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Sara Pelton, *Member*
Marta Wilson, *Member*
Hal Taylor, J.D., *Public Member*
Dr. Sheldon Jacobs, *Member*
Dr. John Nixon, *Member*

MEETING MINUTES
FRIDAY, NOVEMBER 17, 2023 at 9:00AM

Teleconference

**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).

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 9:29 AM.
 - Board members present: Sara Pelton, Marta Wilson, Jenny Stepp, Sheldon Jacobs, Lauri Perdue, Jennifer Ross, Hal Taylor, John Nixon (arrived at 9:03 PM)
 - Board members not present: Steven Nicholas
 - Staff present: Joelle McNutt, Stephanie Steinhiser, Senior Deputy Attorney General Henna Rasul
 - Members of the public: Richard Vande Voort, Nancy Sirkin, Michael Elterman, Jaime Clemens, Pamela Gomez, Roberta Vande Voort, Emily Lewis, Felicia Carrigan, Daniel Dorado, Helen Troupe, Alicia Rocha, Nichole Henderson, Merlelynn Harris

Public comment is welcomed by the Board. Persons wishing to provide public comments remotely may access the meeting by telephone at (253) 215-8782 or through the electronic link posted on the agenda. Public comment will be limited to three (3) 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)

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)

- No public comment

3. Consideration of Proposed Regulations Based Upon Comments Received at Public Workshop (For Possible Action)

- The Board will consider additions, amendments, and/or repeal of regulations taking into consideration comments from the public.
 - NAC 641A.055 – removes that communications to the Board must include an email address and the person’s name.
 - Motion to approve proposed language in NAC 641A.055 to remove that communications to the Board must include an email address and the person’s name: 1st Hal, 2nd John; No abstentions; Motion approved unanimously.
 - NAC 641A.095 paragraph 1 – removes the restriction of how many times an applicant can attempt to take their national licensing exam in a 12-month period.
 - John: Just to clarify, just recognize the language here makes reference to marriage and family therapists but not clinical professional counselors. So, is there a different timetable for CPC candidates?
 - Joelle: That is not included in our regulations, which is one of the reasons why you all thought should be removed as well. It is not inclusive to the other license type.
 - John: I remember that.
 - Motion to approve proposed language in NAC 641A.095 paragraph 1 to remove the restriction of how many times an applicant can attempt to take their national licensing exam in a 12-month period: 1st Jenny, 2nd Marta; No abstentions; Motion approved unanimously.
 - NAC 641A.095 paragraph 2, subsection (a) – removes that a person must take the national licensing exam within one year of being notified of eligibility.
 - Motion to approve proposed language in NAC 641A.095 paragraph 2, subsection (a) to remove that a person must take the national licensing exam within one year of being notified of eligibility: 1st Lauri, 2nd Sheldon; No abstentions; Motion approved unanimously.
 - NAC 641A.095 paragraph 2, subsection (b) – removes that a person must retake the national licensing exam within one year after failing the examination and that their license is deemed lapsed.
 - Jennifer: We had some public comments here questioning how this might impact our assessment of somebody's motivation, fear or other limitations that might be interfering. So, I'm wondering if there are any thoughts or comments from the Board about this item.

- Sara: I think that is a good point, but also there's times when interns will have life circumstances come up where taking the test again within that 12-month period might not be reasonable for them. So that was just something I was thinking about.
- Marta: I agree also that it may be something that causes an intern not to be more hesitant to take the exam based on their own fears, or maybe they have taken it three or four times and they're just a little bit afraid about it again. But I agree that we need to remove it at the same time.
- Jennifer: I do agree with what has been offered and I think that I would hope that we could trust the individual's primary supervisors to be exploring those things with their interns, to be able to do their jobs as supervisors, to work through those things and to provide appropriate gatekeeping in such a case where that were necessary. So, I think I'm also in support at this time of removal. Other thoughts, questions or a motion?
- Motion to approve proposed language in NAC 641A.095 paragraph 2, subsection (b) to remove that a person must take the national licensing exam within one year of being notified of eligibility: 1st Jennifer, 2nd Sara; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (a) – removes that a provider of continuing education must transmit to the Board the title of the course or program within thirty (30) days.
 - Jenny: I will say that I'm glad we're tidying up paperwork and record keeping and we're entrusting this work to our continuing education providers.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (a) to remove that a provider of continuing education must transmit to the Board the title of the course or program within thirty (30) days: 1st Jenny, Lauri; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (b) – removes that a provider of continuing education must transmit to the Board the name of the instructor of the course or program within thirty (30) days.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (b) to remove that a provider of continuing education must transmit to the Board the name of the instructor of the course or program within thirty (30) days: 1st Marta, 2nd Sheldon; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (c) – removes that a provider of continuing education must transmit to the Board the date, time and location of the course or program within thirty (30) days.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (c) to remove that a provider of continuing education must transmit to the Board the date, time and location of the course or program within thirty (30) days: 1st Lauri, 2 Hal; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (d) – removes that a provider of continuing education must transmit to the Board the names and total number of attendees who were issued certificates.

- Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection to remove that a provider of continuing education must transmit to the Board the names and total number of attendees who were issued certificates: 1st Marta, 2nd Lauri; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (e) – removes that a provider of continuing education must transmit to the Board the number of hours available for credit for attending the course or program.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (e) to remove that a provider of continuing education must transmit to the Board the number of hours available for credit for attending the course or program: 1st Marta, 2nd Sheldon; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (f), number (1) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the course or program.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (f), number (1) to remove that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the course or program: 1st Marta, 2nd Jenny; No abstentions; Motion approved unanimously.
- NAC 641A.126 paragraph 3, subsection (f), number (2) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the approved provider of continuing education.
 - Motion to approve proposed language in NAC 641A.126 paragraph 3, subsection (f), number (2) to remove that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the approved provider of continuing education: 1st Lauri, 2nd Sara; No abstentions; Motion approved unanimously.
- NAC 641A.129, paragraph 1 – removes that an approved provider of continuing education must keep records of the course or program for three years.
 - Jennifer: This is where we did have some public comment about what happens if we lose it.
 - Sara: Just because we may remove this reg doesn't mean it wouldn't be a best practice to still retain records. We have cloud-based services and I hope everybody takes advantage of those just in case.
 - Motion to approve proposed language in NAC 641A.129, paragraph 1 to remove that an approved provider of continuing education must keep records of the course or program for three years: 1st Jenny, 2nd Lauri; No abstentions; Motion approved unanimously.
- NAC 641A.129, paragraph 1, subsection (a) – removes that an approved provider of continuing education must keep records of the course or program for three years including each attendee of the course or program.

- Jennifer: Sara, I think this is in line with what you reminded us all of for the last item, that just because we removed the reg doesn't mean it's no longer best practice.
 - Motion to approve proposed language in NAC 641A.129, paragraph 1, subsection (a) to remove that an approved provider of continuing education must keep records of the course or program for three years including each attendee of the course or program: 1st Lauri, 2nd Marta; No abstentions; Motion approved unanimously.
 - NAC 641A.129, paragraph 1, subsection (b) – removes that an approved provider of continuing education must keep records of the course or program for three years including the number of hours available for credit for attending the course or program.
 - Motion to approve proposed language in NAC 641A.129, paragraph 1, subsection (b) to remove that an approved provider of continuing education must keep records of the course or program for three years including the number of hours available for credit for attending the course or program: 1st Marta, 2nd Sheldon; No abstentions; Motion approved unanimously.
4. Discussion, recommendation, and possible action regarding review and approval of minutes from the October 20, 2023, meeting (For possible action)
- Motion to approve minutes from October 20th: 1st Lauri, 2nd Sheldon; Jenny abstains; Motion approved.
5. 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)

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
Pamela Gomez	Yes	N/A	N/A
Diane Schroder	Yes	N/A	N/A

- Jennifer: Any comments from the board? Questions in reviewing the application materials for Ms. Gomez?
- Joelle: Pamela submitted her application for primary supervision. She has submitted everything to NBCC for her ACS certificate, but as you see from your supporting documentation, it is still pending review. So, she has not yet been issued her ACS certificate, but she has started the process to get that. So that is what is included in your supporting documents.
- John: So, is there a pressing reason to move on this now rather than waiting for that approval from NBCC so that everything is in order? That can get very messy if we open the door to allow partial completion of requirements. You see what I'm saying?
- Hal: That would be my concern also.
- Marta: I agree with that. I'd like to wait for that certificate to come through.

