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MEETING MINUTES
FRIDAY, APRIL 19, 2024 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).

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 9:06 AM.
 - Board members present: Steve Nicholas, Sara Pelton, Marta Wilson, Jenny Stepp, Sheldon Jacobs, Lauri Perdue, Jennifer Ross (arrived at 9:13am), Hal Taylor
 - Board members not present: John Nixon
 - Staff present: Joelle McNutt, Stephanie Steinhiser, Senior Deputy Attorney General Henna Rasul, Deputy Attorney General Ziwei Zheng
 - Members of the public: Tracy Manning, Kevin Murphy, Milena Hernandez, Kimberly Pisarcik, Keasha Walton-Ellis, Jaime Clemens, Jamie Beidle, Lidia Karina Gamarra-Hoff, Keith Stark, Lidia Milicevic, Sharon Harris, Zella Childs, Amanda Henderson, Michelle Perras Poirier, Cara Elliott, Arion Robinson, Carolina Alvarez, Danica Hickam, Toni Garguilo, Emily Lewis

Public comment is welcomed by the Board. Persons wishing to provide public comments remotely may access the meeting by telephone at (253) 215-8782 or through the electronic link posted on the agenda. 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)

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. Disciplinary hearing on Complaint and Notice of Hearing in the Matter of Milena Hernandez, Case No. NV23MFT001. This agenda item may include review and consideration of a consent decree (For possible action)

- Steve: I would like to call this matter to order. Do we have a petitioner and a respondent today?
- Henna: Yes. Henna Rasul, Senior Deputy Attorney General.
- Kevin Murphy: Yes. Mr. Nicholas, Kevin Murphy appearing on behalf of Melena Hernandez.
- Sara: I am recusing myself on this matter due to a prior work relationship with Ms. Hernandez.
- Steve: Are there any preliminary matters that need to be addressed first for either of you?
- Henna: No, not on my end.
- Kevin Murphy: No.
- Steve: If there are no other matters, I would like opening statements from both parties. So, counsel for the petitioner, please proceed and present your case opening statements.
- Henna: Thank you, Chairman. For the record, my name is Henna Rasul, Senior Deputy Attorney General. Chairman and members of the Board, I represent the state of Nevada in this matter and the state has filed a complaint to discipline Ms. Milena Hernandez regarding her marriage and family therapy intern license. Ms. Hernandez held a marriage and family therapy intern license in the state of Nevada at all times relevant to the complaint. As such, she was charged with certain serious responsibilities as specified both in the Marriage and Family Therapist Act and its corresponding regulations. The evidence will show that Ms. Hernandez failed to meet these responsibilities by failing to disclose on her re-application for marriage and family therapist intern licensure that she was arrested on August 4, 2022, and charged with ten felonies and one gross misdemeanor. Further, she failed to notify the Board of her arrest and charges within ten days as is required by the Board's Practice Act. Consequently, Ms. Hernandez failure has caused the potential for harm to her clients and has compromised public health and safety. The state has filed a complaint alleging grounds of disciplinary action exist apart from any other compliance with the marriage and family therapy standards of conduct by Ms. Hernandez.

The first allegation, as alleged in the complaint, which was provided to you, along with Mr. Murphy's answer prior to this hearing, those were the only two documents; states that the Board may suspend or revoke a license for Ms. Hernandez using fraud or deception in applying for licensure.

The second allegation states that Ms. Hernandez committed unethical practices contrary to the interest of the public.

The third allegation states that Ms. Hernandez engaged in unprofessional conduct as to be determined by the Board.

The fourth allegation pertains to Ms. Hernandez's negligence, fraud or deception in connection with services she was licensed to provide pursuant to NRS and NAC chapter 641A.

The fifth allegation the state is making is that Ms. Hernandez gave or received directly or indirectly a fee commission rebate or other compensation for professional services that she had not actually personally provided.

The sixth allegation alleges that Ms. Hernandez failed to critically examine and keep current with emergent knowledge relevant to the counseling as applicable.

The seventh allegation states that Ms. Hernandez failed to comply with provisions of NRS and NAC chapter 641A and all other applicable federal laws and regulations.

The eighth allegation states that Ms. Hernandez failed to notify the Board in writing within ten days after her arrest and charges.

The ninth allegation states that Ms. Hernandez violated several provisions of the AAMFT Code of Ethics, as outlined in the complaint. Ms. Hernandez was given proper notice of this hearing. She and her attorney were sent the Complaint Notice of Hearing via certified and regular mail on March 6, 2024. The certificate of service was subsequently signed for by her attorney on March 11, 2024. At this time, I would ask that judicial notice be taken for exhibits 1, 2, 5 through eight and 11 and be submitted.

