



Guiding Principles and Procedures

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The founding members of the ABA Coding Coalition (ABACC) are the Association of Professional Behavior Analysts (APBA), the Association for Behavior Analysis International (ABAI), Behavior Analyst Certification Board (BACB), and Council of Autism Service Providers (CASP). This document describes the structure, function, objectives, and operating procedures of the ABACC and its advisory work group(s). By signing the document, members agree to abide by the terms and conditions set out herein.

I. Structure and Functions

A. Roles Defined

Voting Representatives:

- **Principal Representative:** The principal representative serves as the primary representative for their participating organization and casts votes for the organization. The principal representative is responsible for coordinating with their alternate representative, as applicable, for participation in ABACC meetings and voting.
- **Alternate Representative:** The alternate representative serves as the secondary representative for their participating organization and may cast a vote in the absence of the principal representative.

Non-voting Consultants:

- **CPT Coding Subject Matter Expert:** The CPT consultant is contracted by the member organizations, attends all ABACC meetings, oversees all project work, and coordinates all ABACC activities. This role is required for the ABACC.
- **Clinical Subject Matter Expert:** The clinical subject matter expert consultant does not attend ABACC meetings unless specifically requested. The primary function of this non-voting role is for project-based work, such as contributing to document development and providing written feedback when requested. This role is optional for the ABACC.

B. Nominating and Approving Representatives.

Each of the participating organizations shall designate a principal and an alternate representative, if possible. The principal representatives shall serve as the decision-making body for the ABACC (see III. Operating Procedures).

Each organization shall establish its own procedures for nominating its representative(s). Nominations must be accompanied by a copy of the nominee's curriculum vitae or resume and completion of the Disclosures section (III.D.ix) of this document, as well as brief written statement as to why the nominee is an appropriate candidate for the ABACC.

All nominations for representatives must be approved by a majority vote of the principal representatives. If a majority vote is not achieved, collective feedback from the group should be summarized and

delivered to the organization's leadership who submitted the nomination by their existing principal representative.

As part of any participating organization's nomination, all candidates' curriculum vitae or resumes and complete the Disclosures section (III.D.ix) of this document shall be reviewed by all existing principal representatives and consultants. Any actual or potential conflicts of interest identified shall be discussed with each nominee and shared with the leadership of the nominating organization. If any conflict is not resolved, the nomination shall not be approved, and the organization's leadership will be asked to submit a new nomination.

C. Resignation of Representatives.

If a principal or alternate representative wishes to resign from the ABACC, the representative shall first provide notification of their resignation to the leadership of the organization they represent as well as the other representative for that organization, if applicable. The organization shall then notify the ABACC's governing body or the consultant to whom it has delegated authority to manage meetings and other ABACC business to include discussion of the resignation on the agenda for the next meeting of the ABACC. The ABACC will accept the resignation and implement the nominating and approving process outlined in I.B, above. Following such discussion, the ABACC shall coordinate with the organization to establish a transition plan, including any necessary steps to ensure continuity of participation.

D. Nominating and Approving Non-Voting Consultants.

Nominations of individuals to serve as paid or volunteer consultants to the ABACC shall be made by the CEO of any participating organization. The CEO is responsible for giving notice of the nomination to their representatives. Nominations must be accompanied by a copy of the nominee's curriculum vitae or resume and completion of the Disclosures section (III.D.ix) of this document, as well as brief written statement as to why the nominee is an appropriate candidate for the ABACC. All nominations for consultants must be approved by a majority vote of the principal representatives.

E. Resignation or Discharge of Non-Voting Consultants.

If a non-voting consultant wishes to resign from the ABACC, the consultant shall provide notification of their resignation to the leadership of the ABACC organizations as well as the primary representatives for that organization. The organizations shall then notify the ABACC's governing body or the consultant to whom it has delegated authority to manage meetings and other ABACC business to include discussion of the resignation on the agenda for the next meeting of the ABACC. The ABACC will accept the resignation and implement the nominating and approving process outlined in ID above, if the consulting role is required for ABACC operation as defined in I.A. Following such discussion, the ABACC shall coordinate with the participating organizations to establish a transition plan, including any necessary steps to ensure continuity of participation.

If a non-voting consultant is deemed by the ABACC to require discharge or termination of their contract (for paid consultants) a majority vote of the principal representatives is required. If a majority vote is reached, the principal representatives must notify the CEO's of the organizations they represent so they may notify the consultant of the decision to discharge or terminate the contract. Any termination of contracts must comply with the termination clause outlined in the executed contract.

