

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

MEETING MINUTES

Friday, February 15, 2019 at 9:00 a.m.

Sierra Counseling Center
1855 Sullivan Lane, Suite 145
Sparks, Nevada 89431

and

Kayenta Legacy Conference Room
9418 West Lake Mead Boulevard
Las Vegas, Nevada 89134

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.

Call to order: 9:06am

Present: SDAG Henna Rasul (telephone), Barry Blackburn (telephone), Jake Wiskerchen, John Nixon, Erik Schoen, Steve Nicholas, Marta Wilson, Roberta Vande Voort, Hal Taylor, Adrienne O'Neal

Public attendees: Elizabeth Dear, Gena Haley, Yvonne Hart, Merlelynn Harris, Scott Oakley, Bill Sikkens, Craig Merrill

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)

Scott Oakley, MFT-I: read a letter describing his experience taking the national exam for the third time. Mr. Oakley explained his concerns; specifically, he questions the validity and reliability of the national exam. Mr. Oakley hopes that the BoE comes up with an alternative route of assessment for licensure. Additionally, Mr. Oakley described his lengthy history of competent experience. Jake explained that the BoE cannot act on behalf of Mr. Oakley, nor can the BoE implement alternative assessment at this time. Jake suggested that he contact the national organization for continued consideration. Scott's supervisor inquired about the Board's intent to change the observance of the exam. SDAG Henna Rasul reminded the

members to not move into discussion and for the creation of agenda items.

Elizabeth Dear, MFT: Ms. Dear voiced her concerns with SB37 eliminating the opportunities to use common assessments and inventories. Also, Ms. Dear would like clarification for intern matriculation. How can licensure be expedited and streamlined? How can interns get approval for taking the national exam more efficiently and in timely manners?

3. Discussion, recommendation, and possible action regarding review and approval of minutes from January 18, 2019 meeting (For possible action)

Hal clarified: When did we enter and exit the closed session? Stephanie S. clarified.

On page 5, please add “Hal was concerned that if the bill did not pass, we would lose the new fee structure.”

Erik: Voiced his appreciation for the minutes and the details.

Jake: Number 8 needs clarification for “why we denied.”

Motion to approve with amendments: 1st: Hal 2nd: Erik Vote: Passed unanimously.

4. 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	Mentor	Mentor Contract	AAMFT Approved Supervisor or CCE Approved Certificate/Supervisor Course
Gena Tidwell Haley, CPC	No	No	No

Erik observed that the candidate did not qualify with the current rubric for candidacy. Ms. Tidwell Haley described the depth of her clinical and supervisory experience. She is willing to take additional trainings and have supervision of her supervision. Hal T., Jake W., Erik S., and Steve N. voiced their thoughts about this candidate’s current standing with Nevada’s application and NV statute.

Motion to deny: 1st:Erik 2nd: Steve Vote: Passed unanimously.

5. The following have submitted plans to be approved by the Board for MFT and CPC Interns to engage in private practice and In-Home Therapy at facilities without a Licensed Mental Health Professional on-site: (For possible action)

Site	Supervisee	Supervisor	Administration	Signatures	Consulted Policy	Previously Approved Agency
DCFS	Marcie Trier, MFT-I	Lisa Walker, MFT*	Yes	Yes	Yes	Yes
Serenity Mental Health	Starr Bailey, CPC-I	Jesse Smith, MFT*	Yes	Yes	Yes	Yes

*Board Approved

Hal T. and Steve N. acknowledged the thoroughness of the two agencies’ protocols.

Motion to approve: 1st:Hal 2nd: Erik Vote: Passed unanimously.

6. Michelle McGuire petitions the board for license reinstatement and to become a primary supervisor (For discussion/possible action)

Jake questions if there is supporting documentation for this candidate. Then reciprocity can be considered. Jake and Erik would like to see legitimizing documentation for this candidate. Stephanie S. acknowledged that the candidate has spoken to her about prior experiences and licensure in AZ.

Marta said that the candidate was licensed as a CPC in NV and that we should put this on the next agenda.

Tabled and added to next month's agenda.

Recess: 10:02 a.m.

Resumed: 10:12 a.m.

Quorum confirmed.

7. Marta Wilson petitions the board to discuss adding interim licensure to Board regulations (For discussion/possible action)

Marta resumed the discussion about interim licenses. For candidates to be formally accepted, they need to take an exam. John offered that in AZ, prospective interns can be considered for continuity of care for clients. This speeds up care and the opportunities to work in NV. Jake added that a provisional license would potentially complicate the current infrastructure of the State BoE. This might add to the workload and duties of the board's staff. Hal said, if you give an interim license, and then the licensee fails the exam, the new situation is creating potential serious issues for the practitioner, clients, agencies, and the clients served. Marta added the Alcohol and Drug Board has provisional licenses where a professional has a specific period for the passage of the exam. Part of the problems seem to stem from administrative obstacles: staff shortages, website efficiency, background checks.

8. Board consideration of Consent Decree in the Matter of Cathy Cassidy (For discussion/possible action)

SDAG Henna Rasul reviewed the procedures for considering Consent Degrees.

Hal T. has recused himself as he was the investigator.

Jake clarified that the BoE can only accept or reject the Consent Decree.

