

Steve Sisolak, Governor



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Jennifer Ross, *Member*
Marta Wilson, *Member*
Hal Taylor, J.D., *Public Member*
Sheldon Jacobs, *Member*
Lauri Perdue, *Public Member*

**MINUTES OF TELEPHONIC MEETING
FRIDAY, MARCH 21, 2022 at 9:00AM**

Teleconference

**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 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)

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: Steven Nicholas (left at 11:02am), John Nixon, Sara Pelton, Marta Wilson, Jenny Stepp (left at 10:39am), Sheldon Jacobs (left at 10:04am), Lauri Perdue, Jennifer Ross (left at 10:38am), Hal Taylor
 - Staff present: Senior Deputy Attorney General Henna Rasul, Joelle McNutt
 - Public Members: Jim Jobin, Amia Mulholland, Kimberly Schwartz, Shari Andreasen, Jessi Wiggers, Evelyn Delacruz, Naomi Wilborn

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)

- Jim Jobin expressed appreciation for the Board's consideration to become a primary supervisor.
- Kimberly Schwartz talked about an alternative way of transferring hours into the state from elsewhere for the Board's consideration.

- Amia Mulholland showed support for the transfer of hours from another state.
 - Jessi Wiggers asked for the Board's consideration in lowering the barriers for out-of-state clinicians and allowing the transfer of hours from other states.
3. Discussion, recommendation, and possible action regarding review and approval of minutes from the February 18, 2022, meeting (For possible action)
- Steve: Any comments about our meeting minutes?
 - John: Only to say that when you miss a meeting, you miss a lot.
 - Steve: That's true. It's nice to have you back, John. Any edits or additions to those meetings that were left out? If there are none, may we please have a motion and a second to approve them?
 - Motion to approve minutes from February 18th: Marta 1st, Jenny 2nd. Abstentions: John. Motion approved.
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
James Jobin	Yes	N/A	N/A
Ryan Earl	Yes	N/A	N/A
Danielle Lukins	Yes	N/A	N/A
Florence Sweet	Yes	N/A	N/A

- Joelle: May I make a comment? I did not receive a waiver for Danielle Lukins. We need to strike her from the slate. There are just three candidates today.
 - Steve: Ms. Lukins will not be considered today for supervisory approval so we can take a motion for Mr. Jobin, Mr. Earl and Ms. Sweet. I will need motions.
 - Motion to approve Jim Jobin, Ryan Earl and Florence Sweet as Primary Supervisors: Marta 1st, Jennifer 2nd; No abstentions; Motion approved unanimously.
5. Review, discussion, and possible action regarding Michele Langholz's application for licensure as a MFT intern (For discussion/possible action) – Joelle McNutt
- Steve: Agenda item number five will be stricken today.
6. Review & discussion of research on 988 number and emergency/crisis response to clients (For discussion/possible action) – Steve Nicholas
- Steve: We have nothing new to report from last month. Is there any other discussion about 988?

- Marta: I went to a wonderful training where a large section of the training was devoted to 988. That number's coming out in July. The training was on crises counseling and the process and the procedures.
 - Steve: Marta, do you recall if they had mentioned the educational licensure level of the crisis workers?
 - Marta: Yes, they will be licensed therapists. They will not have volunteers on the line. it will be a paid position.
 - Jennifer: I'm really excited to hear that. I think that answers a lot of concerns that I had, and I think that it sounds like it's going to be a great resource.
 - John: The issue is that even if someone presents to a psychiatric hospital for admission, they have to be cleared medically first. So, they get set routed through an emergency room and that's part of the problem with the bottleneck of the way things are set up in Nevada. So, there's always a medical component. In other words, making sure that there's nothing else going on, so that it's purely psychiatric. The other thing that I suppose needs to be deliberated in terms of future agenda items is the possible inappropriate practice that says when you accept someone for duty of care, you can't say I get to reject you, or I get to release you without any support. That's clearly unethical. On the other hand, when you have people in private practice or even group practice that then have the burden of 24-hour support one way or another, ultimately it, it still tends to get outsourced. In terms of emergency response, there is something to be said for those, for whom that is what they do full time.
 - Marta: Those types of issues were addressed in the training and although there were no clear answers or solutions, the dialogue has started between first responders, police, firemen, and mental health providers, et cetera. Members from each of those professions were present they're all now engaging in dialogue about how to improve the system that's in place now because it's not working well.
 - Jenny: I said that I would do a little research and just check and see what are the social workers doing? Is there anything in their in their statutes and their language? I didn't see anything. And I also looked at Washington state, my home state. I looked at California and I haven't seen anything. That was one of the questions that any other states addressed. This at least the little bit of research I did, I hadn't seen anything. So, this is really encouraging to hear that there's going to be a new resource.
7. Review, discussion, and possible action of what the Board deems “good cause shown” for revocation of supervisory status pursuant to NAC 641A.182 #6 (For discussion/possible action) – Joelle McNutt
- Joelle: I wanted to identify a situation and a loophole in our regulations regarding supervision. So currently the language as written now says: the board may, for good cause shown, revoke the approval of any approved supervisor of any intern. There are more than a handful of situations in which there are supervisors that are not treating interns very well and interns are potentially being harmed in that relationship. We are notified in the form of a complaint, and we end up dismissing it because it is an employment issue because they're working at an agency where the supervisor is and it's a blurred line. I wanted to bring it to the Board to see what your thoughts were. In the

