

Louisiana Behavior Analyst Board
BOARD MEETING MINUTES: *March 11, 2014*
APPROVED: April 8, 2014

The meeting of the Louisiana Behavior Analyst Board (Board) was called to order by Chair Emily Bellaci at 1:37 p.m. p.m., Tuesday, March 11, 2014, at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Cassie Bradford, Jenny Longwell, Ph.D., Ellen Brocato, Kathy Chovanec and Marc Zimmermann, Ph.D.,MP (ex-officio nonvoting member); and, Executive Director, Kelly Parker. The following members of the public were also present: Ashley Thorgeson, Jane Morton, Ph.D., and Carmen, Vara-Napier.

Dr. Longwell moved to accept the March 11, 2014 agenda. Ms. Bellaci opened the motion for discussion. Ms. Chovanec inquired about adding items to the agenda. The Board discussed Open Meeting Laws regarding the agenda. The motion to accept the agenda ultimately passed as follows: Longwell-yay, Bradford-yay, Brocato-yay, Bellaci-yay and Chovanec-yay. Ms. Bradford moved to accept the February 4, 2014 minutes. Ms. Bellaci opened the motion for discussion. Ms. Chovanec inquired about the contents of the minutes but did not specify any particular issue. She requested the attorney review the minutes. Ms. Brocato inquired about the Board's options in reporting confidential information in the minutes. Ms. Parker offered to draft the minutes differently and asked for input. Ms. Chovanec mentioned that the minutes needed to be drafted and disseminated in a reasonable time frame. Ms. Parker suggested that the minutes could only be approved in face-to-face meetings with a motion and vote pursuant to the Open Meetings Laws training and previous legal guidance. After further discussion, Ms. Chovanec moved to hold the February minutes until Board counsel gave the official approval. The motion passed by a quorum of the Board.

Pursuant to LSA R.S.42: 6.1(4), Ms. Bellaci moved to enter Executive Session to review legal matters and discuss applicant files for licensure review. The motion passed by unanimous roll call vote of the members present as follows: Bellaci-yay, Bradford-yay, Longwell-yay, Brocato-yay and Chovanec-yay.

Ms. Bellaci closed Executive Session and reported the following:

Credentials Review Committee:

Ms. Bellaci reviewed the complete application files for the following behavior analysts: Gregory Mancil, Ph.D., Josalyn McCoy, Ph.D., Carol Martin, Lorita Slaughter and Sydna Okaley. Ms. Bellaci noted that the files met licensure requirements. Ms. Bellaci moved to issue behavior analyst licenses to the applicants. The motion passed unanimously.

Ms. Bradford reviewed the complete application files for the following behavior analysts: Kathryn Wilson, Calvin Cryer, and Julie Savoie. Ms. Bradford reported that the files met licensure requirements. Ms. Bradford moved to issue behavior analyst licenses to the applicants. The motion passed unanimously.

Ms. Brocato reviewed the complete application files for the following behavior analysts: Katherine Chovanec, Mary Johnson, and Melissa Raymond. Ms. Brocato noted that the files met licensure requirements. Ms. Brocato moved to issue behavior analyst licenses to the applicants. The motion passed unanimously.

Dr. Longwell reviewed the complete application files for the following behavior analysts: Alfred Tuminello, Mandy Parten, Renee Guidry, and Sarah Plauche. Dr. Longwell noted that the files met licensure requirements. Ms. Bellaci moved to issue behavior analyst licenses to the applicants. The motion passed unanimously.

Ms. Chovanec reviewed the complete application files for the following behavior analysts: Catherine Minch, Paula White, Lindy West, Rachel Wright and Addie Andrus. Ms. Chovanec noted that the files met licensure requirements. Ms. Chovanec moved to issue behavior analyst licenses to the applicants. The motion passed unanimously.

Dr. Longwell reviewed the complete application file for the following state certified assistant behavior analyst: Megan Kimble. Dr. Longwell noted that her file met licensure requirements and she would be working under the supervision of Dr. Morton. Ms. Bellaci moved to issue a state certification to Ms. Kimble. The motion passed unanimously.

The Board reviewed Megan Perkin's answers to Part IV of the behavior analyst application and supplemental documentation submitted by Ms. Perkins. After careful review and discussion, Ms. Bradford moved to allow Ms. Perkins to proceed with the licensure process. The motion passed by a majority vote.

The Board reviewed Dr. Jennifer Longwell's answers to Part IV of the behavior analyst application and supplemental documentation submitted by Dr. Longwell. After careful review and discussion, Ms. Brocato moved to allow Dr. Longwell to proceed with the licensure process. The motion passed by a majority vote.

