



# **RBT<sup>®</sup> Ethics Code & Scenarios** (for Supervisors)

# Q & A

with Dr. Jon Bailey, BCBA-D





# Housekeeping

1. Post your questions in the Questions Box. If we have time, one of our moderators will select a few to present to our panelists.
2. If you experience technical issues during the webinar, contact GotoWebinar directly by calling (877) 582-7011.
3. There will be a 5-minute break near the half way point.
4. A recorded version of this webinar will be available for purchase approximately 7 to 10 days after the live event.
5. This webinar is eligible for the following CEs:
  1. BACB: 2 Ethics, Supervision or Type-II
  2. QABA: 2 General, Ethics or Supervision
6. Please complete the survey after the webinar to receive a Certificate of Completion and CEU Certification.
7. If you have any post webinar questions or comments, please send an email to [contact@special-learning.com](mailto:contact@special-learning.com).

*This training program is based on the RBT® Task List (2nd ed.) and is designed to meet the 40-hour training requirement for RBT certification.*

*The program is offered independent of the BACB®*



# Outcomes & Objectives

- List similarities and differences between the RBT Ethics Code and the Professional and Ethical Compliance Code for Behavior Analysts (PECC).
- Apply the RBT Ethics Code in Practice.
- Identify sections of the RBT Ethics Code in which supervisees must demonstrate mastery.
- Identify additional training & guidance that RBTs should receive during their supervision sessions.
- Identify common ethical dilemmas RBTs may experience during practice and how to resolve these conflicts.
- Provide examples when RBTs need to seek guidance from their supervisor on ethics or practice related matters.

# Facilitator Bio



## Karen Chung, CPA, MBA

Karen is the Founder and CEO of Special Learning. She started the company in 2010 upon learning about the effectiveness of Applied Behavior Analysis (ABA) and the reality that over 95% of the world did not have access to **quality** ABA. As an entrepreneur with over 20 years of business experience, she started Special Learning to leverage existing and emerging technology to make quality ABA resources and services available to parents, educators and professionals around the world.

Karen's entrepreneurial experience includes starting and growing a diversity retained executive search firm specializing in placing women and minority executives in leadership positions of Fortune 1,000 companies. Her investment banking background includes working with various venture capital and private equity companies to facilitate deal flow while representing CEOs of rapidly growing companies seeking to raise equity and debt capital for various middle market businesses and commercial real estate developers. Her corporate background includes various leadership and functional roles in Fortune 1,000 and middle market companies. Her additional entrepreneurial activities include owning and operating high end boutique

She graduated with a Masters of Management degree from Kellogg Graduate School of Management of Northwestern University. She is a Certified Public Accountant and a recipient of the Elijah Watts Sells Award from the American Institute of Certified Public Accounts (AICPA).

# Presenter Bio



## Jon Bailey, PhD, BCBA-D

Jon Bailey, PhD, BCAB-D received his PhD from the University of Kansas and is currently Professor Emeritus of Psychology at Florida State University, where he was a member of the graduate faculty for 38-years and produced a record 63 PhDs.

He is currently Director of the FSU Panama City Masters Program in Applied Behavior Analysis. Dr. Bailey is a Board Certified Behavior Analyst. He is Secretary/Treasurer and Media Coordinator of the Florida Association for Behavior Analysis (FABA), which he founded in 1980.

Often considered the “father” of the topic of Ethics for the field of behavior analysis, Dr. Bailey has published over 100 peer-reviewed research articles, is a past editor of the *Journal of Applied Behavior Analysis*, and is co-author of *Research Methods in Applied Behavior Analysis*, *How Dogs Learn*, *Ethics for Behavior Analysts*, 3<sup>rd</sup> Edition, *How to Think Like a Behavior Analyst*, and *25 Essential Skills and Strategies for Professional Behavior Analysts*, all co-authored with Dr. Mary Burch.

In 2014, Dr. Bailey co-authored with Aubrey Daniels, the 5<sup>th</sup> Edition of *Performance Management: Changing Behavior That Drives Organizational Effectiveness*, a seminal book on performance management.

# Impact of Supervision for the Field of Behavior Analysis

Supervision is the single greatest factor to either move the field of behavior analysis forward or destroy the hard-won legitimacy developed over nearly 30 years.

