

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

**BOARD MEETING MINUTES: November 16, 2022**  
*(Approved January 4, 2023)*

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Chair, Angela Murray, at 9:12 a.m. on Wednesday, November 16, 2022 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Angela Murray, Joseph Tuminello, III, Alfred Tuminello, Jr., Renee Cole, Rebecca Mandal-Blasio, Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Courtney Wright and Daniela Riofrio arrived at 9:18 a.m.

A motion was made by Ms. Cole to approve the agenda for the November 16, 2022 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Murray moved to enter Executive Session at 9:15 a.m. for credential file reviews and complaints.

Ms. Babin left the meeting at 11:45 a.m.

Ms. Murray closed Executive Session at 12:33 p.m.

Ms. Murray began the Open Meeting at 12:34 p.m.

Ms. Wright made a motion to approve the October minutes with the 2 corrections noted by members. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicants 11.22/C, 11.22/D and 11.22/F were reviewed and approved for licensure.

Licensure Applicants 11.22/A, 11.22/B and 11.22/E were reviewed and after discussion will be required to re-take the Jurisprudence Exam in person at the board office. The board will review again at the December 6, 2022 board meeting.

Certificant Applicants 11.22/G and 11.22/H were reviewed and approved for certification

Certificant Applicant 11.22/I was reviewed and after discussion will be required to re-take the Jurisprudence Exam in person at the board office. The board will review again at the December 6, 2022 board meeting.

The status of other applicants reviewed at the November meeting will be reported in the December minutes.

Complaints Committee:

Ms. Boe presented the following report on behalf of Complaints Coordinator, Ellen Brocato:

2021-014C Voluntary Surrender being reviewed by respondent's counsel.

2022-008C.A. After reviewing the recommendation of the complaints committee to close with no disciplinary action taken, Ms. Murray made a motion to approve said recommendation and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; Wright – yay; and Murray – yay. The vote passed and the complaint was closed.

2022-008C.B. After reviewing the recommendation of the complaints committee to send a letter of education and close with no disciplinary action, Ms. Murray made a motion to approve said recommendation and called the question. The results were as follows: Riofrio – yay; Dr. Tuminello – yay; Dr. Mandal-Blasio – yay; Mr. Tuminello – yay; Cole – yay; Wright – yay; and Murray – yay. The vote passed and the letter of education and closure was approved.

2022-009C Investigation ongoing.

Finance Committee:

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

Discrepancies were noted in the coding of RLT Applications and Transfers financials for August reviewed at the last meeting. Corrections were received from board CPA and reviewed. Dr. Mandal-Blasio made a motion to approve the full financials for August, as corrected. None opposed and the motion passed. Ms. Murray made a motion to approve the checking reconciliation for September. None opposed and the motion passed. Ms. Cole made a motion to approve the savings reconciliation for September. None opposed and the motion passed. The board reviewed the Balance Sheet, General Ledger, Monthly Profit and Loss and Profit & Loss Budget vs. Actual for September. It was noted promulgation fees will require amending as the board promulgated four rules this fiscal year. In addition, the Executive Administrator's salary was not budgeted in the projected budget and will also require amending later this year. Ms. Riofrio made a motion to approve the full financials. None opposed and the motion passed.

Ms. Boe advised the board the annual invoice for the contract with Certemy was received. The board reviewed the \$10472.00 invoice and noted it was in accordance with the contract and as such already approved for payment.

The board discussed the cost of remote deposit service and did not feel it was necessary at this time.

Ms. Boe advised the board her laptop was not able to accept new updates due to the age and was becoming difficult to use for daily functions. Ms. Murray made a motion to purchase a new laptop, monitor and any other items needed to update the Executive Director's equipment. None opposed and the motion passed.

Jurisprudence Committee:

The board reviewed the questions that would need to be revised with the publication of the amended Final Rules for fees, renewals, continuing education and ethical code. Dr. Tuminello will work on the necessary changes and the current plan is to have the online test functional mid to late January.

Legislative Oversight Committee:

Ms. Boe attended the meeting of the OLRC on November 3, 2022 for final review of the proposed 4 Rule Amendments. The committee unanimously approved the 4 amendments. The documents were submitted to the Office of State Register and legislative committees for approval for publication. The board will continue to review a rule request for reciprocity submitted and a vote will be called for at the December meeting.

