




# The Long and Winding Road to Professional Regulation in Ontario Canada

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Accepted: 17 October 2023  
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## Abstract

This article describes the long and winding road to regulation of behavior analysts in Ontario, Canada over the past 25 years. It is written from the perspective of some of the many volunteers of the professional association (Ontario Association for Behaviour Analysis) who have contributed to this goal. The information has been corroborated by historical records and publicly available information. The need for public protection and oversight of behavior analysis was noted in our field more than 50 years ago and continues to be relevant. With changes to international certification and concerns raised by some constituents about ABA practices, many jurisdictions continue to seek support for regulatory oversight. The goal of this article is to inspire behavior analysts in other jurisdictions to advocate for protection of the public and for recognition and oversight of the profession through policy reform. To this end, we have documented our collective efforts and experiences and suggested strategies that worked in our context that may generalize to other jurisdictions. In the end, efforts to promote ethical, effective, and socially valid ABA services will advance our field and enhance the benefits for those we support.

**Keywords** regulation · licensure · public protection · advocacy · volunteer associations · oversight

Like many other jurisdictions, implementation of applied behavior analysis (ABA) in Ontario began in the institutions supporting people with intellectual and developmental disabilities in the 1960s. This evolved similarly to services described in the seminal article, “The psychiatric nurse as a behavioral engineer” (Allyon & Michael, 1959), which came out of their work in the Saskatchewan Hospital, a mental health institution in Western Canada. As the community living movement gained momentum and the process of deinstitutionalization began in the late 1960s the need for community behavioral supports became evident. The first community-based behavioral services in Ontario were developed in the early 1970s, along with increased need for behavioral support in special education programs. As institutions were closed over the next 50 years, most institution-based behavioral teams divested to create community-based behavioral teams or were integrated into existing government funded community residential supports. Behavioral

intervention for people with intellectual and developmental disabilities evolved during this time period to include specialized supports (e.g., children, families, sexuality, forensics, mental health) and multidisciplinary teams. Further growth in ABA began in the 1990s when the government of Ontario set out to repatriate people with traumatic brain injury who were being treated in the United States, resulting in the development of inpatient and outpatient brain injury services with strong ABA orientations.

There were very few ABA-focused autism intervention programs prior to the 1990s. These included the Preschool Autism Program at Surrey Place Centre (Toronto), the Treatment Research and Education for Autism and Developmental Disorders (TRE-ADD) program (Etobicoke) at Thistle-town Regional Centre, and the Child and Family Resource Institute (London). Through the 1990s parents of autistic children, compelled by the follow up studies of the Lovaas UCLA program, sought early intensive behavior intervention in Ontario. Some families created their own home-based programs with oversight from local and international behavior analysts, whereas other families combined efforts to create nonprofit center-based programs with charitable foundation arms to help defray the cost of service delivery.

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In 1999 the Ontario government announced the Ontario Preschool Autism Program, which included a \$5 million investment in early behavioral intervention for children up to age 5 and consisted of direct services provided by nine regional consortia of publicly funded organizations, as well as a directly funded option in which families received government funding to defray the cost of services from private providers. In 2004, the age cap was lifted in response to legal action by families. Since 2004 the program has undergone many revisions, including changes to service and budgetary models, as well as the program name. The current iteration, the Ontario Autism Program, has a stated budget of 600 million CAD dollars (US\$457 million) to support children and youth with autism up to age 18, with a number of different service streams, and includes funding for other forms of treatment (e.g., speech-language pathology, occupational therapy). Despite these investments, there is unfortunately a waiting list of over 50,000 children for core clinical services including intensive or focused ABA. The substantial barriers the public faces when attempting to access ABA services are partly due to shortages in qualified behavioral service providers, highlighting the need to improve access to safe and effective ABA services.

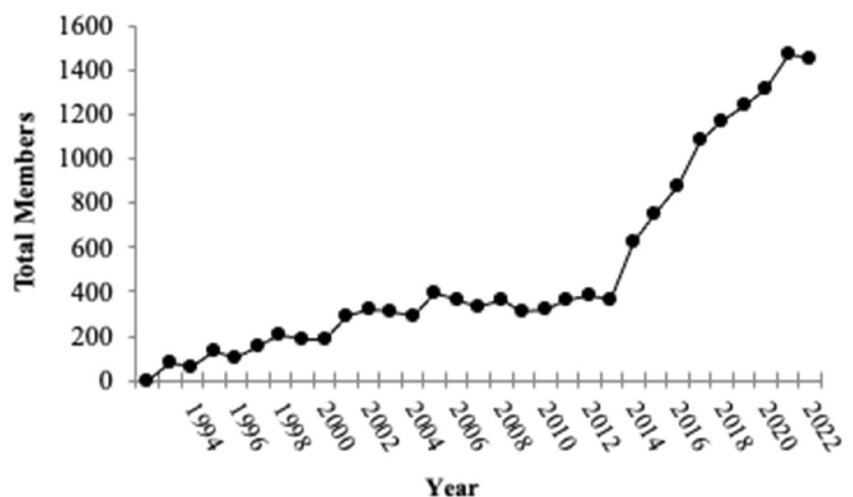
### The Journey Begins: An Ontario-Specific Model for Public Protection

