

Joe Lombardo, Governor



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Hal Taylor, J.D., *Public Member*  
Sheldon Jacobs, *Member*  
Lauri Perdue, *Public Member*

**MEETING MINUTES**  
**FRIDAY, MARCH 31, 2023 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.**

**PUBLIC HEARING TO REVIEW REGULATIONS**

1. Call to Order, Roll Call, Confirmation of Quorum. Public Hearing called to order at 9:02 AM.
  - Board members present: Steven Nicholas, John Nixon (arrived 9:04AM), Marta Wilson, Jenny Stepp, Sara Pelton, Sheldon Jacobs, Hal Taylor
  - Board members not present: Jennifer Ross, Lauri Perdue
  - Staff present: Joelle McNutt, Stephanie Steinhiser, Senior Deputy Attorney General Henna Rasul
  - Members of the public present: Kenosha Deon Gee, Jordan Grasse, Michelle Blakeley, Tina Parkman, Keith Stark, Angel Lash, Rachel Connett, Janet Nordine
- Steve: Before we start the hearing regarding the review of our regulations, are there any members of the public that would like to offer comments in addition to those related to the regulations? There will be other opportunities throughout our time here as well.

- Tina Parkman: I am recently licensed with Nevada and just wanted to say that some of the things that you presented I thought were really good, and I just wanted to be a part of it this morning.
- Keith Stark: I wanted to join in today to see what changes are in front of us, and also to, to be more present and visible, understanding what is going on. I am a CPC intern.

## 2. Introduction – Open Public Hearing

As set forth in **Executive Order 2023-003**, the Board has been directed to review its regulations (NAC 641A) and identify at least ten (10) regulations for removal. The purpose of this Public Hearing is to: (1) vet the Board's proposed recommended changes; (2) solicit input as to the merits of those changes; and (3) identify other regulatory changes stakeholders feel are worthy of consideration regarding the potential to streamline, clarify, reduce or otherwise improve regulations that pertain to the Nevada Administrative Code Chapter 641A. Stakeholder input received as a result of this Hearing will be reflected in the Report to the Governor. The proposed recommended changes to the regulations includes the following and other matters properly relating thereto:

- NAC 641A.055 – removes that communications to the Board must include an email address and the person's name.
- NAC 641A.095 paragraph 1 – removes the restriction of how many times an applicant can attempt to take their national licensing exam in a 12-month period.
- NAC 641A.095 paragraph 2, subsection (a) – removes that a person must take the national licensing exam within one year of being notified of eligibility.
- NAC 641A.095 paragraph 2, subsection (b) – removes that a person must retake the national licensing exam within one year after failing the examination and that their license is deemed lapsed.
- NAC 641A.126 paragraph 3, subsection (a) – removes that a provider of continuing education must transmit to the Board the title of the course or program within thirty (30) days.
- NAC 641A.126 paragraph 3, subsection (b) – removes that a provider of continuing education must transmit to the Board the name of the instructor of the course or program within thirty (30) days.
- NAC 641A.126 paragraph 3, subsection (c) – removes that a provider of continuing education must transmit to the Board the date, time and location of the course or program within thirty (30) days.
- NAC 641A.126 paragraph 3, subsection (d) – removes that a provider of continuing education must transmit to the Board the names and total number of attendees who were issued certificates.
- NAC 641A.126 paragraph 3, subsection (e) – removes that a provider of continuing education must transmit to the Board the number of hours available for credit for attending the Board to the course or program.
- NAC 641A.126 paragraph 3, subsection (f), number (1) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the course or program.
- NAC 641A.126 paragraph 3, subsection (f), number (2) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the approved provider of continuing education.

- NAC 641A.129, paragraph 1, subsection (a) – an approved provider of continuing education must keep records of the course or program for three years including each attendee of the course or program.
  - NAC 641A.129, paragraph 1, subsection (b) – an approved provider of continuing education must keep records of the course or program for three years including the number of hours available for credit for attending the course or program.
- Joelle: As Steve introduced, this hearing is to review regulations that could potentially be removed per the Executive Order 2023-003. The Board met in February and decided on their recommendations for removal for the purpose of this report. We will go through each of these regulations, state what it is and then allow for public comment. At the end of the presentation of the regulations the Board recommends for removal, the public will have an opportunity to not only comment on these but add any additional regulations that they would like to see included in the report. So, let's begin.

