

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

MINUTES OF TELEPHONIC MEETING

Friday, June 19, 2020 at 9:00 a.m.

Teleconference Location –
Zoom
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. 9:00 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
 - Public members: Lisa Thoms, Emilia Kowalski, Mary Jo Gill.

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)

3. Discussion, recommendation, and possible action regarding review and approval of minutes from May 15, 2020 meeting (For possible action)

Motion to approve last month’s minutes made by Erik, Hal 2nd. Marta abstained.
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)

Motion to approve Mark Brana’s Primary Supervisor application made by Erik; Sheldon 2nd. 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
Mark Brana	Yes	N/A	N/A	N/A

5. Discussion and Possible Action regarding Mary Jo Gill’s Petition to Appear before the Board to reconsider its September 11, 2019 Order and Decision (For discussion/possible action)
- Hal is recusing due to previous connection to the case
 - Sara is recusing because Mary Jo was in her cohort and knows her outside of this circumstance
 - Henna: since we have quorum for the meeting, quorum is not required for this specific item. The decision was made from last time so what is on the table today is to affirm or deny the decision
 - Erik: can you remind us of what the order was?
 - Steve: reiteration of the order
 - Mary Jo: I understand that because it was my business, I am held responsible, I do have the Medicaid documents and I was not aware that it was an allegation regarding me personally
 - Henna: it is based upon the principle of “respondeat superior” and that you, as an individual, are responsible for your business
 - Steve: this is a parallel to the primary supervisor and intern role
 - Erik: I am the executive director of a non-profit agency and therefore I am responsible for what happens in that agency
 - MaryJo: I do have the documents that are related to my business, do I need to have another hearing even if I pay the fees?
 - Henna: you have to pay all the attorney’s fees and fine before you can submit an application to practice again and begin the

Motion to affirm Mary Jo Gill’s order as previously approved made by Erik; Steve 2nd. Hal and Sara abstain. Motion approved unanimously.

6. Discussion and Possible Action regarding Daina Chiappe’s Consent Decree before the Board (For discussion/possible action)
- Marta and Sheldon recuse due to working with Daina at UOP
 - Henna: starting on page 3, please review that, and page 5 is the discipline actions agreed to by the licensee. Because this is a settlement, the board needs to either approve or deny the consent decree.

- Hal: can I have some details as to what the inappropriate behavior was?
- Henna: we cannot discuss that because of the settlement, these are the stipulations of settling vs. having a hearing, some details are not made public
- Erik: good job here on this because these are the things that the Board used to wrestle with all the different components of an agreed settlement
- Henna: it's an acknowledgement of the regulations, code of ethics that we purported to be violated

Motion to approve Daina Chiappe's order as made by Hal; Adrienne 2nd. Marta and Sheldon abstain. Motion approved unanimously.

7. Discussion and Possible Action regarding Lynn Dyas's Consent Decree before the Board (For discussion/possible action)

- Henna: please review the document, page 3 has the terms on factual items, page 5 has the disciplinary terms
- Hal: AAMFT code of ethics is integrated into the violations by reference
- Steve: welcome any board members comments
- Erik: this consent decree is well written

Motion to approve Daina Chiappe's order as made by Erik; Marta 2nd. Motion approved unanimously.

8. Steve Nicholas petitions the board to discuss requiring 2 credits of diversity/multicultural education as part of the required CEUs for licensure. (For discussion)

- Steve: now that we have 40 CEUs every two years with 6 ethics, 4 suicide prevention, it seems overdue to include diversity and multicultural education
- Lynne: what is the quality of current offerings for this type of content?
- Hal: it might be that you have to find someone that has done research in this area
- Sheldon: I agree. You could bring in a speaker to facilitate a training, this is a long overdue type of training
- Steve: some people may push back on the Board trying to regulate the type of education they choose
- Erik: I am in full support of this being a part of our regulations
- Hal: there is a huge community of people support in this area and it is a good idea
- Sheldon: this is a very important topic
- Marta: there are ton of documentaries out there for our own edification and thanks to Steve for putting this on the agenda
- John: I maintain licensure in AZ and this topic is a requirement for licensure shouldn't be a problem

9. Lynne Smith petitions the board to review and discuss NRS 641A.262 related to reporting of receipt of training in treatment of mental and emotional trauma and the tracking of such training. (For discussion)
- Steve: I think this came out of the 10/1 shooting in Las Vegas. I was not aware of this regulation
 - Lynne: this goes into effect next month. Maybe we want to consider, as a board, what constitutes appropriate training?
 - Steve: this requires us to keep a list
 - Erik: the state wants a list of action ready people that have been trained to respond
 - John: that goes into setting a standard
 - Erik: three-part question (1) have you been trained (2) what was the training in (3) are you willing to respond
 - Hal: it is meant to be a tool for people to use in disaster relief
 - John: it is not equivalent to an endorsement
 - Lynne: are interns are automatically excluded?
 - Hal: it should be fully licensed folks, stick to the statute of experienced clinicians

10. Lynne Smith petitions the board to review and approve the May financial statements (For discussion/possible action)

- Lynne: we are on target for where we anticipated as of May
- Steve: it is really nice to have a straightforward document
- Erik first, Sara second no abstentions motion approved

Motion to approve the May financials made by Erik; Sara 2nd. Motion approved unanimously.