Erik S. and Steve N, Adrienne O., and John N. recommend this decree include supervision of practice and continuing education. Additionally, a supervision report should be necessary every six months. Jake is worried that there is not enough rationale for the requirement of supervision for Ms. Cassidy. Jake offered that Ms. Cassidy likely has gained knowledge and insight from this process. Multiple members discussed the priorities being with client welfare and transparency. SDAG Henna Rasul outlined the procedures for adding to the decree. The amending of the settlement might lengthen the process and require a new hearing. Additionally, this would likely cost additional monies.

Motion to approve the Consent Decree: 1st: Erik 2nd: Adrienne. Vote: Passed unanimously.

9. Board consideration of offering a Board-hosted training offering free CEUs in Las Vegas following an upcoming board meeting (previously tabled item) (For discussion/possible action)

Stephanie S. thinks that the training would be beneficial for supervisors and the supervisory process. June and July are proposed as potential months to hold the training. A training can bring licensees up to speed on final legislation as the legislative term expired. Steve and Roberta questioned the financial feasibility of the idea. Jake believes that the modest cost is worth the product of professional development. Hal endorses the event. Adrienne asked if this event could generate CEU fees. The BoE cannot take fees, thus no charge.

Tabled for next month's agenda.

10. Report from Executive Director (Advisement)

Stephanie provided supporting documents for the IT representative from CTS. The office's computers and software have historically been home PCs without servers. There is a need for new and modern technology for the Board services. New technology will help streamline the workload

and minimize clerical errors. The long hour that the staff puts in is excessive and will be improved with greater IT collaboration mixed with new technology.

There are reportedly 19 complaints to manage and coordinate with Hal and SDAG Rasul. The understaffed office is hard pressed to manage all the duties. Stephanie is going to alter the hours of operation at the Board office: extended hours Monday through Thursday for walk-in visits, telephones off and closed to public on Fridays for the management of services and administrative tasks.

Erik voiced his support and appreciation for the staff, and he looks forward to great improvements. He added that our mission to have integrity and transparency is consistent.

Hal T. said that the pharmacy board also abbreviates their office hours for administrative duties.

Recess: 10:53 a.m.

Resumed: 10:59 a.m.

Quorum confirmed.

11. Update on new website project scope and timeline as well as new hardware and software implementation from Bill Sikkens (For discussion/possible action)

Supporting documents were included. Bill proposed that his overpayment be repaid or applied to new work over the year. Bill said that several components of the new website are ready for testing. Stephanie wants Bill involved with the implementation of the new computers and software. Bill acknowledged that the Board's technology needs to be upgraded. Marta empathized with Bill and inquired about the financial payments and the associated tasks to complete. The 60% that is completed still has 40% remaining to be completed. Bill is quite willing and determined to complete the project. Steve asked for expected timelines. Bill is going to put together a priority of needs and a rollout schedule when the new technology is implemented. Jake sought Bill's input about the purchased technology; Bill provided his suggestions and endorsed the purchased computers. Marta and John asked if we have a server for the data and Bill acknowledged that we will with the new technology. Erik asked why Bill did not reimburse the overpayment. Jake clarified that the autopayments were akin to salary payments and the payroll situation has been tended to. Erik asked for Bill to anticipate the ongoing expenses for the IT services. Bill described tasks: encryption updates, new requirements for ADA and HIPPA. Hal firmly stated that this situation cannot ever happen again as the MFT/CPC profession was impacted by the past year's problems. Bill agreed that he will move forward with transparency and diligence.

Next agenda to address the repayment schedule for Bill Sikkens.

Standing agenda item to be an update of the IT and website implementation.

12. Report from President (Advisement)

SB37 is rescheduled for 2/20/19 at 1:30 p.m. Jake hopes that the members will support the passage of SB37.

Jake has written the fiscal notes for the bill: he states that the bill's fiscal impact surrounds the licensing board's collection of information in case the information is not gathered electronically. There is a potential impact for the dissemination and collection of data with the Veteran's Services Department. Regarding Block Chains, all electronic transactions must be secure. This would require upgrades for all computers.

Jake said that the other three behavioral health licensing boards support SB37.

13. Report from Treasurer (Advisement)

Roberta foresees that the next audit will be more affordable and streamlined. Erik was interested with the process for reviewing invoices. Roberta is aware of the historical concerns and there is attention to the invoicing process.

14. Report from Senior Deputy Attorney General Henna Rasul

No report. Jake asked if there was a count of complaints. Hal and Stephanie stated that there were about 35.

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

a. Friday, March 15th @ 9:00am

b. Friday, April 19th @ 9:00am

c. Friday, May 10th @ 9:00am

16. Public comment.

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Barry Blackburn left the meeting at 11:26 a.m.

Quorum still exists.

17. Board member comments

Steve described several potential arguments against SB37: changing the representation of the board membership, increasing licensing fees, changing scope of practice.

Hal offered his thoughts about the potential rationale for the change in BoE membership stemming from historic Dental Board of North Carolina problems.

Erik supports the broadening of scope of competence and practice. He believes that the scope conversation is easy to have as 48 states have the broadened scope. Erik added that the BoE does not intend to grossly raise the fees on licensees.

Jake added that regulatory processes guard against significant fee increases.

John added that there should be a certain tension between the professional organization and the BoE for the protection of the public.

18. Adjournment (For possible action)

Motion to adjourn: 1st: Erik 2nd: Hal. Vote passed unanimously.

Adjourned: 11:59 a.m.