

Steve Sisolak, Governor



Steve Nicholas, *President*
John Nixon, *Vice President*
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*

**MINUTES OF TELEPHONIC MEETING
FRIDAY, JUNE 17, 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, John Nixon (arrived at 9:04am), Sara Pelton, Marta Wilson, Jenny Stepp, Lauri Perdue, Jennifer Ross, Hal Taylor (arrived at 9:16am)
 - Board members not present: Sheldon Jacobs
 - Staff present: Senior Deputy Attorney General Henna Rasul, Joelle McNutt, Stephanie Steinhiser
 - Members of the public: Dr. Megan Freeman, Brian Knapp, Denise Quirk, Antonio Duran, Vanessa Humphrey, Brian Knapp, Leslye Tinson

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)

- No public comment.

3. Discussion, recommendation, and possible action regarding review and approval of minutes from the April 22, 2022 workshop (For possible action)
 - Steve: Any discussion on the workshop minutes? Can I have a motion to approve the workshop minutes from April?
 - Motion to approve workshop minutes from April 22nd: 1st Marta, 2nd Lauri. No abstentions; Motion approved unanimously.

4. Discussion, recommendation, and possible action regarding review and approval of minutes from the April 22, 2022 meeting (For possible action)
 - Steve: Any discussion on the meeting minutes? Can I have a motion to approve the meeting minutes from April?
 - Motion to approve meeting minutes from April 22nd: 1st Marta, 2nd Lauri. No abstentions; Motion approved unanimously.

5. 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
Preston Walker	Yes	N/A	N/A
Melanie Kirkland	Yes	N/A	N/A
Zanyae Allen	Yes	N/A	N/A
Roch Spalka	Yes	N/A	N/A
Jessica Goicoechea-Parise	Yes	N/A	N/A
Shanee Rosenberg	Yes	N/A	N/A
Vanessa Humphrey	Yes	N/A	N/A

- Steve: I propose that we take them in a slate with the exception of Mr. Spalka due to the fact that Dr. Jennifer Ross is supervision supervisor. We can take that one separately so she can abstain. Has everybody has looked at these? Are there any comments about this slate of new supervising talent? Let's take Mr. Spalka first. May I have a motion to approve his supervision application?
 - Motion to approve Roch Spalka as a Primary Supervisor: 1st Jenny, 2nd Marta; Abstention: Jennifer; Motion approved unanimously.
 - Steve: We will go to the rest of the slate unless anybody has any objections?
 - Motion to approve Preston Walker, Melanie Kirkland, Zanyae Allen, Jessica Goicoechea-Parise, Shanee Rosenberg, and Vanessa Humphrey as a Primary Supervisors: 1st Marta, 2nd Jennifer; No abstentions; Motion approved.
6. Board consideration of Consent Decree in the matter of Jeanette Bussey, Case No. NV19MFT003 (For discussion/possible action)
 - Steve: Are there any comments from any board members about it?

- Motion to approve this consent decree in the matter of Jeanette Bussey, Case No. NV19MFT003: 1st Marta, 2nd Lauri; Abstentions: Hal; Motion approved.

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

- a. Case No. NV17MFT012
- b. Case No. NV18MFT015
- c. Case No. NV20MFT002
- d. Case No. NV20MFT003
- e. Case No. NV21MFT003

- Steve: I have reviewed all five of those myself. I didn't have any considerations or concerns. I'll wait the responses from the other board members.
- Motion to dismiss Case No. NV17MFT012: 1st Jenny, 2nd Sara; No abstentions; Motion approved unanimously.
- Motion to dismiss Case No. NV18MFT015: 1st Marta, 2nd John; No abstentions; Motion approved unanimously.
- Motion to dismiss Case No. NV20MFT002: 1st Jennifer, 2nd Sara; No abstentions; Motion approved unanimously.
- Motion to dismiss Case No. NV20MFT003: 1st Marta, 2nd Jenny; No abstentions; Motion approved unanimously.
- Motion to dismiss Case No. NV21MFT003: 1st Hal, 2nd Jenny; No abstentions; Motion approved unanimously.

8. Discussion regarding 9-8-8 number and emergency/crisis response to clients (Advisement) – Dr. Megan Freeman

- Dr. Megan Freeman: Discussed the rollout plan for 9-8-8 nationwide on July 16, 2022.
- Steve: I have a question Dr. Freeman. What are the qualifications of the responders?
- Hal: Dr. Freeman, please be aware that a couple of us are not providers so feel free to give more information if you think it will help us understand.
- Dr. Freeman: The staff who answer the call line won't necessarily be licensed but they will be trained in handling calls. They will have to go through a standardized training process before they're allowed to answer calls and then of course there will be supervision and oversight.
- Marta: I attended a Mobile Crisis Summit back in March and I thought it was excellent. I was under the impression at that time that it would be a licensed person who picked up the phone.
- Steve: I'm under the impression that there will be a licensed supervisor essentially in the mix or accessible the entire time.

