



# State of Nevada

## The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors

P.O. Box 370130  
Las Vegas, NV 89137-0130  
(702) 486-7388 Fax: (702) 486-7258

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### STATE BOARD OF EXAMINERS FOR MARRIAGE & FAMILY THERAPISTS AND CLINICAL PROFESSIONAL COUNSELORS

#### NOTICE AND AGENDA OF BOARD MEETING

THIS MEETING WILL BE HELD BY TELECONFERENCE.

MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON AT THE FOLLOWING LOCATION:

<b>DATE &amp; TIME</b>	Friday – February 5, 2016 at 9:00 a.m.
<b>LAS VEGAS LOCATION FOR PHYSICAL ATTENDANCE</b>	Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors 9436 W. Lake Mead Boulevard #11-J Las Vegas, Nevada 89134

- 1) Call to Order/roll call to determine the presence of a quorum.
- 2) Public Comments. (Discussion) No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

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#### CONSENT AGENDA (Noted below with +)

The consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

- 3) The following MFT-Intern petitioned the Board for approval of an extension of their internship. (For possible action as to each of the following individuals)

Maria Rose Leibowitz    MFT-Intern    02/22/2013    (For Possible Action)

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- 4) +Approve candidates for licensure as Marriage and Family Therapists (MFTs). Pursuant to NRS 241.033, the Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health or any of the below named individuals. (For Possible Action)

Roberta Downey	NV-IP150828003	(Exam Passed)	Supv-Norton (For Possible Action)
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- 5) +Approve new interns and internships (For Possible Action)

**Las Vegas**

Jennifer Howe (CPC-Intern)	Primary – Dawn Moore* Secondary – Roberta Miranda* (For Possible Action)
Shad Scott (CPC- Intern)	Primary – Tabitha Johnson* (For Possible Action)
Shelley Sendak (MFT-Intern)	Primary – Janna Broxterman* (For Possible Action)
Diana Caldas (MFT-Intern)	Primary – Jerri Gallegos-Carr* (For Possible Action)
	*Board Approved

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**REGULAR AGENDA**

- 6) Approval of proposed changes/additions to internships: (For Possible Action)
- Holly Davis (CPC-Intern) Primary – Shannon Smith\*  
(For Possible Action)
- 7) The following individuals petition the Board to approve them as a Secondary Supervisor for MFT-Interns. (For Possible Action)
- Alicia Tucker, CPC Insurance – Yes NV License Issued- 7/26/2013
- 8) Ms. Triston Neeson, petitions the Board to accept her Nevada State Background check as sufficient for the background check requirement. (For Possible Action)
- 9) Ms. Stephanie Auclair, petitions the Board to accept her Nevada State Background check as sufficient for the background check requirement. (For Possible Action)
- 10) Ms. Dena Johns, MFT, petitions the Board to approve her to supervise a seventh intern. (For Possible Action)

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- 11) Ms. Constance Knight, MFT, petitions the Board to approve her to supervise a seventh intern. (For Possible Action)
- 12) Approve new interns and internships: (For Possible action as to each of the following individuals)

Stephanie Auclair (MFT-Intern)	Primary – Tristan Thibault* (For Possible Action)
Bianca McCall (MFT-Intern)	Primary – Constance Knight* (For Possible Action)
Triston Neeson (CPC-Intern)	Primary–Dena Johns* Secondary – Andrea Krueger* (For Possible Action)

- 13) The following Primary Supervisors inform the Board of request for termination of Primary internship supervision with their interns: (For Possible Action)

Supervisor	Intern	New Sup
Leticia Murphy, MFT	Nina Austin, CPC-Intern	(None)

- 14) Approve candidates for licensure as a Clinical Professional Counselor (CPC) or CPC-Interim Permit (IP) or CPC-Intern. Pursuant to NRS 241.033, the Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health or any of the below named individuals. (For Possible Action)

Rachel Drake (LCPC IL 7/17/2015-3/31/2017) (No Exam) (Supv-Schoen) (Chk Int hrs)  
 (For Possible Action)

- 15) Approve candidates for licensure as Marriage and Family Therapists (MFTs) or MFT-Interim Permits (IPs) or MFT-Interns. Pursuant to NRS 241.033, the Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health or any of the below named individuals. (For Possible Action)

Kathleen Hctor (LMFT CA 4/30/2012-4/30/2017) (No Exam) (Chk Int hrs) (Supv-Vande Voort, Roberta) (For Possible Action)

Mariam Bahadori (LMFT KS 9/14/2015-9/30/20017) (Passed Exam) (chk Int hrs) (For Possible Action)

- 16) The following have submitted plans to be approved by the Board for CPC-Interns and MFT-Interns to engage in private practice and **In-Home Therapy** at facilities without a

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Licensed Mental Health Professional on the site. (For Possible Action)

Site	Supervisee	Supervisor	Administration	Signatures	Consulted Policy
1 Our Little World	Shad Scott, MFT-Intern (Candidate)	Tabitha Johnson, MFT	Carly Aldis, LCSW	Yes, Yes, Yes	