Supervisees outnumber supervisors 2 to 1

Over 52% of BCBAs (et al.) have been certified for less than 4 ½ years

100% of RBTs have been credentialed for less than 4 ½ years

There are over 68,000 BCaBAs, BCBA Candidates and RBTs who require supervision

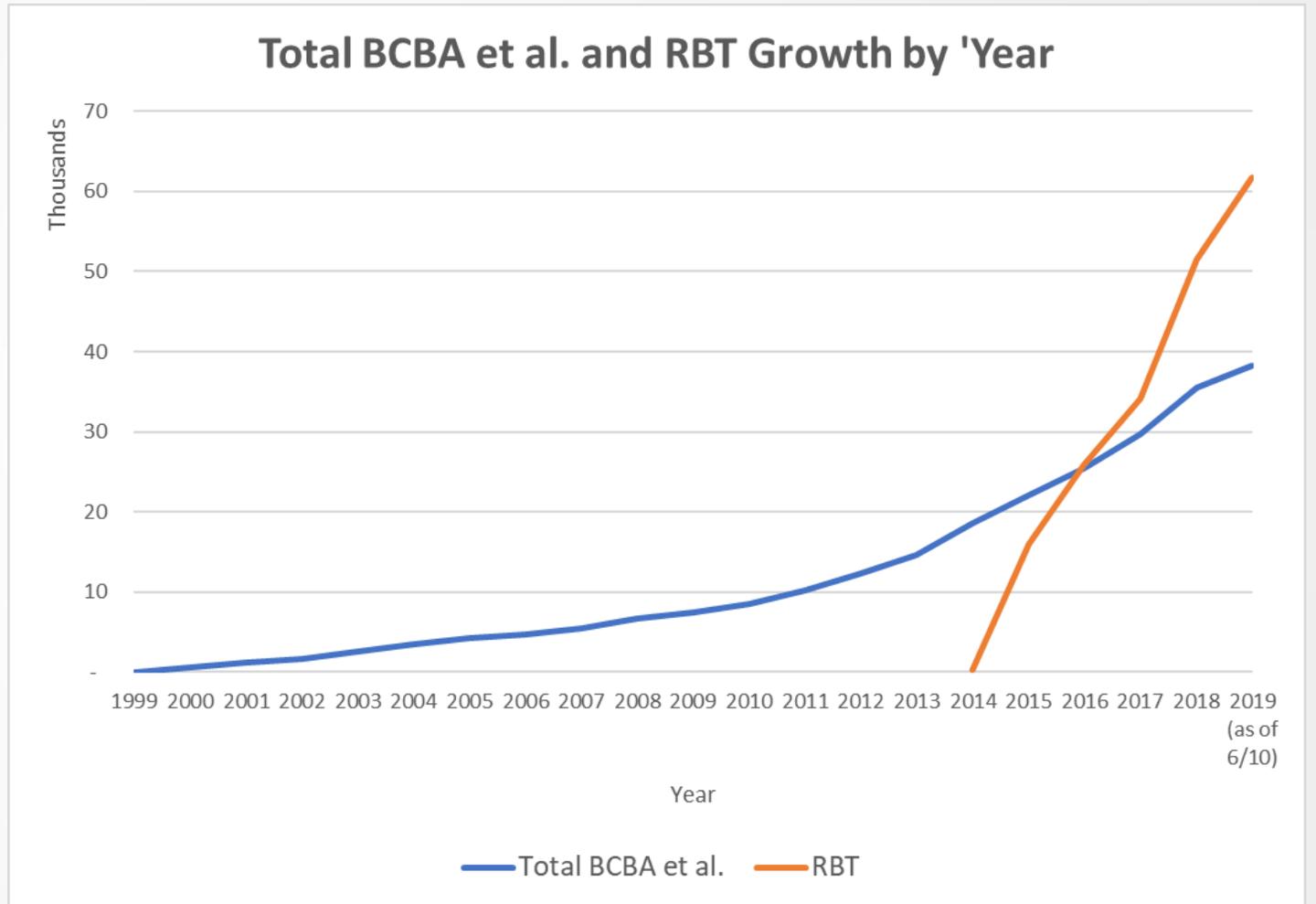
***In 2019, The field of behavior analysis will need almost 5 MILLION hours of supervision!***

***There are less than 40,000 BACB certificants available to provide the 5 MILLION hours of Supervision***

# RBT Supervision

Year	BCBA et al.	RBT	Total Certificants
1999	30		30
2000	535		535
2001	1,127		1,127
2002	1,721		1,721
2003	2,537		2,537
2004	3,432		3,432
2005	4,176		4,176
2006	4,640		4,640
2007	5,466		5,466
2008	6,636		6,636
2009	7,518		7,518
2010	8,510		8,510
2011	10,179		10,179
2012	12,293		12,293
2013	14,654		14,654
2014	18,527	328	18,855
2015	22,122	15,995	38,117
2016	25,492	25,853	51,345
2017	29,717	34,120	63,837
2018	35,445	51,507	86,952
2019 (as of 6/10)	38,176	61,745	99,921

Total BCBA et al. and RBT Growth by 'Year



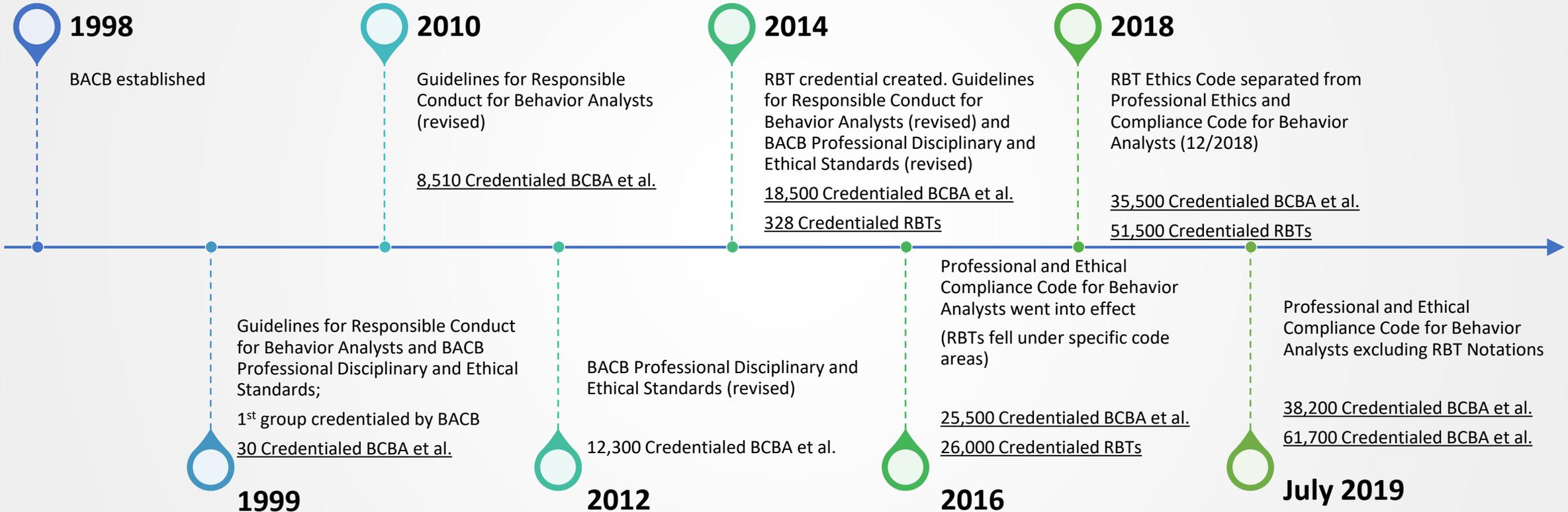
# DEMAND: Minimum Required Supervision Hours

