

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

BOARD MEETING MINUTES: February 17, 2021
(Approved March 17, 2021)

CERTIFICATION

In accordance with Proclamation No. 7 JBE 2021 – 30, Section 4, the Louisiana Behavior Analyst Board hereby certifies it would have been unable to operate due to quorum requirements and therefore held this board meeting via Zoom. The public was invited to access the first few minutes of the meeting before the board moved to Executive Session. The agenda and certification was posted in accordance with law and distributed to every known news media outlet that broadcasts or publishes news within Louisiana.

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Vice Chair, Calvin Cryer, at 9:00 a.m. on Wednesday, February 17, 2021 via Zoom. Participating were Board Members: Calvin Cryer, Lloyd Boudloche, Jr., Alfred Tuminello, Jr., Angela Murray, Joseph Tuminello, III, Compliance Office Justin Owens and Executive Director Rhonda Boe. Board Member Renee Cole entered the meeting at 9:26 a.m. Mr. Cryer proclaimed the necessity of this meeting being held by electronic means due to Covid concerns.

A motion was made by Dr. Boudloche to approve the agenda for the February 17, 2021 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Mr. Cryer moved to enter Executive Session at 9:02 a.m. for credential file reviews and other matters.

Mr. Cryer closed executive session at 11:37 a.m.

A public Zoom code was posted and available to the public on the board website on February 16, 2021 and open meeting began at 12:18 p.m. with Mr. Cryer calling the meeting to order and members identifying themselves. Two applicants under review joined the meeting to hear the board's decision and Ms. Boe informed them numbers not names are used and then advised both they were approved.

Ms. Boe advised board minutes were not complete and would be available at the next meeting.

The following was reported regarding the credential file reviews:

Licensure Applicants 2.21/A, 2.21/B, 2.21/D, 2.21/G, 2.21/H, 2.21/I, 2.21/J, 2.21/O and 2.21/R were reviewed and approved for licensure.

Licensure Applicants 2.21/C, 2.21/E, 2.21/F, 2.21/P and 2.21/Q were reviewed and approved for licensure upon receipt of the last required original documents. Mr. A. Tuminello abstained on 2.21/E. Mr. Cryer abstained on 2.21/Q.

Certificant Applicants 2.21/L and 2.21/M were reviewed and approved for certification. Mr. A. Tuminello abstained on 2.21/M.

Certificant Applicants 2.21/K and 2.21/N were reviewed and approved for certification upon receipt of the last required original documents.

A consent agreement reached on a disciplinary action was reviewed and discussed by the board. Mr. Cryer requested a call to question vote. The results were as follows: Ms. Murray-yay, Mr. Tuminello-yay, Dr. Tuminello-yay, Ms. Cole-yay, Mr. Cryer-yay and Dr. Boudloche abstained. The Consent Agreement was accepted by the board.

Findings of Fact and Conclusions of Law prepared by board counsel, Alicia Wheeler, were reviewed by the board from a summary suspension hearing held July 6-7, 2020. Mr. Cryer requested a call to question vote. The results were as follows: Ms. Murray-yay, Mr. Tuminello-yay, Dr. Tuminello-yay, Ms. Cole-yay, Mr. Cryer-yay and Dr. Boudloche-yay. The Findings of Fact and Conclusions of Law were accepted by the board. Ms. Boe will check with Ms. Wheeler as to whether or not the signature line needs to be revised as board chair Courtney Wright was absent from this meeting and the vote was conducted by vice-chair Calvin Cryer.

The complaints committee prepared a letter of education on a complaint file to present to the board for approval. After discussion, Mr. Cryer requested a call to question vote. The results were as follows: Ms. Murray-yay, Mr. Tuminello-yay, Dr. Tuminello-yay, Ms. Cole-yay, Mr. Cryer-yay and Dr. Boudloche-yay. The letter of education was accepted, will be mailed and the file closed.

The failure of a licensee to self-report to the board was discussed. The board asked Mr. Owens to issue a notice letter to the individual about violating the self-reporting requirement and allow 14 days for a response. The board will be updated on this matter at the next meeting.

The status of other applicants reviewed are contained in the attached report by Compliance Officer Justin Owens.

Complaints Committee:

Ms. Boe asked that the complaints report be tabled to next meeting. Mr. A. Tuminello made a motion to table review of complaints until March meeting. None opposed and the motion passed.

