

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

BOARD MEETING MINUTES: December 13, 2023
(Approved January 10, 2024)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order once a quorum was met by Board Vice-Chair, Daniela Riofrio at 8:50 a.m. on Wednesday, December 13, 2023 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Daniela Riofrio, Rebecca Mandal-Blasio, Angela Murray, and Alfred Tuminello, Jr., Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Joseph Tuminello, III, Renee Cole, and Courtney Wright were absent.

A motion was made by Ms. Murray to approve the agenda for the December 13, 2023 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Riofrio moved to enter Executive Session at 8:51 a.m. for credential file reviews, complaints, lapsed renewals submitted and any other items to be reviewed in executive session. Executive Session lasted longer than estimated due to 3 less board members present to review files,

Ms. Babin left the meeting at 10:45 a.m.

(Note: Lunch was delivered and more than half of the order was missing. Another order was placed at a restaurant close to the office. Door Dash offered a 100% refund.)

Ms. Riofrio closed Executive Session at 12:37 p.m.

Ms. Riofrio began the Open Meeting at 12:38 p.m.

Ms. Riofrio made a motion to approve the November minutes. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicants 12.23/A, 12.23/C, 12.23/D, 12.23/E, 12.23/G and 12.23/H were reviewed and approved for licensure.

Licensure Applicant 12.23/B was reviewed and approved for licensure upon receipt of final required documents by mail.

Licensure Applicant 12.23/F was reviewed; however due to one board member abstaining, the board did not have a quorum to approve for licensure. Applicant tabled for review in January.

The board reviewed a lapsed certificate renewal request and Continuing Education Reporting Log. Mr. Tuminello made a motion to approve the renewal request. None opposed and the motion passed.

The board reviewed a Waiver Application. Ms. Riofrio made a motion to grant a payment plan of \$40.00 per month over the next 10 months. None opposed and the motion passed.

The board was informed the LBA the board received a rap back on submitted documentation from a court appearance. Ms. Murray made a motion to allow the license to continue without interruption and to have the licensee provide monthly updates until the conclusion of the case. None opposed and the motion passed.

The board reviewed a discontinuation received on a RLT with ethical concerns. Mr. Tuminello made a motion to require the individual have board review should an application be submitted in the future. None opposed and the motion passed.

The board reviewed a discontinuation received on a RLT with ethical concerns. Ms. Murray made a motion to require the individual have board review should an application be submitted in the future and to request additional information from the supervisor regarding reporting. None opposed and the motion passed.

The board reviewed a discontinuation received on a RLT with ethical concerns. Dr. Mandal-Blasio abstained and left the meeting at 10:39 a.m. Dr. Mandal-Blasio returned to the meeting at 10:43 a.m. Due to lack of a quorum, decision tabled until next month.

The board reviewed a discontinuation received on a RLT with ethical concerns. Ms. Riofrio abstained and left the meeting at 10:44 a.m. Ms. Riofrio returned to the meeting at 11:10 a.m. Due to lack of a quorum, decision tabled until next month. The board also requested additional information from the supervisor for the review next month.

The board reviewed a therapy center website and Facebook postings which seem to indicate ABA services are being provided without a license. The board requested Ms. Boe have prosecuting attorney Raines look into this matter and take any action he deems appropriate.

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

Complaints Committee:

The board reviewed supervision reports submitted in reference to a Consent Agreement. The board approved the reports and requested some additional information from the supervisor.

The board reviewed and discussed a Consent Agreement and Order in reference to Complaint No. 2023-010B. Ms. Riofrio requested a Call to Question on a motion to accept the Consent Agreement and Order. The results of the votes were as follows:

Mr. Tuminello – yay, Dr. Mandal-Blasio – yay, Ms. Murray – yay, and Ms. Riofrio – yay and the motion passed.

The board reviewed and discussed a Consent Agreement and Order in reference to Complaint No. 2023-009C. Ms. Riofrio requested a Call to Question on a motion to accept the Consent Agreement and Order. The results of the votes were as follows:

Mr. Tuminello – nay, Dr. Mandal-Blasio – nay, Ms. Murray – nay, and Ms. Riofrio – nay and the motion failed.

The board stated the reasons for not accepting the Consent Agreement and Order was due to no discipline being imposed should the licensee ever reapply and no mention of serious ethical violations in the Consent Agreement and Order. If adding these in are not agreeable, board would like to

proceed with filing of Administrative Complaint. Ms. Boe would bring these statements back to the Complaints Committee to review.

Ms. Boe gave the following update on behalf of the Complaints Coordinator.

