

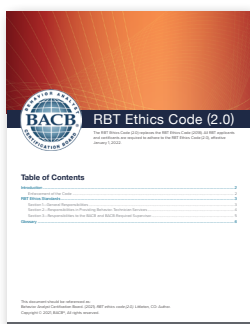
BACB Newsletter



NOTICE: The information contained in BACB Newsletters may be outdated and should be independently verified via our website.

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Introducing the *RBT Ethics Code (2.0)*

The BACB published the RBT Ethics Code, the first stand-alone ethics code for RBTs, on December 28, 2018. Because the BACB’s certification-program accreditor (the National Commission for Certifying Agencies) requires that certification requirements be periodically reviewed for possible revision, and in light of the recently published [Ethics Code for Behavior Analysts](#), the BACB began a project to revise the RBT Ethics Code in October 2020. The project aimed to ensure that the RBT Ethics Code standards remain relevant to current practice and align with the revised Ethics Code for Behavior Analysts. This revision resulted in the [RBT Ethics Code \(2.0\)](#).

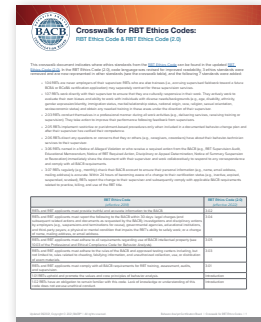
Process. The revision process focused on obtaining input from the profession and reviewing ethics standards from other helping professions that require individuals to practice under direct supervision. We solicited input by sending surveys to all active RBTs and all certificants whose BACB records indicated that they served as an RBT Supervisor or RBT Requirements Coordinator (hereafter referred to as “supervisors”). We received responses from 6,049 active RBTs and 1,729 supervisors. The responses were reviewed and used to begin revising and drafting new standards. In addition, we held a series of virtual workgroup meetings from December 2020 through March 2021 that were attended by a diverse group of RBTs and those who supervise and train them. In total, 13 SMEs provided feedback and suggested revisions at multiple points during the process. Survey and SME feedback was used to revise the code, which was then presented to the BACB Board of Directors for review. The Board approved the [RBT Ethics Code \(2.0\)](#) on May 10, 2021.

Summary. The RBT Ethics Code (2.0) includes a new introduction, 3 sections of ethics standards, and a glossary. The introduction contains brief descriptions of the scope of the code, the 4 core principles that serve as its foundation, and guidance on how to apply the new code. The introduction also clearly indicates that RBTs must rely on their BACB-required supervisor when applying the code. The original code contained 31 standards across 3 sections: (a) Responsible Conduct, (b) Responsibility to Clients, and (c) Competence and Service Delivery. The revised code includes 29 standards across 3 sections: (a) General Responsibilities, (b) Responsibilities in Providing Behavior-Technician Services, and (c) Responsibilities to the BACB and BACB-Required Supervisor. The glossary, a new addition, appears at the end of the document and contains one new term and those terms from the Ethics Code for Behavior Analysts that also appear in the RBT Ethics Code (2.0).

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We prepared a [crosswalk](#) to help individuals navigate the changes between the RBT Ethics Code and the RBT Ethics Code (2.0). In total, the following changes were made: the code was rewritten for enhanced readability; 3 standards were removed (2.06, 3.06, and 3.08 in the RBT Ethics Code), as these ethical obligations are now represented in other standards (see crosswalk); and 7 standards were added to further clarify the ethical obligations of RBTs within the scope of their behavior-technician role. The 7 new standards are as follows:



- 1.04 RBTs are never employers of their supervisor. RBTs who are also trainees (i.e., accruing supervised fieldwork toward a future BCBA or BCaBA certification application) may separately contract for those supervision services.
- 1.07 RBTs work directly with their supervisor to ensure that they are culturally responsive in their work. They actively work to evaluate their own biases and ability to work with individuals with diverse needs/ backgrounds (e.g., age, disability, ethnicity, gender expression/identity, immigration status, marital/ relationship status, national origin, race, religion, sexual orientation, socioeconomic status) and obtain any needed training in these areas under the direction of their supervisor.
- 2.03 RBTs conduct themselves in a professional manner during all work activities (e.g., delivering services, receiving training or supervision). They take action to improve their performance following feedback from supervisors.
- 2.05 RBTs implement restrictive or punishment-based procedures only when it is included in a documented behavior-change plan and after their supervisor has verified their competence.
- 2.06 RBTs direct any questions or concerns that they or others (e.g., caregivers, coworkers) have about their behavior-technician services to their supervisor.
- 3.06 RBTs named in a Notice of Alleged Violation or who receive a required action from the BACB (e.g., RBT Supervision Audit, Educational Memorandum, Notice of RBT Required Action, Disciplinary or Appeal Determination, Notice of Summary Suspension or Revocation) immediately share the document with their supervisor and work collaboratively to respond to any correspondence and comply with all BACB requirements.
- 3.07 RBTs regularly (e.g., monthly) check their BACB account to ensure their personal information (e.g., name, email address, mailing address) is accurate. Within 24 hours of becoming aware of a change to their certification status (e.g., inactive, expired, suspended, revoked), RBTs report the change to their supervisor and subsequently comply with applicable BACB requirements related to practice, billing, and use of the RBT title.

