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New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Applied Behavior Analyst Examiners
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BOARD OF APPLIED BEHAVIOR ANALYST EXAMINERS PUBLIC SESSION MEETING AGENDA 9:30 A.M. AUGUST 10, 2022

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The August 10, 2022 meeting of the New Jersey State Board of Applied Behavior Analyst Examiners will not be held at 124 Halsey Street, Newark, New Jersey, but will be conducted electronically only as authorized by P.L. 2020, c. 11 (N.J.S.A. 10:4-9.3). Pursuant to the Open Public Meetings Act, notice was provided electronically within 72 hours of the scheduled meeting, and has been provided by mail to the Office of the Secretary of the State of New Jersey, The Newark Star Ledger, The Trenton Times, The Bergen Record and the Courier Post and also posted on the Board's web page. The meeting will begin at 9:30 A.M., and will be accessible to the public by a link provided on the Board's public agenda.

I. CALL TO ORDER

The Public Session was called to order at 9:31 AM

II. ROLL CALL

Present:

Suzanne Buchanan, Psy.D., BCBA-D, Chair
David Wilson, Ph.D., BCBA-D, Vice-Chair
Darren Blough, MSW, BCaBA
James A. Paone, II, Esq.
Sandra Howell, Ph.D.
Lisa Toole, M.A., BCBA (*arrived at 9:36 AM*)

Also Attending:

Olga Bradford, Deputy Attorney General
Courtney Turner, Executive Director

Absent/Excused:

Charles Manning, Regulatory Analyst

III. MINUTES

1. June 8, 2022 Public Minutes

DAG Bradford and Dr. Buchanan suggested edits to the June 8, 2022 public minutes.

On a motion by Mr. Blough, seconded by Dr. Wilson, the Board approved the minutes as amended.

IV. EXECUTIVE DIRECTOR'S REPORT

Ms. Turner provided an update to the status of the Board office regarding COVID protocols and procedures.

Additionally, the Board's email inbox is seeing consistent traffic and interest in the license. Most emails are regarding the education requirements for the license and from prospective out-of-state applicants.

V. NEW BUSINESS

1. BACB Legislative and Litigation Updates

Dr. Buchanan presented information provided by Misty Bloom, Esq. of the BACB regarding ABA legislative updates across several states and various BACB activities.

The Board accepted this as informational.

2. New Jersey Department of Education Memo dated July 13, 2022

Dr. Buchanan presented the memo from the New Jersey Department of Education regarding guidelines by which services can be provided to students with disabilities. ABA services are addressed in this memo, specifically the education and certification requirements for professionals who are engaging in applied behavior analysis services under a contract with an approved agency or DOE-approved clinical agency

The Board accepted this as informational.

VI. OLD BUSINESS

1. BACB Jurisprudence Survey

Dr. Wilson presented a spreadsheet, provided by the BACB, which outlined the jurisprudence requirements by state. Some information included on the spreadsheet involved the format, content, regulatory requirements, available training, etc.

2. BACB Ethics Code

Ms. Toole provided an overview of the BACB Ethics Code, its systems of enforcement, and the various actionable violations contained within. She further outlined several of the most common violations, code-enforcement activities, and the number of substantiated violations between 2016 and 2017.

VII. ADMINISTRATIVE

Nothing to report at this time.

VIII. CORRESPONDENCE

1. Correspondence from Sharon Levine of the Arc of New Jersey dated August 3, 2022

The Board reviewed correspondence regarding BACBs and the applicability of N.J.S.A. 45:8B et seq.

The Board's legal counsel provided guidance regarding this matter.

IX. REGULATORY AFFAIRS

Nothing to report at this time.

X. PUBLIC COMMENT

None presented.

XI. ADJOURNMENT

On a motion by Mr. Blough, seconded by Ms. Toole, the Board moved to accept all dispositions as noted, and adjourn the meeting at 10:24 A.M.

The motion passed unanimously.

The next meeting is scheduled for September 14, 2022, with the public session starting at 9:30 A.M.