

319C.030 Kentucky Applied Behavior Analysis Licensing Board -- Members -- Terms -- Reimbursement -- Limitation of liability.

- (1) (a) There is hereby created the Kentucky Applied Behavior Analysis Licensing Board. The board shall consist of seven (7) members appointed by the Governor.
 - (b) The initial board members shall be appointed as follows:
 1. Four (4) members shall be credentialed behavior analysts nominated by a credentialed behavior analyst practicing in the state;
 2. One (1) member shall be a psychologist licensed in the state, the majority of whose practice is related to the treatment of behavior disorders, including but not limited to autism spectrum disorders. The psychologist member shall be nominated by a credentialed behavior analyst practicing in the state; and
 3. Two (2) members shall be the parent of a child diagnosed with and treated for a behavior disorder, including but not limited to an autism spectrum disorder, selected from the state at large.
 - (c) Subsequent board members shall be appointed by the Governor as follows:
 1. Four (4) members shall be licensed behavior analysts nominated by a licensed behavior analyst practicing in the state;
 2. One (1) member shall be a psychologist licensed in the state, the majority of whose practice is related to the treatment of behavior disorders, including but not limited to autism spectrum disorders. The psychologist member shall be nominated by a licensed behavior analyst practicing in the state; and
 3. Two (2) members shall be the parent of a child diagnosed with and treated for a behavior disorder, including but not limited to an autism spectrum disorder, selected from the state at large.
- (2) The terms of the board members shall be as follows:
 - (a) The initial board members shall be appointed as determined by the Governor for the following terms:
 1. Two (2) behavior analysts shall serve for one (1) year;
 2. Two (2) behavior analysts shall serve for three (3) years;
 3. A psychologist shall serve for two (2) years;
 4. One (1) parent shall serve for one (1) year; and
 5. One (1) parent shall serve for two (2) years;
 - (b) The terms of subsequent board members shall be for three (3) years; and
 - (c) A vacancy of any board member shall be filled in the manner of the original appointment for the unexpired portion of the term only or as provided by KRS 12.070. The Governor, after notice and opportunity for a hearing, may remove any member of the board for malfeasance, neglect of duty, incompetency, or revocation or suspension of a license.

- (3) Members of the board shall not receive a salary but shall be allowed the usual mileage, subsistence, and per diem as provided for members of state boards, commissions, and committees. No member shall serve more than two (2) consecutive terms.
- (4) The board may request the removal of a board member by the Governor.
- (5) The board shall annually elect a chair, vice chair, and secretary.
- (6) There shall be no liability on the part of, and no action for damages against, any current or former board member, representative, agent, or employee of the board, when the person is functioning within the scope of board duties, acting without malice and with the reasonable belief that the actions taken by him or her are warranted by law.

Effective: July 15, 2010

History: Created 2010 Ky. Acts ch. 150, sec. 3, effective July 15, 2010.