

**MEETING MINUTES
APPLIED BEHAVIORIAL ANALYST LICENSING COMMITTEE**

DATE: May 20, 2019
TIME: 9:00 A.M.
LOCATION: Health Related Boards Conference Center
Poplar Room, 665 Mainstream Drive
Nashville, TN 37243

COMMITTEE MEMBERS

PRESENT:

Michael S. Tonos, BCBA, Chair
Peter A. Beddow, BCBA-D
Amanda Spiess, BCBA

COMMITTEE MEMBERS

ABSENT:

Catherine Terry, Ph.D
Vacant Position

STAFF

PRESENT:

Teddy Wilkins, Unit Director
Lisa Williams, Board Administrator II
Paetria Morgan, Assistant General Counsel
John Tidwell, Health Related Boards Director

Mr. Tonos called the meeting to order at 9:15 a.m. A roll call vote was conducted and a quorum was present.

Review/Approve Minutes

Upon review of the February 25, 2019 minutes, Dr. Beddow made a motion, seconded by Ms. Spiess, to approve the minutes. The motion carried.

Office of Investigations Report

Lori Leonard, Disciplinary Coordinator for all non-nursing boards, presented the reports for investigations. There have been zero complaints received, zero discipline and zero monitored under discipline.

Office of General Counsel

Ms. Morgan stated there are no consent orders, agreed orders or open cases in the Office of General Counsel. Ms. Morgan reviewed the conflict of interest policy.

Administrative Report

Ms. Williams stated there are currently 461 active licensed Behavior Analysts and 13 active licensed Assistant Behavior Analysts and 24 provisionally licensed from the Department of Intellectual Disorders and Disabilities (DIDD.) There are 9 behavior analyst applications in process. Applied Behavior Analysts licensed since the last meeting are 26 new behavior analysts and 2 new assistant behavior analysts. There are 33 renewals for behavior analysts and 1 renewal for assistant behavior analyst. There is 1 behavior analyst that has expired. There are 3 reinstated behavior analysts.

Ms. Wilkins thanked Mr. Tonos for his service on the board and as board chair as his term on the board will be expiring soon. The board discussed in general the terms of board members and the need for an upcoming election of the board chair.

Discuss and Ratify/Deny Newly Licensed

Newly Licensed Behavior Analysts and Assistant Behavior Analysts

Mr. Beddow asked about the reinstated licenses and how they came to be expired. Ms. Wilkins and Ms. Williams explained the two year renewal cycle and how the licensee comes by their expiration date. The board discussed how a licensee can know their expiration date by looking on their renewal certificate, by looking up their license online as well as the initial full page note calling extension to their expiration date at the time they receive their initial wall license and renewal certificate.

Mr. Tonos called for a motion to ratify the list of Licensed Behavior Analysts. Dr. Beddow made a motion to ratify the list of Licensed Behavior Analysts, seconded by Ms. Spiess. The motion carried. The list of 26 newly licensed Behavior Analysts is approved to go before the Board of Examiners in Psychology on June 6, 2019, to be ratified.

Behavior Analyst

Bankston Charity M.
Bassos Jamie L.
Bautista Rebecca M
Camp Carrie B
Cantrell Anna
Ghatan Bitu
Grissom Veronica L.
Helbig Alicia M.
Huffman Kristen

Wilson
Jackson Garrett
Latamara
Khatib Aliah A
Lapointe Joshua D
Long Kyle R.
Martino Lauren M.
McDaniel Anna
Nelson Haley

Olive Rachel A
Powers Katherine V.
Riggs Kalyn
Roberts Kristina
Roberts Melissa B
Robinson Sammi J.K.

Ross Donna
Russell Danielle
Varney Jordan
Williams Sonya
Mystique

Mr. Tonos called for a motion to ratify the Licensed Assistant Behavior Analysts. Dr. Beddow made a motion to ratify the list of Assistant Behavior Analysts, seconded by Ms. Spiess. The motion carried. The list of 2 newly licensed Assistant Behavior Analysts is approved to go before the Board of Examiners in Psychology on June 6, 2019, to be ratified.

Assistant Behavior Analyst

Childs Emily A.
Jones Jacqueline M.

Mr. Tonos called for a motion to ratify the Reinstated Behavior Analysts. Dr. Beddow made a motion to ratify the list of Assistant Behavior Analysts, seconded by Ms. Spiess. The motion carried. The list of 3 reinstated Behavior Analysts is approved to go before the Board of Examiners in Psychology on June 6, 2019, to be ratified.

Reinstated Behavior Analysts

Litteral Donna I.
Pulliam Amy Kathryn
Torelli Jessica

Review Correspondence

The board agreed to give authorization to send a letter to **Nicole Bichelman** once the board of examiners in psychology has ratified their minutes which includes the decision concerning the query presented by Ms. Bichelman. Mr. Tonos called for a motion to draft a letter to be sent out once the board of Examiners in Psychology has ratified their minutes. Dr. Beddow made a motion, seconded by Ms. Spiess. The motion carried.

Discuss Telehealth

Mr. Tonos stated that at this time there are no rules for telehealth. Psychology is drafting rules for telehealth and this committee needs to discuss telehealth. Ms. Morgan stated from a legal standpoint, the statutory reference to telehealth is T.C.A. 63-1-155. It starts with a definition of healthcare provider and it says that a healthcare provider means in reference to this particular section, “Any provider licensed under this title who is authorized to diagnose and treat humans.” This is where the committee must determine whether or not the diagnosing and treating includes applied behavior analysis. If it does include applied behavior analysis, then the committee is covered under this healthcare provider and it’s meaning under this telehealth statute. If behavior analysts don’t diagnose and treat, then it’s not referring to behavior analysts and you would not

fall within this healthcare provider definition as far as a telehealth statute. This is going to require some research. Ms. Morgan asked for the committee member's perspective since they work in the field. When reading the statute and reading the Behavior Analyst scope of practice, it does not say anything about diagnosing and treating. She went on to point out that they are in the field and know what they do and suggested that it would require some discussion with background and insight. Dr. Beddow stated that ABA (Applied Behavior Analysts) providers do not diagnose. ABA providers do treat from a behavioral health perspective. Most of the time the way the process works is ABA receives a medical referral from a medical doctor that contains a psychological diagnosis and sometimes a medical diagnosis. That order recommends ABA therapy as a treatment. So the order is essentially a prescription for a treatment. ABA administers the assessment and treatment process. Dr. Beddow stated that if that definition includes diagnosing and treatment then it would not include ABA practitioners. He went on to say that everything he has ever seen indicates that behavior analysts are healthcare providers. Ms. Morgan affirmed that they are healthcare providers and that was not in question. She pointed out that they must work with the language of that definition within the statute. This is an ongoing discussion and the information gathered today as well as research that will be done including information from the BACB (Behavior Analyst Certification Board) will be taken into consideration and presented before the board of examiners in psychology. Ms. Spiess stated that she believes that is where the ABA field is headed by providing more telehealth services with more rules. Mr. Tonos stated that he would like to see the telehealth rules being worked on by the psychology board before the committee moves forward.

Discuss and take action if needed regarding rulemaking, hearings, rule amendments, and policies.

Ms. Morgan gave an update on the cultural diversity rules. The rules were presented to the board of examiners in psychology and they did approve those amendments and those changes are in the internal review process.

Adjourn

With no other Committee business to conduct, Ms. Spiess made a motion, seconded by Dr. Beddow, to adjourn at 9:49 a.m. The motion carried.

Ratified by the Committee for Licensing Behavior Analysts on this the 19th day of August, 2019.