- Kevin Murphy: I was just examining the index of exhibits. I have 1, 2, 5 through eight and the last document was eleven?
- Steve: Yes, that's correct.
- Kevin Murphy: We have no objections to you receiving those documents.
- Steve: Would you like to offer your opening statement?
- Kevin Murphy: Yes. Thank you very much, sir. Good morning, honorable Board. It's my pleasure to appear in front of you today on behalf of Ms. Hernandez. She appeared in front of this honorable body one year ago in April of 2023, at which time her MFT intern renewal application was denied. I highlight for the Board's understanding she has not worked in her MFT capacity for the last year since that denial. We're here today to assert that continued application denial and further revocation of her MFT intern license by this Board would be punitive under the facts of this particular case and that it is not necessary to protect the Nevada public safety because Ms. Hernandez has already been punished by the criminal court. Ms. Hernandez has made full restitution to Medicare. Ms. Hernandez had her business shuttered and closed as a result of the conviction. Ms. Hernandez is currently on the Office of the Inspector General Exclusionary list for Federal Reimbursement programs but most importantly because Ms. Hernandez has learned a great deal from her serious lapse in professional judgment that led to the billing fraud by Supreme Management providers.

As you all know, the purpose of this proceeding is to protect the public. It is not to further punish a licensee. As stated by the Deputy in her opening statement, Ms. Hernandez was convicted in

December of 2022 in relation to the fraudulent billing practices submitted under her business' Medicare NPI. provider number. Ms. Hernandez failed to notify her supervising LMFT, Sharon Harris, of the OIGs inspection. She acknowledges that was another significant lapse in her professional judgment. She's here to explain to this Board such was not done for any improper motivation, but instead it was due to her determination to reconcile the problem on her own and her belief at that time, not today, at the time that she was not required to notify Sharon Harris because she wasn't providing any clinical services to the patients for which the billing fraud occurred.

So, by way of background, Ms. Hernandez immigrated to the United States from Cuba when she was a little toddler. She was raised in Miami, Florida. After college, she relocated to Las Vegas, and she obtained her MFT intern license in 2011. Thereafter, she used her bilingual skills to become a valuable asset to our underserved and underprivileged communities in Las Vegas. She obtained her NPI number and enlisted the aid of a professional biller to organize and to submit payments to Medicaid, which was totally copacetic until 2017. In 2017, Ms. Hernandez met Clevonne Funches who operated a behavioral health agency and he wanted to collaborate with her. Funches introduced Ms. Hernandez to multiple therapists and his biller Starese Delgado.

Mr. Funches appeared to be very credentialed and well-respected. He was even featured in the Las Vegas Review Journal, and he had all appearances of legitimacy. In summary, Funches duped Hernandez into working with him under the auspices that he's trying to help serve our impoverished community and indigenous community members who deeply needed professional therapy services. He explained he had these prior billing errors that caused him to lose his Medicaid NPI number, and he essentially wanted to funnel business through Ms. Hernandez's company in exchange for her receiving 20% of the profit share. Ms. Hernandez saw the opportunity as a classic win-win. In her mind, she thought that she was going to be able to help this guy who has a huge client base provide more services to a population that was in dire need. She naively and admittedly negligently allowed Starese Delgado direct access to her payer path. That's the NPI Medicaid login credentials.

Importantly, I'm explaining this to you not to obscure Ms. Hernandez's culpability. I'm explaining it solely to put this entire situation into context and to eliminate any appearance of intentional fraud by this licensee. Significantly, Ms. Hernandez fully cooperated throughout all investigations and legal proceedings, and she volunteered all available information to the authorities to help them figure out what transpired and who the culpable parties were. The criminal case documentation evidences emails where Ms. Hernandez attempted to obtain the records and get adequate information from Supreme Management, the culpable parties, but they were stringing her along. So, Ms. Hernandez honestly testified to this Board one year ago in April of 2023 wherein the decision was made to not renew her MFT intern license at that time because of the recency of the criminal conviction. The fact that she had just told her supervisor, Sharon Harris, who I expect will testify and was very upset because she felt her license was endangered by Ms. Hernandez's failure.

We are hopeful that the extended one-year delay between the renewal application denial and this hearing today will serve to quell any concerns that you have when we produce the evidence demonstrating that Ms. Hernandez has taken substantial remedial steps to ensure that this never happens again in the future. So, although Ms. Hernandez has not been practicing as an MFT intern, she has maintained complete clinical competency and it's our intention to submit evidence to you of her ongoing CEUs, which are demonstrative thereof. We're also going to proffer evidence demonstrating that Ms. Hernandez has been honorably discharged from the criminal conviction and her criminal court sentencing requirements have been satisfied in full.

So why am I here? I'm here to clear the good name of an exceptional MFT intern professional and to try to save her career from the stain of this fraud conviction and to demonstrate that she has rectified her prior error. She will demonstrate that she's aware that she needed to tell Ms. Harris and that if she was ever in that situation again, she would do so in the future. My argument is that the evidence is going to show you that there were substantial errors, but it was not fraud to the benefit of Ms. Hernandez. It was negligence and naivete. It could be gross negligence, but my argument is that everybody deserves a second chance and that this honorable Board has alternative measures to protect the public safety while enabling Ms. Hernandez to recommence her professional practice under any terms that you deem fit. So I believe the evidence of this particular case is going to demonstrate that the matter should be given special consideration by your honorable Board because of the exceptional community benefit derived from a professional of Ms. Hernandez's caliber and that the complaint requesting revocation of her MFT intern license is excessive and unnecessary again because there's other means, including adequate supervision, that you can employ to protect the public while allowing her to treat patients. So, for those forgoing reasons and in consideration of the evidence that we intend to proffer and to be weighed by this honorable Board, I respectfully request that you issue an order imposing the lowest level of discipline you deem necessary to protect the public safety interest while affording Ms. Hernandez the opportunity to contribute to our society in her professional supervised MFT intern practice. I thank you all.

