



Colleen Peterson, Ph.D., President
Joan Winkler, M.A., Vice President
Richard Harrison, Secretary/Treasurer
Jeanne E. Griffin, Ed.D., Member
Donald Huggins, Ed.D., Member
John Nixon, Ed.D., Member
Erik Schoen, Member
Hal Taylor, Member

State of Nevada

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

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Approved: 6/24/2016

PUBLIC HEARING MINUTES

April 29, 2016, 10.30 AM

Purpose: Adoption hearing by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to receive comments regarding proposed regulations in NAC 641A known as LCB File No. R091-14 which establishes the following:

- Adding provisions to define endorsement;
- Adding provisions relating to the required coursework, examination and supervised experience a clinical professional counselor will need in order to obtain an endorsement to work with couples and families;
- Revising provisions relating to the retaking of a failed examination and to define when an application for endorsement lapses;
- Revising provisions relating to an interim endorsement permit;
- Revising provisions relating to reapplication procedures if an endorsement lapses;
- Revising provisions relating to the continuing education requirements for renewal of an endorsement;
- Revising provisions relating to granting, denying, suspending or revoking an endorsement;
- Revising provisions relating to professional standards and disciplinary measures for those who hold an endorsement; and
- Revising provisions relating to definition of applicant.

Board Members Present

Colleen Peterson, President
Joan Winkler, Vice President
Richard Harrison, Secretary/Treasurer
Donald Huggins, Member
Jeanne E. Griffin, Member
John Nixon, Member
Hal Taylor, Member

Board Staff Present

Sandra Reed
Quinn Kennedy
Sherry Rodriguez

Members Absent

Erik Schoen

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Others Present

Ms. Rose Marie Reynolds, Deputy Attorney General (DAG)

Public Attendance

Las Vegas

Marj Castronova, PhD

Ashley Hurley

Nina Austin

Lynne Smith

Toney Stephenson

Melissa Tishk

Tabitha Johnson

Nancy Hunterton

Reno

Adrienne Sutherland, LCPC Intern

Jake Wiskerchen, MFT

Andrea Johnson, CPC Intern

Dr. Rebecca Sherer

Dr. Ashley Ludke

Rachel Drake

Jinan Barghouti

Clare Fite

Open Forum for Public Comment

Las Vegas

Dr. Marj Castronova – Licensed Marriage and Family Therapist (MFT). She supervises and trains therapists. She is impressed with the regulations and supports them; there are many different avenues for the Clinical Professional Counselors (CPCs) to practice marriage and family therapy. It is important to have competency through additional training. Some states are clearer than others are requirements for CPC and MFT practices, and she approves what Nevada is doing with the endorsement to ensure competency of CPCs.

Reno

Adrienne Sutherland – CPC, practicing at University of Nevada-Reno (UNR). The standards in the proposed regulations are arduous, and prevent competent providers from accessing those in need; possibly perpetuating a pre-existing shortage of mental health providers. Unintended consequences of helping the public could be impacted—particularly in rural areas—which face a mental health provider

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shortage. CPCs from other states are discouraged from moving to Nevada due to practice restrictions. Requiring 750 face to face hours is too high. The regulations are thorough, but too restrictive.

Jake Wiskerchen –MFT in Reno. Need more people to serve clients. Rather than requiring additional hours, require that a supervisor with systems theory experience work with the CPC. Additional classes may be taken by CPCs to learn the systems approach during their internships in conjunction with supervision. Agrees with the need for an endorsement process, but the proposed regulations are too restrictive.

Andrea Johnson – CPC Intern in Reno. Worked as an intern in Oregon, where she obtained systems experience. Believes the proposed regulations are too restrictive, impacting the mental health provider needs in Nevada. The endorsement is not balanced for requirements of CPCs and MFTs—it seems biased. Requiring additional supervision with an MFT is a better alternative approach.

Andrea Johnson brought two letters from individuals who could not attend the meeting. The letters were read by **Joan Winkler, Board Vice President**. The first letter, by **Rudy von Ravensberg, MFT**, stated that the proposed regulations leading to endorsement are too restrictive. He disagrees that CPCs are not properly trained to treat families or couples. He further stated that training for MFTs is often with individuals; yet no proof is needed to show they can treat couples and families. Plus, no additional endorsement is required. There is a great need for mental health providers, but yet some treatment centers organizations won't hire CPCs due to the requirements needed to treat couples and families. Minimal skill levels should be required, and additional training, hours and Continuing Education Units (CEUs) should be accepted.

