

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

BOARD MEETING MINUTES: APRIL 21, 2020
(Approved 5/26/20)

CERTIFICATION

In accordance with Proclamation JBE2020 – 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 meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Lloyd Boudloche, Jr. Ed.D. 9:07 a.m. on Tuesday, April 21, 2020 via Zoom. Participating were Board Members: Courtney Wright, Renee Cole, Calvin Cryer, Alfred Tuminello, Jr., Executive Director Rhonda Boe and Compliance Officer, Justin Owens. Scott Williamson did not participate until 9:56 as noted below. Lloyd Boudloche, Jr., Ed.D. joined the meeting at 9:49 a.m.

A motion was made by Ms. Tuminello to approve the agenda for the April 21, 2020 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Wright moved to enter Executive Session at 9:09 a.m. for credential file reviews.

Dr. Boudloche closed executive session at 9:59 a.m.

A public Zoom code was posted and available to the public on the board website on April 20, 2020.

Ms. Cole made a motion to approve the minutes from the February meeting. None opposed.

Mr. Tuminello made a motion to approve the minutes from the March meeting. None opposed.

The following was voted on regarding the credential file reviews:

Licensure Applicant 4.20/A was approved upon receipt of a passing Jurisprudence Exam and CBC results.

Licensure Applicant 4.20/B was approved for licensure.

Licensure Applicant 4.20/C was approved for a temporary license for 60 days. Applicant will still need to complete the necessary requirements for full licensure with reminder to send the notarization when able to obtain.

Licensure Applicant 4.20/D was reviewed. One board member was appointed to review reference letters when all are received. Applicant will be licensed once reference letters are approved in addition to receipt of a passing Jurisprudence Exam with a reminder to send notarization when able to obtain.

State Certified Assistant Behavior Analyst Applicant 4.20/E was approved for certification upon receipt of a passing Jurisprudence Exam.

State Certified Assistant Behavior Analyst Applicant 4.20/F was approved for certification upon receipt of a passing Jurisprudence Exam.

The board had two other applicants for Temporary Licensure during the COVID-19 Emergency. These applications will be approved upon receipt of verification from their state licensing boards.

The status of other applicants reviewed are contained in the attached report by compliance officer, Justin Owens.

Complaints Committee:

Ms. Boe presented the following report for Ellen Brocato, complaints coordinator:

- 1) Consent Agreement notarized and returned. Board reviewed and Dr. Boudloche called for question. Mr. Tuminello – yay, Mr. Cryer – yay, Ms. Wright – yay, Ms. Cole – yay and Dr. Boudloche - yay. The Consent Agreement was accepted unanimously. The Consent Agreement will be posted on the board website with a statement that board members will sign at the next in-person meeting.
- 2) An informal meeting is being rescheduled due to shelter at home.
- 3) An informal meeting is being rescheduled due to shelter at home.
- 4) An informal meeting is being scheduled.
- 5) A Consent Agreement is being prepared to offer to the respondent.
- 6) Investigation still ongoing. Further evidence is being gathered.
- 7) Responses to notice letters are being reviewed.
- 8) Notice letters have been sent to respondents.
- 9) Voluntary Surrender was signed and notarized by respondent. Board reviewed and Dr. Boudloche called for question. Mr. Tuminello – recused, Mr. Cryer – yay, Ms. Wright – yay, Ms. Cole – yay and Dr. Boudloche - recused. Mr. Williamson participated in the meeting for the vote and his vote was yay. The Consent Agreement was approved with 4 of 6 members able to vote. The Consent Agreement will be posted on the board website with a statement that board members will sign at the next in-person meeting. Mr. Williamson left the meeting.

Justin Owens left the meeting at 10:20 a.m.

Finance Committee:

Mr. Tuminello made a motion to pay the LSBEP April invoice if no discrepancies are noted. None opposed. The Reconciliations for February were reviewed and a motion was made by Ms. Wright to approve. None opposed. Ms. Wright also made a motion to approve the full financials for March with no apparent discrepancies noted. None opposed. Ms. Cole made a motion to approve the reconciliations for March. None opposed. Ms. Cole also made a motion to postpone approving the full financials for March which were just received until all could review. None opposed.

The board's student worker was approved for unemployment insurance benefits.

Ms. Boe informed the board amendments for the FY19/20 will consist of some coding changes. She also informed the board the \$10,000.00 earmarked for acquisitions will be deleted and items to be purchased will be delayed until FY 20/21 due to the closures. After discussion, it was agreed most budgets will be off due to the closures and disruption of daily operations. Ms.

Wright moved to allow Ms. Boe to make the minor budget changes discussed above. None opposed.

Jurisprudence Committee:

No new business.

Legislative Committee:

The final rule was published April 20, 2020 for supervision requirements and posted on the board's website. The emergency need to allow telehealth supervision as outlined in the rule is no longer required; however, the emergency temporary changes such as if audio only is available are still in effect until the shelter at home is lifted.

Senator Foil sponsored SB 515 which will set board term limits at four (4) years. Due to the legislative session being suspended, a request was made from Senator Foil asking if this bill could be postponed to next year. The board attorney will respond that the board requests this non-controversial bill be presented this year as it is delaying board appointments. The board will also have an election this fall for 2 seats that will be opened next year. Ms. Boe will advise the board of any reply from Senator Foil.

Policies and Procedures Committee:

Updated policies and procedures for complaints were reviewed and discussed by the board. Board attorney will also review. The board had no changes and noted although our law currently states registered line technicians are not entitled to due process it was also added to the policies and procedures. Registered line technicians do not have property rights over their registration.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

No new business.

New Business:

No new business.

Discussion Items:

Discussions were held concerning the public health emergency and how it affects the practice. The board has already put Emergency Plans in place and will continue to do so as the need arises.

After discussion, the board statement to contact the board office in cases of financial hardship for any fees will remain posted and be reviewed on a case by case basis. At this time, the need is not known as the state continues to shelter at home.

Discussion was held regarding temporary licenses issued and the time period for those licenses. Providers from out-of-state would not be expected to immediately abandon a client they are working with because the shelter at home is lifted. A transition plan should be created. Ms. Cole noted another board is issuing licenses for sixty (60) days, with the option to renew for another sixty (60) days should shelter at home be extended. Ms. Cole made a motion to temporary license for sixty (60) days and review the need for another sixty (60) days if required. None opposed.

The board will continue sending updates from the LDH and the Governor's Office to providers through email and posting on website. Insurance questions need to be directed to the companies directly.

Executive Director Report:

Ms. Boe reminded the board to file their Tier 2.1 reports. Mr. Tuminello asked Ms. Boe to inquire if the deadline has been extended. Ms. Boe will research and notify board members by email.

The May meeting will be held on Monday, May 18, 2020 via Zoom unless the shelter at home is lifted and board meetings in person are allowed.

Dr. Boudloche adjourned the meeting at 11:39 a.m.