

Ethics Guidance for ABA Providers During COVID-19 Pandemic

March 19, 2020

Because the COVID-19 pandemic is particularly impactful on vulnerable populations and their service providers, we offer the following information to our certificants as they make critical decisions about service delivery during this difficult time. Please keep in mind that this information does not constitute legal or medical advice.

First, we extend our gratitude to the many behavior analysts who had contingency plans in place to address service interruptions. We also want to serve as a resource for the many BACB certificants who have contacted us for ethics guidance as they seek to develop and modify contingency plans consistent with the [*Professional and Ethical Compliance Code for Behavior Analysts \(Code\)*](#) during the pandemic. The Code is primarily focused on ensuring that high-quality services are delivered in a safe manner. Throughout the Code, it is clear that the primary directive is to do no harm to clients. Section 2.0, Behavior Analysts' Responsibility to Clients, states "Behavior analysts have a responsibility to operate in the best interest of clients." Section 2.04(d) states: "Behavior analysts put the client's care above all others..."

Section 1.04(d) of the Code makes it clear that behavior analysts must comply with legal requirements, including those related to social distancing and service provision. Recent directives regarding social distancing may create scenarios that are not easily addressed under 4.07(b) of the Code. Essentially, the social distancing requirements could be deemed "environmental conditions [that] hinder implementation of the behavior-change program." Accordingly, BACB certificants must "seek to eliminate the environment constraints, or identify in writing the obstacles to doing so." 4.07(b). This means that if barriers cannot be removed, the behavior analyst must document those barriers (e.g., requirements to engage in social distancing) in writing for each client.

As BACB certificants endeavor to uphold the Code and protect clients, we provide the following considerations:

Health and Safety

- The Centers for Disease Control and Prevention (CDC) identify an increased risk of COVID-19 infection—and more acute conditions if infected—for individuals with intellectual disabilities and developmental delays regardless of age.
- The World Health Organization and the CDC recommend social distancing to slow the spread of the infection, minimize the risk of infection to those considered high-risk, and reduce the strain on health services and resources. In the United States, the federal and state governments have directed the public to engage in social distancing, schools have closed or moved to online instruction, and many other public services have been limited or temporarily stopped. Similar practices have been enacted in many other countries.
- The CDC indicates that individuals who are asymptomatic or have yet to display symptoms may expose others to the virus, and because testing is limited, most individuals are unable to verify

that they are not infected. This means that service providers or clients who do not appear ill could be spreading the virus.

- To minimize risk, service providers should consider developing a COVID-19 pandemic risk mitigation plan and implementation policies. The risk mitigation plan may include some of the following elements: regular communication with staff and clients about how to stay safe, telecommuting/telehealth, limits on air travel, attestations about symptoms and exposure, encouraging social distancing, and cancelling services/sessions if clients or service providers are symptomatic or if deemed necessary to comply with social distancing recommendations.

Continuity of Care and Appropriate Transition of Services

- Section 2.15, Interrupting or Discontinuing Services, indicates that certificants must work in the best interest of clients to avoid interrupting or disrupting services. This code element must be balanced with the overall requirement to not harm clients. Therefore, certificants providing services to vulnerable individuals must first comply with all government mandates (1.04(d) of the Code). Assuming there are no mandates to the contrary, the service provider must determine if the risk of suspending services is greater than the risk of continuing to provide services. If continuing services is a consideration, the certificant must then determine if services can be delivered in a manner that does not unduly increase the risk of exposure to COVID-19. In the event that services should be suspended, the next step is to determine how services can be supplemented (e.g., provide telehealth services, develop maintenance and generalization programming, create home-based program materials, move to parent consultation via telehealth) to minimize disruptions (i.e., minimize loss of critical skills).

As certificants make these difficult decisions, we urge you to follow all laws and public health recommendations from your local health authority and respective governmental agencies. We have compiled a list of resources relevant to the COVID-19 pandemic below. Note that including a resource is not an endorsement of the agency or organization, or the guidance provided by said agency or organization.

The BACB will continue to monitor the evolution and impact of COVID-19 and work to continue supporting the profession during this difficult time. If you have questions, please visit the [Contact Us page](#).