



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

BOARD OF APPLIED BEHAVIOR ANALYST EXAMINERS PUBLIC SESSION MEETING MINUTES 9:30 A.M. May 21, 2024



MATTHEW J. PLATKIN
Attorney General

CARIFAIS
Acting Director

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

The May 21, 2024 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 can be accessed by the public via this link or call-in numbers below:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1606819746?pwd=YVB2TC80RVlSTm1tNEE2VFFJbUN4Zz09>

Meeting ID: 160 681 9746

Passcode: 328362

I. ROLL CALL

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

Daniel Roman, Deputy Attorney General – **Present**
Charles Manning, Regulatory Analyst – **Present**
Benn Schulberg, Executive Director – **Present**

II. REVIEW OF MINUTES

1. April 23, 2024 Public Minutes

On a motion by Ms. Toole, seconded by Mr. Paone, the Board approved the public minutes. Voting in favor: All.

III. OLD BUSINESS

1. Review of electronic demo applications

The Board subcommittee provided the Board with proposed edits to the draft applications. The department will incorporate the agreed upon edits and the Board will then review the next draft before its finalized.

2. Board communication with the Department of Education

The Board will follow-up with the DOE to request an update on the status of the draft DOE guidance.

3. Criminal history background check for applicants

Dr. Buchanan expressed her recommendation that the Board consider a brief postponement of opening the application to the public to allow time for the Legislature and Governor to advance legislation that would provide the statutory authority for the Board to require a criminal history background check (CHBC) for its applicants. She cited the Board's fundamental duty to "protect the health, safety, and welfare of the people of New Jersey" as paramount. She continued that the brief delay would afford the benefit of CHBC for all applicants, not just the subset who applied after the law would be enacted. She also expressed concern regarding the public messaging that some state licensed behavior analysts had background checks, and others did not. Dr. Buchanan requested the Division's and Board's consideration of a two-month delay and agreed that, should the bill not advance by June 30, 2024, that the Board proceed with the application process without further delay.

IV. NEW BUSINESS

1. Federal anti-trust protections

Regulatory Analyst Manning provided guidance on Board indemnification and anti-trust protections.

2. QABA Credentialing Board request

The Board discussed QABA's request to be recognized as a credential for licensure in New Jersey and noted that QABA is a for-profit organization and therefore doesn't meet the statutory requirement as per N.J.S.A. 45:8B-99 and 100.

On a motion by Ms. Toole, seconded by Mr. Paone, the Board voted to deny QABA's request and provide a response with the above information. Voting in favor: All.

V. EXECUTIVE DIRECTOR'S REPORT

None.

VI. CORRESPONDENCE

None.

VII. REGULATORY AFFAIRS

None.

VIII. PUBLIC COMMENT

None.

IX. BOARD MEETING DATES

1. 2024 Meeting Dates

June 18, 2024	October 29, 2024
July 23, 2024	November 19, 2024
August 20, 2024	December 17, 2024
September 17, 2024	

X. ADJOURNMENT