



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF APPLIED BEHAVIOR ANALYST EXAMINERS
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Acting Director

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

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1612375816?pwd=qA3oTkMPHayfboxhG4tQJv44RFjK52.1>

Meeting ID: 161 237 5816

Passcode: 728123

I. ROLL CALL

Suzanne Buchanan, Psy.D., BCBA-D, Chair – **Present**

David Wilson, Ph.D., BCBA-D, Vice-Chair – **Present**

Sandra Howell, Ph.D. – **Present**

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

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

Rosemary Browne, MSW – **Present**

Daniel Roman, Deputy Attorney General – **Present (until 10:00am)**

Megan Cordoma, Supervising Deputy Attorney General – **Present (until 10:00am)**

Tobey Palan, Deputy Attorney General – **Present**

Benn Schulberg, Executive Director – **Present**

II. REVIEW OF MINUTES

1. August 20, 2024 Public Minutes

On a motion by Ms. Brown, seconded by Mr. Paone, the Board approved the public minutes.

Voting in favor: All.



III. OLD BUSINESS

1. Board communication with the Department of Education

The Board previously noted that the DOE intends to issue guidance on the intersection of regulations and will follow-up with the DOE on their intended plan of communication.

2. Adding FAQ's to the Board website

The Board discussed the FAQ's that the subcommittee created as well as the current FAQ's on the Board website. The Board subcommittee will provide an updated draft for the Board to review at the next meeting.

IV. NEW BUSINESS

None.

V. EXECUTIVE DIRECTOR'S REPORT

Mr. Schulberg reported that the Board opened for licensure on September 12, 2024 and there were 3 active licensees for September 2024. The daily application average is 20 with a high of 43.

VI. CORRESPONDENCE

1. Dave Dragani, BCBA – Functional behavior assessments in public schools

Mr. Dragani expressed concern about individuals who aren't BCBA's conducting functional behavior assessments in public schools. The Board accepted the correspondence as informational and noted that a formal Board response wasn't required at this time as the Executive Director already clarified the matter with Mr. Dragani.

On a motion by Dr. Wilson, seconded by Mr. Paone, the Board voted that no formal response was required at this time as the Executive Director had clarified the matter with Mr. Dragani. Voting in favor: All.

2. DDDC – Assertion of exempt status

The Board reviewed the information provided by the DDDC in which they asserted that they function as a private school and therefore should be exempt from the licensure law. The Board noted that the DDDC operates as a school and agreed that based on the information provided would fall under the exemption statute.

On a motion by Mr. Paone, seconded by Ms. Browne, the Board voted that based on the information provided by the DDDC in which they're functioning as a private school the organization would fall under the exemption statute. Voting in favor: Majority with Ms. Toole recused.

VII. REGULATORY AFFAIRS

Nothing scheduled.

VIII. PUBLIC COMMENT

IX. BOARDMEETING DATES

1. 2024 Meeting Dates
October 29, 2024 December 17, 2024
November 19, 2024

X. ADJOURNMENT

On a motion by Ms. Toole, seconded by Ms. Browne, 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 10:22 A.M.

The next meeting is scheduled for October 29, 2024.