

LOUISIANA BEHAVIOR ANALYST BOARD

**IN THE MATTER OF
KRISTEN NOBLES**

**COMPLAINT NUMBER: 2019-001C
LICENSE NUMBER: 157**

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FOR ORDER OF SUMMARY SUSPENSION

Louisiana Behavior Analyst License Number 157, issued to Kristen Nobles, was summarily suspended by Order of Summary Suspension dated March 1, 2019, pending an administrative hearing before the Louisiana Behavior Analyst Board (hereinafter referred to as “the Board”) in compliance with La. R.S. 37:3704(9), LAC Title 46, Part 8:604, and the Louisiana Administrative Procedure Act, La R.S. 49:950, *et.seq.* A hearing on the summary suspension came before the Board on March 11, 2019. The Board considered the Complaints Committee’s recommendation to summarily suspend Kristen Nobles, BCBA, LBA, alleging violations of the Louisiana Behavior Analyst (LBA) Practice Act, La. R.S. 37:3701 *et. seq.*, the Board’s rules and regulations, the Behavior Analyst Certification Board (BACB) Professional and Ethical Compliance Code for Behavior Analyst, and that Kristin Nobles poses an imminent danger to the public if she is allowed to continue to practice.

The following Board members, which included emergency members appointed by the Governor of Louisiana, were present and constituted a quorum: Scott Williamson, Board Chair, Courtney Wright, Renee Cole, Calvin Cryer, and Emily Bellaci. Kristen Nobles, represented by Lance Unglesby, was present but did not participate in the hearing. Other appearances included:

Carey Holliday, Hearing Officer;

James R. Raines and Kelsey A. Clark, complaint counsel for the Board;

Alicia Edmond Wheeler, general counsel for the Board;

Ellen Brocato, complaints coordinator for the Board, appearing as an expert witness; and¹

Alfred Tuminello, Chair of the Board Complaints Committee, appearing as a witness.

Having considered the Complaints Committee's recommendation, witness testimony, evidence, and the law, rules and regulations applicable to licensees, the Board finds, concludes, and orders the following:

ISSUES AND ALLEGATIONS

The issue before the Board is whether Kristin Nobles presents an imminent danger to the public if she is allowed to continue to practice as a LBA. The Board Complaints Committee received a complaint concerning Kristen Nobles' practice as a LBA. The complaint caused the Committee to believe that Ms. Nobles possessing a LBA license presents an imminent danger to the public health, safety, and welfare. Ms. Nobles' license was summarily suspended, effective March 1, 2019, pending formal proceedings for revocation of licensure or other action the Board deems fit. As required by La. R.S. 37:3704(9), the information, including the following allegations, was presented to the Board to consider whether summary suspension was warranted:

1. Kristen Nobles instructed several registered line technicians she supervises to provoke problem behaviors in clients to fraudulently manipulate insurance coverage for Applied Behavior Analysis services to continue to be authorized.
2. Kristen Nobles, knew and/or authorized her sister, Elizabeth Hensley, to sign her name and write client treatment plans, file insurance claims, supervise, and direct registered line technicians which is outside the scope of her training and for which she is not licensed to conduct such activities.

¹ The parties stipulated to Ms. Brocato's expertise as a Behavioral Analyst and ethics related thereto.

3. Kristen Nobles, was not present a majority of the time at her clinics.
4. At all relevant times, Kristen Nobles provided Applied Behavior Analysis services to minor children who are considered a vulnerable section of the population.
5. The foregoing actions violated the LBA Practice Act, Board's rules and regulations, the BACB Professional and Ethical Compliance Code for Behavior Analyst

FINDINGS OF FACT:

1. Kristen Nobles holds LBA license number 157.
2. At the time of suspension, Ms. Nobles operated ABA Therapy Solutions LLC (ABATS) to provide applied behavioral analysis services to children with autism. ABATS operated in three locations, Calhoun, Winnsboro, and Bastrop, Louisiana. Kristen Nobles was the only LBA associated with ABATS.
3. ABATS employed at least 30 Registered Line Technicians ("RLT").
4. While receiving treatment at ABATS' clients were subjected to unsupervised use of aversives.
5. At the direction of Elizabeth Hensley, client care was manipulated for the purpose of provoking behaviors to continue insurance authorization for treatment.
6. Kristen Nobles routinely knew and/or authorized non-licensed, unqualified individuals to sign her name and/or write client treatment plans, file insurance claims, and/or supervise and direct RLTs.
7. Kristen Nobles, was not physically present at her clinics to provide the minimum, requisite supervision to clients and RLTs.

8. The Complaints Committee, through its investigator, received information from the office of the Louisiana Attorney General, including statements from witnesses, demonstrating, among other things, that ABATS's clients and RLTs were receiving inadequate supervision, staff was being encouraged to engage clients in activity that would promote inappropriate or problematic behaviors, clients were isolated for extended periods of time and/or left in soiled clothing for extended periods of time.
9. Provoking behaviors in a child with autism could be harmful to the child in the form of self-injurious behaviors or tantrum behaviors which set the child to the point where they are unable to control themselves again.

CONCLUSIONS OF LAW

In light of the facts presented to the Board, it is clear that Kristin Nobles poses an imminent danger to the public health, safety and welfare if Ms. Nobles is allowed to continue to practice. Further, due to the nature of the complaint against Ms. Nobles emergency action was required. Therefore, the Board, by unanimous vote, finds and concludes that the action taken to summarily suspend LBA License Number 157, issued to Kristen Nobles, was warranted.

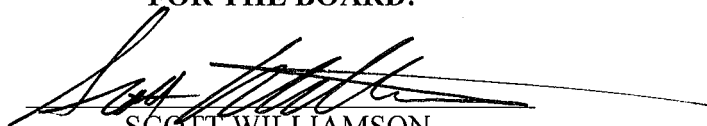
Accordingly, and for the reasons as stated in the Order of Summary Suspension dated March 1, 2019:

IT IS ORDERED that in accordance with the recommendation of the Complaints Committee, Louisiana Behavior Analyst License Number 157, issued to Kristen Nobles, is hereby **SUMMARILY SUSPENDED**, effective March 1, 2019, pending further investigation and formal proceedings for revocation of licensure or other action the Board deems fit.

IT IS FURTHER ORDERED that this Findings of Fact and Conclusions of Law for Order of Summary Suspension is a public document and shall be reported to such public or private entities as required by law. This Order is not a final agency action.

ENTERED BY the Louisiana Board of Behavior Analyst this 18th day of June, 2019.

FOR THE BOARD:



SCOTT WILLIAMSON,
BOARD CHAIR
LOUISIANA BEHAVIORAL ANALYST BOARD