proposed language, I added: the board may periodically review the performance or rescind approval of an approved supervisor for violation of the standards of supervision set forth by AAMFT and NBCC codes of ethics. There wasn't any language that would give me a framework to bring situations to the board so that everybody can weigh in on them. I think that if the board grants permission for supervisory status, then the board should have latitude to revoke or rescind that permission, if evidence is presented. AAMFT as well as NBCC have sections in their ethical codes to address the supervisory relationship. I think that's a good foundation for me, and it gives me the opportunity to bring it to you.

- Steve: The Board protects the concerns of the public and licensees. That's at intern and full license levels. We have an opportunity to grant permission and therefore also revoke that permission for good cause. If we can now add that to the language as articulated by AAMFT and NBCC, we've got a good framework. I agree with you a hundred percent Joelle.
- Marta: I really like that idea. I know that we're in the process of looking at all our statutes, so maybe we'll change the language a little bit and say ACA, in the future. ACS certification is credentialed through CCE not by NBCC. Those are just some little minor things.
- Steve: Let's expand this conversation. What, how should it be articulated in NAC for the ethics supervisory ethics for CPC supervisors? So, it's AAMFT for the MFT supervisory credential. What is the most is the specific one for CPC supervision?
- Joelle: We outline that you need to have an AAMFT approval. So AAMFT approved supervisor or supervisor candidate, or for CPCs, it's ACS through CCE. We can add in ACA too, but there was incongruence there. So, I opted to add in ACA and not taking out NBCC for that specific reason. So, if we are going to require something from CCE to be an approved supervisor, then I think we should at least leave it in there for congruency.
- Marta: It's the CCE that grants the ACS certification. They are separate.
- John: I do want to point out though, in terms of ethical statutes, that an approved clinical supervisor credential does not have a separate ethical code. So CCE does not have its own ethical code. It will refer the person back to NBCC general code of ethics. And we did have a discussion two meetings ago to consider ACA's ethical code rather than NNBCs, which is narrower, uh, in scope and more oriented toward professional identity than broad counseling practice, which also includes supervision. I'm not sure where we are on that, but I wanted to remind about that.
- Steve: That's a great call. Thank you, John. So, what Joelle was offering was having all three umbrellaed in, on this code for AAMFT, NBCC, and ACA, I think that gives us even more latitude.
- Jennifer: Have we in the past recognized the Association for Counselor Education and Supervision? ACES has their own ethical code for counselor educators and supervisors that I think is thorough. It's a good umbrella code.
- John: So yeah, the Association for Counselor Education and Supervision, ACES is what you're talking about, right? That is a division of ACA, it's affiliated. You cannot be a member of ACES and not ACA.
- Steve: Thank you Dr. Nixon.