### 3. Open Public Comments

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)

- NAC 641A.055 – removes that communications to the Board must include an email address and the person's name.
  - Steve: Any public comment on NAC 641A.055?
  - No public comment.
- NAC 641A.095 paragraph 1 – removes the restriction of how many times an applicant can attempt to take their national licensing exam in a 12-month period.
  - Steve: Any public comment on how many times an applicant can take the national licensing exam in a 12-month period?
  - Jordan Grasse: I think that this removal is beneficial for all student interns that are coming into state licensure because it really does take the pressure off. So, I appreciate that.
  - Rachel Connett: I'm from California and I think it's beneficial to be lifted and maybe the frequency, if it's not removed, should be smaller. I'm actually licensed, I have licensed for a bit, but for the interns it's important because sometimes it hedges on their livelihood and the timelines with companies and with all the education and all the internships and things like that, people I know, colleagues, they have been like, and their wits and with regards to timelines, so absolutely beneficial.
  - Stephanie: By removing this regulation, we can allow the interns to take the test as many times as they need to
  - Rachel Connett: It would be helpful if there's a clarification with the governing part of what the member just stated, if we can have a little clarification so we all understand what is their rationale in asking for that.
  - Steve: We are in opportunities to add any clarification or any writings to any of these regs. This is an opportunity to review the possible removal of some, should the governor's office choose to do that. With that being said, this would remove an obstacle, quite frankly, to potential testing for people. Historically, you could take it a specific amount of times within

that 12-month period and if you didn't pass, then well, you could only take it so many times within a 12-month period. So, this would remove a potential restriction to the, the opportunity to take the test.

- Rachel Connett: Thank you.
- Kenosha Deon Gee: I would just simply like to state that this is very beneficial. I am a CPC intern, and I just recently took my exam. Unfortunately, I was not able to pass, but the fact that there is more opportunity to take the exam within the 12-month period without being put on pause is a great removal of the regulations.
- NAC 641A.095 paragraph 2, subsection (a) – removes that a person must take the national licensing exam within one year of being notified of eligibility.
  - Steve: This is a parallel concept as the last regulation review of simplifying the opportunity for people to not be bound by certain timeframes with their exam.
  - No public comment.
- NAC 641A.095 paragraph 2, subsection (b) – removes that a person must retake the national licensing exam within one year after failing the examination and that their license is deemed lapsed.
  - Steve: This is cleaning up an opportunity for people to take the test as they need to keep taking the test. This removes restrictions. Any comments?
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (a) – removes that a provider of continuing education must transmit to the Board the title of the course or program within thirty (30) days.
  - Steve: Any comments?
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (b) – removes that a provider of continuing education must transmit to the Board the name of the instructor of the course or program within thirty (30) days.
  - Steve: You will hear a lot of similarity here. These are all relating to CEU providers.
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (c) – removes that a provider of continuing education must transmit to the Board the date, time and location of the course or program within thirty (30) days.
  - Steve: Any comments?
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (d) – removes that a provider of continuing education must transmit to the Board the names and total number of attendees who were issued certificates.
  - Steve: Now, our technological advances have made these not necessary, in my opinion. Any comments?
  - Hal: This will save on paperwork to be done by staff.

- No public comment.
- NAC 641A.126 paragraph 3, subsection (e) – removes that a provider of continuing education must transmit to the Board the number of hours available for credit for attending the Board to the course or program.
  - Steve: Any comments?
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (f), number (1) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the course or program.
  - Steve: Any comments?
  - No public comment.
- NAC 641A.126 paragraph 3, subsection (f), number (2) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the approved provider of continuing education.
  - Steve: This is a cousin to the previous regulation. Any comments?
  - No public comment.
- NAC 641A.129, paragraph 1 – an approved provider of continuing education must keep records of the course or program for three years.
  - Steve: It would be nice not to have paperwork stacked up in file cabinets. Any other comments?
  - No public comment.
- NAC 641A.129, paragraph 1, subsection (a) – an approved provider of continuing education must keep records of the course or program for three years including each attendee of the course or program.
  - Steve: This is in line with the previous section. Any comments?
  - No public comment.
- NAC 641A.129, paragraph 1, subsection (b) – an approved provider of continuing education must keep records of the course or program for three years including the number of hours available for credit for attending the course or program.
  - Steve: Any comments?
  - No public comment.
  - Steve: This is an opportunity for any members of the public to offer any thoughts or comments on regulation review. Any other regulations that you would like considered for removal?
  - No additional public comments.
  - Steve: Any Board member comments?

