

State of Nevada
Board of Examiners for Marriage & Family Therapists & Clinical Professional

MEETING MINUTES

Friday, January 15, 2021 at 9:00 a.m.

Teleconference Location –
Zoom

<https://zoom.us/j/94124798973>

Nevada Board of Examiners
For Marriage & Family Therapists and Clinical Professional Counselors
7324 W. Cheyenne Avenue, Suite 10
Las Vegas, NV 89129

Please Note: The Board may (a) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; (b) combine agenda items for consideration by the public body; and (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030).

Public comment is welcomed by the Board. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. A public comment time will be available prior to any action items on the agenda and on any matter not specifically included on the agenda prior to adjournment of the meeting. At the discretion of the President, additional public comment may be heard when that item is reached. The President may allow additional time to be given a speaker as time allows and at his/her sole discretion. (NRS 241.020, NRS 241.030) Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. (NRS 233B.126)

Action by the Board on any item may be to approve, deny, amend, or table.

1. Call to Order, roll call, Confirmation of Quorum. Meeting called to order at 9:00 AM.
 - Steve Nicholas, Hal Taylor, Sheldon Jacobs, Marta Wilson, Adrienne O’Neal, Sara Pelton, Erik Schoen, John Nixon
 - Henna Rasul, Sophia Long, Tiffany Day, Isabelle Parker
 - Lynne Smith, Stephanie Steinhiser, and Joelle McNutt.

2. Public comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
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No public comment.

3. Discussion, recommendation, and possible action regarding review and approval of minutes from the October 16, 2020 and November 20, 2020 meetings (For possible action)
 - Motion to approve minutes from October: Erik 1st, 2nd Sheldon. Sara Pelton, Hal Taylor, & Marta Wilson abstentions; Motion approved unanimously.
 - Motion to approve minutes from November with edit of one line: Marta 1st, Sara

2nd. Sheldon abstained. Motion approved unanimously.

4. Board consideration of Consent Decree in the matter of Patricia Delgado, Case No. NV19MFT001 (For discussion/possible action)
 - Henna: please open the email with the Consent Decree now. I will give you time to review the documents (pause while board members read the Consent Decree).
 - Adrienne O'Neal abstains; my significant other is the lawyer on this case
 - Henna: this is a settlement and any questions should be pertaining to the four corners of these documents. This has been negotiated fairly and represents terms consistent with previous discipline situations.
 - Hal: so let me ask this. I know there are underlying facts, I know that that this has been carefully negotiated. And by the way, I like the continuing education portion of this. Is there anything else that you would care to tell us in terms of the disclosure? I mean, we're talking about a reprimand. And clearly, I'm assuming it was a somewhat limited situation, but I don't know how much you want to disclose.
 - Henna: yes, I always try to negotiate fairly. It's not to punish and I take into consideration other factors that have not come before you. I believe this is fair. And I also like to maintain consistency with previous decisions that the board made in similar situations.
 - Motion to approve consent decree as written: Erik 1st, Sara 2nd. Adrienne abstains; motion approved unanimously.

5. Disciplinary hearing on Complaint and Notice of Hearing in the Matter of Amanda Parsley, Case No. NV18MFT012. This agenda item may include review and consideration of any motions (For possible action)
 - Henna: I would like to confirm that all people involved in this are present. Board counsel, Sophia Long, are you present?
 - Sophia: present
 - Henna: I see that Stephanie Steinhiser and Lynne Smith are present. Steve, you will be seeking guidance from Sophia since I am the prosecutor in this matter. Former licensee is not present. Exhibits are confidential until they are submitted by Steve.
 - Henna: President and members of the board, I represent the State of Nevada in this matter and the State has filed a complaint to discipline Miss Amanda Parsley (aka Amanda Miller) regarding her Marriage and Family Therapy Intern license. Miss Parsley held an MFT Intern license in Nevada at all times relevant to this complaint. As such, she was charged with certain serious responsibilities as specified in both the Marriage and Family Therapist Act and its corresponding regulations and codes of ethics. The evidence will show that Miss Parsley failed to meet these responsibilities while working at a group home for sexually trafficked women during the month of July of 2018. More specifically, while working at the group home, Miss Parsley allegedly engaged in sexually suggestive and inappropriate advances towards a resident. It is further alleged that Miss Parsley

failed to include relevant session notes for this resident to have in her treatment file.