- John: Typically, you pay for ACA membership and that includes one subdivision automatically. You can't have separate membership for ACES. If you're a member of ACES, then you typically adjoined with the regional one as well, but they are subdivisions of ACA.
 - Steve: Right. So seemingly if we have in the language, AAMFT, ACA, which would include ACES and NBBC for any between the cracks considerations, that seems like we'd be covered pretty well.
 - Hal: I think it's an important issue because after all, anything which affects our interns, including their attitude towards practice because of the way they're being treated or perhaps mistreated, is an extension of regular practice, at that point, and standards really should be the same. And with regards to that, of course, we're not merely talking about revocation of supervision. I think we have to consider whether you want revocation to be the only basis or whether it's the broad issue of discipline. I think it's very important because after all the real contact for many of the people seeking services is likely to be that intern. So, it's a critical, critical issue. We want the standards very clear because that's what gives notice to supervisors. This is what you are expected to do if you're acting as a supervisor. Just think of it in terms of we would in any other reference to practice and deal with it that way. I'm now looking forward to looking at these standards so I will have an idea of what, we might be applying. I think it's an excellent idea. Thanks for bringing for us.
 - Joelle: it was also recommended that we put it in to our professional conduct section. That section of NAC refers to patients or clients. It doesn't have anything in there regarding the situations that we're talking about now with interns. It can become a larger issue if it needs to be which is what Hal's point was.
8. Review, discussion, and possible action regarding review of financial statements 2nd Quarter FY 22 ending December 31, 2021 (For discussion/possible action) – Joelle McNutt
- Joelle: We are in very good shape. I included profit and loss, balance sheet and bank transactions report for the last quarter. These documents will reflect our revenue from renewal fees. Sara, is there anything that you wanted to add?
 - Sara: No, I think we're in great shape.
 - Steve: We will need a motion to approve the financial statement for second quarter fiscal year 22.
 - Motion to approve the financial statements 2nd Quarter FY 22 ending December 31, 2021: Lauri 1st, Sheldon 2nd; No abstentions; Motion approved unanimously.
9. Report from President (Advisement)
- Steve: I believe it will be appropriate for us to evaluate and give some feedback to our Executive Director by this summer. You'll be receiving a survey and an opportunity to give your impressions and feedback about Joelle and how she's been doing for the last year. I will ask that all of the responses are sent to me and not to Joelle. I will also be asking Joelle to evaluate herself. So, in the nature of a true 360-degree evaluation, I want Joelle to give her thoughts about her performance in the job. I'll ask Stephanie and we can even consider asking the bookkeeper who's worked with Joelle to gather as much information as possible. This allows us to keep sharpening the instrument of this board and improving but also giving credit where it's due. I'm excited how we are moving forward with some of these NAC considerations. Next month we will have a public

workshop to have even more public comment and feedback, and we will also have an opportunity to advance these forward. Then the process is out of our hands because it's for LCB revisions and that can take quite some time, but I'm really, really happy so proud of this Board to have gotten done what we've done in the last couple of months.

10. Report from Treasurer (Advisement)

- Sara: Nothing new to report this month. Thank you.

11. Report from Executive Director (Advisement)

- Joelle: To follow up on Steve's report, we do have an evaluation form that when you click submit, it will go right to him. I will send that out sooner rather than later since we have a lot to do in June including approving the budget, election of Board officers and also my review. We are in the midst of intern reporting season right now and I have transitioned that process to Certemy. All the documents will be housed on the online system. This allows us to close that feedback loop to the intern. When the step is approved, that means we've entered the hours. That has never been available before. I am going to allow for late submissions because there are people that are having problems getting into Certemy. I'm working with everybody to allow them to turn in their reports late if they need to. My goal is to have all emails answered by April 1st regarding hours submission. I included the productivity spreadsheet for your review. I'm going to present at the Rural Regional Behavioral Health Policy Board meeting regarding our implementation of SB44. They have given me topics that they would like a report on. First, is portability of licensure and how fast reciprocal licenses are being issued. Secondly, how long is the current process for licensure by endorsement. Thirdly, are interns allowed to have remote supervision and lastly, what is the largest challenge for persons seeking licensure? Do any of you have any feedback for me that you'd like me to present, or would anybody like to be present at that meeting with me?
- Steve: What will you be contributing for that fourth question?
- Joelle: I think the longest part of licensing is just waiting for background check results.
- Steve: Right. There's plenty of perspective on what licensees would bring up but statutorily we're just not allowed to do them.
- Hal: With regards to fingerprints, do we still have to wait for fingerprints from the FBI or is that not a problem?
- Joelle: The wonderful thing that came out of SB44 for us was NRS code that grants authority for federal background checks. Right now, we are only getting state background checks for people. I checked with the Department of Public Safety in January, and I haven't heard anything, so I'll reach back out to them again.
- Hal: Yeah. I think that's all you can do is just keep following up on it.
- Steve: Joelle, may I have permission to join in on your report? So, this is an interesting segue about speaking on behalf of the Board or attending activities or the Board's behalf. You're more than welcome to speak on our behalf. I'm very comfortable in you speaking on the Board's behalf as our Executive Director. About those bullet points, I appreciate that you're asking if we have anything to add to that because I think best practice for us, to all know what you're up to because you speak for us all. As a reminder, the Board operates as a body, so the Board needs to grant permission to any individual Board member to speak on our behalf.

- Hal: Well, feedback is one thing, but when we get through here, we should make sure we do a motion to approve her making this presentation then based to the discussion we just had.
- Henna: It's not an action item.
- Steve: I believe as our Executive Director she's in that role to discuss what she's doing in that role.
- Hal: Then I'm very comfortable.
- Joelle: We act as a body that operates together. I never want to do anything unilaterally without the Board knowing.
- Steve: Anything else for your report Joelle?
- Joelle: Just a couple of quick things. Ongoing projects for me are website content and migration of our website. Our website looks different, and the state web team moved us to a mobile friendly platform. I just have to go in there now and add content to those pages. Credit card integration through Certemy is done. I'm waiting on the Treasurer's Office to set me up with Authorize.net. So those are the things that are ongoing for me and that I'm keeping my eye on.

