

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

**BOARD MEETING MINUTES: September 20, 2023**  
*(Approved October 18, 2023)*

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order once a quorum was met by Board Chair, Angela Murray at 8:54 a.m. on Wednesday, September 20, 2023 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Angela Murray, Rebecca Mandal-Blasio, Alfred Tuminello, Jr., Renee Cole, Daniela Riofrio, Joseph Tuminello, III and Courtney Wright, Executive Director Rhonda Boe and Executive Administrator, Krysta Babin.

A motion was made by Dr. Tuminello to approve the agenda for the September 20, 2023 meeting. None opposed and the motion passed.

Pursuant to LSA R.S. 42:6.1(4), Ms. Murray moved to enter Executive Session at 8:55 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 10:48 a.m.

Ms. Murray closed Executive Session at 11:28 a.m.

Ms. Murray began the Open Meeting at 11:34 a.m.

Dr. Mandal-Blasio made a motion to approve the September minutes. None opposed and the motion passed.

The following was reported regarding the credential file reviews:

Licensure Applicant 9.23/C, 9.23/D, 9.23/E and 9.23/F were reviewed and approved for licensure.

Licensure Applicant 9.23/A and 9.23/B were reviewed and approved for licensure upon receipt of final required documents by mail.

Certificant Applicants 9.23/G, 9.23/H, 9.23/I, 9.23/J, 9.23/K and 9.23/L were reviewed and approved for certification.

The board reviewed a lapsed license renewal request for an extension in submitting the required CEs and permission to obtain those hours in 2023 due to extenuating circumstances. Mr. Tuminello made a motion to approve the request and allow 60 days to obtain the remaining CE hours required with a note that those hours could not be used again in the next reporting period. None opposed and the motion passed.

The board reviewed a discontinuation of a RLT who had been reported to authorities for actions regarding a client. Ms. Boe informed the board no arrest report had been received but did the board want to flag this file for review should another application be submitted by this individual. Ms. Riofrio made a motion to flag this file for review before processing should a RLT application be submitted. None opposed and the motion passed. Angela Murray abstained.

Ms. Boe informed the board an applicant for RLT checked yes to having previously been registered. When the applicant could not be found in the record, a second inquiry revealed where the individual worked and there is no behavior analyst licensed at that facility. The board asked Ms. Boe to reach out to the individual again and ask what were their specific duties.

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

Complaints Committee:

The board was informed by Ms. Boe that she was working with our prosecuting attorney regarding the LBA who was not responding to emails/phone calls and certified letter. More information as to the board's options should be available at next month's meeting.

The board reviewed a required SCABA supervision report received from the supervising LBA. After review the board agreed it met the reporting requirements but asked that the next report include whether or not the SCABA had specific duties and/or a caseload.

The board received a recommendation from the Complaints Committee to close with no action Complaint No. 2023-020C due to no evidence supporting this LBA was aware of the alleged violations she allegedly failed to report. Ms. Murray held a call to question if to close Complaint No. 2023-020C with no action. The following is a record of the votes: Mr. Tuminello – yay, Ms. Cole – yay, Dr. Mandal-Blasio – yay, Ms. Riofrio – yay, Ms. Wright – yay, Dr. Tuminello –yay and Ms. Murray – yay.

The board received a recommendation from the Complaints Coordinator to proceed with the filing of a formal Administrative Complaint in Complaint No. 2022-009C due to having exhausted all possibilities of a consent agreement acceptable to all parties. Ms. Murray held a call to question if to proceed with the filing of a formal Administrative Complaint in Complaint No. 2022-009C. The following is a record of the votes: Mr. Tuminello – yay, Ms. Cole – yay, Dr. Mandal-Blasio – yay, Ms. Riofrio – yay, Ms. Wright – yay, Dr. Tuminello –yay and Ms. Murray – yay.

