

Steve Sisolak, *Governor*



Steve Nicholas, *President*  
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Sara Pelton, *Secretary/Treasurer*  
Jenny Stepp, *Member*  
Jennifer Ross, *Member*  
Marta Wilson, *Member*  
Hal Taylor, J.D., *Public Member*  
Sheldon Jacobs, *Member*  
Lauri Perdue, *Public Member*

## AGENDA

FRIDAY, JULY 16, 2021 at 9:00AM

### Teleconference Location Zoom

<https://zoom.us/j/94254747416>

**Nevada Board of Examiners  
For Marriage & Family Therapists and Clinical Professional Counselors  
7324 W. Cheyenne Avenue, Suite 10  
Las Vegas, NV 89129**

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**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 three (3) 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)

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### **Action by the Board on any item may be to approve, deny, amend, or table**

1. Call to Order, roll call, Confirmation of Quorum. Meeting called to order at 9:00 AM.
  - Board members present: Steve Nicholas, John Nixon, Marta Wilson, Jenny Stepp, Jennifer Ross, Sara Pelton, Sheldon Jacobs (arrived 9:06), Hal Taylor (arrived 9:16)
  - Board members not present: Lauri Perdue
  - Staff present: Sr. Deputy Attorney General Henna Rasul, Joelle McNutt, Stephanie Steinhiser
  - Public Members: Dr. Yvonne Hart, Roberta Vande Voort, Brandon Lane, Lissette Artiga, Kimberly Carrington, Felisa Dunlap, Enros Manaligod, David Morgan, James Brittain, Rodney Johnson, Paula Johnson, Jason Grubb, Amia Mulholland

2. Public comment

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| 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) |
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- No public comment.
  - Steve: Good morning, everybody. It's been a long time. It's nice to see everybody. We have a new board member, and that is how we're going to start today. Miss Jenny Stepp. Please introduce yourself. Tell us a little bit about yourself.
  - Jenny: Hi. Good morning. Thank you for having me. My name is Jennifer Stepp. I go by Jenny. I know there are a few of us out there. I'm a CPC here and I've lived in Nevada since 2005. I'm originally from the rainy city of Seattle, Washington and I think I finally dried out and can appreciate the monsoon rains. I have a master's degree from Seattle University in Mental Health Counseling. I worked in a variety of settings, including inpatient drug and alcohol treatment, community mental health and post-secondary college counseling. My ultimate goal was to open a private practice and that's where I spend my time these days. I'm passionate about the profession. I'm excited to be here and get to know all of you and get to work.
  - Steve: Welcome aboard.
3. Discussion, recommendation, and possible action regarding review and approval of minutes from the April 16, 2021 and April 29, 2021 meetings (For possible action)
- Steve: We have the opportunity to approve the minutes from April 16<sup>th</sup> and April 29<sup>th</sup>. It's been a long time since we met, so I hope that everybody has reviewed the minutes from our last two meetings. And if there are no edits, we will need a motion to approve them or to amend them.
  - Marta: I had some teeny tiny edits. One of them is that it should have said CCE and there were commas separating the letters.
  - Steph: I found what you are referring to and I'll correct that.
  - Steve: If no other members have any comments about minutes from April, we can move to approve the minutes from April 16<sup>th</sup> and April 29<sup>th</sup>
  - Motion to approve minutes from April 16<sup>th</sup> and April 29<sup>th</sup>: Marta 1<sup>st</sup>, Sara 2<sup>nd</sup>. No abstentions; Motion approved unanimously.
4. Discussion, recommendation, and possible action regarding employing a full-time permanent Executive Director (For possible action)
- Steve: This is our opportunity to discuss the full-time position of Executive Director. Joelle has been sitting in as Interim since April. I would like to discuss changing Interim Executive Director into full-time permanent Executive Director. I would like to open this up for discussion and then possible action. Joelle has grabbed the wheel, grabbed the helm, and steered us in wonderful directions. There were a few organizational deficits that she jumped on swiftly and effectively. Our board, in my opinion, is going in a terrific direction. It is organized. We are compliant with

the state of Nevada and everything they have asked of us. It looks like our numbers are not only balanced, but we're doing well financially. I hear from prospective licensees that she is wonderful to communicate with and her customer service is fantastic. I wholeheartedly support bringing her on full-time and taking the word interim off of her title. Any other comments?

