



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, 6th 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. NOVEMBER 28, 2023

The November 28, 2023 meeting of the New Jersey State Board of Applied Behavior Analyst Examiners was not 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 below:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1607444646?pwd=MWxRTml1ZnZxYnhnNVRtUVA0L29ndz09>

Meeting ID: 160 744 4646

Passcode: 266850

I. CALL TO ORDER – 9:30 A.M.

The public session was called to order at 9:33 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 - **Excused**

Sandra Howell, Ph.D. – **Present**

James A. Paone, II, Esq. – **Present**

Lisa Toole, M.A., BCBA - **Present**

Rosemary Browne, MSW - **Present**

Also Attending:

Daniel Roman, Deputy Attorney General

Charles Manning, Regulatory Analyst

Benn Schulberg, Executive Director

III. REVIEW OF MINUTES

1. October 24, 2023 Public Minutes

On a motion by Dr. Howell, seconded by Dr. Wilson, the Board approved the public minutes as amended. Voting in favor: All.

IV. OLD BUSINESS

1. Jurisprudence exam questions

The Board reviewed potential Jurisprudence exam questions and will finalize the set of questions at next month's meeting.

2. Board communication with the Department of Education

Regulatory Analyst Manning noted that an internal request to meet with the Department of Education was submitted and is pending approval.

3. Criminal history background check – Discussion of adding information to Board FAQ's

Regulatory Analyst Manning noted that Autism New Jersey has reached out to the legislature regarding a Board mandate for criminal history background checks (CHBC). The department is also working to incorporate the ABA Examiner's Board with other professional boards requesting CHBC. Deputy Attorney General Roman noted that any company can choose to do CHBC on their employees. The Board will add to the Frequently Asked Questions, stating that CHBC are not currently part of the application process.

V. NEW BUSINESS

1. Approval of minutes between meetings - Discussion

Executive Director Schulberg will review minutes regarding any motion that was made to approve minutes between meetings.

VI. EXECUTIVE DIRECTOR'S REPORT

1. Status of Board Operations

Mr. Schulberg noted that the development of the electronic application process is moving forward and will soon be available for Board review.

VII. CORRESPONDENCE

1. Luna Paul – Requirements of ABA therapy company

The Board reviewed Ms. Paul's questions and noted that any individual providing behavior analyst services in New Jersey must be licensed or, in limited situations, under the supervision of a licensee. Any individual acting as an applied behavior analyst in New Jersey must be licensed in the state, including those providing supervision of licensed assistant applied behavior analysts or unlicensed individuals remotely. The Board does not comment on insurance questions.

VIII. REGULATORY AFFAIRS

1. Adoption of new rules – Review of any additional public comments

Regulatory Analyst Manning noted that the press release was issued on October 24, 2023 and no new comments were received. An affirmation of the Board's August 15, 2023 vote to adopt the regulations with the changes previously discussed is required.

On a motion by Ms. Toole, seconded by Dr. Wilson, the Board affirmed the adoption of regulations with amendments. Voting in favor: All.

IX. PUBLIC COMMENT

None.

X. ADJOURNMENT

On a motion by Mr. Paone, 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 10:18 A.M.

The next meeting is scheduled for December 19, 2023.