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ABA BOARD MEETING MINUTES

Date and Time of Meeting: October 16, 2019 9:30AM

Name of Organization: The Board of Applied Behavior Analysis

Place of Meeting: Legislative Counsel Bureau
401 South Carson Street, Room 2135
Carson City, NV 89701

Videoconference to:

Legislative Counsel Bureau
Grant Sawyer Building
555 East Washington Avenue, Room 4406
Las Vegas, NV 89101

Conference Line: 866-390-1828
Access Code: 4894327

AGENDA

1. Roll Call and Verification of Posting

Laryna Lewis verified posting. Dr. Keri Milyko, Christy Fuller, Dr. Bridgid Fronapfel, Matthew Sosa, and Rachel Gwin. All five board members were present.

2. Public Comment

No public comment.

3. Approval of Previous Meeting Minutes (**For Possible Action**)

The Board discussed the approval of the previous meeting minutes. Matt made a motion to approve the meeting minutes. Dr. Fronapfel seconded the motion. All in favor, motioned passed.

4. Discussion of Current Status of Applications and other ADSD Activities Pertaining to Applied Behavior Analysis

Laryna Lewis discussed the current status of applications. She began with the applications that are pending. There are 21 LBAs, 4 LaBAs, and 85 RBTs. The current total of licensed LBAs are 214 and 22 for LaBAs which has not changed. There are 926 RBTs that are registered.

Christy asked Laryna for data on what was completed between the last meeting to this current meeting. Laryna stated the total number of RBTs registered in September were 63 and 11 LBAs were licensed. There were no LaBAs licensed that month. In October, 35 RBTs were registered and had licensed one LBA. There are exams that took place very recently which will increase the licensing number for October.

Jennifer Frischmann stated ADSD has had to shred nine background checks due to no supporting documentation. By law, the Division may not receive this information without the application and the fingerprint waiver form. The Division has tried to notify supervisors by looking to the BACB to communicate the urgency, however, most are not on the website and no point of contact is available.

Christy suggested to submit your applications to ADSD before completing the fingerprinting to prevent this from happening.

5. Review, Discussion, and Possible Approval of Revising Forms Required for Registration or Licensure in the Field of Applied Behavior Analysis **(For Possible Action)**

The Board discussed revisions of forms. Dr. Milyko had questions on the use of pronouns. Jennifer stated that she and Laryna had researched this topic and discovered a lot of information on this. Rachel suggested to use male, female or other so the individual may explain. Matt suggested to use gender along with Rachels suggestion of a check box for male, female or other.

Matt motioned to change forms to say gender with check boxes for male, female, or other. Brighid seconded the motion. All in favor, motion passed.

Rachel discussed adding more instruction to the Authorization and Release form. Jennifer said those changes will be updated.

Matt Sosa mentioned the LBA and LaBA applications do not have contact information for the character references. Laryna clarified the character reference contact information is on a separate form that is completed by that individual.

Jennifer stated we have also received these references via email which have been coming in a lot faster.

Matt questioned the training service portion of the LBA/LaBA applications. Christy explained her interpretation as to why this is asked in the application. She stated that ABA does not mean one thing. There are several specialties that the individual may want to include.

Jennifer recommended to change it to area of emphasis. Christy suggested to merge this as well to leave room for explanation.

Christy noticed a possible grammar issue on the RBT application. The Division will review the application and correct it.

6. Review, Discussion, and Possible Approval of Board Members Getting Access to ABA Board Email **(For Possible Action)**

Jennifer read the issues of granting a third-party access to emails which came directly from IT. She explained the Division is more than happy to forward emails to the board members. Dr. Milyko stated as long as we maintain the open communication and transparency as well as forwarding any comments like the Division has in the past.

Christy stated the Board will no longer be able to move forward with this agenda item and ADSD will continue to manage the ABA Board emails.

Matt asked if there was a disclaimer under the signature in the emails added to let the individual understand they are not speaking with the Board.

Jennifer stated this has not been put in place. With how the email is set up, the Division would have to place this disclaimer on each email manually.

Christy suggested to add the disclaimer on the website.

7. Review of Financial Status in Regard to the Board of Applied Behavior Analysis

Jennifer reviewed the Board's financial status. There is currently \$300,222 in the Boards account. This is as of September 30, 2019. Anything that has come in after this date has not been counted into this total. Dr. Milyko asked if there are any projections for renewals. Jennifer stated projections for renewals have not been created yet since there was no idea as to how many RBTs there were. At this point now, an estimation could be assumed using the data from past few months. Dr. Milyko said it looks like we are processing 50-60 RBTs and 10-20 LBAs a month.

Christy asked if we are prorating any fees. Jennifer said fees are prorated each month for LBAs and LaBAs licensing fee.

8. Review, Discussion, and Possible Approval of Draft Permanent Regulation Pursuant to NRS Chapter 437, Applied Behavior Analysis **(For Possible Action)**

Jennifer mentioned Laryna's suggestion to have an incentive period for renewal time by offering a discount. This discount is suggested to be a 20% discount and to possibly begin in October with an end date to be determined. This is an idea that would hopefully help with the workload since all licenses and registrations expire at the same time. Dr. Milyko would like to look at financial data to project this discount and see if it will work with expenses. Dr. Milyko said the Board will be creating the projection with the discount.