HEARING PROCEEDS.

- Henna: Thank you, Chairman, members of the Board, thank you for your time this morning and now afternoon. At the end of the day, the issues in this case are not about Ms. Hernandez's character. It is about her failure to disclose on her re-application for marriage and family therapist intern licensure that she was arrested on August 4, 2022, and charged with ten felonies and one gross misdemeanor. She further failed to notify the Board of her arrest and charges within ten days as is required by the Board's Practice Act. I believe that the evidence submitted shows that there is sufficient evidence to establish that Ms. Hernandez committed those acts as stated and is in violation of NRS 641A.310, NAC 641A.243, NAC 641A.247 and NAC 641A.252. Consequently, I ask the Board to find Ms. Hernandez guilty of counts one through nine as specified in the Complaint and Notice of Hearing.

Further, I ask that the Board take the following actions against Ms. Hernandez: Impose a fine in the amount the Board deems appropriate pursuant to NRS 641A.320 and the recommended amount would be \$5,000 in administrative fines, recovery of attorney's fees and costs in the amount of \$6,673.96, as of yesterday, plus attorney's fees and costs accrued today and in future preparation of the order pursuant to NRS 622.400 at the rate of \$157.04 per hour for the attorney's fees. The attorney's fees and costs includes my costs as well as Board counsel costs for her time today. Next, Ms. Hernandez may pay the above stated fees by way of a payment plan prepared by the Board on the condition that the payment plan is set up with the Board within 45 days from the date of the order. The fine and attorney's fees would come due within one year of this order.

Next, report any actions taken by the Board to the NPDB reporting bank and any national data bank that is required by law. This would also include a requirement for LCB reporting. Next, she may not apply for any marriage and family therapist intern license in this state for 10 years from the date of the order. If and when Ms. Hernandez reapplies for licensure, she agrees to the following conditions: Prior to submitting an application for a new license to the Board, she shall submit proof and verification to the Board's satisfaction that she has fulfilled her financial obligation of the Board's order. After meeting the financial requirement to the Board's satisfaction, she may submit an application including associated costs and fees for a new intern marriage and family therapist

license. She must comply with all new application requirements to restore her license in effect, at the time she's eligible to restore her license, including but not limited to any required examination. She then must complete 30 hours of Board approved interactive continuing education courses in ethics and ethical billing practices prior to the approval of the application. Upon successful completion of the coursework, she must send the certificates of completion to the Board office within 30 days.

She also must submit to a forensic, psychological, or psychiatric evaluation to determine fitness to practice marriage and family therapy. The evaluation must be completed by a Board approved forensic psychologist or psychiatrist unrelated to Ms. Hernandez by way of family or friendship. The forensic, psychological or psychiatric evaluation report then must be submitted to the Board with her intern application. If the forensic, psychological, or psychiatric evaluation determines Ms. Hernandez is not fit to practice, her marriage and family therapy intern license application will be denied until such time, she is deemed fit to practice marriage and family therapy by a Board approved forensic psychologist or psychiatrist unrelated to her by way of family or friendship. Should Ms. Hernandez fail to fulfill the requirements for restoration of her marriage and family therapist intern license, she will not be eligible to restore her license until all requirements have been met. She shall not be eligible for licensure in this state via endorsement or reciprocity or any marriage and family therapist license or any substantially equivalent level of marriage and family therapist intern license conducted in any other state. In the event her marriage and family therapist intern license is granted, the hours accumulated to date will be reviewed by the Board to determine if those hours will be applied to her new internship. The terms of this order would become effective today. Thank you.

- Steve: Mr. Murphy, closing statement?
- Kevin Murphy: Yes. Thank you. Thank you to the honorable Board members too for giving us the opportunity to try this case. I know we didn't think it was going to take this long, but it's a very important decision that you're all tasked with making and we appreciate your thoughtful determination in this client's matter. After receiving the evidence and hearing the testimony during this hearing, I believe it's clear that there are multiple factors for your consideration that are weighed in favor of granting leniency to this licensee and that revoking or denying her ability to return to clinical practice is not necessary to protect the public safety. I reiterate your charge as Board members is to uphold and protect the public safety. It is not to further punish this licensee for her admittedly egregious violations. The factors that I'm going to highlight for you are the nature and severity of the acts under consideration.

