



HEALTH LICENSING OFFICE

Kate Brown, Governor

Oregon
Health
Authority

700 Summer St NE, Suite 320
Salem, OR 97301-1287
Phone: (503)378-8667
Fax: (503)585-9114

WHO: Health Licensing Office
Behavior Analysis Regulatory Board <http://www.oregon.gov/OHLA/Pages/index.aspx>

WHEN: 9 a.m. Jan. 15, 2016

WHERE: Health Licensing Office
Rhoades Conference Room
700 Summer St. NE, Suite 320
Salem, Oregon

What is the purpose of the meeting?

The purpose of the meeting is to conduct board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Go to <http://www.oregon.gov/OHLA/BARB/Pages/meetings.aspx> for current meeting information.

May the public attend the meeting?

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

May the public attend a teleconference meeting?

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

What if the board/council enters into executive session?

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

Items for Board Action

Approval of Agenda



Health Licensing Office
Behavior Analysis Regulatory Board



9 a.m., Jan. 15, 2016
700 Summer St. NE, Suite 320
Salem, Oregon

Call to order

- 1. Items for board action**
 - ◆ Approval of agenda
 - ◆ Approval of the Nov. 18, 2015, minutes
- 2. Reports**
 - ◆ Director's report
 - ◆ Licensing and fiscal
 - ◆ Policy – proposed rulemaking schedule review
- 3. Item for board action II**
 - ◆ Vote on moving October board meeting date to November
 - ◆ Vote on proposed rulemaking schedule
- 4. Public/interested parties' feedback**
- 5. Other board business**

Agenda is subject to change.

For the most up to date information visit www.oregon.gov/OHLA

Approval of Minutes



Health Licensing Office
Behavior Analysis Regulatory Board

◆ ◆ ◆
Nov. 18, 2015

700 Summer St. NE, Suite 320
Salem, Oregon

MINUTES

MEMBERS PRESENT

Wendy Machalicek
Brenna Legaard (Joined at 11:11 a.m.)
Keith Cheng (Left at 11:27 a.m.)
Candice Pogge
Carol Markovics
Maria Gilmour
Amy Loukus

STAFF PRESENT

Sylvie Donaldson, Interim Director and Fiscal Services and
Licensing Manager
Heather Vogelsong, Assistant Attorney General, Oregon
Department of Justice
Anne Thompson, Policy Analyst
Sarah Kelber, Communications Coordinator
Maria Gutierrez, Board Specialist

MEMBERS ABSENT

Michele Raddish

Call to order

Interim Director and Fiscal Services and Licensing Manager Sylvie Donaldson called the Behavior Analysis Regulatory Board to order at 10:04 a.m. on Nov. 18, 2015. Roll was taken.

Introductions

Board members and staff introduced themselves.

Items for board action

◆ **Approval of agenda**

Carol Markovics made a motion, with a second by Wendy Machalicek, to approve the agenda. The motion passed.

◆ **Approval of 2016 meeting dates**

After discussing the proposed dates provided by the staff, the Board decided that Fridays were the best day to meet. Donaldson proposed the Board meet at 9 a.m. on:

- Jan. 15
- April 1
- May 20
- Aug. 19
- Oct. 21

Amy Loukus made a motion, with a second by Candice Pogge, to accept the times and dates. The motion passed.

◆ **Approval of 2016 chair and vice chair**

Amy Loukus made a motion, with a second by Maria Gilmour, that Wendy Machalicek be the chair. The motion passed.

Amy Loukus made a motion, with a second by Wendy Machalicek, that Maria Gilmour be the vice chair. The motion passed.

Reports

◆ Director's report

Donaldson told the Board that she has been named interim director after Holly Mercer left. She explained that the Health Licensing Office (HLO) was moved to the Oregon Health Authority (OHA) a few years ago, and was recently moved under the Division of Public Health within the OHA.

She said that the new digital minutes program, Granicus, was being tested, and when implemented would provide a full audio recording of meetings. The program will save staff time, and will require board members to remember to say their name before speaking so listeners can follow along.

Donaldson also said that HLO has requested to move to another location, one that will have more testing stations and a bigger waiting room for customers, more parking and a bigger board room. She said that she expects the new location to be in Salem with easy access to I-5.

◆ Licensing and fiscal

Donaldson used graphics to show the number of licenses and registrations the Board has – 87 – as well as the ages and genders of the authorization holders. They are younger, for the most part, and predominantly female.

The Board is about \$12,500 in the red, but Donaldson said that's to be expected with a newer board, as the staff is doing work before any revenue is taken in from licenses.