- Sheldon: I echo those same sentiments. I have known Joelle for about eight years now and she has the track record to back it up. She's great with people when it comes to the situations that can be adverse. She is very calm and collected and I think that's key, especially in this position, because things aren't always going to go smoothly. Being able to be a calming presence during those difficult times speaks to who Joelle is and just her character as a person. I'm delighted to hear that she is willing to go into this role and has actually been doing it for the past few months anyway.
- Marta: I agree with everything that they've said, and I've worked with her before, and I've only heard the most positive feedback coming back from interns and members of the public.
- Sara: It's been fun watching Joelle in action. She's juggling multiple things and multiple priorities and not letting anything fall. I really appreciate that.
- John: I would add that I've known Joelle for probably 10 years. There is a skill set to be an effective administrator in terms of attention to detail, not letting things just slip by and acting with integrity. And yet at the same time, having an even temper to handle the storms, as well as an innate kindness and warmth. Joelle is able to communicate respect while under pressure.
- Motion to hire Joelle McNutt as Executive Director: John 1<sup>st</sup>, Jennifer 2<sup>nd</sup>. No abstentions; Motion approved unanimously.

5. Board consideration of Consent Decree in the matter of Michele Tofany, Case No. NV14MFT005  
(For discussion/possible action)

- Henna: Has everyone received the email?
- Steve: I propose that we adjourn for approximately five minutes.
- Henna: I can just tell you what to review and then you can review it. The first page, second page and half of the third page includes language that is in every Consent Decree. What you want to pay close attention to is the section entitled Stipulated Facts and Conclusions of Law. Those are the facts that we've negotiated and agreed upon. Also, the focus should be on four corners of this document. Any questions outside of this document cannot be answered because this is a settlement. That is the purpose of why people enter into settlements. Halfway through page seven is the stipulated adjudication. The licensee has agreed to surrender her license. The other terms are: paying a certain amount of money to the Board for attorney's fees and the conditions if she were to reapply. If this is approved, then her license is surrendered, and she's no longer licensed by the Board. I'll leave you to review the document.
- Board members: We have all reviewed this document
- Henna: If there are questions with regard to this document, I can answer them. Go ahead and discuss amongst yourselves and you have a motion to approve or not approve.

- Steve: Is she surrendering her license or are we revoking it?
- Henna: It's revocation by voluntary surrender. She is giving up her license.
- Steve: I see that that if she were to reapply, there's quite a few hoops and obviously she would have to go through a review with us.
- Hal: I'm good with it. So, people understand, voluntary surrender is the same as revocation. It was created as a way for people to get cases resolved. The disciplinary part of this is very detailed.
- Steve: The fine is \$3,000.00 correct?
- Henna: Attorney's fees and costs.
- Hal: This is a three-year minimum revocation, right?
- Henna: She is not allowed to reapply for three years. Right.
- Steve: Will it be added into the National Practitioner Data Bank that she has surrendered and has penalties?
- Stephanie: Yes, this is a public document once it is signed and approved.
- John: That was my question. I'm on her website and she is also licensed in New York and she's in New York presently. I'm seeing listings in various places like Psychology Today, Good Therapy and AAMFT membership. I would like it in the National Practitioner Data Bank because as unethical and illegal behavior goes, this is pretty egregious.
- Stephanie: As soon as the document is approved, one of the first things I do is upload it into the National Practitioner Databank and it is there forever.
- Motion to approve this consent decree in the matter of Michele Tofany, Case No. NV14MFT005: Steve 1<sup>st</sup>, Sheldon 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

6. 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 |
|-----------------------------|---|---|--|
| <b>Rachel Agrario</b>       | Yes   | N/A   | N/A  |
| <b>Alison Earl</b>          | Yes   | N/A   | N/A  |
| <b>Stephanie Ross-Copes</b> | Yes   | N/A   | N/A  |
| <b>Evan Sargent</b>         | Yes   | N/A   | N/A  |
| <b>Brandon Wilde</b>        | Yes   | N/A   | N/A  |
| <b>Nicole Cooley</b>        | Yes   | N/A   | N/A  |
| <b>Felisa Dunlap</b>        | Yes   | N/A   | N/A  |

|                         |     |     |     |
|-------------------------|-----|-----|-----|
| <b>Kiera McGillvray</b> | Yes | N/A | N/A |
| <b>Geoffrey Nugent</b>  | Yes | N/A | N/A |
|                         |     |     |     |
| <b>Kent Dail</b>        | No  | Yes | Yes |
| <b>Paula Johnson</b>    | No  | Yes | Yes |
| <b>Nicole Moreggi</b>   | No  | Yes | Yes |

