

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

BOARD MEETING MINUTES: MARCH 24, 2020

CERTIFICATION

In accordance with Proclamation JBE2020 – 30, Section 4, the Louisiana Behavior Analyst Board hereby certifies it would have been unable to operate due to quorum requirements and therefore held this board meeting via Zoom. The public was invited to access the first few minute of the meeting before the board moved to Executive Session.

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Lloyd Boudloche, Jr. Ed.D. 9:04 a.m. on Tuesday, March 24, 2020 via Zoom. Participating were Board Members: Lloyd Boudloche, Jr., Ed.D., Courtney Wright, Renee Cole, Calvin Cryer, Alfred Tuminello, Jr., Executive Director Rhonda Boe and Compliance Officer, Justin Owens. Scott Williamson did not participate.

A motion was made by Ms. Tuminello to approve the agenda for the March 24, 2020 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Dr. Boudloche moved to enter Executive Session at 9:05 a.m. for credential file reviews.

Dr. Boudloche closed executive session at 10:27 a.m.

A public Zoom code was posted and available to the public on the board website on March 23, 2020.

The following was voted on regarding the credential file reviews:

Licensure Applicants 3.20/D, 3.20/E, 3.20/F, 3.20/G, 3.20/I, 3.20/J, 3.20/K, 3.20/N, and 3.20/Q were approved for licensure.

Licensure Applicants 3.20/A, 3.20/B, 3.20/C, 3.20/L, 3.20/M, 3.20/O, 3.20/P, 3.20/R, 3.20/S and 3.20/T were approved for licensure upon receipt of their last documents by mail.

State Certified Assistant Behavior Analyst Applicants 3.20/U was approved for certification.

State Certified Assistant Behavior Analyst Applicants 3.20/V and 3.20/W were approved for certification upon receipt of their last documents by mail.

Licensure Applicant 3.20/H was reviewed and additional documentation was requested. Applicant will be reviewed again at the April meeting.

The status of other applicants reviewed are contained in the attached report by compliance officer, Justin Owens.

Complaints Committee:

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

- 1) Waiting on Consent Agreement reached to be notarized and returned.
- 2) An informal meeting is scheduled but will likely be postponed due to shelter at home.
- 3) An informal meeting is scheduled but will likely be postponed due to shelter at home.
- 4) An informal meeting will be scheduled on this complaint when shelter at home is lifted.
- 5) A Consent Agreement is being prepared to offer to the respondent.
- 6) Investigation still ongoing. Further evidence is being gathered.
- 7) Administrative Hearing scheduled for April 27th and April 28th.
- 8) Notice letters have been sent on a board initiated complaint.
- 9) Notice letter being prepared.

Ms. Boe informed the board she did not have the minutes prepared from the February meeting but would have them for the April meeting.

Finance Committee:

Mr. Tuminello made a motion to pay the LSBEP March invoice and noted no discrepancies. None opposed. The Reconciliations for February were received just prior to the start of the meeting and will be reviewed at the April meeting.

Ms. Boe informed the board an amended budget for FY19/20 will be required and presented at the next meeting.

Jurisprudence Committee:

No new business.

Legislative Committee:

Ms. Boe informed the board the Rule Promulgation will be published April 20, 2020 unless delayed by the shelter at home.

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

No new business.

New Business:

No new business.

Discussion Items:

Discussions were held concerning the public health emergency and how it affects the practice. The board has already put Emergency Plans in place and will continue to do so as the need arises.

Ms. Boe stated she has received many discontinuations over the last week and that if a RLT is discontinued due to lack of work, the RLT will need to reapply and perhaps even require another CBC. After discussion, the board agreed Ms. Boe would send an email advising if a RLT is laid off but has a job to return to it is not necessary to complete a discontinuation. The person should still be eligible for unemployment insurance. No supervision is required if zero hours are worked

providing ABA services during this time. This would make it easier for the RLT to return to work when the shelter in place is lifted and their services are required again. The email will also offer the opportunity for any discontinuations already sent in to be disregarded upon email request from the LBA.

The board's student worker is not considered essential and will have a job to return to when the shelter in place is lifted. She has applied for unemployment insurance benefits and should be eligible.

Discussion was held regarding the possibility of the shelter in place being extended past April 13, 2020. If this occurs, the LBAB Emergency plans would also be extended, including the provisions allowing telehealth.

The board receives updates from the LDH and the Governor's Office and will pass this information to providers through email and posting on website. Insurance questions need to be directed to the companies directly.

Executive Director Report:

The Governor has still not appointed the board members voted on in January of 2019. Therefore, the board is delaying setting meeting dates too far in advance so as to accommodate the new member when finally appointed.

The April meeting will be held in the evening on April 27, 2020.

Dr. Boudloche adjourned the meeting at 11:51 a.m.

**Louisiana Behavior Analyst Board
Credential Review Minutes
March 24, 2020
(Executive Session)**

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

3.20/3 – The Board unanimously moved to **deny** registration due to **(a)** the number and severity of arrests and **(b)** false information provided by applicant.

3.20/7 – The Board unanimously moved to **approve** registration and require the applicant to begin providing quarterly updates along with certain documentation related to charges.

3.20/4 – The Board unanimously moved to **deny** registration due to the applicant's failure to provide complete documentation relative to criminal charges.

3.20/10 – The Board unanimously moved to **approve** registration and require the applicant to begin providing monthly updates. Mr. Tuminello abstained.

3.20/5 – The Board unanimously moved to **approve** registration.

3.20/9 – The Board unanimously moved to **table** this application until the April 2020 meeting due to nonpayment of the application fee.

3.20/11 – The Board unanimously moved to **continue** registration uninterrupted if applicant responded to Owens' request for more information on a recent arrest. Registrant will also be required to begin providing monthly updates.

3.20/2 – The Board unanimously moved to **approve** registration.

Board Compliance Officer Justin Owens presented the following Line Technicians, SCABAs and LBTs to the Board for ongoing monthly updates:

1.20/5 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Cryer abstained.

6.7/B – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

8.19/2 – The Board moved unanimously to **continue** registration uninterrupted if registrant responds in a timely manner to Owens' attempts to obtain a monthly update.

12.18/10 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Cryer abstained.

2.20/12 – The Board moved unanimously to **continue** registration uninterrupted if registrant responds in a timely manner to Owens' attempts to obtain a monthly update.

1.19/4 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

12.19/11 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates. Mr. Tuminello abstained.

8.19/8 – The Board moved unanimously to **continue** registration uninterrupted with monthly updates.

7.19/6 – The Board moved unanimously to **revoke** registration due to **(a)** a pattern of insufficient communication and **(b)** failure to provide any official documentation since December 2019.

2.20/6 – The Board unanimously moved to **continue** registration uninterrupted with monthly updates.

2.20/5 – The Board unanimously moved 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:

8.18/H – Registrant submitted to the Board official documentation indicating resolution of criminal charges. The Board moved unanimously to **continue** registration uninterrupted and end updates.

2.18/4 – The Board moved unanimously to **continue** registration uninterrupted with quarterly updates.