

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

BOARD MEETING MINUTES: January 10, 2024
(Approved February 21, 2024)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order once a quorum was met by Board Chair, Joseph Tuminello, III, at 8:46 a.m. on Wednesday, January 10, 2024 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Joseph Tuminello, III, Daniela Riofrio, Rebecca Mandal-Blasio, Angela Murray, Renee Cole, and Courtney Wright, Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Board member Alfred Tuminello, Jr. arrived at 9:11 a.m.

A motion was made by Ms. Wright to approve the agenda for the January 10, 2024 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Dr. Tuminello moved to enter Executive Session at 8:47 a.m. for credential file reviews, complaints, lapsed renewals submitted and any other items to be reviewed in executive session.

Ms. Babin left the meeting at 10:30 a.m.

Dr. Tuminello closed Executive Session at 11:59 a.m.

Dr. Tuminello began the Open Meeting at 12:00 p.m.

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

The following was reported regarding the credential file reviews:

Licensure Applicants 12.23/F, 1.24/D, 1.24/E, 1.24/F, 1.24/G, 1.24/H, and 1.25/I were reviewed and approved for licensure.

Licensure Applicants 1.24/A, 1.24/B, 1.24/C and 1.24/J were reviewed and approved for licensure upon receipt of final required documents by mail.

Certificate Applicant 1.24/K was reviewed and approved upon receipt of final required documents by mail.

Mr. Tuminello abstained on 1.24/B and Dr. Mandal-Blasio abstained on 12.23/F and 1.24/H.

The board reviewed an application on an individual that was flagged for review due to ethical concerns raised when previously discontinued. Ms. Riofrio made a motion to deny registration. None opposed and the motion passed.

The board reviewed a discontinuation received on a RLT with ethical concerns. Dr. Mandal-Blasio needed to abstain and left the board room at 10:50 a.m. Ms. Murray made a motion not to require the individual have board review should an application be submitted in the future. None opposed and the motion passed. Dr. Mandal-Blasio returned to the board room at 10:57 a.m.

The board reviewed a discontinuation received on a RLT with ethical concerns. Ms. Wright made a motion not 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 file previously flagged due to concerns surrounding the discontinuation. After discussion, Ms. Cole made a motion to approve when CBC results are received, if clear. None opposed and the motion passed.

Due to lack of a quorum at the December meeting, this applicant was discussed; however, a decision was tabled until the next meeting. The board had also requested additional information from the supervisor for the second review. Ms. Riofrio and Ms. Wright abstained and left the meeting at 10:57 a.m. The board again reviewed a discontinuation received on the RLT with ethical concerns, as well as the additional information requested and statement provided by the applicant. Mr. Tuminello made a motion to deny registration due to the unethical behavior reported while working as a registered line technician. None opposed and the motion passed. Ms. Riofrio and Ms. Wright returned to the meeting at 11:15 a.m.

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

Complaints Committee:

The board reviewed a supervision report submitted in reference to a Consent Agreement. The board approved the report but reserved the right to request additional documentation in the future.

The board reviewed a situation where transfers were submitted for discontinued line technicians who were allowed to continue working. The board asked for a supervision audit of the line technicians and additional documentation to review at the next meeting.

The board reviewed and discussed a recommendation from the Complaints Committee to close with no action due to lack of credible evidence in reference to Complaint No. 2023-019C. Dr. Tuminello requested a Call to Question on a motion to accept the committee recommendation and close Complaint No.2023-019C with no action. The results of the votes were as follows:

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

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

2022-009C	Consent Agreement being considered
2023-016C	Consent Agreement being considered
2023-017C	Consent Agreement being considered
2023-019C	Closed today with no action (see above)
2023-021C	Informal meeting being scheduled
2023-022C	Response received/Investigation ongoing
2023-023C	Evidence being reviewed
2024-025B	Suspension in effect/informal meeting being scheduled
2024-26B	Informal meeting being scheduled
2024-27B	Informal meeting being scheduled
2024-28C	Response received
2024-29C	Notice letter mailed
2024-30C	Notice letter mailed
2024-31C	New/Under review

Finance Committee:

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

Financials for November were reviewed and discussed. Dr. Tuminello made a motion to approve the checking reconciliation, Dr. Mandal-Blasio 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 November. Although the charges and amounts all appeared to have no discrepancies, the check numbers appeared to have discrepancies. Ms. Boe will inquire and have an answer at the next meeting. Another board member asked if we had a Sam's membership as a purchase was noted. The board was informed that Ms. Babin has a membership and Ms. Boe enters as her guest to purchase board meeting supplies. Ms. Murray made a motion to approve the full financials for November. None opposed and the motion passed.

Financials for December will be reviewed at the February meeting.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

Ms. Boe informed the board the two new rules for promulgation addressing Telehealth and Board meetings were sent for publication in the State Register; however, an email received this morning stated she needed to appear in person to go over editing today. Due to the scheduled board meeting, Ms. Boe could not attend so publication will be delayed for one month as today was the deadline.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

The board discussed creating a schedule for the upcoming renewal periods that lists the amount of hours due. The board will review a draft at next month's meeting.

