

Advisory Board on Behavior Analysis

Virginia Board of Medicine

June 9, 2025

10:00 a.m.



Virginia Department of

Health Professions

Advisory Board of Behavior Analysts

Board of Medicine

Monday, June 9, 2025 at 10:00 a.m.

9960 Mayland Drive, Suite 201, Henrico, VA

Training Room 1

Call to Order – Christina Giuliano, LBA

Emergency Egress Procedures – Kathleen LaMotte i

Roll Call – Kathleen LaMotte

Introduction of Members - Christina Giuliano, LBA

Approval of minutes from the June 3, 2024 Meeting 1 - 3

Adoption of the Agenda

Public Comment on Agenda Items (15 minutes)

New Business

1. Legislative Report – Erin Barrett/Matthew Novak 4 – 7
2. Regulatory Update – Erin Barrett/Matthew Novak 8
3. Recommendation of draft amendments for licensure by endorsement – 9 – 10
Matthew Novak

Announcements

Next meeting: October 20, 2025 at 10:00 a.m.

Meeting Agenda Format - Michael Sobowale

Adjournment



PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THESE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Training Room 1

Exit the room using one of the doors at the back of the room. **(Point)**. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

<< DRAFT >>

ADVISORY BOARD ON BEHAVIOR ANALYSTS

Minutes

June 3, 2024

The Advisory Board on Behavior Analysis met on Monday, June 3, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Christina Giuliano, LBA Chair
Emily Wilson, LBA
Mark Llobell, Citizen

MEMBERS ABSENT: Jerita Dubash, DO

STAFF PRESENT: William L. Harp, M.D., Executive Director
Michael Sobowale, LLM, Deputy Executive Director - Licensure
Jennifer Deschenes, Deputy Executive Director – Discipline
Colanthia M. Opher, Deputy Executive Director - Administration
Matthew Novak, DHP Policy and Economic Analyst
Roslyn Nickens, Licensing Supervisor
Joshlynn Jones, Licensing Specialist
Patricia Sturrock, Licensing Specialist
Jevon Carter, Licensing Specialist
Janice Martin, Licensing Specialist
Jamie Culp, Licensing Specialist

GUESTS PRESENT: Christy Evanko, LBA - VABA

Call to Order

Christina Giuliano, called meeting to order @ 10:03 a.m.

Emergency Egress Procedures

William Harp announced the emergency egress instructions.

Roll Call

Joshlynn Jones called the roll; a quorum was declared.

Introduction of Members

Ms. Giuliano asked everyone present in the room to introduce themselves.

Approval of Minutes

There were no minutes needing approval.

Adoption of Agenda

Mark Llobell motioned to adopt the agenda as presented. The motion was seconded by Emily Wilson. Motion carried.

Public Comment on Agenda Items

Christy Evanko, lobbyist for the Virginia Association of Behavior Analyst had three comments:
-The Behavior Analyst Certification Board (BACB) is open to the option of partnering with the Board to offer educational components to licensees sanctioned by the BACB.
- VABA is open to the option of having behavior analysts complete the human sex trafficking continuing education course in human trafficking being required by the Board of Medicine.
-In light of the Bill introduced in the 2024 General Assembly, Senate Bill 96, regarding a pilot program for parents' participation in Behavior Technician participation, VABA is continuing to engage with stakeholders and others in the General Assembly regarding the issues identified in the bill.

New Business

1. Report on Status of Regulatory /Policy Actions

Matthew Novak reviewed the status of the Advisory Board's regulatory actions.

2. Orientation to the Board of Medicine and Advisory Board

Dr. Harp gave a PowerPoint presentation on the Board of Medicine and its Advisory Boards.

Licensing Report

Joshlynn Jones provided the following licensing statistics for behavior analysts and assistant behavior analysts:

Assistant Behavior Analyst	Behavior Analyst
Current Active in Virginia 219	Current Active in Virginia 1795
Current Active out of State 32	Current Inactive in Virginia 2
	Current Active out of State 1109
	Current Inactive out of State 8
Total 251	Total 2914

Licensure totals from September 19, 2022, to June 3, 2024

Assistant Behavior Analyst	Behavior Analyst
93	936

Announcements

Next Scheduled Meeting

The next scheduled meeting is Monday, October 7, 2024 @ 10:00 a.m.

Adjournment

Christina Giuliano, Chair, adjourned the meeting at 11:18 a.m.

