The Applied Behavior Analysis Advisory Committee met on June 7, 2019. In accordance with the Open Public Meetings Act, the meeting agenda was sent to members of the Applied Behavior Analysis Advisory Committee, GovDelivery, and posted to the program’s website.
1. **Call to Order – Nancy Rosenberg, Chair**

   A. **Introductions** - Committee members, staff members, and public members introduced themselves and their area of practice.

   B. **Approval of June 7, 2019 Agenda** – A motion was made to accept the June 7, 2019 agenda. The motion was seconded and passed unanimously.

   C. **Approval of March 1, 2018 Meeting Minutes** - A motion was made to accept the March 1, 2019 as written. The motion was seconded and passed unanimously.

2. **ABA Program Statistics**

   A. **Credentialing Report – Jennifer Herbrand, Credentialing**

   Ms. Herbrand from Credentialing presented license statistics with a PowerPoint.

<table>
<thead>
<tr>
<th>Profession</th>
<th>Active Status Counts</th>
<th>Pending Status Counts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certified Behavior Technician (CBT)</td>
<td>2343</td>
<td>214</td>
</tr>
<tr>
<td>Licensed Behavior Analyst (LBA)</td>
<td>720</td>
<td>20</td>
</tr>
<tr>
<td>Licensed Assistants Behavior Analyst</td>
<td>83</td>
<td>15</td>
</tr>
<tr>
<td>Grand total for licensed ABA professionals</td>
<td>3146</td>
<td>249</td>
</tr>
</tbody>
</table>

   Committee members reviewed credentialing statistics, including processing times. Ms. Herbrand explained that the overall time to process applications includes the time that staff are waiting for documents to be received from the applicant or other sources. She also indicated that all applications are now available on line.

   B. **Disciplinary Statistics – Kendra Pitzler, Program Manager**

   Ms. Pitzler presented complaints from 7-1-2017 to 4-30-2019 addressed below. Based on discussion from the March 1, 2019 meeting, Ms. Pitzler separated the applications and unlicensed cases from cases related directly to those who hold an ABA credential. She explained that it is important to understand that a complaint against an ABA practitioner does not mean that the practitioner violated any laws or rules. After an investigation and legal proceedings, a final order may find that a practitioner violated laws and rules. Staff will check to see how many ABA related actions have been taken since the department began accepting applications for the ABA credentials.
Ms. Pitzler also indicated that there are other ways to present the data relating to complaints. The current method gives a breakdown for the full biennium at each meeting. It could be more useful to review the data relating to the period immediately preceding board meetings.

After discussion, Ms. Pitzler agreed to bring the documentation for the full 2017-19 biennium to the next meeting. This will consist of all complaints from July 1, 2017 through June 30, 2019. She will then bring the data related to the period between meetings. For the September meeting, in addition to providing the 2017-19 biennium data, she will provide information for July and August. For all future meetings, she will provide reports with only complaints received since the last meeting, as well as a running total for the biennium.

Committee members noted that the categories “Violation of regulations or rules” and “Standard of Care/Services are general categories. Members indicated that they would like more specifics. They asked Ms. Pitzler if she could get the top two or three issues for each category. Ms. Pitzler indicated that she would check to see if the reports give more information.

3. **Program Budget -- Kendra Pitzler, Program Manager**

Committee members reviewed the budget report for the biennium through April, 2019. The current balance continues to be strong. Line items relating to complaint investigation and legal action continue to look good. Staff will continue to monitor the budget and look carefully at items relating to investigations and disciplinary actions.
4. Legislation – Kendra Pitzler, Program Manager

Ms. Pitzler presented two bills that passed the legislature in 2019 and have an effect on the licensure of mental health professions, although neither has a direct effect on the ABA profession. Senate bill 5054 establishes reciprocity for the psychology, chemical dependency, and professions regulated under Chapter 18.225 RCW including social workers, mental health counselors and marriage and family therapists. House bill 1768 changes chemical dependency to substance use disorder throughout state law. The chemical dependency professional title is changed to substance use disorder professional. This bill also establishes an enhancement allowing other mental health professionals to provide and bill for substance use disorder services under specific conditions. In addition, it allows licensure of a substance use disorder professional who is in recovery themselves with no monitoring if that person has been in recovery for at least one year. A requirement to be monitored can be placed on a person not to exceed the amount of time necessary for the person to achieve one year in recovery.

While these bills do not directly affect the ABA profession, it does have impacts on Department of Health staff that work with this program as all other mental health programs are within the same unit. Some laws that were passed during session could also have an effect on agencies.

5. ABA rules – Kendra Pitzler, Program Manager

Ms. Pitzler indicated that the Department of Health has received a petition from the Washington State Psychological Association (WSPA) to open ABA rules relating to supervision of licensed assistant behavioral analysts and certified behavior technicians to assure that appropriately trained psychologists are able to continue to supervise ABA trainees at all training levels, without additional certification or licensure. The Department is considering this request.

Luke Eaton, AAG explained that when a petition to adopt or amend rules, the department must consider the request and determine whether to initiate rule making, look at the situation further or deny the request. If the Department goes forward with rule making, there is public notification for each stage of the process, including a statement of inquiry and rules workshops, a hearing on proposal, and notice to adopt rules. Anyone can petition the Secretary of Health to open rules and the department must respond in sixty days. A question was raised as to whether the secretary would like to hear from the ABA Committee. It was noted that if the rules are opened, staff will continue to inform and take forward information received from the committee.

Committee members also talked about opening the full set of rules. Members like the idea of having a two day workshop if that happens. They indicated that this would allow them to take more time to consider and advise staff regarding beneficial changes.

Public comment during for this item included a question about how to obtain the letter from the Washington State Psychological Association. They were told that this letter is subject to public disclosure and that they can make a request to the Department's public disclosure unit. In addition, there was comment in support of a two day workshop if the full set of rules are open.

6. 2020 Meeting Dates – Kendra Pitzler, Program Manager
The committee established the following meeting dates for 2020:
- March 13, 2020 - Kent
- June 12, 2020 – Go To Meeting
- September 4, 2020 – Kent
- December 4, 2020 – Go To Meeting

7. Public Comment – Nancy Rosenberg, Chair
   No public comment was received at this time.

8. Future Business – Nancy Rosenberg, Chair
   No future business to add to the upcoming agenda.

9. Adjournment
   The meeting was adjourned at 11:45 a.m.

Submitted by:

Kendra Pitzler, Program Manager
Applied Behavior Analysis
Advisory Committee

Approved by:

Nancy Rosenberg, PhD, LBA, BCBA-D, Chair
Applied Behavior Analysis
Advisory Committee

Next Scheduled Meeting
September 6, 2019