These are documentation and billing errors that were fraudulent. The reason that factor would be weighed in her favor is because she had no intent when it came to committing the fraud. She was duped in part aside from the financial compensation she enjoyed. She was a victim of the fraud as well. Then you have to look at the actual or potential harms to the patients. There was no actual or potential harm to any patients. You have to look at this licensee's prior disciplinary record. She had never been disciplined before. She's had licensure since 2011. That's for 12 years until it was denied renewal last year. You should honor that vested, longstanding, successful track record while implementing measures designed to prevent against this identical situation from ever reoccurring, which it will not. Then you look at the number or variety of the alleged violations. They're from a single transaction and business affiliation.

Another factor that I think is very heavily weighed in her favor is the mitigation evidence. You have copious materials demonstrating this woman's clinical competency and ability to safely treat her

patients and clients. But let's also look at the criminal case. A factor that's greatly weighed in her favor is that she had that criminal case honorably discharged as of November 2023. She testified to you she was a good girl and she got done in nine months instead of 12 months. The criminal court honored her diligent efforts to comply, and I hope that this board does the same. Then I'm also going to direct your attention to a very important factor. The time passed since the misconduct occurred. You can argue that the fraud misconduct stopped six years ago. She filed an application with the erroneous information several years back and now she has not been practicing for one full year. She is ready to return, but I think the most important factor for any of your consideration is the fact that the error will not be repeated again in the future. This was a big bad mistake. She has learned her lessons and she's never going to do it again. So, in brief, I'll summarize the testimony you received. Ms. Harris testified, I believe, credibly. She has such an emotional response and taken such a hardline stance as she did last April when she recommended you do not renew that license and you hear her recommending today. She's mad and she testified to you that she feels directly harmed. Ms. Hernandez testified to you that that's a legitimate emotional response because she put her license in jeopardy, and she wants to atone for that mistake. But then you look at respondent, she testified credibly and honestly that she did not intend to commit this fraud, but she made severe mistakes she provided to you what she thought at the time were rational beliefs justifying the failure, but she explained that those explanations don't hold water, that she now understands where she went wrong and as I'll repeat, she's not going to do it again in the future.

She sincerely apologized to this agency and to Ms. Harris and she completed her criminal court sentencing requirements. I think I'll let the testimony suffice that she is dedicated to providing exceptional clinical care to her clients and that this was a very bad business operations billing mistake, that she has desire to put herself in the situation to be able to commit again in the future. Then you also receive the evidence about her ongoing remedial education and clinical competence. Then you just look at her character witnesses. Ms. Perras Poirier is an attorney, known her her whole life, and took time out of her busy schedule to show up and testify to you because she believes in her. She knows her best friend since they're 11 years old. She knows she didn't intend on committing fraud and she knows that she should get back to work as soon as possible. So, she showed up and I believe honestly and credibly told you her professional opinions about her friend, which is that she's kind, compassionate, empathetic, trustworthy, honest and giving. She's a friend to many and she'll try to help everybody. She testified that from her knowledge her best friend accepts responsibility and that she would continue to trust her if her family needed care. And then you listen to Ms. Pisarcik, who I believe was extremely credible as well. She has a lot on the line when she's appearing in front of you, professional colleagues raising her hand and swearing under penalty of perjury that these are her opinions, but she did so confidently and voraciously in support of Ms. Hernandez's clinical practice.

Some of the adjectives she used is that she's an awesome clinician. She's brilliant, articulate, trustworthy. She talked to you about the pro bono work that she's done. I defer to your good judgment, but in my professional opinion, Ms. Hernandez has suffered enough. She has been blacklisted from the OIG and the Federal Reimbursement programs, and she's going to be for five years from last December, she was forced to shutter her business. Well, not forced. She shuttered her business as a result of the criminal conviction and candidly, her reputation is absolutely tarnished in our professional community. Despite her years of dedicated service to the Nevada public, this criminal conviction is not going to go away, but I think it is time to allow her to move past the fraud allegations, accept her atonement for these mistakes as long as we ensure that she maintains clinical competency and the confidences of her clients. She's a valuable asset to our Nevada community, especially the underprivileged Spanish speaking population. So, when weighing a totality of the circumstances and all the evidence in front of you, I ask that you issue any

decision in order imposing the lowest level of discipline you believe is necessary to protect the Nevada public safety while affording her the chance to get back to clinical practice under any requirements that you deem fit. I very much appreciate your time and your thoughtful determination in this case. Thank you all.

