

Louisiana Behavior Analyst Board
BOARD MEETING MINUTES: December 3, 2013
APPROVED: January 7, 2014

The meeting of the Louisiana Behavior Analyst Board (Board) was called to order by Chair Emily Bellaci at 12:17 p.m., Tuesday, December 3, 2013, at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Cassie Bradford, Jenny Longwell, Ph.D., Ellen Brocato, Kathy Chovanec and Marc Zimmermann, Ph.D.,MP (ex-officio nonvoting member); and, Executive Director, Kelly Parker. The following members of the public were also present: Dr. Grant Gautreaux, Ms. Janice Huber, Ms. Melissa Raymond and Mr. Justin Daigle.

Ms. Brocato moved to accept the December 3, 2013 agenda. Ms. Chovenac objected to the December 3, 2013 agenda asserting that items were not added that she requested. Executive Director Parker pointed out the items to the group and noted some fell within committee reports. Ms. Brocato's motion to accept the agenda passed by majority vote of the Board. Ms. Bradford moved to accept the November 5, 2013 minutes, no objections or abstentions. Ms. Bellaci requested that the chair of each committee provide reports to the Board for discussion.

Finance Committee: Ms. Chovanec presented the Board with November invoice from LSBEPs. Ms. Brocato moved to approve payment of the November invoice. The Board discussed the invoices. The motion passed unanimously. Ms. Chovenac reported on the meeting with Board accountant, Valerie Dominique, CPA. Ms. Dominique will return for the January meeting to continue to work on the budget. Ms. Brocato noted that the budget was an ongoing issue because numbers were uncertain. She also stated that the estimated projection did not include contracted vendors, which significantly impact the available budget. Ms. Brocato expressed a continued interest to explore grants. Ms. Brocato also briefly reported to the group that the committee discussed forming a "Plan B" for Board operation. Ms. Parker reminded the Board that the deferral amount would be due to LSBEP next month. She noted that LBAB would be responsible for all of the operational expenses as of January.

Jurisprudence Examination Committee: Ms. Parker recommended changes to the SCABA jurisprudence exam. After careful review and consideration, Dr. Longwell moved to accept the exam with the recommended changes as final. The motion passed by roll call vote as follows: Bellaci-yay, Bradford-yay, Brocato-yay, Chovenac-yay.

Legislative Oversight Committee: Ms. Bradford reported that the Legislative Oversight Committee received 18 responses to the questionnaire regarding supervision. She explained that the majority of the surveyors have 1-5 BCBA's, 0-5 assistants and 1-10 line technicians currently employed in their practice. Ms. Bradford continued to explain that they majority who responded to the questionnaire suggested that BCBA's should only be allowed to supervise 1-10 line technicians per BCBA. Ms. Parker added that since the BACB is issuing line tech recommendations, it might be best to begin writing supervision rules for assistants, continue to intake information regarding line techs, and then write line tech rules. Ms. Bellaci moved to begin writing supervision rules for the assistants and continues to consider line tech information. The motion passed by the full vote of the Board. Ms. Parker offered to publish the survey results, via email, to behavior analyst applicants and encourage additional feedback.

Complaints Committee: Ms. Bellaci reported that the committee was continuing to research the complaints procedure and impaired policies of other boards. Ms. Bradford presented the Request for Investigation form and Consent Release. Ms. Parker reported that AAG Bryan, Board Counsel,

approved the forms for use. Ms. Bellaci moved to make the investigation forms final and post same on the website. The motion passed unanimously. Ms. Bradford requested that Ms. Parker follow up with AAG Bryan regarding the process for withdrawing a complaint. Ms. Parker agreed to do so. Ms. Bellaci mentioned that she was continuing work on an impaired procedure for behavior analysts and wanted to use a model similar to the nursing board. Ms. Parker recommended establishing internal policies for the handling of complaints and investigations. The Board agreed. .

Policies and Procedures Committee: Dr. Longwell reported to the group that she would revise the application packet for after January 1, 2013. Dr. Longwell also agreed to continue work on application policies and procedures for the Board office. She also noted that the committee discussed creating policies and rules for renewal procedures, continuing education, and annual audits of licensees. Dr. Longwell noted that the committee would continue to work on the issues in conjunction with the Legislative Oversight Committee. Ms. Bellaci created a “Continuing Education Committee” and designated Dr. Longwell and herself to the committee.

Executive Director’s Report: Executive Director Parker reported that to date, the Board had received approximately 18 behavior analyst applications and 20-25 line technician applications. Ms. Parker requested a committee be formed to review specific file issues and file review on case-by-case needed basis.

Discussion Items:

1. **Clarification of student exemption:** The Board reviewed the student exemption language in Act 351. The Board opened the floor to public comments regarding the issue. Comments were accepted from Mr. Daigle and Ms. Raymond. The Board agreed to table any decision on the issue at this time. Ms. Parker suggested that the Board may be interested in considering supervision rules for “unlicensed” individuals practicing under the direction of an LBA. Dr. Zimmermann agreed and thought the unlicensed rules may address some of the concerns with nonregistered students. Ms. Bellaci agreed to research the issue and work on possible language for unlicensed individuals with Ms. Parker.
2. **Medicaid requirements vs. licensing requirements for ABA services:** Ms. Bellaci facilitated the discussion regarding DHH’s recent webinar regarding enrollment for ABA services. Ms. Bellaci stated that the requirements for a provider through Medicaid directly conflicts with the licensure law requirements. The Board opened the floor to public comments regarding the issue. Comments were accepted from Dr. Gautreaux and Ms. Raymond. Ms. Parker reported that she had contact with a DHH consultant who assured her that the Board would be involved as necessary to maintain that the requirements of licensure match the Medicaid requirements for practice as a provider. Ms. Parker mentioned that there was a conference call scheduled for December 4th in follow up to the webinar and the outstanding concerns. Ms. Parker agreed to stay on top of the issue.
3. **Ethics & Declaration of Practice:** Ms. Chovenac provided the Board with an example document entitled “Declaration of Professional Practices and Procedures for

Behavior Analysts". The Board reviewed and discussed the document. Ms. Chovenac opined that the Board should require the document. The Board discussed the suggested requirement and noted that individuals may want to change the wording to make it particular to their specific practice. Ms. Parker suggested a Board opinion instead. She offered to draft the opinion for review at the next meeting. The Board accepted the notion.

4. **Draft Policies & Procedures Manual:** Ms. Parker presented the Board with the beginning of a draft Policies & Procedures manual. The Board reviewed and discussed same. Ms. Parker agreed to continue working on it.
5. **ABAI Poster Presentation:** Ms. Chovanec addressed the Board about a poster for the ABAI conference. The group discussed the idea. Ms. Bradford noted that this might be something LABAA may do instead of a licensing board. Ms. Parker requested more specific information about the poster presentation. Ms. Brocato offered to contact LABAA about the presentation.
6. **Meeting dates for 2014:** The Board established the following meeting dates: January 7th, February 4th, March 11th, April 8th, May 6th and June 3rd.

Dr. Zimmermann moved to adjourn the meeting at 3:30 p.m. The motion passed successfully.