Policies and Procedures Committee:

The board approved the Pre-Eligibility Determination Policy and form at last month's meeting. The board asked Ms. Boe to add the Pre-Eligibility Determination Form to the website. The board discussed the need to possibly establish a committee in the future to review Pre-Eligibility Applications to meet the deadlines for review.

Continuing Education Committee:

The board reviewed Continuing Education Reporting Forms received with renewals for approval and/or auditing.

Supervision Oversight Committee:

The board has not previously performed SCaBA supervision audits. SCaBA supervision audits are being planned for the beginning of next year. An email from a LBA about possibly not meeting minimum supervision requirements for RLTs was discussed. The board opined that the rule is clear for the amount of minimum supervision required and the ethics code states to only take on a volume of supervisory activity that is commensurate with the ability to be effective.

Long Range Planning:

Review and update Policy and Procedures (ongoing).

Discussion Items:

Ms. Boe reported that the changes in the lobby seem to be approximately 85% effective so far. Applicants still knock, question and get frustrated but as instructed are told to contact their supervisors as this is a drop off location and not an application center.

Ms. Boe informed the board new items needed to be added to the LBA/SCaBA Application. The application has not been update since 2015. A new LBA/SCaBA application containing rule references, several places to initial indicating you have read and understand and the new information mandated by the legislature was reviewed. Mr. Tuminello felt in Part III, National Certification should be changed from "Name of Credentialing Board" to "Name of Credentialing Body". Board members agreed with this change. Mr. Tuminello made a motion to approve and implement in January the new LBA/SCaBA application with the one change noted. None opposed and the motion passed.

Ms. Boe also updated the RLT application with rules cited and moving the paragraph concerning revocation if application is falsified by incorrectly answering question one to directly under question one. Dr. Mandal-Blasio made a motion to approve and implement in January the new RLT application. None opposed and the motion passed.

Ms. Boe had a handout from another board regarding expungement of certain disciplinary actions. The board will discuss at a later date.

Ms. Boe gave the board information on a Regulatory Academy Workshop being held on February 10, 2023 in Baton Rouge at last month's meeting. Ms. Blasio, Ms. Murray, Ms. Riofrio, Ms. Cole, Ms. Wright, Ms. Babin and Ms. Boe will attend. Ms. Murray made a motion for Ms. Boe to pay the

registration fees for all. None opposed and the motion passed. The board agreed to schedule the February board meeting the day before the conference so members would only have to travel once to Baton Rouge in February. Hotel needs and accommodations will be discussed at the next meeting.

Ms. Boe reminded board members to complete annual trainings and will have Ms. Babin prepare a print out for all board members with the websites.

Executive Director's Report:

Ms. Boe advised the board she received an email the evening before the meeting from a LBA asking for a discussion item to be added. As mandated by the law, the agenda is approved and posted 24 hours in advance of the meeting. The LBA wants to discuss the background check process. Ms. Boe asked if to add to the agenda for December. The board discussed that the December meeting will be full with credential reviews, complaints, finance and board review of Continuing Education Reporting Forms submitted with renewals. All other committee reports will be tabled until the following month. Ms. Murray asked Ms. Boe to reach out to the LBA and ask if there were any specific questions she had that could be addressed in an email. Otherwise, the board will not be able to add to the agenda until possibly January.

Committee Assignments:

Dr. Tuminello was made chair of the Finance Committee.

Dr. Mandal-Blasio was added to the Policies and Procedures Committee and Supervision Oversight Committee.

All other committee members remained the same.

Future Meetings:

The board scheduled the following meeting dates:

Tuesday, December 6, 2022

Wednesday, January 4, 2022

Thursday, February 9, 2022

Ms. Murray adjourned the meeting at 2:00 p.m.

**CREDENTIAL FILE REVIEWS:**

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

- 11.22/1 Ms. Wright made a motion to approve but will require monthly updates. None opposed. Mr. Tuminello abstained.
- 11.22/2 Ms. Cole made a motion to approve if results match exactly when results received. None opposed.
- 11.22/3 Dr. Tuminello made a motion to approve. None opposed.
- 11.22/4 Dr. Tuminello made a motion to approve. None opposed.
- 11.22/5 Dr. Tuminello made a motion to approve. None opposed.
- 11.22/6 Dr. Tuminello made a motion to approve if results match exactly when results received. None opposed.

