defined competence.

### 5.02 Supervisory Volume.

Behavior analysts take on only a volume of supervisory activity that is commensurate with their ability to be effective.

### 5.03 Supervisory Delegation.

- a) Behavior analysts delegate to their supervisees only those responsibilities that such persons can reasonably be expected to perform competently, ethically, and safely.
- b) If the supervisee does not have the skills necessary to perform competently, ethically, and safely, behavior analysts provide conditions for the acquisition of those skills.

### 5.04 Designing Effective Supervision and Training.

Behavior analysts ensure that supervision and trainings are behavior-analytic in content, effectively and ethically designed, and meet the requirements for licensure, certification, or other defined goals.

### 5.05 Communication of Supervision Conditions.

Behavior analysts provide a clear written description of the purpose, requirements, evaluation criteria, conditions, and terms of supervision prior to the onset of the supervision.

### 5.06 Providing Feedback to Supervisees.

- a) Behavior analysts design feedback and reinforcement systems in a way that improves supervisee performance.
- b) Behavior analysts provide documented, timely feedback regarding the performance of a supervisee on an ongoing basis. *(See also, 10.05 Compliance with BACB Supervision and Coursework Standards)*

### 5.07 Evaluating the Effects of Supervision.

Behavior analysts design systems for obtaining ongoing evaluation of their own supervision activities.

## 6.0 Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysis.

Behavior analysts have an obligation to the science of behavior and profession of behavior analysis.



### 6.01 Affirming Principles.

- a) Above all other professional training, behavior analysts uphold and advance the values, ethics, and principles of the profession of behavior analysis.
- b) Behavior analysts have an obligation to participate in behavior-analytic professional and scientific organizations or activities.

### 6.02 Disseminating Behavior Analysis.

Behavior analysts promote behavior analysis by making information about it available to the public through presentations, discussions, and other media.

## 7.0 Behavior Analysts' Ethical Responsibility to Colleagues.

Behavior analysts work with colleagues within the profession of behavior analysis and from other professions and must be aware of these ethical obligations in all situations. *(See also, 10.0 Behavior Analysts' Ethical Responsibility to the BACB)*

### 7.01 Promoting an Ethical Culture.

Behavior analysts promote an ethical culture in their work environments and make others aware of this Code.

### 7.02 Ethical Violations by Others and Risk of Harm.

- (a) If behavior analysts believe there may be a legal or ethical violation, they first determine whether there is potential for harm, a possible legal violation, a mandatory-reporting condition, or an agency, organization, or regulatory requirement addressing the violation.
- (b) If a client's legal rights are being violated, or if there is the potential for harm, behavior analysts must take the necessary action to protect the client, including, but not limited to, contacting relevant authorities, following organizational policies, and consulting with appropriate professionals, and documenting their efforts to address the matter.
- (c) If an informal resolution appears appropriate, and would not violate any confidentiality rights, behavior analysts attempt to resolve the issue by bringing it to the attention of that individual and documenting their efforts to address the matter. If the matter is not resolved, behavior analysts report the matter to the appropriate authority (e.g., employer, supervisor, regulatory authority).
- (d) If the matter meets the reporting requirements of the BACB, behavior analysts submit a formal complaint to the BACB. *(See also, 10.02 Timely Responding, Reporting, and Updating of Information Provided to the BACB)*



## 8.0 Public Statements.

Behavior analysts comply with this Code in public statements relating to their professional services, products, or publications, or to the profession of behavior analysis. Public statements include, but are not limited to, paid or unpaid advertising, brochures, printed matter, directory listings, personal resumes or curriculum vitae, interviews or comments for use in media, statements in legal proceedings, lectures and public presentations, social media, and published materials.