***In 2019, The field of behavior analysis will need almost 5 MILLION hours of supervision!***

***Of those, nearly 4.5 million hours are for RBT supervision!***

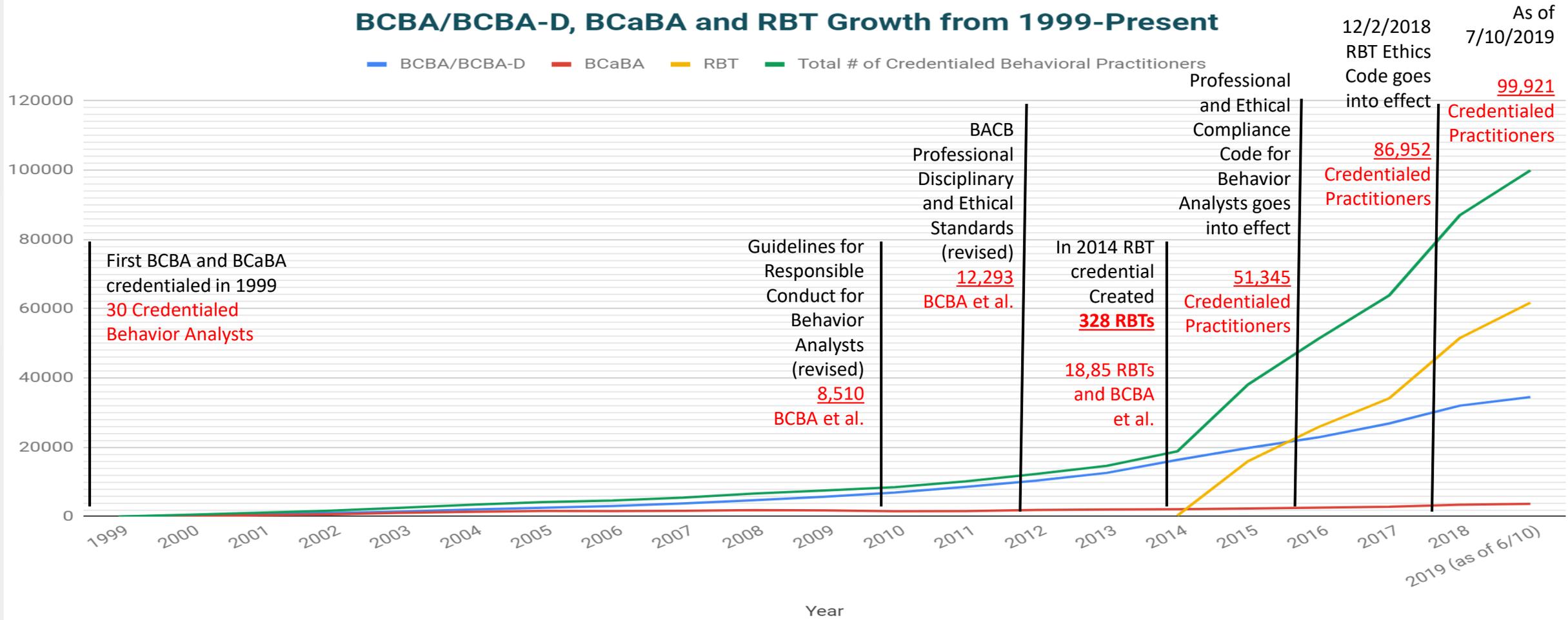
	Total BCBA et al.	BCBA-D	BCBA	BCaBA	RBT	BCBA Candidates (YTD 2019 New Adds)	Required Supervision Hours
Total Certificants by Category	96,255	2,252	32,258	3,666	61,745	2,731	
Required Monthly Supervision Hours		-	-	5	6	6.25	
<b>Required Monthly Supervision Hours (ALL Certificants and Candidates)</b>				18,330	370,470	17,069	405,869
# Months				12	12	12	12
<b>Required Monthly Supervision Hours (ALL BCaBAs)</b>				219,960	4,445,640	204,825	4,870,425
<b>Assumptions</b>							
<b>Estimated Required Monthly Supervision Hours</b>							
	<b>Service Hours</b>	<b>Supervision Hours</b>					
RBT (30 Hours/week)	120	6					
BCaBA	100	5					
BCBA Candidate (1,500 hours / 12 months)	125	6.25					

# Evolution of Ethics in Field of Behavior Analysis



# Evolution of the Ethics Code: Response to Growth of the Field

**BCBA/BCBA-D, BCaBA and RBT Growth from 1999-Present**



# The Need to Create a Stand-Alone RBT Ethics Code

*“A stand-alone code of ethics has been developed specifically for RBTs. The purpose of this new code is to better highlight an RBT’s ethical obligations and present them in a more understandable manner. The new RBT Ethics Code contains 31 elements that are organized into three sections: Responsible Conduct, Responsibility to Clients, and Competence and Service Delivery. The RBT Ethics Code does not contain any elements beyond those previously indicated as being relevant to RBTs in the Professional and Ethical Compliance Code for Behavior Analysts.”*

Special Edition: RBT Certification Changes and Process Improvements. (2018, December). *BACB Newsletter*, 5. Retrieved from [https://www.bacb.com/wp-content/uploads/BACB\\_December\\_2018\\_Newsletter.pdf](https://www.bacb.com/wp-content/uploads/BACB_December_2018_Newsletter.pdf)

# Noteworthy Additional Requirement to RBT Ethics Code

*RBT Ethics Code Self Reporting Requirement (section highlighted in red is not in the PECC):*