- Steve: Thank you, Mr. Murphy. That concludes the part of the discipline hearing that will be interactive with others outside of the Board members. I want to talk at you for a couple of minutes about what our job is in this deliberation phase. First of all, it's to consider the testimony, the evidence that has been presented and each element of the violation must be proven by a preponderance of evidence. Alright, so are we looking at the allegations of fact. Am I looking at the correct document?
- Ziwei Zheng: Yes, the complaint.
- Steve: Let me read the allegations of fact. (1) Milena Hernandez was a duly licensed marriage and family therapist intern in the state of Nevada at all times relevant to this complaint. (2) An administrative complaint was filed by the Board. (3) Based on information received on or about September 21, 2023, it is alleged the Board received notification from the Nevada Department of Health and Human Services in a letter dated September 21, 2020, stating the respondent's provider status with Medicaid was terminated due to reliable evidence of fraud or willful misrepresentation. (4) Respondent was originally licensed as a marriage and family therapist intern on February 17, 2017. (a) Respondent submitted an application to reapply for marriage and family therapist intern licensure which was processed on January 12, 2023. The Board denied her application at its April 21, 2023, Board meeting. (b) Respondent failed to disclose on that application that she was arrested on August 4th, 2022, and charged with ten felonies and one gross misdemeanor. (c) Respondent failed to notify the Board within ten days of her arrest as required by statute.
- Motion that allegation of facts numbers one through four, including subsections A, B and C have been proven: 1st Jenny, 2nd Sheldon: Sara abstains; Motion approved.
- Ziwei Zheng: So, let's go through each count individually so we have a clear record.
- Steve: Count number one, the allegations contained in paragraphs one through four are hereby incorporated as a fully set forth herein. This conduct violated NRS 641A.030 subsection four, which states that the Board may suspend or revoke a license for any of the following reasons: using fraud or deception and applying for licensure or in passing the examination provided for in this chapter. Therefore, respondent is subject to discipline pursuant to NRS 641.030 for unprofessional conduct. I'll start. I do not think that there is any ambiguity in the fact that Ms. Hernandez was associated with Medicaid fraud. She pled guilty and was arraigned.
- Hal: If you're defining fraud in terms of the factual allegations, I don't have a problem.
- Motion that alleged violation of law number one has been proven: 1st Hal, 2nd Lauri: Sara abstains; Motion passed.
- Steve: Count two grounds for denial or revocation. The allegations contained in paragraphs one through seven are hereby incorporated as a fully set forth herein. This conduct violated NRS 641A.030 subsection six, which states that the Board may suspend or revoke a license for any of the following reasons, committing unethical practices contrary to the interest of the public as

determined by the Board. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct.

- Jenny: Not only are we looking at the clients served in this population, but I'm also thinking about our state and federal tax dollars as well as colleagues within our profession. So, I do see that as an ethical violation and in our discussions today and in testimony it became clear even professionals in other disciplines, we had an LCSW speak, there was some lack of clarity. So, if an LCSW is unclear and MFT intern is unclear and there are some questions or ethical principles to consider, what do we know to do? Consult, consult, consult. What I heard actually was that there was quite a lovely relationship between Ms. Hernandez and Ms. Harris. I even heard that Ms. Hernandez had her supervisor come to her home. I was trying to imagine my clinical supervisor coming to my home for a meeting when I was really upset and unsure and I thought, well that really demonstrates quite a connection and if I were in a situation where I had a conundrum and wasn't sure what to answer on a form or had any concerns about an ethical or unethical behavior of mine and I had that kind of relationship, I would be on the phone with my clinical supervisor so fast. It actually really concerns me that, for how the rapport did seem to be there, Ms. Harris wasn't utilized as a resource. So, I do believe that count two is proven.
- Steve: In our Codes of Ethics, it speaks to consultation being an appropriate level of professional responsibility and practice, quite a few times, and that was lacking.
- Motion that alleged violation of law number two has been proven: 1st Jennifer, 2nd Marta: Sara abstains, Hal opposes; Motion passed.
- Steve: We'll go to count three grounds for denial or revocation. The allegations contained in paragraphs one through ten are hereby incorporated as a fully set forth herein. This conduct violated NRS 641A.310 subsection seven which states that the Board may suspend or revoke a license for any of the following reasons. Unprofessional conduct as determined by the Board. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct.
- Jenny: I would like it to be on record that there is concern on an unprofessional level here that when an intern or a licensee doesn't know that their business also represents them. That is concerning to me. I do know that the entity and the person are the same and I just want to make it abundantly clear here that in the eyes of our profession we are operating in the same manner. Thank you.
- Steve: Jenny, would you speak a little bit more about how so even if this was under the guise of a company providing service, how the licensee or licensed intern is still ultimately responsible for all the actions.
- Jenny: I think you said that really well. As a professional we operate as individuals and then we create our own company and, in the eyes of our profession, we are operating within the same capacity. There may be times where let's say the IRS may see us as different entities depending on how you're set up, but in our professional capacity, whether we're billing under our company's name or our own name, the buck stops with us.
- Steve: I think it's worth noting that unprofessional conduct is demonstrated by taking referral fees for services that she never provided. I think it is unprofessional that her NPI was used by at least four other practitioners. I think it's unprofessional, in theory, and in actuality that if she hadn't got caught, would we still be in the dark? Would we even know about this? Because she did not bring

this to the Board's attention until the Board brought it to her attention and that is very alarming to me.