2022-009C	BOARD CALL TO QUESTION ON C.A. (see above)
2023-010B	BOARD CALL TO QUESTION ON C.A. (see above)
2023-016C	CONSENT AGREEMENT BEING REVIEWED
2023-017C	CONSENT AGREEMENT BEING REVIEWED
2023-019C	COMMITTEE EVALUATING EVIDENCE
2023-021C	INFORMAL MEETING BEING SCHEDULED
2023-022C	REPLY RECEIVED/INVESTIGATION ONGOING
2023-023C	EVIDENCE BEING REVIEWED
2024-025B	SUMMARY SUSPENSION IN EFFECT
2024-26B	REPLY RECEIVED/INVESTIGATION ONGOING
2024-27B	REPLY RECEIVED/INVESTIGATION ONGOING
2024-28C	NOTICE LETTER SENT
2024-29C	NOTICE LETTER DRAFTED/BEING REVIEWED
2024-30C	NOTICE LETTER DRAFTED/BEING REVIEWED

Finance Committee:

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

Review of financials for November were tabled until January.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

Ms. Boe presented to the OLRC the board's two new rules for promulgation addressing Telehealth and Board meetings. Both rules were approved by the committee and will proceed to first notices.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

The board discussed who would be included in the next round of supervision audits and requested Ms. Boe send the notices after the holidays.

Long Range Planning:

No new business.

Discussion Items:

Committee assignments will remain the same until new members are elected and appointed in June, with the exception of Ms. Rifrio chairing the Finance Committee.

Ms. Boe informed the board that more than 2 self-nominations were received for the 2 professional board member seats that will be vacant in June of 2024. She will begin preparing for the election to be held from January 15 – January 29, 2024 using SimplyVote as in the past.

The board scheduled future meetings as follows:

January 10, 2024

February 21, 2024

March 20, 2024

Executive Director's Report:

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

293 Line Technicians Registered
6 Behavior Analysts Licensed
3 State Certified Assistant Behavior Analysts Certified
184 Transfers
184 Discontinuations

Dr. Grant Gautreaux requested to be on agenda for January meeting.

Ms. Riofrio adjourned the meeting at 1:33 p.m.

CREDENTIAL FILE REVIEWS:

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

- 12.23/1 Dr. Mandel-Blasio made a motion to approve. None opposed.
- 12.23/2 Dr. Mandel-Blasio made a motion to approve, but will require to provide additional information for the next board meeting. None opposed
- 12.23/3 Dr. Mandel-Blasio made a motion to approve. None opposed.
- 12.23/4 Dr. Mandel-Blasio made a motion to approve. None opposed.
- 12.23/5 Four members present, 1 abstained, no vote due to lack of a quorum. File tabled to next board meeting.
- 12.23/6 Ms. Murray made a motion to approve. None opposed.
- 12.23/7 Ms. Murray made a motion to approve if results match exactly when results received. None opposed.
- 12.23/8 File no longer required board review.
- 12.23/9 Ms. Murray made a motion to approve if results match exactly when results received. None opposed.
- 12.23/10 Ms. Murray made a motion to approve. None opposed.

- 12.23/11 Ms. Riofrio made a motion to approve. None opposed.
- 11.23/12 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.
- 11.23/13 File no longer required board review.

The following applicants required a 2nd Review:

- 11.23/12 Previously reviewed, and approved if results match exactly when results are received. Results still not received.
- 11.23/14 Previously reviewed, and approved if results match exactly when results are received. Results still not received.

The following applicants required a 3rd Review:

- 10.23/16 Ms. Riofrio made a motion to deny registration. None opposed.

The following applications are to provide monthly updates for review.

- 10.21/7 Update received.
- 4.22/8 Update received.
- 6.22/10 Update received.
- 10.22/2 Update received. Mr. Tuminello abstained.
- 10.22/7 Update received. Mr. Tuminello abstained.
- 2.23/5 Update received.
- 4.23/3 Update received.
- 4.23/4 Ms. Murray made a motion to require quarterly updates. None opposed.
- 6.23/7 Update received.
- 8.23/13 Update received.
- 8.23/20 Update received.
- 8.23/25 Rap back received. RLT provided information. Mr. Tuminello made a motion to revoke registration with an option to reverse if requested information is deemed sufficient. None opposed.

- 9.23/20 Update received.
- 9.23/24 Rapback received. Mr. Tuminello made a motion to revoke registration. None opposed.
- 9.23/26 Ms. Riofrio made a motion if no update is received in 10 days, registration will be revoked. None opposed.
- 10.23/7 Dr. Mandel-Blasio made a motion if no update is received in 10 days, registration will be revoked. None opposed.
- 11.23/15 Ms. Murray made a motion if no update is received in 10 days, registration will be revoked. None opposed.