

Fiscal Note

BILL # HB 2068

TITLE: behavior analysts; regulatory board

SPONSOR: Bliss

STATUS: As Introduced

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Description

As of July 1, 2025, the bill would establish a State Board of Behavior Analysts (Board) as an independent agency. Behavior analysts are currently licensed by the Board of Psychologist Examiners (BPE). The bill would transfer BPE's responsibilities to the new Board as well as transfer BPE's 5-member Committee on Behavioral Analysts. Along with these 5 existing members, the bill would add two new public members to the Board. The bill also reduces the size of the BPE from 10 to 8 members.

Estimated Impact

We estimate the bill would decrease BPE costs by \$(112,400) annually, with a corresponding increase of \$112,400 for the new Board to retain 1.8 FTE Positions for administrative support. In addition, BPE estimates the bill would generate new costs for the Board of \$500 for risk management premiums and \$5,000 for compensation and reimbursement of Board members, for total annual operating costs of up to \$117,900 beginning in FY 2026.

After accounting for the 10% of fees that are deposited into the General Fund, BPE currently collects \$326,900 in net application and licensing revenue from behavior analysts. These monies would now be deposited into the new Board fund. We expect licensing revenues will continue to be sufficient to fund the operating costs of the new Board.

We anticipate a minimal impact to the General Fund as creating a new independent 90/10 agency from the Psychology Examiners Board would be cost neutral for the total amount of revenue generated.

Analysis

Currently, BPE oversees and regulates behavioral analysts in Arizona. Licensure for behavior analysts became effective on January 1, 2011, and the BPE is also responsible for investigating and adjudicating allegations of unprofessional conduct filed against licensed behavioral analysts in Arizona. BPE's Committee on Behavior Analysts (CBA) consists of five members meeting monthly to review applications for licensure, complaints against behavioral analysts, and make recommendations to BPE.

In FY 2023, the BPE reported it cost \$112,400 from the Board of Psychologist Examiners Fund for 1.8 FTE Positions to regulate behavioral analysts. The staffing consists of the Executive Director and a Program Specialist (0.8 FTE), Deputy Director (0.5 FTE), and a Licensing Specialist (0.5 FTE). The bill would establish the Board as an independent state agency, which would decrease the BPE budget by \$(112,400) and increase the Board's costs by at least an equivalent amount in FY 2025. The actual increase would depend on whether the Board would need additional employees for assistance to provide general services.

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General Services

In addition to the costs above, BPE currently pays \$22,000 to ADOA's Central Services Bureau for accounting and other general support. Since the bill establishes the Board as an independent agency, costs could increase for the Board's CSB services and decrease BPE's costs to acquire these services. Since BPE anticipates that the two boards will continue to share administrative staff, we expect any changes in general services costs to be minimal. Additionally, BPE estimates that the Board may have to pay a separate risk management annual premium of \$500-700.

Revenues and Funds

BPE estimates that behavioral analyst's revenue in FY 2025 will be \$363,200. The majority of revenues come from active license renewals and licensing applications. The Board would keep 90% of the generated revenues and deposit the remaining 10% into the General Fund. This results in \$326,900 deposited into the behavioral analyst's fund and \$36,300 into the General Fund.

Currently, BPE's administers a separate subaccount for licensing and regulation of behavioral analysts. The bill would create a stand-alone Board fund for behavioral analysts. Since the operating costs will continue to be shared with BPE, which already regulates behavioral analysts, we expect the changes to be cost neutral.

Board Member Compensation

The bill would provide compensation to board members of \$100 for every eight hours of actual services in the business of the board and reimbursement of travel, lodging, meals, and other related expenses. The board would consist of seven members, which includes the original five-member committee from the CBA and 2 additional public members who are not eligible for licensure.

BPE estimates that total compensation costs could increase by up to \$5,000 annually.

Board Member Training

Within one year after a board member's appointment, members would receive at least five hours of training that includes instruction in ethics and open meeting requirements. We expect that any cost increase for providing the training would be minimal.

Local Government Impact

None

2/19/24