



**Applied Behavior Analysis Advisory Committee
Regular Meeting Minutes
February 4, 2022**

Committee members present: Nancy Rosenberg, Chair, Ph.D., LBA, BCBA-D
Ralph Pampino, Jr., BCBA, LBA
Mimi Dasgupta, Vice Chair M.Ed., LBA
Andrea Elderkin, Public Member
Amber Persons-Geer, MSW, LSWAIC, LABA

Committee members absent: None

Staff members present: Kendra Pitzler, Program Manager
James Chaney, Executive Director
Luke Eaton, Assistant Attorney General (AAG)
Karen Gohlsen, Program Support
Jeff Wise, Policy Analyst
Hyon Yi, Deputy Credentialing Manager
Ashley Bell, Behavioral Health Coordinator

Guest presenters: None

On February 4, 2022, the Applied Behavior Analysis Advisory Committee met via web conference. Notice of the meeting was published on the [Applied Behavior Analysis profession website](#) and was sent out through the GovDelivery listserv.

OPEN SESSION:

1. Opening of Public Meeting – Nancy Rosenberg, Chair

- 1.1. Call to Order - The chair called the meeting to order at 10:02 a.m. Committee and agency staff members introduced themselves and their area of practice.
- 1.2. Approval of the February 4, 2022 Regular Meeting Agenda: *Motion to approve, seconded, vote 5-0.*
- 1.3. Approval of October 8, 2021 Regular Meeting Minutes: *Motion to approve, seconded, vote 5-0.*
- 1.4. Approval of November 17, 2021 Special Meeting Minutes: *Motion to approve, seconded, vote 5-0.*

2. ESSB 5229 Implementation Update - Ashley Bell, Behavioral Health Program Coordinator

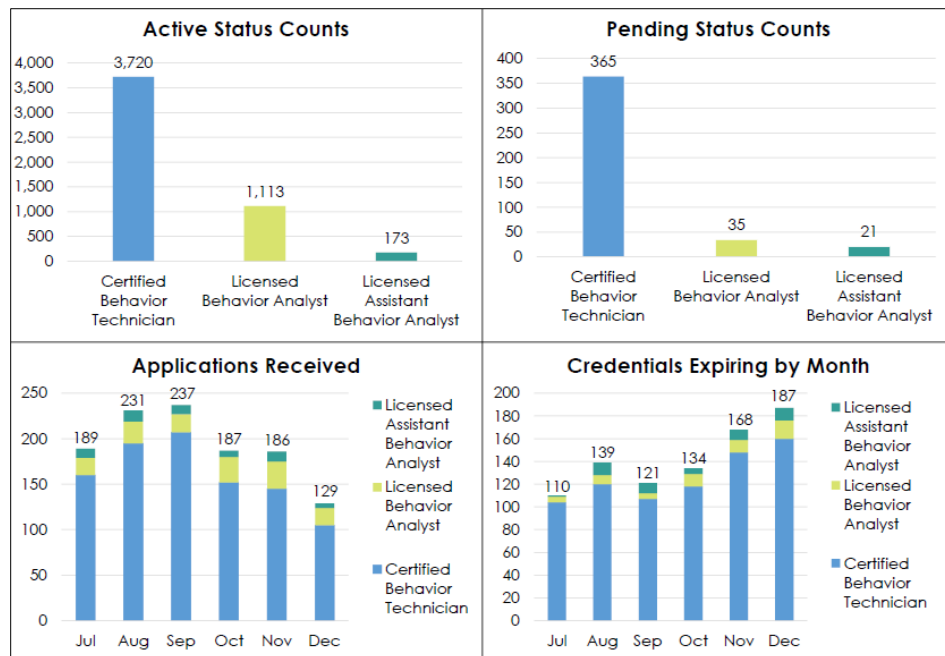
Ms. Bell provided an update regarding the implementation of [ESSB 5229](#) (health equity continuing education) and informed the committee of upcoming listening session workshops.