- Dr. Megan Freeman: I think that's right. I think with the volume of calls and the fact that it's 24/7, I'm not sure we'd be able to staff it with licensed people picking up every call, but there would definitely be licensed supervisors.

9. Discussion regarding pathway to portability and counseling compact legislation (Advisement) – Denise Quirk

- Denise Quirk: Discussed information about an interstate compact for counseling. Shared resources and frequently asked questions from the Counseling Compact website.
- Steve: One of the questions at the forefront of my mind are the educational requirements. Not all degrees hold the same accreditation.
- Denise: I believe that these folks are wanting to keep the standard very high.
- Hal: Don't underestimate how difficult this is going to be. Boards like ours have very clear ideas in terms of what we want for Nevada, but we may have to be somewhat open with regards to crisis situations.
- Steve: One additional note to that is pathways to licensure in all of these states would have to mirror each other in order for that crossover consideration and the knife cuts both ways. Should you be granted the opportunity to work in all those states? I suppose you could lose the right to work in every one of those states at the same time.
- John: I want to point out that the psychology compact has 23 states. So, we have a roadmap.
- Steve: This is a very intriguing idea. Thank you.

10. Review, discussion, and possible action regarding Antonio Duran's application for licensure as a MFT intern (For discussion/possible action) – Joelle McNutt

- Steve: I am under the impression that there are some people from the public that would like to comment about Mr. Duran's situation. Is that correct? If so, you're invited to unmute. Okay, being none; Mr. Duran, you're invited to unmute and walk us through what you're looking for.
- Antonio Duran: Thank you so much for having me in this meeting today. I'm seeking an intern license here because I had some issues with my license in California due lack of good supervision from my former supervisor. I had a full-time job with the county and my former teacher wanted to supervise me, but he committed fraud. So, because I was one of his supervisees, I was investigated. The California Board decided to not believe me. They believed him. The reason why I'm seeking the license here is because I do love what I do. I have a lot of skills. I am bilingual. I did the extra credits in order for me to qualify for the application for this licensure. I observed that specifically here in Las Vegas there is a need for Spanish speaking therapists.
- Steve: Mr. Duran, I would like you to address your role in the situations that happened.

- Antonio Duran: What I have learned about this unfortunate situation is that I wasn't meticulous with all the paperwork that he gave me to sign because I blindly believed him. What I have learned is that I have to review every single paper I sign, and I cannot just believe it.
- Steve: That is very concerning to me because the lessons here are read what you are about to sign. So, can you please try to address your role in the infractions that the state of California thought so severe to revoke your license?
- Antonio Duran: It was because of the billing that was submitted. I was an associate, and an associate cannot have a business. My name was on the business with my supervisor, and I didn't know I couldn't have my name on a business.
- Steve: I'm still conflicted and troubled by your responses. Being in a private practice is the least of my concern. The state of dual relationships, to the level of exploitation, that is very different from something that we talked about earlier in this. There's absolute exploitation in those dual relationships, additionally, with very unprofessional and poor decision making in your personal life. In the state of California's board summary, they said that you demonstrated gross negligence, significant incompetence for the field of professional mental health counseling, and overall dishonesty.
- John: I do have a question. Since your supervisor was a professor, did you inform the University of the unethical behavior on his part?
- Antonio Duran: Yes, I did.
- John: Do you know if the University took any action on his status as faculty?
- Antonio Duran: I don't know. I know that he cannot supervise for at least five years.
- Steve: That is from the state of California, not from the University.
- Hal: Was there a period of time when you practiced, and you did not have an active license?
- Antonio: There was a period of time in 2015 when I was doing AA groups. I invited some people to do meditation with me. I was supervised because my job, the clinic that I was working at was in like four or five different offices and the little, small office that I used once, which was on Saturdays, was in the same building. So, when I tried to explain this to the investigators, she didn't believe me because the person who was renting the, the room from it was a licensed therapist. So, everything was so confusing.
- Hal: When you were providing services to these individuals, when you did not have an active license and you were doing, hypnotherapy or whatever it was, did you advise your clients that you were not licensed?
- Antonio Duran: Yes, I did. I explained that this was just mediation. Therapy is when you go to the past to the root of the problem. This was being in the present. It wasn't nothing related to the past, which is what type of therapy means.
- Steve: I'm incredibly uncomfortable with your estimation of what therapy is right there. The documents that we have from the state of California, where it specifically states your second

cause for discipline are violating regulations adopted. These documents establish clear and convincing evidence that causes exist to discipline Mr. Duran for unprofessional conduct, including misrepresenting that he was not providing therapy when in fact he was doing so.

