

Date of Hearing: January 22, 2026

# ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 277 (Alanis) – As Amended January 5, 2026

Policy Committee:	Human Services	Vote:	6 - 0
	Public Safety		9 - 0

Urgency: No      State Mandated Local Program: Yes      Reimbursable: No

## SUMMARY:

This bill requires a person who provides behavioral health treatment for a behavioral health center, facility, or program to undergo a background check. The bill specifies this requirement does not apply to a person who holds a current and valid license issued by a California licensing board, if the licensure process includes a fingerprint-based background check and the license is in good standing.

## FISCAL EFFECT:

Estimated costs of at least \$1 million in the first year to California Department of Justice (DOJ) for additional background checks, based on approximately 31,000 unlicensed service providers immediately impacted by this bill. Ongoing costs are unknown, but likely smaller, dependent on the number of new applicants each year. These costs may be reimbursed to an unknown extent by the individuals being screened (Fingerprint Fees Account).

## COMMENTS:

1) **Purpose.** According to the author:

California has been a long-time advocate for those with disabilities, but there is still work to be done. The ongoing phenomenon of child abuse – specifically against children with developmental disabilities – is unacceptable, and [this bill] is an important steppingstone to prevent bad actors from being in close proximity to vulnerable children.

2) **Background.** This bill applies to any person who provides behavioral health treatment for a behavioral health center, facility, or program who is not licensed by a California licensing board. Generally, psychiatrists, psychologists, social workers, counselors, and peer support specialists work at behavioral health centers and must be licensed by their respective professional licensing board, which includes undergoing a fingerprint criminal history check prior to a license being issued.

Licensees may be denied a license when the applicant was convicted of a crime within the seven years preceding the date of application and that crime is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made. A serious felony conviction or a crime for which registration as a sex offender is required can lead to a license denial regardless of when the conviction occurred.

Registered Behavior Technicians (RBTs) provide behavioral health treatment and practice under the direction and close supervision of a Board-Certified Behavior Analyst. In California, RBTs are not required to be licensed by a state licensing board, but rather, are certified by an outside entity, the national Behavior Analyst Certification Board (BACB). According to BACB's, RBT certification includes completing and passing a criminal background check and an abuse registry check no more than 180 days prior to paying for the RBT certification application. However, the BACB does not require fingerprinting and it is unclear from where the background information is being pulled.

This bill requires a person who provides behavioral health treatment at a behavioral health center, facility, or program and who is not otherwise licensed through a state licensing agency to undergo a background check pursuant to existing Penal Code section 11105.3, which governs background checks not otherwise required by statute of persons who would have supervisory or disciplinary power over a minor or any person under their care.

- 3) **Prior Legislation.** AB 1715 (Holden), of the 2015-16 Legislative Session, would have established a Behavior Analyst category of licensure to be administered by the Board of Psychology. AB 1715 was held in the Senate Committee on Business, Professions, and Economic Development.

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