◆ Where the Board has been; where it is going; what needs to be done

Donaldson reviewed the law that created the Board, and Senate Bill 696, which changed it and the licensees and registrants it oversees. She talked about the grandfathering piece of SB 696 and the rules the Board will have to craft if anyone files a declaration of practice by the deadline. She also said that when rules are opened in the spring that continuing education language would also need to be added to the rules.

Executive session – legal advice

The Behavior Analysis Regulatory Board entered executive session pursuant to ORS 192.660(2)(f) at 10:49 a.m. for the purpose of considering information or records exempt from public inspection.

Executive session concluded and the board reconvened regular session at 12:11 p.m. No decisions were made and no votes were taken in executive session.

Public/interested parties' feedback

None.

Other board business

Machalicek said that she would like to see some of the ethics information and the practice model act from the Behavior Analysis Certification Board brought to the next meeting so the Board can familiarize itself with them.

The Board meeting was adjourned at 12:23 p.m.

Minutes prepared by Anne Thompson, Policy Analyst

Director's Report

Licensing and Fiscal Statistical Reports

Health Licensing Office Behavior Analysis Regulatory Board

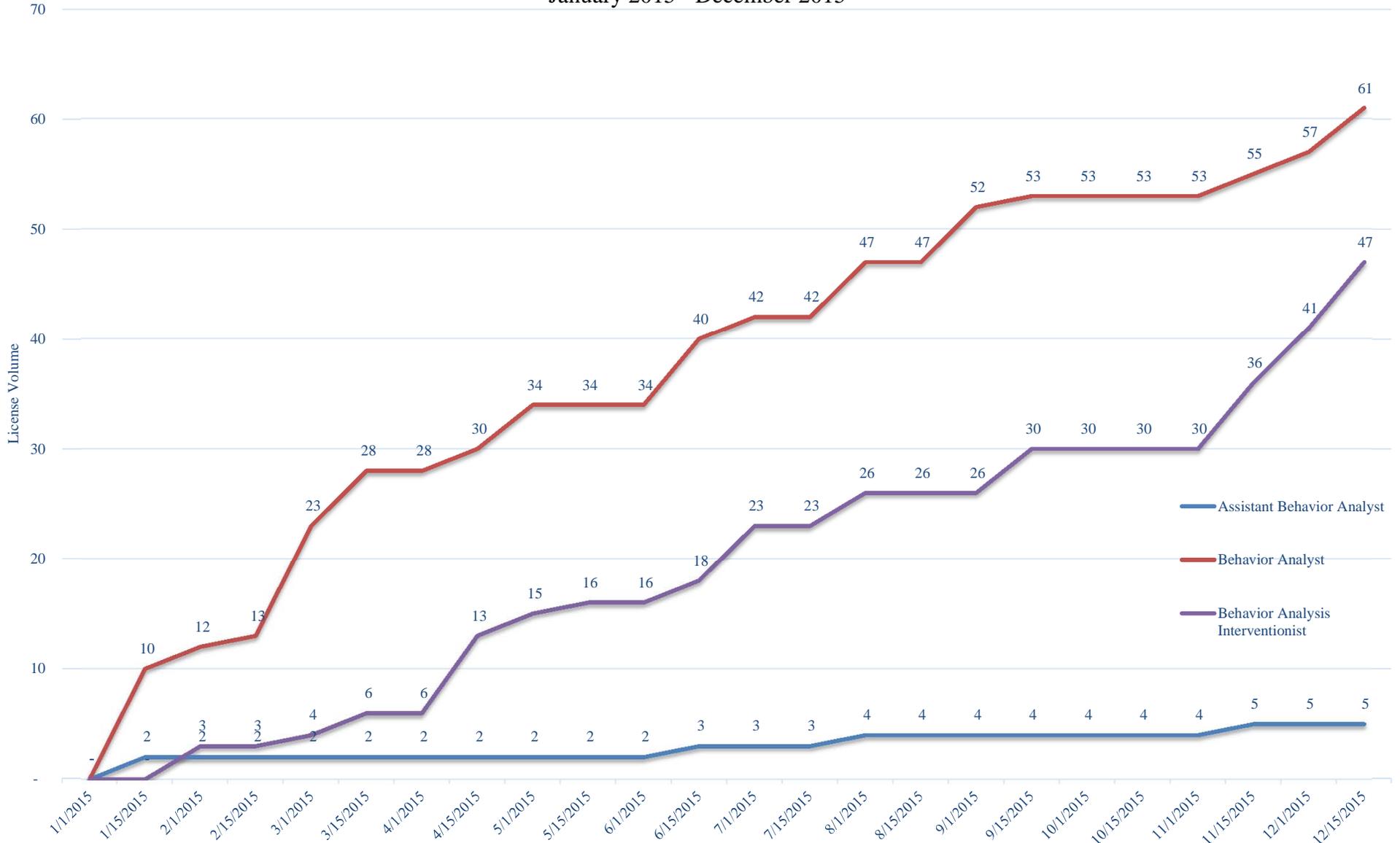
Licensing Division Statistics as of December 23, 2015

