

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

BOARD MEETING MINUTES: August 25, 2021
(Approved October 19, 2021)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Vice Chair, Calvin Cryer, at 9:02 a.m. on Wednesday, August 25, 2021 via Zoom. Mr. Cryer proclaimed the necessity of this meeting being held by electronic means due to COVID concerns. Present were Board Members: Calvin Cryer, Lloyd Boudloche, Jr., Joseph Tuminello, III, Angela Murray, Renee Cole, Compliance Office Justin Owens and Executive Director Rhonda Boe. Courtney Wright entered the meeting at 9:05 a.m. and Alfred Tuminello, Jr. entered the meeting at 9:52 a.m.

A motion was made by Dr. Boudloche to approve the agenda for the August 25, 2021 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Cryer moved to enter Executive Session at 9:04 a.m. for credential file reviews and other matters.

A line technician applicant was in the Zoom waiting room as said applicant would be interviewed by the board prior to making a determination on whether to approve or deny said application. Ms. Cole was moved to the waiting room as she recused herself and the applicant was allowed into the meeting. The board asked questions and the applicant answered. When the interview was complete, the board thanked the applicant and informed applicant the board would make their determination and advise of the outcome.

Ms. Cole was allowed back into Executive Session at 9:20 a.m.

Ms. Wright closed Executive Session at 11:11 a.m. and the board took a lunch break.

Ms. Wright began the Open Meeting at 12:16 p.m.

A motion was made by Ms. Wright to approve the minutes from the July 28, 2021 meeting with one technical change. None opposed and motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicants 8.21/B, 8.21/C, 8.21/E, 8.21/F, 8.21/G, 8.21/H, and 8.21/I were reviewed and approved for licensure.

Licensure Applicants 8.21/A and 8.21/D were reviewed and approved for licensure upon receipt of the last required original documents.

Certificant Applicant 8.21/K was reviewed and approved for certification

Certificant Applicant 8.21/J was reviewed and approved for certification upon receipt of the last required original documents.

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

Complaints Committee:

The board discussed and reviewed the Order prepared in reference to their decision in Complaint No. 2020-001B, previously voted on by the board at the July 28th meeting for a Petition for Reconsideration. The Order was accepted and signed by the board with the addition of the following statement that was not included; however, the board also voted on the following at the reconsideration:

Additionally, Board Prosecuting Attorney petitioned the board to assess reasonable costs for the July 6-7, 2020 hearing and any judicial review pursuant to LA. R.S. 37:312 (C) to respondent. Ms. Wright made a motion to table assessment of costs until final hearing/determination. Ms. Murray seconded the motion. None opposed. Mr. A. Tuminello abstained and the motion passed.

Mr. Owens, Compliance Officer presented the following report on behalf of Complaints Coordinator, Ellen Brocato:

The committee has 2 complaints Ms. Brocato is recommending dismissal with no action. The two complaints were presented by Mr. Owens without names or identifying factors to the board. Ms. Wright made a motion to close the first complaint presented due to appropriate action being conducted by the respondent. None opposed and the motion passed. Mr. Tuminello made a motion to close the second complaint due to insufficient evidence to collaborate. None opposed and the motion passed.

Consent Agreements are being drafted and considered on 4 complaints.
An informal meeting will be scheduled on 4 complaints.
There are currently 9 complaints still in the investigation stages.
One new complaint has been received since the last meeting.

The board discussed sending a general letter of education to all licensees reminding them that the responsibility for SCaBAs and RLts under your supervision falls solely on your license. Clinics and third parties are not under the board's authority. Many are allowing HR to handle hiring leading to confusion with registration of RLts and resulting in disciplinary actions. The board will discuss further at a later date.

Brandy Finkins entered the virtual open meeting at 12:24 p.m.

Finance Committee:

Dr. Boudloche made a motion to approve the July LSBEP invoice if no apparent discrepancies are noted. None opposed and the motion passed.

The Reconciliations for July were reviewed and discussed. Mr. Cryer made a motion to approve the Checking and Savings Reconciliations for July with no apparent discrepancies noted. 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 July. The board discussed budget to actual comparisons. Ms. Wright made a motion to approve the full financials for July with no apparent discrepancies noted. None opposed and the motion passed.

