

## **Aligning With Title Protection Under the Psychology and Applied Behaviour Analysis Act, 2021**

The College of Psychologists and Behaviour Analysts of Ontario (CPBAO) provides guidance for ensuring that practitioners comply with the Psychology and Applied Behaviour Analysis Act, 2021. This helpful information can be found on the CPBAO Website in their [“Questions to Ask Organizations that Provide Behavioural Services”](#) resource.

This document aims to be a resource to support clinicians and organizations as they navigate the regulation of Applied Behaviour Analysis (ABA) and attempt to adhere to title protection as indicated in the Act.

Please note this is not legal, career, or employment guidance. We encourage you to ask these questions to your lawyer, employer, and/or regulator. ONTABA™ is providing this information based on the content that is publicly available.

### **Who CAN and CAN NOT use the title “Behaviour Analyst”?**

As of July 1st, 2024, the title “Behaviour Analyst” became a restricted title in the Province of Ontario and can only be used by individuals registered with the College as Registered Behaviour Analysts (RBA).

### **The CPBAO provides the following, specific direction on the use of the title “Behaviour Analyst”:**

“Only the title “Behaviour Analyst” will be regulated by the College; only those registered as a Behaviour Analyst with the College may use the title “Behaviour Analyst”, a variation or abbreviation or an equivalent in another language, or hold themselves out as a person who is qualified to practice in Ontario as a Behaviour Analyst or in a specialty of applied behaviour analysis.

In deciding on job titles and job descriptions for unregulated service providers, individuals should consider avoiding any confusion in the way they identify themselves, their colleagues, and their employees” (CPBAO, 2024).

### **Some Tips to Ensure Alignment With Title Protection Under the Act**

- If the practitioner is not registered with CPBAO, avoid the use of **either** of the two words in the protected title “Behaviour Analyst”. More specifically, avoid use of the words “behaviour” or “analyst” in any title for individuals who are **not** registered with the College

of Psychologists and Behaviour Analysts of Ontario. This is a cautious approach and removes all ambiguity in terms of compliance with the Act.

- Ensure that service recipients, funders, employees, partners, and any other relevant stakeholders are provided with information indicating that individuals who are given a specific title that includes the words “behaviour” and/or “analyst” likely need to be registered as a Behaviour Analyst in Ontario with the CPBAO.
- Documents such as job descriptions, Job postings, employment contracts, and service agreements can specify and clarify the scope of roles with specific titles in order to avoid confusion related to whether clinicians are providing services in contravention of the Act.
- To avoid any confusion or potential violation of the Act, employers should change job titles for roles that were seen as synonymous in scope of practice to an RBA prior to regulation (i.e., Behaviour Analyst and Behaviour Consultant in the same organization who were performing the same job).

**Below is a non-exhaustive sample list of titles that should not be used in Ontario if an individual is not registered with CPBAO, as they may be publicly perceived to be “holding oneself out” as a person who is qualified to practice as a Behaviour Analyst and could be in violation of the Act:**

- Registered Behaviour Analyst
- Board Certified Behavior Analyst (BCBA)
- Behaviour Analyst
- Behavioural Clinician
- Behaviour Consultant
- Behaviour Therapist
- ABA Expert
- Clinical Analyst
- Behavioural Interventionist

***The above list of titles and this document may be updated as more titles are developed by practitioners and organizations in Ontario in the future.***

***In some situations, titles can use the term “Supervised” as a first or preceding word to the rest of the title. However, using the word “Supervised” as the first word in a title does not guarantee that the title does not violate the act.***

**Title Protection Alignment Checklist**

The checklist provided below may help service providers who are unregistered or employ unregistered clinicians determine if titles they may be using are in alignment with the act.

After completing this checklist in the context of a specific title you are evaluating, if any of the questions are checked off as “yes”, you may be at risk of not being in alignment with title protection as outlined in the Psychology and Applied Behaviour Analysis Act, 2021. It is recommended that you seek legal advice when determining whether a title may violate the act if you are unsure.

Question	Yes	No
Could a service recipient be unaware that a provider is not a Registered Behaviour Analyst (RBA) with the CPBAO given the title?		
Could the public perceive this title as qualified to practice as an RBA if any service providers who hold this title are not registered as an RBA with the CPBAO?		
Could the public associate the title being used as one that can be used interchangeably with the protected title of RBA if unregistered persons hold this title?		
If unregistered individuals hold the title, does the title include the terms “Behaviour” or “Analyst” in the title?		
If used by unregistered clinicians, could this title be misunderstood by service recipients or funders as “holding out” or representing qualifications to practice behaviour analysis autonomously?		

<p>Does any communication (written or otherwise) used with service recipients (policies, job titles/descriptions, consent forms, email signatures etc.) suggest that unregistered clinicians holding the title are qualified to practice behaviour analysis autonomously?</p>		
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**When evaluating titles using this checklist, if any of the questions on the checklist were marked as “yes”, you may want to consider revising the title AND/OR seeking legal counsel.**