3. ABA Program Statistics

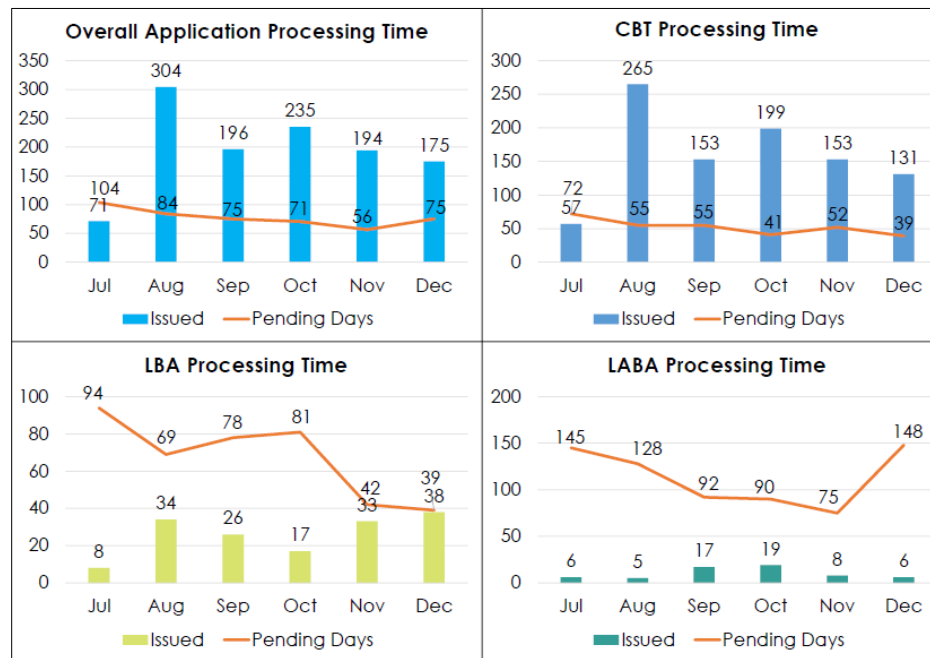
3.1. Credentialing Report - Hyon Yi, Deputy Credentialing Manager

Mr. Yi briefed the committee on the latest licensing statistics. A request was made from the committee to show application processing times for non-deficient applications on future reports.

Application Counts



Application Processing Times



3.2. Disciplinary Statistics - Kendra Pitzler, Program Manager

Ms. Pitzler briefed the committee on the program’s disciplinary statistics for the previous quarter (September - December 2021) and the biennium to-date (July to December 2021).

September - December 2021

ABA-Related Cases				
Case Nature	CBT	LABA	LBA	Total
Abuse/Neglect	1			1
Communication/Personality	1			1
Confidentiality (Breach)	1	2		3
COVID-19 Violation	1			1
False Reports/Falsifying Records	1			1
Sexual Misconduct			1	1
Violation of Regulations or Rules*		1	2	3
Grand Total	5	3	3	11

ABA-Related Reviews on Applications				
Case Nature	CBT	LABA	LBA	Total
Failure to meet licensure requirements	1	-	-	1
Grand Total	1	-	-	1

Unlicensed Cases Related to ABA Professions				
Case Nature	CBT	LABA	LBA	Total
Unlicensed Practice (never had a license)	-	-	-	-
Grand Total	-	-	-	-

*Violation of Regulations or Rules includes:

- Complaints that listed “Violation of Regulations or Rules” as Case Nature and “Unprofessional Conduct” as the Case-Alleged Issues.
- Complaints that list numerous violations within the Case Nature and/or Case-Alleged Issues.