- Pamela Gomez: Nice to meet you. I'm actually a program director from Moriah Behavioral Health. Dr. Kannard is our clinical director. She's working with UNLV and the only pressing issue I have is that I am the director of a program for a new residential treatment facility that's going to be taking on Medicaid clients that are teens. And so I'm in the process of hiring my staff and training them within the next month, month and a half and ideally I would like to be able to take on interns that I would be able to supervise within my own residential facility and without getting it approved now, then I would have to wait to be able to do that until the next board meeting. So that is my urgency, to be able to continue to staff my house and to fulfill my duties at my job, which would be very helpful if I could go ahead and as soon as that is issued or pending the date of that issue, if from that date I could have the pre-approval from the board. Because everything else that the board requires has been submitted and fulfilled, including a hundred hours of mentored supervision.
- John: Yes. So, allow me to clarify a couple of things. One, we do not require the state credential for one to be a supervisor of academic interns of those within the program, it's simply having had training and or experience. So, it's not that we need that for academic interns that you may bring on or field experience students. On the side of licensed interns by the state, we do not regulate site supervisors as such, which is why the site supervisor may be a psychologist or an MFT or a social worker or a counselor. We don't regulate that. What we do regulate is our board approved supervisors. So, you're able to function as a site supervisor without impairment or impediment because there is no state credential required, but in order to be a primary supervisor of record for someone, yes,
- Pamela Gomez: I understand that. I guess the big difference for me personally is it affects my salary because if I'm not taking on interns within then I'm not able to boost my salary for my job. So, I would be unable to take on interns for Mariah until January. So that would affect two months of salary for me and that's why I'm petitioning the Board so that I can go ahead and move forward.
- John: Here's a point of procedure question. Are we able to approve conditionally such that it then can be administratively approved by Joelle if it's pre-approved pending clearance from NBCC? So then Joelle can simply do it administratively and not wait for another board meeting since everything would be in order except the credential itself to be received. Is that possible? Can we do it that way?
- Joelle: We have done that in the past. Especially during COVID when everything was halted. I do recall specifically an applicant for primary supervision that you did do that. They weren't approved the day of the Board meeting; they would be approved when all of the necessary documents were received by the Board office.
- Hal: My question is how big a precedent are we setting for this? Is this going to come up in a whole bunch of different contexts and we sort of shove it off on Joelle's desk? It's one thing for something like this to happen in COVID. I can certainly see that, and I think maybe we have to know is this just a hold up in the body that approves this certification? I'm a little worried about opening up this too much and I'm sorry. I understand those are perfectly good reasons, Ms. Gomez. I understand that, but I'm just looking at the bigger picture. Do we create larger problems potentially for other cases?

- Pamela Gomez: Right. NBCC has said it will take about six weeks to process and it's been about three. So, I'm kind of at the mercy of the wheels of their processing system. They have confirmed that I have successfully submitted everything. It's just pending review.
- Sheldon: If something happens with the review, something like an administrative error or anything can happen. That also could put us in a very precarious position as well.
- Pamela Gomez: It's my understanding that I would not be approved until the ACS was the credential was given to me. So, the pre-approval would be null and void if I never got permission from NBCC. Correct?
- Hal: The problem is, if we approve this with this pending, then you in fact are allowed to do certain activities such as you described. Now if we say no, now you can't do it because you didn't get this approved. Do we have to go through a process of decertification? I'm sorry, we're a Board, we have these fairly rigid processes. This can create problems for us. We've got to be careful in terms of setting those kinds of precedents.
- Jennifer: A point of clarification, because the motion was not a pre-approval, but a conditional approval. My vote, I suppose would depend on Ms. Gomez not initiate any such activity until the Board office has the required documentation for approval. In which case to other points about then do we create a precedent where we're doing kind of these half approvals on a regular basis and then Joelle ends up with the board office doing these on the backend. And what kind of burden does that then put on the board office who's already doing a whole lot for us?
- Sheldon: I thank you for the discussion. I don't want to set this precedent because that can open this door that can put us in some very precarious situations.
- Marta: I have concerns about a precedent also because this is our last Board meeting, we also had an individual wanting to get approved as a supervisor and again, not having all of the documentation in order and we didn't put that one through and I would just like to see the documentation present. So everything's clean.
- Motion to approve Pamela Gomez to be a Primary Supervisor pending a receipt by the Board office of completed certification by NBCC at which time then the Executive Director can administratively process our approval: 1st Hal, 2nd Marta; Jennifer opposes; Motion approved.
- Jennifer: Diane Schroeder is next on the list. There was nothing that seemed out of order for this application.
- Joelle: She does have her ACS credential and her application is clean.
- Motion to approve Diane Schroder as a Primary Supervisor: 1st Jennifer, 2nd Lauri; No abstentions; Motion approved unanimously.

