

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

BOARD MEETING MINUTES: February 16, 2022
(Approved April 13, 2022)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Vice Chair, Angela Murray, at 9:06 a.m. on Wednesday, February 16, 2022 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Courtney Wright, Angela Murray, Renee Cole, Joseph Tuminello, III, Daniela Riofrio, Alfred Tuminello, Jr. and Executive Director Rhonda Boe. Calvin Cryer arrived at 9:44 a.m.

A motion was made by Ms. Wright to approve the agenda for the February 16, 2022 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Murray moved to enter Executive Session at 9:08 a.m. for personnel discussion, credential file reviews and other matters.

Credential file reviews stopped at 10:00 a.m. for an interview.

An applicant for the position of Assistant Director was interviewed in person by the board.

Credential file reviews resumed at 10:35 a.m.

Mr. Cryer closed Executive Session at 1:15 p.m.

Mr. Cryer began the Open Meeting at 1:30 p.m.

Ms. Murray made a motion to approve the November minutes with the correction of the one discrepancy noted. Dr. Tuminello was not present at the November meeting. None opposed and the motion passed.

Ms. Riofrio made a motion to approve the December minutes. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicants 2.22/A, 2.22/B, 2.22/C, 2.22/E, 2.22/F, 2.22/G, 2.22/H, 2.22/J, 2.22/K and 2.22/M were reviewed and approved for licensure. Applicant 2.22/M was a dual applicant and was reviewed and approved for certification as a SCaBA also.

Licensure Applicants 2.22/D and 2.22/L were reviewed and approved for licensure upon receipt of the final documents by mail.

Certificant Applicants 2.22/N, 2.22/O, 2.22/P and 2.22/Q were reviewed and approved for certification.

The status of other applicants reviewed are contained in the attached report.

Complaints Committee:

Ms. Boe presented the following report on behalf of Complaints Coordinator, Ellen Brocato:

Complaint 2021-009C – Investigation revealed no ethical violations and committee recommends closing this complaint. Ms. Riofrio made a motion to close Complaint 2021-009C. None opposed and the motion passed.

Complaint 2021-011C – Investigation revealed no ethical violations and committee recommends closing this complaint. Ms. Murray made a motion to close Complaint 2021-011C, but reserve the right to reopen should any new evidence be presented. None opposed and the motion passed.

Complaint 2021-013C – Investigation revealed no ethical violations and committee recommends closing this complaint. Ms. Cole made a motion to close Complaint 2021-013C, but reserve the right to reopen should any new evidence be presented. None opposed and the motion passed.

Complaint 2021-003C – Investigation revealed no ethical violations and committee recommends closing this complaint. Ms. Wright made a motion to close Complaint 2021-003C, but reserve the right to reopen should any new evidence be presented. None opposed and the motion passed.

Complaint 2021-004C – Investigation revealed no ethical violations and committee recommends closing this complaint. Ms. Wright made a motion to close Complaint 2021-004C, but reserve the right to reopen should any new evidence be presented. None opposed and the motion passed.

Complaint 2021-010B – Investigation revealed no ethical violations and committee recommends closing this complaint. Mr. Cryer made a motion to close Complaint 2021-010B. None opposed and the motion passed.

Complaint 2021-12C – Documents and complaint reviewed. Complaint's coordinator found no ethical violations to notice licensee. This complaint is closed with no action.

Complaint 2021-01C – Board Counsel was notified to offer Bertucci meeting.

Complaint 2020-005B – Consent Agreement offered and being considered

Notice letters will be prepared this week on Complaint Numbers 2020-001B, 2020-002B, 2020-003B and 2020-004B.

Finance Committee:

Mr. Tuminello made a motion to approve the LSBEP invoice for January if no apparent discrepancies noted. None opposed and the motion passed.

Financials for December were reviewed and discussed. Ms. Wright made a motion to approve the reconciliations for December. None opposed and the motion passed. The board reviewed the Balance Sheet, General Ledger, Monthly Profit and Loss and Profit & Loss Budget vs. Actual for December. Ms. Murray made a motion to approve the full financials for December with the discrepancies of coding on a few items noted and sent to CPA for correction. None opposed and the motion passed. As previously noted, the board discussed the Profit/Loss and it was determined an Amended Budget would have to be submitted due to the unforeseen circumstances.

Jurisprudence Committee:

The board discussed the implementation of the Jurisprudence Exam online being one of the duties assigned to the Assistant Director. After discussion, it was decided it would be Ms. Boe who would

see this project through with the design and finalization of the online exam and then be implemented by the Assistant Director.

Legislative Oversight Committee:

The board reviewed bills pre-filed to date that would have impact on the profession and/or boards. Ms. Boe will keep the board updated at each meeting throughout the session.

The board will begin reviewing promulgation and/or re-promulgation of rules once a new hire is on board to assist Ms. Boe.

Policies and Procedures Committee:

Job Descriptions for Executive Director and Assistant Director were prepared and provided to the board for review. A policy for new hire (s) will be discussed at a later time.

Continuing Education Committee:

Ms. Murray volunteered to review the CEU reporting form and update for the board to review at next month's meeting.

Supervision Oversight Committee:

Ms. Boe advised the board there have been many incompletions lately on applications and discontinuations. Examples: Not completing the number of clients/line technicians/SCaBAs, no supervisor signature and not contacting RLTs to sign discontinuations. Applications without that information as well as no photo or stamped sheet from LSP are considered incomplete and not processed until the information is provided. Discontinuations submitted where the RLT signature should be that state "Not Present to Sign", "terminated" or just blank are incomplete. All LBAs were emailed that several attempts should be made to contact the RLT to sign and noted in their files. If no response "Unable to Contact" can be put in the blank. If contact was made and RLT does not sign "Refused to Sign" can be put in the blank. Ms. Boe had a question from a LBA asking if a blank Discontinuation could be signed by the RLT at time of hire to hold in the file if needed. The board discussed and decided this would not be an acceptable practice. As discussed at the last meeting, a training session either in person or virtual for newly licensed behavior analysts or current behavior analysts every quarter would be beneficial. Implementation of this training session will be explored.