Supervision Oversight Committee:

Notices being prepared for supervision audits.

Long Range Planning:

No new business.

Discussion Items:

Ms. Boe informed the board the deadline for applicant review at board meetings needs to be evaluated. The amount of RLT applications requiring review being submitted the day of the deadline is almost impossible to allow for file preparation. There are also licensure/certificate applications submitted a day or two before the deadline with the applicant expecting the staff to expedite their application so they can complete all the requirements and meet the deadline for review. The board discussed the matter. Mr. Tuminello made a motion that if the board meeting is on a Wednesday, the deadline would be the previous Thursday and if it was on a Tuesday, the deadline would be the previous Wednesday. None opposed and the motion passed.

Ms. Boe advised their current student worker would be graduating and has several activities planned limiting her work availability. As soon as a temporary position is approved by Civil Service, interviews would begin to hire someone to start training before renewals.

Dr. Grant Gautreaux arrived at the meeting at 1:00 p.m.

Dr. Gautreaux informed the board about an upcoming article to be published in Behavior Analysis in Practice regarding registering line technicians. Due to the fact that this board has successfully registered line technicians since 2014 and witnessed the importance of vetting those who work so closely with such a vulnerable section of the population, Dr. Gautreaux is authoring a response to the article. Dr. Gautreaux stated he was seeking support from the board with data, etc. for this article. It was also mentioned that the registering of line technicians is not only protection for the public but at times also protects the LBA. The board agreed this was an important and needed response and would help with any public record information needed.

Dr. Grant Gautreaux left the meeting at 1:33 p.m.

Executive Director's Report:

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

- 259 Line Technicians Registered
- 7 Behavior Analysts Licensed
- 1 State Certified Assistant Behavior Analysts Certified
- 132 Transfers
- 140 Discontinuations

Ms. Boe reported 9 licensees self-nominated for the 2 board positions that would be open in June. The ballot will be sent out and tabulated through Simply Vote. Election will be January 15th through January 29th.

Identogo – LSP has informed the board they are still working on the procedures for the Right to Review and once this is successfully tested, we will be informed on how to begin.

APBA Conference – Ms. Boe and Ms. Babin will be attending the Regulator's Conference on March 7th hosted by the BACB. Several board members will be attending the conference on March 8th and March 9th as well as serving on a panel.

Dr. Tuminello adjourned the meeting at 1:45 p.m.

CREDENTIAL FILE REVIEWS:

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

- 12.23/5 Ms. Murray made a motion to approve. None opposed. Dr. Mandal-Blasio abstained.
- 1.24/1 Ms. Cole made a motion to request additional information and if provided, approve. None opposed.

- 1.24/2 Ms. Riofrio made a motion to approve. None opposed.
- 1.24/3 Ms. Riofrio made a motion to approve. None opposed.
- 1.24/4 Ms. Murray made a motion to approve. None opposed.
- 1.24/5 Dr. Tuminello made a motion to approve. None opposed.
- 1.24/6 Dr. Tuminello made a motion to allow registered line technician to continue without interruption but will require monthly updates. None opposed.
- 1.24/7 Ms. Cole made a motion to approve if results match exactly when results received. None opposed. Mr. Tuminello abstained.
- 1.24/8 Mr. Tuminello made a motion to request additional information and if provided, approve, but require monthly updates. None opposed. Dr. Mandal-Blasio abstained.
- 1.24/9 Mr. Tuminello made a motion to approve. None opposed.
- 1.24/10 Ms. Wright made a motion to approve. None opposed. .
- 1.24/11 Ms. Wright made a motion to approve if results match exactly when results received. None opposed.
- 1.24/12 Ms. Wright made a motion to approve. None opposed.

The following applicants required a 2nd Review:

- 12.23/2 Dr. Mandal-Blasio made a motion to allow registered line technician to continue without interruption. None opposed.
- 12.23/7 Dr. Mandal-Blasio made a motion to request additional information, and if applicant does not respond within 10 days the registration would be denied. None opposed.
- 12.23/12 Previously reviewed, and approved if results match exactly when results are received. Results still not received.

The following applications are to provide monthly updates for review.

- 10.21/7 Update received.
- 3.22/C 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 Ms. Cole made a motion if no update is received in 10 days, registration will be revoked. None opposed.

4.23/3 RLT Registration discontinued. Ms. Murray made a motion to require monthly updates if registered again.

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 Mr. Tuminello made a motion to discontinue requiring updates as final disposition has been received. None opposed

9.23/19 Ms. Wright made a motion if no update is received in 10 days, registration will be revoked. None opposed.

9.23/20 Ms. Riofrio made a motion if no update is received in 10 days, registration will be revoked. None opposed.

9.23/24 RLT Registration discontinued. Ms. Murray made a motion to require monthly updates if registered again.

9.23/26 Update received.

10.23/7 Update received.

11.23/9 Update received.

11.23/15 Update received.