- Steve: They are in two sets, as you will see on our agenda. The first set doesn't seem to have any questionable pieces. The last three, I would like to discuss the board. Are there any discussions about the first nine candidates?
- Motion to approve Rachel, Alison, Stephanie, Evan, Brandon, Nicole, Felisa, Kiera and Geoffrey as Primary Supervisors: Marta 1<sup>st</sup>, John 2<sup>nd</sup>; No abstentions; Motion approved unanimously.
- Steve: I would like to have a discussion about the three applications from Kent Dail, Paula Johnson and Nicole Moreggi. The reason that these stand out is their documentation is not the documentation that we are accustomed to. If we look at NAC 641A.182, in lieu of having the certificates from AAMFT or from NBCC. In lieu of not having those full course loads signed off, we have other opportunities for people to request our permission or consideration. These three candidates have a document that is NBCC continuing education units for 45 continuing ed hours. That does not satisfy a 45-hour graduate level course. It is continuing education units. I'd love to hear what everybody else thinks about this because I question if a 45-hour CEU meets that level.
- John: I would agree because we don't have a provision of alternative path for licensure. For example, if someone had a bachelor's degree in human services and then lots of continuing education hours, it wouldn't be equivalent to a graduate degree. That's an important distinction. The initial training is graduate level training and not continuing education, which is designed for maintenance of a credential.
- Steve: Graduate level experience can be substantiated with a transcript.
- Hal: There's a big difference between taking graduate level courses and doing continuing education. The focus of the teaching method on the graduate level, is very different then when we go off and pick up our units. I tend to agree with you. Again, it's not my area of practice, but I would be concerned about it.
- Sheldon: I have taken a supervision course in my doctoral program and it was pretty intensive. Comparing it to a CEU course is where the problem lies. You can't compare the two.
- Jennifer: The CEU courses are missing the evaluative component. That product at the end that says that you've got the skills and the knowledge. That would be a concern for me.
- John: People take the supervision course at a doctoral level; it's not necessarily going to be in the master's program. There is a training that AAMFT itself offers or that NBCC offers. In the case of Kent Dail, University of North Carolina, Greensboro had a 45-hour training leading to the educational component of the Approved Clinical Supervisor credential. It looks like he did not get the credential for whatever reason, but he has the educational hours. That would be how

most people get their supervision training, which is not necessarily at a graduate level course since those are most typically for doctoral programs.

- Steve: University of North Carolina is the CEU provider. That's their vendor number that signs off.
- John: I'm looking at the first one for Kent Dail and it says the Approved Clinical Supervisor training. So, it gives you continuing education units, but it is apparently an initial training.
- Steve: That CEU training is different from the Approved Clinical Supervisor certificates. The Center for Credentialing and Education assigns an ACS number so that they are an Approved Clinical Supervisor.
- John: That's right. There are a couple of components. The first is the education, which is documented here. Then hours of supervision of supervision, like AAMFT and of course, paying the fee. But that's not significant to us.
- Steve: It seems that those last three applicants are cobbling together what they think are the requirements without the final certificate from one of the organizations that certifies.
- John: Is the certificate itself what is necessary? I never paid that close attention to it because I always see people just have the certifications. It's kind of clear cut. I would defer to Henna. Is that how the wording is in our code or in our statute? Is it that must we have the credential?
- Henna: My recommendation would be that you want to be consistent with what you've done in the past and how you reviewed these types of applications in the past. You don't want to set a new precedent. Just be consistent with however you have reviewed similar types of applications.
- Sheldon: That's what we've done, and it's usually been a certification, whether it be through somebody receiving the coursework, through a doctoral program or through AAMFT approved course.
- Hal: If we decide to deny, we can deny based upon their not having that certificate and not get into the whole issue of whether it's equivalent or not, which is how we really get down a slippery slope. If we just say that we expect that certificate, we didn't see it and therefore they don't qualify. That at least narrows our basis for denial.
- Steve: I will await any motions. My view is I am uncomfortable moving forward with those three.
- Rodney Johnson: Will the board accept any public comment at this point?
- Steve: Yes, go ahead, sir.
- Rodney Johnson: Thank you. I'm looking at NAC 641A.182, in subsection four it says: "Except as otherwise provided in subsection 5, each potential primary supervisor must provide evidence satisfactory to the Board of completion of: (a) Supervisory training that consists of: (1) At least one graduate-level course taught by an instructor deemed appropriate by the Board, which includes at least 45 clock hours on the supervision of the practice of marriage and family

therapy or the practice of clinical professional counseling, as applicable; or (2) A professional training program on supervision taught by an instructor deemed appropriate by the Board, which is provided by the American Association for Marriage and Family Therapy or the National Board for Certified Counselors, as applicable". It is my understanding that those that have taken this 45-hour CEU course should have a certificate from those folks that says that is course approved by the NBCC. Therefore, they have met the requirements of NAC 641A.182.

