

Louisiana Behavior Analyst Board
4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816

BOARD MEETING MINUTES: July 30, 2019
(Approved September 17, 2019)

Committee meetings began at 9:12 a.m.

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Scott Williamson. at 10:09 a.m. on Tuesday, July 30, 2019 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana 70816. Present were board members: Scott Williamson, Lloyd Boudloche, Jr., Ed.D., Alfred Tuminello, Calvin Cryer, Courtney Wright and Executive Director Rhonda Boe. Ms. Cole was absent. Angela Murray, the newly elected board member was present for public hour.

A motion was made by Dr. Boudloche to approve the agenda for the July 30, 2019 meeting. None opposed and the motion passed.

Mr. Cryer made a motion to approve the June 18, 2019 minutes. None opposed.

Pursuant to LSA R.S. 42:6.1(4), Mr. Williamson moved to enter Executive Session at 10:10 a.m. to review and discuss Credential Review files. None opposed and the motion passed.

Mr. Williamson closed Executive Session at 11:10 a.m. and reported the following:

Credentials Review Committee:

Behavior Analyst Applicants 7.19/A, 7.19/B, 7.19/D, 7.19/E, 7.19/F, 7.19/G, 7.19/H, 7.19/I, and 7.19/J were reviewed and approved for licensure.

Behavior Analysts Applicants 7.19/C and 7.19/K were reviewed and approved for licensure upon receipt of last document by mail.

State Certified Behavior Analyst Applicant 7.19/N was reviewed and approved for certification.

State Certified Behavior Analyst Applicant 7.19/M was reviewed and approved for certification upon receipt of last document by mail.

State Certified Behavior Analyst Applicants 7.19/L and 7.19/O were reviewed and required to take the Jurisprudence Exam again and be reviewed at the next meeting.

Line Technician Applicant 6.19/3 was reviewed and approved with required monthly updates.

Line Technician Applicants 7.19/1, 7.19/2, 7.19/5, 7.19/8, and 7.19/9 were reviewed and approved if report matches information provided exactly.

Line Technician Applicants 7.19/6 and 7.19/7 were reviewed and allowed more time to respond.

Line Technician Applicant 7.19/4 was reviewed and a letter will be sent requesting a reply by the next meeting or the board will revoke.

Line Technician Applicant 7.19/3 was reviewed and allowed to continue uninterrupted based on sufficient information received.

Behavior Analyst 11.18/4 was reviewed and approved to continue with monthly updates.

Line Technicians 2.18/4, 6.19/10, 5.17/8, 12.18/10, 1.19/4, 2.19/3 and 6.19/4 were approved to continue registration uninterrupted and continue sending monthly updates.

Line Technician 5.19/2 will be sent request to reply with update by next meeting or be revoked.

Line Technician 6.19/5 will be sent letter with request for official documentation to be provided by next meeting.

Mr. Williamson closed Executive Session at 11:22 a.m. for the board to leave the office for lunch. This would not be a working lunch as posted on the agenda. This is a luncheon to thank Mr. Williamson for his service to the board as his term ended 6/30/19. Mr. Williamson is required to remain on the board until his replacement is approved by the governor.

Mr. Williamson re-opened Executive Session at 12:50 p.m. to discuss finances.

Mr. Williamson closed Executive Session at 1:15 p.m. and the following was reported.

Complaints Committee:

Ms. Boe presented the following report for Ellen Brocato, complaints coordinator:

- 1) Complaint still not closed, waiting on respondent.
- 2) Documents being reviewed/interviews being conducted.
- 3) Attorneys and complaint coordinator trying to coordinate date and time for informal meeting.
- 4) Documents are being reviewed.
- 5) Respondent has indicated no intention of renewing. Attorney will inquire if a Voluntary Surrender is agreeable.
- 6) Attorneys in talks to reach an agreement to present to the board.
- 7) Summary Suspension issued. Consent order reviewed, discussed and signed waiving hearing until an informal meeting could be scheduled. (Vote on Consent Order below)
- 8) New Complaint being reviewed
- 9) Information received indicates possible violations. Board asked if to proceed with preliminary investigation to validate information to determine if to proceed with board initiated complaint. Mr. Cryer motioned to proceed with preliminary investigation. None opposed.
- 10) Information received indicates possible violations. Board asked if to proceed with preliminary investigation to validate information to determine if to proceed with board initiated complaint. Mr. Tuminello motioned to proceed with preliminary investigation. None opposed.

