

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

BOARD MEETING MINUTES: September 18, 2024
(Approved October 23, 2024)

The meeting of the Louisiana Behavior Analyst Board (Board) was noticed and called to order by Board Vice-Chair, Danielle Riofrio at 8:53 a.m. on Wednesday, September 18, 2024 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, Louisiana. Present were Board Members: Daniela Riofrio, Angela Murray, Alfred Tuminello, Jr., Courtney Wright and Renee Cole, Executive Director Rhonda Boe and Executive Administrator, Krysta Babin. Board Members Joseph Tuminello, III and Rebecca Mandal-Blasio were absent.

Also present were James Raines, Jr., board prosecuting attorney and Stephanie Laborde, board general counsel.

A motion was made by Ms. Cole to approve the agenda for the September 18, 2024 meeting. None opposed and the motion passed.

Ms. Boe informed the board and attorneys that the court reporter was a no show due to a mix up on their schedule. Ms. Boe stated she would take notes for the minutes and Ms. Babin would assume the note taking role when Ms. Boe is testifying.

As board counsel, Ms. Laborde gave instructions to the board on proper procedure for this hearing such as trying the matter on the record and relevant evidence presented by Mr. Raines.

Mr. Raines began the hearing by stating the applicant being reviewed would be unable to attend due to unforeseen circumstances and had submitted a statement which is contained in the Evidence Book handed out to all board members.

A digest of the hearing is as follows:

Mr. Raines called Ms. Boe as a witness. She was sworn in by Ms. Laborde and testified to the validity of the following information.

The application in the Evidence Book was the application submitted to the board office. It was correctly initialed, signed, and notarized indicating the applicant executed the application, the statements are true in every respect, and nothing has been suppressed. After receipt of the background check results, it appeared applicant falsified the answer on Part VI Affidavit. Ms. Boe contacted attorney Raines. Attorney Raines conducted research regarding applicant that indicated the applicant had been using titles associated with certifications or licensed professions in Louisiana. His application stated he had no previous certifications or licensures in any state. A Public Records Request was sent to the Louisiana State Board of Examiners of Psychologist to determine if he was registered as an ATAP, as his highest degree obtained, according to his application, was a master's degree. The response from that board was no record of this individual existed.

A Notice of Intent to Deny Application for Licensure or to Withhold Licensure and Notice of Hearing dated August 26, 2024 was sent to the applicant. The letter was received as indicated by the signature card. The hearing was scheduled for September 11, 2024.

One of the applicant's reference letters was received August 26, 2024 from the CEO of his employer, which stated applicant had been employed as a Psychological Associate since 2007 to the present. On researching his employer's website, no psychologist was listed on staff. The duties he performed at this employment require certification and/or licensure and/or supervision. Additional research revealed said employer was opening a 40-bed, in-patient facility for autistic children from 14-17 years old in June of 2024. Applicant received his initial BACB Certification on July 31, 2024. This application for licensure as a behavior analyst was received August 12, 2024. The other two reference letters have not been received as of today. To meet the requirement of having a BCBA reference, one of the applicant's references listed was his supervisor for his BACB hours, who is an Idaho BCBA. Idaho does not require licensure.

Applicant planned to attend the hearing on September 11, 2024; however, all state offices were closed due to Hurricane Francine, and the hearing was postponed to September 18, 2024. Applicant was notified. On September 16, 2024, applicant informed Attorney Raines that due to unforeseen circumstances he would be unable to attend the rescheduled hearing. Applicant did submit a written statement which the board reviewed in their evidence book. Part of the statement listed his key duties which he stated were carried out under the supervision of a licensed psychologist. A response was sent to the applicant indicating receipt and requesting the name of his psychologist supervisor. He did respond with the name at 4:42 p.m. on September 17, 2024 which did not allow time for verification of this information.

All evidence was properly introduced and admitted into evidence.