- Antonio Duran: There was no proof of that.
- Steve: The statutes in California and the Codes of Ethics are different things. My ex-primary supervisor for many years thoughtfully said, the most well-intended people unfortunately make mistakes in ethical violations. I understand that your dual relationship with Mr. Austin was probably well-intended. You cared about him deeply. And I respect that. But what would say that you won't care deeply and want to empathize to an unprofessional level with clients?
- Antonio Duran: Well, you have to be empathic with your clients. I believe that there should be that empathy when you're helping people that are suffering, that are depressed, that have anxiety. We have to have that empathy. I know that you have to have an awareness, you know, when there is countertransference. You have to be able to deal with that.
- Sara: You talked about that self-awareness and that's what I'm concerned about. We can get ourselves in trouble as people who want to help and are passionate about what we're doing. When our values conflict with our ethical codes and legal obligations, it feels like that was what was happening with you, but there wasn't awareness about that.
- Jenny: I believe in giving people second chances and opportunities for growth and reflection. As counselors and therapists, we want to see people reach their full potential. As has been stated through some of our other board members here. I'm not feeling the confidence that you have really learned and grown from this experience. I want to give you one more opportunity here. Is there anything else that you can share with us that would provide some confidence that you really understood what happened here? Where you made some poor judgment calls? Can you give us anything else? Any other ways to understand your responsibility and how you are taking accountability for your poor decisions?
- Antonio Duran: Dealing with my former supervisor. I learned that I have to be very diligent in reading everything.
- Steve: Please state for us, when you say you made a mistake, describe the mistake.
- Antonio Duran: My mistake was to believe and not being aware of what I was signing.
- Jennifer: It is clear that you're a very hard worker and you have a very big heart. Both of those things are really clear in what you've shared with us and thank you. Our job as Board members is to protect the public. One of the concerns that I've heard expressed is a disconnect between your understanding of how your big heart has got you in trouble. The concern is the inability to see that. I'm not hearing a lot about your own personal reflection about how those parts of you have really gotten you into the position that you're in and that level of awareness of who we are in the therapy room and the responsibilities that carries. That piece really seems to be missing.
- John: One thing that has recurred several times I that you refer to the supervisor, so nothing sticks to you in terms of responsibility because your supervisor approved it. That itself is unprofessional behavior. We still have to engage our own critical thinking and not just blindly

follow a supervisor. And I haven't heard any demonstration of your ability to engage in that process, to look reflectively, other than to say, my supervisor is the one. That shows to me a serious deficiency in professional standards to self-supervise. That's not acceptable.

- Motion to deny Antonio Duran's application for licensure as an MFT intern: 1st Jennifer, 2nd Hal; No abstentions; Motion approved unanimously.

11. Review, discussion, and possible action regarding review of financial statements 3rd Quarter FY22 ending March 31, 2022 (For discussion/possible action) – Joelle McNutt

- Steve: Clean books. Really great balances. Do we have a motion to approve the third quarter statements?
- Motion to approve the financial statements 3rd Quarter FY 22 ending March 31, 2022: 1st Lauri, 2nd Jenny; No abstentions; Motion approved unanimously.

12. Review, discussion, and possible action regarding Board Budget through fiscal year ending 06/30/2023 (For discussion/possible action) – Joelle McNutt

- Joelle: Sara and I met to compile the budget and I'm happy to say that we have a balanced budget. Last year, we were conservative in our numbers which served us well this year. There are two main differences that impacted the budget significantly this year. One is credit card processing fees and the other was an increase in audit and accounting services.
- Steve: The work you've done has been compared to other boards and you are shining light.
- Joelle: I just feel confident that we're in good shape.
- Sara: We considered the rising costs of services and vendors and rent. All of those things were incorporated.
- Lauri: Is there a customary amount of reserves to keep?
- Joelle: A good rule of thumb is to have reserves to operate through a renewal cycle. That would mean two years of operating expenses for us. We have work to do there. Right now, we have one year in reserve. If we did not have to absorb credit card processing fees, we would have reached two years much faster than we will now.
- Motion to approve the budget for fiscal year ending June 30, 2023: 1st Lauri, 2nd Marta; No abstentions; Motion approved unanimously.

