

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

BOARD MEETING MINUTES: September 17, 2019
(Approved October 17, 2019)

Committee meetings began at 9:12 a.m.

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Lloyd Boudloche, Jr. Ed.D. at 9:45 a.m. on Tuesday, September 17, 2019 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana 70816. Present were Board Members: Lloyd Boudloche, Jr., Ed.D., Courtney Wright, Renee Cole, Alfred Tuminello, Jr., and Executive Director Rhonda Boe. Mr. Williamson was absent.

A motion was made by Mr. Tuminello to approve the agenda for the September 17, 2019 meeting. None opposed and the motion passed.

Ms. Wright made a motion to approve the July 30 and August 20, 2019 minutes. None opposed.

Pursuant to LSA R.S. 42:6.1(4), Mr. Williamson moved to enter Executive Session at 9:51 a.m. to review and discuss Credential Review files and renewals requiring documentation and approval. None opposed and the motion passed.

Dr. Boudloche closed Executive Session at 10:21 a.m. and reported the following:

Credentials Review Committee:

Behavior Analyst Applicants 9.19/A, 9.19B, 8.19/A and 8.19/B were reviewed and approved for licensure.

State Certified Behavior Analyst Applicant 9.19/C, 9.19/D, 9.19/E and 7.19/O were reviewed and approved for certification.

Line Technician Applicants 9.19/1, 9.19/4, 9.19/5, 9.19/7 and 5.19/6 were reviewed and approved.

Line Technician Applicant 9.19/2 was denied based on incomplete status on charges.

Line Technician Applicant 9.19/3 requires documentation and will be reviewed again next month.

Line Technician Applicants 7.19/4 and 7.19/7 were revoked for failure to respond to repeated requests.

Line Technician Applicant 9.19/6 revoked for untruthful statement on application, sent information asking for reconsideration. Revocation stands.

Line Technician Applicant 6.19/3 is revoked if a discontinuation is not received by next meeting. Line Technician is not currently working.

Behavior Analyst 11.18/4 and 8.19/8 were reviewed and approved to continue with monthly updates.

Line Technicians 2.18/4, 6.19/10, 12.18/10, 1.19/4, 2.19/13, 6.19/4, 6.19/5, 7.19/6, and 8.19/2 were approved to continue registration uninterrupted and continue sending updates.

Complaints Committee:

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

- 1) Complaint still not closed, waiting on respondent.
- 2) Investigation ongoing.
- 3) Attorneys trying to coordinate schedules for informal meeting in October.
- 4) Attorneys corresponding at this time.
- 5) Offer made to respondent, waiting on reply.
- 6) Consent Agreement and Order to be reviewed by board.
- 7) Consent Agreement in progress.
- 8) Investigation ongoing.

Consent Agreement and Order presented to board. Document was reviewed and discussed. Mr. Tuminello moved for a call to question. Ms. Wright moved to second the call to question which resulted in the following: Mr. Cryer – yay, Mr. Tuminello – yay, Ms. Cole – abstained, Ms. Wright – yay, and Dr. Boudloche – yay. Mr. Williamson was absent. The quorum of four voted yay and the Consent Agreement and Order was approved. The board members will sign and the Consent Agreement and Order will be posted on the website.

Finance Committee:

Ms. Boe informed the board she had not received the LSBEP invoice for August but requested permission to pay if no discrepancies. Mr. Tuminello made a motion to allow Ms. Boe to pay the LSBEP August invoice if she notes no discrepancies. None opposed. The Reconciliations for August were reviewed. A motion was made by Ms. Wright to approve August reconciliations. None opposed. The Reconciliations were dated and signed by preparer and dated and signed by Finance Committee Chair, Ms. Wright, indicating board approval. The full board reviewed the General Ledger, Balance Sheet, and Profit and Loss for May and no discrepancies were noted. Dr. Boudloche made a motion to approve all the financials. None opposed.

The first draft of the FY 2020/21 budget was reviewed and discussed. Ms. Boe informed the board an interview is scheduled with an individual to serve as a Compliance Officer/Investigator on staff to be split 50/50 with the Psychology Board. Ms. Boe will get the projected figures for OPEB and Pension Liability from the board CPA. Mr. Tuminello made a motion to approve the draft figures and bring the final budget for approval at next meeting. None opposed.

Jurisprudence Committee:

No new business.

Legislative Committee:

Ms. Boe informed board the Supervision Rule Promulgation was reviewed by the committee and passed for first publication as a Notice of Intent. Ms. Boe will submit to Legislative Auditor for approval and hopes to submit to Registry Office before the October 10th deadline.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

No new business.

Long Range Planning:

FARB training is on hold.

Investigator training is scheduled for December in Baton Rouge.

New Business:

No new business.

Mr. Tuminello left the meeting at 1:51 p.m.

Executive Director Report:

Ms. Boe informed the board there was a line technician who had failed to renew and she would be assessing the fine as approved by the board last year.

Ms. Boe presented a question from a clinic inquiring if the board would accept information on RLTs that resign or do not return without any notice causing disruption in services. The board said to reply they are open to any information any clinic or LBA would like to submit.

inLumon, the licensure software contractor, suggested the board review a fee for paper renewals and applications to encourage online renewals and applications. The board fees as mandated do not include a fee for paper at this time so the item is tabled.

Ms. Boe informed inLumon that LBA and SCABA applications must be notarized even when submitted online as mandated by our law. Online notarizations are available and the board reviewed, discussed and decided this would be acceptable under the law. The RLT application will need to be updated to exclude the supervisor's section. Instead, an RLT who applies under a LBA will automatically send that LBA an attestation to sign indicating supervision of that individual.

Ms. Boe informed the board an inquiry was made as to whether or not SCABAs can supervise RLTs. The answer is yes with the SCABA under the supervision of their LBA, the SCABA cannot work independently.

Ms. Boe presented a Supreme Court decision for the board's information where a board was sued because there was a vacancy and the petitioner claimed the board could not make any decisions as long as there was an unfilled seat on the board. The Supreme Court ruled that as long as there was a quorum all decisions by the board were legal and binding, despite having a vacancy.

Ms. Boe informed the board a report was required during the last legislative session to be sent to the Governmental Affairs Committees in addition to the committees already being submitted to. This was overlooked but has been corrected.

Future meeting dates were scheduled as follows:

October 17, 2019

November 12, 2019

December 10, 2019

January 21, 2020

Dr. Boudloche adjourned the meeting at 2:49 p.m.