### 8.01 Avoiding False or Deceptive Statements.

- (a) Behavior analysts do not make public statements that are false, deceptive, misleading, exaggerated, or fraudulent, either because of what they state, convey, or suggest or because of what they omit, concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated. Behavior analysts claim as credentials for their behavior-analytic work, only degrees that were primarily or exclusively behavior-analytic in content.
- (b) Behavior analysts do not implement non-behavior-analytic interventions. Non-behavior-analytic services may only be provided within the context of non-behavior-analytic education, formal training, and credentialing. Such services must be clearly distinguished from their behavior-analytic practices and BACB certification by using the following disclaimer: “These interventions are not behavior-analytic in nature and are not covered by my BACB credential.” The disclaimer should be placed alongside the names and descriptions of all non-behavior-analytic interventions.
- (c) Behavior analysts do not advertise non-behavior-analytic services as being behavior-analytic.
- (d) Behavior analysts do not identify non-behavior-analytic services as behavior-analytic services on bills, invoices, or requests for reimbursement.
- (e) Behavior analysts do not implement non-behavior-analytic services under behavior-analytic service authorizations.

### 8.02 Intellectual Property.

- (a) Behavior analysts obtain permission to use trademarked or copyrighted materials as required by law. This includes providing citations, including trademark or copyright symbols on materials, that recognize the intellectual property of others.
- (b) Behavior analysts give appropriate credit to authors when delivering lectures, workshops, or other presentations.

### 8.03 Statements by Others.

- (a) Behavior analysts who engage others to create or place public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.
- (b) Behavior analysts make reasonable efforts to prevent others whom they do not oversee (e.g.,





employers, publishers, sponsors, organizational clients, and representatives of the print or broadcast media) from making deceptive statements concerning behavior analysts' practices or professional or scientific activities.

- (c) If behavior analysts learn of deceptive statements about their work made by others, behavior analysts correct such statements.
- (d) A paid advertisement relating to behavior analysts' activities must be identified as such, unless it is apparent from the context.

#### 8.04 Media Presentations and Media-Based Services.

- (a) Behavior analysts using electronic media (e.g., video, e-learning, social media, electronic transmission of information) obtain and maintain knowledge regarding the security and limitations of electronic media in order to adhere to this Code.
- (b) Behavior analysts making public statements or delivering presentations using electronic media do not disclose personally identifiable information concerning their clients, supervisees, students, research participants, or other recipients of their services that they obtained during the course of their work, unless written consent has been obtained.
- (c) Behavior analysts delivering presentations using electronic media disguise confidential information concerning participants, whenever possible, so that they are not individually identifiable to others and so that discussions do not cause harm to identifiable participants.
- (d) When behavior analysts provide public statements, advice, or comments by means of public lectures, demonstrations, radio or television programs, electronic media, articles, mailed material, or other media, they take reasonable precautions to ensure that (1) the statements are based on appropriate behavior-analytic literature and practice, (2) the statements are otherwise consistent with this Code, and (3) the advice or comment does not create an agreement for service with the recipient.

#### 8.05 Testimonials and Advertising.

Behavior analysts do not solicit or use testimonials about behavior-analytic services from current clients for publication on their webpages or in any other electronic or print material. Testimonials from former clients must identify whether they were solicited or unsolicited, include an accurate statement of the relationship between the behavior analyst and the author of the testimonial, and comply with all applicable laws about claims made in the testimonial.

Behavior analysts may advertise by describing the kinds and types of evidence-based services they provide, the qualifications of their staff, and objective outcome data they have accrued or published, in accordance with applicable laws.



## 8.06 In-Person Solicitation.

Behavior analysts do not engage, directly or through agents, in uninvited in-person solicitation of business from actual or potential users of services who, because of their particular circumstances, are vulnerable to undue influence. Organizational behavior management or performance management services may be marketed to corporate entities regardless of their projected financial position.

## 9.0 Behavior Analysts and Research.

Behavior analysts design, conduct, and report research in accordance with recognized standards of scientific competence and ethical research.

### 9.01 Conforming with Laws and Regulations.

Behavior analysts plan and conduct research in a manner consistent with all applicable laws and regulations, as well as professional standards governing the conduct of research. Behavior analysts also comply with other applicable laws and regulations relating to mandated-reporting requirements.