2015 - 2017 Biennium

Authorizations Issued					
Quarter	Behavior Analyst	Assistant Behavior Analyst	Behavior Analysis Interventionist	Total	
1st	11	1	7	19	
2nd	8	1	20	29	
3rd	-	-	-	-	
4th	-	-	-	-	
5th	-	-	-	-	
6th	-	-	-	-	
7th	-	-	-	-	
8th	-	-	-	-	
Total:	19	2	27	48	
Renewals Processed					
Quarter	Behavior Analyst	Assistant Behavior Analyst	Behavior Analysis Interventionist	Total	<i>% Renewed Online</i>
1st	-	-	-	-	
2nd	-	-	-	-	
3rd	-	-	-	-	
4th	-	-	-	-	
5th	-	-	-	-	
6th	-	-	-	-	
7th	-	-	-	-	
8th	-	-	-	-	
Total:	-	-	-	-	

Behavior Analysis Regulatory Board

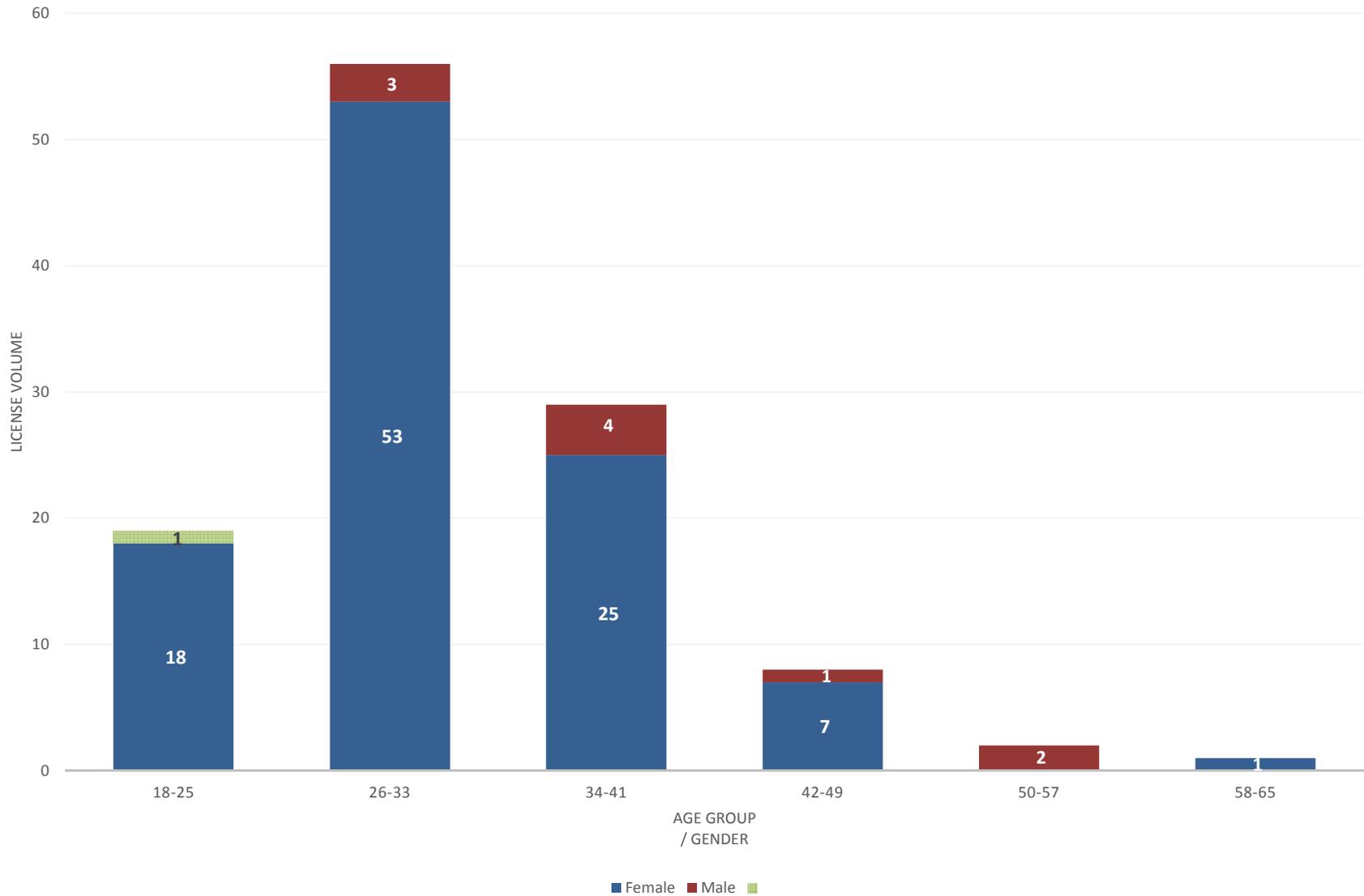
Active License Trends
January 2015 - December 2015