- Henna: Consequently, Miss Parsley's failure has caused potential for harm to home residents and has compromised public health and safety. The State then has filed a complaint alleging that grounds of disciplinary action exist apart from any other compliance with the marriage and family therapy intern standards of conduct by Amanda Parsley.
- Henna: The first allegation as alleged in the complaint we will review shortly. That will be Exhibit one. This exhibit states that Miss Parsley used her relationship with a client to further her own personal interests. The second allegation states that Miss Parsley failed to maintain professional boundaries with clients. The third allegation pertains to Miss Parsley failing to prepare and maintain in a timely matter, a record of her clients. The fourth allegation that the State is making is that Miss Parsley did not comply with the provisions of Chapter 641A of NRS and all other applicable federal laws and regulations. The fifth allegation alleges that Miss Parsley did not serve her clients with professional skill and competence. The sixth allegation states that Miss Parsley influenced or attempted to influence her client in a manner that could reasonably be anticipated in her deriving benefits of an unprofessional in nature from the client during the time that the client was receiving counseling from her. The seventh allegation states that Miss Parsley entered or attempted to enter into a close relationship with the client during the professional relationship between her and the client. Finally, the eighth allegation states that 1) Miss Parsley abused her power in a therapeutic relationship, 2) engaged in exploitation of her client. Please be advised that Miss Parsley was given proper notice for this hearing. She was sent the complaint and notice of hearing via certified and regular mail on December 1, 2020.
- Henna: Board president, if there are no objections, I would like to submit at this time Exhibits 1 through 12, 12 was just added today. So, the packet and additional exhibit can be sent to Steve. Steve will proof them and then say so submitted if they are okay.
- Steve: I do approve of these exhibits, please send them to our Board members. Hearing proceeds.
- Henna: Members of the board, thank you for your time this morning.

I would like to take a brief moment to summarize what we've heard from witnesses and seen from the exhibits. Dr. Smith is the custodian of records. She personally told us that Miss Parsley was licensed by the board during the time she engaged in the above violating behavior and that her license is currently no longer. Ms. Steinhiser, who is the investigator for the board, told us that the accusations were submitted and received by the board relative to the time when Miss Parsley was practicing as a licensed marriage and family therapist intern. The allegations set forth in the accusation were sent in a letter sent by the court to Miss Parsley on or about July 7th, 2020. No response was received from Miss Parsley. We also heard from Miss Parsley's former supervisor, who detailed Miss Parsley's concerning behavior.

So, that should be taken into consideration as well. And she is the one who filed the formal complaint. Consequently, there is, I believe, a sufficient amount of

evidence to establish that Miss Parsley is in violation of NRS 641 A. 310 and specific sections are outlined in the complaint in this hearing, which is exhibit one, NAC 641 A.243 and NAC 641 A.247 and NAC 641 A.252. Based on the foregoing, I asked the board to find this person guilty of counts one through eight as specified in the complaint Notice of Hearing, as stated. And I further ask that the board take the following actions against Miss Parsley. One, should Miss Parsley choose to reapply for her intern license, she would be required to meet all requirements for internal licensure in place at the time. The application will then be brought before the board for consideration of her application. Should the board decide to license Miss Parsley after reviewing the application at a public board meeting, it should place the following restrictions upon her intern license. And it would be as follows: the respondent would be placed on probation during the time of her internship with the following conditions. And I believe the internship is three years, if I'm correct, Stephanie, Lynne. Yes, okay. And the conditions are as follows: this is with regard to probation; she waived her right to petition for early termination and modification of probation. She would obey all federal, state, and local laws and regulations governing the practice of marriage and family therapy interns. Respondent shall complete six board approved continuing education courses in the area areas of ethics and boundaries and scope of practice.

Such continuing education shall be completed during the period of probation and Respondent, which is Miss Parsley, will be responsible for all costs of the continuing education. Upon successful completion of the continuing education, she must send the certificate of completion to the board within 30 days of completing the course. Respondent would only be allowed to work in an agency setting that does not specialize in crisis or trauma. Respondent shall, at all times, while on probation, maintain an active current intern license with the board. If the board chooses to do so, they may impose a fine in any amount they deem fit pursuant to 641A.320. I would also ask for recovery of attorney's fees and costs and as of yesterday 5 PM, it was three thousand seven hundred fifty dollars and ninety-four cents. But then we would add the costs to the length of time of this hearing for me and Sofia. And our rate is one hundred fifty-four dollars and thirty-six cents per hour. The fine and or attorney's fees would become due within 90 days from the board's order. Any actions would be reported to the NPDB reporting bank, any and any other national databank that is required by law, as I believe the legislature also requires reporting discipline matters. And failure to satisfactorily complete the terms of the order within the probationary period shall constitute a violation of probation, and her license would be suspended immediately.