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

- Henna: I do not have a report.

13. Review, discussion, and possible action regarding regulation change language including, but not limited to: (For discussion/possible action) – Joelle McNutt

- Steve: So, let's jump into our possible NAC change language.
 - NAC 641A.146, #5(c) subsection 2 & 5
 - Joelle: I have it starting off with NAC 641A.146, number 5, subsection 2 and 5. So this is increasing the hours of group and training. I did change obviously the number and then I changed the language to group psychotherapy and process groups. I know that some of the Board members wanted specificity there in terms of what types of groups were being counted. Does anybody have any thoughts on that?
 - John: I do. Process group was one of the original group psychotherapy modalities. So, I'm not sure why process group would be broken down. Psychoeducation is a different thing and that's appropriately questionable as to whether that really constitutes psychotherapy because bachelors prepared or even high school prepared, qualified behavioral assistance may conduct psychoeducation. So, I'm unclear as to why process group has been separated out from group psychotherapy when it is considered group psychotherapy.
 - Steve: It was to speak to the more generally accepted term of group psychotherapy into process group. While I agree with you a hundred percent, I think it was to just almost generalize it a little bit more and separate it from specifically psychoeducation.
 - Sheldon: That's exactly the reason why I can think of some issues around the two being mixed. Students doing psychoeducational groups counted as process groups. So, it needed to be clearer in that respect.

- John: Right. But it's also psychoeducation, but that's also dishonest because psychoeducation groups are not process groups. Putting false information down, that's an unprofessional behavior. It should be right?
- Steve: Agreed.
- John: There's no overlap between a psychoeducation group, as such, and a process group. That is psychological process facilitation in a group context by virtue of the group process. So, I'm a bit confused, but I also, I guess wasn't here last meeting when part of this discussion took place, so I'll, I'll have to yield.
- Steve: Please keep contributing. What if we're in this subsection 2, we're saying not more than 600 hours of leading group psychotherapy or process groups, we can also add psychoeducational groups do not count or don't apply.
- John: Yes. Psychoeducational groups are not considered.
- Steve: It might be worthwhile to articulate in this.
- Sara: If it's not a process group specifically, there is some psychoeducational component to most therapy groups too. I feel like we should keep making it broad and have the supervisor's discretion for it. I think just putting psychotherapy period would work for me. I don't know if we even have to put process groups in there.
- Steve: I agree with that too.
- Marta: I agree with Sara on that one.
- John: Yeah. The other issue is if they are doing psychoeducational groups and they're billing for group therapy with Medicaid or, or insurance, for example. That's another whole fraud level issue you that becomes a serious matter for regulation and gate keeping.
- Sara: I'm thinking a company, if they wanted to just do psychoeducation period without any processing, they could hire somebody at a bachelor level rather than a master's level too. So that would be the distinction, I think.
- John: Unless they want to charge for therapy, then they need the credential of the person signing the notes, you know? It's one of those little dance steps that sometimes happens in these outpatient organizations.
- Steve: So, would it satisfy everybody to have the brief sentence of not more than 600 hours of leading group psychotherapy period?
- John: I like Sara's idea simply the added definition of that psychoeducation groups as such are not psychotherapy.
- Joelle: I can add a qualifier to that.
- Sara: I still want the groups to be able to count some level of psychoeducation that's going to occur within the course of the group. I am thinking an IOP program or an inpatient hospital program, if you have a three-hour group, of course, there's going to

be some psychoeducation as part of that before the processing. I don't want to be exclusionary to psychoeducation.

