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**4783-2-01 Scope, responsibilities, and requirements for continuing education.**

(A) Scope. Every certified Ohio behavior analyst subject to continuing education (CE) requirements as set forth in division (B) of section 4783.05 of the Revised Code shall meet the requirements of that section.

(B) Responsibilities:

(1) In accordance with the requirements of sections 4783.05 of the Revised Code, it shall be the responsibility of each certified Ohio behavior analyst submitting a biennial registration of a certificate to certify to the board that the ~~continuing education~~-CE experience required for certificate renewal has been completed. Other than as provided for in paragraph (C)(8) of rule 4783-2-01 of the Administrative Code, each certificate holder shall complete biennially no fewer than twenty three hours of approved ~~continuing education~~-CE substantially relevant to the practice of applied behavior analysis, including no fewer than four hours in ethics and professional conduct and/or the role of culture and/or ethnic identity in the provision of applied behavior analysis services.\_

(2) Certificate holders who demonstrate active certification as a board certified behavior analyst by the behavior analyst certification board or its successor organization at the time of submitting a biennial registration of a certificate or request for reinstatement of an expired certificate shall be deemed to have completed sufficient biennial CE to meet the requirements of paragraph (B)(1) of this rule and to have certified to the board that the CE requirements have been met.

~~(2)~~(3) For certificate holders who do not demonstrate active certification as a board certified behavior analyst by the behavior analyst certification board or its successor organization at the time of submitting a biennial registration of a certificate, CE may be applied to meet the requirements of paragraph (B)(1) of this rule if both of the following requirements are met:

(a) It is obtained through a program or course approved by the board, the “Behavior Analyst Certification Board,” the “Ohio Psychological Association,” the “Association of Black Psychologists,” the “American Psychological Association,” the “Ohio School Psychologists Association,” or the “National Association of School Psychologists”; and

(b) Completion of the program or course is recorded with ~~the “Behavior Analyst Certification Board,”~~ the “Ohio Psychological Association,” or the “Ohio School Psychologists Association.”

~~(3)~~(4) The state board of psychology may disapprove any program or course that has been approved by the “Behavior Analyst Certification Board,” the “Ohio Psychological Association,” the “Association of Black Psychologists,” the “American Psychological Association,” the “Ohio School Psychologists Association,” or the “National Association of School Psychologists. Such program or course may not be applied to meet the requirement of paragraph (B)(1) of this rule.

~~(4)~~(5) Each certificate holder shall personally maintain CE records for three years following the renewal deadline for which the credits were used to satisfy requirements for certificate renewal.

~~(5)~~(6) Each certified Ohio behavior analyst shall be given a sufficient choice of ~~continuing education~~-CE acceptable to the board to ensure that each person has had a reasonable opportunity to participate in ~~continuing education~~-CE that is relevant to that person’s practice in terms of subject matter and level.

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This requirement shall be judged to be met so long as a certified Ohio behavior analyst does not register a challenge and supply adequate documentation in writing to the board by March first of the year of required biennial registration. The board shall arrange for appropriate ~~continuing education~~ CE to be made available in case of a valid challenge. The validity of a challenge, as judged by the board, shall be binding.

- (C) Requirements for certificate holders who do not demonstrate active certification as a board certified behavior analyst by the behavior analyst certification board or its successor organization at the time of submitting a biennial registration of a certificate:
- (1) Hours to be applied toward the CE requirements shall represent actual time spent in continuing education that meets the requirements set forth in this rule.
  - (2) Any certified Ohio behavior analyst shall be given credit, as defined in paragraph (K) of rule 4732-3-01 of the Administrative Code, for participation in any CE program or course that is not specifically disapproved by the board as provided for under paragraph (C)(5) of this rule and that is designated as acceptable by a relevant accrediting authority as specified in paragraph (A)(1) of rule 4783-2-02 of the Administrative Code as meeting the following criteria:
    - (a) The program or course is presented within an organizational structure that assures accountable administrative control, accurate record of course participation/attendance, and professional responsibility for course design and implementation;
    - (b) The specific program or course is relevant to the practice of behavior analysis in terms of subject matter and level;
    - (c) Completion of the program or course is registered with the ~~“Behavior Analyst Certification Board,”~~ the “Ohio Psychological Association,” or the “Ohio School Psychologists Association” according to policies and fee structures set by those organizations.
  - (3) Upon petition to the board by a certified Ohio behavior analyst requesting to acquire qualifying CE hours by pursuing specific relevant knowledge or skills through continuing education that would not qualify under paragraph (C)(2) of this rule, the board, at its discretion and on a case-by-case basis, may grant CE credit for such work if it is deemed significantly relevant to the certified Ohio behavior analyst’s professional education.
    - (a) The petition, filed on a form prescribed by the board, shall contain documentation of the relevance of the CE requested.
    - (b) The number of hours of credit granted shall be determined by the board and need not match the number of hours of coursework undertaken.
    - (c) The board shall notify the petitioner in writing of its approval or disapproval and of the steps the petitioner shall take to demonstrate completion of the continuing education if the petition is approved. The board’s determination shall be binding.
  - (4) The board may audit any activities submitted in satisfaction of the CE requirements and/or monitor any program approved by any authorized approving organization for CE credit, and may disallow such credit if the board determines that the offering is not in conformance with the standards of paragraph (C)(2) of

