

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

BOARD MEETING MINUTES: May 17 2023
(Draft June 6, 2023)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Angela Murray at 9:11 a.m. on Wednesday, May 17, 2023 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Angela Murray, Renee Cole, Alfred Tuminello, Jr., Daniela Riofrio, Joseph Tuminello, III and Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Board Member Rebecca Mandal-Blasio arrived at 9.25 a.m. Board Member Courtney Wright was absent.

A motion was made by Ms. Cole to approve the agenda for the May 17, 2023 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Murray moved to enter Executive Session at 9:10 a.m. for credential file reviews, complaints, lapsed renewals submitted and review CE Reporting forms.

Ms. Babin left the meeting at 11:15.

Ms. Murray closed Executive Session at 12:13 p.m.

Ms. Murray began the Open Meeting at 12:13 p.m.

Mr. Tuminello made a motion to approve the April minutes. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicant 5.23/A, 5.23/B, 5.23/C, 5.23/D, 5.23/G and 5.23/H were reviewed and approved for licensure.

Licensure Applicant 5.23/E, 5.23/F and 5.23/I were reviewed and approved for licensure upon receipt of final required documents by mail.

Certificant Applicant 5.23/J was reviewed and approved for certification.

The board reviewed and voted on the following items:

- A RLT revocation for failure to respond to board requests for new fingerprint cards after the initial cards were rejected by LSP was reviewed as the fingerprint

cards were now provided as requested. Ms. Cole made a motion to reverse the revocation. None opposed and the motion passed.

- Ms. Boe reported a previous late renewal policy was implemented and is now completed and closed.
- Although not required, a revocation for falsifying the answer to question 1 was reviewed at the request of the revoked line technician and the board stated the board stands by all revocations for falsifying the application unless the individual can prove the report is wrong and the individual was never arrested. Ms. Cole made a motion for the revocation to stand. None opposed and the motion passed.
- The board reviewed a Rap back received with no self-report as of the meeting date. The board instructed Ms. Boe to reach out and inquire if a self-report was made to BACB.
- The board reviewed the notice of the Motion for Summary Judgment scheduled for October 12, 2023 in the Jatala vs. LBAB case.

The status of other applicants reviewed at the May meeting are listed below in the Credential File Reviews.

Complaints Committee:

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

2022-009C	Respondent reviewing proposed Consent Agreement Revisions
2023-010B	Answer to notice received/Under Review
2023-011B	Consent Agreement being presented for board review
2023-012B	Consent Agreement being presented for board review
2023-013C	Consent Agreement being presented for board review
2023-015B	Consent Agreement being presented for board review
2023-016C	Informal meeting being scheduled
2023-017C	Draft notice letter prepared/being reviewed
2023-018B	Consent Agreement being presented for board review
2023-019C	Potential violations for notice letter being drafted
2023-020C	Informal meeting being scheduled
2023-021C	Notice letter mailed and hand-delivered

2023-011B Consent Agreement reached

After reviewing the Consent Agreement, Ms. Murray made a motion to approve said Consent Agreement and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; and Murray – yay. The vote passed and the Consent Agreement was approved.

2023-012B Consent Agreement reached

After reviewing the Consent Agreement, Ms. Murray made a motion to approve said Consent Agreement and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; and Murray – yay. The vote passed and the Consent Agreement was approved.

2023-013B Consent Agreement reached

After reviewing the Consent Agreement, Ms. Murray made a motion to approve said Consent Agreement and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; and Murray – yay. The vote passed and the Consent Agreement was approved.

2023-015B Consent Agreement reached

After reviewing the Consent Agreement, Ms. Murray made a motion to approve said Consent Agreement and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; and Murray – yay. The vote passed and the Consent Agreement was approved.

2023-018B Consent Agreement reached

After reviewing the Consent Agreement, Ms. Murray made a motion to approve said Consent Agreement and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; and Murray – yay. The vote passed and the Consent Agreement was approved.

Finance Committee:

Dr. Mandal-Blasio made a motion to approve the LSBEP invoice for April if no apparent discrepancies noted. None opposed and the motion passed.