6. Disciplinary Matter – Recommendation for Dismissal (For possible action)
 - a. Case No. NV19MFT005
 - b. Case No. NV21CPC007
 - Motion to dismiss Case No. NV19MFT005 and Case No. NV21CPC007: 1st Jenny, 2nd Lauri; No abstentions; Motion approved unanimously.
7. Review, discussion, and possible action regarding review of financial statements 1st Quarter FY24 ending September 30, 2023 (For discussion/possible action) – Joelle McNutt
 - Motion to approve financial statements 1st Quarter FY24 ending September 30, 2023: 1st Lauri, 2nd Sara; No abstentions; Motion approved unanimously.
8. Report from President (Advisement)
 - Jennifer: No report on Steve's behalf.
9. Report from Treasurer (Advisement)
 - Lauri: Everything is clean and on track.
10. Report from Executive Director (Advisement)
 - Joelle: I don't have a lot to report this go round. I did include the productivity spreadsheet and we're so close to 700 licenses issued this year. I don't know if we're going to make it because December is historically slow. I did give you the floor plan for our office move and you'll see we're in a building now with a lot of other folks. So we will see a significant space reduction when we do move, we'll lose about a thousand square feet. They are reducing our space to 498 square feet from 1400 square feet. And so we will pay rent on our space and then 20% of the common areas. So it will significantly reduce our rent, but significantly reduces our space. And so that's going to take a little bit of getting used to.
 - Lauri: Can ask a question? Do you feel that you can function in that space? Did you ask if you can request a different space?
 - Joelle: I did ask if there was a bigger space that was available and I was told that the options from this point on, the options will only get smaller and choices more slim. There is no reception area so there is no one to direct the public where to go if we have walk-ins. It should not be another agency's responsibility to direct our foot traffic.
 - Sara: We need a physical location for meetings too. Do you get a guarantee of the use of the conference room each time? What happens if there is a conflict?
 - Joelle: Yes, we can reserve the conference room in advance. I don't know yet if there is a conflict, what we would do.
 - Sara: Would it be a shared WiFi situation too? What about connectivity issues?
 - Joelle: I can check with the IT personnel on this.
 - Hal: I feel like we've worked so hard to get things up to a much higher level, much more efficient level, a level where we are able to do more things, have more information, get more data to make decisions on. Something like this, some person who thinks, well, we're just another board. What do we need more than 400 square feet? I mean it's irritating. You

shouldn't have to work in a space that's not reasonably compatible with your needs and the Board's needs.

- Marta: Would you be able to bid for more space in the future? This really is not enough space.
- Joelle: I can check on that. I have updated the Board website to reflect current information on the supervisor application process, academic requirements and qualifications, continuing education needed for license renewal and final hours submission.
- Jennifer: Thanks Joelle. I was just clicking through and it looks great.

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

- Henna: No report.

12. Discussion regarding future agenda items and possible future meeting dates

- Joelle: We originally talked about not meeting in December and resuming in January. We have several disciplinary cases in the works that we need hearing dates for. So what we were thinking is January 19th, February 16th, and April 19, 2024.
- Jenny: Hopefully we can do a hearing and a Board meeting in the same day.
- Joelle: Yes, we can.

13. Board member comments

- Sheldon: Jennifer, this is not an easy first meeting to facilitate, especially with a workshop. I thought you did an amazing job.
- Marta: I second that.
- Lauri: Thirds. You are in a safe space. We got your back.
- Sara: I'm wondering if it's worth our time, at some future meeting, to think about moving that process for approved supervisors too. So the ones that have questions may go to the meeting, just something to think about for the future. Is that something that we should put on a future agenda for discussion?
- Joelle: Yes, absolutely it would need to be voted on.
- Sheldon: I know a couple of years ago we were talking a lot about the licensing exam but I wanted to revisit that sometime down the road. I know that there's a lot of folks in the community that are having a hard time passing that exam.
- Hal: Let's put it on the agenda for the future.

14. 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)

- Merlelynn Harris: I just want to thank all of you guys for all of your hard work and it does not go unnoticed and having been around for multiple decades. Thank you. I just wanted to make sure that it was on the Board's radar. I sat in on a public hearing on Monday regarding some proposed amendment language change to Assembly Bill 267 regarding cultural competency training. I was a little concerned with some incongruence of the language and the requirements for MFTs and CPCs, and so you guys may already be on it and I just was behind the eight ball in that meeting, but I just wanted to make sure it's on the radar of the Board. That's all I wanted to add for public comment.
- Michael Elterman: You have been so, so supportive and your staff has been. I am just amazed and because of the lack of other connections other than what I needed help with, it tells me that you treat everybody the same way. You are extraordinary. Thank you.
- Joelle: Thank you for your kind words.

15. Adjournment

- The meeting adjourned at 10:50 AM.