- John: Maybe psychoeducation group is not strong enough of a qualifier. If I'm going to do a psychoeducation group on medication management and its purely information sharing and it's not processing so there's a strong psychoeducational component to intensive outpatient group but that's also different than just doing like a DUI group for the state, it's not really an IOP group.
 - Steve: And to John, to your earlier point, ultimately this will come down to the supervisor's signature.
 - Sara: For with an inpatient program, I'm thinking about a psychoeducation group in the morning and there's an hour of psychoeducation in the afternoon. There's a process component. So, the groups been divided. Are we not going to allow the intern to count the hour where they provided psychoeducation?
 - Jennifer: I'm wondering if it would be agreeable to the Board to roll psychoeducation in with teaching? We list psychoeducation groups under the teaching, because its content based as opposed to psychotherapy based. It's just being counted differently.
 - Steve: Sub item number five says not more than 200 hours. So, we're looking at bumping the hours for group and for teaching training, there's a lot of expanded opportunity there.
 - Joelle: Teaching stays the same.
 - Steve: Oh, copy that. I'm looking at training approved.
 - Joelle: We could add a third qualifier that talks about the psychoeducation piece. And then the training would, would be the 200 for those specialized trainings that interns do that are over 50 hours.
 - Steve: So, the qualifier of psychoeducational groups or classes number three could be a qualifier under three.
- NAC 641A.146, #6
 - Joelle: I have here as an example, for your review and consideration, upon request credit may be given for up to 50% of the experience gained by a person before the person was licensed as an intern pursuant to the provisions of NAC 641A.156, an applicant must submit with their application a verification from the state of licensure where applicable and a letter from the state board approved supervisor or its equivalent. Is there anything you want to add to that?
 - Marta: I would like the board to consider a little bit higher percent than 50%. I think that interns coming from other states, as long as it's equivalent to our standards in Nevada, and that would be for anybody coming in the military.
 - Steve: So that puts us into some interesting territory of saying equivalent to Nevada, because most many states are not equivalent to Nevada and Nevada's not necessarily

equivalent to other states. So that potentially puts this as an academic review case by case scenario.

- Marta: I'm not sure how many we get of those. I know in the past that's how the board handled it. If there was something that seemed to be an anomaly that came before the Board. I think we usually did one a year, maybe two.
- Jenny: I think I'm on the same page with you as we've been listening to the public comments. I am being moved by some pretty compelling cases here. And I think it would probably require some extra work on our part, but if we could have a clear process here, which I think we're really fine tuning now, I would be willing to up that percentage. I don't exactly know what 60 maybe jumps out at me, but I'm thinking about some of the people we've heard from, and they bring some, some good, compelling thoughts to the Board.
- Jennifer: I have a clarifying question because I know at some point last month, we had talked about 50% or X percent of hours in total, or just the direct hours knowing that the training and the teaching and some of those other things might count because they are what they are, right? Trainings, CEU classes and university classes, things like that versus specifically the direct hours that are transferring over.
- Marta: I'm thinking slots that our six-month reports have. If they can demonstrate they can put them into those slots. I'm definitely thinking of supervisor training because I think having the same qualification from under their Board that we have sometimes other states have less hours that are required. And I think all of those hours need to at least be brought up to what our hours are in our state and then direct hours too. Other states may have less direct hours. And I think we need to have the full 1500 direct face to face and the supervision hours.
- John: From what I've seen when these hours come in, they come in on their own forms and sometimes they're a little more than spreadsheets and it kind of raises an eyebrow. What I recall doing is I had to do everything back on a Nevada form. So, I had to track down my old supervisors who had since retired in Colorado and Arizona to sign off on Nevada forms. I wonder if that process can be used for people who come in wanting to transfer internships. Then use our forms and then we can see they can submit their native forms. and our forms is kind of also a checkpoint. Is that something we can do?
- Steve: If someone is wanting to transfer in hours, have their past supervisor document them on the Nevada forms. I think would be very helpful on for a lot of reasons. It also brings into question, are the people submitting those forms under the supervision of somebody who we would acknowledge is an approved supervisor. So, do they have those national supervisory credentials?
- John: Right. Which comes back to the issue of do accept the hours in the first place?
- Joelle: I was just on the AASCB monthly meeting last Friday. And this very thing came up in terms of portability of licensure. This is an ongoing conversation across the country. There aren't many states where supervisors are actually approved. I don't know if all of the supervision across the country is up to par with us.
- Steve: We know that it's not. Which brings that back to, as a Board, we are charged with protecting public and our licensees.
- Hal: It's going to be on a case-by-case basis when we get one of these anomalies.