- Hal: I'm a public member of the Board and I do want to make a comment and no other Board member should have this attributed to them. These are my concerns. As somebody who's been working in the licensing law area since 1985, the concern I have with the Executive Order 2023-003 is that it presented no criteria whatsoever by which a Board should consider its regulations and to determine which one should or should not come out. I will say this Board has, over the years, gotten better and better at carefully reviewing proposed regulations in detail, trying to consider all sorts of alternatives. We try to do a very professional job as a Board to provide services to applicants and to provide for public health, safety and welfare to those who come under the treatment of those who are licensed by the Board. I find Section Two, as drafted, somewhat arbitrary and capricious. If the Governor is really concerned that somehow, we're affecting employment through our regulations, then they should at least give us some idea or some guidance with regards to what their concerns are. I find it arbitrary and capricious just pulling 10 regulations out of the air. kind of thing. We are certainly willing, as a Board, to consider suggestions by the Executive Branch and by the Governor's Office, to improve the work that we do to protect public health, safety, and welfare. I did find that somewhat disturbing. I think our staff did an excellent job of finding regulations which served no great purpose. I am very proud of the work that this Board does and, and that includes trying to draft useful, professional, valuable regulations. I think we've done that. I think we've satisfied Section Two, in large part because of the excellent work by our Executive Director.
- Steve: I will say that Joelle and the Board office worked very hard to scrub our regulations and tried to find any regulations that could be trimmed that that didn't impact public safety, didn't impact the qualifications for competent licensees and didn't have a fiscal impact.
- Marta: I think Joelle and the Board office did such a wonderful job also in finding these regulations that we could, in good conscience, say we can get rid of these.
- Steve: It's an interesting position that we're put in as, as a Board, because we are an extension of the Executive Branch. So, when there is an Executive Order, we don't get to dilly dally with it. We have to get to work. Again, the Board office nailed it. So grateful for how detail-oriented you all are and to the public today for showing up and giving some of your thoughts as well. I'll give one more opportunity for any public comment or Board member comments.
- John: I would just say that from the therapeutic perspective, we help people take the lemons in their life and help them make lemonade of it. I believe that we are living by example here as a Board today.
- Janet Nordine: As a new CEU provider, this certainly does make it easier and more attractive for those of us that want to train and share our knowledge with our colleagues

and the public to do it in a more streamlined way without having to figure out where things go and what we do with what. So, I appreciate the change and I appreciate the opportunity to teach and grow our community. Thank you.

4. Close Public Comments

- Steve: We will close public comment now.

5. Adjournment

- The hearing was adjourned at 9:31 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](mailto: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](mailto: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](mailto: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.

THE NOTICE OF HEARING TO REVIEW REGULATIONS HAS BEEN PROPERLY NOTICED AND SENT TO ALL LICENSED MARRIAGE AND FAMILY THERAPISTS, CLINICAL PROFESSIONAL COUNSELORS, LICENSED MARRIAGE AND FAMILY THERAPIST INTERNS, CLINICAL PROFESSIONAL COUNSELOR INTERNS, PERSON'S ON THE AGENCY'S MAILING LIST FOR ADMINISTRATIVE REGULATIONS 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/>

**From:** Moyses Calderon <[moysesesc@nevada.unr.edu](mailto:moysesesc@nevada.unr.edu)>

**Sent:** Thursday, March 16, 2023 9:53 AM

**To:** mft bd2 <[mftbd2@mftbd.nv.gov](mailto:mftbd2@mftbd.nv.gov)>

**Subject:** March 31, 2023 Meeting

**WARNING** - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I will not be able to attend and I want to thank you for allowing me to respond.

I am currently a graduate student in MFT at the University of Nevada, Reno. I have reviewed the proposed recommendations and I support them. I am a father who has 2 kids in school and I was forced to retire to finish this program. This program is very stringent.

Thank you.

Moyes Calderon