The Ontario Association for Behaviour Analysis (ONTABA) was founded in 1992 and became an official chapter of the Association for Behavior Analysis International (ABAI) in 1993. As a nonprofit corporation its vision is “Fostering a culture of excellence, integrity, and expertise for the advancement and promotion of the science of behavior analysis.” The membership of the organization had a modest upward trend for the first 20 years, followed

by steeper acceleration between 2015 and the present day. The combination of ONTABA’s public advocacy and strategic planning, increases in funding for ABA services, and increases in certified individuals and postsecondary graduates, contributed to this organizational growth. ONTABA is a volunteer organization and the efforts that are described in this article represent the cumulative time and effort of many dedicated volunteers Fig. 1.

Since ONTABA’s inception, public protection has been one of its priorities. When the Behavior Analyst Certification Board (BACB) began certifying behavior analysts in 1998, ONTABA created a Certification Committee to investigate the feasibility of developing an Ontario-based certification model that would evolve to be separate from the professional association (ONTABA). See timeline of important events in Table 1. An important catalyst for credentialing behavior analysis was the growth of unqualified people offering alleged behavior analytic services, potentially putting clients at risk. The ONTABA board hoped that an Ontario-specific model could recognize pathways to certification (e.g., on-the-job training by behavior analysts, research) that would correspond with the training and education available in Ontario at that time, given that members were practicing ABA. There were concerns that a masters-only pathway to certification would decrease the capacity for service provision and leave behind many competent behavior analysts because there were no masters programs in behavior analysis at that time in the province and the only doctoral training offered in Canada was in a PhD program within the Psychology Department at the University of Manitoba. The Certification Committee created a blueprint for moving forward that included the creation of a distinct and independent certification panel to separate the professional association charged with advocacy and promotion of behavior analysis (i.e., ONTABA) from the certification process, which would

Fig. 1 ONTABA Membership from 1993 to 2022



**Table 1** Timeline of Important Events

| Year | Event  | Description  |
|------|--|--|
| 1998 | Certification Committee is formed  | Determined that an independent panel was needed  |
| 2002 | Transitional Certification Committee is formed                                   | Determined most feasible model for ON credential was to model after BACB   |
| 2006 | BACB Alternative Pathway Negotiated  | To build capacity in ON (2006–2011)  |
| 2010 | Professional Regulation Committee is Formed                                      | Focused efforts on regulation<br>Title protection determined as viable first step<br>Vote at 2011 AGM to pursue the Private Act  |
| 2012 | MCYS RFP for Feasibility Study   | For development of Ontario-based certification process<br>Halts the Private Act  |
| 2015 | Feasibility Results  | MCYS shares results of feasibility study (start with title protection and move towards regulation)<br>Restarts efforts towards Private Bill ONTABA learns of other regulation models in BC/MB  |
| 2016 | Private Act  | Town hall on regulation and the Private Act<br>Drafted the Private Act, retained legal counsel<br>Continuous advocacy with ministry officials  |
| 2017 | HPRAC Review Process   | Continued work on the Private Act<br>Met with lawyers, collaborated with our Governance Consultant<br>Met with HPRAC<br>Membership town halls and regular updates  |
| 2018 | Finalizing Private Act   | Final stages of the Private Act<br>Revisions of ONTABA by-laws<br>Private Bill was ready to be tabled<br>Membership town halls and regular updates   |
| 2019 | MCCSS Announced Regulation   | HPRAC report released, MCCSS announced regulation of behavior analysis practitioners   |
|      | ONTABA reps met with MCCSS staff   | Discussed importance of autonomous regulation  |
|      | MCCSS/MOH sent letter to CPO   | Confirm CPO's interest in undertaking the regulation of ABA as part of its governance structure<br>Listed ONTABA as a consultative partner   |
|      | ONTABA sent membership update  | Highlights from meeting with MCCSS staff<br>Notice of the communication from the ministries to CPO and upcoming CPO Council meeting materials  |
|      | CPO passed a motion  | Confirming the offer to undertake regulation   |
|      | Ministry Working Group formed with ONTABA members                                | Development of scope of practice   |
| 2020 | ONTABA Ethics and Jurisprudence Initiative                                       | Knowledge and competency standards pertaining to ethics and jurisprudence relevant to behavior analysts in Ontario developed<br><i>The Ethical Behaviour Analyst</i><br>ONTABA's online Ethics and Jurisprudence course made available to practitioners in Ontario |
| 2021 | Passing of Bill 283  | Repeals the <i>Psychology Act, 1991</i> and replaces it with the <i>Psychology and Applied Behaviour Analysis Act, 2021</i>  |
|      | CPO Working Group formed with ONTABA representatives and other behavior analysts | Work on revised registration regulation, creation of self-assessment tool for behavior analysts, exam process, public consultation, reports to college council   |
| 2022 | CPO Transitional Members   | The inclusion of doctoral and masters level behavior analysts as transitional members of the CPO Council   |
| 2023 | Proclamation Date of July 1, 2024 announced                                      | The Ontario Ministry of Health announced a proclamation date for the <i>Psychology and Applied Behaviour Analysis Act, 2021</i>  |