F. Nominating Organizations to the ABACC. The principal representative of any ABACC organization may nominate another organization to be considered for participation in the Coalition. The nomination must be approved by majority vote of the principal representatives of the existing organizations. If the nomination is approved, the organization shall be invited to nominate a principal and alternate representative to the ABACC following procedures described in IB, above. Those representatives must comply with all of these principles and procedures.

G. Advisory Work Group(s). If a majority of the principal representatives deem it necessary or helpful, the ABACC shall form one or more advisory bodies to inform its work. The makeup and purpose of each such advisory body shall be determined by consensus of the principal representatives. Each of the participating organizations shall nominate individuals to serve on any advisory work group. Nomination, approval, and resignation procedures shall be the same as those described in IB and IC. All members of advisory work groups shall be required to comply with section IIID of these procedures.

The ABACC will define the scope and sequence of the advisory work group's activities. A designated ABACC member will function as a liaison between the advisory work group and the broader ABACC group. The advisory work group will nominate one or more members to serve as chair, responsible for leading the group's efforts. The chair will set the agenda for each meeting and will provide written progress reports at least quarterly or as requested. Additionally, the chair is responsible for escalating any barriers, concerns, or work products to the designated ABACC member to support timely resolution and informed decision-making. The ABACC principal representatives will review, vote on, and approve the group's work to ensure alignment with broader ABACC goals.

The ABACC shall strive to meet with each advisory work group electronically once per month, or as needed.

II. Objectives and Activities

The objectives and activities of the ABACC include but are not limited to:

- A. Developing and disseminating materials to assist health insurance providers, payers, billers, and consumers with implementing CPT® and other health insurance billing codes for adaptive behavior/applied behavior analysis services.
- B. Operating and maintaining a website that will serve as the repository for all print and electronic resources developed by the ABACC and related materials, as well as a portal for inquiries regarding billing codes and related topics. Examples of the latter are Medically Unlikely Edits (MUEs) on ABA services billing codes, reimbursement rates (within the constraints of antitrust laws), payer policies, and communications among providers and payers.
- C. Responding to inquiries or public information regarding billing codes and related topics (e.g., payer, provider, media, etc.). All responses must adhere to the requirements of section IIID below.
- D. Delivering presentations (e.g., at conferences, via webinars) on billing codes and related topics.

III. Operating Procedures

- A. The principal representatives to the ABACC and their consultants shall meet virtually at least once per month, more often if needed. In-person meetings shall be convened as needed. Alternate representatives are welcome but are not required to attend meetings. The principal representatives shall designate an individual to be responsible for managing meetings as well as other day-to-day operations (e.g., communications, records storage, website). That individual may be a consultant (their team members) or one of the principal representatives. In an emergency, the principal members of the coalition may call a meeting to discuss a concern without the consultants or alternate members present. In this situation, the principal members will appoint one or more individuals in attendance to communicate concerns with the broader coalition members, its consultants, and with organization leadership, where necessary, to resolve the issue.

Whenever possible, decisions shall be made by consensus of the principal representatives of the participating organizations (or their alternates if applicable and if the principal representatives are unavailable). When consensus cannot be reached, decisions shall be made by a majority vote of the principal representatives (or their alternates if applicable), with each participating organization having one vote. In the event of a tie vote, the proposed action is not approved because the majority criterion was not met. Ideally, the final deciding vote in a tied situation should be cast by a person who is **physically present** (or actively participating in real-time) rather than by proxy or electronically.

- B. Whenever possible, business shall be conducted via confidential electronic communications and decisions made via confidential electronic voting by the principal representatives of the participating organizations (or their alternates if applicable and the principal representatives are unavailable). If any principal representative deems it necessary to discuss a proposed action in real time, they shall submit a written request to refrain from voting on that action electronically and to put the action on the agenda for the next real-time meeting of the Coalition to the individual to whom the governing body has delegated authority to manage meetings.
- C. All written documents produced or used by the ABACC shall be stored on a secure cloud site that is accessible only by members of the ABACC. The principal representatives shall designate an individual to be responsible for managing the cloud site, including storing and removing documents, granting access, and ensuring security.
- D. Responsibility, disclosures, conflicts of interest, and confidentiality
 - i. ABACC representatives and consultants shall be committed and dedicated to protecting and furthering the best interests of the ABACC. Personnel may serve as employees or on boards or committees of other entities concerned with the practice of ABA or the provision of services that are reimbursed by health insurance plans, provided that such affiliations and activities are disclosed to and reviewed by the ABACC and do not give the appearance of ABACC endorsement or sponsorship or involve disclosure of confidential information about any ABACC matters.
 - ii. When voting or acting on ABACC matters, representatives and consultants shall vote or act to serve the interests and objectives of the ABACC and not other boards, committees, organizations, coalitions, or businesses.
 - iii. Upon commencing service with the ABACC, all representatives, consultants, and advisory work group members shall submit a copy of their curriculum vita or resume to the governing body and complete section III.D.ix of this document, including disclosures of all business, financial, and organizational interests and affiliations that could be construed as related to the interests of the ABACC. That information shall be reviewed verbally with the ABACC, which shall determine if there are any conflicts of interest relating to the interests of the ABACC. All representatives, consultants, and advisory work group members shall update section III.D.ix on April 1 of each calendar year and whenever information changes, and shall identify to the ABACC any actual or apparent conflict of interest relating to a matter being considered by the ABACC. The disclosure shall be recorded promptly in writing and shall be recorded in the ABACC meeting minutes or other record. Upon each disclosure of a possible conflict of interest, a determination shall be made by the ABACC as to the participation of the individual in the matter and as to participation in voting on the matter, if applicable. The disclosure and vote shall be recorded in the minutes or other record. A representative may recuse himself or herself from voting at any time the member believes he or she may have a conflict of interest.