- Steve: I read that too, and I appreciate your detailed comment right there. The sticking point is "as deemed appropriate by the Board". Hence, our conversation on do we want to create a new precedent here.
- Rodney Johnson: So therefore, because the course was NBCC approved, you're going to ignore that.
- Steve: Well, NBCC trained as a CEU course, yes, but as a certification, that's why we're having our discussion.
- Sheldon: My question is what would an applicant need to do?
- Steve: We do have CPC approved supervisors on our Board.
- Marta: There's also that 45-hour course that would help qualify for the ACS certification under CCE, which is what many of the mental health counselors go for.
- Steve: I'd really like the feedback of the CPC board members on what their comfort level is on this.
- Marta: I am an AAMFT approved supervisor, but I also have my ACS. There is a program that you can go through under CCE. You can go through that and get your ACS certification, which then would easily qualify you to become a Nevada state approved supervisor.
- John: I would like to echo what Henna said, that we are consistent rather than setting new precedent, so the question is, what have we been doing? Joelle, in your memory, in terms of approval of supervisors, how did we handle those who have not been certified by NBCC or AAMFT?
- Joelle: I would let applicants know that they need to move forward with the process for ACS certification through NBCC.
- Steve: This is the first time I have seen this 45-hour continuing education course submitted.
- John: I would be in favor of continuing what we've been doing. They need to get the credential. If you have the training and supervised experience, why are you not getting the credential?
- Steve: I think this was probably the approach of getting the credential, so with our direction of steering them toward getting the full ACS assigned number.
- Jenny: I want to echo what was said earlier that graduate level coursework usually combines an evaluation piece and I think that's just where a CEU does seem different than a graduate level course.

- Steve: Henna Rasul, any feedback?
  - Henna: Again, I'll just reiterate that you want to be consistent. First and foremost, your job as a Board is to protect the public and enforce the qualifications as they are written in statute and regulation, as well as what you've done the past. You want to be consistent.
  - Steve: I appreciate your direction. So, we are looking at qualifications, not training. Can we have a motion to deny the last three applicants for their primary supervisory role and encourage them to get the full credential from ACS or AAMFT?
  - Motion to deny the last three applicants primary supervisor applications pending full credential from ACS or AAMFT: Sheldon 1<sup>st</sup>, Marta 2<sup>nd</sup>; No abstentions; Motion approved unanimously.
7. Review, discussion, and possible action regarding Lissette Artiga's application for licensure as a CPC intern (For discussion/possible action)
- Steve: Joelle, would you walk us through this, please?
  - Joelle: Lissette appeared at the Board meeting on April 16<sup>th</sup>. She wanted to address the Board to approve her application for intern licensure. She had a gap in licensure status. At that time, the Board reviewed the reasons why her primary supervisor at the time suggested that she take a break. Lissette was able to articulate for us what had happened, as well as a loose plan on what to do moving forward. At the April 16<sup>th</sup> meeting, the Board decided to ask Ms. Artiga back at the next Board meeting to formalize a supervision plan to include self-care, as well as a contingency plan to make sure that clients were taken care of as well. Ms. Artiga, as well as her supervisor, Brandon Lane, are here to articulate the details of that plan.
  - Steve: I hope that we all read through the plan. I am over the moon and just so impressed on the level of detail that you responded with. It is just a home run of an internship plan with detail on how you're going to care for yourself, your clients, and your internship. Let's take a little bit of comment from our applicant. Would either of you, Brandon, or Ms. Artiga, like to say anything?
  - Lissette: Good morning. I wanted to say thank you for giving me the opportunity to come back again and to speak on my behalf and to have my supervisor here today with us.
  - Steve: Lissette, thank you for taking the opportunity. You really collected a lot of thoughts and a lot of detail. I think that speaks very loudly about your intentions.
  - Lissette: Thank you.
  - Steve: Would you or your supervisor like to offer any other words?
  - Brandon: I'm getting to know Lissette and meeting with her to go through this detailed plan, I definitely think we have a good plan in place and that she is on the right track. After some of the unfortunate things that she has gone through and dealt with, I do think that that can help her, and she will be an excellent therapist going forward. I have spoken with her and let her know that I will be available for her.



- Steve: The outline on the work that you'll be doing with supervision with your supervisor right there on your right. It is incumbent on the two of you to really focus and stay diligent about self-care, about care of clients, about supervisory activities. So. Thank you for coming back and drive in that and the other questions or comments from the board.
- Sheldon: I was reviewing the plan. This is a great plan. You have been through a lot. You mention undergoing therapy once every other month. Do you feel that is sufficient?
- Lissette: The things that I wanted to work on continue to be addressed. If I did need additional counseling, I would receive it, but right now, at this time, I feel like all the things that have occurred I have addressed.
- Steve: I want to steer us back to reviewing the merits of your application, the outline on the work that you'll be doing with supervision with your supervisor right there on your right. It is incumbent on the two of you to really focus and stay diligent about self-care, about care of clients, about supervisory activities. Thank you for coming back.
- Hal: I want to make one comment. I'm looking over these pages and a statement that stands out to me is: "I know to ask for help". As you know from the April meeting that I was very concerned that you had supervisors and you didn't really access their ability to assist you, not just with regards to clients, but what was going on in your life. The most important statement in this plan may be, "I know to ask for help". If you have problems, you've got to ask supervisors. You can talk to your counselors. The biggest mistake people make is trying to handle situations by themselves. If you need help, you need help. After all, this is a profession which, in fact, gives help to people who need help. OK, so we've all got to be aware of that. The fact that you included that small statement to me says the most. That is what I was looking for when I was talking to you at that April meeting. I think there's been great progress here in terms of really looking at what happened and then going from that point and say, OK, what do we need to do to make sure that doesn't happen again? I'm pretty comfortable with what's going on.
- Motion to approve Ms. Artiga's application for CPC intern licensure: Hal 1<sup>st</sup>, Marta 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