focus on credentialing in an effort to establish entry to practice standards for public protection.

The Transitional Certification Committee (TCC) was formed in 2002 and was tasked with developing the model for the independent Ontario Certification for practitioners in the province. The work of this committee involved gathering

input from the ONTABA Board of Directors and the membership, as well as determining how certification could be offered to those working in the field. The original intent was to have Ontario-specific certifications (using similar criteria to the BCBA and BCaBA levels) by including jurisprudence requirements for Ontario, and potentially including a third

level of certification for front line workers implementing ABA (at this time there was not yet a registered behavior technician [RBT] credential). It was also to ensure that Ontario's existing college diploma programs in ABA were formally recognized within a certification process as we had no undergraduate or graduate university degree programs in Ontario at that time. Exploring an Ontario Certification model seemed like a viable option given that professional regulation (which may be referred to as licensure in many jurisdictions) was not feasible within the Ontario regulatory structure given the low number of practitioners/members in the province at that time. The possibility of securing access for an already-established exam was also explored as part of what would be an Ontario Certification model.

### A Curve in the Road: Behavior Analyst Certification Board Alternative Pathways

Although the TCC worked on an Ontario-specific model of oversight, some ONTABA members were keen to pursue Board Certified Behavior Analyst (BCBA) certification despite the limited educational opportunities at the masters level in Ontario at that time. The ONTABA Board president at that time approached Dr. Gerald Shook, then chief executive officer of BACB to discuss the development of time-limited alternative pathways to certification (see Table 2). The goal of these pathways was to specify acceptable alternative educational backgrounds, alternative supervision requirements, and additional requirements for ONTABA members to qualify to take the BCBA and board certified assistant behavior analyst (BCaBA) examinations. The process required ONTABA to provide lists of relevant undergraduate and community college programs accepted for the BCaBA level and list the graduate degrees that would be allowed for the BCBA level. In addition to the degree requirement, the coursework requirement included submitting proof of 90 hr of behavior analytic

instruction, and a clinical case portfolio or three clinical cases in the absence of coursework. In addition to defining the educational pathways, the final agreement required an appropriately qualified individual (i.e., BCBA, practitioners qualified to sit for the BCBA exam, and psychologists qualified to practice ABA) to provide confirmation of the applicant's attainment of the required number of supervised or mentored practice hours. These alternative pathways were approved by the BACB and ONTABA in 2006 and remained in place until 2011.

### Road Work: Growth in Capacity through Education

Much of the capacity building in Ontario can be attributed to growth in the number of in-person and remote post-secondary educational programs offered both locally and internationally, as well as a period of government funding for tuition assistance for front line staff and supervisors in the public agencies providing autism services. An important distinction in Ontario is that community colleges were initially developed to educate students to fill numerous roles that existed within the provincial government and trades, unlike jurisdictions in which community college is seen as an opportunity to complete high-school equivalencies or upgrade skills to meet admission requirements or complete transfer credits for university. The first Behavioral Science Technology diploma began at St. Lawrence College in 1971 to prepare staff for behavior therapist roles in institutions and community support settings for people with developmental disabilities. This was the only program offered in the province until 2002 when George Brown College also developed a 3-year Behavioral Science Technology diploma program. Both of these community colleges also offered a 10-month fast-track program for students who had already completed an undergraduate degree in psychology. St. Lawrence offered this program beginning