The Board reviewed the file of Jamie Verret. Ms. Bellaci moved to request additional information, including explanation regarding the answers to Part IV of the line technician application. The motion passed unanimously.

The Board reviewed the file of Katherine Saltzman. Ms. Bellaci moved to request additional information regarding the answers to Part IV of the line technician application. The motion passed unanimously.

The Board reviewed the file of Nicole Adams. Ms. Bradford moved to request additional information regarding the answers to Part IV of the line technician application. The motion passed unanimously.

The Board reviewed the file of Barry Holton. The Board discussed Mr. Holton's answers to Part IV of the line technician application. Ms. Brocato moved to allow Mr. Holton to continue with the registration process. The motion passed unanimously.

The Board reviewed the following line tech applications due to noncompliance with Act 351 requirements: Kelly Elizabeth Kyle, Rebecca Kleinpeter, Caitlin Wiley and Camille Steiden. After careful discussion, Ms. Bradford moved to close the files. The motion passed by majority vote.

Complaints Committee [LSA-R.S.42:6.1]

- a. 2014-001B: The Board discussed the correspondence and status of the Board initiated communication to a center operating within Louisiana who may have

unregistered line technicians. After careful consideration, Ms. Bradford moved to email both the behavior analyst and assistant behavior analyst with a copy of the communication and extend the deadline by one week. If no response is received, the Board will issue a cease and desist letter. The motion was discussed. The motion passed unanimously.

- b. 2014-002B: The Board discussed the correspondence and status of the Board initiated communication to a center operating within Louisiana who advertised ABA services but did not have licensed professionals on file with the Board office. Ms. Parker presented the Board with the response submitted from the center. After careful consideration, Ms. Brocato moved that the center had corrected the issue and to close the matter. The motion was discussed. The motion passed unanimously.
- c. 2014-003B: The Board discussed the correspondence and status of the Board initiated communication to a center operating within Louisiana who advertised ABA services but did not have licensed professionals on file with the Board office. Ms. Parker presented the Board with the response submitted from the center. After careful consideration, Ms. Bellaci moved to issue follow up communication from the Board. The motion was discussed. The motion passed unanimously. Ms. Bellaci requested that AAG Bryan review the center's response in conjunction with the follow-up communication to the center.
- d.

Finance Committee: Ms. Chovanec presented the Board with the February invoice from LSBEP in the amount of \$2,522.35 and other related expenses. Ms. Parker pointed out that the percentage had increased based on the number of applicants. She also explained that Dr. Culross, Chair of the LSBEP, directed correspondence to LBAB regarding the increase of costs. Dr. Culross's letter offered LBAB to share costs at a rate of 15.39% (calculated by the accountant and based on LSBEP and LBAB numbers) through July 31, 2014. Ms. Parker noted that if this was acceptable to LBAB, Ms. Bellaci could sign on behalf of LBAB. Ms. Chovanec questioned the totals provided, the numbers provided and LSBEP correspondence. Ms. Chovanec then requested that "Long Range Planning/Plan B" be added to the agenda for this purpose. Ms. Parker explained the costs and supplied additional information as requested by Ms. Chovanec. Ms. Parker also resent the budget (originally released provided to the Board in January) to Ms. Chovanec as requested. After careful discussion, Ms. Bellaci moved to accept the 15.39% arrangement through July 31, 2014. The motion passed by majority vote: Bellaci-yay, Bradford-yay and Brocato-yay, Ms. Chovanec-yay, Dr. Longwell was unable to vote. The motion passed.

Ms. Brocato reported that Mr. Tony Bettevy, LA licensed investigator, was interested in working with LBAB as a contract investigator. The Board reviewed Mr. Bettevy's resume and discussed same. Ms. Brocato moved to hire Mr. Bettevy for the remainder of this fiscal year for the contract amount of \$3,000 at \$60 per hour. The board discussed the motion. The motion passed unanimously.

Ms. Brocato also expressed a need to enter into a new MOU with the LSBEP. She requested that Ms.

Parker email her the previous MOU for review. Ms. Parker agreed to do so.

Jurisprudence Examination Committee: No new report.

Legislative Oversight Committee: The Board reviewed SB71 filed by Senator Morrell on behalf of the LBAB. The Board discussed LABAA's recommended language for the student exemption section. The Board agreed that the section should be revised. Ms. Bellaci agreed to draft an acceptable amendment to the language for Senator Morrell's consideration. Ms. Parker agreed to schedule time with Senator Morrell to discuss same. Ms. Bellaci and/or Ms. Bradford agreed to attend the meeting as well. The Board also reviewed the following bills: HB215, HB634, and SB539.

