



**PHILIP D. MURPHY**  
Governor

**TAHESHA WAY**  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Applied Behavior Analyst Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



**MATTHEW J. PLATKIN**  
Attorney General

**CARI FAIS**  
Acting Director

**Mailing Address:**  
P.O. Box 47058  
Newark, NJ 07101  
(973) 504-6495

### BOARD OF APPLIED BEHAVIOR ANALYST EXAMINERS PUBLIC SESSION MEETING MINUTES 9:30 A.M. SEPTEMBER 26, 2023

The September 26, 2023 meeting of the New Jersey State Board of Applied Behavior Analyst Examiners was held at 124 Halsey Street, Newark, New Jersey, but was 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 began at 9:30 A.M., and was accessible to the public by a link provided on the Board's public agenda.

The meeting was accessed by the public via this link:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1613666255?pwd=U29zVWRqQkVqYTRDNUxzY2xnSDFTQT09>

Meeting ID: 161 366 6255

Passcode: 201777

#### **I. CALL TO ORDER – 9:30 A.M.**

The public session was called to order at 9:34 A.M.

#### **II. ROLL CALL**

Suzanne Buchanan, Psy.D., BCBA-D, Chair - **Present**  
David Wilson, Ph.D., BCBA-D, Vice-Chair - **Present**  
Darren Blough, MSW, BCaBA - **Present**  
Sandra Howell, Ph.D. – **Excused**  
James A. Paone, II, Esq. - **Excused**  
Lisa Toole, M.A., BCBA - **Present**  
Rosemary Browne, MSW - **Present**

#### **Also Attending:**

Tobey Palan, Deputy Attorney General  
Daniel Roman, Deputy Attorney General  
Charles Manning, Regulatory Analyst  
Benn Schulberg, Executive Director

### **III. REVIEW OF MINUTES**

1. August 15, 2023 Public Minutes

*On a motion by Mr. Blough, seconded by Ms. Browne, the Board approved the public minutes as presented. Voting in favor: All.*

### **IV. NEW BUSINESS**

1. Jurisprudence exam questions

The Board reviewed potential Jurisprudence exam questions and formed a sub-committee to work on finalizing the exam questions.

2. Application template – Example (Psychology)

The Board discussed licensure requirements and reviewed the application template. Regulatory analyst Manning and Executive Director Schulberg noted that a draft will be completed and shared with the Board for review.

3. Licensed Behavior Analysts in school settings

The Board discussed providing functional guidance to the Department of Education (DOE) regarding Board regulations and the practice of applied behavior analysts within schools. The Board noted that there is a DOE BCBA advisory panel in process to provide best practice guidelines for schools and will request a meeting with DOE to discuss the impact of licensure in school settings.

### **V. EXECUTIVE DIRECTOR'S REPORT**

1. Status of Board Operations

Executive Director Schulberg noted that the Board will have a trained administrative team prepared to process the influx of applications once the Board is actively accepting licenses.

### **VI. CORRESPONDENCE**

1. BACB regulatory conference announcement

The Board discussed attending the regulatory conference for informational purposes.

2. BACB National Practitioner Data Bank

The Board will add active licenses to the Data Bank once the Board begins accepting applications.

## **VII. REGULATORY AFFAIRS**

### 1. Procedural change to Board voting

Regulatory analyst Manning noted that as per September 2023, the OAG and Governor's Counsel must pre-approve any Professional Board vote to propose or adopt new regulations in a public meeting.

### 2. Criminal background checks - Addendum

The Board further discussed criminal background checks and unanimously agreed to the necessity of having background checks as part of the licensure process. Regulatory analyst Manning stated that a division discussion occurred and that a statutory change is required to mandate background checks. The process to amend the statute has begun and will include other Professional Boards with the same request to require background checks for applicants.

## **VIII. PUBLIC COMMENT**

1. Steven Laffer, Ph.D., BCBA – Dr. Laffer thanked the Board for their hard work.

## **IX. ADJOURNMENT**

*On a motion by Ms. Toole, seconded by Dr. Wilson, the Board closed the public portion of the meeting and moved to executive session for investigations and advice of counsel. When and if action is taken, it will be announced during public session. The Board does not anticipate any action to be taken following executive session. The Board moved to executive session at 10:24 A.M.*

*On a motion by Ms. Browne, seconded by Dr. Wilson, the Board adjourned the public meeting at 10:36 A.M.*

The next meeting is scheduled for October 24, 2023.