- Joelle: This would be a similar agenda item to when you have to approve an application.
- Sara: I'm also wondering about the cases where the former state board approved supervisor is deceased too.
- Steve: That's what we would be considering at a board meeting when somebody was, was trying to apply for consideration. We would ask them for what are these extenuating circumstances and who else can you talk to provide some of that documentation? In the very rare case that there is literally no one, that's really awful. I still don't think that it would be appropriate for us to grant that for somebody that can't justify their experience and their education. So, we're still at the 50% number and Marta and Jenny had mentioned that they have thoughts of raising that number. What are your thoughts?
- John: I think at least 51% of their hours should be under the supervision rules and standards of Nevada. In cases of reciprocity, a person has been vetted by another state by their standards and so we can accept that wholesale. Academic programs put a cap on the number of transfer hours. At least the simple majority is under our standards.
- Lauri: I can speak to the academic side. The schools that I've worked at, it's either been 25 to 30% that you had to complete at the school that granted your degree. So that throws a wrench in the 50% because that would even lower it if you went to an academic standard. If it were an academic degree program, we would make sure you filled all the buckets.
- Jennifer: I hesitate to even throw more complicating factors back out there, but many institutions also have an expiration time limit. I think that there, there should be an element of how recently the hours were completed.
- John: That raises another interesting point in terms of recency because that certainly is true academically. For example, you have like X amount of time and potentially with appeals can still extend it but then there's like a hard limit ultimately. So that does raise the question, do we then need to take a look at recency?
- Marta: Oftentimes those degrees are earlier than 2000.
- Steve: Which makes passing a national exam quite challenging.
- Lauri: If we are considering application for initial licensure, that's where your recency matters, and I absolutely agree. What you learn 10 years ago versus what you're learning today could be very different based on the times.
- John: If the recency of your knowledge acquisition skills development has a long-time lag, it creates a real challenge in terms of testing because test items tend to be more up to date. So, in effect that's a checkpoint. It takes care of the issue of recency because the test takes care of that.
- Hal: I graduated law school in 1980 and if I go into a state and I have to take a bar exam, I've got to catch up in areas I didn't work in. I think testing provides a very defensible criteria for boards to rely upon on the issue of recency.
- Steve: Let's get back on this track of this NAC change.

- Marta: I'm in favor of changing it. It's just coming up with what we, as a Board, want to say. If it's 50% or a little bit more, but I'm in favor of us making that change.
- Sara: I agree. I think it should be at least 50% to account for the military families who come through.
- John: It does ensure that X percentage of hours does meet our standards with our supervisor qualifications that we've set for the license that we're awarding. So, conferring.
- Steve: That's where it would come to essentially the board review. We would not be just vetting the intern candidate. We'd be vetting the supervisor who they're reporting. I am not going to vote for a number above 50, but I am one of nine.
- Jennifer: A good compromise that I would be in favor of when we're looking at the percentages, is those direct practice hours practicing under Nevada supervision, Nevada law, Nevada statutes. So, if we're looking at the 1500 direct hours and 300 hours of supervision, 50% of those, but then 100% of everything else. We require 50% of the direct supervision and client care to happen here in state.
- John: I like that idea because really the most critical piece are the direct hours. I think that's a good idea, Jennifer.
- Steve: 50% of the direct hours and the supervisory hours. That seems to maintain rigor and we can still have some oversight.
- Marta: I would agree with that too.
- Steve: I'd like some feedback from our public members. Lauri, where is your comfort level with the level of experience they have within Nevada?
- Lauri: I think the 50% is doable. I think that with everything else such as the rigor of getting licensed in our state and everything else that's put into that process. I would feel comfortable with that.
- Steve: Hal, what would you want?
- Hal: It's a nonissue. If we feel that what we are requiring here under the NAC provides the necessary skills to provide me with the help that I need. I'll accept the board's expertise in that area and rely on it.
- Sara: I'm wondering if we want any length of time as well. I'm just running the numbers in my head. I think the minimum, it would take somebody to finish then would be three supervision hours a week, they would be able to finish within a year if they stuck to that. Do we want to mandate at least a year as this Nevada intern, then if we're transferring hours in?
- Joelle: Good point, Sara. NRS says two years of experience. Are going to count that experience of years in terms of full licensure?
- Steve: It seems as written that it would take into consideration the years outside of Nevada. So, if they came in with two years and they still had a thousand hours to do in

Nevada, they've got that. They came in with six months. They still need to hit a two-year point. I think that one still works.

