

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

MINUTES OF TELEPHONIC MEETING

Friday, April 17, 2020 at 9:00 a.m.

Teleconference Location
Nevada Board of Examiners
For Marriage & Family Therapists and Clinical Professional Counselors
7324 W. Cheyenne Avenue, Suite 9
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. 9:02 AM.
 - Steve Nicholas, Erik Schoen, Hal Taylor, Marta Wilson, John Nixon, Sheldon Jacobs, Adrienne O'Neal, Sara Pelton
 - Staff present: Henna Rasul-Senior Deputy Attorney General, Lynne Smith, Joelle McNutt, Stephanie Steinhiser

Public members: Lisa Thoms, Delores Glenn-Lewis, Emilia Kowalski.

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)

Dr. Hart: if an intern works for the state or federal Government and has gone through a background process, why does the BOE need an additional background check? I'm assuming that it's public. It holds people up for licensing.

Lynne: we do not have access to those results.

3. Discussion, recommendation, and possible action regarding review and approval of minutes from March 20, 2020 meeting (For possible action)

Erik: Kudos to whoever put these minutes together – they are the most self-explanatory minutes we've seen.

Lynne: That was Joelle's work.

Motion to approve last month's minutes made by Erik, Marta 2nd. Motion approved 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	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
Lucas Bruno, III	Yes	N/A	N/A	N/A
Virginie Davis	Yes	N/A	N/A	N/A
Christie LeBeau	Yes	N/A	Yes	Yes
Marci Hinchey	Yes	N/A	Yes	Yes

Motion to approve these four Primary Supervisor applications made by Erik; Marta 2nd. Motion approved unanimously.

5. Lynne Smith petitions the board to approve the BOE Employee Handbook. (For discussion/possible action)

Steve: there is a double word mentioned, I'll get you the page number

Lynne: Sara had some great suggestions regarding gender neutral workplace attire, some additional sexual harassment information which will be included in the edits

Marta: the insurance doesn't seem to include people with children

Erik: the reimbursement rates seem low in reference to the healthcare premiums

Lynne: the state plan is 1,100/month just to participate plus the required premiums

Marta: what is the accrual rate for PTO? Does it go up with tenure? Is there a cap? I can send some background information

Erik: better benefits incentivizes folks to stick around

Hal: You may want to put something in the manual about PTO, if they don't use it, what happens to it?

Erik: when can they start accruing PTO? After a probationary period? When can they start using it? Also, when do insurance coverages begin?

Steve: Henna, is this something that should be reviewed by your office?

Henna: no, unless Lynne wants me to

Erik: it would be a good practice to review this manual annually

Marta: can we see the request for time off? On the sick leave, if you are gone two or more consecutive days: I would recommend after three days; is there FMLA available? I love the holidays, I would like to add one more day (birthday, your hire anniversary).

Sara: floating holiday

Marta: making general neutral dress code is a good idea

Sheldon: specify a designated smoking area, so far from the building? Statues around that?

Marta: Definition of lateness, place a period after start time. Bereavement – I would suggest that we pay staff for 5 days of bereavement and not require them to use PTO

Hal: I agree, if you need to travel, it would be helpful to have five days

Steve: we do have financial considerations; can we afford this?

Erik: I would be in support of someone using their PTO, give permission to take that time

Hal: I recommend that three days of bereavement leave would not count against their PTO

Steve: if I am looking at an excel spreadsheet/budget perspective regarding the financials, we have to make sure we are not running too lean

Sara: my only suggestion would be suggesting clearer guidelines for reporting of harassment, that it not dictate 'immediately' but as soon as possible for reporting purposes

Marta: new employee status, 90 days on both parties, I support that, as well as jury duty

Lynne: I will incorporate these revisions and present it at next month's board meeting

Erik: I sent you our personnel policy for any suggestions

Steve: table discussion for now.

6. Lynne Smith petitions the board to approve the board office's participation in a QSEHRA plan for health benefits for full-time employees. (For discussion/possible action)

Lynne: the cost of participating in this plan for two full-time employees is \$59/month for this IRS acceptable plan with limits of \$437/single full-time employees and \$500/married/dependents full-time employees

Steve: this is a fixed cost, correct?