*“report the following to the BACB within 30 days: legal charges (and subsequent related actions and documents as requested by the BACB); **investigations and disciplinary actions by employers (e.g., suspensions and terminations for cause)**, governmental agencies, educational institutions, and third-party payers; a physical or mental condition that impairs the RBTs ability to safely work, or a change of name, mailing address, or email address”*

*NOTE: “For cause” termination situations can occur for many reasons that are not related to clinical service delivery. What happens if an unreasonable company policy (or supervisor request) cause the termination? Does the RBT still have the responsibility to self report?*

# Things to Keep in Mind

- There are many scenarios in which the BCBA Supervisor can cause the RBTs to be in violation of the RBT Ethics Code.
- RBTs have the responsibility to report Ethics violation of ALL Credentialed BCBAs, RBTs and BCBA Candidates, but in many instances, this may put them at risk of losing their jobs.
- There is a profound power imbalance between the supervisor and RBT supervisee.
- Compared to BCBAs, RBTs have significantly *lesser ability to control* situations and circumstances in which they find themselves.
- RBTs are very vulnerable to unscrupulous employers.
  - Note: CARD Union

How can we mitigate the power imbalance?

# BACB Certificants (and others) Required to Adhere to the RBT® Ethics Code

**All RBTs, RBT Supervisors, Assistant Assessors, and RBT Requirements Coordinators are required to adhere to the RBT Ethics Code.**

- RBTs and Candidates to become credentialed behavior technicians.
  - It is the duty of these individuals to practice within their scope and follow the RBT Ethics Code to preserve the efficacy of the field and increase client outcomes under the direction of an RBT Supervisor/ Behavior Analyst.
- RBT Supervisors and RBT Requirements Coordinators (BCBA-D, BCBA, BCaBA, and Other Professionals\*) - *Formally called Responsible Certificants*
  - Any person that oversees the implementation and/or coordinates oversight of an organization's RBT program must comply with the RBT Ethics Code.
  - These individuals must also comply with the Professional and Ethical Compliance Code (PECC) for Behavior Analysts.
- Assistant Assessors
  - These individuals may support the RBT Supervisor or RBT Requirements Coordinator in providing certain portions of the RBT Competency Assessment after successful training and ongoing monitoring.

# Review of the RBT Ethics Code

- The RBT Ethics Code went into effect in December 2018.
- Previous to this, RBTs fell under certain code items under the Professional and Ethical Compliance Code for Behavior Analysts
- The RBT Ethics Code is broken into 3 Sections
  - Section I: Responsible Conduct of RBT
    - 13 sub-items
  - Section II: Responsibilities to Clients
    - 10 sub-items
  - Section III: Competence and Service Delivery
    - 8 sub-items

## RBT® Ethics Code



The RBT® Ethics Code describes the ethical requirements for both must agree to abide by this code. Because RBTs are not independent of their practice, those who supervise RBTs must also be familiar with

In addition to the specific code elements below, all RBTs and

- provide truthful and accurate information to the BACB;
- report the following to the BACB within 30 days: legal charge requested by the BACB; investigations and disciplinary action (cause), governmental agencies, educational institutions, and impairs the RBT's ability to safely work; or a change of name;
- adhere to all requirements regarding use of BACB intellectual property (e.g., *Compliance Code for Behavior Analysts*);
- adhere to the rules of the BACB and approved testing center; falsifying information, and unauthorized collection, use, or disclosure;
- comply with all BACB requirements for RBT training, assessment,

### Section 1 – Responsible Conduct

- 1.01 RBTs uphold and promote the values and core principles of the profession.
- 1.02 RBTs have an obligation to remain familiar with this code. Lack of familiarity is not an excuse for unethical conduct.
- 1.03 RBTs are truthful and honest and create an environment that promotes an ethical culture in their work environments and networks.
- 1.04 RBTs act in a way that conforms to the legal and ethical codes of their profession. They do not lead others to engage in fraudulent or unethical practices.
- 1.05 If RBTs' ethical responsibilities conflict with employer policies, they should document that they did so, and document the resolution.
- 1.06 RBTs avoid multiple relationships with clients and supervisors. If, due to unforeseen circumstances, they inform their supervisor, the RBT should report it to the supervisor.
- 1.07 RBTs do not engage in sexual relationships with clients or former clients or supervisors for at least two (2) years following the termination of the relationship.
- 1.08 RBTs recognize that their personal problems and conflicts will affect their ability to provide services when this is the case.
- 1.09 RBTs follow through on obligations and contractual commitments they cannot keep.
- 1.10 RBTs do not make false, deceptive, misleading, exaggerated, or untruthful statements.
- 1.11 RBTs provide a current and accurate set of credentials (e.g., certification status) upon request. Changes to certification status must be immediately reported to the supervisor.
- 1.12 RBTs obtain permission to use trademarked or copyrighted materials, including trade names, logos, or other identifying information, including trade names, logos, or other identifying information, including trade names, logos, or other identifying information.
- 1.13 RBTs attempt to resolve issues informally when possible, with attention of their supervisor and then the individual involved. If the matter cannot be resolved informally, they report it to their supervisor. If the matter meets the reporting requirements of the code, they report it to the appropriate authority.

Version 02/2019, Copyright © 2018, BACB® | All rights reserved.