- 11.22/7 Dr. Tuminello made a motion to approve. None opposed.
- 11.22/8 Ms. Murray made a motion to approve if requested explanation is provided. None opposed.
- 11.22/9 Ms. Murray made a motion to approve. None opposed.
- 11.22/10 Ms. Wright made a motion to approve. None opposed. Mr. Tuminello abstained.
- 11.22/11 Ms. Murray made a motion to approve if requested explanation is provided. None opposed.
- 11.22/12 Ms. Wright made a motion to approve if results match exactly when results received. None opposed. Mr. Tuminello abstained.
- 11.22/13 Ms. Murray made a motion to deny until the pending matter is resolved. None opposed.
- 11.22/14 Ms. Wright made a motion to approve. None opposed. Mr. Tuminello abstained.
- 11.22/15 Ms. Murray made a motion to approve. None opposed.
- 11.22/16 Ms. Wright made a motion to approve. None opposed. Ms. Mandal-Blasio abstained.
- 11.22/17 Ms. Cole made a motion to approve. None opposed. Mr. Tuminello abstained.
- 11.22/18 Ms. Cole made a motion to approve. None opposed. Mr. Tuminello abstained.
- 11.22/19 Ms. Riofrio made a motion to approve. None opposed
- 11.22/20 Ms. Riofrio made a motion to approve. None opposed
- 11.22/21 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.
- 11.22/22 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.
- 11.22/23 Ms. Riofrio made a motion to allow registered line technician to continue without interruption but will require monthly updates. None opposed.
- 11.22/24 Mr. Tuminello and Ms. Mandal-Blasio made a motion to approve, but will require quarterly updates. None opposed.

- 11.22/25 Mr. Tuminello and Ms. Mandal-Blasio made a motion to approve, but will require quarterly updates. None opposed.
- 11.22/26 Ms. Cole made a motion to approve. None opposed. Mr. Tuminello abstained.
- 11.22/27 Mr. Tuminello and Ms. Mandal-Blasio made a motion to approve. None opposed.
- 11.22/28 Mr. Tuminello and Ms. Mandal-Blasio made a motion to approve, but will require quarterly updates. None opposed.
- 11.22/29 Ms. Cole made a motion to revoke certification until RLT complies with board's request for an explanation. None opposed. Mr. Tuminello abstained.
- 11.22/30 Mr. Tuminello and Ms. Mandal-Blasio made a motion to approve. None opposed.

The following applicants required a 2<sup>nd</sup> Review:

- 9.22/4 Ms. Wright made a motion to deny due to recent charge and lack of response to board request. None opposed.
- 9.22/6 Ms. Wright made a motion to deny due to lack of response to board request. None opposed.
- 10.22/22 Ms. Riofrio made a motion to approve. None opposed.
- 10.22/17 Mr. Tuminello and Ms. Mandal-Blasio made a motion to deny based on the serious nature of previous charges. None opposed.

The following applications are to provide monthly updates for review.

- 8.19/8 Update received.
- 6.21/8 Mr. Tuminello made a motion to close file as the case is completed. None opposed.
- 10.21/7 Update received.
- 3.22/C Update received.
- 9.22/35 Update received.
- 11.21/10 Ms. Wright made a motion to close file as the case is completed. None opposed.
- 3.22/14 Update received. Mr. Tuminello abstained.

- 4.22/8 No update received. Ms. Cole made a motion if no update is received by December meeting, RLT Certificate will be revoked. None opposed.
- 5.22/20 Update received. Mr. Tuminello abstained.
- 5.22/28 Update received.
- 6.22/1 Update received.
- 6.22/10 Update received
- 6.22/12 Discontinuation received. Mr. Tuminello made a motion to close file with notation stating applicant requires review if reappplies. None opposed.
- 9.22/9 Update received.
- 10.22/2 Update received. Mr. Tuminello abstained.
- 10.22/7 No update received. Ms. Riofrio made a motion if no update is received by December meeting, RLT Certificate will be revoked. None opposed. Mr. Tuminello abstained.
- 10.22/13 No update received. Ms. Wright made a motion if no update is received by December meeting, RLT Certificate will be revoked. None opposed.