8. Review, discussion, and possible action regarding Kimberly Carrington's application for licensure as a CPC intern (For discussion/possible action)

- Steve: Let's review our supporting documentation and have a discussion.
- Joelle: Ms. Carrington applied for CPC intern licensure and she disclosed on her application that she applied for intern licensure in the state of Arizona and her application was denied by the Arizona Board. She and her supervisor are here to get some guidance and to have her application for internship approved.
- Steve: Ms. Carrington, thank you for coming. Would you like to take a couple of moments?
- Kimberly: Thank you for your time. I appreciate being here. Did you want me to go over what happened?

- Steve: I don't think that it's necessary for you to unpeel your personal life. I suppose it is appropriate for us to ask for an explanation of your detailed internship proposal with your supervisor, so the two of you to speak to that.
- Kimberly: James is my primary supervisor, and I did disclose to him what happened, and he said he's willing to work with me on that. Anytime something comes up I will immediately address it rather than put it off. And he's been very open and helpful during this process. So, I trust that we have a good rapport and that will continue and build on that.
- Steve: Ms. Carrington, please articulate with some specificity your internship proposal and plan. Where will you be working? With whom? How often?
- Kimberly: I haven't received a job yet just because I need to get the licensure first. I'm hoping to work in a mental health crisis facility or with clients with substance abuse. I want to work with people from lower socioeconomic backgrounds and things like that.
- Steve: James Brittain, you're the supervisor, correct?
- James: Correct
- Steve: Will you walk the Board through what your expectations of an internship will entail for her?
- James: Yes, I'd be happy to do that. First, I want to say I appreciate you having me and for all the work that you do as a Board. I've spoken with Kim and we've had a couple of very thorough discussions in regard to her background and some of her past struggles. We've discussed her plan in complying with all the Board regulations in the state of Nevada. We've also discussed our plan as a supervisor/intern and how I can support her in her personal and professional goals. We've discussed options in terms of self-care, the importance of that, what that means working in that specific setting that she wants to work in, and how I can support her as being that I am dually licensed as a drug and alcohol counselor and a supervisor through that Board. I do support Kim in her goals of obtaining licensure as a CPC intern in the state of Nevada.
- Hal: I like the fact the supervisor has the background in drug and alcohol counseling. I think that would help in terms of seeing problems early if problems are happening. I do like that this particular supervisor seems to be particularly tailored to this case.
- Steve: Kim, it seems like you've done your work and your transparency is evident. I just want to note that transparency is key.
- Kimberly: Thank you. I appreciate that.
- Motion to approve Ms. Carrington's application for CPC intern licensure: Marta 1<sup>st</sup>, Jennifer 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

9. This agenda item was removed.

10. Review, discussion, and possible action regarding Board hosted test preparation workshops to support interns struggling to pass the national exams – Sheldon Jacobs (For discussion/possible action)

- Sheldon: Thank you for allowing me to have some time on today's agenda. Today's full agenda is full, so I'll be quick. One of the things that I've noticed over the past couple of years are the issues interns are having passing the MFT national exam. I also noticed that there is a pattern for interns of color, especially black interns. These are people that are tactful, obviously educated, offer a lot to their clients and to their community and the fact that they can't get fully licensed because they can't pass the exam is somewhat troubling. Especially when I see the sheer numbers. I don't know if there's any data that supports that, but I do notice that there has been a high number of black interns that have difficulty passing the exam. I know in the past, maybe about four or five years ago, we had sponsored a training. I believe it was on suicide. I want to start some discussion. My question for my Board colleagues is: What are your thoughts on us doing something? Maybe a yearly workshop or something where we provide some instruction in terms of the exam including things to look for, things to study, that sort of thing? We could hire an outside person to do this. I know in the past we've sponsored other trainings. Why not have a training so that we can better support our interns and get them on a path where they may have some success when it comes to passing the exam?
- Steve: Like a tips and tricks training on how people can get their head space and consistency on this exam. Thanks, Sheldon. Who has some thoughts about this?
- Hal: We will put passing the exam to the side for the moment. We need people to pass the exam, and particularly if the counseling community is lacking in the necessary diversity to reach out to those people who need counseling, then that's very much a concern that we should have. We should have people who can reach out to their communities and if they're not passing the exam, then they're not in a position to do that. I think it's a real legitimate concern. I'm not sure how we deal with it, but I want to point out, if that's a problem, then that's something we need to deal with in one way or another.
- Marta: I've had one intern who probably took that exam six times, the MFT, and finally passed it. They took several different programs to. This was a person who studied constantly and was an excellent therapist. He finally passed it, but it was a struggle. Many of my interns now are not even taking the exam without going through an additional study program that's costing them upwards of \$400.00 because they're so concerned about not passing. The people that are taking those seem to be passing the first or second time. However, I agree with Sheldon. They studied so hard, they're under excellent supervision. What's going on? Why are they not able to pass? I don't know. I do know that AMFTRB is addressing bias and they have formed a committee to see if there is a bias on that MFT exam. In my understanding it is examining why certain people, groups, people of color are not able to pass. As far as the CPC exam, I see people not being able to pass that one to. They're passing the Information Gathering portion, but not the second portion, the Decision Making and they purchase those study programs. These very dedicated interns, as Sheldon has said. And they're excellent at what they do. I think it would be nice for us to sponsor a yearly workshop for some for our interns to be able to go to.
- Steve: We're just brainstorming here but I think it would be cool to have a panel of supervisors essentially offering tips and suggestions on how to prep, how to get your head space, the consistency and immersion on the material. But it is not lost on me that it disproportionately targets folks. If you've got a \$400.00 program that's a pretty rigorous program, but a cost that obviously neglects certain socio-economic status. Yes.

