

**NOTICE OF INTENT TO ADOPT PROPOSED NEW RULES FOR THE
GEORGIA BEHAVIOR ANALYST LICENSING BOARD**

**DEPARTMENT 75. RULES THE
GEORGIA BEHAVIOR ANALYST LICENSING BOARD**

CHAPTER 75-1. ORGANIZATION OF THE BOARD

**BOARD RULE 75-1-.01 ORGANIZATION OF BOARD, BOARD RULE 75-1-.02
OFFICERS, BOARD RULE 75-1-.03 MEETINGS, AND BOARD RULE 75-1-.04
PUBLIC INFORMATION**

CHAPTER 75-2. FEESBOARD RULE 75-2-.01 FEES

CHAPTER 75-3. PROCEDURAL RULES

BOARD RULE 75-3-.01 PROCEDURAL RULES

AND NOTICE OF PUBLIC HEARING

**RULES: 75-1-.01 Organization of the Board, 75-1-.02 Officers, 75-1-.03 Meetings,
75-1-.04 Public Information, 75-2-.01 Fees and 75-3-.01 Procedural Rules**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Behavior Analyst Licensing Board (hereinafter “Board”) proposes rules for new Department 75. Rules of Behavior Analyst Licensing Board, Chapter 75-1. Organization of the Board, Board Rules 75-1-.01, 75-1-.02, 75-1-.03, and 75-1-.04, Chapter 75-2. Fees, Board Rule 75-2-.01 and Chapter 75-3. Procedural Rules, Board Rule 75-3-.01 (herein after “proposed rules”).

This notice, an exact copy of the proposed rules, and a synopsis of the proposed rules are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rules, and a synopsis of the proposed rules may also be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. The documents will also be available for review on the Board’s website at <https://sos.ga.gov/georgia-behavior-analyst-licensing-board>. Copies may also be requested by contacting the Board office at (404) 424-9966.

The public will have an opportunity to comment upon and provide input into the proposed rule amendments at a public hearing to be held **April 18, 2024 at 9:45 a.m.** in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency

(COVID-19), the hearing will be held via teleconference. Please see Board's website for information on how to join the meeting via teleconference.

Interested parties affected by the rules may submit written comments to the Board no later than the close of business (4:30 pm) on **Thursday, April 11, 2024**. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Interim Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Behavior Analyst Licensing Board, 237 Coliseum Drive, Macon, Georgia 31217.

During the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting February 22, 2024. The Board also voted that the formulation and adoption of this rule amendments does not impose an excessive regulatory cost on any licensee, and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-7A-3, 43-7A-4.

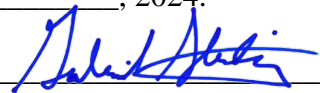
Additionally, the Board voted that it was neither legal nor feasible in meeting the objectives of O.C.G.A. §§ 43-7A-3, 43-7A-4 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the practice of Applied Behavior Analysis.

According to the Department of Law of the State of Georgia, the Georgia Behavior Analyst Licensing Board has the authority to adopt proposed Rules 75-1-.01, 75-1-.02, 75-1-.03, 75-1-.04, 75-2-.01 and 75-3-.01 pursuant to authority contained in O.C.G.A. §§ 43-7A-3, 43-7A-4.

For further information, contact the Board office at (404)-424-9966.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the 18 day of March, 2024.



Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: 03.19.24

**SYNOPSIS OF PROPOSED NEW RULES FOR GEORGIA BEHAVIOR
ANALYST LICENSING BOARD
DEPARTMENT 75. RULES OF THE BEHAVIOR ANALYST LICENSING
BOARD**

**CHAPTER 75-1. ORGANIZATION OF THE BOARD; RULES 75-1-.01
ORGANIZATION OF BOARD, 75-1-.02 OFFICERS, 75-1-.03 MEETINGS, 75-
1-.04 PUBLIC INFORMATION**

**CHAPTER 75-2. FEES; RULE 75-2-.01 FEES, AND
CHAPTER 75-3. PROCEDURAL RULES; RULE 75-3-.01 PROCEDURAL
RULES**

Purpose: To adopt rules for the Georgia Behavior Analyst Licensing Board.

(This new chapter #75 became effective July 1, 2023 – provided by the GA Administrative Procedures Act (APA))

Department 75. RULES OF GEORGIA BEHAVIOR ANALYST LICENSING BOARD

Chapter 75-1. Organization of the Board

Chapter 75-2. Fees

Chapter 75-3. Procedural Rules

Rule 75-1-.01 Organization of Board

(1) The Board is composed of five (5) members who are appointed by the Governor. The five (5) members shall be constituted as follows: three (3) members are either a board-certified behavior analyst or a board-certified behavior analyst-doctoral and who are eligible for licensure under this chapter. One (1) member who is a board-certified assistant behavior analyst who is eligible for licensure under this chapter. Such member shall apply for licensure as soon as feasible after appointment. One (1) public member who is:

(a) Not a licensed behavior analyst or a licensed assistant behavior analyst or the spouse of such person;

(b) Has never been in the practice of applied behavior analysis or the spouse of such person; and

(c) Does not have and has never had a material interest in the practice of applied behavior analysis.

(2) Members shall serve three-year terms and until their successors are duly appointed and qualified; provided, however, that initial terms shall be staggered so that one member serves an initial term of one year, two members serve initial terms of two years, and two members serve initial terms of three years, as designated by the Governor. No member shall be appointed to more than two consecutive three-year terms.

Authority: O.C.G.A. § 43-7A-3.

Rule 75-1-.02 Officers

The Board shall initially elect from its members a Chairperson and a Vice-Chairperson. Beginning in January of 2025, and thereafter every January of odd numbered years, the Board shall elect a Chairperson and a Vice-Chairperson. Each officer shall serve a term of two years, or until their successor has been elected.

Authority: O.C.G.A. § 43-7A-3.

Rule 75-1-.03 Meetings

Each year the full Board shall hold at least two meetings. Additional meetings may be called by the Chairperson or may be held upon the written request of any three members of the Board. Three (3) members of the Board shall constitute a quorum. Such meetings may be conducted in-person, by telephone, by virtual means, or any combination thereof.

Authority: O.C.G.A. § 43-7A-3.

Rule 75-1-.04 Public Information

The public may obtain information from the Board by contacting the Board office located at 237 Coliseum Drive, Macon, Georgia 31217, or by visiting the Board's website.

Authority: O.C.G.A. § 43-7A-4.

Rule 75-2-.01 Fees

Refer to fee schedule for appropriate fees payable to the Board. Fees may be reviewed and changed at the discretion of the Board. Any request for refund must be submitted in writing.

Authority: O.C.G.A. § 43-7A-4.

Rule 75-3-.01 Procedural Rules

The Georgia Behavior Analyst Licensing Board hereby adopts by reference as its permanent rules Chapter 295 Joint Secretary, Professional Licensing Boards, and any future amendments thereto, of the Rules and Regulations of the Office of the Division Director, Professional Licensing Boards Division.

Authority: O.C.G.A. § 43-7A-4.

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DEPARTMENT 75. RULES OF THE BEHAVIOR ANALYST LICENSING BOARD,
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