



Reprinted  
January 21, 2026

---

## HOUSE BILL No. 1102

---

DIGEST OF HB 1102 (Updated January 20, 2026 2:37 pm - DI 147)

**Citations Affected:** IC 20-35; IC 34-30.

**Synopsis:** Applied behavioral analysis therapy services. Requires, upon request, a public school to consult with and allow certain licensed or board certified behavior analysts and certified registered behavior technicians to provide applied behavioral analysis therapy services in the public school to a student under certain conditions in accordance with the student's special education program or plan. Provides immunity from civil liability for any actions taken in good faith to comply with the requirements. Requires the department of education to prepare and provide information and guidance to assist public schools in implementing the requirements.

**Effective:** July 1, 2026.

---

---

**Greene, Olthoff, Goss-Reaves,  
Bauer M**

---

---

January 5, 2026, read first time and referred to Committee on Education.  
January 15, 2026, reported — Do Pass.  
January 20, 2026, read second time, amended, ordered engrossed.

---

---

HB 1102—LS 6549/DI 110





Reprinted  
January 21, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1102

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-35-15 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]:

4       **Chapter 15. Access to Services by Licensed or Board Certified**  
5 **Behavior Analysts**

6       **Sec. 1. This chapter applies to a public school, including a**  
7 **charter school.**

8       **Sec. 2. As used in this chapter, "licensed or board certified**  
9 **behavior analyst" means a behavior analyst with credentialing as**  
10 **a licensed or board certified:**

11       **(1) behavior analyst doctoral; or**

12       **(2) behavior analyst.**

13       **Sec. 3. (a) This section applies to a student to whom the**  
14 **following applies:**

15       **(1) The student:**

16       **(A) is receiving applied behavioral analysis therapy**  
17 **services from a licensed or board certified behavior**

HB 1102—LS 6549/DI 110



- 1 analyst; and  
2 (B) has recently enrolled in a public school.  
3 (2) The provision of applied behavioral analysis therapy  
4 services are included as part of the student's:  
5 (A) individualized education program; or  
6 (B) plan developed under Section 504 of the federal  
7 Rehabilitation Act of 1973, 29 U.S.C. 794.  
8 (b) Upon request by the parent of the student or the student, if  
9 the student is an adult or emancipated minor, a public school shall  
10 do the following:  
11 (1) Consult with a licensed or board certified behavior analyst  
12 described in subsection (a)(1)(A) regarding the provision of  
13 applied behavioral analysis therapy services for the student.  
14 (2) Allow:  
15 (A) the licensed or board certified behavior analyst  
16 described in subdivision (1); and  
17 (B) as applicable, a certified registered behavior technician  
18 who works with the analyst described in clause (A);  
19 to provide behavioral analysis therapy services that are  
20 within the scope of the analyst's or technician's scope of  
21 practice as established by the Behavior Analyst Certification  
22 Board to the student at the public school for not less than  
23 thirty (30) days and, unless otherwise recommended by the  
24 licensed or board certified behavior analyst, not more than  
25 ninety (90) days after the date the student begins attending the  
26 public school.  
27 (c) The presence or participation of a licensed or board certified  
28 behavior analyst under this section is not a designation of a service  
29 provider for purposes of 511 IAC 7 or the federal Individual with  
30 Disabilities Education Act (IDEA).  
31 (d) An individualized education program is not required to  
32 identify an individual licensed or board certified behavior analyst  
33 by name.  
34 (e) Nothing in this section may be construed to restrict or limit  
35 a public school from allowing an analyst or technician described in  
36 subsection (b)(2) to provide behavioral analysis therapy services to  
37 a student beyond the ninety (90) day period described in subsection  
38 (b)(2).  
39 (f) A:  
40 (1) licensed or board certified behavior analyst; or  
41 (2) certified registered behavior technician described in  
42 subsection (b)(2);



1 may not provide applied behavioral analysis therapy services in a  
 2 public school under this chapter virtually or through telehealth (as  
 3 defined in IC 25-1-9.5-6). The provision of applied behavioral  
 4 analysis therapy services in a public school under this chapter must  
 5 be provided in person.

6 Sec. 4. (a) Before an analyst or technician described in section  
 7 3(b) of this chapter provides behavioral analysis therapy services  
 8 in a public school under this chapter, the public school shall do the  
 9 following:

10 (1) Unless the public school receives results under subdivision  
 11 (2), conduct an expanded criminal history check and  
 12 expanded child protection index check as described in  
 13 IC 20-26-5-10 of the analyst or technician.

14 (2) Accept the results of an expanded criminal history check  
 15 and expanded child protection index check that was  
 16 conducted within the immediately preceding five (5) years if  
 17 the results are provided to the public school by the analyst or  
 18 technician.

19 (b) An analyst or technician described in section 3(b) of this  
 20 chapter is responsible for all costs associated with obtaining the  
 21 expanded criminal history check and expanded child protection  
 22 index check unless the public school agrees to pay the costs.

23 Sec. 5. A public school may not allow an analyst or technician  
 24 described in section 3(b) of this chapter to provide applied  
 25 behavioral analysis therapy services under this chapter if:

26 (1) the analyst or technician has been convicted of an offense  
 27 listed in IC 20-28-5-8(c) or described in IC 20-28-5-8(d); and  
 28 (2) the conviction has not been reversed, vacated, or set aside  
 29 on appeal.

30 Sec. 6. A school corporation, a public school, and school  
 31 personnel are immune from civil liability for any actions taken in  
 32 good faith to comply with this chapter. The civil immunity under  
 33 this section does not apply to an act or omission that constitutes  
 34 gross negligence or willful, wanton, or intentional misconduct.

35 Sec. 7. Not later than September 1, 2026, the department shall  
 36 prepare and provide to public schools information and guidance to  
 37 assist public schools in implementing this chapter.

38 Sec. 8. Applied behavioral analysis therapy services delivered by  
 39 a licensed or board certified behavior analyst or registered  
 40 behavior technician under this chapter retain their  
 41 characterization as clinical or therapeutic services for purposes of  
 42 insurance or third party reimbursement.



1       **Sec. 9. Nothing in this chapter shall be construed to require a**  
2       **public school to employ, contract with, or pay a licensed or board**  
3       **certified behavior analyst or registered behavior technician who**  
4       **provides applied behavioral analysis therapy services under this**  
5       **chapter. The cost of services delivered by an outside licensed or**  
6       **board certified behavior analyst or registered behavior technician**  
7       **remains the responsibility of the parent or the parent's insurer**  
8       **unless the public school voluntarily agrees to pay.**

9       SECTION 2. IC 34-30-2.1-286.5 IS ADDED TO THE INDIANA  
10       CODE AS A NEW SECTION TO READ AS FOLLOWS  
11       [EFFECTIVE JULY 1, 2026]: **Sec. 286.5. IC 20-35-15-6 (Concerning**  
12       **the provision of applied behavioral analysis therapy services in**  
13       **public schools).**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1102, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1102 as introduced.)

BEHNING

Committee Vote: Yeas 10, Nays 0

---

HOUSE MOTION

Mr. Speaker: I move that House Bill 1102 be amended to read as follows:

Page 2, between lines 38 and 39, begin a new paragraph and insert:

**"(f) A:**

**(1) licensed or board certified behavior analyst; or**

**(2) certified registered behavior technician described in subsection (b)(2);**

**may not provide applied behavioral analysis therapy services in a public school under this chapter virtually or through telehealth (as defined in IC 25-1-9.5-6). The provision of applied behavioral analysis therapy services in a public school under this chapter must be provided in person."**

(Reference is to HB 1102 as printed January 15, 2026.)

GREENE