- Jennifer: Agreed. As I'm toggling back and forth on my screen between the NRS and the NAC, if we're using the administrative code to help define what professional means, the NAC is pretty clear about what professional responsibility is and so there are several things that have come up that are specific to these allegations that are in direct violation of the definition of professional responsibility, which then I think just deemed them unprofessional. I think that it's there in black and white for us.
- Steve: Do you have an example in front of you that sticks out for you?
- Jennifer: I do. So professional responsibility NAC 641A.243, Item 17(c): the marriage and family therapist, clinical professional counselor or intern is convicted of a criminal offense, other than a traffic offense which is a misdemeanor that does not involve alcohol or controlled substances. So just the not reporting in itself is unprofessional behavior aside from the billing allegations, which also I think fall under NAC 641A.247 responsibilities to clients and others.
- Steve: We aren't retrying the truth that she was found guilty of these charges. This is now just our administrative duty to follow that up from our licensing Board, which is what we're doing. We're not piling on what the courts did with the Medicaid fraud, was that and we are bound to initiate administrative complaint when we find that a licensee has potentially demonstrated unprofessional conduct. I believe that count three is quite clear but I'm open to hearing anybody else's comments.
- Jenny: I'll say that I remember being an intern and I remember feeling very uncertain about things and not knowing and it's okay to not know. I still don't know things, but I know when I don't know to go and hunt down information. These things are in our statutes, and we ask deliberate questions and if there's ever a lack of certainty or clarity, that is exactly why interns are paired with qualified supervisor within our discipline who knows the regulations so that they can be guided. I don't ever want to punish someone for not knowing. This is an invitation when you don't know to go seek the information because that is not a defense here. I agree that count three was proven.
- Motion that alleged violation of law number three has been proven: 1st Marta, 2nd Lauri; Sara abstains; Motion approved.
- Steve: The allegations contained in paragraphs one through thirteen are hereby incorporated as a fully set forth herein. This conduct violated NRS 641A.030 subsection eight which states that grounds for discipline exists for negligence, fraud or deception in connection with services he or she is licensed to provide pursuant to this chapter. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct. I believe this is the one that applies to Medicaid fraud. It was fraudulent billing that her name was attached. It was much more than a single incident. It was dozens if not hundreds and I believe that it is absolutely the licensee's responsibility to be in the know and to consistently become more knowledgeable about situations that their information is attached to whether she was duped or not. It's absolutely her responsibility to be in charge of how her information's being used. Also, she was paid and I'm assuming that she accepted payment and probably cashed those checks that she was getting paid from this agency. Therefore, I think that there was an acknowledgement of the deal that she was getting paid 20% of fees for services that she was not providing.
- Motion that alleged violation of law number four has been proven: 1st Jennifer, 2nd Sheldon; Sara abstains; Motion approved.

- Steve: Moving forward to count five, the allegations contained in paragraphs one through sixteen are hereby incorporated as a fully set forth herein. This conduct violated NAC 641A.243 subsection five which states that a marriage and family therapist, clinical professional counselor or 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 actually and personally provided. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct. I believe this one is very clear even with Ms. Hernandez's own testimony that she collected 20% of fees without providing direct services in any fashion.
- Sheldon: I heard a couple of numbers thrown around. I heard that 20%. I heard 60,000 that she received. I also heard the number of 50,000. It was obvious in her testimony that there was money received for services that were not rendered by her.
- Motion that alleged violation of law number five has been proven: 1st Sheldon, 2nd Marta; Sara abstains; Motion approved.
- Steve: The allegations contained in paragraphs one through nineteen are hereby incorporated as if fully set forth herein this conduct violated NAC 641A.243 subsection 11 which states that a marriage and family therapist, clinical professional counselor or intern shall critically examine and keep current with emergent knowledge relevant to counseling, as applicable, including without limitation; adherence to national professional standards relating to telehealth, as used in this subsection, telehealth has the meaning ascribed to it in NRS 629.515. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct.
- Hal: I think we can toss this one. The references to telehealth take us to the wrong place and while we may have concerns with the awareness of this respondent to what she should be doing in terms of professional conduct there, I don't think there's been evidence in that that's the result of failure to stay current with the emergent knowledge.
- Jenny: There is a piece where we're talking about marriage and family therapists and clinical professional counselor intern shall critically examine and keep current with emergent knowledge relevant to counseling as applicable and then it says including telehealth, but I read that as emergent knowledge relevant to counseling in our profession, all of it, plus telehealth, which is a part of it. My understanding is this is the umbrella of emergent counseling knowledge and processes and furthermore with telehealth. I did hear in the testimony that Ms. Hernandez said it wasn't possible to meet with her supervisor because of COVID and we actually did relax telehealth laws that opened up and allowed us to have telehealth and stay connected with not just our clients but also our supervisors. So, I have trouble believing that that was the reason that kept Ms. Hernandez from being able to speak with Ms. Harris. So, I think this actually might have been proven and so I do accept count six.
- Steve: I believe that count six also applies. This statute is in line with Medicaid laws. It's in line with our code of ethics and all of our statutes and it's not just the expressed use of telehealth, to Jenny's point, it is the exchange of communication. There was the fraudulent activity obviously happened through technology and Jenny brings up a very interesting point. All of us who are supervisors on this Board were supervising during COVID and I'm pretty sure we did it over the internet with our people. To the point, Ms. Hernandez was not current with emergent knowledge relevant to counseling, I think that is found and the mechanism or the modality through technology I think also applies.

