

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

BOARD MEETING MINUTES: August 16, 2023
(Approved September 20, 2023)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order once a quorum was met by Board Chair, Angela Murray at 9:06 a.m. on Wednesday, August 16, 2023 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Angela Murray, Rebecca Mandal-Blasio, Alfred Tuminello, Jr., Renee Cole, Daniela Riofrio, Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Board Members Joseph Tuminello, III and Courtney Wright were absent.

A motion was made by Ms. Cole to approve the agenda for the August 16, 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 9:07 a.m. for credential file reviews, complaints, lapsed renewals submitted and any other items to be reviewed in executive session.

Ms. Murray closed Executive Session at 12:18 p.m.

Ms. Babin left the meeting at 12:20 p.m.

Ms. Murray began the Open Meeting at 12:30 p.m.

Ms. Murray made a motion to approve the August minutes with one correction. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicant 8.23/A, 8.23/B, 8.23/C, 8.23/D, 8.23/K, 8.23/L, 8.23/M, 8.23/N, and 8.23/O were reviewed and approved for licensure.

Licensure Applicant 8.23/E, 8.23/F, 8.23/G, 8.23/H, 8.23/I, and 8.23/J were reviewed and approved for licensure upon receipt of final required documents by mail.

Certificant Applicants 8.23/R, 8.23/S and 8.23/T were reviewed and approved for certification.

Certificant Applicant 8.23/Q and 8.23/U were reviewed and approved for certification upon receipt of final required documents by mail.

The board reviewed and voted on the following items:

The board reviewed two lapsed license renewal requests and all supporting documents submitted. Ms. Murray made a motion to approve the renewals. None opposed and the motion passed.

A clinic's internal investigation was completed in reference to a RLT being investigated by DCFS. The LBA was inquiring if the RLT could return to work as their investigation found no wrongdoing.

Mr. Tuminello made a motion that the RLT not be allowed to return to work until the investigation by DCFS is completed and their report is reviewed by the board. None opposed and the motion passed.

The board was informed of a question received from a LBA regarding a new clinic telling her if you have a RBT certification RLT registration is not required in Louisiana. Mr. Tuminello made a motion to send a letter to the clinic, after checking with our attorney, stating RLTs working in Louisiana must be registered under a Louisiana licensed behavior analyst in order to provide services. None opposed and the motion passed.

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

Complaints Committee:

The board was informed the LBA who was not responding to emails/phone calls was mailed a certified/return receipt letter as requested at the July meeting. No green card indicating receipt of the letter was received and still no contact from the LBA regarding the information requested. Ms. Cole made a motion to check with the board attorney as to whether or not the board can suspend the LBA for failure to respond with board request. None opposed and the motion passed.

The board received a recommendation from the Complaints Committee to send a letter of education in reference to Complaint No. 2023-024CA. The letter of education was read without names. After discussion, Ms. Murray held a call to question which resulted as follows: Mr. Tuminello – yay, Ms. Cole – yay, Dr. Mandal-Blasio – yay, Ms. Riofrio – yay and Ms. Murray – yay.

The board received a recommendation from the Complaints Committee to send a letter of education in reference to Complaint No. 2023-024CB. The letter of education was read without names. After discussion, Ms. Murray held a call to question which resulted as follows: Mr. Tuminello – yay, Ms. Cole – yay, Dr. Mandal-Blasio – yay, Ms. Riofrio – yay and Ms. Murray – yay.

The board received a recommendation from the Complaints Committee to open a board initiated investigation into a LBA (not named) based on information received from an ongoing investigation. After discussion, Ms. Murray held a call to question which resulted as follows: Mr. Tuminello – yay, Ms. Cole – yay, Dr. Mandal-Blasio – yay, Ms. Riofrio – yay and Ms. Murray – yay.

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

2022-009C	Deadline to accept/reject Consent Agreement imposed
2023-010B	Investigation Ongoing
2023-016C	Informal meeting was held
2023-017C	Informal meeting scheduled
2023-019C	Complaint being reviewed with possible recommendation to close with no action
2023-020C	Informal meeting scheduled
2023-021C	Investigation Ongoing
2023-022C	Notice Letter being mailed this week
2023-023C	Complaint being reviewed
2023-024C.A.	Letter of Education recommendation reviewed by board today
2023-024C.B.	Letter of Education recommendation reviewed by board today
2024-025B	Notice letter mailed/received/investigation started

Finance Committee:

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

Financials for June were reviewed and discussed. Dr. Mandal-Blasio made a motion to approve the checking reconciliation, Mr. Tuminello made a motion to approve the savings reconciliation and Ms. Riofrio made a motion to approve the ICS 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 June. Ms. Cole made a motion to approve the full financials for June. None opposed and the motion passed.

Financials for July were reviewed and discussed. Dr. Mandal-Blasio made a motion to approve the checking reconciliation, Mr. Tuminello made a motion to approve the savings reconciliation and Ms. Riofrio made a motion to approve the ICS 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 July. Ms. Cole made a motion to approve the full financials for July. None opposed and the motion passed.

Ms. Boe advised that board that after several attempts to reach Dallan Bush, proposed General Counsel for the board, he is unresponsive. Ms. Boe advised she would reach out one more time and begin looking for another attorney to contact with as board general counsel.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

The board reviewed the Declaration of Emergency Rule to provide accommodations, upon request, to people with disabilities to participate in open meetings.

After discussion, Mr. Tuminello made a motion to include the following statement on all agendas:

Any member of the public with a disability recognized by the Americans with Disabilities Act or a designated caregiver of such a person who would like to submit a request to participate in the Open Meeting portions of this board meeting is encouraged to contact Rhonda Boe at 225-295-8413 or Rhonda.Boe@la.gov to discuss viable alternative methods at least three (3) days prior to the meeting.

