



NEW YORK STATE SENATOR

James Skoufis

## Skoufis Expands Access to Care for Children with Special Needs

JAMES SKOUFIS July 26, 2021

| ISSUE: **BEHAVIORAL HEALTH, MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**

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**Senator James Skoufis (D-Hudson Valley)**, Applied Behavior Analysis (ABA) advocates, and impacted families rallied in Newburgh on Monday, calling on the Governor to sign Skoufis' ABA licensure legislation (S1662B), which removes scope of practice restrictions for ABA practitioners. Currently, New York is the only state in the nation that restricts Applied Behavior Analysts from treating patients - usually children - with diagnoses outside of autism, leaving hundreds of thousands of New Yorkers living with Down Syndrome, head

injuries, ADHD, dementia, and other concerns out in the cold.

The practice of ABA involves the analysis of behavior to enhance the abilities and well-being of children and adults in many settings and contexts, including human services, education, and rehabilitation. The Governor's signature will provide instant relief for struggling adults and children who have eagerly awaited the chance to add this evidenced-based therapy to their treatment regimens, as well as practitioners who have long sought to employ their ABA training in service to patients outside of the autism sphere.

"Bringing New York forward by boosting access to this expansive therapeutic option is a no-brainer," said **Senator Skoufis**. "Every other state in America permits its ABA practitioners to apply their skills broadly, bringing relief and results to those struggling in the face of various mental health and developmental diagnoses. I am grateful to and humbled by the many advocates and families who shared their stories throughout this process and I urge the Governor to sign this legislation expeditiously."

**New York State Association for Behavior Analysis (NYSABA) President Tricia Moss** said: "We are so appreciative of Senator Skoufis' and Assembly Leader Peoples-Stokes' commitment and caring for families and professionals concerned about those who need access to evidence-based treatment, particularly in light of the ongoing pandemic. They have been incredible leaders and partners in our mission to ensure the ability to build capacity in Applied Behavior Analysis. NYSABA is also in awe of the families and professionals, as well as many legislators, who have created a state-wide grass-roots advocacy effort to get this bill over the finish line. We are now asking Governor Cuomo to sign this legislation into law so that we can meet the needs of all New Yorkers."

**Access: Supports for Living Inc. President and CEO Ron Colavito** said: "At Access, we support

more than 11,000 adults and children every year, many with significant and complex behavioral health conditions who would benefit from the support of Applied Behavior Analysis. Yet, bizarrely, this resource is currently limited only to those on the Autism Spectrum. We believe that every person working toward wellness and recovery should have access to every resource and tool available that would help them, including ABA. We're grateful for Senator Skoufis' advocacy and support in passing this important legislation that expands the scope of practice of ABA services. He's been a champion for people with disabilities since his time in the Assembly and a strong partner for Access."

**Joan Kaplan, LCSW, President of The Kaplan Family Foundation, and Access: Supports for Living Community Leadership Council Member**, said: "The current licensing restrictions for Behavior Analysts in New York have not only caused a provider shortage in our community, they have prevented countless individuals from receiving the care they need. This evidence-based practice should not be defined by a particular disorder. I'm thankful to Senator Skoufis for sponsoring this important bill and recognizing the critical role Behavior Analysts play in improving the health and wellbeing of our community."

**Behavioral Momentum Applied Behavior Analysis President Delores Fraser McFadden** said: "I'm so proud that my Senator sponsored this important bill and worked tirelessly with Assembly Majority Leader Peoples-Stokes to gather the support needed to pass it. The restriction has negatively impacted the profession and the people we are trained to treat who don't have a diagnosis of autism. Unique to New York, Licensed Behavior Analysts (LBAs) do not have the freedom of choice to practice in any other subspecialty or area of expertise such as gerontology, pediatrics, sports, health, substance use, mental health, organizational behavior, or developmental disabilities. This is likely a significant contributing factor to the steady decline in the number of LBAs, and perhaps the greatest impact is on the public. The restriction prohibits equitable access to this evidenced-based mode of treatment by New

Yorkers who don't have a diagnosis of autism. I urge the Governor to sign this bill.”

**Leo Junquera, Advocate**, said: “I am the father of a son with autism and we almost lost the therapy he needs to stay safe, acquire life-enriching skills, and learn how to be independent due to New York State’s antiquated legislation. Since that time we have faced shortages of Licensed Behavior Analysts directly related to protectionism by special interests. New York State was the only state in the country placing oppressive restrictions on ABA services which suffocated the industry and directly impacted my son's progress. It was unethical, it hurt families, and Senator Skoufis led the charge to put an end to it. I thank him, the Senate, and the Assembly for taking this big step towards helping my son and so many others like him. There is nothing more important to me. New York can go from the worst state in the nation for families like mine to the best, and this is a huge step forward. Thank you, Senator Skoufis!”

**Commission on Independent Colleges and Universities President Lola Brabham** said: “Behavior Analysts are highly trained to help individuals with a broad spectrum of diagnoses but New York’s current restrictions limit these professionals to working only with individuals with an autism diagnosis, cutting off services for children and families facing other challenges including traumatic brain injury and Down syndrome. I applaud the Legislature for taking steps that would enable Behavior Analysts to perform the full scope of work they are trained for and bring New York’s licensing into line with the rest of the country. I urge Governor Cuomo to sign this legislation into law.”

**The Council of Autism Service Providers Chief Executive Officer Lorri Unumb** said: “The development and evolution of ABA therapy represents not only the most significant, evidence-based treatment for individuals with autism to date, but a potentially life-changing intervention for those living with a host of other diagnoses. The Council of Autism Service

Providers commends Senator Skoufis and the many advocates who have championed this licensing reform in New York State, and we urge the Governor to sign this legislation."

**New York Alliance for Inclusion and Innovation President & CEO Michael Seereiter** said: "We thank Senator Skoufis and Assembly Majority Leader Peoples-Stokes for sponsoring this important legislation. Thirty-one states require Board Certified Behavior Analysts to be licensed. Of the 31, New York is the only state that has placed a restriction on the scope of practice based on a Diagnosis. From the professional standpoint, the intent of the legislation has always made complete sense. Now, with severe workforce shortages, it's imperative that the practice restriction be lifted. We wholeheartedly support the measure and strongly urge the Governor to sign the bill."

The full text of Skoufis' legislation can be found [here](#). Senator Skoufis remains committed to eliminating health disparities in our communities and providing New Yorkers with the tools they need to lead healthy, productive lives.

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#### RELATED LEGISLATION

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### **2021-S1662B**

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- Introduced

- ○ In Committee Assembly
  - In Committee Senate
  
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ○ Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
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Relates to the practice of applied behavior analysis

January 14, 2021

Senate Floor Calendar

Sponsored by **James Skoufis**

Do you support this bill?