- Steve: I move to approve the slate of disciplinary measures to also include a maximum fine of five thousand dollars and a forensic psychological evaluation conducted by a board approved clinician.
- Hal: I second the motion.

Motion approved unanimously.

6. Tiffany Day petitions the board to consider issuing her a new CPC Internship (For discussion/possible action)

Steve: thank you for coming back after dealing with the technical issues from last

month. Please tell us why you are here today.

Tiffany: In 2017, I was working for an agency. I was the only therapist there and I was seeing about 33 clients per week. I was behind on my case notes. Medicaid was called in by a family so I got in trouble for not completing my notes, the facility got in trouble, too.

Steve: What have you been doing since your license has lapsed?

Tiffany: I started a second master's in social work. And I am working as a neuropsychologist, a technician for an agency as I just deal with people that struggle with mental disorders. And so that's what I've kind of been doing. And I've been in a school, I worked in a school district as a mental social work assistant.

Erik: was the agency found guilty of Medicaid fraud?

Lynne: yes.

Erik: what have you learned from this? What would you do differently?

Tiffany: I would complete my notes the same day and I also know now that I need to pay attention to what other people are doing with my license and my NPI number.

Hal: \$1,129 is a small sum, my concern is that the AG's office description is different than yours?

Tiffany: When they came in and asked for the files, I asked the owner for some information and that is when I found out what she was doing. We were moving into another building so some of the records got lost and so I needed to ask her about that.

Sara: did you handle the files?

Tiffany: I had my own notes and then notes that I gave to the owner.

Steve: Where was your primary supervisor during all this?

Tiffany: I was so busy that I did not see my supervisor often.

Steve: It is your responsibility as an ethical practitioner to seek supervision and consultation regularly, but, in addition, it is the responsibility of the Primary Supervisor to mentor and walk with people in situations that they haven't gone through before. I see both sides of that. Do the other board members want to offer questions or comments? (Pause) Board members let's discuss potential outcomes and directions then.

Hal: what is your plan moving forward?

Tiffany: I would like to get my intern license back and then will be promoted at my job to do counseling. I would like to finish what I started. I've sort of maintained in the field. I just don't want to let all of that hard work go to waste. And I feel like this is my purpose. If I could just put that to the side and I could feel like I'm a therapist. It feels like it is my being and I have been I've been kind of miserable a little bit. I'll say that.

Erik: Ms. Day has a new application before the Board?

Lynne: yes, the application is here

Hal: two questions: 1.) Do we grant an internship? 2.) Do we want to transfer her hours?

Hal: have you been doing any continuing education?

Tiffany: I am in a program in Social Work. I have a year left.

Steve: I would like a very detailed plan on an internship proposal.

John: this is indicative of a supervisor not being in the same place as the intern. This is high volume and low oversight.

Steve: it is my recommendation that we have you come back and present a very detailed internship plan. We will table this item until next month.

Erik: the plan should include a supervision plan

7. Review/Decision regarding the following licensees who have petitioned the Board to be Primary Supervisors for Marriage and Family Therapist (MFT) and Clinical Professional Counselor (CPC) Interns: (For possible action)
 - David Allred - Motion to approve David as a Primary Supervisor: Erik 1st, 2nd Sheldon. No abstentions: Motion approved unanimously.
 - James Balmut - Motion to approve James as a Primary Supervisor: Erik 1st, 2nd Marta. No abstentions: Motion approved unanimously.
 - Balance of Primary Supervisor candidates: Motion to approve Stephanie Hank, Katie Infante, Carly Kramer, Brianna Marshall, Jennifer Stephenson, Jasmine Weisner, and Lisa Wilton as Primary Supervisors: Erik 1st, 2nd Sara. No abstentions: Motion approved unanimously.