Long Range Planning:

The board will work on updating policies and procedures.

Discussion Items:

Ms. Boe advised the board 2 seats will be ending later in 2022. Mr. Cryer made a motion to prepare and send to all active LBAs a Call for Nomination letter. None opposed and the motion passed.

A question regarding if CEU reporting for teaching of behavior analytic courses with an attestation from the department chair to document the hours taught will be accepted. The board advised Ms. Boe to notify the LBA that this would be accepted.

A question received in January as to the acceptance of credentialing by QABA for licensure which was answered stating after a careful review of the law, the organization must be a non-profit. The individual was notified and responded he/she did not agree and that response was reviewed. A legal opinion was sought by Ms. Boe prior to this meeting and the board is following the law and cannot accept unless proof is provided QABA is a non-profit. It should be noted the board chair reached out to QABA for an answer during the January board meeting and to-date has not received a reply.

The board reviewed a letter from a LBA regarding discontinuation/termination of a RLT and the reason the board may want to require review of the RLT should the individual reapply for another clinic. The board reviewed the letter and agreed to flag the file for review should another application be received.

Ms. Boe shared information with the board received from Behavior Analyst Regulatory Authority Information Exchange on various topics but no discussions were required.

The board was reminded to complete their Tier 2.1 Reporting for the year 2021.

Two board members will be panelists at the upcoming APBA Convention in New Orleans. A question was raised as to the board paying for registration and hotel accommodations for board members. Ms. Boe would research if this is an ethical violation due to the fact that CE hours are earned. However, it should be noted there are two registrations, one if you are not earning CE hours and an additional fee if you are. The board members may be required to pay the additional fee. Ms. Boe will update when she has more information.

The board discussed the candidate who interviewed for the Assistant Director position. The candidate cannot start until mid-April. Ms. Murray made a motion to tender an offer for the position to the candidate with a start date in mid-April.

The board scheduled the following meeting date:
May 17, 2022
(April meeting was previously scheduled for April 13, 2022.)

Mr. Cryer adjourned the meeting at 2:46 p.m.

CREDENTIAL FILE REVIEWS

After review of the reports, explanations and documents, the following occurred:

- 2.22/1 Ms. Cole made a motion to approve. None opposed.
- 2.22/2 Ms. Cole made a motion to approve. None opposed.
- 2.22/3 Mr. Cole advised the board this review required additional documentation.
- 2.22/4 Ms. Riofrio made a motion to approve upon receipt of dismissal documents. None opposed.
- 2.22/5 Ms. Riofrio advised the board this review required additional documentation.
- 2.22/6 Ms. Riofrio advised the board this review required additional documentation.
- 2.22/7 Mr. Cryer made a motion to approve. None opposed.
- 2.22/8 Mr. Cryer made a motion to approve. None opposed.
- 2.22/9 Mr. Cryer made a motion to continue registration uninterrupted but require monthly updates to the board. None opposed.
- 2.22/10 Mr. Tuminello made a motion to approve. None opposed.

2.22/11 Mr. Tuminello made a motion to approve when results are received if exact match to information and documents provided. None opposed.

2.22/12 Mr. Tuminello made a motion to approve. None opposed.

2.22/13 Dr. Tuminello made a motion to approve. None opposed.

2.22/14 Dr. Tuminello made a motion to approve when results are received if exact match to information and documents provided. None opposed.

2.22/15 Dr. Tuminello made a motion to approve. None opposed. Mr. Tuminello abstained.

2.22/16 Ms. Murray made a motion to approve after requesting and receiving a new photo. None opposed.

2.22/17 Ms. Murray made a motion to revoke line technician registration based on new information received by the board. None opposed.

2.22/18 Ms. Wright advised the board this review required additional information.

2.22/19 Ms. Wright made a motion to approve when results are received if exact match to information and documents provided. None opposed.

2.22/20 Ms. Wright made a motion to approve when results are received if exact match to information and documents provided. None opposed.

The following applicants required a 2nd review.

11.21/18 Board Chair was not at meeting when applicant was denied and asked to revisit decision for clarification before sending the denial letter. Clarification received by Board Chair and denial letter will be mailed.

2.22/3 Ms. Wright advised this applicant was not responding to requests to provide additional information and suggested the board close this file if documents not received by next meeting.

The following applicants **who have not provided required updates** and were either discontinued or not renewed.

12.21/8 Ms. Murray advised the board applicant was discontinued and made a motion to flag file for review if new application received. None opposed.

7.21/10 Mr. Tuminello advised the board applicant was discontinued and made a motion to flag file for review if new application received. None opposed.

12.21/13 Ms. Rifrio advised the board applicant was not renewed and made a motion to flag file for review if new application received. None opposed.

7.17/10 Mr. Cryer advised the board applicant was not renewed and made a motion to flag file for review if new application received. None opposed.

The following applicants are to provide monthly updates for review.

8.19/8 Updated provided.

6.21/8 Update provided.

10.21/7 Update provided.

2/20/6 No update provided. Send request for update

9.21/7 No update received. Send request for update

9.21/10 No update received. Send request for update

11.21/10 No updated received. Send request for update

1.22/1 First month required to send update. None received. Send request for update

11.21/6 Update provided.