**Table 2** Comparison of Requirements for the Standard BACB Application Process and Ontario Alternative Pathways

|                    | Ontario BACB Alternative Pathways   | Standard BACB Application Process  |
|--------------------|---|--|
| Degree             | Undergraduate degree or College diploma (BCaBA) MA or PhD (BCBA)  | Undergraduate degree (BCaBA) MA (BCBA) PhD (BCBA-D)  |
| Training/Education | 0–90 hr of behavior analysis coursework undergrad (BCaBA) or graduate (BCBA)  | 135 hr of behavior analysis coursework (BCaBA) 225 hr of graduate level courses in behavior analysis (BCBA and BCBA-D) |
| Experience         | Up to 36 months mentored or 18 months supervised experience by a BCBA or other qualified individual Experience Review Alternative may also be used in lieu of supervision/mentorship. | 1,000 (BCaBA) to 1,500 (BCBA and BCBA-D) supervised hours by a BCBA or BCBA-D  |
| Portfolio          | 1–3 case studies  | Not required.  |

*Note.* There were several pathways to certification through both the Ontario Alternative Pathways and BACB Standard Processes. This table highlights the general requirements at the time the BACB Alternative Pathways were available with certification level noted (i.e., BCaBA, BCBA). Updated requirements for BACB certification can be found at [www.bacb.com](http://www.bacb.com).

in the 1980's and George Brown offered it in tandem with the development of their 3-year diploma program. In 2004 St. Lawrence College launched the first bachelor's degree in Behavioral Psychology which was the first undergraduate degree in behavioral psychology in Canada and the second in North America (after the University of North Texas). Today there are now six degree programs offered at Ontario colleges. In 2005 additional behavioral science programs (postgraduate certificate in autism and behavioural science) were developed to help build capacity for the newly funded provincial autism program. Today, there are four community colleges offering behavioral science diploma programs, six offering degree programs in behavior analysis/behavioral psychology, and 11 offering postgraduate certificates in autism and behavioral science.

The first masters training program began in 2006 at Brock University in St.Catharines, Ontario. This program, housed in Applied Disability Studies, began as fully in person, and has added some additional online instruction (hybrid) to meet the evolving Association for Behavior Analysis International (ABAI) verified course sequences (VCS) content requirements. In 2011, a fully online master's program was launched at Western University within the Faculty of Education in London, Ontario. Prior to 2006, graduate level training was available mostly through American online programs or at the University of Manitoba in Winnipeg, Manitoba. The University of Nevada Reno ran one satellite master's cohort in Ontario from 2002 to 2005.

At present, there are 10 institutions in Ontario that offer a VCS. Two masters level graduate programs—Western University (M.PEd.) and Brock University (MA, M.ADS, and G.Dip)—enable students to become certified as BCBA's. The eight college programs that enable students to become certified as BCaBA's include: Mohawk College, St. Lawrence College, Durham College, George Brown College, Humber College, Seneca College, Niagara College, and Lambton College. One ongoing challenge for educational institutions and general capacity development in the province is filling doctoral level faculty positions in behavior analysis as there are no local doctoral programs, though a PhD in ABA at Brock University just received final approval from the Ontario Ministry of Colleges and Universities and is launching in 2024. Postsecondary education in ABA in Ontario continues to be a work in progress.

### **Dedicated Travelers: The Professional Regulation Committee**

As more practitioners in the province were becoming certified either directly through the BACB or via the alternative pathway, development of an Ontario-specific certification process did not seem as viable. Developing an independent entity such as a regulatory body and establishing its

own certification exam was determined to be too costly for ONTABA to undertake. It was also not going to be possible for an Ontario certification process to use an exam from an American certification body due to limiting legal factors and differences in jurisprudence and language. Further, the membership and practitioners in the province were eager to pursue professional regulation, akin to licensure in some jurisdictions, that would afford greater measures of public protection than a certification process that is not under a regulatory body (Dorsey et al., 2009; Green & Johnston, 2009). To that end, the Professional Regulation Committee (PRC) of ONTABA was formed in 2010. This committee began to work with government policy makers, political analysts, and others to determine how regulation might be achieved in Ontario for ABA practitioners. The goal was to establish a province-specific model of public protection through self-regulation under a regulatory body. During consultation, the PRC was able to determine that full self-regulation would not be possible at that point for several reasons (e.g., costs associated with full-regulation, not enough members to become a self-sustaining regulatory body, possibility that the province would no longer be accepting applications for new colleges). Instead, Title Protection was determined to be a viable first step. The PRC then began work in pursuit of a Private Bill for Title Protection (Legislative Assembly of Ontario, 2022), which would limit the use of specific titles to those individuals who have achieved relevant entry to practice requirements and registered with the relevant oversight body.