Joan Winkler read the second letter, which was written by **Catherine Delpizzo, LCSW**, who works with Andrea Johnson. Nevada's CPC curriculum provides enough training and education for them to work with any family system needing therapy. Many MFT and LCSW focuses often on individual rather than systems treatment, yet additional endorsements are not required by the board. Regulations marginalize new licenses and hurt the public, who desperately need more mental health providers. Equitable employment in Nevada is difficult for CPCs. Encourage the board to accept additional course work, training or CEUs as evidence of competency for the endorsement.

Jake Wiskerchen noted that his MFT training was provided by a CPC in Pennsylvania, and other out-of-state applicants with experience should be considered.

Additional Public Comment in Las Vegas

Dr. Castronova added that the proposed regulations indicate that out of state clinical experience and supervision may be considered in lieu of specific courses, are eligible for licensure. Many states have different and varying requirements for CPCs to practice with families and couples, not only two states as indicated by some.

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John Nixon, Board Member, reiterated several comments made by Board Member, Erik Schoen's letter. Proposed standards in the regulations are not the standards with other states. Erik stated about his review of 50 states, that if it's not prohibited, then it's allowable. Only two states prohibit the CPC practice of families and couples without an endorsement. Posting of minutes not within 30 days keeps public away from viewing the occurrence at previous meetings. Statute states that the assessment of couples and families can be demonstrated by competency in coursework, or supervision, or experience in 641A.065(2)(b), the assessment can be determined by the board. Board members should not lobby outside of their board duties. However, SB155 will indicated sponsors of bill, and the public may contact legislators if they are concerned how board members are carrying out a statute or administrative code.

He joins board member Erik Schoen in reassessing the proposed regulations.

Rose Marie Reynolds, DAG, read the letter written by board member Erik Schoen, who was not in attendance. He stated that has serious reservations about the proposed regulations, and that the process was harmed due to meeting minutes not being posted since August 2015. Outcomes may have been different if the minutes had been posted. Mr. Schoen stated that he could not confirm board member Dr. Peterson's findings, after doing his own research. He indicated his findings in his letter entitled, "Response to President Peterson's Summary of Regulation Development Related to SB 155". He further stated that the board is "out of step" with colleagues in the 48 other states, and better served to suspend the current proposed regulations and start a new conversation about the process. He stated that the proposed regulations are overly restrictive and would restrict access to qualified mental health practitioners. He stated that the difference between his findings and Dr. Peterson's findings might be because he used the litmus test prohibiting work with couples and families.

Jeanne Griffin joined the meeting via teleconference at 11.03 am. She joined while Rose Marie Reynolds was reading Erik Schoen's letter.

Don Huggins, Board Member, stated that Erik Schoen confuses the litmus test of "if it's not prohibited, it must be acceptable." The statement is not logical and cannot be used wholeheartedly. All states require education and training for both MFTs and CPCs. He believes Erik Schoen's analysis is false and misleading. He agrees with Dr. Peterson's research, and believes it is thorough, detailed, and addresses all 50 states. He disagrees with Erik Schoen's statement that only two states have restrictions on CPCs. Don added that the states are slow are recognizing MFTs & CPCs as professions. People graduating from UNR with CPC training are not trained for couples and family counseling. They need additional training to be competent.

Rich Harrison, Board Member, agrees with Don Huggins. Believed Erik Schoen's letter was deceitful, in stating that the board only regards MFTs and not CPCs. He disagrees with that statement.

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Jeanne Griffin, Board Member, agreed with Rich Harrison's and Don Huggin's statement. She added that similar professions, such as engineers, have specialties that cannot be crossed over without additional education and training. **Joan Winkler, Board Vice President**, stated that she had a school counseling master's degree and later pursued a MFT license. She was able to counsel families in schools, but her training in MFT was far more detailed. She needed to do a full MFT internship to be licensed beyond her school counseling training. The proposed regulation requirements are not detrimental; additional education and training actually helped her be more competent as an MFT. She agreed with the proposed regulations.

Discussion: Mr. Wiskerchen reiterated his view of the proposed regulations restrictions and impact to the community to not have access to mental health providers. **Jeanne Griffin** added that MFTs and CPCs education is very different. Many CPCs don't understand how to treat families unless they have additional education or training. **Rich Harrison** stated that the regulations are not trying to be exclusive, but inclusive. They are attempting to help CPCs work with families and couples as long as they show competency. **Hal Taylor** asked about CPCs taking additional courses as per Section 3 in the regulations. **Hal Taylor** stated that the litmus test of specificity based on state prohibition should not be used. **Colleen Peterson, Board President**, said they can take additional courses on line or at a university. Protecting the public is the primary goal in this process.