### Section 2 – Responsibility to Clients

- 2.01 RBTs support the legal rights and preferences of clients.
- 2.02 If RBTs become aware that a client's legal rights are being violated, or if there is risk of harm, RBTs must take the necessary action to protect the client. This includes but is not limited to: (1) contacting relevant authorities; (2) following organizational policies; (3) consulting with their supervisor; and (4) documenting their efforts to address the matter.
- 2.03 When providing services, RBTs do not discriminate against, demean, or harass individuals or groups on the basis of age, gender, race, culture, ethnicity, national origin, religion, sexual orientation, disability, language, socioeconomic status, or any other basis forbidden by law. RBTs recognize their own limitations and obtain the proper training, consultation, or supervision when providing behavior technician services to protected individuals or groups.
- 2.04 RBTs do not accept gifts from or give gifts to clients.
- 2.05 RBTs may not share identifying information about clients on social media. They must avoid creating situations where such information could be shared by others, including, but not limited to, written information, photos, or videos.
- 2.06 RBTs always obtain permission from clients and staff to record interviews and service delivery sessions. Consent must be specifically and separately obtained from each individual.
- 2.07 RBTs protect the confidentiality and privacy of their clients. RBTs only use relevant identifying information in their job-related communications (e.g., consultation, emails, reports). Confidentiality and privacy requirements may be established by law or by an organization's policies.
- 2.08 RBTs only discuss confidential information with those who need to know that information. They share information for job-related purposes only. Confidential information includes, but is not limited to: (1) information about anyone with whom the RBT works; or (2) information about anyone to whom the RBT provides services. RBTs maintain confidentiality when handling records under their control. This includes records that are written, electronic, or in any other format. Handling a record may include creation, storage, access, transfer, or disposal.
- 2.09 RBTs never disclose confidential information without consent from the client. Exceptions are made as required by law, or where allowed by law for a valid reason. This includes, but is not limited to: (1) providing needed services; (2) obtaining appropriate consultations; and (3) protecting the client or others from harm.
- 2.10 RBTs create, maintain, distribute, store, retain, and dispose of records and data relating to their services (1) in accordance with applicable laws, regulations, and policies; (2) in a way that complies with the requirements of this code; and (3) in a manner that allows for appropriate transition of service at any given time.

### Section 3 – Competence and Service Delivery

- 3.01 RBTs only practice under the close, ongoing supervision of a qualified supervisor.
- 3.02 RBTs follow the direction of their supervisors and inform them when they are asked to do something that goes beyond the scope of their certification.
- 3.03 RBTs must be competent in the areas in which they provide behavior technician services.
- 3.04 RBTs may not practice with new client populations without proper training and oversight.
- 3.05 RBTs provide behavior technician services only within defined roles.
- 3.06 When RBTs provide services, they communicate with clients in a simple and easy-to-understand way.
- 3.07 RBTs collect and display data in a way that allows for decisions and recommendations to be made for program development.
- 3.08 If RBTs are involved in the delivery of non-behavior-analytic interventions, they do not make reference to, display, or otherwise use their RBT in that practice.

Approved by the BACB's Board of Directors on December 17, 2018.

This document should be referenced as follows: Behavior Analyst Certification Board. (2018). RBT ethics code. Littleton, CO: Author.

Version 02/2019, Copyright © 2018, BACB® | All rights reserved.

Behavior Analyst Certification Board | RBT Ethics Code | 2

# Section I: Responsible Conduct

- 1.01 RBTs uphold and promote the values and core principles of behavior analysis.
- 1.02 RBTs have an obligation to remain familiar with this code. Lack of knowledge or understanding of this code does not excuse unethical conduct.
- 1.03 RBTs are truthful and honest and create an environment that promotes truthful and honest behavior in others. They promote an ethical culture in their work environments and make others aware of this code.
- 1.04 RBTs act in a way that conforms to the legal and ethical codes of the professional and social communities where they are members. They do not lead others to engage in fraudulent, illegal, or unethical conduct.
- 1.05 If RBTs' ethical responsibilities conflict with employer policies, RBTs must bring the conflict to their supervisor's attention, document that they did so, and document the resolution.
- 1.06 RBTs avoid multiple relationships with clients and supervisors. If they find that a multiple relationship has developed due to unforeseen circumstances, they inform their supervisor and work to resolve it. If the multiple relationship involves their supervisor, the RBT should report it to the person to whom their supervisor reports.
- 1.07 RBTs do not engage in sexual relationships with clients or supervisors. RBTs refrain from sexual relationships with former clients or supervisors for at least two (2) years following the date the working relationship ended.

# Section I: Responsible Conduct (*continued*)

- 1.08 RBTs recognize that their personal problems and conflicts with others may impact their ability to perform their duties and refrain from providing services when this is the case.
- 1.09 RBTs follow through on obligations and contractual commitments with high quality work and they do not make commitments they cannot keep.
- 1.10 RBTs do not make false, deceptive, misleading, exaggerated, or fraudulent public statements about their work or qualifications.
- 1.11 RBTs provide a current and accurate set of credentials (e.g., degrees, certifications) to clients, employers, and supervisors upon request. Changes to certification status must be immediately reported to employers and supervisors.
- 1.12 RBTs obtain permission to use trademarked or copyrighted materials as required by law. RBTs provide citations that recognize the intellectual property of others, including trademark and copyright symbols.
- 1.13 RBTs attempt to resolve issues informally when possible, without violating confidentiality, by first bringing the issue to the attention of their supervisor and then the individual involved. RBTs document their efforts to address any of these issues. If the matter cannot be resolved informally, they report it to the appropriate authority (e.g., employer, director, regulatory authority). If the matter meets the reporting requirements of the BACB, RBTs must submit a formal complaint to the BACB.

## Scenario

*“Recently, at the clinic, another client of mine bit me and the wound become infected. The following day, I was running a low-grade fever. I tried to contact the family that I would need to reschedule as I did not want to spread my illness (if contagious). They insisted that that I arrive on time.”*

### **Relevant RBT Code Sections(s):**

- 1.05 If RBTs’ ethical responsibilities conflict with employer policies, RBTs must bring the conflict to their supervisor’s attention, document that they did so, and document the resolution.
- What’s the appropriate response?
- How should the Supervisor address this situation?
- How should the RBT address this situation?

# Scenario

*“The family that we work for is going to Grand Rapids for the summer. Their child receives 20 hours a week of ABA services (combined RBT and BCBA hours). They have asked if the RBT can go with them to complete therapy, and the BCBA can provide tele-health and supervision.”*

## **Relevant RBT Ethics Code Section(s):**

- 1.06 RBTs avoid multiple relationships with clients and supervisors. If they find that a multiple relationship has developed due to unforeseen circumstances, they inform their supervisor and work to resolve it.
- What’s the appropriate response?
- How should the Supervisor address this situation?
- How should the RBT address this situation?

