



Tennessee Applied Behavior Analyst Licensing Committee

Monday, February 26, 2024

MINUTES

The Board meeting of the Tennessee Applied Behavior Analyst Licensing Committee was called to order at 9:00 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Amanda Spiess, Committee Chair on Monday, February 26, 2024.

Board members present:	Amanda Spiess, Committee Chair Esther Bledsoe, BCBA Timothy Cripps, BCBA
Board member(s) absent:	Elizabeth Ginder, BCBA Catherine Terry, Consumer Member
Staff present:	Candyce Wilson, Board Director Katherine Trawick, JD, General Counsel

APPROVAL OF MINUTES

The Board will table the August 21, 2023, minutes to be reviewed at the next meeting.

Ms. Esther Bledsoe motioned to approve the November 2023 meeting minutes. Mr. Timothy Cripps seconded the motion and it passed.

REPORT FROM THE OFFICE OF INVESTIGATIONS

Mr. Justin Thornberry presented the 2023 and 2024 complaints report for the Committee. The Committee members had no questions.

ADMINISTRATIVE OFFICE REPORT

Ms. Candyce Wilson presented the current administrative office report. The Committee members had no questions.

REPORT FROM THE FINANCIAL OFFICE

Ms. Emily Godwin presented the Committee's mid-year report, from July 1, 2023 – December 31, 2023. At this time, the Committee is still within the cumulative carryover target balance which would require a discussion on reducing fees. The Committee voted on a fee reduction at their last meeting, November 2023.

OFFICE OF GENERAL COUNSEL REPORT

Ms. Katherine Trawick presented the report from the Office of General Counsel which included the following updates:

1. A review of the conflict-of-interest policy.
2. Currently there are no open cases against their licensees. There are two (2) Behavior Analyst licensees currently being monitored. There is one (1) licensee on probation with terms. There is one (1) licensee revoked with terms.
3. The Committee currently has one (1) rulemaking packet to update its rules that are currently in internal review. Based on a retrospective rule review by the Department, the Committee will be presented some proposed rule revisions for review.
4. The fee changes requested at the last meeting are moving through the rule review process.

CONDUCT NEW BUSINESS

Consultant for Investigations

Ms. Wilson updated the Committee that we are in contact with one (1) licensee who is interested in serving as an investigative consultant. At this point, the Office of Investigations and Office of General Counsel will need to finish reviewing the candidate's information and communicating the requirements of the role with the candidate. At the next meeting the Committee members will be presented with the individuals resume for review and consideration if the other offices approve the candidate to be a consultant.

Ratification of New Licensees

The Committee reviewed the list of newly licensed individuals since the last meeting. Ms. Bledsoe motioned to ratify all names on the list. Mr. Cripps seconded the motion and it passed.

Discuss and review correspondence of forensic evaluators provided by Dr. Bruce Davis, DIDD Deputy Commissioner of Clinical Services

The Committee reviewed the letters provided by Dr. Davis. Based on concerns about the use of behavior analysts as a certified forensic evaluator, several parameters will go in place that allow LBAs to participate in competency training without working outside of their scope of practice. The Committee will be presented with the final version of the Internal Operating Guideline being drafted to outline the required components for their practice. The Committee did not have any questions.

Discuss and consider approval for attendance at upcoming conferences

Ms. Bledsoe motioned to approve one (1) Board attorney to attend the FARB RLS conference in September 2024. Mr. Cripps seconded the motion and it passed.

Ms. Bledsoe motioned to approve one (1) staff member and one (1) attorney to attend the CLEAR conference in September 2024. Mr. Cripps seconded the motion and it passed.

Discuss and Take Action regarding rulemaking, rule amendments, and policies

Ms. Trawick presented the Committee with a redline version of proposed rule amendments, from the retrospective rule, recommended by the Office of General Counsel.

The Committee considered the Lapsed License Policy and determined they were comfortable leaving the policy as is. This means if someone practices on a lapsed license for six (6) months or greater to be charged up to one thousand dollars (\$1,000.00) per month for practicing on a lapsed license.

The Committee discussed the rule regarding someone reinstating their license, who has been out of clinical or educational setting for over two (2) years needing six (6) months of supervision. The Committee determined that since one must hold an active BACB credential in order to reinstate their license that keeping up with the BACB requirements is enough requirements establishing competency and this six (6) month requirement in the rule can be removed.

The Committee requested to add a statement that requires licensees to report to the office within thirty (30) days of their BCBA being revoked. If your BCBA is revoked, then your license is automatically revoked.

Ms. Bledsoe motioned to approve rule changes to adopt the Ethics Code for Behavior Analyst for 2022. Mr. Cripps seconded the motion and it passed.

Ms. Bledsoe motioned to accept all changes in the rules agreed upon today. Mr. Cripps seconded the motion and it passed.

PUBLIC COMMENT

None.

ADJOURNMENT

Mr. Cripps motioned to adjourn the meeting. Ms. Bledsoe seconded the motion and it passed.

This meeting adjourned at 11:36am (CT).