A call to question vote was made by Mr. Tuminello and seconded by Dr. Boudloche on the Consent Order presented, reviewed and discussed in Executive Session, resulting in the following: Mr. Tuminello – yay, Dr. Boudloche – yay, Mr. Williamson –yay, Ms. Wright –yay, and Mr. Cryer – yay. Motion carried. A motion was made by Mr. Cryer for Mr. Tuminello to sign the Consent Agreement as Complaints Coordinator on behalf of the board based on the vote. None opposed.

Finance Committee:

Mr. Tuminello made a motion to pay the LSBEP June invoice. None opposed. The reconciliations for June were reviewed. A motion was made by Ms. Wright to approve the June reconciliations. None opposed. The reconciliations were dated and signed by preparer and dated and signed by Finance Committee Chair, Dr. Boudloche, indicating board approval. The full board reviewed the Balance Sheet, and Profit and Loss for June and a discrepancy was noted. Ms. Wright made a motion to approve all the financials with a request for an explanation from the CPA on noted discrepancies in the P&L retirement. None opposed.

Ms. Boe brought up for discussion the need to hire a second Administrative Law Judge in the event the current ALJ on contract was unavailable for a hearing. Board law requires a hearing in ten (10) days after a summary suspension which is short notice. Ms. Boe also advised board the current student worker would be leaving to take another position and could only work a few hours a month. There is a need to hire another part-time student worker or perhaps full-time administrative assistant to share with the Psychology Board. Mr. Tuminello motioned to contract with another attorney for ALJ. None opposed. Dr. Boudloche asked Ms. Boe to do more research about the sharing of an administrative assistant. Dr. Boudloche motioned to allow Ms. Boe to hire a student worker in the interim. None opposed.

Jurisprudence Committee:

The board discussed the item tabled at the last meeting regarding if a licensee whose license has been lapsed for more than two years requests reinstatement should he/she be required to retake the Jurisprudence Exam to be up-to-date on new and/or rule changes. The board discussed and it was concluded the application process rules would need to be re-promulgated to make this change. No change will be made at this time.

Legislative Committee:

Ms. Boe informed the board she is still waiting on a hearing date from the Occupational Licensing Review committee for the Supervision Requirements amended rule. Angela Murray, the newly elected board member, was present for public hour. Ms. Boe informed the board the governor has not made the official appointment therefore Mr. Williamson is required to continue to be a voting board member until such date. This is not uncommon and could be as late as October. The board requirement to post statements on website, etc. regarding complaints was viewed and discussed.

Policies and Procedures Committee:

The policy regarding reinstatement of licensees lapsed for over two years being required to retake the Jurisprudence Exam which was previously tabled until this meeting was discussed during the Jurisprudence Exam Committee report. This would require a rule promulgation amendment.

Continuing Education Committee:

The BACB Continuing Education changes that will become effective in January of 2020 were reviewed and discussed. The committee will look into revising LBAB continuing education to be in line with the BACB.

Supervision Oversight Committee:

Ms. Boe brought up a concern about when a LBA leaves a company/clinic it sometimes is more than two weeks before transfers and fees, if required, are received. This leaves a gap with no supervisor. The board discussed the fact that another supervisor can perform supervision; however, the supervisor of record being no longer employed means the line technician is technically not registered during that time. A motion was made by Mr. Williamson to

discontinue any registered line technicians if their supervisor leaves a company/clinic and the proper documentation and fees are not received within five (5) days. None opposed.

Long Range Planning:

Ms. Boe registered herself, Mr. Tuminello, Ms. Brocato and Mr. McCoy for the CLEAR Investigative training courses being held in December in Baton Rouge. Ms. Boe informed board members they will all be registered under the board's CLEAR membership and to view the site for helpful information and training.

FARB training date for board members is not yet scheduled.

Executive Director Report:

Ms. Boe informed the board the contract with inLumon was approved by the state. The software is being developed.

Ms. Boe presented the board a proposal for a seal similar to the Psychology board's size for the board room. Ms. Boe was instructed to research for a few more proposals as this bid was considered costly.

Ms. Boe shared an email from BACB regarding supervision and a question from Arizona University to the BACB. The board reviewed and discussed the university's request for the BACB's final experience verification forms to be revised to include fields for the experience setting, with the bare minimum to include the state in which supervision took place.

Mr. Williamson adjourned the meeting at 3:15 p.m.