Implementation. The RBT Ethics Code (2.0) will go into effect **January 1, 2022**. Until then, we encourage RBTs, RBT applicants, and those who supervise RBTs to become familiar with the RBT Ethics Code (2.0) content and make any needed adjustments to their practices or training. *Note:* 40-hour RBT trainings should reflect the code content beginning in 2022.

Consumer Protection Requires Accurate Representation of BACB® Certification Status

All of the BACB's certification marks are registered with the United States Patent and Trademark Office (USPTO) and in other jurisdictions. The BACB is dedicated to ensuring that its certification marks are only used by individuals who are actively certified by the BACB. In the past, the BACB has provided extensive guidance on how to represent yourself as a Board Certified Behavior Analyst® (BCBA®) or Board Certified Assistant Behavior Analyst® (BCaBA®) and, more importantly, on how to avoid misrepresentations that could jeopardize your certification (or eligibility for certification). See the [September 2008](#) and [October 2013](#) Newsletters for these earlier communications.

Unfortunately, recent events have demonstrated that the Registered Behavior Technician® (RBT®) certification mark¹ is being misrepresented in the following ways, among others:

- “RBT eligible”
- “RBT in training”
- “RBT equivalent”
- “RBT candidate”
- “RBT aspirant”
- “RBT-trained”
- “RBT certificate holder”
- “RBT team member”
- “40-hour trained RBT”
- “RBT competent”
- “Competency-assessed RBT”

Just because an individual has completed a 40-hour RBT training and/or an RBT Competency Assessment does **not** mean the individual is authorized to use the certification mark in any manner, including, but not limited to:

- during correspondence with clients
- on billing authorizations
- in job titles
- on resumes
- in clinical roles
- in classroom settings

These instances typically come to the BACB's attention when an employer or consumer has been confused by an individual's use of the RBT certification mark when the individual was not certified by the BACB. Please be aware that the [RBT Ethics Code](#) prohibits certification misrepresentation. Misrepresentation, regardless of when it is discovered by the BACB, may be grounds to revoke certification or deny eligibility for certification.

In the interest of consumer protection and to ensure that the RBT certification mark is **only** used to accurately represent certification status, the BACB may seek legal and other remedies to address any misrepresentation of BACB certification (and/or any misuse of other BACB trademarks and logos) that constitutes trademark infringement. The remedies available to the BACB include, but are not limited to:

- ethics-code enforcement
- legal trademark enforcement (e.g., a court order [injunction] to stop using the infringing trademark[s]; an order to destroy or forfeit the infringing publications; an order to provide monetary relief, including any profits, damages sustained by the BACB, and costs of the action; an order that the infringer pays the BACB's attorneys' fees)

¹ Reference to RBT in the examples below also include reference to the certification mark “Registered Behavior Technician.”

- publication of the infringer’s name on the BACB [Falsified Credentials and/or Misrepresentation](#) web page
- notice to relevant entities (e.g., licensure board, third-party payers)

Consistent with the [September 2008](#) and [October 2013](#) Newsletters, we offer the following guidance on key trademark-related questions:

Q. Why can’t I say I am “RBT-trained” once I have completed an RBT 40-hour training?

- ▶ This is potentially misleading to consumers who may not know that you still need a Competency Assessment, a supervisor on record, a background check, and to pass the examination (among other requirements to become certified) before being permitted to use the RBT certification mark.

Q. What’s wrong with the claim that I am an “RBT pending examination” once I have been approved to sit for the examination?

- ▶ You may be misleading consumers or employers into thinking that you are certified when you are not.

Q. What about saying that I plan to “pursue RBT certification” or “sit for the RBT examination in the future”?

- ▶ Again, this is problematic because it may mislead consumers or employers into thinking that you will eventually become certified when that is not a certainty.

Q. What can I put on my resume or say to prospective employers or clients about my intentions to become certified?

- ▶ To be safe, you should not mention the BACB or BACB certifications unless you are certified. Anything else runs the risk of being a misrepresentation of certification status. Under the [RBT Ethics Code](#), misrepresentations of certification status may be grounds for disciplinary sanctions, including denial or revocation of certification, imposition of fees, and other sanctions against eligibility or certification.