September - December 2021 (continued)

Number of Investigations:	
License Type	Number of Investigations Opened
CBT (False Report/Falsifying Records)	1
LABA (Violation of regulations/rules)	1
LBA (Violation of regulations/rules)	1
Total	3

July - December 2021

ABA-Related Cases				
Case Nature	CBT	LABA	LBA	Total
Abuse/Neglect	2			2
Communication/Personality	1			1
Confidentiality (Breach)	1	2		3
COVID-19 Violation	1		2	3
False Reports/Falsifying Records	1			1
Patient Abandonment	1			1
Sexual Misconduct			1	1
Standard of Care	1			1
Unable to Practice Safely/Psych or Mental Disorder	1	1		2
Theft	1			1
Violation of Regulations or Rules*	1	1	2	4
Grand Total	11	4	5	20

ABA-Related Reviews on Applications				
Case Nature	CBT	LABA	LBA	Total
Criminal Conviction on Application	1	1	-	2
Failure to Meet Licensure Requirements	1	-	-	1
Grand Total	1	1	-	3

Unlicensed Cases Related to ABA Professions				
Case Nature	CBT	LABA	LBA	Total
Unlicensed Practice (never had a license)	-	-		
Grand Total	-	-		

*Violation of regulations or rules includes:

- Complaints that listed "Violation of Regulations or Rules" as Case Nature and "Unprofessional Conduct" as the Case-Alleged Issues.

Number of Investigations:	
License Type	Number of Investigations Opened
CBT (Violation of Regulations or Rules)	1
CBT (False Report/Falsifying Records)	1
CBT (Patient Abandonment)	1
CBT (Unable to Practice Safely)	1
CBT (Standard of Care)	1
LABA (Unable to Practice Safely)	1
LABA (Violation of regulations/rules)	1
LBA (COVID 19 Violation)	1
LBA (Violation of regulations/rules)	1
Total	9

3.3. Budget Report - Kendra Pitzler, Program Manager

Ms. Pitzler presented the latest budget numbers to the committee. The current fund balance is \$532,989, an increase of over \$100,000 from the beginning of the biennium in July 2021.

4. Legislation

4.1. 2022 Legislative Update – Mimi Dasgupta, board member, Ralph Pampino, board member and James Chaney, Executive Director

The committee was briefed on bills of interest for the 2022 legislative session. Of special interest was [SB 5884 \(Establishing behavioral health support specialists\)](#).

4.2. Request for DOH-Sponsored Legislation for 2023

The committee discussed options for proposing legislation to eliminate the certified behavior technician for the 2023 legislative session and decided that there was not enough time to put together a proposal for 2023. The committee will resume discussion at the next meeting in June to discuss options for 2024.

5. Adult ABA Issues – Kendra Pitzler, Program Manager

At the last meeting, committee members requested DOH staff and the AAG draft an interpretive statement relating to a licensed behavior analyst's ability to advise non-licensed providers how to work with an adult ABA client. *Motion to approve the draft statement, seconded, vote 5-0.*

6. ABA Licensure Rules Update - Kendra Pitzler, Program Manager

The department has been reviewing organizations who would like their credential accepted toward licensure. At the special meeting held in November 2021, committee members advised the department of health to draft a rule to describe criteria for acceptance of these credentials. After some discussion, the committee agreed to the set of criteria that was presented to them. Once there is a final draft, it will be sent to the public for review and comment.

7. Executive Director Report – James Chaney, Executive Director

Mr. Chaney notified the committee that there has been a change in leadership in the Office of Health Professions and in the Health Systems Quality Assurance division.

8. Program Manager Report – Kendra Pitzler, Program Manager

Ms. Pitzler had nothing to report.

9. Public Comment – Nancy Rosenberg, Chair

There was a question regarding [SB 5884 \(Establishing behavioral health support specialists\)](#) and its impact on the ABA profession. A representative from the Health Care Authority confirmed that it would not apply to ABA professionals.

10. Future Business – Nancy Rosenberg, Chair

- ESSB 5229 status update
- Processing time for non-deficient licensure applications
- Applications received in-state vs. out of state
- Discussion re elimination of CBT as a licensed profession
- Rules update

11. Adjournment

The meeting was adjourned at 1:29 p.m.

Submitted by:

Kendra Pitzler, Program Manager
Applied Behavior Analysis Advisory
Committee

Approved by:

Nancy Rosenberg, Chair
Applied Behavior Analysis Advisory
Committee

on file

SIGNATURE

DATE

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DATE