# Scenario

*“I live in a small town where ABA service providers are not readily available. My nephew was recently approved for ABA services, how can I provide RBT services with him under the direction of my BCBA Supervisor?”*

## **Relevant RBT Code Section(s):**

- 1.06 RBTs avoid multiple relationships with clients and supervisors. If they find that a multiple relationship has developed due to unforeseen circumstances, they inform their supervisor and work to resolve it.
- What’s the appropriate response?
- How should the Supervisor address this situation?
- How should the RBT address this situation?

## Section II: Responsibility to Clients

- 2.01 RBTs support the legal rights and preferences of clients.
- 2.02 If RBTs become aware that a client's legal rights are being violated, or if there is risk of harm, RBTs must take the necessary action to protect the client. This includes but is not limited to: (1) contacting relevant authorities; (2) following organizational policies; (3) consulting with their supervisor; and (4) documenting their efforts to address the matter.
- 2.03 When providing services, RBTs do not discriminate against, demean, or harass individuals or groups on the basis of age, gender, race, culture, ethnicity, national origin, religion, sexual orientation, disability, language, socioeconomic status, or any other basis forbidden by law. RBTs recognize their own limitations and obtain the proper training, consultation, or supervision when providing behavior technician services to protected individuals or groups.
- 2.04 RBTs do not accept gifts from or give gifts to clients.
- 2.05 RBTs may not share identifying information about clients on social media. They must avoid creating situations where such information could be shared by others, including, but not limited to, written information, photos, or videos.
- 2.06 RBTs always obtain permission from clients and staff to record interviews and service delivery sessions. Consent must be specifically and separately obtained from each individual.

# Scenario

*“I suspect that a child that I work with may be abused. My employer said I should not report it “we can’t just have RBTs make reports” and I should “be more flexible”.”*

## **Relevant Code Section(s):**

- 1.13 RBTs attempt to resolve issues informally when possible by first bringing the issue to the attention of their supervisor and then the individual involved.
  - 2.01 RBTs support the legal rights and preferences of clients.
  - 2.02 If RBTs become aware that a client’s legal rights are being violated, or if there is risk of harm, RBTs must take the necessary action to protect the client. This includes but is not limited to: (1) contacting relevant authorities; (2) following organizational policies; (3) consulting with their supervisors; and (4) documenting their efforts to address the matter.
- **What’s the appropriate response?**
  - **How should the Supervisor address this situation?**
  - **How should the RBT address this situation?**

# Scenario

*“We have been running a sharing (social skills) program with our client. One session, I was working with this client on preparing cookies for their classroom the next day. After the cookies were done cooking, the client offered me 2 cookies independently.”*

## **Relevant RBT Ethics Code Section(s):**

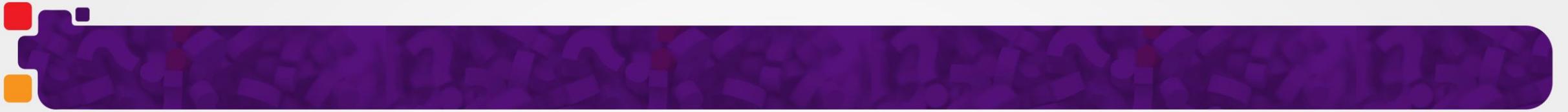
- 2.04 RBTs do not accept gifts from or give gifts to clients
  - Note: This is addressed in the [BACB May 2015 newsletter](#)
  - PECC 1.06(d) Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship.
- What’s the appropriate response?
- How should the Supervisor address this situation?
- How should the RBT address this situation?

# Scenario

*“I work with clients with severe problem behavior. I understand that my supervisor can not be available 24/7; however, they have now cancelled 3 supervision sessions in a row. When I try to reach out to her, she avoids my calls, text, and instant messages. I am coming up on 30 days without direct supervision.”*

## **Relevant RBT Ethics Code Section(s):**

- 2.02 If RBTs become aware that a client’s legal rights are being violated, or if there is risk of harm, RBTs must take the necessary action to protect the client. This includes but is not limited to: (1) contacting relevant authorities; (2) following organizational policies; (3) consulting with their supervisors; and (4) documenting their efforts to address the matter.
  - 3.01 RBTs only practice under the close, ongoing supervision of a qualified supervisor.
  - 3.03 RBTs must be competent in the areas in which they provide behavior technician services.
  - 3.04 RBTs may not practice with new client populations without proper training and oversight.
- 
- What’s the appropriate response?
  - How should the Supervisor address this situation?
  - How should the RBT address this situation?



# 5 Minute Break



## Section II: Responsibility to Clients

- 2.07 RBTs protect the confidentiality and privacy of their clients. RBTs only use relevant identifying information in their job-related communications (e.g., consultation, emails, reports). Confidentiality and privacy requirements may be established by law or by an organization's policies.
- 2.08 RBTs only discuss confidential information with those who need to know that information. They share information for job-related purposes only. Confidential information includes, but is not limited to: (1) information about anyone with whom the RBT works; or (2) information about anyone to whom the RBT provides services. RBTs maintain confidentiality when handling records under their control. This includes records that are written, electronic, or in any other format. Handling a record may include creation, storage, access, transfer, or disposal.
- 2.09 RBTs never disclose confidential information without consent from the client. Exceptions are made as required by law, or where allowed by law for a valid reason. This includes, but is not limited to: (1) providing needed services; (2) obtaining appropriate consultations; and (3) protecting the client or others from harm.
- 2.10 RBTs create, maintain, distribute, store, retain, and dispose of records and data relating to their services (1) in accordance with applicable laws, regulations, and policies; (2) in a way that complies with the requirements of this code; and (3) in a manner that allows for appropriate transition of service at any given time.