11. Lynne Smith petitions the board to approve a 13% raise for Joelle McNutt, Office Manager, which is in the approved budget to be effective August 1, 2020 (For discussion/possible action)

- Lynne: Joelle is totally awesome and has allowed the office to be stream-lined and efficient. Additionally, the responsiveness and customer-service focus has changed licensees' perceptions of dealing with the office
- Steve: to add to that, think about what you've heard in the past decade about the board office. I have heard glowing thoughts and opinions on Joelle's work
- Sheldon: I agree. I know what Joelle brings to the table; I have known her for about 6 years. I've also heard positive praise from licensees and supervisees
- John: I've also known Joelle and the consistency, and the lack of complaints is wonderful
- Hal: it is a team effort down there, let's give some credit to the executive director.

Motion to approve the raise for Joelle effective August 1st made by John; Sheldon 2nd. Motion approved unanimously.

12. Lynne Smith petitions the board to approve the revised Employee Handbook (For discussion/possible action)
 - Lynne: if you have not had a chance to review this document, we can table this, I included Erik's and Marta's input in the revisions. FMLA was not included as that is for organizations of over 50 employees.
 - Steve: the cost of healthcare premiums need to be considered
 - Erik: the Employee Handbook does need to be a document that Board reviews once a year. I do want to talk about the accrual of PTO, I think that 30 days is a lot, I would say 25 at the max
 - Marta: I've worked for the same organization for 19 years and that is what we accrue. There is no distinction between sick time and vacation, it is all considered personal time off.
 - Steve: it would be nice to have someone stay in the board office for more than 7 years
 - Hal: I have not had a chance to review it, I would like more time to review it
 - John: can we talk about use it or lose it, can we cash it out instead?
 - Steve: let's table this discussion until the August board meeting.
13. Disciplinary Matter – Recommendation for Dismissal (For possible action)
 - a. Case No. NV17MFT008
 - b. Case No. NVMFT171107-01
 - Hal: I will abstain on both cases
 - Henna: I will affirm the dismissals since I have reviewed with Stephanie
 - Erik first, Marta second, Hal abstains, motion to dismiss approved

Motion to dismiss these two cases made by Erik; Marta 2nd. Hal abstains. Motion approved unanimously.
14. Nomination and election of Board Officers for the 2020-2021 fiscal year pursuant to NRS 641A.140 (For discussion/possible action)
 - Lynne: the existing positions of President and VP are wishing to continue
 - o John and Steve: I would like to continue
 - Erik: this will be my twelfth and final year. I think it's important for a newer member to take an office and move through the roles. It is nice for a president, one year is a legislative year and one working year. I will be stepping down as Secretary/Treasurer. Secretary/Treasurer is a really easy process now since we have such clear-cut financials
 - Steve: would anyone like to volunteer?
 - Sara: I will throw my hat in. I use Quicken and do my own taxes.
 - Motion to approve Steve as President, John as Vice President, and Sara as the new Secretary/Treasurer made by Erik; Hal 2nd. Motion approved unanimously.

15. Report from President (Advisement)
 - I am looking forward to this summer getting to Vegas for an extended period of time to review legislative items.
16. Report from Complaints Investigator (Advisement)
 - Continuing to clean up, no new complaints this month. Working on cleaning up the backlog and current cases.
 - Erik: how many cases are open?
 - Lynne: low 30s.
17. Report from Treasurer (Advisement)
 - The administrative code review every two years, I would go to assembly woman who suggested the 2 CEUs for crisis, send out summarizes
 - Steve: please go through the regs and write down anything you believe needs visiting and we will put it on the agenda for August
 - If Lynne could send out the most current NRS and NAC's that would be great
 - Erik: it would be good for everyone to look at the regs by mid-July and compile a list, please send everything to Lynne
18. Report from Executive Director (Advisement)
 - The move went well, and we are open to the public on Tuesday – Thursday from 9 AM to 4 PM
 - Does the board want to have a formal review process for my position?
 - Erik: I think it is a good idea for the ED to be reviewed
 - Meeting with Certemy next week to begin the conversion process
Applications have been numerous – April – 26, May – 36, June – 40
 - Marta: what are the numbers of MFTs and CPCs
 - Hal: we do need more supervisors to handle more interns – at this
19. Report from Senior Deputy Attorney General Henna Rasul (Advisement)
 - I do not have a report
20. Discussion regarding future agenda items and possible future meeting dates:
 - a) Friday, August 21st @ 9:00 AM (Public Hearing)
 - Works for everyone
 - b) Friday, September 18th @ 9:00 AM (Public Hearing)
 - Works for everyone
21. Public comment.

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- Troy Jorgensen, Program Manager: The Navigate First-Step Psychosis program addresses the treatment of psychosis, involves teams of subject matter experts, we really want MFTs and CPCs to get involved, we want to support those practitioners involved and get them trained

22. Board member comments

- Hal: Last Friday attended the Psychological Examiners board meeting; we are in support of their position in including treatment notes
- Sara: what safety procedures are in place with COVID at the board office? Lynne: we have a lot more space in this new office so we can practice social distancing and will wear masks with the public
- Steve: can we get some cleaning procedures in place? Lynne: we are contracting with a janitorial service

23. Adjournment (For possible action)

Meeting adjourned at 10:36 AM.