



## Years OF ETHICS, RESEARCH EDUCATION and SERVICE

By Nikki Dickens, Program Chair

The 40th Annual conference will be held September 16th – 19th, 2020 in Orlando, FL at the Hyatt Grand Cypress. The FABA Board is pleased to present the following invited speakers and special events:

**Keynote Speaker:** Dr. Tim Vollmer

**Invited Speakers:**

- Christi Alligood
- John Austin
- Matt Broadhead
- Louis Hagopian
- Ellie Kazemi
- Dorothea Lerman
- Janet Twyman

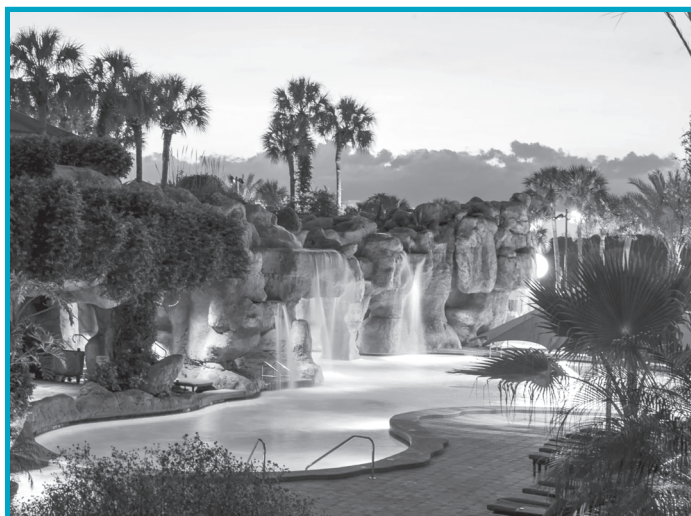
**Back by Demand:** Two sessions of Inside Behavior Analysis featuring

- Dr. Tim Vollmer
- Dr. Jon Bailey



Nikki Dickens

rocky cliffs. Members will love the rope bridge or can choose to tee off at the Jack Nicklaus Signature golf course, unwind at the spa, or extend their conference stay over the weekend in order to catch one of the hotel's scheduled shuttles to Walt Disney World® Resort, Universal Orlando Resort™, and SeaWorld® Orlando. The Grand Cypress is ranked #1 on Condé Nast Traveler's 2019 Reader's Choice Awards for Orlando Resorts and will not disappoint as the setting to celebrate 40 years of FABA.



The Hyatt Grand Cypress will host FABA for the very first time. This amazing property includes 1,500 lush acres with a private lake, tennis courts, and a unique lagoon-style, 800,000-gallon pool complete with a private cove and

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# On Behalf of Cultural Competence

By Yulema Cruz, PhD, BCBA, FABA President

In the previous article, I shared highpoints of our 39th conference that highlighted FABA's commitment to fostering a stimulating environment for our diverse membership. As our multicultural "family" (Robertson, C., 2017) increases, B. F. Skinner's remarks "...The behavioral scientists are themselves the products of their cultures. As it is often said, they are not free of ideology" (Beyond Freedom and Dignity, 1971, p.9) become increasingly more relevant. Cultural competence is therefore of significant importance, as evidenced by its inclusion into item 1.05 c) of our *Professional and Ethical Compliance Code for Behavior Analysts* (BACB, 2019).



Yulema Cruz

A couple of years past, I was fortunate for the opportunity to develop a talk on cultural diversity with Dr. Paloma Pedraza-Rodriguez. The content shared below was selected from the resulting collaboration and is intended at providing members with an overview of this topic.

Cultural diversity competence entails behaviors (including rule-governed behaviors) that when combined allow for professionals to work effectively in cross-cultural situations. Culturally competent professionals prioritize diversity, recognize cultural self-biases, identify dynamics of cultural interactions, detect barriers to cultural competency, and develop ways to increase their cultural competency (Hughes, Fong, & Tanaka, 2013).

Our membership is privileged in a lot of ways. We comprise a diverse group that allows for exposure, education, and mentorship opportunities to explore cultural issues, develop culturally sensitive operational definitions of behavior, and pioneer the inclusion of cultural diversity elements into our practice; all while creating culturally-conscious reinforcement repertoires that ultimately shape our behaviors (Hughes, Flickin, & Lee, 2017). Our diversity is illustrated in the way we work and engage with each other, the terminology we use, and how we see the world. Our membership's cultural richness has given rise to a unique "family" (Robertson, C., 2017) in an exceptional time.

The benefits of sharing our knowledge on cultural diversity competence extend from improvements in therapeutic relationships to organizational behavior management. While preparing for this year's 40th Anniversary conference, I invite those of you who are passionate about cultural competence, to address this topic.

Here's hoping the following quote may serve as inspiration, "...The esteem with which we regard the multiple cultures offered in our country enhances our possibilities for healthy survival and continued social development." (Maya Angelou).