- 17) Staff work assessment and coverage (Discussion)
- 18) Annual Renewal Courtesy Notices (For Possible Action)
- 19) Request for Advisory Opinion regarding organization of businesses under NRS chapter 89, NRS chapter 78 and NRS chapter 86 and the delivery of services by marriage and family therapists and clinical professional counselors. The Request for Advisory Opinion asks the following questions:
  1. If a business plans to hire or contract with marriage and family therapists and/or render clinical services, are they required to organize the company as a professional entity under NRS 89?
  2. Does the board have authority to grant a license to practice marriage and family therapy to a private corporation under NRS 78 or limited-liability company under NRS 86, or would the board require compliance with NRS 89?
  3. If so, what is the process for these entities to obtain such a license?
  4. If a business organizes as a non-professional entity under NRS 78 or 86, does it mean that the business is not subject to the requirements of NRS 89? In other words, can they avoid NRS 89 requirements by simply deciding to organize under NRS 78 or 86?
  5. Can a marriage and family therapist practice marriage and family therapy in a company if it means an unlicensed mental health professional (e.g., owner) has the right to direct or control his/her professional judgment?
  6. Does the Stark Act (42 U.S.C. § 1395nn) apply to marriage and family therapists?
  7. Would the marriage and family therapy company be able to refer its clients to the foster care company in which it has a financial interest as defined in NAC 439B.530, or would that be in violation of NRS 439B.425, NAC 439B.5402, or the Stark Act?
  8. Would the marriage and family therapy company be able to accept referrals from the foster care company in which it has a financial interest as defined in NAC 439B.530, or would that be in violation of NRS 439B.425, NAC 439B.5402, or the Stark Act?
  9. For example, if a business owns a foster care company, and they own (in part or whole) a company that renders marriage and family therapy (organized under NRS 78 or 86, assuming that is acceptable), can their foster care company refer their clients to their company that renders marriage and family therapy without violating NRS 439B.425, NAC 439B.5402, or the Stark Act?
  10. If a marriage and family therapist renders marriage and family therapy as an employee or independent contractor of a company organized under NRS 78 or 86 whose ownership includes unlicensed persons, and the company bills for the clinical services and receives the payment, is the marriage and family therapist

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engaging in fee splitting or unprofessional conduct as described in NAC 641A.243 or NAC 641A.252 (notwithstanding exceptions in NRS 695B, 695C, 695F and 695G)? Is that permissible?

11. If a company organized under NRS 78 or 86 whose ownership includes unlicensed persons obtained a contract to render marriage and family therapy, could the company contract out the marriage and family therapy portion of the contract to a marriage and family therapist and allow the marriage and family therapist to bill insurance companies directly while the private corporation also received reimbursement via said contract for procuring, overseeing, and accepting responsibility for (but not rendering) the marriage and family therapist's services? Or would such an arrangement constitute fee splitting or unprofessional conduct as described in NAC 641A.243 or NAC 641A.252 (notwithstanding exceptions in NRS 695B, 695C, 695F and 695G)? Is that permissible?

12. Does the Board of Marriage and Family Therapists permit marriage and family therapists or clinical professional counselors to share or split professional fees?

(For Possible Action)

20) Public Comments. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. (Discussion)

21) Items for future agendas. (Discussion)

A. Review dates for next Board Meeting. (For Possible Action)

B. Review dates for next intern interviews. (For Possible Action)

C. Review dates for Hearing/Adoption Meeting. (For Possible Action)

22) Adjournment. (For Possible Action)

NOTE: Items may be taken out of order.

NOTE: Items may be combined for consideration

NOTE: Items may be pulled or removed from the agenda at any time.

NOTE: Public comment may be limited to ten minutes per person at the discretion of the chairperson.

NOTE: All supporting documentation is available from Sandra Reed, at the Board office located at 9436 W. Lake Mead Blvd. Suite 11-J, Las Vegas, NV 89134-8342. Anyone desiring supporting documentation or additional information is invited to call the Board office at (702) 486-7388 or email at [mftbd@mftbd.nv.gov](mailto:mftbd@mftbd.nv.gov).

NOTE: Members of the public who are disabled and require accommodations at the meeting are requested to notify the Board office in writing at 9436 W. Lake Mead Blvd, Suite 11-J, Las Vegas, NV 89134, or by calling the Board office at 702-486-7388, prior to the date of the meeting.

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This Agenda has been sent to all persons on the Board's mailing list of interested parties in this regard, posted on the Board's website at <http://marriage.nv.gov/>, and posted at the following locations on or before 9 a.m. on the third working day before the meeting at the following locations:

Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada 89101

Clark County District Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada 89101

Office of the Attorney General  
100 N. Carson Street  
Carson City, Nevada 89701

Board of Examiners for Marriage and  
Family Therapists and Clinical  
Professional Counselors  
9436 W. Lake Mead Blvd. #11-J  
Las Vegas, Nevada 89134-8342

Washoe County Library System  
Downtown Reno Library  
301 S. Center Street  
Reno, NV 89501