Supervision Applicant	AAMFT Approved Supervisor/Supervisor Candidate or CCE Approved Certificate/Supervisor Course	Transcript of 45-hour Graduate-level Supervision Course	Mentor Signature of Supervisory Experience	Mentor Contract
David Allred	No	Yes	Yes	N/A
James Balmut	Yes	N/A	N/A	N/A
Stephanie Hank	Yes	N/A	Yes	N/A
Katie Infante	Yes	N/A	N/A	Yes
Carly Kramer	Yes	N/A	N/A	Yes
Brianna Marshall	Yes	N/A	N/A	Yes
Jennifer Stephenson	Yes	N/A	N/A	Yes
Jasmine Weisner	Yes	N/A	N/A	Yes
Lisa Wilton	Yes	N/A	N/A	Yes

8. Lynne Smith petitions the board to review and approve the September, October, and November financial statements (For discussion/possible action)

Lynne: You were sent the financial statements under separate cover. There are individual profit and loss statements for September, October, and November and then the balance sheet as of November 2020. Next, our budget-to-actual spreadsheets are the final exhibit and it shows us in pretty good shape as of November. I didn't have enough time to get all the December invoices before this meeting, so I will have that for you at our next meeting.

- Motion to approve the September, October, and November financial statements: Erik 1st, 2nd Sheldon. No abstentions: Motion approved unanimously.

9. Lynne Smith petitions the board to review and discuss the NVBOE Productivity spreadsheet prepared by Joelle McNutt (For discussion)

I just wanted to give Joelle credit for taking the initiative to put these numbers

together. First of all, you saw this last meeting, but this is cumulative for the calendar year 2020. And to answer Sheldon's question, we had a number of people who didn't want to get licensed in December 2019 and then have to pay \$450 in January because that was the beginning of the new biennial licensing period. So they specifically asked us to hold those applications. That is why the January numbers were high. But then if you look at June 2020, we had 68 licenses issued. So it does ebb and flow. We did license 544 individuals in the calendar year 2020. The previous year was 442 I believe, so 125% more than 2019.

Erik: remind what the R stands for?

Lynne: Reciprocity. We felt that it would be helpful to track these numbers separately.

10. Disciplinary Matter – Recommendation for Dismissal (For possible action)

a. Case No. NV16MFT010

b. Case No. NV19MFT004

NV16MFT010: the therapist did not do anything wrong except to request a wellness check on a client from her clinic.

- Motion to approve dismissing NV16MFT010: Sheldon 1st, 2nd Erik. Hal abstains: Motion approved unanimously.

NV19MFT004: the complaint was filed on a MFT but no statutes were found to be violated.

- Motion to approve dismissing NV19MFT004: Sheldon 1st, 2nd Erik. No abstentions: Motion approved unanimously.

11. Report from President (Advisement)

Steve: thankful for the participation today – those were robust conversations. That's what makes this board really function well with all of us contributing. So thank you today and in the future.

I'm still looking forward to the NRS and NACs matching information.

12. Report from Treasurer (Advisement)

Sara: So out of the audit, they suggested that we create a checklist for the treasurer, which Lynne already has done. Oh, thank you, Lynne (for putting it up on screen). I was going to ask you; I didn't see it in the exhibits before. Every month we're going to present this checklist. I do the sign off and it'll be for the month previous since the bank statements close at the end of the month.

Lynne: Sara has access to the payroll records for view only, so she's got full access for the original Paycheck documents. That's what she's reviewing now, as well as the bank statements and the credit card activity online with Wells Fargo.

Steve: Thank you so much, Lynne, for all this work and for streamlined process. And we're transparent - if we go back a decade or so ago, these ideas were not happening, let alone being talked about.

Erik: what about the FDIC insured amount?

Sara: it is \$250,00 per institution

Lynne: I asked that question of the auditors when I was first hired and they didn't seem to think that it was a problem.

13. Report from Executive Director (Advisement)

Lynne: Another shout-out for Joelle for being so great with applicants and licensees. Additionally, we had 15 complaints in 2020 and Steph has acknowledged them all in a timely manner. And I just completed the state fiscal notes training. I already have my first fiscal note that I need to respond to. So it loops me into the legislative process, which is great.

14. Report from Senior Deputy Attorney General Henna Rasul (Advisement)

Henna: nothing to report

15. Discussion regarding future agenda items and possible future meeting dates:

a) Friday, February 19th @ 9:00 AM (Public Meeting)

b) Friday, March 19th @ 9:00 AM (Public Meeting)

16. Public comment.

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
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No public comment.

17. Board member comments

Adrienne: Helen Foley reached out to me and she wanted to know if we had any legislative issues and I referred her to Lynne.

Lynne: I do not think the budget allows for that,

John: I think that is a conflict of interest and having since she lobbied for MFTs exclusively and the MFT Team.

Hal: if you need some help on the Administrative Collaborative, please let me know.

Lynne: thanks, Hal.

18. Adjournment (For possible action)

Meeting adjourned at 11:26 AM.