In 2012, the Ministry of Child and Youth Services released a request for proposals for a feasibility study for the development of an Ontario-based regulation process. As a result, work on the Private Bill was put on hold. The results of the feasibility study were not released until 2015 and recommended that title protection should be sought as the first step, with a move towards regulation in the future. In 2016, the Private Bill was drafted by the PRC and sent to legal counsel. Work continued on the Private Bill through 2017 and 2018 as the PRC met with lawyers, governance consultants, and the Health Professions Regulatory Advisory Council (HPRAC). The Private Bill, along with revised pending by-laws for ONTABA were finalized in 2018 and were ready to be submitted to the government for review.

### **Fellow Travelers: The College of Psychologists**

Although the Private Bill was ready to be submitted to the government, this was halted when, in December 2017, the provincial government undertook a review of the need for regulation of ABA. The impetus for this review was likely a result of the exponential growth of ABA practitioners in the province, significant government investment in ABA services, and

consumer pressure to enhance public protection. The review was conducted by HPRAC (<https://www.hprac.org/en/index.asp>). The then minister of health, Dr. Eric Hoskins, wrote a letter to HPRAC asking for advice in response to two questions: (1) What activities or aspects associated with ABA therapy pose a significant and inherent risk of harm (if any), and whether the risk of harm of this therapy varies by client population (e.g., children and adult)?; and (2) If there is risk of harm, what is the range of options for an approach to oversight that could be considered? The two-part report released in 2019 highlighted a need for public protection in the form of regulation of ABA within an established regulatory health college (<https://www.hprac.org/en/applied-behaviour-analysis.asp>). All regulated health colleges fall within a legislative framework, the *Regulated Health Professions Act, 1991* (RHPA) and must follow a set of rules specified in this legislation referred to as the *Health Professions Procedural Code*.

In its submission to the HPRAC review in 2017, the College of Psychologists of Ontario (CPO) indicated its willingness to consider undertaking the role of regulator should regulation of ABA be introduced. CPO defines itself as,

the governing body for Psychologists and Psychological Associates in Ontario. The College is not a university, school or community college; its mandate is to protect your interests by monitoring and regulating the practice of psychology. Through the participation of the public and the profession, the College ensures you receive competent and ethical professional psychological services from qualified providers. (College of Psychologists of Ontario, n.d. )

On September 19, 2019, the CPO received a letter from the Ministry of Health and the Ministry of Children, Community and Social Services (formerly the Ministry of Child and Youth Services) inviting the CPO to confirm its interest in accepting this responsibility. At its meeting of September 27, 2019, the College Council voted in favor to undertake the regulation of ABA. Within this regulation model, the two professions (psychologists and behavior analysts) remain distinct and autonomous practitioners, yet are regulated by the same College, which has precedence in Ontario (i.e., the College of Speech Language Pathologists and Audiologists). It is important to note there are not enough behavior analysts in the province to support a new stand-alone college. From 2019 to 2021, the Ministry of Children, Community and Social Services invited several members of ONTABA to serve on a regulation working group. Several meetings and consultations were held to provide input on scope of practice, definitions of ABA, etc. ONTABA also began forming a strong working relationship with the registrar of CPO, who is responsible for carrying out statutory duties set out in the *Regulated Health Professions Act*, and is appointed by, and reports to, the College's Council. The ONTABA president was asked to join a working group with CPO.

## More Roadwork: The Development of Provincial Ethics and Jurisprudence Standards

With financial support provided through a small grant from the BACB, ONTABA released *Jurisprudence and Ethics Standards* in 2020 that were intended to outline the knowledge and competency standards pertaining to jurisprudence and ethics requirements for behavior analysts in Ontario. These were meant to complement the *Professional and Ethical Compliance Code for Behavior Analysts* (Behavior Analyst Certification Board, 2014) and were updated to align with the *Ethics Code for Behavior Analysts* (Behavior Analyst Certification Board, 2020). As an interim commitment to public protection, the Ministry of Children, Community and Social Services provided ONTABA with funding to develop and provide jurisprudence and ethics materials including live webinar training, e-learning modules, and written resource materials. Live training focused on the application of the *Jurisprudence and Ethics Standards* to a variety of situations across a wide range of settings and diverse populations, and the training was offered in English and French. *The Ethical Behaviour Analyst*, ONTABA's online jurisprudence and ethics course (three BACB ethics CEUs), was launched in the fall of 2020. Several key resources outlining guidelines and standards for professional and ethical practices (e.g., billing practices, record keeping, interprofessional practice requirements) were also created for three stakeholder groups: (1) behavior analysts; (2) those interested in or using behavior analytic services; and (3) other professionals and educators with whom behavior analysts interact. This project was carried out by members of the ONTABA Jurisprudence and Ethics committee and subject-matter experts, with the support of a working group of ONTABA members and the board of directors. These resources are available in both French and English at the ONTABA training website <https://training.ontaba.org/>.

