

**Department of Legislative Services**  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

Senate Bill 898

(Senator McCray)

Finance

Health

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**Maryland Medical Assistance Program - Behavior Technicians - Reimbursement**

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This bill requires the Maryland Department of Health (MDH) to provide reimbursement for applied behavior analysis (ABA) services provided by a “behavior technician” to Medicaid recipients with autism spectrum disorder (ASD). MDH may not require as a condition of reimbursement that an individual receive a certification from a credentialing entity recognized by MDH to provide ABA services as a behavior technician. However, MDH may require a behavior technician to obtain and maintain a current certification within 150 days after the individual begins providing ABA services to Medicaid recipients. MDH must adopt regulations necessary to carry out the bill. The bill must be construed to apply prospectively only. If, on or before June 30, 2027, the U.S. Department of Health and Human Services advises or notifies MDH that the bill is inconsistent with specified federal law, the bill terminates. MDH must notify the Department of Legislative Services within 5 days after receiving such advisement or notice.

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**Fiscal Summary**

**State Effect:** MDH can likely conduct administrative oversight of behavior technicians to verify certification as permitted under the bill using existing budgeted resources. Revenues are not materially affected.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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## Analysis

**Bill Summary:** “Behavior technician” means an individual who (1) delivers ABA services that are provided to individuals with ASD under the supervision of a licensed psychologist, a board certified behavior analyst-doctoral (BCBA-D), or a board certified behavior analyst (BCBA) and (2) meets the requirements for providing behavior analysis services under Medicaid established by MDH in regulation.

“Board certified behavior analyst” means a licensed professional who renders and provides direction for ABA services that are provided to individuals with ASD and has obtained a BCBA certification. “Board certified behavior analyst-doctoral” means a licensed professional who renders and provides direction for ABA treatments that are provided to individuals with ASD and has obtained a BCBA certification with a doctoral-level credential.

**Current Law:** Maryland regulations ([COMAR 10.09.28.01](#)) define “applied behavior analysis” as the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvements in human behavior. ABA includes the direct observations, measurement, and functional analysis of the relations between environment and behavior.

“Registered behavior technician” (RBT) means a paraprofessional certified by BACB who delivers ABA services that are provided to participants with ASD under the supervision of a licensed psychologist or a licensed behavior analyst.

Under State Board of Professional Counselors and Therapists regulations ([COMAR 10.58.16.02](#)), “registered behavior technician” means an individual who (1) is credentialed as an RBT by BACB or a successor organization and (2) practices behavior analysis under the close, ongoing supervision of a licensed behavior analyst in accordance with requirements set by BACB.

**State Fiscal Effect:** MDH currently provides reimbursement for ABA services delivered to Medicaid participants by RBTs certified by BACB. MDH regulations similarly define RBTs as personnel supervised by a licensed psychologist, a BCBA-D, or a BCBA. MDH currently permits a *90-day* grace period for new RBT providers to achieve certification.

The bill permits MDH to require that a behavior technician obtain and maintain a current certification from a credentialing entity recognized by MDH *within 150 days* after providing ABA services to Medicaid recipients. This will require ongoing administrative oversight to confirm that behavior technicians have obtained the required certification. Any increase in Medicaid expenditures (50% general funds, 50% federal funds) associated with

this oversight is assumed to be minimal and is likely absorbable within existing budgeted resources.

As of February 2026, Maryland had 1,223 certified behavior technicians. Currently, the sole prerequisites for a behavior technician to qualify for the 90-day grace period are a high school diploma or a General Educational Development certificate. MDH analysis indicates that only 28% of behavior technicians attain RBT certification by the conclusion of the 90-day grace period. Consequently, a substantial number of providers are receiving reimbursement for therapy services in which they lack full training. Increasing the grace period to 150 days is likely to exacerbate this challenge. MDH advises that its preference is to exclusively enroll fully certified RBTs to ensure an appropriate standard of care and streamline the oversight and administrative processes.

**Small Business Effect:** Behavior technicians who work for small business health care providers may provide ABA services for up to 150 days before obtaining certification.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:**      First Reader - March 9, 2026  
caw/ljm                              Third Reader - March 20, 2026  
    Enrolled - April 14, 2026  
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