



OFFICIAL BOARD MINUTES FOR January 8, 2016
Teleconference

Members Present: Todd Herrboldt, President
 Sharon Stratman, Member
 Karen Chesley, Member
 Michael Forgy, Member
 Cindy Steele, Lay Member
 Jennifer Gray, Member

Members Absent: David Nielsen, Secretary/Treasurer

Others Present: Carol Tellinghuisen, Executive Secretary; Jill Lesselyoung, Executive Assistant; Carrie Srstka, Assistant Attorney General; Carole Boos, Senior Staff Attorney, Department of Human Services Justin Pierson, Senior Policy Analyst; Kelsey Smith, Deputy Policy Advisor; Christine Knapp, NASW.

President Herrboldt called the meeting to order at 11:03 AM MT.

Discussion of Proposed Legislation: Herrboldt asked that the Board go over the Executive Secretary suggestions to revisions to SDCL 36-26/ARSD 20:59 first and then address the proposed Applied Behavior Analyst Licensing. Tellinghuisen asked Boos if they would still be submitting changes to the current law now that it is going to be its own chapter. Boos advised the Applied Behavior Analyst Licensing will be a standalone chapter without other legislative changes intertwined and the rules would have to be done at another point. The Board reviewed the key points of the Executive Secretary recommendations and then discussed the draft of the legislation for the Applied Behavior Licensing. Srstka advised proper procedure is for the subcommittee to introduce the recommendations, followed by discussion and then the Board could vote to accept or deny at the next meeting. Following discussion, there were several Board recommendations made for revisions to some of the language. Herrboldt questioned that there was not a provision to define a contract for Tellinghuisen to take on the additional workload over and above what was contracted for the Social Work Board. Boos advised the statutes had been drafted identically to the Social Work Statutes and the contract situation had not been defined in statute. Pierson advised he had spoken to Amy Iverson and it had been approved to add a rider to Tellinghuisen's current contract. Tellinghuisen advised there may be more expenses initially than monies coming in and questioned if all monies are considered as one fund. Herrboldt advised he wants to make sure Tellinghuisen's contract is being addressed. Pierson advised all monies will be treated as one and lumped together. Tellinghuisen advised at some point when the Applied Behavior Analysts have enough money, they plan to have their own Board.

Srstka asked it be clarified on federal requirements for the background checks for the paraprofessionals. Tellinghuisen asked for confirmation that it will be just the paraprofessionals requiring the background checks. Boos confirmed it will be just the paraprofessionals and will follow up with the Attorney General's office regarding the federal requirements for the background checks.

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Srstka voiced concerns there could be differences with the appeal process by the National Certification Board and the State Board when defining the Applied Behavior Analysts must be certified by the National Entity. Smith advised Legislative Research Council will complete a legal review. Smith advised legislation should be submitted before January 28 and the final, final date is February 4th for the current legislative session. Boos advised she will update the draft as soon as possible for dissemination to the Board.

Srstka advised the Board members need to be sure they want to vote and don't want to be pressured. The next meeting was scheduled for January 18th at 11MT/12CT. Forgy moved and Gray seconded to adjourn the meeting at 11:58MT. Motion carried by unanimous roll call vote; Herrboldt, yes; Chesley, yes; Gray, yes; Forgy, yes; Steele, yes; Stratman, yes.

Respectfully submitted,

A handwritten signature in cursive script, reading "Carol Tellinghuisen", is displayed on a light yellow rectangular background.

Carol Tellinghuisen
Executive Secretary