## Important Road Sign: Passing of Bill 283

On April 27, 2021, the Ontario government introduced Bill 283, *Advancing Oversight and Planning in Ontario's Health System Act, 2021* in the Legislative Assembly of Ontario. Included in Schedule 4 of this bill was the legislative authority for the CPO to regulate the ABA profession within the same college. The legislation was passed on June 3, 2021, which repeals the *Psychology Act, 1991* and replaces it with the *Psychology and Applied Behaviour Analysis Act, 2021*. The new Act establishes the regulation of two separate and distinct professions, psychology and applied behavior analysis. The current CPO will be the regulator for both professions and will be renamed the *College of Psychologists and*

*Behaviour Analysts of Ontario* to reflect its expanded role once the Act is proclaimed (becomes law). The legislation maintains the regulatory framework for current members (psychologists and psychological associates), as well as: (1) defines the scope of practice for ABA as “the assessment of covert and overt behaviour and its functions through direct observation and measurement, and the design, implementation, delivery and evaluation of interventions derived from the principles of behaviour in order to produce meaningful improvements,” which is distinct from the scope of practice of psychology defined as, “the assessment of behavioural and mental conditions, the diagnosis of neuropsychological disorders and dysfunctions and psychotic, neurotic, and personality disorders and dysfunctions, the prevention and treatment of behavioural and mental disorders and dysfunctions and the maintenance and enhancement of physical, intellectual, emotional, social, interpersonal functioning; (2) protects the title of “behaviour analyst” and expands the “Representations of Qualifications” restriction to include holding oneself out as qualified to practice as a behavior analyst or in a specialty of behavior analysis; and (3) updates the size and composition of the college’s council to enable equitable representation for both professions with at least three and up to five members certified in ABA, in addition to two and up to four academic ABA members (College of Psychologists of Ontario, 2021).

## The Final Leg of the Journey

The process for regulation in Ontario is mandated by the *Regulated Health Professions Act, 1991*. Starting in 2021, CPO began to draft regulations to be made under the Act and consider the by-law and policy changes that would be necessary to support the regulation of behavior analysts within the newly formed College. This work must be completed before the Act can be fully proclaimed. The new Act and any other legislative changes will not come into force until proclaimed by the lieutenant governor in Ontario. The ABA Working Group has been meeting bimonthly and is composed of College Council members and staff, behavior analysts, educators, and an ONTABA representative. The Working Group is tasked with considering registration requirements necessary for new behavior analysts entering practice and for those currently practicing. The overall objective is to “ensure that all registered Behaviour Analysts have the qualifications and competencies necessary to deliver safe, effective, and quality care to the Ontario public” (College of Psychologists of Ontario, 2022a). In fall 2022, the Working Group facilitated a public consultation process on proposed changes to regulation amendments to: “O. Reg. 74/15 Registration requirements for applicants entering practice for the first time, as well as time-limited transitional (or grandparenting)

provisions, to allow qualified practicing behavior analysts to apply for registration; and to “O. Reg. 801/93 Professional Misconduct and O. Reg. 209/94 General (Quality Assurance and Advertising”); College of Psychologists of Ontario, 2022b). The Working Group also created a self-screening tool for current practitioners to assess whether they will be required to preregister with the yet-to-be proclaimed college. Pre-registration is designed to avoid service disruptions (College of Psychologists of Ontario, 2022b).

To register as a behavior analyst, applicants will typically have to meet the stated requirements (e.g., graduate-level coursework in ABA, content examination, jurisprudence/ethics competence, good character, liability insurance) and enter a year of *Supervised Practice*. After 1,500 hours of postregistration supervised practice, they will be eligible for *Autonomous Practice*. To minimize the impact on service capacity when a new profession is first regulated, a transition period (grandparenting) is required. In this period, there are different transitional registration requirements specified for *Autonomous Practice* for: (1) those with active BCBA or BCBA-D Certification; and (2) those currently practicing without certification. When the transition window closes, all applicants will be required to successfully meet the stated entry-to-practice requirements, including the 1,500 hours of *Supervised Practice* before moving to *Autonomous Practice* irrespective of their BACB certification status (College of Psychologists of Ontario, 2023).