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

|           |   |
|-----------|---|
| 2022-009C | Recommendation to proceed with formal Administrative Complaint<br>(Call to question held – see above)         |
| 2023-010B | Informal Meeting held/Consent Agreement being prepared to offer   |
| 2023-016C | Informal Meeting held/Committee reviewing for possible consent agreement offer                                |
| 2023-017C | Informal meeting held/Consent Agreement being prepared to offer   |
| 2023-019C | Pending committee recommendation  |
| 2023-020C | Informal meeting held/Committee recommendation to close with no action<br>(Call to question held – see above) |
| 2023-021C | Investigation Ongoing   |
| 2023-022C | Investigation Ongoing   |
| 2023-023C | Investigation Ongoing   |
| 2024-025B | Investigation Ongoing   |
| 2024-026B | Notice letter sent  |
| 2024-027B | Notice letter sent  |

Finance Committee:

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

Financials for August 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. Murray 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 August. Ms. Riofrio made a motion to approve the full financials for August. None opposed and the motion passed.

The board reviewed the AUP Louisiana Attestation Questionnaire. Mr. Tuminello made a motion to attest to all their answers, have Ms. Boe sign and submit to the auditor. None opposed and the motion passed.

Ms. Boe presented an update to the contract with the CPA. The original contract was executed with the assumption payroll processing including annual W2 and quarterly prep/filing would be automatically generated; however, Quick books does not process without deducting social security. These tasks will need to be performed manually. The board was presented with a contract update reflecting a monthly \$150.00 increase. Ms. Riofrio made a motion to approve the contract update. None opposed and the motion passed. Ms. Boe stated she would monitor and file an amendment to the contract on file with the state if required.

Ms. Boe advised she would reach out to the Attorney General's office (LBAB's previous general counsel) to see if they would consider contracting again with the board as general counsel. The Attorney General's office previously stated it would be a conflict of interest as they now had a division reviewing rule promulgation; however, LBAB did not register for those services

Ms. Boe informed the board the printer would need to be replaced and LSBEP and LBAB were waiting on quotes from the state. Ms. Boe also informed the board the internet provider was going to be switched to AT&T with the hope fiber optic cables would remedy the lack of service received in the board room. Mr. Tuminello made a motion to allow Ms. Boe to approve and pay any invoices associated with a new shared office printer and internet provider. None opposed and the motion passed.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

Act 322 of the 2023 Regular Session of the Legislature states occupational licensing boards shall promulgate any rules necessary to provide for, promote and regulate the use of telehealth in the delivery of healthcare services within the scope of practice regulated by the licensing entity. This law becomes effective January 1, 2024. Ms. Boe will present a draft to the board at the next meeting.

Last month the board reviewed the Emergency Rule to provide accommodations, upon request, to people with disabilities to participate in open meetings filed by DOA. The rule was rescinded yesterday as the Act requires each agency to promulgate its own rules. After discussion, the board will begin drafting rules for accommodations during in-person open meetings. The board previously voted not to hold electronic meetings.

Policies and Procedures Committee:

No new drafts were ready for review.

Continuing Education Committee:

No new business.

Supervision Oversight Committee:

Ms. Boe presented Ph. I of a supervision audit which included a letter to the board. The board found the letter concerning. It was discussed if Ph. II of the audit could be hand-delivered by subpoena with a request to furnish the supervision records immediately. Board members stated they could provide that information the same day. Ms. Cole made a motion to serve Ph. II of the supervision audit in a subpoena. None opposed and the motion passed.

Long Range Planning:

No new business.

Discussion Items:

The board presentation for the Gulf Coast ABA Conference was reviewed and discussed. Input was received and documented. The final presentation will be sent to all board members before the conference. Ms. Murray will be the main presenter and Ms. Riofrio and Ms. Wright have offered to assist.

Ms. Boe and Ms. Babin were extended an invitation to attend a Regulatory Workshop the day before the APBA Conference in New Orleans. Attendance to this one-day workshop, meals and hotel are being covered by BACB. Ms. Boe will file appropriate disclosure statements to accept. Ms. Boe asked for mileage reimbursement to and from the conference for Ms. Babin to be approved by the board. Mr. Tuminello made a motion to approve mileage reimbursement for Ms. Babin to and from the APBA Conference in New Orleans. None opposed and the motion passed.

