
HOUSE BILL No. 1102

AM110204 has been incorporated into January 21, 2026 printing.

Synopsis: Applied behavioral analysis therapy services.

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HB 1102—LS 6549/DI 110



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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 who:**
14 (1) **is transitioning from applied behavioral analysis therapy**
15 **services provided by a licensed or board certified behavior**
16 **analyst to enrollment in a public school; and**
17 (2) **will require the creation of a plan under:**

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

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1 public school under this chapter virtually or through telehealth (as
2 defined in IC 25-1-9.5-6). The provision of applied behavioral
3 analysis therapy services in a public school under this chapter must
4 be provided in person.

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

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

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

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

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

25 (1) the analyst or technician has been convicted of an offense
26 listed in IC 20-28-5-8(c) or described in IC 20-28-5-8(d); and

27 (2) the conviction has not been reversed, vacated, or set aside
28 on appeal.

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

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

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

42 Sec. 9. Nothing in this chapter shall be construed to require a

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1 public school to employ, contract with, or pay a licensed or board
2 certified behavior analyst or registered behavior technician who
3 provides applied behavioral analysis therapy services under this
4 chapter. The cost of services delivered by an outside licensed or
5 board certified behavior analyst or registered behavior technician
6 remains the responsibility of the parent or the parent's insurer
7 unless the public school voluntarily agrees to pay.

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

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