Erik: this is not an actual plan, it is reimbursement plan for premiums, this is a big step forward, taking care of the employees is important

Motion to approve adopting the QSEHRA plan for full-time board office employees made by Marta, Sheldon 2nd. Motion approved unanimously.

7. Steve Nicholas petitions the Board to consider the Psychology Board's statements regarding clinical training recordings as part of medical records and how it pertains to our licensees. (For discussion/possible action)

Steve: it is important to have a unified voice, I am really happy that they are addressing this, there is an NRS that allows recordings be part of this statute, I would like to bring this up for discussion

John: I have been aware of this happening, UNR does not allow recording now because of this. Without recordings, they are using self-reporting which is not effective as a training tool. I would like us to join forces with the psychology board and petition to have trainings excluded

Hal: this makes sense to me to deal with training recordings in a different way

Steve: I agree, there are very specific informed consent paperwork when in a training environment, the four bullet points at the end of the email, can we look specifically at those four points?

Marta: I agree

Sheldon: I agree

Erik: I am surprised that the law does not carve out the space for training

Hal: appoint me as the representative on this, it would be useful as a public member, it makes sense if the public is represented if you agree

Steve: that make so much sense to me, you would be removing a bias

Adrienne: I agree

Motion to approve support for the Psychology Board's actions removing training videos from health records made by John, Hal 2nd. Motion approved unanimously.

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

Hal: I will be recusing on all of these

- a. Case No. NV11MFT011
- b. Case No. NV11MFT014
- c. Case No. NV11MFT016
- d. Case No. NV12MFT002
- e. Case No. NV12MFT008
- f. Case No. NV12MFT009
- g. Case No. NV14MFT003
- h. Case No. NV14MFT016
- i. Case No. NV15MFT001
- j. Case No. NV15MFT002
- k. Case No. NV15MFT007
- l. Case No. NV15MFT019
- m. Case No. NV15MFT023
- n. Case No. NV15MFT024
- o. Case No. NV16MFT011
- p. Case No. NV19MFT007

Motion to approve dismissing all the above cases made by Sheldon; Adrienne 2nd. Hall recuses on all cases. Motion approved unanimously.

9. Report from President (Advisement)

Looking forward going to the National AASCB conference and draft language for telehealth

Hal: I would be interested in going to that

10. Report from Complaints Investigator (Advisement)

Stephanie: A total of 41 open complaints, they are all from 2016 through 2020 except for one complaint open from 2012 which we are working on closing.

11. Report from Treasurer (Advisement)

Erik: an updated budget will be agendized for the May board meeting

Hal: has the COVID-19 impacted renewals at all?

Lynne: the full licenses all had to renew as of 1/1/2020 so we're good until 1/1/2022.

12. Report from Executive Director (Advisement)

The office is working on smoothly processing applications; academic reviews are completed in a timely manner. Sara has merged our four Access databases into one and she's working with Joelle to clean up our data. We received the lease for our new space, it starts June 1 and it is what we budgeted. For March expenses we were within \$300 of what was projected. In the first two quarters of this fiscal year, we licensed 91 & 97 applicants; we have licensed 144 people the first quarter of 2020 which is over 150% of the previous two quarters.

Steve: can we add in the applicants' University in the database?

Lynne: yes, we are adding graduate institutions in when entering all the new applicants

Erik: are we any closer to getting another online provider?

Lynne: yes, I have demoed three different systems, one is affordable, but one hasn't yet provided a quotation. I will continue researching and we do have time before the next renewal cycle in 2022.

Marta: with the loss of Sherry, do you think we are going to have to hire someone part-time

Lynne: no, the office is functioning well with the current staffing.

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

Henna: no new reports

Erik: legally, is providing the phone number enough to satisfy public meeting law?

Henna: I'm not sure what you are asking? There was an executive order that the Governor provided was given to all the Executive Directors

Erik: physical meetings have been suspended?

Henna: yes.

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

a) Friday, May 15th @ 9:00 AM (Public Hearing)

b) Friday, June 19th @ 9:00 AM (Public Hearing)

15. Public comment.

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Delores: thank you for allowing the public to be a part of these meetings, I think that is awesome.

16. Board member comments

17. Adjournment (For possible action) 10:08 AM