### References

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- Hughes Fong, E., Flickin, S. & Lee, H. Y. (2017). Increasing cultural understanding and diversity in applied behavior analysis. *Behavior Analysis: Research and Practice*, 17(2), 103-113.
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- Robertson, C. (2017, October). *Presidential Speech*. Presented at the 37th annual meeting of the Florida Association for Behavior Analysis, Daytona Beach, FL.
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## A Special Thank You

Conference season is always busy. It is difficult. It is frustrating. And it is very rewarding. I would like to take a moment to say a very special thank you to both Brandon Perez and Emma Grauerholz-Fisher. Both of these valued FABA members and Program Committee volunteers dedicated hours to assisting me with the 2019 FABA program. They spent countless hours helping to collect details, proof, and troubleshoot constant glitches in our previous system. They worked through online errors, missing information, and hundreds of emails. It is because of members like Emma and Brandon that conference season is so rewarding. Thank you both for giving me additional time with both of my daughters and for making the "light at the end of the tunnel" just a little brighter.

– Nikki Dickens, Conference Program Chair

By Authors Jon Bailey and Mary Burch

## Fraudulent Billing Instructions: What Can I Do?

NOTE TO READERS: This is the 44th in a series of articles on ethics where we answer questions from behavior analysts. Note: This question came in through the ABAEthicsHotline.com

**QUESTION:** I am an RBT writing to inquire about potentially fraudulent proceedings at my job.

When I was hired at a company that practices in-home AND clinic-based services, I was told by a several supervising BCBAs to record ALL in-clinic services as in-home for the location code on electronic billing. In addition, we were told to include in the note that a parent or guardian was present for the session (even if they were only present at drop off/pick up, OR not present at all). I picked up from the grapevine in the company that it was standard procedure to give these orders to RBTs verbally, "Because we don't want this documented."

I have never recorded an insurance note as such because my first instinct was that this is fraudulent - falsely reporting information for billing purposes. I have come to find that the company does not advertise in-clinic services, but only in-home services on their website.

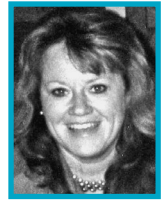
My concern is that these behaviors would threaten my future as a BCBA - as well as compromise my training and ethics while studying to become a BCBA. I am seeking other jobs at this time, as I do not agree with a multitude of standards in my job at this company. My question: Is my company knowingly engaging in fraud? And should a report be made?

**ANSWER:** Since these instructions to bill "in the clinic" came directly from supervising BCBAs, then this would clearly be a violation of Code 2.13 *Accuracy in Billing* as well as the more general Code 1.04 *Integrity* - "behavior analysts are truthful and honest and arrange the environment to promote truthful and honest behavior in others" for each one involved in the plot.

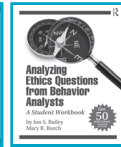
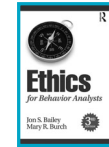
The protection by the infamous *No Paper Trail* is a standard



Jon Bailey, PhD



Mary Burch, PhD



tactic of companies that are cheating insurance companies and the families that pay the premiums. However, you should know that even if you were not given this advice in writing, you can still protect yourself through the power of *contemporaneous memos*. This involves your creating a document immediately after such a meeting where you transcribe in detail what was said (verbatim quotes), who said it, when

and where (think James Comey, the FBI Director, who created just such memos after a dinner meeting with the President). This memo will stand up in court as long as it was created "in the moment" rather than through recollection at some later time. If there is an investigation and your billing is audited, you will have proof that you did this under instructions and against your best ethical judgment.

Code 7.02 (c) advises us to try and deal with unethical conduct informally and directly with the person but that does not seem feasible at this point since the charge is so serious and the consequences so great. However, to report this to the Board, you would need to have documentation to go along with the Notice of Alleged Violation Form. One way to substantiate your allegation might be to get some of the other RBTs to agree to sign an affidavit where they describe the instructions that *they* were given. The accused will receive a copy of the form. To be honest with you, experience here at the Hotline has shown that firing is the next likely outcome of such reporting; if this or some other form of retribution occurs you may then report this as well to the Board via a *Case Update* (be sure to include your case #). Moving on to a more ethical company is highly recommended. You could leave a letter for the CEO at the front desk on your way out that details what is going on at her company (keep a copy for your files).

Best Wishes for a happy landing at a more ethical company.



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Readers are invited to submit articles and information of general interest to FABA members. Preference is given to submissions that are e-mailed to the address below. Other submissions should be typed, double-spaced and not exceed two pages. The Editor reserves the right to edit copy to conform with newsletter style and with space limitations. Please submit to Mary Burch at the email address given below.

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### Newsletter Submissions

The FABA Observer is published 3 times per year. Articles and accompanying high resolution photos should be sent to Editor Mary Burch: [dogs@nettally.com](mailto:dogs@nettally.com)

### Submission/Publication Dates

Rates for camera-ready 1/4 page ad (3.5 " wide x 4.75 " tall) is \$50 per issue; 1/2 page ad (7 " wide x 4.75 " tall) is \$100 per issue. Contact the FABA Business Manager for 3-issue special rates. We reserve the right to refuse any advertising.  
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