

LOUISIANA BEHAVIOR ANALYST BOARD

IN THE MATTER OF

COMPLAINT NUMBER: 2019-002C

KHYLEE MILLER (EGASTI)

LICENSE NO: L-211

CONSENT AGREEMENT AND ORDER

WHEREAS, KHYLEE MILLER (EGASTI) (“MS. EGASTI”) is a Licensed Behavior Analyst (“LBA”), and is subject to the jurisdiction and rules and regulations of the Behavior Analyst Practice Act (La. R.S. 37:1001, et seq.), the Professional and Occupational Standards for Behavior Analysts (LAC 46:VIII § 301, et seq.), the BACB Professional and Ethical Code for Behavior Analysts, and the rules regarding disciplinary proceedings (LAC 46:VIII § 601, et seq.); and

WHEREAS, on or about July 30, 2019, the Louisiana Behavior Analyst Board, (“LBAB”) based upon a complaint received, and for reasons contained in the Order of Summary Suspension, summarily suspended LBA license number 211 issued to MS. EGASTI pending an administrative hearing scheduled for July 22, 2019;

WHEREAS, the parties herein entered into a Consent Agreement and Order signed on July 30, 2019, whereby the parties agreed that the Order of Summary Suspension would remain in effect pending the resolution of formal proceedings in this matter;

WHEREAS, the respondent, KHYLEE MILLER (EGASTI), has indicated her desire to resolve this matter through a Consent Agreement and Order provided for in LAC 46:VIII § 603 and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act;

WHEREAS, the Respondent, KHYLEE MILLER (EGASTI), has admitted the following:

1. Respondent, KHYLEE MILLER (EGASTI), is and was at all times pertinent to the facts and matters alleged herein, a Licensed Behavior Analyst by the LBAB to engage in the practice of behavior analysis in the State of Louisiana, as evidenced by LBA License Number 211.
2. At all times pertinent to the facts of this case, MS. EGASTI was actively engaged in the practice of Applied Behavior Analysis in Baton Rouge, Louisiana, at Behavioral Intervention Group.

WHEREAS, the undersigned Prosecutor for the LBAB has communicated with counsel for MS. EGASTI, who has indicated that it is the desire of MS. EGASTI to resolve this matter through a Consent Agreement and Order;

WHEREAS, Respondent, MS. EGASTI, recognizes her right to have an Administrative Adjudication of the charges outlined in the complaint and notice letter, at which time MS. EGASTI would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on her behalf in defense or in mitigation of the charges made, and to a decision thereon by the LBAB based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure Act. MS. EGASTI nonetheless hereby waives her right to formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. MS. EGASTI also acknowledges that she hereby waives any rights to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951, et seq., or which she otherwise may be afforded by any law to contest her agreement to, or the force and effect of this Consent Agreement and Order in any Court or other forum.

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the LBAB by La. R.S. 49:955(D), the LBAB orders and MS. EGASTI accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:958:

1. The LBAB license of MS. EGASTI to be engaged in the practice of Applied Behavior Analysis in the State of Louisiana, as evidenced by LBA License Number 211, shall be reinstated, said reinstatement being effective the date this Consent Agreement and Order is signed by the LBAB.
2. The LBAB license of MS. EGASTI to be engaged in the practice of Applied Behavior Analysis in the State of Louisiana, as evidenced by the LBA License Number 211 shall be, and is hereby REPRIMANDED, based upon the allegations of the complaint and the investigation conducted by the LBAB investigator. MS. EGASTI accepts and shall maintain strict compliance with the following terms and conditions.
3. MS. EGASTI shall obtain three (3) continuing education hours in ethics, to be specified by the LBAB. These hours must be completed IN ADDITION to all standard renewal requirements for her LBA license.
4. MS. EGASTI specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order may result in further disciplinary action taken by the LBAB. The admissions contained herein will be considered proven and the only issue will be failure to follow the terms of the Consent Agreement and Order.

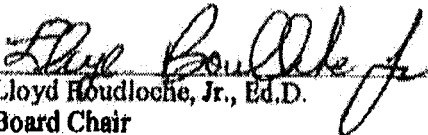
THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the LBAB and is a matter of public record. The terms of this Consent Agreement and Order may be published and reported in, including but not limited to, the LBAB website, the BACB, and the National Practitioners Data Bank (NPDB).

THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LBAB involving Respondent.


ORDER


The Louisiana Behavior Analyst Board, having examined the Consent Agreement and Order, Case No. 2019-002C, adopts the Consent Agreement and Order in the matter on September 17, 2019.

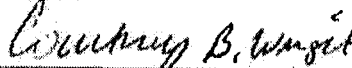
LOUISIANA BEHAVIOR ANALYST BOARD


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I, **JAMES R. RAINES**, serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which KHYLEE MILLER (EGASTI), could be charged under Complaint Number 2019-002C; and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint and represents a true and correct statement of that which could be proven at a hearing of this matter.


James R. Raines

8/27/19
Date

I, **KHYLEE MILLER (EGASTI)**, make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint Number 2019-002C by Consent Agreement and Order (“Order”) pursuant to La. R.S. 49:955(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth hereinbefore and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LBAB for its consideration and to disclose to and discuss with the LBAB the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:960. I expressly acknowledge that the disclosure of such information to the LBAB shall be without prejudice to the Prosecutor’s authority to file a formal Administrative Complaint, or the LBAB’s capacity to adjudicate such Administrative Complaint, should the LBAB decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LBAB approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.


KHYLEE MILLER (EGASTI)

9/6/2019
Date

I, **KHYLEE MILLER (EGASTI)**, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 9/6/2019 *Khylee Egasti*
KHYLEE MILLER (EGASTI)