The following table includes examples of statements you should avoid, with suggested alternatives:

Avoid Saying	Reason	Alternative
“RBT pending,” “RBT pending examination,” or “RBT candidate”	There is no such thing as “RBT pending” or “RBT candidate” status at the BACB. You are either certified or you are not certified. There is no interim certification.	“Working toward national certification.” (Do not mention the BACB or RBT certification.)
“ABA certification pending” or “ABA certification candidate”	Although these titles do not mention the BACB or use BACB certification marks, they are confusingly similar and may unintentionally lead to the misrepresentation of your certification status.	“Working toward national certification.” (Do not mention the BACB or RBT certification.)
BACB or RBT misrepresentations that claim the completion of BACB requirements (e.g., “RBT 40-hour training completed,” “Competency Assessment completed,” “RBT eligible,” “will be sitting for the examination on X date”)	Even though these statements may be accurate, they could potentially confuse those who are not aware that you must complete additional requirements to become an RBT.	You may share that you completed a specific 40-hour training without mentioning the BACB or using the RBT certification mark. Similarly, you may share that you have a supervisor, and with your supervisor’s consent, you may offer their name.

These restrictions extend to businesses that wish to use the BACB's titles for commercial purposes. Over the years, we have had to stop commercial development efforts involving some creative mugs, t-shirts, stickers, pins, and even cookies bearing BACB certification marks.

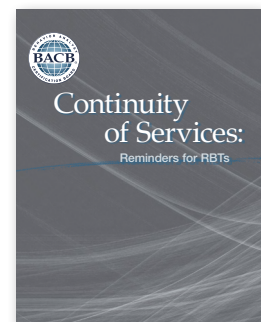
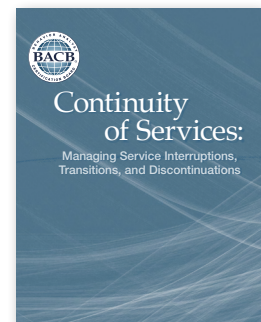
Even though these prohibitions may seem heavy handed, they are in place for good reason. The value of the BACB's trademarks would be significantly diminished if anyone could use them in any context they desired. If we fail to enforce the trademark rights, those rights could be jeopardized, and BACB certifications could become meaningless. Therefore, the BACB is dedicated to preserving the meaning of its certifications to protect their value to certificants and consumers.

A Note About BACB Merchandise—We appreciate our certificants and their desire to spread the word about BACB certification. Unfortunately, some have misinterpreted their rights to use BACB credentials and trademarks. The BACB is the **only** organization authorized to market and sell products containing, referencing, displaying, or otherwise identifying BACB-owned trademarks and certification marks. Individuals and organizations who sell products bearing BACB trademarks and certification marks will receive cease-and-desist notices for such activity. We wish we could be more flexible about this, especially since we like many of the products, but the BACB is required to enforce its trademark rights.

New Ethics Resources

The BACB has developed two new ethics resources to support our certificants. The first resource, the [Continuity of Services toolkit](#), can be found on our [Ethics Resources](#) web page. This toolkit provides guidance for managing service interruptions, transitions, and discontinuations. It will walk you through the steps of assessing, designing, implementing, and evaluating your current processes for transitioning or discharging clients from services. Alternatively, if you do not yet have clear processes for these situations, you can use the toolkit to help create your own. Keep an eye out for specific tips throughout the document to support those who supervise trainees and RBTs—and make sure to check out the resources at the end of the toolkit that can be modified and used in your practice. The Continuity of Services toolkit also includes a [companion document for RBTs](#), which will help with navigating changes in the ability to provide services as a result of planned or unplanned life events. Please feel free to use, modify, and share the resources in the toolkit with colleagues and incorporate them in your supervision, training, or teaching activities.

The second resource, the [Self-Reporting to the BACB](#) video, can be found on our [Self-Reporting](#) web page. This video dives into the who, what, when, where, and why of self-reporting critical information to the BACB. Review the video to help determine whether you or a supervisee needs to self-report to the BACB. Please also consider including this video and the [Considerations for Self-Reporting](#) document in your supervision, training, or teaching activities.



Recent and Upcoming Changes to BACB Requirements

The following table summarizes important requirements changes announced in the *BACB Newsletter*.

Effective Date	Area	Change	Newsletter
November 1, 2020	RBT Examination	Candidates will have a maximum of eight examination attempts during a one-year authorization period.	November 2019
January 1, 2022	BCBA and BCaBA Coursework Requirements	Changes to the coursework requirements for BCBA (Option 1) and BCaBA certifications.	January 2017
	BCBA and BCaBA Examination Content	All BCBA and BCaBA examinations will be based on the BCBA Task List (5th ed.) and the BCaBA Task List (5th ed.) .	January 2017
	BCBA and BCaBA Experience and Supervision Requirements	Changes to the Structure and Amount of Supervised Fieldwork, Terminology, BCBA & BCaBA Fieldwork & Supervision Requirements, Appropriate Clients, and Activities.	October 2017
	BCBA and BCaBA Degree Requirements	Changes to the degree requirements for BCBA and BCaBA certifications.	October 2018
	BCBA and BCaBA Ethics Requirements	The Ethics Code for Behavior Analysts will go into effect.	December 2020
	RBT Ethics Requirements	The RBT Ethics Code (2.0) will go into effect.	July 2021