- Lauri: I would err on the side of don't make it harder than it needs to be. We need people really bad, so I wouldn't want to make it any longer than it has to be.
 - Joelle: I have proposed language as: upon request credit may be given for up to 50% of the supervision and direct client experience gained by a person before the person was licensed as an intern pursuant to our NAC, an applicant must submit with their application, the verification from the state board or a letter from their approved supervisor or its equivalent.
 - John: I just want to be sure that the language is the same as the breakdown of hours. I think you said direct client contact. So, is that the same language on our form? The reason I'm asking is because group therapy is direct client contact, so we want to be sure what you know.
 - Steve: That would be up to 750 hours working with clients and 150 hours of supervision.
 - Marta: It would be at my understanding that what we would consider group therapy in a different category of the other 1500. They just can't count group hours towards their individual couples and family hours.
 - John: That's why I want to be sure the language is consistent with the categories on the log forms.
 - Jennifer: Joelle, it might be helpful to be able to distinguish direct from indirect hours and, and we could simply list the categories, right? So direct hours and which of the categories count for those direct hours versus indirect hours.
 - Jenny: I think the more detail we can give there, the better. This is better than zero. We're giving opportunities. We are giving ourselves clear direction and clear structure. It's an opportunity, it works, or it doesn't, but there is a clear path.
 - Lauri: I think it's fair. Like Jenny's saying, it makes sense. It's clear and it's fair.
- NAC 641A.252
 - Joelle: This is where we're going to add in the ACA code of ethics. We originally thought of removing NBCC, but I do think that there is merit in leaving it there. I put a qualifier for successor organization in each of those, A, B, and then I added a C for ACA. If, for whatever reason, AAMFT changes their name, we would have to change our regulations. I just added the most recent addition of the code of ethics of the American Counseling Association or successor organization as a standard for professional conduct in the state of Nevada for clinical professional counselors and clinical counselor interns.
 - Steve: I think this is terrific.
 - Joelle: I did take out the address because if an organization moves, we have to change our NAC. I just put a copy of the code of ethics is available free of charge from the board upon request or directly from the organization.

- John: I think it's well done. I did not do a comparison between ACA and NBCC. I, I assumed that pretty much all of NBCC was subsumed under ACA, but apparently not. Perhaps NBCC has their own unique provisions, do they?
 - Joelle: They do, they have, um, if you are a national certified counselor through NBCC, the ethical standards relate to not only just supervision of interns and students, but provisions for the public.
 - Steve: I believe if somebody is also an NCC and they were in violation of the NCC, they probably are in violation of ACA and AAMFT as well.
 - Henna: So, they're not specifically stated with our codes, whoever, favorably and foreseeably, they would probably be ending up violating another portion of a code that we do have jurisdiction over. Um, and that would call to question their conduct and possibly prompt an investigation from that point on. So, I think we'd be fine.
 - Joelle: Thank you. Henna. In our professional conduct regulations, it does say if, if a certification that you have was revoked so the NCC would be a certification that someone holds that could potentially, it does specifically state their certifications in those regs.
- NAC 641A.182
 - Joelle: I put as number 3; each supervisor must hold a current license in good standing in the state of Nevada. I changed B to have held a license in the district of Columbia or any state or territory of the United States for at least three years. We talked about earlier that the board may periodically review the performance or rescind approval of an approved supervisor for violation of the standards of supervision set forth by AAMFT, NBCC and I can add in ACA.
 - Steve: I suggest adding ACA in there for future developments through ACA and because ACES is under the ACA umbrella.
 - Marta: To reiterate that this then would take care of interns who feel like they're not being treated correctly by their supervisors then they could have a place to go with those concerns.
 - Steve: This opens the door for supervisees to start that process. It opens the door for us to reengage this process because supervision again is essentially an approval process, not a licensure. I like this a lot, Joelle.
- NAC 641A.105
 - Joelle: I added the word annual approval of a provider of continuing education because that was meant to be a yearly thing not a one-time stamp thing. It was suggested that we put clarifying language in for the duplicate license fee. If they want something printed from the board office, we would say it was an official certificate versus a duplicate license because a person could print 40 licenses from Certemy, and they could do that for free. What they're actually requesting is the board office to print a license with a sticker seal on it. We had talked about the initial placement of a license to practice as MFT/CPC on an active status was \$200, which would fit the biennial renewal cycle.

Right? And then we could offer a renewal of that inactive status for one year at a \$100, but we have to spell it out. So that's why I added a number 2 there. So, it's another section in our fee structure to say, you can renew this status for one more year, but not to exceed three continuous years as it says in NRS. So that would be up to you if you wanted to have an option for three years, or if you wanted to just stick with the biennial renewal cycle and we charged \$200.00. Operationally that's what would be easiest and that's what makes sense with what our current language is right now. But if you wanted to have three years, this would be an idea of how to do it.

