
HOUSE BILL No. 1102

AM110202 has been incorporated into January 21, 2026 printing.

Synopsis: Applied behavioral analysis therapy services.

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HB 1102—LS 6549/DI 110



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Reprinted
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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.

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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

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

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

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

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

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

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

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

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

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

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

40 Sec. 8. Applied behavioral analysis therapy services delivered
 41 by a licensed or board certified behavior analyst or registered
 42 behavior technician under this chapter retain their

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1 **characterization as clinical or therapeutic services for purposes of**
 2 **insurance or third party reimbursement.**
 3 **Sec. 9. Nothing in this chapter shall be construed to require a**
 4 **public school to employ, contract with, or pay:**
 5 **(1) a licensed or board certified behavior analyst or**
 6 **registered behavior technician; or**
 7 **(2) an Indiana therapy center, provider specialty 087, or**
 8 **provider type 11 that provides a certified behavior analyst or**
 9 **registered behavior technician;**
 10 **who provides applied behavioral analysis therapy services under**
 11 **this chapter. The cost of services delivered by an outside licensed**
 12 **or board certified behavior analyst or registered behavior**
 13 **technician via an external therapy provider remains the**
 14 **responsibility of the parent or the parent's insurer unless the public**
 15 **school voluntarily agrees to pay.**
 16 SECTION 2. IC 34-30-2.1-286.5 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: **Sec. 286.5. IC 20-35-15-6 (Concerning**
 19 **the provision of applied behavioral analysis therapy services in**
 20 **public schools).**

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