The additional hours required in Sections 4 and 5 required by CPCs to show competency are to ensure they are prepared to treat families and couples. There is overlap in parts of the CPC training and education; but where the areas lack, such as systems theory with couples/families, additional requirements are needed to show competency. The CPC may not need to take the extra courses if they can show competency through experience, supervision, etc.

Colleen Peterson described the process to obtaining the data she researched for several years. The bottom line is to ensure no harm is done to those being treated by MFTs and CPCs.

Rose Marie Reynolds said the regulations were first submitted to LCB in June 2014 and must be adopted by June 2016. If not adopted by that date, there are two options. One is to work with the same regulations and the executive head would have to appear before the Legislative Commission to explain why the regulations have not been adopted. The second is to start a new regulation process. If the Board starts over, there may be delays. Regulations would be temporary. The workshop minutes from April 10, 2015 are on the Board's website.

Hal Taylor said a temporary time frame would not be beneficial, so it's best to resolve the matter today. He asked Rose Marie if changes to the regulations could be made today. She said yes, if not substantive—meaning you can lessen a requirement, not increase it. **Hal Taylor** suggested tweaking and possibly reducing the face-to-face hours and the supervision hours. May need to revise regulations in the future, if needed. It is important for the CPCs to have access to the courses and supervision needed to be competent to treat families and couples.

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Colleen Peterson said they want to accept out of state courses and experience. Other comments in previous workshops claimed that counselors have been trained in systems; however, the content is not all the same. If the content meets the requirements, it will be waived. **Joan Winkler** said that is the definition of competency, and agreed with **Colleen Peterson**.

There was a question about the timing of completion of internship; particularly for those from out of state. When can a person begin an internship after moving to Nevada? The board reviews the experience and education a person has and may give that person an endorsement. **Colleen Peterson** said the intent was never to make it difficult for people to practice; but there may need to be further articulation and clarity to communicate the requirements to move forward. **Joan Winkler** said the issue of competency needs to be addressed by the board, and taking CEUs is not enough training.

Hal Taylor asked if the board should consider equivalent coursework in another state. **Colleen Peterson** said it's implied in the regulations, and reviewed. The board accepts experience in lieu of education, as long as it's verified. The proposed regulations are similar to what the board is currently doing. **Colleen Peterson** said some colleges don't articulate the content of the course, but the applicant can provide additional documentation describing the course, such as a syllabus.

Rose Marie Reynolds said before a motion is made the board must consider the public comments. Summaries of comments were read. **Joan Winkler** wanted to note that CEUs are not substitutes for education, which had previously been discussed and decided upon by the board. **John Nixon** added that not all systemic approaches are used when treating families and couples. **Colleen Peterson** agreed and stated that those approaches are included, however, in the MFT educational training.

John Nixon asked if using the "and" rather than "or" for additional requirements in the regulations is acceptable. **Rose Marie Reynolds** stated that unless the LCB declines the use of "and" rather than "or" as the bill was originally written, it could be revised to "and." It was noted that the LCB did not make a comment about the word revision, so it may go forward.

Dr. Rebecca Sherer – Admissions Coordinator for Counseling and Educational Psychology Program at UNR. She stated that UNR has the capacity to allow CPCs in their content only courses. The courses listed in the regulations are acceptable. However, UNR won't allow CPCs from outside the community into their clinical courses as grad specialists without going through a thorough application and admissions process.

A motion was made by **Hal Taylor** to adopt the proposed regulation R091-14 as stated; except in Section 4(1), where the 750 hours will be reduced to 500 hours; Second, **Joan Winkler**. **Colleen Peterson** suggested supervision hours be modified in the regulations from 150 to 100, where it is noted throughout the regulations. **Hal Taylor** and **Joan Winkler** accepted the addition.

Motion Passed, with **John Nixon** abstaining.

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Public Comment. No public comment.

Adjournment at 12.15 PM

President's Note: The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors would like to thank the members of the public who participated in the Workshop this day. The Board would like you to know we are continuing to work as quickly and diligently as we can to get those who are qualified endorsed as soon as possible. Thank you.

- The public workshop was recorded.

Submitted By: _____
Sandra Reed, Executive Director

These minutes have been approved by the Board and are not subject to revision.

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