Executive Director's Report:

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

393 Line Technicians Registered  
17 Behavior Analysts Licensed  
6 State Certified Assistant Behavior Analysts Certified  
119 Transfers

Ms. Murray adjourned the meeting at 2:16 p.m.

**CREDENTIAL FILE REVIEWS:**

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

- 9.23/1 Ms. Riofrio made a motion to approve. None opposed.
- 9.23/2 Ms. Cole made a motion to request additional information, and approve if additional information matches exactly to results received. None opposed. Ms. Riofrio and Ms. Wright abstained.
- 9.23/3 Ms. Riofrio made a motion to request additional information, and table until next board meeting. None opposed.
- 9.23/4 Ms. Riofrio made a motion to approve. None opposed.
- 9.23/5 Ms. Riofrio made a motion to approve. None opposed.

- 9.23/6 Ms. Murray made a motion to approve. None opposed.
- 9.23/7 Ms. Murray made a motion to approve. None opposed.
- 9.23/8 Ms. Murray made a motion to approve if results match exactly when results received. None opposed.
- 9.23/9 Ms. Murray made a motion to approve. None opposed.
- 9.23/10 Dr. Tuminello made a motion to approve. None opposed.
- 9.23/11 Dr. Tuminello made a motion to approve if results match exactly when results received. None opposed.
- 9.23/12 Dr. Tuminello made a motion to approve. None opposed.
- 9.23/13 Ms. Cole made a motion to request additional information, and table until next board meeting. None opposed. Dr. Mandal Blasio abstained.
- 9.23/14 Dr. Tuminello made a motion to approve if results match exactly when results received but will require monthly updates. None opposed.
- 9.23/15 Ms. Cole made a motion to approve. None opposed. Mr. Tuminello abstained.
- 9.23/16 Mr. Tuminello made a motion to approve. None opposed.
- 9.23/17 Mr. Tuminello made a motion to approve but require monthly updates. None opposed.
- 9.23/18 Mr. Tuminello made a motion to deny registration. None opposed.
- 9.23/19 Mr. Tuminello made a motion to request additional information, and table until next board meeting. None opposed.
- 9.23/20 Ms. Wright made a motion to allow registered line technician to continue without interruption but will require quarterly updates. None opposed.
- 9.23/21 Dr. Mandal Blasio made a motion to approve. None opposed.
- 9.23/22 Dr. Mandal Blasio made a motion to approve. None opposed.
- 9.23/23 Applicant no longer required review. Registration processed.
- 9.23/24 Dr. Mandal Blasio made a motion to approve but require quarterly updates. None opposed.
- 9.23/25 Ms. Wright made a motion to approve. None opposed.

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

- 8.23/3 Ms. Cole made a motion to approve. None opposed.

8.23/12 Ms. Wright made a motion to request additional information, and table until next board meeting. None opposed.

8.23/16 Ms. Cole made a motion to deny registration. None opposed.

The following applications are to provide monthly updates for review.

10.21/7 Update received.

9.22/35 Update received.

4.22/8 Update received.

5.22/21 Update received.

6.22/10 Update received.

10.22/2 Update received. Mr. Tuminello abstained.

10.22/7 Update received. Mr. Tuminello abstained.

11.22/23 Ms. Riofrio made a motion to close the case. None opposed.

11.22/25 Update received.

2.23/1 Update received.

2.23/5 Update received.

4.23/3 Update received.

4.23/4 Update received.

6.23/7 Update received.

6.23/14 Dr. Mandal Blasio made a motion if no update is received in 10 days, registration will be revoked. None opposed.

6.23/16 Update received.

8.23/13 Ms. Murray made a motion if no update is received in 10 days, registration will be revoked. None opposed.

8.23/20 Update received.

8.23/25 Update received.

8.23/27 Ms. Wright made a motion if no update is received in 10 days, registration will be revoked. None opposed