Jurisprudence Committee:

Dr. Tuminello is working on the electronic version of the Jurisprudence Exam. Some questions need to be reworded by digitizing and this should be completed in approximately one week. The board discussed if scores would be visible to applicants and it was noted it would only show as pass or fail. Applicants will not be able to see the questions answered wrong. The board discussed how this could improve ability to meet the deadlines for board meetings.

Legislative Oversight Committee:

No new business.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

No new business.

Long Range Planning:

The board will work on these items throughout the year.

Discussion Items:

Ms. Boe brought to the board a dual relationship question posed by a Licensed Behavior Analyst regarding a parent who is also a Registered Line Technician at a clinic and her child receiving services at said clinic. The hardship was no other available clinic within an hour's drive and no other LBA at that clinic. The board discussed and requested more information from both the LBA and RLT for the next meeting.

Ms. Boe brought to the board a question about financial aid. She had researched and neither financial aid or a waiver are in our laws or rules. The board discussed and while they sympathize with neither aid or a waiver in the laws or rules there is nothing they can offer.

Janelle Lawrence entered the meeting at 12:48 p.m.

Ms. Boe advised the board that LBAB would be the final presenter at the Gulf Coast Autism Conference on October 16, 2021 and the conference would be virtual. Ms. Boe suggested a presentation on renewals using the new online system and the board agreed. Ms. Boe would prepare the presentation and present. Ms. Wright offered her assistance.

The board introduced themselves to the guests. Ms. Lawrence began her presentation to the board explaining BICC and BCAP requirements, accreditations, including delays experienced due to the pandemic. The board asked questions such as locations where accepted, how many certified, board make-up, etc. The board thanked Ms. Lawrence for her presentation.

Ms. Boe presented the board with the FARB Conference scheduled for September 30th through October 3rd in Nashville. She stated many topics would have valuable information for the board and requested approval to register and be reimbursed for travel and accommodations. Ms. Wright made a motion to approve Ms. Boe attending FARB and the board covering requested expenses with a second from Dr. Boudloche. None opposed and the motion passed.

Ms. Boe informed the board the licensing software was working good but some glitches were being experienced. She did state all licensees seem to approve of moving from mailing to digital wallets so line technician's certificates were received more timely.

Executive Director's Report:

Ms. Boe stated now was the time for the board to decide if to reduce renewal fees again this year due to the continued financial hardships some are experiencing due to the pandemic. An Emergency Rule would need to be submitted for approval. Mr. Tuminello made a motion to reduce the license renewal to \$200.00 and the certificate renewal to \$125.00 for this year with a second from Mr. Cryer. None opposed and the motion passed.

Ms. Boe reported she had not heard anything about the reappointment of Renee Cole as a board member and the appointment of the new board member. She would contact the Governor's office and report back at the next meeting.

The board scheduled the next meeting for September 28, 2021 but would wait to schedule future dates if the new member is appointed to consult her schedule.

Ms. Wright adjourned the meeting at 2:18 p.m.

Louisiana Behavior Analyst Board
Credential Review Minutes
August 25, 2021
(Executive Session)

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

7.21/13 – The Board moved unanimously to **approve** registration with monthly updates.

7.21/17 – The Board moved unanimously to **approve** registration if CBC matches.

7.21/19 – The Board moved unanimously to **approve** registration with monthly updates.

8.21/1 – The Board moved unanimously to **approve** registration.

8.21/2 – The Board moved unanimously to **approve** registration.

8.21/3 – The Board moved unanimously to **approve** registration.

8.21/4 – The Board moved unanimously to **approve** registration.

8.21/6 – The Board moved unanimously to **approve** registration upon receipt of missing application documents.

8.21/7 – The Board moved unanimously to **approve** registration.

8.21/8 – The Board moved unanimously to **approve** registration.

8.21/9 – The Board moved unanimously to **approve** registration if CBC matches.

8.21/10 – The Board moved unanimously to **approve** registration upon receipt of missing application documents.

Board Compliance Officer Justin Owens presented the following Line Technicians, SCaBAs and LBAs to the Board for ongoing 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.

12.17/D – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

4.21/12 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

5.21/19 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

6.21/8 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Cryer abstained.

7.17/10 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

7.21/10 – The Board moved unanimously 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:

N/A