- iv. ABACC representatives shall undertake no enterprise to profit personally from their position on the ABACC or to bring their interests into conflict or competition with the interests of the ABACC. Conflicts of interest may be actual, apparent, and/or potential. If a conflict arises, it is incumbent upon the individual to recuse themselves from the discussion and/or abstain from voting, if applicable. The following exceptions apply:
 - a) Compensation to contracted consultants for their professional services in supporting and furthering the ABACC's goals as outlined above in section II.
 - b) Compensation to ABACC principal or alternate representatives for their travel costs, time speaking at professional conferences, or their professional services in supporting and furthering the ABACC's goals as outlined above in section II.
- v. In cases where paid consulting services are deemed necessary to support the objectives and activities of the ABACC, outlined in section II above, all participating organizations agree to contribute to those costs in accordance with the executed terms and conditions of the consulting agreement.
- vi. All communications, documents, and materials of the ABACC and its advisory work groups shall be deemed and kept confidential. Representatives, consultants, and advisory work group members are prohibited from disclosing any confidential ABACC matter, including but not limited to any legal memoranda, policy, other document, consideration, deliberation or discussion unless (a) explicitly authorized by vote of the ABACC governing body or (b) to fulfill their responsibility to report to the governing bodies of their respective organizations, which shall be asked to keep the information confidential unless the ABACC has decided to make it public. Otherwise, all representatives, consultants, and advisory work group members shall hold all matters pertaining to ABACC activity in the strictest confidence. They shall not release any materials connected with any ABACC activity to any person, or entity, or make materials developed by the ABACC available for any purpose whatsoever, except as specifically authorized by the ABACC's governing body. Members of the ABACC may identify their membership on the ABACC and/or direct members of the public to existing ABACC resources at any time, however, they may not present themselves as representing the ABACC in matters which are under development or unaddressed by the ABACC publicly, or via online activities, unless all voting or alternate members agree to such disclosures.
- vii. All works developed by ABACC personnel as part of their service to the ABACC shall be the sole property of the ABACC.
- viii. ABACC personnel shall have a fiduciary duty to represent themselves and the ABACC in a professional manner in all interactions, whether in person, virtual, or online, and at all functions in which they participate in an official ABACC capacity, present themselves as a member of the ABACC, or where such event or function or their attendance is paid for by the ABACC.
- ix. Disclosures (to be completed in writing and reviewed verbally with the ABACC)

Name:

Position or job title:

Principal employer:

If your principal employer is an organization or company, is it ☐for profit or ☐nonprofit?

Other entities that are owned, funded (in whole or in part), or controlled (in whole or in part) by your principal employer (please list all that apply):

Other affiliations (memberships in organizations; seats held on Boards of Directors, advisory work groups or boards, committees, task forces, work groups, etc. in applied behavior analysis. Please list all that apply):

Business or financial interests in entities or activities that relate to the objectives and activities of the ABACC (please list all that apply):

To the best of your knowledge, are there any other affiliations or matters that would constitute any actual, apparent, or potential conflict of interest in your service to the ABACC? ☐ Yes ☐ No. If yes, explain fully:

Professional credential(s) held:

Professional code of ethics to which you ascribe:

SIGNATURE OF ABACC REPRESENTATIVE, CONSULTANT< OR ADVISORY WORK GROUP MEMBER:

I have read this document carefully and agree to abide by all conditions described herein.

Name (printed):

Organization represented:

Signature: _____ Date: