

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

BOARD MEETING MINUTES: September 22, 2020
Approved October 20, 2020

CERTIFICATION

In accordance with Proclamation JBE2020 – 30, Section 4, the Louisiana Behavior Analyst Board hereby certifies it would have been unable to operate due to quorum requirements and therefore held this board meeting via Zoom. The public was invited to access the first few minutes of the meeting before the board moved to Executive Session. The agenda and certification was posted in accordance with law and distributed to every known news media outlet that broadcasts or publishes news within Louisiana.

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Courtney Wright, at 9:03 a.m. on Tuesday, September 22, 2020 via Zoom. Participating were Board Members: Courtney Wright, Lloyd Boudloche, Jr., Calvin Cryer, Renee Cole, Angela Murray, Joseph Tuminello, III, Executive Director Rhonda Boe and Compliance Officer, Justin Owens. Alfred Tuminello joined the meeting at 9:07 a.m.

A welcome was extended to Joseph (Joey) Tuminello, III, Ph.D., the consumer member appointed by the Governor, to the board.

A motion was made by Dr. Boudloche to approve the agenda for the September 22, 2020 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Wright moved to enter Executive Session at 9:05 a.m. for credential file reviews.

Executive session went over the allotted time and Ms. Boe monitored the open meeting zoom scheduled for 10:30 a.m. for any participants to inform them of the delay. Only one individual logged on and it was an applicant for licensure who was informed of approval and did not want to participate in any other parts of the open meeting.

Ms. Wright closed executive session at 11:57 a.m.

A public Zoom code was posted and available to the public on the board website on August 10, 2020 and open meeting began at 11:58 a.m. with Ms. Wright calling the meeting to order and members identifying themselves.

Dr. Boudloche made a motion to approve the minutes from the July 7, 2020 meeting. None opposed and the motion passed.

Ms. Wright made a motion to approve the minutes from the August 11, 2020 meeting. None opposed and the motion passed.

Prior to credential file review, Ms. Boe reported many reference letters from the Lake Charles area had not been received by mail, although many had been mailed. Ms. Cole made a motion to issue a waiver of the requirement of receiving the reference letters by mail

before licensure and to accept the electronically signed reference letters for those in the area impacted by Hurricane Laura. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicants 9.20/A, 9.20/B, 9.20/C, 9.20/D, 9.20/E, and 9.20/F were reviewed and approved for licensure.

Licensure Applicant 9.20/G was reviewed and approved for licensure upon receipt of the last required original document.

Certificant Applicants 9.20/H, 9.20/I, 9.20/K and 9.20/N were reviewed and approved for certification.

Certificant Applicant 9.20/J was reviewed and approved for certification upon receipt of the last required original document.

Certificant Applicant 8.20/N was re-reviewed. Applicant was approved for certification pending receipt and review by the board of a properly executed Proof of Supervision form from a licensed behavior analyst in Louisiana, within six (6) months.

The status of other applicants reviewed are contained in the attached report by compliance officer, Justin Owens.

Alicia Wheeler, board counsel with the Attorney General's office joined the meeting at 9:57 a.m. and Emily Bellaci, pro tem board member appointed by the Governor for hearing held July 6-7, 2020 jointed the meeting at 10:02 a.m.

Attorney Wheeler discussed and reviewed the Findings of Facts and Conclusions of Law with the board members in reference to Complaint No. 2020-001B. Attorney Wheeler stated the document would be prepared for the review and signature of board chair, Courtney Wright.

Alicia Wheeler and Emily Bellaci left the meeting at 11:53 a.m.

Complaints Committee:

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

- 1) A Consent Agreement is in negotiations.
- 2) Investigation for re-notice of additional allegations being conducted.
- 3) A Consent Agreement is in negotiations.
- 4) Committee is waiting on additional documents
- 5) Consent Agreement was offered.
- 6) Consent agreement is being drafted for consideration.
- 7) Documents received are being reviewed.

Finance Committee:

Mr. Tuminello made a motion to pay the LSBEP August invoice if no discrepancies are noted. None opposed.

The Reconciliations for August were reviewed and a motion was made by Ms. Cole to approve. None opposed. The board reviewed the Balance Sheet, General Ledger, Monthly Profit and Loss

and Profit & Loss Budget vs. Actual for August. An increase in expenses was noted and Ms. Boe pointed out the extra expenses for the hearing held July 6-7, 2020. Dr. Boudloche made a motion to approve the full financials for August with no apparent discrepancies noted. None opposed and the motion passed.

The board reviewed the AFR submitted by the board for FY 19/20.

Jurisprudence Committee:

Ms. Boe informed the board with the delay of the licensure software there would be a delay in the ability to issue the Jurisprudence Exam online. She also reminded them an updated exam for this purpose was approved in March of 2020 and asked if the board would like her to begin using that exam. Ms. Cole made a motion to begin using the updated exam immediately. None opposed and the motion passed.

Legislative Committee:

The board reviewed the recently approved and published Emergency Rule regarding 2020 License/Certificate Renewals.

Policies and Procedures Committee:

The board reviewed Policy and Procedures for Criminal Records History Information. Mr. Tuminello made a motion to approve the new Policy and Procedure. None opposed and the motion passed.

Mr. Tuminello made a motion to table discussion of creating policy and procedures for emergencies such as the pandemic and natural disasters until the next meeting. None opposed and the motion passed.

Continuing Education Committee:

The board reviewed the reporting form from the last CEU reporting year as the delay in licensure software launch will necessitate using this form again. The format was reviewed and suggestions will be made at the October meeting to finalize and approve the format.

Supervision Oversight Committee:

The board requested that supervision audits resume at the last meeting and requested an update. Ms. Boe informed the board supervision audit selections and letters were being prepared for both supervision of SCaBAs, as the number certified have increased, and RLTs.

Long Range Planning:

Ms. Boe informed the board the delay in sexual harassment training due to the board hoping to have an in-person training would need to be resolved. The board has not been able to meet in person so on-line training was researched. Board members and employees will complete one hour of sexual harassment training on-line and submit the certificate to Ms. Boe for their files.

Discussion Items:

Ms. Boe asked the board for authority to file a breach of contract against inLumon, the software designer the board contracted with for the licensure program. Mr. Tuminello made a motion to file a breach of contract against inLumon. None opposed and the motion passed. Ms. Boe will have a quote from another company at the October meeting.

The FBI/LSP CJIS was completed and the board was found in compliance.

The board reviewed the renewal postcard with the updated information regarding fees. Ms. Wright made a motion to approve the postcard and mail to all LBAs and SCaBAs. None opposed and the motion passed.

Ms. Boe reminded the board how long it took for approval of board members after last election. The board has two seats which will be open in July of 2021. The first step is call for nominations which is signed by both the board chair and president of the association. The board suggested Ms. Boe begin that process soon.

Executive Director Report:

Ms. Boe informed the board all her discussion topics were covered in the meeting.

The board discussed conflicts and re-scheduled the following future meeting dates:

November 18, 2020 (Wednesday)
DECEMBER 2020 – NO MEETING
January 6, 2020 (Wednesday)

Ms. Wright adjourned the meeting at 1:10 p.m.

Louisiana Behavior Analyst Board
Credential Review Minutes
September 22, 2020
(Executive Session)

Board Compliance Officer Justin Owens presented the following Line Technician applicants and registrants to the Board for initial or secondary consideration:

12.18/7 – The Board moved unanimously to **approve** reinstatement of registration with resuming of monthly updates, contingent upon successful completion of Pre-Trial Intervention Program.

6.20/4 – Owens informed the Board that applicant advised that she is unable to purchase the requested documentation from the arresting agency. Therefore,

8.20/6 – The Board moved unanimously to **approve** registration.

9.20/1 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

9.20/4 – The Board unanimously moved to **approve** registration. Mr. Tuminello abstained.

9.20/5 – The Board unanimously moved to **approve** application. Mr. Tuminello abstained.

9.20/6 – The Board moved unanimously to **approve** registration.

9.20/7 – The Board unanimously moved to **approve** application.

9.20/8 – The Board moved unanimously to **approve** registration.

9.20/9 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

Board Compliance Officer Justin Owens presented the following Line Technicians, SCABAs and LBAs to the Board for ongoing monthly updates:

1.20/5 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Cryer abstained.

6.7/B – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Tuminello abstained.

6.19/15 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

1.19/4 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

12.19/11 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Tuminello abstained.

8.19/8 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

2.20/6 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

6.20/1 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

7.20/3 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

Board Compliance Officer Justin Owens presented the following Line Technician registrants to the Board for ongoing quarterly updates:

6.19/10 – The Board unanimously moved to **continue** registration uninterrupted with quarterly updates.