

Louisiana Behavior Analyst Board

IN THE MATTER OF

COMPLAINT NUMBER: 2019-001C

KRISTEN NOBLES

LICENSE NO. 157

ORDER OF SUMMARY SUSPENSION

Pursuant to La. Rev. Stat § 3704 (9) the Louisiana Behavior Analyst Board summarily suspends LBA License number 157, issued to Kristen Nobles, pending an administrative hearing scheduled for March 11, 2019 at 1:00 p.m.

This Order of Summary Suspension is effective March 1, 2019. Upon execution of this Order, Kristen Nobles is not authorized to engage in the practice of applied behavior analysis services and must immediately cease and desist the provision of applied behavior analysis. Further, Kristen Nobles must cease and desist from referring to herself as a Licensed Behavior Analyst.

I. INITIAL FINDINGS

To protect public health, safety, and welfare, emergency action is required due to the nature of the complaint against Kristen Nobles. In this regard, it has been alleged that 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. It is further alleged, 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. It is further alleged, Kristen Nobles, was not present a majority of the time at her clinics. Through the date of this Order, Kristen Nobles provided Applied Behavior Analysis services to minor children who are considered a vulnerable section of the population.

The foregoing actions are a violation of the following statutes, Licensed Behavior Analyst Rules and the BACB Professional and Ethical Compliance Code for Behavior Analysts:

BACB – Professional and Ethical Compliance Code for Behavior Analysts:

- 1.04 (a) Behavior analysts are truthful and honest and arrange the environment to promote truthful and honest behavior in others.
- 1.04 (b) Behavior analysts do not implement contingencies that would cause others to engage in fraudulent, illegal, or unethical conduct.
- 2.04 (a) Due to the potentially harmful effects of multiple relationships, behavior analysts avoid multiple relationships.
- 2.11 (a) Behavior analysts create, maintain, disseminate, store, retain, and dispose of records and data relating to their research, practice, and other work in accordance with applicable laws, regulations, and policies; in a manner that permits compliance with the requirements of this Code; and in a manner that allows for appropriate transition of service oversight at any moment in time.
- 2.13 Behavior analysts accurately state the nature of the services provided, the fees or charges, the identity of the provider, relevant outcomes, and other required descriptive data.

- 4.03 (a) Behavior analysts must tailor behavior-change programs to the unique behaviors, environmental variables, assessment results, and goals of each client.
- 5.03 (a) Behavior analysts delegate to their supervisees only those responsibilities that such persons can reasonably be expected to perform competently, ethically, and safely.
- 5.03 (b) If the supervisee does not have the skills necessary to perform competently, ethically, and safely, behavior analysts provide conditions for the acquisition of those skills.
- 5.06 (a) Behavior analysts design feedback and reinforcement systems in a way that improves supervisee performance.

Title 46 Professional and Occupational Standards Part VIII. Behavior Analysts:

- Chapter 5 Supervision Requirements Subchapter B. Supervision Requirements for Registered Line Technicians (RLT) §509 (B), §509 (C), §509 (D), §511, and §515 A, B, C, D, and under E specifically sections 3, 5, and 6.
- Chapter 10. Ethical Standards (as specified above)


II. DECISION AND ORDER

To maintain public health, safety, and welfare, emergency action is required given the nature of the complaint filed against Kristen Nobles. See La. Rev. Stat. § 3704 (9). Accordingly, summary suspension of LBA license number 157, issued to Kristen Nobles, is ordered, effective immediately, pending proceedings for a revocation of licensure or other action as the Louisiana Behavior Analyst Board deems fit.

Proceedings before the Louisiana Behavior Analyst Board shall be promptly instituted and determined. Accordingly, an administrative hearing before the Louisiana Behavior Analyst Board is scheduled for Monday, March 11, 2019 at 1:00 p.m. at the Louisiana Behavior Analyst Board Office, 4334 S. Sherwood Forest Boulevard, Suite C-150, Baton Rouge, Louisiana. The hearing panel will consist of current Louisiana Board Members and Emergency Members appointed by the governor for this hearing. The hearing will be conducted in accordance with the Administrative Procedure Act and the Louisiana Behavior Analyst Board Act.

Kristen Nobles will be given a full opportunity to appear and be heard with or without counsel and is entitled to hear a statement of what accusations have been made against her, to present evidence, to cross-examine witnesses, and to have witnesses subpoenaed. Kristen Nobles may request that subpoenas be issued by the Louisiana Behavior Analyst Board and must request to the Louisiana Behavior Analyst Board's office at least 5 days prior to the hearing, listing the names and addresses along with a brief summary of what the individual will testify to, along with payment of \$50.00 per subpoena. The testimony will be under oath and a court reporter will record the proceedings at the hearing, and any party wishing to obtain a transcript of the hearing may do so at their expense.

Date: 3/1/2019


 Alfred Tuminello, Jr., Chair
 Complaints Committee
 Louisiana Behavior Analyst Board