### 9.02 Characteristics of Responsible Research.

- (a) Behavior analysts conduct research only after approval by an independent, formal research review board.
- (b) Behavior analysts conducting applied research conjointly with provision of clinical or human services must comply with requirements for both intervention and research involvement by client-participants. When research and clinical needs conflict, behavior analysts prioritize the welfare of the client.
- (c) Behavior analysts conduct research competently and with due concern for the dignity and welfare of the participants.
- (d) Behavior analysts plan their research so as to minimize the possibility that results will be misleading.
- (e) Researchers and assistants are permitted to perform only those tasks for which they are appropriately trained and prepared. Behavior analysts are responsible for the ethical conduct of research conducted by assistants or by others under their supervision or oversight.
- (f) If an ethical issue is unclear, behavior analysts seek to resolve the issue through consultation with independent, formal research review boards, peer consultations, or other proper mechanisms.
- (g) Behavior analysts only conduct research independently after they have successfully conducted research under a supervisor in a defined relationship (e.g., thesis, dissertation, specific research project).
- (h) Behavior analysts conducting research take necessary steps to maximize benefit and minimize risk to their clients, supervisees, research participants, students, and others with whom they work.
- (i) Behavior analysts minimize the effect of personal, financial, social, organizational, or political factors



that might lead to misuse of their research.

- (j) If behavior analysts learn of misuse or misrepresentation of their individual work products, they take appropriate steps to correct the misuse or misrepresentation.
- (k) Behavior analysts avoid conflicts of interest when conducting research.
- (l) Behavior analysts minimize interference with the participants or environment in which research is conducted.

### 9.03 Informed Consent.

Behavior analysts inform participants or their guardian or surrogate in understandable language about the nature of the research; that they are free to participate, to decline to participate, or to withdraw from the research at any time without penalty; about significant factors that may influence their willingness to participate; and answer any other questions participants may have about the research.

### 9.04 Using Confidential Information for Didactic or Instructive Purposes.

- (a) Behavior analysts do not disclose personally identifiable information concerning their individual or organizational clients, research participants, or other recipients of their services that they obtained during the course of their work, unless the person or organization has consented in writing or unless there is other legal authorization for doing so.
- (b) Behavior analysts disguise confidential information concerning participants, whenever possible, so that they are not individually identifiable to others and so that discussions do not cause harm to identifiable participants.

### 9.05 Debriefing.

Behavior analysts inform the participant that debriefing will occur at the conclusion of the participant's involvement in the research.

### 9.06 Grant and Journal Reviews.

Behavior analysts who serve on grant review panels or as manuscript reviewers avoid conducting any research described in grant proposals or manuscripts that they reviewed, except as replications fully crediting the prior researchers.

### 9.07 Plagiarism.

- (a) Behavior analysts fully cite the work of others where appropriate.
- (b) Behavior analysts do not present portions or elements of another's work or data as their own.



## 9.08 Acknowledging Contributions.

Behavior analysts acknowledge the contributions of others to research by including them as co-authors or footnoting their contributions. Principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status. Minor contributions to the research or to the writing for publications are appropriately acknowledged, such as, in a footnote or introductory statement.

## 9.09 Accuracy and Use of Data.

- (a) Behavior analysts do not fabricate data or falsify results in their publications. If behavior analysts discover errors in their published data, they take steps to correct such errors in a correction, retraction, erratum, or other appropriate publication means.
- (b) Behavior analysts do not omit findings that might alter interpretations of their work.
- (c) Behavior analysts do not publish, as original data, data that have been previously published. This does not preclude republishing data when they are accompanied by proper acknowledgment.
- (d) After research results are published, behavior analysts do not withhold the data on which their conclusions are based from other competent professionals who seek to verify the substantive claims through reanalysis and who intend to use such data only for that purpose, provided that the confidentiality of the participants can be protected and unless legal rights concerning proprietary data preclude their release.

# 10.0 Behavior Analysts' Ethical Responsibility to the BACB.

Behavior analysts must adhere to this Code and all rules and standards of the BACB.