When regulation is enacted only those registered with the *College of Psychologists and Behaviour Analysts of Ontario* as an *Ontario Behaviour Analyst* in *Supervised* or *Autonomous Practice* will be eligible to use the protected title of behavior analyst. Other regulated professionals, such as psychologists, speech-language pathologists, nurses, and occupational therapists who practice ABA and identify themselves as a behavior analyst in Ontario will also have to register as a behavior analyst.

In the spring of 2022, one doctoral-level and one master’s level behavior analyst were appointed by CPO as transitional members of the CPO Council to provide behavior analysts’ perspectives at the decision-making table (College of Psychologists of Ontario, 2022c). The Working Group is drafting Standards of Practice and policies that will be integral to the implementation of the regulations. CPO is working with a test development company on the development of a content exam that will assess the entry-level competencies necessary to provide safe, quality practice. ABA professionals are serving as subject matter experts in the creation of the exam. Though there is still work to be done as the process unfolds, we are gratified to see regulation of ABA quickly approaching. In fact, while we were revising this manuscript the government announced approval of the regulations and announced the proclamation date for the bill of July 1, 2024. The college announced that preregistration will open in the fall of this year.

## Road Map to Success: Recommendations for your Policy Advocacy Journey

As demonstrated in the long journey towards professional regulation in Ontario, the ability to successfully influence government policy that is intended to protect the public, requires persistence and several other competencies, which we will describe below. Our hope is that the suggestions that follow will prove useful for professionals and associations on similar policy advocacy journeys.

First, a comprehensive understanding of government structure and process in your jurisdiction is a must. Understanding types of legislation, the process for passing each type of legislation, the relevant ministries involved in your issue, their mandates, budgets, and structures. As there is rarely training provided on political procedures in behavior analytic postsecondary programs, it is unlikely that this knowledge will be second nature to many advocates, unless they have a personal interest in the inner workings of provincial (i.e., state) and federal parliament (i.e., government) systems. If possible, connecting with a government relations specialist and seeking training on how regulation legislation is passed generally, how it has been done for other disciplines specifically, what the potential options are, what the timeline and resource demands are for each, and who needs to be involved is a good start. Next, get to know the political parties and their representatives in each riding (electoral district). Make a point of getting to know the politicians involved in the area you are interested in influencing (e.g., health, social and community services, education). Get to know the major players and their staff (e.g., minister, associate minister, chief of staff, senior advisors, communications, administrative assistants, including the department heads, the senior policy writers, and the points of contact for stakeholders. If it is not already available online, build an organizational chart for each Ministry and profiles for the individuals you hope to inform about the issue. Identify who you should meet with and when, particularly identifying the key individuals who can drive change and the best time to approach them, whether it is before an election or during public consultation and development of policies. Although policy, funding, and some processes may change based on the current government, the key players on the policy-writing side often remain after elections have ended.

Next, focus on building professional relationships and networks with elected officials, government employees, and organizations affiliated with the government (e.g., government funded nonprofits). At first, interactions with the government should be aimed at building a professional relationship that increases the likelihood that behavior analysts are invited to provide input on current and future

decisions related to policy and or legislation. Government employees may be more inclined to contact professionals with whom they have a previous positive professional relationship (i.e., those who have worked on committees, provided supportive feedback, identified potential risks, and contributed concrete solutions). During interactions with elected officials and government employees, provide genuine solutions to real or perceived issues that are prevalent in your jurisdiction. A proactive example includes identifying a real or potential threat or issue and contacting elected officials and or government employees (i.e., policy development) to set up a meeting to provide a solution that adequately addresses the issue. Propose solutions to problems that the government is currently facing. What problems will regulation solve? What risks will it avoid? Aside from some paid consultation from political advisors and legal advice, all of these integral activities were led and completed by ONTABA members who volunteered their time. Many of whom also volunteered on various Ministry working groups helping to educate relevant government officials on issues such as education and practice requirements for supervisors in ABA, and standards for monitoring and supervision, and then contributing to the development of the associated standards.

When advocating for legislative changes, either with government or with members of the public, it is important that behavior analysts match their communication style to match the strengths and needs of their audience. For example, do not assume that your audience (e.g., policy makers) have the same interest, understanding, or appreciation for research or data. As such, behavior analysts should be prepared to communicate with elected officials in plain language using a combination of research briefs and consumer satisfaction reports as supplementary. Of note, a story from an individual or family who has experienced the benefits of behavior analytic interventions, may be more influential than the most rigorous meta-analysis. One practical tip is to prepare a briefing note that explores what ABA is, and what behavior analysts do that could be easily understood and appreciated by novice individuals. Opportunities to directly interact with elected officials and or government employees are often limited or based on time constraints. So you will need to make it count! If you had 5 min to speak with an elected official, how would you describe what ABA is?

