

DRAFT

**ADVISORY BOARD ON BEHAVIOR ANALYSIS
Minutes
October 6, 2014**

The Advisory Board on Behavior Analysis met on Monday, October 6, 2014 at 10:00 a.m. at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Keri Bethune, Phd, BCBA-D
Kate Lewis, MS, CBA, LBA
Amanda Kusterer, BCABA
Patricia Taylor, JD

MEMBERS ABSENT: Asha Patton Smith, MD

STAFF PRESENT: Jennifer Deschenes, JD, Deputy Executive Director, Discipline
Alan Heaberlin, Deputy Director, Licensing
Elaine Yeatts, Senior Regulatory Analyst
Bradley Verry, Licensing Specialist

GUESTS PRESENT: None

CALL TO ORDER

Ms. Deschenes called the meeting to order at 10:01 am.

EMERGENCY EGRESS PROCEDURES

Mr. Heaberlin announced the Emergency Egress Procedures.

ROLL CALL

Roll was called. A quorum was present.

INTRODUCTION OF BOARD MEMBERS AND STAFF

All members of the staff and Advisory Board introduced themselves and provided a brief biographical statement.

ADOPTION OF AGENDA

Ms. Bethune moved to adopt the agenda. The motion was seconded and carried.

PUBLIC COMMENT

Ms. Lewis presented several issues on behalf of Christy Evanko. The first item addressed was regarding a grace period for newly certified Behavior Analysts. Board staff informed the Advisory Board that there is no grace period for recently certified individuals, and licensure is required to practice. Mr. Heaberlin stated the board has up to 30 days to issue a license once all documentation has been received. The second issue was regarding Behavior Analysts relocating to Virginia. Board staff stated there is no grace period for relocation. A license must be issued prior to practice. The third issue was in regards to Home Health facility licensure. The Board of Medicine does not regulate facilities.

NEW BUSINESS

#1. Role and Responsibility of the Advisory Board

Ms. Deschenes provided an overview of the Advisory Board's responsibilities. She explained that the advisory boards are working boards whose expertise is needed for the full board to conduct its business. Among the Advisory Board's duties, members may be called upon to assist the full board at its meetings, attend disciplinary and credentials committee informal conferences, develop the criteria for licensure and draft and approve regulations.

#2. Adoption of Bylaws

Ms. Deschenes noted that the Bylaws as currently written require that the advisory board chair attend the business meetings of the full Board. She explained that in the past, when the Board had fewer advisory boards, the advisory board chairs would attend the full Board meetings, but this has not been required for many years. Ms. Yeatts suggest the "shall" in Article II, Section 3(a) be changed to a "may". Ms. Taylor moved to approve the Bylaws as amended. The motion was seconded and carried.

#3. Review of Regulatory Process

Ms. Yeatts began by explaining to the Advisory Board that the process of drafting regulations to licensure may take as long as two years. She reviewed the process of promulgating regulations, the Virginia Administrative Code, the Administrative Process Act, executive branch review, economic impact analyses, guidance documents and instructed the Advisory Board on how to follow the process on Virginia Town Hall.

#4. Review of Regulations and Code

Ms. Yeatts reviewed with the Advisory Board the amended sections of 54.1-2900 which contains the law pertaining to behavior analysis. She began by reviewing the definition of the practice of behavior analysis followed by a review of sections 54.1-2957.16 through 54.1-2957.18. Ms. Yeatts then discussed briefly the regulations governing the practice of Behavior Analysis.

#5. Review of 2014 Legislation

Ms. Yeatts informed the Advisory Board that the only change relevant to Behavior Analysis is 54.1-2957.18, which allows the existence of the Advisory Board on Behavior Analysis.

#6. Election of Officers

Ms. Taylor nominated Ms. Bethune to serve as Chair and Ms Kusterer nominated Ms. Lewis to serve as Vice-Chair to the Advisory Board. The motions were seconded and carried unanimously.

#7. Approval of 2015 Meeting Dates

Ms. Taylor made a motion to continue to hold meetings on Monday morning at 10:00 am. The motion was seconded and carried.

Next Meeting Date

The Advisory Board's next scheduled meeting is February 2nd, 2014 at 10:00 am.

Adjournment

Ms. Taylor made a motion to adjourn the meeting. The motion seconded and carried.

Keri Bethune, PhD, BCBA-D, Chair

Jennifer Deschenes, JD,
Deputy Executive Director, Discipline

Alan Heaberlin,
Deputy Executive Director, Licensing