## 10.01 Truthful and Accurate Information Provided to the BACB.

- (a) Behavior analysts only provide truthful and accurate information in applications and documentation submitted to the BACB.
- (b) Behavior analysts ensure that inaccurate information submitted to the BACB is immediately corrected.

## 10.02 Timely Responding, Reporting, and Updating of Information Provided to the BACB.

Behavior analysts must comply with all BACB deadlines including, but not limited to, ensuring that the BACB is notified within thirty (30) days of the date of any of the following grounds for sanctioning status:

- (a) A violation of this Code, or disciplinary investigation, action or sanction, filing of charges, conviction or plea of guilty or nolo contendere by a governmental agency, health care organization, third-party payer or educational institution. Procedural note: Behavior analysts convicted of a felony directly related to behavior analysis practice and/or public health and safety shall be ineligible to apply



for BACB registration, certification, or recertification for a period of three (3) years from the exhaustion of appeals, completion of parole or probation, or final release from confinement (if any), whichever is later; (*See also, 1.04d Integrity*)

- (b) Any public health- and safety-related fines or tickets where the behavior analyst is named on the ticket;
- (c) A physical or mental condition that would impair the behavior analysts' ability to competently practice; and
- (d) A change of name, address or email contact.

### 10.03 Confidentiality and BACB Intellectual Property.

Behavior analysts do not infringe on the BACB's intellectual property rights, including, but not limited to the BACB's rights to the following:

- (a) BACB logo, VCS logo, ACE logo, certificates, credentials and designations, including, but not limited to, trademarks, service marks, registration marks and certification marks owned and claimed by the BACB (this includes confusingly similar marks intended to convey BACB affiliation, certification or registration, or misrepresentation of an educational ABA certificate status as constituting national certification);
- (b) BACB copyrights to original and derivative works, including, but not limited to, BACB copyrights to standards, procedures, guidelines, codes, job task analysis, Workgroup reports, surveys; and
- (c) BACB copyrights to all BACB-developed examination questions, item banks, examination specifications, examination forms and examination scoring sheets, which are secure trade secrets of the BACB. Behavior analysts are expressly prohibited from disclosing the content of any BACB examination materials, regardless of how that content became known to them. Behavior analysts report suspected or known infringements and/or unauthorized access to examination content and/or any other violation of BACB intellectual property rights immediately to the BACB. Efforts for informal resolution (identified in Section 7.02 c) are waived due to the immediate reporting requirement of this Section.

### 10.04 Examination Honesty and Irregularities.

Behavior analysts adhere to all rules of the BACB, including the rules and procedures required by BACB approved testing centers and examination administrators and proctors. Behavior analysts must immediately report suspected cheaters and any other irregularities relating to the BACB examination administrations to the BACB. Examination irregularities include, but are not limited to, unauthorized access to BACB examinations or answer sheets, copying answers, permitting another to copy answers, disrupting the conduct of an examination, falsifying information, education or credentials, and providing and/or receiving unauthorized or illegal advice about or access to BACB examination content before, during, or following the examination. This prohibition includes, but is not limited to, use of or participation in any "exam dump" preparation site or blog that provides unauthorized



access to BACB examination questions. If, at any time, it is discovered that an applicant or certificant has participated in or utilized an exam dump organization, immediate action may be taken to withdraw eligibility, cancel examination scores, or otherwise revoke certification gained through use of inappropriately obtained examination content.

#### 10.05 Compliance with BACB Supervision and Coursework Standards.

Behavior analysts ensure that coursework (including continuing education events), supervised experience, RBT training and assessment, and BCaBA supervision are conducted in accordance with the BACB's standards if these activities are intended to comply with BACB standards (*See also, 5.0 Behavior Analysts as Supervisors*)

#### 10.06 Being Familiar with This Code.

Behavior analysts have an obligation to be familiar with this Code, other applicable ethics codes, including, but not limited to, licensure requirements for ethical conduct, and their application to behavior analysts' work. Lack of awareness or misunderstanding of a conduct standard is not itself a defense to a charge of unethical conduct.