- Sara: One thing I'd be curious about, I'm wondering is if we can start tracking that in Certemy and start getting some hard data on the passing rate.
- Joelle: I can check with Certemy to build custom fields and then we would be able to extract the data.
- John: I think that would be really good data to have. Did people purchase and utilize a prep program? What the relationship is with passing rate? If I could just share my experience, I took the NCE in my doc program, which was allowed because it was a CACREP program. I passed the first time. All the knowledge was fresh, and it was all theoretical knowledge. What the clinical (credentialing) exams are supposed to do is not just test the knowledge that you gained in graduate school, but how do you put it all together? We've seen educationally, the decline in critical thinking, the decline in ability to conceptualize clients. To me, that is central to being able to be able to deliver treatment. Why do you choose this particular treatment protocol? I think there's a larger issue here. It means that people have to supplement typically just what they would get from school and not just be able to integrate it organically in their intern experience, which is ideal. They have to do what I, and others, have done with a clinical exam and purchase a program. In my case, the practice exams were great because it was like no test I had ever taken before. Those practice exams were gold for me. This raises another ethical issue. This is also where people, at least in different socioeconomic settings, are impacted differentially because these prep programs are expensive. We need to be careful in endorsing specific ones.
- Hal: Most attorneys, before they take the BAR exam, take a B.A.R. or whatever it's called. Now, why take that? It's not about what you know. It's about how to take the exam. They are exam taking programs so that that you know what you need to put down and how you need to answer those questions. It's not a test your knowledge necessarily. It's a test of applying your knowledge to what the exam writers are looking for in terms of answers.
- Steve: I would like to keep talking about this in the future and see what we can put together in person down in Vegas and one up in the north. What that would look like is still a very interesting concept. I hope that with our software, we can start data sorting University programs and training programs. If we found certain programs have better or worse pass rates, that would be very important information for Universities to know.
- John: It would also be helpful to look at it in terms of disciplinary actions. Where was their educational training from? There's no immediate thought for use for that but it would be helpful information to have.
- Sheldon: I think I saw something that looked at the graduate programs and the passage rate on the national exam. I'm not sure how that is tracked and how it's being extrapolated but it's out there already.
- Steve: I'd like to take part in test prep program for our interns. I don't know where to go with this today. It's not particularly actionable, but let's all agree that we'll keep talking about this and hopefully put some together. Anything further on that?
- Dr. Hart: This has been a pet peeve of mine for at least three years. Finally, two or three of my interns have passed the MFT licensing exam after taking it five, six and seven times. What I've noticed as we study the exam questions in our supervision, is that it's very much like the EPPP exam for psychologists. The other thing I've noticed is that my interns are significantly older, and

we have that that time in life where we have less cognitive flexibility. If you have seven, eight, 10, 11 or 12 subject matters, then they're not able to actually hold all that information in their heads and so they lose those pieces of information. That's been a huge frustration for many of my interns. I'm glad that they reduced the amount of questions. That actually allowed a percentage of my interns to pass. But I have a couple of them that are aging, and I am concerned they'll be with me for quite some time. Thank you for letting me share.