William L. Harp, MD, Executive Director

**Board of Medicine
Advisory Boards
Legislative Report
2025 General Assembly**

[HB 1649](#) - Board of Medicine; continuing education; unconscious bias and cultural competency.
Chief Patron: Hayes

DEAD BILL

Board of Medicine; continuing education; unconscious bias and cultural competency. Directs the Board of Medicine to require unconscious bias and cultural competency training as part of the continuing education requirements for renewal of licensure. The bill specifies requirements for the training and requires the Board of Medicine to report the number of licensees who have successfully completed such training to the Department of Health and the Virginia Neonatal Perinatal Collaborative. **This bill is identical to SB 740. This bill is nearly identical to HB1675, below.**

Passed House: Y Passed Senate: Y

Enrolled Bill communicated to Governor on February 18, 2025
03/24/2025: Governor's recommendation received by House
04/02/2025: VOTE: Pass by for the day - Adoption (47-Y 46-N)
05/02/2025: Vetoed by Governor

[HB 1675](#) - Board of Medicine; continuing education; unconscious bias and cultural competency.
Chief Patron: Hayes

DEAD BILL

Board of Medicine; continuing education; unconscious bias and cultural competency. Directs the Board of Medicine to require unconscious bias and cultural competency training as part of the continuing education requirements for renewal of licensure. The bill specifies requirements for the training and requires the Board of Medicine to report on the training to the Department of Health. This bill is a recommendation of the Joint Commission on Health Care. **This bill is substantially similar to HB1649 and SB740.**

Passed House: Y Passed Senate: Y

Enrolled Bill communicated to Governor on March 11, 2025
03/24/2025: Governor's recommendation received by House
04/02/2025: VOTE: Pass by for the day - Adoption (47-Y 46-N)
05/02/2025: Vetoed by Governor

[HB 2269](#) - Hospitals; reports of threats or acts of violence against health care providers.
Chief Patron: Tran

Hospitals; reports of threats or acts of violence against health care providers. Requires hospitals in the Commonwealth to establish a workplace violence incident reporting system to document, track, and analyze any incident of workplace violence reported. The bill requires each hospital to (i) report the data collected via the reporting system to the chief medical officer and the chief nursing officer of such hospital on, at minimum, a quarterly basis and (ii) send a report to the Department of Health on an annual basis that includes, at a minimum, the number of incidents of workplace violence voluntarily reported by an employee. The bill also requires the Secretary of Health and Human Resources, in collaboration with the Department of Criminal Justice Services, to convene a stakeholder work group for the purpose of making recommendations on the workplace violence system and policies adopted pursuant to the bill.
This bill is identical to SB 1260.

Passed House: Y Passed Senate: Y
Enrolled Bill communicated to Governor on March 11, 2025
03/24/2025: Approved by Governor-Chapter 457 (Effective 07/01/25)

[HB 2489](#) - Physician assistants; Department of Health Professions to study expansion of scope of practice.
Chief Patron: Henson

Study; Department of Health Professions; expanding scope of practice for physician assistants; report. Directs the Department of Health Professions to conduct a study on expansion of the scope of practice for physician assistants in the Commonwealth as a means to increase autonomy in the profession. In addition to reviewing the education and training requirements for physician assistants in the Commonwealth and the other states, the study includes an analysis of the costs and benefits to patients of increased autonomy for physician assistants. The Department is directed to submit a report with its findings and recommendations to the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 1, 2025.

Passed House: Y Passed Senate: Y
Enrolled Bill communicated to Governor on March 11, 2025
03/24/2025: Approved by Governor-Chapter 569 (Effective 07/01/25)

[SB 882](#) - Anesthesiologist assistants; establishes criteria for licensure.
Chief Patron: Locke

Board of Medicine; licensure of anesthesiologist assistants. Establishes criteria for the licensure of anesthesiologist assistants and directs the Board of Medicine to adopt regulations governing the practice of anesthesiologist assistants. The bill provides that no person shall use or

assume the title “anesthesiologist assistant” or hold himself out as an anesthesiologist assistant unless such person holds a license as an anesthesiologist assistant issued by the Board. This bill is a recommendation of the Joint Commission on Health Care.

Passed House: Y Passed Senate: Y

Enrolled Bill Communicated to Governor on March 11, 2025

03/24/2025: Approved by Governor-Chapter 507 (Effective 07/01/25)

[HB 1861](#) - Department of Health Professions; health regulatory boards; regulations; licensure by endorsement.

Chief Patron: Price

AGENCY BILL

Department of Health Professions; health regulatory boards; regulations; licensure by endorsement. Directs each health regulatory board regulated by the Department of Health Professions to enact regulations to provide a licensure by endorsement pathway for professions which do not currently have licensure by endorsement. **This bill is identical to SB 1438.**

Passed House: Y Passed Senate: Y

Enrolled Bill communicated to Governor on March 11, 2025

03/24/2025 Approved by Governor-Chapter 553 (Effective 07/01/25)

[SB 826](#) - Predetermination for licensing eligibility; prior convictions.