# Scenario

*“I am a HUGE proponent of the science of behavior and dissemination. The other day I was in a closed social media group that is run by my Supervisor. I saw a post of my client and I working on self-feeding with the title “So proud of you for implementing this program to perfection, look at the progress MJ has made. Great work!”*

## **Relevant RBT Ethics Code Section(s):**

- 1.13 RBTs attempt to resolve issues informally when possible by first bringing the issue to the attention of their supervisor and then the individual involved.
  - 2.05 RBTs may not share identifying information about clients on social media (I don't know that this applies since the supervisor only used the client's initial only.
  - 2.07 RBTs protect the confidentiality and privacy of their clients.
  - 2.08 RBTs only discuss confidential information with those who need to know that information.
  - 2.09 RBTs never disclose confidential information without consent from the client.
- 
- **What's the appropriate response?**
  - **How should the Supervisor address this situation?**
  - **How should the RBT address this situation?**

## Section III: Competence & Service Delivery

- 3.01 RBTs only practice under the close, ongoing supervision of a qualified supervisor.
  - **NOTE:** *What happens if the RBT is not receiving quality supervision? Or receives no supervision?*
- 3.02 RBTs follow the direction of their supervisors and inform them when they are asked to do something that goes beyond the scope of their certification.
  - **NOTE:** *What happens if the supervisor is the one who is making the inappropriate request?*
- 3.03 RBTs must be competent in the areas in which they provide behavior technician services.
- 3.04 RBTs may not practice with new client populations without proper training and oversight.
- 3.05 RBTs provide behavior technician services only within defined roles.
- 3.06 When RBTs provide services, they communicate with clients in a simple and easy-to-understand way.
- 3.07 RBTs collect and display data in a way that allows for decisions and recommendations to be made for program development.
- 3.08 If RBTs are involved in the delivery of non-behavior-analytic interventions, they do not make reference to, display, or otherwise use their RBT in that practice.

# Scenario

*“I am the only Supervisor at my organization and currently on Maternity Leave. I don’t want my RBTs to be without supervision.”*

## ***Relevant RBT Code Sections(s):***

- 3.01 RBTs only practice under the close, ongoing supervision of a qualified supervisor.
  - 1.05 If RBTs’ ethical responsibilities conflict with employer policies, RBTs must bring the conflict to their supervisor’s attention, document that they did so, and document the resolution.
  - ***NOTE:*** Many company policies put RBTs (and BCBAs) in conflict with the ethics code regarding mandatory supervision.
- 
- What’s the appropriate response?
  - How should the Supervisor address this situation?
  - How should the RBT address this situation?

# Scenario

*“I work in a multi-disciplinary team. The Occupational Therapist (OT) has recommended that we utilize pressure and massage to address the client's outbursts, over stimulation, and aggressive episodes.”*

## **Relevant RBT Ethics Code Element(s):**

- 3.02 RBTs follow the direction of their supervisors and inform them when they are asked to do something that goes beyond the scope of their certification.
  - 3.05 RBTs provide behavior technician services only within defined roles.
    - **Note:** *Would this only apply if the RBT was asked to do something related to this program?*
  - 3.08 If RBTs are involved in the delivery of non-behavior-analytic interventions, they do not make reference to, display, or otherwise use their RBT (competency?) in that practice.
    - **Note:** *Does this mean that the RBT **IS** able to assist in running this program **IF** they are not using any of their behavior analytic training and/or abilities?*
- 
- What's the appropriate response?
  - How should the Supervisor address this situation?
  - How should the RBT address this situation?

# Overlap Between the RBT & Behavior Analyst Ethics Codes

## Section I: Responsible Conduct of RBT

### Professional and Ethical Compliance Code for Behavior Analysts:

Code 1.0- Responsible Conduct of Behavior Analysts (1.01, 1.04, 1.05, 1.06, 1.07)

Code 2.0- Behavior Analysts' Responsibility to Clients (2.05, 2.10)

Code 6.0- Behavior Analysts' Ethical Responsibility to the profession of Behavior Analysis (6.01, 6.02)

Code 7.0- Behavior Analysts' Ethical Responsibilities to Colleagues (7.01, 7.02)

Code 8.0- Public Statements (8.01, 8.02,

Code 9.0- Behavior Analysts and Research (9.01, 9.09)

Code 10.0- Behavior Analysts' Ethical Responsibility to the BACB (10.01, 10.02 10.03, 10.06, 10.07)

## Section II: Responsibilities to Clients

### Professional and Ethical Compliance Code for Behavior Analysts:

Code 1.0- Responsible Conduct of Behavior Analysts (1.02, 1.03,1.05, 1.06)

Code 2.0- Behavior Analysts' Responsibility to Clients (2.02, 2.05, 2.06, 2.07, 2.08, 2.11)

Code 3.0- Assessing Behavior (3.01, 3.05)

Code 10.0- Behavior Analysts' Ethical Responsibility to the BACB (10.05)

## Section III: Competence and Service Delivery

### Professional and Ethical Compliance Code for Behavior Analysts:

Code 1.0- Responsible Conduct of Behavior Analysts (1.02, 1.03, 1.04, 1.05, 1.07)

Code 3.0- Assessing Behavior (3.01)

Code 7.0- Behavior Analysts' Ethical Responsibilities to Colleagues (7.01, 7.02)

Code 8.0- Public Statements (8.01)

Code 9.0- Behavior Analysts and Research (9.09)

Code 10.0- Behavior Analysts' Ethical Responsibility to the BACB (10.05, 10.07)

# Scenario

*“My supervisor is requiring me to complete the Vineland with our client. I have not been formally trained and he said that all I had to do was circle the appropriate response and sent me a YouTube video of a demonstration. I then protested professionally and cited that this was outside my scope. He then reported me to the clinical director for insubordination.”*