Ms. Bradford reported that the committee had completed the draft rules for supervision of assistants. Dr. Zimmermann suggested the Board consider addressing part-time and full-time supervision rules. Dr. Zimmermann also suggested the Board specifying the amount of face-to-face supervision required. Ms. Bradford noted that the current draft does require face-to-face supervision. Ms. Bradford agreed to submit the draft to Ms. Parker for review and inclusion in the Board binders at the next meeting. Ms. Bellaci opened the floor for public comment regarding supervision rules. Dr. Morton commented that she agreed that supervision rules were needed. However, Dr. Morton was concerned that the rules may be too much regulation in certain areas and it may put limits on practice. The Board acknowledged her comments and thanked her for the feedback.

The Board also reviewed the final draft of the renewal rules. After careful review and discussion, Ms. Bradford moved to post a Notice of Intent for the renewal rules. The motion passed unanimously.

Policies and Procedures Committee: Dr. Longwell reported to the Board that she was continuing to update forms as necessary. She noted that she would also continue to work on policies in conjunction with renewals.

Continuing Education Committee: No new report.

Discussion Items:

1. **LBAB/Liaison Report:** Ms. Brocato reported on her meeting with LABAA president, Dr. Grant Gautreaux. Ms. Brocato inquired about the MOU copy for Janice Huber. Ms. Parker reminded the Board that at the last meeting it was determined that Ms. Huber was not requesting it on behalf of LABAA and so an invoice was sent via email on February 6, 2014 to Ms. Huber. To date, no payment had been received so the MOU was not sent. Ms. Chovanec remarked "email". Ms. Parker referred the Board again to its decision at the last meeting where they decided that the document should be mailed.

Ms. Brocato informed the Board that LABAA intends on having a table at the upcoming ABAI conference. She noted that LABAA would be happy to disseminate licensing information on behalf of the Board.

Ms. Brocato reported that LABAA was thankful for the opportunity to provide the Board with suggestions for SB71 language. However, she said that Dr. Gautreaux informed her that the deadlines changed for submission to the Board. Ms. Bellaci clarified that the Board's deadline did not change – it was the deadline given to the Board by legislative staff that actually changed. Ms. Brocato also reminded the Board about LABAA's submission regarding the NOI for Application Procedures and Board fees.

Ms. Brocato also mentioned that Dr. Gautreaux had inquired about the ethics request regarding donations. Ms. Brocato reported that he was unclear on the Board's reasoning since it was in the law. Ms. Chovanec remarked that the ethics request is not necessary. Dr. Longwell noted that the Board was making an ethics request as a proactive measure because it is new to everyone. Ms. Bellaci commented that we would be discussing this during a later topic as well.

2. **ASD Diagnosis**: Dr. Zimmermann provided the Board with information concerning ASD Diagnosis for knowledge only – no action was required. The Board discussed the topic and acknowledged same.

3. **Open Meeting Laws**: This item was placed back on the agenda at the request of Ms. Chovanec. Ms. Chovanec addressed the Board about the broad topic of "Open Meeting Laws" and stated she had additional questions that needed clarification. Ms. Bellaci inquired about the questions. Ms. Chovanec did not have specific questions at the time of the meeting. Ms. Bellaci suggested that Ms. Chovanec prepare a list of questions for Board review and approval at the next meeting. Dr. Longwell remarked that since the Board would have to pay legal fees to answer Ms. Chovanec's questions, it seemed practical for a full Board review prior to submission to counsel.

4. **Draft Ethics Request**: The Board reviewed the draft ethics request letter. The letter was prepared by Ms. Parker at the request of the Board for Ms. Bellaci's signature. Ms. Parker noted that the letter was circulated for feedback and Ms. Bellaci had an addition. Ms. Chovanec questioned the notion of requesting an ethics opinion. Dr. Longwell again reminded her that this was a proactive measure to assure the Board that we are doing everything the right way. Ms. Parker reminded Ms. Chovanec that the letter was drafted only after the Board approved same and for the Chair's signature. The Board had more discussion about the language in the letter. Ms. Bradford moved to accept the letter with Ms. Bellaci's addition and submit it to the Ethic's Board for consideration. The motion passed by majority vote, Ms. Chovanec opposed. Ms. Parker agreed to revise the letter and circulate it again prior to submission.

5. **Long Range Planning/Plan B**: This item was not added to the agenda. This item was moved from an item in the Finance Committee to a discussion item at the request of Ms. Chovanec. Ms. Chovanec noted that she wanted to add this issue as a permanent committee to discuss LBAB's future plans. Ms. Bradford moved to add the Long Range Planning/Plan B committee to the agenda. Ms. Bellaci directed Ms. Chovanec to bring items to the Board for consideration in this regard.

Dr. Zimmermann moved to adjourn the meeting at 5:00 p.m. The motion passed.