Dr. Fronapfel requested to have a record of who submitted their renewal early.

Jennifer recommended to discuss the issues surrounding the CEUs. Julie Slabaugh stated she had looked into the legislative history into the CEUs and nothing was mentioned. Christy clarified with Julie that if someone is in good standing with the BACB, that would not be sufficient enough for their continuing education credits and would have to be done within the two-year biannual cycle. Christy explained CEUs accrued during the LBA cycle do not expire even if you use them for your BCBA recertification. Starting January 1, 2019 through December 31, 2020, the individual is responsible for getting 32 CEUs during the renewal period plus two evidence-based suicide prevention education credits.

Dr. Fronapfel suggested sending out CEU opportunities that come up to the community. The suicide prevention credits can also be appealed over to the biennium if an opportunity is not presented and turn in four credits next renewal. This appeal would be submitted to the Division.

Jennifer explained to the Board that the Division receives emails regarding CEUs and questions about CEUs and are referring them back to the NAC. The language in the NAC should be clear enough to provide enough guidance.

Christy went back to the language in the regulations that discusses the CEUs. Dr. Milyko made a recommendation adding clarifying language to the CEU section. Dr. Fronapfel changed the language in the regulations for CEUs.

Dr. Fronapfel motioned to changed #2a under renewal. Matt seconded the motion. All in favor, motion passed.

9. Discussion and Possible Approval of Board Members Job Descriptions **(For Possible Action)**

The Board discussed their work on job descriptions. Dr. Milyko discussed her vision of job descriptions that are performance based and goal driven. Matt stated ADSD staff are the ones who produce the more concrete goals whereas the Board collaborates and makes the decisions. Traditional job descriptions may be a better fit.

Dr. Fronapfel politely disagreed with Matt. As Behavior Analysts, a more science-based approach would be more appropriate for this Board. Christy agreed with Dr. Fronapfel.

Dr. Milyko recommended to invite an expert, who is an author for job descriptions, to present to the Board and provide input.

Jennifer suggested to do a simple survey to receive input from the population about the Board.

Dr. Milyko would like to bring in an expert to present a case for a job description model.

Dr. Milyko made a motion to bring the expert to present job descriptions. Dr. Fronapfel seconded the motion. All in favor, motion passed.

10. Review, Discussion, and Possible Approval of Bylaws and Mission Statement (For Possible Action)

The Board shared their work on a mission statement.

Jennifer referenced the Board of Psychology's mission statement.

Dr. Milyko would like the mission statement to include creating regulations, and within these regulations is reference to the BACB which defines competence and ethics.

The Board further discussed professional competence, integrity and honesty.

Christy stated that it does not look like the Board will be deciding on the mission statement today. There will be more work to do in terms of research.

Dr. Milyko suggested to have the Board come up with their own personal value terms and bring it to the board next month to hopefully work around it. She explained this can be transparency, inclusivity, benevolence and structuring regulations.

Matt would also like to add protecting the consumers and the providers.

Christy tabled this agenda item.

11. Review, Discussion, and Possible Approval of Statement from the Board if Contacted for Comment by Members of the Press (For Possible Action)

Christy confirmed no Board members have been contacted by the press. Christy reminded that board members are not allowed to speak on behalf of the board.

12. Determine Future Agenda Items (For Possible Action)

Christy discussed adding the guest expert to present job descriptions, as well having an FAQ page.

Dr. Milyko motioned to talk about mission statement, job descriptions, presentation from Shane Isle, FAQ page and the standing items. Dr. Fronapfel seconded the motion. All in favor, motion passed.

13. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

Gwen Dwiggins gave a public comment. She recommended to have the job descriptions expert present in a Public meeting setting rather than a Public Workshop. Presenting in a Public Workshop setting may take longer to come to a consensus.

Janelle Lawrence gave a public comment. Janelle Lawrence gave a formal written comment to the Board.

14. Adjournment

Christy adjourned the meeting.

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Laryna Lewis at (775) 687-0503 as soon as possible and at least one **business** day in advance of the meeting. If you wish, you may e-mail her at larynalewis@adsd.nv.gov. Supporting materials for this meeting are available at 3416 Goni Road, D-132, Carson City, NV 89706, or by contacting Laryna Lewis at 775-687-0503, or by email larynalewis@adsd.nv.gov.

Agenda Posted at the Following Locations:

1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
 2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
 3. Aging and Disability Services Division, Reno Office, 9670 Gateway Drive, Suite 200 Reno, NV 89521
 4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104, Elko, NV 89801
 5. Nevada State Library and Archives, 100 North Stewart Street, Carson City, NV 89706
 6. Desert Regional Center, 1391 South Jones Boulevard, Las Vegas, NV 89146
 7. Sierra Regional Center, 605 South 21st Street, Reno, NV 89431
 8. Rural Regional Center, 1665 Old Hot Springs Road, Carson City, NV 89706
 9. State Legislative Building, 401 S. Carson Street, Suite 3138, Carson City, NV 89701
 10. Grant Sawyer State Office Building, 555 E. Washington Ave., Suite 4401, Las Vegas, NV 89119
 11. Department of Health and Human Services, 4126 Technology Way, Suite 100, Carson City 89706
- Notice of this meeting is also posted on the Internet: <https://ADSD.NV.gov> and <https://notice.nv.gov/>