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this rule.

- (a) The authorized approving organization shall be notified of any continuing education determined to be unacceptable by the board, as defined by written agreements with the "Behavior Analyst Certification Board" or contracts with the "Ohio School Psychologists Association" and/or with the "Ohio Psychological Association," and shall be required to notify all registered participants of that continuing education of its unacceptability.
- (b) If the board determines after March first of a certificate renewal year that any continuing education approved by an authorized approving organization and already completed by any certificate holder is unacceptable, then each certified Ohio behavior analyst who has completed that continuing education and who proposes to use the hours to qualify for biennial registration shall be allowed until the end of the calendar year to complete the equivalent hours of qualifying continuing education credit. For such persons:
  - (i) The certificate shall not expire if all other requirements, including the remaining CE requirements are met by August thirty-first of a relevant renewal year and if any deficiency caused by the disqualification of the continuing education is corrected by the end of that calendar year.
  - (ii) Whatever hours are completed after August thirty-first of that year and are applied to correct such deficiency shall not count toward completion of CE requirements for the subsequent biennium.
- (5) The board may, on its own initiative, approve continuing education. The board shall maintain a list of such approvals, which shall be available on the board website [www.psychology.ohio.gov](http://www.psychology.ohio.gov) or upon request (accompanied by a self-addressed envelope with first-class postage affixed) to the board office and shall be provided to the "Behavior Analyst Certification Board," the "Ohio Psychological Association," and the "Ohio School Psychologists Association," so that completion of such continuing education may be entered into the certificate holder's record of CE hours maintained by those organizations.
- (6) It shall be the responsibility of the authorized approving organization to assure that all registered attendees are notified of any disapproval notice received from the board. Notwithstanding this responsibility of the authorized approving organization, it shall be the responsibility of each certified Ohio behavior analyst to complete the necessary number of approved hours of CE, whether or not the certified Ohio behavior analyst is correctly notified of the unacceptability of any disapproved continuing education.
- (7) Failure to meet CE requirements or failure to have verification of the necessary CE hours sent to the board by August thirty-first of any relevant renewal year shall result in the automatic expiration of the certificate on September thirtieth of that year, except in a case described in paragraph (C)(4) or (C)(9) of this rule. If reinstatement is desired, such individual shall be required to submit a formal request for reinstatement of the certificate.
- (8) If an applicant for certification is granted a certificate during the first year of the biennial renewal period, the certified Ohio behavior analyst is required to complete thirteen hours of continuing education for that biennial renewal period, including not less than four hours of continuing education in professional conduct and ethics, and/or the role of culture and/or ethnic identity in the provision of applied behavior analysis services. If an applicant is certified during the first three months of the second year of the biennial renewal period, the certified Ohio behavior analyst is exempt from meeting the CE requirements for that biennial period. If an applicant is certified during the last nine months of the second year of the biennial renewal period and is, therefore, not subject to renewal that same year,

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he/she is required to complete twenty-three hours of CE to renew in the next renewal year.

- (9) On written petition by a certificate holder setting forth convincing and compelling reason because of an unusual circumstance, emergency, or special hardship, the board may excuse all or any part of the petitioner's CE requirements, may set conditions for excusing such requirements, and may require the certificate holder to make up CE requirements. Board approval or disapproval of any such arrangement shall be made in writing, shall be communicated promptly to the petitioner, and shall be inserted into the petitioner's board record. Board determinations are binding. The deadline for requesting the board to excuse all or any part of CE requirements is August first of the relevant renewal year.
- (10) Falsification of written evidence submitted to the "Behavior Analyst Certification Board," the "Ohio Psychological Association" and the "Ohio School Psychologists Association," or to the board, or failure to respond to an audit request regarding continuing education experience shall constitute fraud, misrepresentation, and deception, as defined in paragraph (A)(2) of rule 4783-7-03 of the Administrative Code, and shall be considered grounds for disciplinary action.