13. Review, discussion, and possible action to approve a new contract for auditing services through Casey Neilon (For discussion/possible action) – Joelle McNutt

- Joelle: In the past, the cost for our audit only included the cost to audit our financial statements for the prior year. There are other items to consider to stay in compliance with GASB standards that was an add on service fee with our prior auditing firm. I solicited different bids to get an all-inclusive price with no add ons so our cost would be stable year-over-year. Casey Neilon was recommended by other Boards. They represent four other Boards.

- Jenny: Their proposal and informational materials looked really comprehensive, and I felt confident with them, but Joelle, do you feel comfortable, confident with their services?
- Joelle: Yes, Jenny I do. They have an entire division that strictly handles Boards. Niki Neilon served two terms on the Nevada Board of Accountancy. She has testified in front of the Legislature and is familiar with the Sunset Subcommittee and the requirements of the Legislative Counsel Bureau.
- Steve: In my opinion, this actually seems more cost effective. How about a motion to approve the new contract for auditing services through Casey Neilon?
- Motion to approve the Casey Neilon contract: 1st John, 2nd Jenny; No abstentions; Motion approved unanimously.

14. Nomination and election of Board Officers for the 2022-2023 fiscal year pursuant to NRS 641A.140 (For discussion/possible action) – Joelle McNutt

- Steve: I am honored and absolutely willing to keep facilitating this Board for another year. If that is the case, I'm going to ask for it to be my last year as the chair. This is a good opportunity for people to self-nominate or nominate somebody else for Chair, Vice President, and Treasurer. I believe those are the three positions.
- John: Thank you for checking with me. I am delighted with Dr. Nicholas' leadership, his razor-sharp mental focus and attention to detail. I'm very happy to continue the current administrative structure.
- Sara: Same Steve. I'm good for one more year unless somebody else is wanting to come in.
- Motion to continue with the current Board officer positions: 1st Hal, 2nd Jennifer; Abstentions: Steve, John and Sara; Motion approved.

15. Review, discussion, and possible action regarding results of the Executive Director's performance review (For discussion/possible action) – Steve Nicholas

- Steve: I think it's pretty easy to understand and everybody would agree what Joelle has been doing has been amazingly productive, efficient, immaculate in detail, and she's a consummate professional. She makes the Board run so smoothly and she makes what we do pretty effortless with all of the detail that she puts into how she puts meetings together, agendas, documents, support. So, everybody evaluated her incredibly high. Thank you for being who you are and how you are. I also fielded quite a few suggestions on throwing a pay raise your direction.
- Sara: Our budget absolutely supports a pay raise as well as a hire too. So, we can do both.
- Marta: I think the level of responsibility that Joelle carries with all the compliance issues with the State, negotiating contracts, having to work with the public, and being able to navigate us successfully as being a compassionate Board, a compassionate office, and yet so professional at holding the line with the law. I'm just so happy.
- Motion to give an 18% pay raise to the Executive Director based on performance review with an effective date of 6/17/2022: 1st Sara, 2nd Lauri; No abstentions; Motion approved unanimously.

16. Report from President (Advisement)

- Steve: No report.

17. Report from Treasurer (Advisement)

- Sara: No report.

18. Report from Executive Director (Advisement)

- Joelle: I have included with your documentation a letter from the SAPTA Advisory Board for your consideration. The emergency orders for teletherapy across state lines were rescinded on May 20th. I updated the website to reflect as such and I sent an email to all our registrants on the teletherapy registry. I've received several responses back that people had already transitioned their clients to Nevada therapists. Credit card processing is underway, and I am working with Certemy to migrate all fee payments over to electronic processing. I received an email back from the legal division of the legislature that our proposed language has been written. That is wonderful news. The next step after my review of the language would be to post for the notice of hearing in August. We are still in the midst of a website migration so our website will be frozen until at least July 22nd. The productivity spreadsheet is there for your review. It includes how many applications we've processed, licenses issued, and supervisors approved.

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

- Henna: No report.

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

- Friday, August 19th at 9:00AM (Public Meeting)
- Thursday, September 8th and Friday, September 9th at 9:00 AM (Public Hearing)

21. Board member comments

- No comments.

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)

- Leslye Tinson: Expressed she had a great experience during her application process.
- Brian Knapp: Expressed support of a counseling compact.

23. Adjournment

- Meeting adjourned at 11:49 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 or mftbd2@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 mftbd2@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 or mftbd2@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/>