Pursuant to LSA R.S. 42:17 (1), Ms. Riofrio moved to enter Executive Session at 9:40 a.m. to discuss the intent to deny or withhold licensure hearing on licensure candidate 9.24/H. Mr. Raines left the meeting.

Ms. Riofrio closed Executive Session at 10:26 a.m.

Ms. Riofrio resumed the Open Meeting at 10:27 a.m. Mr. Raines returned to the meeting.

Ms. Riofrio requested a Call to Question on a motion to gather additional information requested by the board and table a decision on the intent to deny or withhold licensure on candidate 9.24/H until all information has been received and reviewed by the board. The results of the votes were as follows: Ms. Wright – yay, Ms. Cole – yay, Ms. Murray – yay, Mr. Tuminello – yay, and Ms. Riofrio – yay and the motion passed.

Mr. Raines and Ms. Laborde left the meeting at 10:32 a.m.

Pursuant to LSA R.S. 42:6.1(4), Ms. Riofrio moved to enter Executive Session at 10:35 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 12:35 p.m.

Ms. Riofrio closed Executive Session at 1:02 p.m.

Ms. Riofrio began the Open Meeting at 1:03 p.m.

Ms. Cole made a motion to approve the August 14, 2024 minutes. None opposed and the motion passed.

The following occurred regarding the credential file reviews:

Licensure Applicants 9.24/A, 9.24/B, 9.24/D, 9.24/E, 9.24/F, 9.24/I, 9.24/J and 9.24/K, 9.24/M, 9.24/O AND 9.24/Q were reviewed and approved for licensure.

Daniela Riofrio abstained from the vote on 8.24/F.

Licensure Applicants 9.24/N and 9.24/P were approved for licensure upon receipt of final required documents by mail.

Licensure Applicant 9.24/C did not meet the requirements to be reviewed at the September meeting.

Licensure Applicant 9.24/H was reviewed earlier and reported above.

SCaBA Applicants 9.24/L and 9.24/S were reviewed and approved for certification.

SCaBA Applicant 9.24/G and 9.24/R were approved for certification upon receipt of the final required documents by mail. Mr. Tuminello abstained from the vote on 9.24/R.

The board reviewed a request to flag a RLT for ethical concerns. After review and discussion, Ms. Riofrio made a motion to flag the file for board review should the individual submit an application in the future. None opposed and the motion passed.

The board reviewed a rap back report on a RLT. After review and discussion, Ms. Cole made a motion to allow the RLT to continue providing services uninterrupted provided she submit quarterly updates to the board until the case is concluded. None opposed and the motion passed.

The status of other applicants reviewed and voted on at the August meeting is listed below in the Credential File Reviews.

The following occurred during late renewals review:

The board reviewed the documentation received for the late renewal of the license of MH. The submission was deemed sufficient. Ms. Murray moved to renew the license effective today. None opposed and the motion passed.

The board reviewed the documentation received for the late renewal of the license of JP. The submission was deemed sufficient. Mr. Tuminello moved to renew the license effective today. None opposed and the motion passed.

The board reviewed the documentation received for the late renewal of the certification of JE. The submission was deemed sufficient. Ms. Wright moved to renew the certification effective today. None opposed and the motion passed.

Ms. Murray reviewed 9 lapsed RLTs who were still working and not renewed. All submitted the proper documentation, renewal fee, late fee, and fees for months working without being renewed. Ms. Murray made a motion to approve the 9 lapsed RLTs for renewal. None opposed and the motion passed.

Complaints Committee:

The board reviewed a signed Consent Agreement and Order on Complaint No. 2024-32B.

Ms. Riofrio requested a Call to Question on a motion to approve the Consent Agreement and Order.

The results of the votes were as follows:

Ms. Wright – yay, Ms. Cole – yay, Ms. Murray – yay, Mr. Tuminello – yay, and Ms. Riofrio – yay and the motion passed.

The board reviewed a signed Consent Agreement and Order on Complaint No. 2024-35B.

Ms. Riofrio requested a Call to Question on a motion to approve the Consent Agreement and Order.