It is also important to analyze the contingencies at play within political systems. Policy agendas are set by upper levels of governments and are developed by government employees in policy departments or specialized teams. Policy and or legislation development may be influenced by a variety of sources including the sometimes-conflicting interests of a diverse group of stakeholders, ideas that include knowledge or research, the mandate of each ministry, the

cost of suggested solutions to a social issue, and the risk involved from a media/elections perspective. Understanding the contingencies operating on relevant players requires a functional analysis to get at the positive and negative reinforcers involved. Elected officials (the politicians that tend to change every 4 years or so) may be motivated to follow through with a previous commitment (or at least appear as though they have); to appease potential voters and key stakeholders; or to avoid negative press that could be harmful to stakeholder and voter relations. As such elected officials may be motivated by public opinion (social and news media), stories from constituents within their jurisdictions, issues that solve a problem while saving money, and things that can be announced to the public that improve the reputation of the politician and the party. Public service employees (those that are tasked with carrying out government mandates and putting the recommendations into policy) may be motivated to appease elected officials, work within budgets and mandated timelines, to maintain their jobs and departments, to develop quality policy, to predict and project issues and costs, and to reduce the probability of issues that will become public in a negative way. Consider the response effort for the policy changes that reflect the goals of the agency; what will it cost the government in funding, time, and resources, what will the potential pay-out be, what are the possible risks? It is important to understand that the government is also careful examining your motives and those of other stakeholders. Be aware of history and context that may affect your issue (e.g., bad experiences with regulating other professional groups, motivation to change how health professions are regulated generally). It will be important to manage any perceived or real conflicts of interest; the government will ask themselves “what are you trying to get out of this?” With knowledge of individual and departmental motivations, behavior analysts can dispense reinforcers (public praise, helpful briefing notes and materials) and punishers (public criticism, protest) as necessary. Of course, any use of tactics that may be aversive to government officials, even if effective in promoting change (protest, public criticism, and other forms of activism), can have the unintended side effect of damaging the relationship, and so must be done carefully with full consideration of possible risks and benefits.

Finally, it is important to leverage the strength of the behavior analytic and service user community in your jurisdiction, nationally, and internationally. As the road towards regulation is long and winding, it will require the sustained efforts of many individuals and the support of association members and external allies (families, other disciplines). This means having behavior analysts and partners work together towards a shared goal (e.g., regulation/licensure) guided by shared values (e.g., protection of the public, improved access to behavioral health services). From the perspective of a professional organization, this means

frequent communication with members across multiple platforms. Virtual and in-person town hall meetings, regular email and social media updates, workshops and webinars on the topic, and opportunities for volunteering/contribution to the cause will encourage knowledge of the issue and participation in advocacy efforts. Many individuals communicating a similar message to stakeholders is likely to have more impact than a single entity communicating their interest in an issue. Engaging members regularly in surveys, question and answer sessions, and seeking out feedback from an advisory group or from key players in the community is also beneficial. Depending on the jurisdiction, some of these strategies may be more or less appropriate. We encourage readers to assess the important contextual factors within their environments that may promote successful outcomes.

As noted by Johnston et al. (2017), interest in protection of the public and the profession began early in the development of the field. The dangers of underqualified professionals misapplying behavioral procedures were real (e.g., Michael, 1972) and prompted efforts towards credentialing. Significant events, like the Sunland scandal in 1972 precipitated the credentialing of behavior analysts in Florida which, in turn, led to the creation of the BACB (although Florida does not yet have licensure). Growth in certificant numbers supported the development of local oversight across the United States (Bailey & Burch, 2022). Although the forms of oversight (e.g., credentialing, licensure, regulation) differ across jurisdictions in the United States and in Canada (e.g., Manitoba), the underlying frameworks consistently provide a clear scope of practice, entry to practice requirements, quality assurance, and mechanisms for complaints and disciplinary action. Each of these components are essential to public protection and make behavior analytic services safer and more accessible.

The path to regulation in the province of Ontario has been a journey supported by many tireless volunteers dedicated to the same goal. The intended outcomes of this article are to inspire other groups of dedicated behavior analysts to advocate for important policy reform and to share strategies that were helpful in our context that may be generalizable to others. Safe and effective services will ultimately allow the field and those we support to continue to prosper.

**Data Availability** Data sharing not applicable to this article as no datasets were generated or analyzed during the current study.

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