* Note that the bi-monthly updates in this report are temporary during the startup phase for the board, and will shift to the HLO-standard quarterly update in future reports.

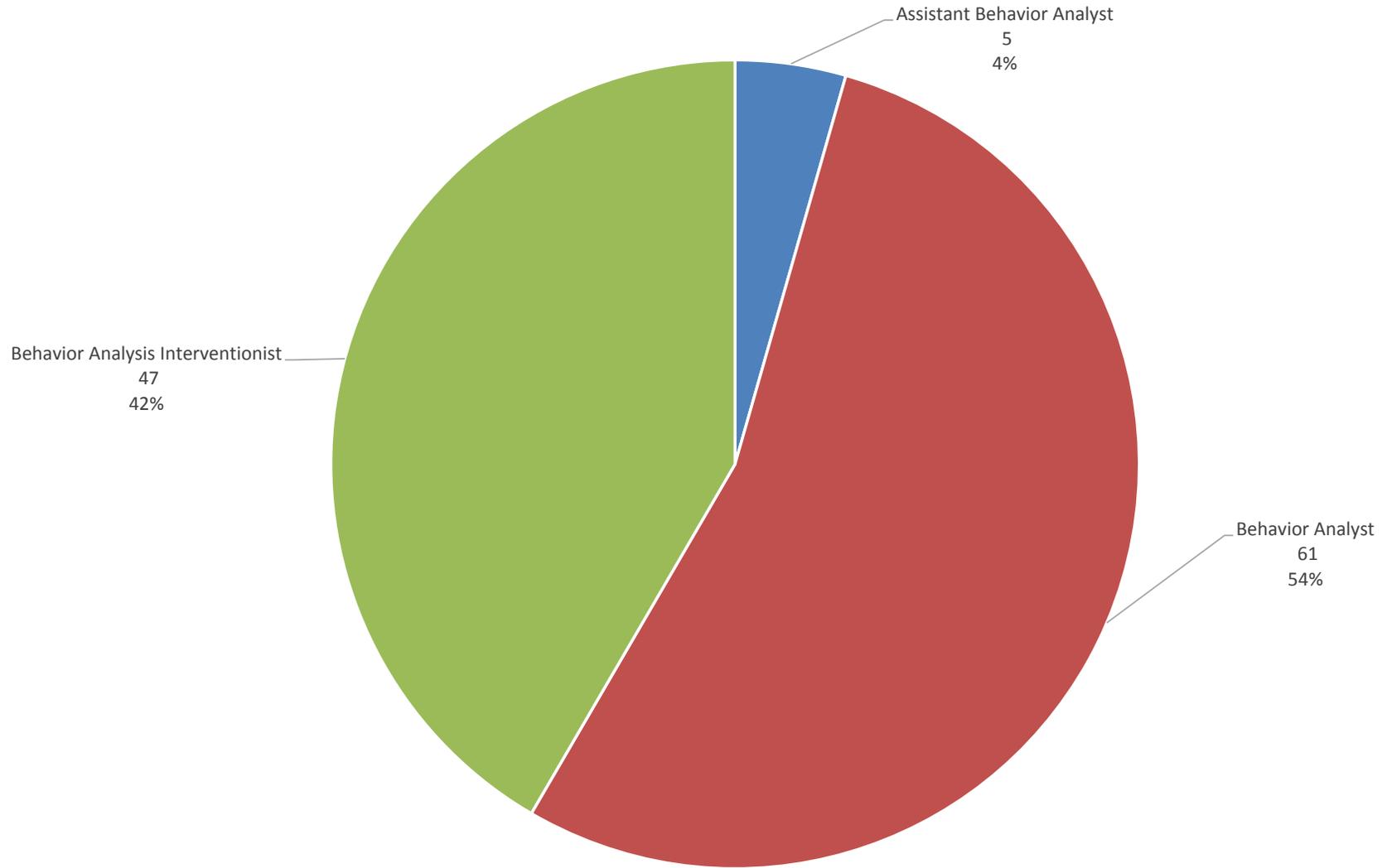
Behavior Analysis Regulatory Board

Active Licensee Volume
Statistics Grouped by Gender and Age Group as of December 23, 2015
2015-17 Biennium