- Steve: I vote for the streamline version.
- Marta: I do too. Whatever's easiest.
- NAC 641A.243
 - Joelle: I did add a section on there. Number 18 to say, if you are a supervisor, you also need to uphold the standards of supervision. So very similar to the language I had in NAC 641A.182 for supervisors. I just added that piece onto the professional conduct overall because the professional conduct section is mainly geared towards clients and patients, not necessarily interns.
 - Steve: There's a chain of custody from the primary supervisor down to the client of a supervisee. I think that works.
 - Marta: Are we still under NAC 641A.243? I'd like to bring up discussion on another item under NAC 641A.243. Okay. And that would be discussion and clarification on NAC 641A.243 number 5, which states the at a marriage and family therapist, clinical professional counselor intern shall not give or receive directly or indirectly a fee commission rebate or other compensation for professional services that he or she has not act and personally provided. And I would like to know, does that pertain to a cancellation fee?
 - Steve: That is an interesting argument. And I think that quite literally it would apply to a cancellation fee, but I think the spirit of it is that a clinician reserves a window of time and therefore the service has been given through the appropriation of that window of time.
 - Marta: That's what my interns and I discussed. They've given over that time; however, they have not directly provided a face-to-face service.
 - Hal: With regards to attorneys, when they look at factors to determine fees, one of the things they look at is I have so much time in the day to provide services to my clients. And just the mere fact that I reserved that time allows me some ability to be compensated for reserving that time because I could have put another client in. I could have done research, whatever. So, I'm real comfortable then.
 - Marta: I would like to see therapists get compensated for a cancellation fee because they have reserved that time. If we can say that this would include a cancellation fee, then I don't think we need to make any changes. If we need to make a change, now's our opportunity.
 - Jenny: Not only is it in consent forms, but there will be follow up that the clinician is doing. There's professional work that goes into that no-show. So, then I'm perfectly comfortable collecting the no-show fee.

- Steve: I don't see a change necessary. Just my thought.
- NAC 641A.131
 - Joelle: This is the proposed language for the proration of CEUs. So, um, that's in your supporting documentation. There it's four paragraphs outlining if a person was licensed for 24 months, 19 to 24 months, 13 to 18 months, 7 to 12, and then 6 months or less, the CEUs that are required.
 - Steve: I like that it's articulated. It puts some extra math on you and your office, but it's clean.
 - Joelle: I have a nice visual representation of this that has four quadrants. I'll send out the visual as well as the actual language when I issue a license, so it is easier to understand.
- NAC 641A.133
 - Joelle: With that change, it then forced a change to NAC 641A.133, which specified the number of CEU hours there. So, except otherwise provided 265, the application for a renewal license to practice, you have to attest to at least 40 hours. So, since we're changing that we then have to change this. I put a counselor of continuing education required pursuant to this during the licensing period immediately preceding the date of expiration of the current license. So, it, it just takes out 40 hours and, and gives us latitude to allow for that proration. Does that make sense to everybody?
 - Steve: It does to me.
- NAC 641A.XXX (New Section: AB366)
 - Joelle: This is the new section. So, we have to, we have to put a new section in NAC to add proposed language for AB366, what to do with the recordings of training activities. The last page of the supporting documentation is a draft of an informed consent which would relate to these recordings.
 - John: I do have a question. No one uses tape, audio, or video tape. To say simply, electro-mechanical or electronic recording covers all forms of media of transcription, right? As I understood, it refers to any recordings that are made outside of the training context and in which case it's specified that recordings that are destroyed following their use in training. This is regarding any other recordings that they need to be destroyed in the year unless the client asks otherwise. There is a specification that training recordings are not part of the medical record, which is important. I just wanted to be sure. I understood it.
 - Joelle: I will make that change Dr. Nixon.
 - John: Electro-mechanical or electronic that covers everything.
 - Joelle: I will do that. That is all of agenda item 13.

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

- Steve: We get to run this back workshop style and take into consideration any further public and board member comments before we vote on that language for submission to LCB. I have on my calendar Friday, April 22nd as our date for that workshop and meeting.
- John: So, what happened to the 15th?
- Steve: It's Good Friday.
- John: The following Friday is Good Friday for Orthodox Christians, which affects me.
- Steve: Well, let's bring it back. Let's everybody open calendars. I will be out of the state until May 13th otherwise. So, my only options to chair that meeting would be Friday, April 8th, or Friday, April 22nd.
- John: I can skip the morning service. It's not unusual for me to work in the morning. That is doable.
- Steve: I am going to ask John to take over for board member comments, public comment and then adjournment.

15. Board member comments

- John: are there any board members who have any comments?
- Sara: I just had a clarifying question about folks who go inactive for three years and what is the fee to return to active status Joelle?
- Joelle: so that's what the that's the sticking point is. In NRS it says that they need to pay the renewal fee. So, in the past, what was happening is that when you came off inactive status after your third year the renewal fee was being collected and then again, the next year. So, it says specifically in NRS the renewal fee.
- Sara: Thank you. I just wanted to clarify that.

16. 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)

- Evelyn de la Cruz: Wanted to verify the process of dissolving the supervisory relationship.
- Shari Andreasen: Asked if there was an extended leave of absence or pause allowed in an internship.
- Kimberly Schwartz: Asked a clarifying question regarding the transfer of intern hours from another state.

17. Adjournment

- Meeting adjourned at 11:14 AM.

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

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