Finance Committee:

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

The Reconciliations for November and December were reviewed and discussed. Dr. Boudloche made a motion to approve the Checking and Savings Reconciliations for November. None opposed and the motion passed. Mr. Cryer made a motion to approve the Checking and Savings 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 November and December. Mr. Cryer made a motion to approve the full financials for November with no apparent discrepancies note. None opposed and the motion passed. Dr. Boudloche made a motion to approve the full financials for December with no apparent discrepancies. None opposed and the motion passed.

Joe Delaune, Chief Architect of the Office of the State Fire Marshal joined the meeting at 12:31 p.m. Mr. Delaune summarized a draft of Interpretive Memorandum 2021-01 in reference to Life Safety Requirements for Buildings Occupied for Providing Behavioral Analysis Services. Mr. Delaune stated once the Fire Marshal's Office was aware of a problem with these type of

facilities not being correctly classified their office was obligated to pursue a solution. Classification of buildings outlines specific provisions that are required to provide the minimum level of life safety needed for the intended occupants of the building. Mr. Delaune reached out to the board for input and questions regarding the memorandum. Discussion was held regarding the term day care being used and assured day care was a title for building occupancy but in no way reflected the practice of behavior analysis. The plan addresses whether or not an individual occupying the building has cognizant skills to self-preserve and/or exit building on own without assistance from staff. The memorandum provides the minimum necessary safety measures. The plan has a time line and also addresses that each building and facility is unique and further consideration may be given for specific requirements on a case-by-case basis. Mr. Delaune invited the board to share the document with interested parties and let them know he would be available to discuss any concerns and/or questions.

The board was asked to distribute the memorandum when finalized as information only as the Fire Marshal's Office understands the board does not have authority over facilities. The board agreed to distribute when completed as information only.

Mr. Delaune left the meeting at approximately 1:00 p.m.

Jurisprudence Committee:

The board discussed how long a license can be lapsed before there is a need to require the Jurisprudence Exam be completed again to update the lapsed individual on any changes. This also brought up the possible need to require a new criminal background check. Ms. Boe will research to see if rules require re-promulgating to implement these changes.

Legislative Committee:

The board discussed a request from the Executive Director of QABA Credentialing Board to amend LBAB licensing laws to be included alongside the Behavior Analyst Certification Board. The board reviewed some of the information and agreed to do more research. This topic will be discussed further at a future in-person board meeting.

A request from an individual was also received inquiring about acceptance of credentialing from Behavior Intervention Certification Council (BICC). This topic will also be discussed further at a future in-person board meeting.

Mr. Tuminello made a motion to table the remainder of the agenda until next month so Ms. Boe could leave to travel for a family funeral. None opposed and the motion passed.

Mr. Cryer adjourned the meeting at 1:51 p.m.

**Louisiana Behavior Analyst Board
Credential Review Minutes
February 17, 2021
(Executive Session)**

Board Compliance Officer Justin Owens presented the following Line Technician applicants and registrants to the Board for initial or secondary consideration:

2.21/12 – The Board moved unanimously to **approve** registration if CBC matches.

2.21/15 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

2.21/3 – The Board unanimously moved to **approve** registration.

2.21/7 – The Board unanimously moved to **approve** registration.

2.21/4 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

1.21/6 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

2.21/17 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

2.21/6 – The Board moved unanimously to **approve** registration.

2.21/5 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

2.21/9 – The Board moved unanimously to **approve** registration.

2.21/13 – The Board moved unanimously to **continue** registration uninterrupted.

2.21/1 – The Board moved unanimously to **approve** registration. Mr. Tuminello abstained.

2.21/2 – The Board moved unanimously to **postpone** registration pending receipt of additional information from applicant.

2.21/11 – The Board moved unanimously to **approve** registration.

1.21/17 – The Board moved unanimously to **approve** registration with monthly updates.

2.21/14 – The Board moved unanimously to **approve** registration with monthly updates. Mr. Tuminello abstained.

2.21/10 – Applicant has no arrest history. Registration **approved** administratively.

2.21/8 – The Board moved unanimously to **approve** registration.

Board Compliance Officer Justin Owens presented the following Line Technicians, SCABAs and LBAs to the Board for ongoing monthly updates:

1.20/5 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

6.7/B – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

6.19/15 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

1.19/4 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

8.19/8 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

2.20/6 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

6.20/1 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

7.20/3 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

Board Compliance Officer Justin Owens presented the following Line Technician registrants to the Board for ongoing quarterly updates:

6.19/10 – The Board unanimously moved to **continue** registration uninterrupted and end the requirement for quarterly updates due to applicant providing documentation that legal matter has been successfully resolved.