Behavior Analysis Regulatory Board

License Volume by License Type as of December 23, 2015
2015 - 2017 Biennium



**HEALTH LICENSING OFFICE
Fund 3860 - BEHAVIOR ANALYSIS REGULATORY
STATEMENT OF CASH FLOW
FOR THE PERIOD 07/01/15 - 12/23/15**

CURRENT

15-17' Beginning Cash Balance	\$ (12,530.20)
Revenues	\$ 4,664.00
Expenditures	\$ 15,113.00
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	<u>\$ (15,113.00)</u>
Subtotal: Resources Available	\$ (22,979.20)
Change in (Current Assets)/Liabilities	<u>\$ -</u>
Ending Cash Balance (Actual)	\$ (22,979.20)

Indirect Charges are calculated using the following rates:

*Based on average Licensee Volume

Shared Assessment %	0.10%
Examination %	0.00%
Small Board Qualification %	1.13%
Inspection %	0.00%

Policy Report



ADMINISTRATIVE RULE SCHEDULE

Health Licensing Office
Behavior Analysis Regulatory Board

Date	Action	Time
Jan. 15, 2016	Board meeting. Approve administrative rulemaking schedule	9 a.m.
April 1, 2016	Board meeting. Review declarations and discuss criteria for grandfathering. Discuss supervision, continuing education and other areas of rulemaking.	9 a.m.
May 20, 2016	Board meeting. Discuss rulemaking and the groups and professionals that will be represented on the Rules Advisory Committee (RAC).	9 a.m.
July xx, 2016	RAC meeting	9 a.m. to noon
Aug. 19, 2016	Board meeting. Board approves proposed rules.	9 a.m.
Sept. 15, 2016	Deadline for getting rules into October Oregon Bulletin	
Oct. 1, 2016	Notice of proposed rules in Oregon Bulletin	
Oct. 21, 2016	Board meeting	
Oct. xx, 2016	Last day for public comment and public rule hearing	9 to 11 a.m.
November xx 2016	Board meeting. Review and approve permanent rules	9 a.m.
Jan. 1, 2017	Effective date of permanent rule	

Comments received prior to Oct. 1, 2016, will not be considered by the Health Licensing Office or the Behavior Analysis Regulatory Board.

Send public comments or questions to:
Anne Thompson, Policy Analyst
700 Summer St. NE, Suite 320, Salem, OR 97301-1287
anne.p.thompson@state.or.us Call: (503) 373-1904

Meetings are held at the Health Licensing Office, Rhoades Conference Room, 700 Summer St., Suite 320, Salem, OR 97301, unless otherwise specified. Members of the public are invited and encouraged to attend all board and committee meetings. However, audience members will not be allowed to participate

Items for Board Action

BACKGROUND AND DISCUSSION

When Senate Bill 696 was signed by the governor, it changed the makeup of the BARB, its licensees and put BARB under the authority of the HLO. Administrative rule changes are necessary to align with the statute. The rules align the licensure qualifications for behavior analysts and assistant behavior analysts and the registration qualifications for behavior analysis interventionists with the statute. They also add language around license and registration renewal and the declaration of professionals practicing behavior analysis as of Aug. 14, 2013 – the group that the statute grandfathers into licensure.

ISSUE

The Board must choose a November meeting date to replace the October meeting date that is on the 2016 calendar. This change will use the Board's time efficiently.

BOARD ACTION

Choose a November date to replace the October meeting date:

- Nov. 4, 2016
- Nov. 18, 2016



ISSUE STATEMENT

Health Licensing Office
Behavior Analysis Regulatory Board

BACKGROUND AND DISCUSSION

When Senate Bill 696 was signed by the governor, it changed the makeup of the BARB, its licensees and put BARB under the authority of the HLO. Administrative rule changes are necessary to align with the statute. The rules align the licensure qualifications for behavior analysts and assistant behavior analysts and the registration qualifications for behavior analysis interventionists with the statute. They also add language around license and registration renewal and the declaration of professionals practicing behavior analysis as of Aug. 14, 2013 – the group that the statute grandfathers into licensure.

ISSUE

The Board must decide whether to adopt the proposed rulemaking schedule and move into the rulemaking process.

BOARD ACTION

Approve administrative rule schedule.

Public/Interested Parties' Feedback

Other Board Business