Financials for March were reviewed and discussed. Dr. Mandal-Blasio made a motion to approve the checking reconciliation and Ms. Riofrio made a motion to approve the savings reconciliation. None opposed and the motions passed. The board reviewed the Balance Sheet, General Ledger, Monthly Profit and Loss and Profit & Loss Budget vs. Actual for March. Ms. Cole questioned why the money that was moved to ICS did not appear. Ms. Boe advised the actual date of the money transfers were not completed until May 2nd and will not appear until the May financials are reviewed. Ms. Murray noted the amended budget numbers were not reflected on the Profit and Loss statements. Ms. Boe stated the amended budget for FY 2022/23 was approved in March and will be updated in the April financials. Dr. Tuminello made a motion to approve the full financials for March. None opposed and the motion passed.

Ms. Boe presented the invoice for the recent website redesign and updates. The board had approved 15 hours and the invoice received was for 18.25 hours. Mr. Tuminello made a motion to approve the invoice. None opposed and the motion passed.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

The board reviewed the bills currently being watched. Ms. Boe will update at the next meeting any bills that passed that would directly affect the board and/or the practice as session ends June 8, 2023.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

The board is scheduling supervision audits and will further discuss reviewers of the audits at the next meeting.

Long Range Planning:

No new business.

Discussion Items:

Ms. Boe informed the board that the staff receives questions which relates to whether LBAs providing direct services as RLTs, while waiting to be credentialed, also need to be registered. After discussion, the board approved the following reply to these questions:

- 1) LBAB Rules and Regulations qualifies a licensed behavior analyst to provide direct services.
- 2) Should an individual choose to register as an RLT while simultaneously being licensed, this practice is not prohibited in the LBAB rules.
- 3) Questions regarding credentialing/billing should be directed to funding sources.

The board scheduled the following board meetings:

July 19, 2023

August 16, 2023

Executive Director's Report:

Ms. Boe reported the following statistics for the month of April:

280 Line Technicians Registered

9 Behavior Analysts Licensed

7 State Certified Assistant Behavior Analysts Certified

Ms. Murray adjourned the meeting at 1:54 p.m.

CREDENTIAL FILE REVIEWS:

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

- | | |
|--------|--|
| 5.23/1 | Dr. Tuminello made a motion to approve. None opposed. |
| 5.23/2 | Ms. Cole made a motion to approve. None opposed. Dr. Mandal Blasio abstained. |
| 5.23/3 | Ms. Cole made a motion to request additional information, and table the file until the next meeting. None opposed. |

- 5.23/4 Ms. Cole made a motion to approve if results match exactly when results received. None opposed. Dr. Mandal Blasio abstained.
- 5.23/5 Ms. Murray made a motion to request additional information, and if matches exactly approve. None opposed.
- 5.23/6 Ms. Murray made a motion to approve if results match exactly when results received. None opposed.
- 5.23/7 Ms. Murray made a motion to request additional information, and if matches exactly approve. None opposed.
- 5.23/8 Mr. Tuminello made a motion to approve. None opposed.
- 5.23/9 Mr. Tuminello made a motion to approve. None opposed.
- 5.23/10 Mr. Tuminello made a motion to approve if results match exactly when results received. None opposed.
- 5.23/11 Mr. Tuminello made a motion to approve. None opposed.
- 5.23/12 Ms. Riofrio made a motion to approve. None opposed.
- 5.23/13 Dr. Tuminello made a motion to request additional information, and if matches exactly approve. None opposed. Mr. Tuminello abstained.
- 5.23/14 Ms. Riofrio made a motion to approve. None opposed.
- 5.23/15 Ms. Riofrio made a motion to approve. None opposed.
- 5.23/16 Dr. Mandal Blasio made a motion to request additional information, and if matches exactly approve. None opposed.
- 5.23/17 Ms. Cole made a motion to approve if results match exactly when results received. None opposed. Dr. Mandal Blasio abstained.

The following applicants required a 2nd Review:

- 4.23/28 Dr. Mandal Blasio made a motion to approve if results match exactly when results received. None opposed.

The following applications are to provide monthly updates for review.

- 8.19/8 Mr. Tuminello made a motion to discontinue requiring updates as final disposition has been received. None opposed

10.21/7 No update received. Ms. Cole made a motion if no update is received in 10 days, license will be revoked. None opposed.

9.22/35 Update received.

4.22/8 Update received.

5.22/21 Update received.

6.22/10 Update received.

10.22/2 Update received. Mr. Tuminello abstained.

10.22/7 No update received. Ms. Cole made a motion if no update is received in 10 days, registration will be revoked. None opposed. Mr. Tuminello abstained.

11.22/23 Update received.

11.22/25 Update received.

2.23/1 Update received.

2.23/5 Update received.

3.23/8 Update received.

4.23/3 Update received.

4.23/4 Update received.