## **Relevant RBT Ethics Code Sections:**

- 1.05 If RBTs’ ethical responsibilities conflict with employer policies, RBTs must bring the conflict to their supervisor’s attention, document that they did so, and document the resolution. *(NOTE: If this does not conflict with company policy, the RBTs only recourse would be to report the BCBA to the board)*
  - 1.08 RBTs recognize that their personal problems and conflicts with others may impact their ability to perform their duties and refrain from providing services when this is the case. *(KC Note: Jon, Does this directly pertain to this situation)*
  - 1.13 RBTs attempt to resolve issues informally when possible, without violating confidentiality, by first bringing the issue to the attention of their supervisor and then the individual involved. RBTs document their efforts to address any of these issues. If the matter cannot be resolved informally, they report it to the appropriate authority (e.g., employer, director, regulatory authority). If the matter meets the reporting requirements of the BACB, RBTs must submit a formal complaint to the BACB.
  - 3.02 RBTs follow the direction of their supervisors and inform them when they are asked to do something that goes beyond the scope of their certification. *(NOTE: Again, an issue in which the BCBA may be causing the ethical dilemma)*
  - 3.03 RBTs must be competent in the areas in which they provide behavior technician services. *(NOTE: Who determines competency?)*
- 
- What’s the appropriate response?
  - How should the Supervisor address this situation?
  - How should the RBT address this situation?



# Questions to Consider

1. Do we need a Supervision section in the RBT Ethics Code regarding Supervision? Something that addresses the rights of RBTs to receive quality supervision, what that looks like and what to do in case their supervisor isn't living up to their obligations?
2. What should RBTs do if their employer (or supervisor) does not provide them with the necessary (quality) supervision to maintain their credential (competency)?
3. What should RBTs do if they know that they lack the skills to provide services and the supervisor/employer is unwilling to address this?

# Process of Filing a Notice of Alleged Violation

1. Collect documentation relevant to the alleged violation(s), including: Evidence of violation(s) – Documentation to support the allegation(s), such as emails, behavior support plans (relevant pages only), supervision forms (the BACB will typically refrain from acting on cases that lack supporting documentation).
  - Witness statement(s) – If there are additional witnesses to the incident, at least one witness should complete, and have notarized, an [affidavit](#).
  - States with Licensure – If the subject of the notice lives in a state with licensure for behavior analysts, you must first report the incident to the appropriate licensure agency or board and include relevant case information.
  - Litigation – If there has been a lawsuit filed, include any relevant documentation such as the final determination.
  - Complaints filed with other agencies – If a complaint has been submitted to another agency (e.g., governmental agency, third-party payor), include any relevant official documentation such as a copy of the complaint, findings of fact, the final determination, etc.
2. Create one single PDF of your supporting documentation (e.g., evidence of violation, witness affidavits, litigation, complaints filed with other agencies).
3. Complete the relevant Notice of Alleged Violation form and submit.



# Downloadable Tools

- BACB (2018). *RBT Ethics Code*. Behavior Analyst Certification Board, Littleton, CO.
- BACB (2015). “The Professional Ethical and Compliance Code for Behavior Analysts: An Update The Definition of ‘Client.’”
- [A Summary of Ethics Violations and Code-Enforcement Activities: 2016-2017](#)
- Notice of Alleged Violation Form
  - [BCBA et al.](#)
  - [RBT](#)
- [Considerations for Reporting an Alleged Violation](#)
- [BACB May 2015 Newsletter](#)

# References

BACB (2018). *RBT Ethics Code*. Behavior Analyst Certification Board, Littleton, CO.

BACB (2015). "The Professional Ethical and Compliance Code for Behavior Analysts: An Update The Definition of 'Client.'" *BACB NEWSLETTER | MAY 2015*, 2015, [www.bacb.com/wp-content/uploads/BACB\\_Newsletter\\_05-15.pdf](http://www.bacb.com/wp-content/uploads/BACB_Newsletter_05-15.pdf).

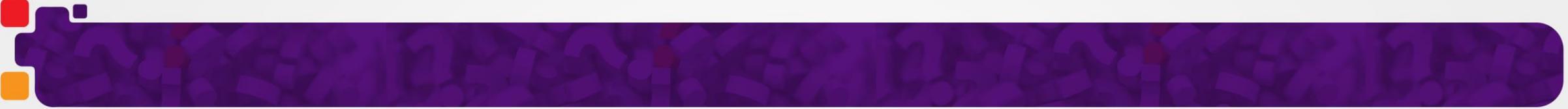
BACB certificant data. Retrieved from <https://www.bacb.com/BACB-certificant-data>.

Bailey, J., & Burch, M. (2016). *Ethics for behavior analysts*. Routledge.  
Behavior Analyst Certification Board. (n.d).

Behavior Analyst Certification Board. (2014). Professional and ethical compliance code for behavior analysts. Littleton, CO.

Beirne, A. and Sadavoy, J (2019). *Understanding Ethics in Applied Behavior Analysis: Practical Applications*. Routledge, Taylor & Francis Group.

Special Edition: RBT Certification Changes and Process Improvements. (2018, December). *BACB Newsletter*, 5. Retrieved from [https://www.bacb.com/wp-content/uploads/BACB\\_December\\_2018\\_Newsletter.pdf](https://www.bacb.com/wp-content/uploads/BACB_December_2018_Newsletter.pdf)



Thank you for attending Special Learning's

**RBT® Ethics Code & Scenarios (for Supervisors)  
Q & A with Dr. Jon Bailey BCBA-D**

*Thank you to Special Learning Staff who made this event seamless:*

- Krystal Larsen, BCaBA, VP of Operations and Clinical Solutions
- Ann Beirne, BCBA ACE Coordinator
- Pia Agsao, Manager of Operations
- Stephanie Lutz, Executive Assistant to CEO
- Michelle Capulong, Manger of Client Support
- Sasho Gachev, Creative Director