#### 10.07 Discouraging Misrepresentation by Non-Certified Individuals.

Behavior analysts report non-certified (and, if applicable, non-registered) practitioners to the appropriate state licensing board and to the BACB if the practitioners are misrepresenting BACB certification or registration status.



## Glossary

### Behavior Analyst

Behavior analyst refers to an individual who holds the BCBA or BCaBA credential, an individual authorized by the BACB to provide supervision, or a coordinator of a BACB Verified Course Sequences. Where Code elements are deemed relevant to the practice of an RBT, the term “behavior analyst” includes the behavior technician.

### Behavior-Analytic Services

Behavior-analytic services are those that are explicitly based on principles and procedures of behavior analysis (i.e., the science of behavior) and are designed to change behavior in socially important ways. These services include, but are not limited to, treatment, assessment, training, consultation, managing and supervising others, teaching, and delivering continuing education.

### Behavior-Change Program

The behavior-change program is a formal, written document that describes in technological detail every assessment and treatment task necessary to achieve stated goals.

### Client

The term client refers to any recipient or beneficiary of the professional services provided by a behavior analyst. The term includes, but is not limited to:

- (a) The direct recipient of services;
- (b) The parent, relative, legal representative or legal guardian of the recipient of services;
- (c) The employer, agency representative, institutional representative, or third-party contractor for services of the behavior analyst; and/or
- (d) Any other individual or entity that is a known beneficiary of services or who would normally be construed as a “client” or “client-surrogate”.

For purposes of this definition, the term client does not include third-party insurers or payers, unless the behavior analyst is hired directly under contract with the third-party insurer or payer.

### Functional Assessment

Functional assessment, also known as functional behavior assessment, refers to a category of procedures used to formally assess the possible environmental causes of problem behavior. These procedures include informant assessments (e.g., interviews, rating scales), direct observation in the natural environment (e.g., ABC assessment), and experimental functional analysis.

### Multiple Relationships

A multiple relationship is one in which a behavior analyst is in both a behavior-analytic role and a non-behavior-analytic role simultaneously with a client, supervisee, or someone closely associated with or related to the client.



## Public Statements

Public statements include, but are not limited to, paid or unpaid advertising, brochures, printed matter, directory listings, personal resumes or curriculum vitae, interviews or comments for use in media, statements in legal proceedings, lectures and public presentations, social media, and published materials.

## Research

Any data-based activity designed to generate generalizable knowledge for the discipline, often through professional presentations or publications. The use of an experimental design does not by itself constitute research. Professional presentation or publication of already collected data are exempt from elements in section 9.0 (Behavior Analysts and Research) that pertain to prospective research activities (e.g., 9.02a). However, all remaining relevant elements from section 9.0 apply (e.g., 9.01 Conforming with Laws and Regulations; 9.03 Informed Consent relating to use of client data).

## Research Review Board

A group of professionals whose stated purpose is to review research proposals to ensure the ethical treatment of human research participants. This board might be an official entity of a government or university (e.g., Institutional Review Board, Human Research Committee), a standing committee within a service agency, or an independent organization created for this purpose.

## Rights and Prerogatives of Clients

Rights and prerogatives of clients refers to human rights, legal rights, rights codified within behavior analysis, and organizational and administrative rules and regulations designed to benefit the client.

## Risk-Benefit Analysis

A risk-benefit analysis is a deliberate evaluation of the potential risks (e.g., limitations, side effects, costs) and benefits (e.g., treatment outcomes, efficiency, savings) associated with a given intervention. A risk-benefit analysis should conclude with a course of action associated with greater benefits than risks.

## Service Record

A client's service record includes, but is not limited to, written behavior-change plans, assessments, graphs, raw data, electronic recordings, progress summaries, and written reports.

## Student

A student is an individual who is matriculated at a college/university. This Code applies to the student during formal behavior-analytic instruction.

## Supervisee

A supervisee is any individual whose behavior-analytic services are overseen by a behavior analyst within the context of a defined, agreed-upon relationship.

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