The results of the votes were as follows:

Ms. Wright – yay, Ms. Cole – yay, Ms. Murray – yay, Mr. Tuminello – yay, and Ms. Riofrio – yay and the motion passed.

The board reviewed a signed Voluntary Surrender of License on Complaint No. 2024-25B.

Ms. Riofrio requested a Call to Question on a motion to approve the Voluntary Surrender of License.

The results of the votes were as follows:

Ms. Wright – yay, Ms. Cole – yay, Ms. Murray – yay, Mr. Tuminello – yay, and Ms. Riofrio – yay and the motion passed.

Ms. Boe presented the following update on complaints on behalf of the Complaint's Coordinator.

2023-021C	Reviewing
2023-023C	Reviewing
2024-026B	Reviewing
2024-027B	Reviewing
2024-028C	Informal scheduled for October
2024-029C	Committee Recommendation will be submitted at October meeting
2024-030C	Informal scheduled for October
2024-033C	Informal offered
2024-034C	Reviewing
2024-036B	Suspended/Consent Agreement
2025-038C	Notice Letter being drafted

Finance Committee:

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

Financials for July were reviewed and discussed. Ms. Cole made a motion to approve the savings reconciliation and Ms. Wright made a motion to approve the ICS Reconciliation. None opposed and the motions passed. The board tabled approval of the July checking reconciliation until next month's meeting until some questions on outstanding checks could be reviewed by the CPA firm. The board reviewed the Balance Sheet, General Ledger, Monthly Profit and Loss and Profit & Loss Budget vs. Actual for July. Ms. Wright made a motion to approve the full financials for July, with the exception of anything affected by the questions on the checking reconciliation. None opposed and the motion passed.

Ms. Riofrio made a motion to add Ms. Babin to the banking accounts as a signer. None opposed and the motion passed.

Ms. Wright made a motion to contact First Horizon about opening another ICS account to secure protection of the funds. None opposed and the motion passed.

Ms. Boe used her own credit card for purchases of board meeting supplies and postage while waiting on a new board debit card to be delivered and asked for reimbursement in the amount of \$174.11. Ms. Murray made a motion to reimburse Ms. Boe \$174.11. None opposed and the motion passed.

Ms. Boe reported that Civil Service approved the full-time classified position for Administrative Coordinator 2. The job will be posted and applicants reviewed.

Jurisprudence Committee:

No new business.

Legislative Oversight Committee:

No new business

Policies and Procedures Committee:

No new business.

Continuing Education Committee:

The board reviewed CEU audit submissions received. All submissions were sufficient. Ms. Cole made a motion to approve all the CE audits reviewed today and notify the individuals that their submission was in compliance. None opposed and the motion passed. There is one remaining individual to be reviewed. That submission will be presented at next month's meeting.

Supervision Oversight Committee:

The board reviewed the CE Audit letters. After approval, Ms. Boe was instructed to send the letters.

Long Range Planning:

The board discussed hosting a CEU Event and discussed potential speakers, topics, and logistics. Dr. Mandal-Blasio was absent and will present an update at next month's meeting.

Discussion Items:

The board finalized the topics to be covered in their presentation at the Gulf Coast Conference. Ms. Riofrio will send Ms. Boe her presentation to review and add the final details. Ms. Boe and Ms. Babin will attend the conference presentation to assist in answering any questions.

Executive Director's Report:

Stats for August 2024

LBAs	13
SCaBAs	3
RLTs	418
TRANSFERS	195
DISCONTINUATIONS	275

Renewals for 2024

LBAs	604
SCaBAs	60
RLTs	3077

No updates have been received on appointment of the two new board members which were submitted to the Governor's Office by LaBAA. Ms. Murray's and Mr. Tuminello's seats are considered expired but not vacant and they continue to serve until their replacements are appointed.

The next board meeting is scheduled for October 23, 2024.
Ms. Riofrio adjourned the meeting at 2:07 p.m.

