

Louisiana Behavior Analyst Board
BOARD MEETING MINUTES: *September 10, 2013*
APPROVED: October 8, 2013

The meeting of the Louisiana Behavior Analyst Board (Board) was called to order by Chair Emily Bellaci at 12:35 p.m., Tuesday, September 10, 2013, at 8280 YMCA Plaza Drive, Building 8-B, Baton Rouge, LA 70810. Present were Board Members, Cassie Bradford, Jenny Longwell, Ellen Brocato, Kathy Chovanec and Marc Zimmermann, Ph.D.,MP (ex-officio nonvoting member); and, Executive Director, Kelly Parker.

Ms. Bradford moved to accept the September 10, 2013 agenda. Ms. Chovanec moved to accept the August 6, 2013 minutes. Ms. Bellaci requested that the chair of each committee provide reports to the Board for discussion.

Finance Committee: Ms. Chovanec presented the Board with August invoices. Ms. Chovanec moved to approve payment of the August invoices. The Board discussed the invoices. The motion passed unanimously. Ms. Chovanec moved to enter into a contract with Terry Mallory for website services in the amount of \$1,000 for the 2013-2014FY. The motion passed unanimously. Ms. Chovanec reported that Ms. Parker was still in discussion with potential Board prosecutors. Ms. Chovanec noted that she would continue to evaluate candidates for the Board investigator position.

The Board also reviewed the updated Provisional Memorandum of Understanding [MOU] with the LSBEP. Ms. Bellaci moved to accept the terms of the MOU and execute it on behalf of the Board. The motion passed by roll call vote: Bellaci-yay, Bradford-yay, Brocato-yay, Longwell-yay, Chovanec-yay.

Jurisprudence Examination Committee: Ms. Brocato reported that Dr. Zimmermann was taking the lead on developing the Jurisprudence exam for the Behavior Analysts and she had drafted the exam for the assistants for review. Ms. Brocato moved to require an 85% pass rate for the exam. The Board discussed the motion and it passed unanimously. Ms. Brocato moved to require a mail-out take home jurisprudence exam. The Board discussed the method of testing. The motion passed by a majority vote, no oppositions. Ms. Brocato moved to allow the executive staff to handle the administration of the exam including the scoring of the exams. The Board discussed the administration process. The motion passed unanimously, no oppositions. Ms. Bradford moved to adopt the following board policy: if an applicant fails the jurisprudence examination, they may retake it for no additional fee within one week of the scoring of the first exam and if an applicant fails the exam twice, then they must wait 30 days and pay another jurisprudence exam fee. The motion passed by roll call vote as follows: Bellaci-yay, Bradford-yay, Brocato-yay, Longwell-yay and Chovanec-yay. Ms. Bellaci moved to include an attestation on the exam that required the applicant to attest that they completed the exam independently, that they did not share or make copies of the exam. The motion passed successfully without any opposition.

Legislative Oversight Committee: The Board reviewed the emergency rules regarding application procedures and fees prepared by Ms. Parker and the Legislative Oversight Committee. Ms. Bellaci moved to adopt the emergency rules with minor corrections and make them effective October 8, 2013. The motion passed by roll call vote: Bellaci-yay, Bradford-yay, Brocato-yay, Longwell-yay and Chovanec-yay. Ms. Parker noted that a Notice of Intent to make permanent rules will also be filed. Ms. Bellaci reported that the Legislative Committee will begin drafting rules regarding

supervision requirements and complaint procedures.

Complaints Committee: Ms. Bellaci reported that the Complaints Committee was currently gathering information regarding complaint procedures for other boards and pertinent information in the Administrative Procedures Act. The Board discussed complaints and procedures. Ms. Bellaci moved to make it a Board policy not to accept anonymous complaints in order to provide the licensee with due process and conserve funds. The motion passed by roll call vote as follows: Bellaci-yay, Bradford-yay, Brocato-yay, Longwell-yay and Chovanec-yay. Ms. Chovanec moved to appoint board member as the Complaint Coordinator who is responsible for the preliminary review and investigation management in conjunction with the Executive Director and Board Investigator. The motion passed unanimously. Ms. Bellaci appointed Ms. Bradford as the Complaints Coordinator. Ms. Bellaci appointed Dr. Zimmermann as the contact regarding any board member or board complaints. Ms. Bellaci further noted that the committee may have complaint forms or materials regarding the complaint process for the Board at the next meeting.

Policies and Procedures Committee: The Board reviewed draft application forms prepared by the Policies and Procedures Committee along with Ms. Parker. The Board discussed changes to the forms. Dr. Longwell reviewed the application process flow chart. Dr. Longwell moved to require behavior analyst applicants to have a minimum of the following filed with the Board office by December 31st: application, fee, references, BACB verification form and official transcripts. The motion passed unanimously, no oppositions. The Board discussed requiring the same for assistant behavior analysts along with the supervision form. Ms. Bradford presented the draft of the supervision form. The Board discussed the form and process. Ms. Bradford agreed to continue work on the form. The Board unanimously agreed to review a final packet at the next meeting. The Board directed Ms. Parker to begin preparing files for the application process.

Discussion Items:

1. **Review of Meeting with AG's Office:** The Board discussed the meeting with AAG Bryan. Ms. Bellaci moved to create a joint task force with the LSBEP and legal counsel to discuss issues regarding dual regulation. The motion passed by roll call vote as follows: Bellaci-yay, Bradford-yay, Longwell-yay, Chovanec-yay and Brocato-yay. Ms. Bellaci designated herself and Dr. Longwell as representatives on the task force. Ms. Parker noted that she would discuss the task force with the LSBEP on Friday, September 13th. Ms. Parker commented that if the LSBEP was amenable to the task force, she would arrange a mutually agreeable date and time for the first meeting. Ms. Bellaci noted that the deadline date for this work was December 31, 2013.
2. **Notice of Act 351:** The Board discussed how to notice the public and professionals about the licensure law. Ms. Bellaci prepared a draft Public Notice for Board review. The Board discussed the draft in detail. Ms. Bellaci moved to use the draft with minor corrections for public notice. The motion passed unanimously. The Board also reviewed a list of professionals throughout Louisiana. The Board directed Ms. Parker to send out the notice via email.

- 3.. **Criminal Background Check Opinion:** The Board directed Ms. Parker to draft an opinion for review at the next meeting concerning the timing of the Criminal Background Check since the language was not changed in the law prior to finalization.
4. **Official Seal:** The Board briefly discussed an official seal for the licensing board. Ms. Bradford informed the board that a member of LABAA had created an image for review. Dr. Zimmermann noted that the LABAA member would have to sign over rights to the image created. Ms. Parker requested that the image be provided in multiple formats, but specifically printed format for review at the next meeting. Ms. Bradford agreed to coordinate with the LABAA member.
5. **Website & Facebook Page:** Ms. Parker reported that a Facebook page has been created for the board. The Facebook page contains office location, event notices and licensure information. Ms. Parker and Ms. Bradford agreed to work on the page together. The Board also reviewed information and discussed using Terry Mallory d/b/a Tidal Waves, for website creation and maintenance. Ms. Parker reviewed the work estimate with the Board. Ms. Chovenac moved to enter into a 2013-2013FY contract with Mr. Mallory for website services for the total amount of \$1,000. The motion passed by roll call vote: Bellaci-yay, Bradford-yay, Brocato-yay, Brocato-yay and Chovenac-yay.

The meeting was adjourned at 3:44 p.m.