- Jennifer: I don't disagree at all with what the two of you are saying and I'm sort of thinking about Hal's point in what we've accepted as the facts. There have been parts of our discussion that are so clearly in support of what the two of you are saying then I wonder then how we're connecting that. So then in your arguments, for Steve and for Jenny, what I think I hear you saying is that the fact that the Medicaid fraud happened in the first place is evidence of a lack of remaining up to date on emerging practices in the field of counseling, which includes billing practices.
- Steve: Yes.
- Jennifer: Okay. I want to make sure I understand that correctly.
- Marta: I agree with Steve and Jenny. Especially since it's been within the last maybe five or six years that Medicaid went to online billing so that would be emerging information for billing at an electronic level.
- Steve: Telehealth isn't simply the practice of therapy over the internet. It is also the exchanging of evaluations, treatment notes, billing, et cetera. I'll need a motion one way or another.
- Motion that alleged violation of law number six has been proven: 1st Marta, 2nd Jenny; Hal opposes; Sara abstains; Motion approved.
- Steve: Count seven, unprofessional conduct the allegations contained in paragraphs one through 22 are hereby incorporated as a fully set forth herein. This conduct violated NAC 641A.243 subsection 15 which states that a marriage and family therapist, clinical professional counselor or intern shall comply with the provisions of this chapter and chapter 641A of NRS and all other applicable federal laws and regulations. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct. We already have ample evidence that federal laws were broken as well as quite a few violations of our codes of ethics.
- Motion that alleged violation of law number seven has been proven: 1st Jenny, 2nd Sheldon; Sara abstains; Motion approved.
- Steve: Count eight on professional conduct. The allegations contained in paragraphs one through 25 are hereby incorporated as if fully set forth herein. This conduct violated NAC 641A.243 subsection 17, which states that a marriage and family therapist, clinical professional counselor or intern shall notify the Board in writing within 10 days after: an action is taken against any license, certification, registration or other credential held by the marriage and family therapist, clinical professional counselor or intern that was issued by the District of Columbia or another state or territory of the United States, a criminal charge is filed against the marriage and family therapist, clinical professional counselor or intern. Therefore, the respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct. I think we have ample evidence and admission from Ms. Hernandez that this did not occur. She did not notify the Board in a timely manner.
- Motion that alleged violation of law number eight has been proven: 1st Jennifer, 2nd Sheldon; Sara abstains; Motion approved.
- Steve: Count nine on professional conduct. The allegations contained in paragraphs one through 28 are hereby incorporated as a fully set forth herein. This conduct violated NAC 641A.252 subsection four which states that a violation of the provisions of a Code of Ethics adopted by reference

pursuant to this section constitutes cause for disciplinary action. NAC 641A.252 subsection one, subsection A, references the AAMFT Code of Ethics of the American Association for Marriage and Family Therapy. The AAMFT Code of Ethics Standard three, Section 3.20 states that marriage and family therapists pursue appropriate consultation and training to ensure adequate knowledge of and adhere to applicable laws, ethics and professional standards. The AAMFT Code of Ethics Standards eight, section 8.40 states that marriage and family therapists represent facts truthful to clients, third party payers and supervisees regarding services rendered. Therefore, respondent is subject to discipline pursuant to NRS 641A.320 for unprofessional conduct. I think that we have demonstrated thoroughly that she did not seek regular consultation, especially with her primary supervisor on what would be best practices.

- Jenny: I agree. I see Ms. Hernandez showed up today with such an interest in the applicable laws, ethics and education. I wish we were back in time and there would've been that same kind of insight and reflection then. I think we've proven count nine here.
- Motion that alleged violation of law number nine has been proven: 1st Jennifer, 2nd Marta; Sara abstains; Motion approved.
- Ziwei Zheng: Now it's time for us to determine discipline.
- Steve: Ms. Rasul, you already read what your recommended discipline is and what I recall is that it is administrative fines, legal fees, and a 10-year suspension of the opportunity to reapply for internship. Was there more?
- Henna: She may not apply for any marriage and family therapist intern license in Nevada for 10 years from the date of the order and then after that there are conditions, should she reapply when she does.
- Steve: Right and the conditions for reapplication involve continuing education. What else?
- Henna: Prior to submitting the application for the new license, she would submit proof and verification to the Board's satisfaction that she has fulfilled her financial obligations of the order. After meeting the financial requirement to the Board's satisfaction, she may submit an application including associated costs and fees or a new intern marriage and family therapist license. She must comply with all new application requirements to restore her license. In effect, at the time she's eligible to restore her license including but not limited to any required examination. She would need to complete 30 hours of Board approved interactive continuing education courses in ethics and ethical billing practices prior to the approval of the application. Upon successful completion of the coursework, she must send the certificate of completion to the Board office within 30 days. She would then need to submit to a forensic, psychological or psychiatric evaluation to determine her fitness to practice marriage and family therapy.

The evaluation must be completed by a Board approved forensic psychologist or psychiatrist who is unrelated to Ms. Hernandez by way of family or friendship. The evaluation report would need to be submitted to the Board with her intern application. If the forensic, psychological, psychiatric evaluation determined that Ms. Hernandez was not fit to practice, her marriage and family therapy license application would then be denied until such time she's deemed to fit to practice marriage and family therapy by a Board approved forensic psychologist or psychiatrist who is unrelated to her by way of family or friendship.