CREDENTIAL FILE REVIEWS:

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

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| 9.24/1 | Ms. Cole made a motion to request additional information and if provided approve but will require to provide monthly updates. None opposed. Mr. Tuminello abstained. |
| 9.24/2 | Ms. Cole made a motion to approve. None opposed. |
| 9.24/3 | Ms. Cole made a motion to request additional information and if provided approve. None opposed. |
| 9.24/4 | Ms. Wright made a motion to approve if results match exactly when results received. None opposed. |
| 9.24/5 | Mr. Tuminello made a motion to request additional information and will review at the next board meeting. None opposed. Ms. Cole abstained. |
| 9.24/6 | Ms. Wright made a motion to request additional information and if provided approve. None opposed. |
| 9.24/7 | Ms. Wright made a motion to request additional information and will review at the next board meeting. None opposed. |
| 9.24/8 | Ms. Wright made a motion to approve. None opposed. |
| 9.24/9 | Ms. Wright made a motion to approve. None opposed. |
| 9.24/10 | Ms. Murray made a motion to approve but will require quarterly updates. None opposed. |
| 9.24/11 | Applicant no longer requires board review. |
| 9.24/12 | Ms. Wright made a motion to approve. None opposed. Mr. Tuminello abstained. |
| 9.24/13 | Ms. Murray made a motion to approve. None opposed. |
| 9.24/14 | Employer no longer wanted to move forward with applicant. |
| 9.24/15 | Ms. Murray made a motion to approve. None opposed. |
| 9.24/16 | Ms. Murray made a motion to request additional information and if provided approve but will require to provide monthly updates. None opposed. |
| 9.24/17 | Ms. Murray made a motion to approve. None opposed. |
| 9.24/18 | Ms. Riofrio made a motion to approve. None opposed. |
| 9.24/19 | Ms. Riofrio made a motion to approve. None opposed. |

9.24/20 Ms. Riofrio made a motion to approve if results match exactly when results received. None opposed.

9.24/21 Ms. Riofrio made a motion to approve. None opposed.

9.24/22 Ms. Riofrio made a motion to approve. None opposed.

9.24/23 Ms. Riofrio made a motion to approve but requires quarterly updates. None opposed.

9.24/24 Mr. Tuminello made a motion to approve. None opposed.

9.24/25 Mr. Tuminello made a motion to approve. None opposed.

9.24/26 Mr. Tuminello made a motion to approve but requires quarterly updates. None opposed.

9.24/27 Mr. Tuminello made a motion to approve. None opposed.

The following applicants required a 2nd Review:

8.24/18 Mr. Tuminello made a motion to deny registration. None opposed.

8.24/21 Mr. Tuminello made a motion to approve. None opposed.

The following applications are to provide monthly updates for review.

10.21/7 Update received.

10.23/F Update received.

4.22/8 Update received.

10.22/7 Update received. Mr. Tuminello abstained.

4.23/4 Update received.

6.23/7 Update received.

9.23/20 Update received.

11.23/15 Update received.

2.24/6 Update received.

4.24/5 Update received.

5.24/1 Update received.

5.24/6 Ms. Cole made a motion if no update is received in 10 days, registration will be revoked. None opposed. Ms. Murray abstained.

5.24/12 Update received.

5.24/23	Ms. Riofrio made a motion if no update is received in 10 days, registration will be revoked. None opposed.
6.24/2	Update received
6.24/8	Ms. Murray made a motion if no update is received in 10 days, registration will be revoked. None opposed. Ms. Riofrio and Ms. Wright abstained.
6.24/28	Update received.
6.24/29	Update received.
6.24/30	Update received.
7.24/18	Update received.
7.24/21	Update received.
7.24/22	Update received.
7.24/23	Mr. Tuminello made a motion if no update is received in 10 days, registration will be revoked. None opposed.
8.24/1	Update received.
8.24/10	Ms. Wright made a motion if no update is received in 10 days, registration will be revoked. None opposed. Mr. Tuminello abstained.
8.24/13	Update received.