None opposed and the motion passed.

The board also reviewed Act 393 of the 2023 Regular Session which grants authorization to certain public bodies, including the Louisiana Behavior Analyst Board, to conduct a certain number of meetings per year by electronic means. After discussion, Ms. Cole made a motion that the following statement be the board's decision on whether or not to utilize the authorization to conduct a certain number of meetings per year by electronic means:

The requirements that must be met in order to hold a meeting through electronic means present a real possibility of disruption of the licensing process. The board is only required to meet quarterly; however, the board meets monthly due to the volume of licensure, certification and registration applicants requiring review. Conducting even one electronic meeting where the real probability of a technical problem, visible or audible, causes the meeting to recess until resolved or adjourn if not

resolved within one hour will delay licensing, certification and registration decisions for another month. Therefore, the Louisiana Behavior Analyst Board will not conduct meetings via electronic means at this time.

None opposed and the motion passed.

Policies and Procedures Committee:

The board reviewed the updated policies and procedures for elections as well as the updated MOU between LBAB and LaBAA. The MOU was already approved and signed by the LaBAA President. After reviewing and discussing, Mr. Tuminello made a motion to adopt and approve the Policies and Procedures for Elections and the MOU. None opposed and the motion passed.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

Supervision audits of LBAs will begin as previously discussed. Ms. Boe was directed to send the notice letter and Phase I of the audit to LBAs who will be included in this round of audits.

Long Range Planning:

No new business.

Discussion Items:

LaBAA approved and extended the board presentation for the Gulf Coast ABA Conference and it will be offered as a CE Ethic. The board reviewed and discussed the components to be included in the presentation. Ms. Murray, as chair, will be the main presenter with assistance from other board members. The presentation will be reviewed at the September meeting.

The board scheduled the following future meeting dates:

September 20, 2023

October 18, 2023

November 15, 2023

December 13, 2023

The MOU previously adopted and approved with the Policies and Procedures for Elections was signed by board chair, Angela Murray.

Executive Director's Report:

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

296 Line Technicians Registered

14 Behavior Analysts Licensed

3 State Certified Assistant Behavior Analysts Certified

54 Transfers

Ms. Murray adjourned the meeting at 2:11 p.m.

CREDENTIAL FILE REVIEWS:

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

- 8.23/1 Dr. Mandal Blasio made a motion to approve. None opposed.
- 8.23/2 Ms. Murray made a motion to approve. None opposed. Dr. Mandal Blasio abstained.
- 8.23/3 Ms. Murray made a motion to request additional information, and table until next board meeting. None opposed. Dr. Mandal Blasio abstained.
- 8.23/4 Dr. Mandal Blasio made a motion to approve. None opposed.
- 8.23/5 Ms. Murray made a motion to approve if results match exactly when results received. None opposed. Mr. Tuminello abstained.
- 8.23/6 Dr. Mandal Blasio made a motion to approve. None opposed.
- 8.23/7 Dr. Mandal Blasio made a motion to approve. None opposed.
- 8.23/8 Dr. Mandal Blasio made a motion to approve. None opposed.
- 8.23/9 Ms. Murray made a motion to approve if results match exactly when results received. None opposed. Mr. Tuminello abstained.
- 8.23/10 Mr. Tuminello made a motion to approve. None opposed.
- 8.23/11 Mr. Tuminello made a motion to approve. None opposed.
- 8.23/12 Mr. Tuminello made a motion to request additional information, and table until next board meeting. None opposed.
- 8.23/13 Mr. Tuminello made a motion to allow registered line technician to continue without interruption but will require monthly updates. None opposed.
- 8.23/14 Mr. Tuminello made a motion to approve. None opposed.
- 8.23/15 Ms. Murray made a motion to approve if results match exactly when results received. None opposed. Dr. Mandal Blasio abstained.
- 8.23/16 Ms. Murray made a motion to request additional information, and table until next board meeting. None opposed. Dr. Mandal Blasio abstained.
- 8.23/17 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.

- 8.23/18 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.
- 8.23/19 Ms. Cole made a motion to approve if results match exactly when results received. None opposed. Dr. Mandal Blasio abstained.
- 8.23/20 Ms. Riofrio made a motion to allow registered line technician to continue without interruption but will require monthly updates. None opposed.
- 8.23/21 Ms. Riofrio made a motion to approve. None opposed.
- 8.23/22 Ms. Riofrio made a motion to approve. None opposed.
- 8.23/23 Ms. Cole made a motion to approve if results match exactly when results received. None opposed. Mr. Tuminello abstained.
- 8.23/24 Ms. Riofrio made a motion to require Registered Line Technician to respond to board's request in 10 days. Failure to do so will lead to registration being revoked. None opposed.
- 8.23/25 Ms. Cole made a motion to approve but require monthly updates. None opposed.
- 8.23/26 Ms. Cole made a motion to approve. None opposed.
- 8.23/27 Ms. Cole made a motion to approve but require monthly updates. None opposed.

The following applicants required a 2nd Review:

- 7.23/1 Ms. Cole made a motion to approve. None opposed.

The following applications are to provide monthly updates for review.

- 10.21/7 Update received.
- 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	Update received. Mr. Tuminello abstained.
11.22/23	Update received.
11.22/25	Update received.
2.23/1	Update received.
2.23/5	Update received.
4.23/3	Update received.
4.23/4	Update received.
6.23/7	Dr. Mandal Blasio made a motion if no update is received in 10 days, registration will be revoked. None opposed
6.23/14	Update received.
6.23/16	Update received.