Chief Patron: Locke

Department of Professional and Occupational Regulation; Department of Health Professions; predetermination for licensing eligibility; prior convictions. Prohibits the use of “good moral character” or crimes of “moral turpitude,” despite existing statutory language which was not changed by this legislation allowing such use, by a regulatory board within DPOR or DHP when refusing a person a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession. The bill requires such regulatory board denying a registration, license, or certificate based on information in the applicant's criminal history record to notify the applicant in writing of (i) the specific offense or offenses that contributed to such denial; (ii) how the criminal history directly relates to the occupation for which the registration, license, or certificate applies; and (iii) how the regulatory board weighed rehabilitation factors when making its decision.

The bill further allows an applicant to request a written predetermination from a regulatory board within DPOR or DHP concerning whether his criminal record would disqualify him from obtaining a license, certificate, registration, or other authority to engage in a particular occupation, trade, or profession in the Commonwealth. It appears no fee can be charged for this

determination, which will create a bifurcated licensure process and has significant legal and financial ramifications for DHP and its regulatory boards.

Legal advice has been requested regarding implementation and the requirements of this legislation.

Passed House: Y Passed Senate: Y

Enrolled Bill Communicated to Governor on March 5, 2025

03/24/2025 Approved by Governor-Chapter 505 (Effective 07/01/25)

[SB 1293](#) - Autism spectrum disorder; school board employees, professional development and continuing education.

Chief Patron: Stanley

School board employees; professional development and continuing education; optional programs; children with autism spectrum disorder. This legislation is directed toward the Department of Education and available training for educators regarding communicating with children diagnosed with autism spectrum disorder.

An enactment clause requires boards of DHP to communicate a recommendation to licensees to complete continuing education on communicating with children diagnosed with autism spectrum disorder. **This is not a requirement, simply a communication with a recommendation.**

Passed House: Y Passed Senate: Y

Enrolled Bill Communicated to Governor on March 11, 2025

03/24/2025 Approved by Governor-Chapter 516 (Effective 07/01/25)

[SB 1363](#) - Health Professions, Board of; transfer of powers and duties.

Chief Patron: Pillion

Status: Acts of Assembly Chapter

AGENCY BILL

Elimination of Board of Health Professions; transfer of powers and duties. Eliminates the Board of Health Professions and transfers certain powers and duties from the Board to the Department of Health Professions.

Passed House: Y Passed Senate: Y

Enrolled Bill Communicated to Governor on March 5, 2025

03/21/2025: Approved by Governor-Chapter 341 (Effective 07/01/25)

Board of Medicine – Advisory Board on Behavior Analysis
Regulatory Actions
As of May 12, 2025

In the Governor’s Office

None.

In the Secretary’s Office

None.

At DPB or OAG

None.

Recently effective/awaiting publication

VAC	Stage	Subject Matter	Submitted for publication	Effective Date	Notes
18VAC85-150	Fast-track	Implementation of 2022 Periodic Review for Chapter 150	5/19/2025	7/3/2025	Periodic review changes voted on at 2022 October Board meeting

Agenda Item: Recommendation of draft amendments for licensure by endorsement pursuant to SB1438

Included in your agenda packet:

- Draft regulatory changes to licensure requirements

Action Needed:

- Motion to recommend to the full Board the adoption of an exempt regulatory action to amend regulations pursuant to SB1438.

Part II

Requirements for Licensure as a Behavior Analyst or an Assistant Behavior Analyst

18VAC85-150-50. ~~Application~~ Initial licensure requirements.

An applicant for initial licensure shall submit the following on forms provided by the board:

1. A completed application and a fee as prescribed in 18VAC85-150-40.
2. Verification of certification as required in 18VAC85-150-60.
3. Verification of practice as required on the application form.
4. ~~If licensed or certified in any other jurisdiction, verification that there has been no disciplinary action taken or pending in that jurisdiction.~~
5. Verification from the BACB on disciplinary action taken or pending by that body.

18VAC85-150-51. Licensure by endorsement

An applicant for licensure by endorsement shall submit the following:

1. Evidence of a current, active license in a United States jurisdiction or Canada that is substantially similar and in good standing;
2. A completed application and fee;
3. Verification of certification as required in 18VAC85-150-60; and
4. A current report from the National Practitioner Data Bank

18VAC85-150-60. Licensure requirement.

An applicant for ~~a license~~ licensure to practice as a behavior analyst or an assistant behavior analyst shall hold current certification as a BCBA® or a BCaBA® obtained by meeting qualifications and passage of the examination required for certification as a BCBA® or a BCaBA® by the BACB.



The travel regulations require that “travelers must submit the Travel Expense Reimbursement Voucher within 30 days after completion of their trip”. (CAPP Topic 20335, State Travel Regulations, p.7). Vouchers submitted after the 30-day deadline cannot be approved.

In order for the agency to be in compliance with the state travel regulations, please submit your request for today’s meeting on or before

July 9, 2025