

SENATE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 78  
by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 17:173(B)(2) through 4 and (C)" and insert  
"R.S. 17:173(B) and (C)"

AMENDMENT NO. 2

On page 1, line 3, between "to" and "health" change "behavioral" to "applied behavior  
analysis"

AMENDMENT NO. 3

On page 1, line 4, between "provided" and the semicolon ";" change "by licensed behavior  
analyst" to "to students; to provide for definitions"

AMENDMENT NO. 4

On page 1, line 6, delete "R.S. 17:173(B)(2) through 4 and (C)" and insert "R.S. 17:173(B)  
and (C)"

AMENDMENT NO. 5

On page 1 delete lines 12 through 17, on page 2 delete lines 1 through 17, and insert the  
following:

**"(1) "Applied behavior analysis provider" shall mean a provider who is  
licensed by the Louisiana Behavior Analyst Board and is in good standing to  
provide applied behavior analysis services.**

**(2) "Applied behavior analysis services" shall include the design,  
implementation, and evaluation of systematic instructional and environmental  
modifications by an applied behavior analysis provider to produce socially  
significant improvements in behavior.**

~~(1)~~**(3)** "Behavioral health evaluation" shall include but not be limited to the  
following criteria:

- (a) Diagnosis.
- (b) Type of intervention.
- (c) Length of intervention.
- (d) Identification of a student's goals.
- (e) Identification of impact of student behavior on a student's educational  
program.

**(f) Recommendations for applied behavior analysis services.**

~~(2)~~**(4)** "Behavioral health provider" shall mean a provider who is licensed by  
the Louisiana Department of Health or a health profession licensing board and is in  
good standing to provide behavioral health services in Louisiana including but not  
limited to a psychiatrist, psychologist, medical psychologist, licensed specialist in  
school psychology, marriage and family therapist, professional counselor, clinical  
social worker, **applied behavior analysis provider**, or a behavioral health provider  
organization licensed to provide behavioral health services in Louisiana.

~~(3)~~**(5)** "Behavioral health services" shall include but not be limited to  
individual psychotherapy, family psychotherapy, psychotropic medication  
management, community psychiatric support and treatment, ~~and~~ crisis intervention,  
**and applied behavior analysis services.**

~~(4)~~**(6)** "Evaluator" shall mean a licensed psychiatrist, psychologist, medical  
psychologist, licensed specialist in school psychology, professional counselor,

1 marriage and family therapist, ~~or~~ clinical social worker, **or applied behavior**  
2 **analysis provider** who is certified by the respective board of examiners in Louisiana  
3 to provide necessary evaluations and who is not an employee of the public school  
4 governing authority or the state Department of Education.

5 C. Nothing in this Section shall be construed to supersede **any of the**  
6 **following:**

7 **(1) the** **The** authority of a student's Individualized Education Program team  
8 or Section 504 committee to determine appropriate services for a student pursuant  
9 to applicable federal and state law.

10 **(2) The provisions of the Behavioral Health Services Provider Licensing**  
11 **Law or any regulation promulgated by the Louisiana Department of Health**  
12 **pursuant to that law.**

13 **(3) The provisions of the Behavior Analysts Practice Act."**