11. Review, discussion, and possible action regarding Board Budget through FYE ending 06/30/2022  
(For discussion/possible action)

- Joelle: Sara, Steph and I worked through the budget created it on a very conservative number of renewals. We did that to account for people not renewing their license and people choosing to go inactive versus actively renewing. We choose a conservative approach. I used historical data from 2020 to calculate how much revenue we would take in fees for applications, registration fees and CEU provider fees. Other types of fees were taken into consideration, but those amounts were nominal. If the Board office needs to hire someone else in the future, there's room in the budget to do that. So overall, it looks really good. We do have a surplus and we have more than enough funding to continue the operation of the Board office.
- Steve: It is very detail oriented, and I really appreciate that. Your conservative budget has extremely high likelihood that we will be in the black and never be underwater.
- Joelle: That is correct.
- Motion to approve the budget for fiscal year ending June 30, 2022. Jennifer 1<sup>st</sup>, Marta 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

12. Review, discussion, and possible action regarding approval of Certemy contract.  
(For discussion/possible action)

- Steve: Joelle, walk us through why we needed to revisit Certemy contract again.
- Joelle: The previous contract signed last year was improperly executed. Our Board now has a Contract Manager assigned by the State of Nevada Purchasing Department.
- Steve: It's legitimate. You have terrific people that you have working with you. Three cheers for detail.
- Joelle: I have just one more thing to add for clarity. The contract is the same as what was presented to the Board last year.
- Steve: They clarified their statement of work?
- Joelle: Correct, yes.
- Sara: Joelle, did you say in the future, when we decide to re-up this contract, is there a limit on the number of years?
- Joelle: Yes, it will have to be a four-year term because that is what the State's guidance is on that. Henna, that is correct, right?

- Henna: Yes, that is correct.
- Joelle: When it comes to time for renewal, I will negotiate with Certemy to make sure that we still are at a good price point while adhering to what the state requires.
- Motion to approve the Certemy contract: Sheldon 1<sup>st</sup>, Jenny 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

13. Review, discussion, and possible action to approve the Numbers, Inc. Bookkeeping contract.  
(For discussion/possible action)

- Joelle: Numbers, Inc. is a bookkeeping service. You do have a letter of recommendation from the Funeral Board in your supporting documents. This company came highly recommended by the Executive Director of the Occupational Therapy Board. Loretta is also the Executive Director for two other Boards as well. They have worked together for almost a decade. The reason I feel it's important to have a bookkeeping service is that it allows for more internal controls. It is beneficial for more eyes to see what's happening in terms of the budget and to ensure fiscal responsibility. You'll see from the contract, she will handle payroll, PERS, PEBP and unemployment. Like I said, she comes highly recommended and she's very familiar and competent in the area of deferred revenue accounting, which is something that we need because we now have biennial renewals.
- Steve: She's legitimate. She's experienced. They're going to have a clean sheet for us, and we went through state contracting.
- Sara: I'm in favor of it. Another pair of eyes will be helpful, especially from somebody outside of the Board office.
- Motion to approve Numbers, Inc. contract: Sara 1<sup>st</sup>, Sheldon 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

14. Review, discussion, and possible action to approve the Board's participation in the Professional and Occupational Licensing Boards Administrative Collaborative (For discussion/possible action)

- Joelle: This agenda item is to properly execute participation in the Administrative Collaborative. It helps to ensure that Boards are adhering to State regulations and are in compliance with what the State wants us to report. It's a great collaborative opportunity to understand what other boards are doing and how other Executive Directors are operating.
- John: Is this State or National?
- Joelle: It is State.
- John: I think this is a really good move. Instead of every Board re-inventing the wheel at every turn.

- Motion to approve the Board's participation in the Professional and Occupational Licensing Boards Administrative Collaborative: John 1<sup>st</sup>, Hal 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

15. Nomination and election of Board Officers for the 2021-2022 fiscal year pursuant to NRS 641A.140 (For discussion/possible action)

- Steve: I am in the Chair position, John as Vice Chair and Sara as Secretary/Treasurer.
- Hal: Are you all willing to serve another term?
- Steve: I am willing to serve.
- John: I am willing to serve.
- Sara: I am willing to serve.
- Steve: Does anyone want to step in and take over the controls?
- Hal: I think it's a winning team. Why would we fire a winning team at this point?
- Motion to re-elect the three current Board Officers for the 2021-2022 fiscal year pursuant to NRS 641A.140 in their respective offices: Hal 1<sup>st</sup>, Marta 2<sup>nd</sup>; No abstentions; Motion approved unanimously.

16. Report from President (Advisement)

- Steve: I just want everybody to understand that I will lead quietly, or I will facilitate quietly unless there's reason to do otherwise. I'm incredibly proud, comfortable, and confident with where this Board is right now. That office is a high-performing machine right now. It's clean. There's compliance with the State. So obviously there's not a lot of work from my chair except to facilitate because the talent's down there in Vegas and that office. So, I do not have anything more to add.

17. Report from Treasurer (Advisement)

- Sara: One thing I just want to everyone to start thinking about for the future, as Certemy is getting ready for renewals, we'll have credit card integration. Credit card fees are included in the budget. One thing we could consider is charging a convenience fee. I just want people to think about whether we're willing to do that or if we should absorb it as the cost of doing business.
- Steve: Good call. It's like 3.5% for those transactions, right?
- Sara: Yes.
- John: Can you still do it manually? Can you walk in or mail in with a check? In other words, if this is the only way to do it, we can't charge a convenience fee because there's no inconvenient alternative.
- Joelle: Yes, I can take manual payments.

- Sara: It's already built into the budget, the fees, if we're absorbing it. It's already built into the budget.
- Marta: If our budget can absorb it, I would support us absorbing it.
- Sara: I would like for us to start an Emergency Fund with any surplus from the Budget.

#### 18. Report from Executive Director (Advisement)

- Joelle: In compliance with State Controller's office request for information. I sent out an email to all fully licensed people to request that they log into Certemy and enter in demographic information. The report is due to the Controller's office on 8/1/2021 and I am working with Certemy to construct the report I need to extract the data collected. Our website was not in ADA compliance. I removed over 300 non-compliant documents from our website and went through an ADA Document Remediation training. Legislative updates:
  - o SB335 was the bill in session this year to create the division of Occupational Licensing within the Department of Business and Industry. The purpose of this bill was to dissolve various boards and put them into a new department within the Department of Business and Industry. That bill failed without a floor vote. That's good news for our Board because we can continue to operate independently and with autonomy.
  - o SB44 was passed effective 7/1/2021. This bill added language to our NRS and allows us to get federal background checks for applicants. I spoke with the Department of Public Safety and on June 30<sup>th</sup>, they sent that for review and approval with the FBI. SB44 reduces initial application fees for active members of the armed forces, veterans, and their spouses. I worked with Certemy on that, so our applications are already updated.
  - o AB253 including revisions to Open Meeting Law and some of the changes are that we don't need to post a meeting notice in three places anymore and we don't need to post it in libraries. We just need to be able to post it on our website, which it is, and then in a physical location, which is the Board office. Henna, is there anything I missed?
- Henna: I believe also on the state website, right?
- Joelle: Yes, that is correct. It is posted there too.
- Steve: No change in posting minutes? We've had some folks wanting to know where they are.
- Joelle: That's my next point. By the end of today, I'll get all approved minutes posted to the website. I did have a couple of people reach out to me and ask about the minutes, and I did respond with giving them a draft copy with the watermark to let them know the ones that were not approved. I did comply with any requests that that came in for that. We haven't really had any blips in productivity in the office. We've been consistently licensing people and processing applications through the transition period.
- Henna: What has come out in the last legislative session is the only time a Board is required to post the meeting packet prior to the meeting date would be if the meeting is solely virtual. If it's a hybrid, where there's a physical location and it's virtual, there is no requirement to post the packet on the website because there is a physical location.
- Steve: With COVID restrictions being lifted, we have the hybrid opportunity?



- Henna: it also allows for boards to meet without a physical location and purely via video. And in that circumstance is what we're talking about with regard to the packet required to be posted on a Web site. So, the physical location is no longer required.

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

- Henna: No report.

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

- Joelle: I don't think we need to meet in August.
- Hal: We've had emergency meetings or short meetings on one or two subjects. If we had a lot of supervisors come up and we wanted to get them working in the field, we could have a short meeting.

- **Friday, September 17<sup>th</sup> @ 9:00 AM (Public Meeting)**

21. Board member comments

- Marta: I was wondering if there is any report on investigations?
- Stephanie: No report for this month. The Consent Decree that you reviewed was going to be a hearing, right up to the last minute.

22. 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)

- No public comment.

23. Adjournment (For possible action)

- Meeting adjourned at 10:53 AM

Meeting agendas are available for download at the Nevada State Board of Marriage Family Therapists & Clinical Professional Counselors website: <http://marriage.nv.gov>. Anyone who needs the agenda or supporting materials for this meeting is invited to call or email Joelle McNutt at (702) 486-7388 x 102 or [JMcNutt@mftbd.nv.gov](mailto:JMcNutt@mftbd.nv.gov). The agenda and supporting materials may be provided by email or can be arranged to be picked up in person. This agenda has been sent to all members of the Board and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice should make a formal request to Joelle McNutt at [JMcNutt@mftbd.nv.gov](mailto:JMcNutt@mftbd.nv.gov).

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Joelle McNutt at (702) 486-7388 x 102 or [JMcNutt@mftbd.nv.gov](mailto:JMcNutt@mftbd.nv.gov) no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING PUBLIC LOCATIONS AND WEB SITES:

State of Nevada Administrative Website: <https://notice.nv.gov/>

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors: 7324 W. Cheyenne Ave. Suite #10 Las Vegas, Nevada 89129

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors Website: <https://marriage.nv.gov/>