Should she fail to fulfill the requirements for restoration of her marriage and family therapist intern license, she would not be eligible to restore her license until all requirements have been met. She would not be eligible for licensure in this state via endorsement or reciprocity of any marriage and family therapist license or any substantially equivalent level of marriage and family therapist intern license conducted in any other state. And finally, in the event that her marriage and family therapist intern license is granted, the hours that she accumulated to date would be reviewed by the Board to determine if those hours would be applied to her new internship and the decision made by the Board today incorporated into the order that would be prepared would become effective today.

- Steve: Henna, what was the administrative fine?
- Henna: \$5,000. The total Board attorney's fees and costs as of yesterday are \$6,673.96 cents. That does not include the court reporter costs accrued today or the attorney's fees accrued today by myself and Ziwei Zheng, and also in preparation of the order that I will be preparing.
- Steve: Board, so far what we are looking at for the penalty phase are legal fees, an administrative fine, money to be paid to the Board, payment plans can be set up. I believe the fees in there as written were due within a year?
- Henna: Correct. The fine, attorney's fees and costs. When I say costs, that refers to the court reporter costs.
- Steve: Thirty interactive hours in ethics and billing, a forensic psychiatric evaluation to practice upon potential reapplication, no endorsement or reciprocity options to go and become licensed fully in another state and then sub into Nevada and a review of the previous hours should they be considered to substitute in now? The other big number is that she cannot reapply for 10 years as of the date of this order.
- Hal: I have some problems with 10 years because many things about this case are extremely egregious, but there are positive things. I'm much more comfortable with five years on this.
- Sheldon: I feel more comfortable with the five years versus the 10 years.
- Jenny: You had just suggested five years. Can you help me understand how you got to five years? What feels right about that?
- Hal: I just thought 10 was too much, but it had to be at least five because of the egregiousness of the various violations in here. So, it was just something which felt right to me and there was no other more specific thought process for me than that.
- Sheldon: I think in terms of everything that Ms. Hernandez is expected to do as well as some of the circumstances involving this case, I think 10 years is a little bit too long in my opinion. I felt comfortable anywhere between five and seven years.
- Hal: If we take a look at everything that's happened in this case, she's not been in a position to practice for a number of years before we start this order. So, you can almost say five years is maybe eight or something like that. So that's something to consider.

- Sheldon: I considered the consequences that she's already faced. Reputation to me is huge. Our reputation is everything, when that's tarnished, what else do you have? I feel that Ms. Hernandez has already suffered as pertains to that.
- Steve: While she was discharged from probation, the charges were not dismissed. The Office of the Inspector General says that she would be eligible after five years as of this last December. I think that we could mirror that.
- Marta: That is my rationale for a five-year time frame.
- Steve: I would like to give Mr. Murphy the opportunity to give us any response to the recommended discipline that we've been discussing. Would you like us to consider anything sir?
- Kevin Murphy: I really appreciate the opportunity. I think that this Board understands that a severe violation or multiple violations have occurred. Our request is the most heartfelt of pleas that this woman learned her lesson and she was begging for some kind of probation so that she can get back to clinical practice under the supervision and direction of somebody else. Our contention is that there are multiple mechanisms and oversight that you can employ that would allow her to get back to working under somebody else's license who trusts her.
- Steve: Throughout the testimony today, especially from Ms. Hernandez, I am troubled that I still can't find any awareness surrounding that she took the paycheck before the passion, and I'm not trying to hurt her feelings when I say this, but she very intentionally collected money for a substantial amount of time knowing that she wasn't providing any services. That is fundamentally against what we do as licensed therapists who go through graduate programs and very rigorous training. It should be profoundly understood that it is purpose over paycheck. This is a clear set of examples that it was paycheck first and I can't look past that. And today I did not see a demonstration of awareness of that on any level. I'm not comfortable going under five years at all.
- Lauri: I agree with that.
- Hal: One other question I have is why we need a psychiatric evaluation?
- Steve: I support the forensic psychiatric evaluation for a comprehensive understanding of one's awareness, emotional and mental adaptability, biases, and overall temperament to provide clinical services. I really don't question kindness, character and intent. I know that I had a supervisor many years ago who really drove it home that so many ethical missteps happen with good intentions, but we have to be able to go past character and intentions for clinically sound work and that's missing. I think that a solid forensic evaluation would be able to dig into life, lifestyle, ability, adaptability on a clinical level.
- Hal: That helps me feel much better about that.
- Jennifer: I want to affirm what you were saying and to add that. Some of the defense that we heard, and even some of the character witnesses that we heard today cited Ms. Hernandez's mental capacities during illness. As somebody who's been through health concerns during practice, I felt the need to step back, seek lots of consultation and supervision to make sure that I was able to do my job. The fact that multiple people referenced that she made the decisions that she made in certain capacities because of a lack of mental acuity in some moments of illness that reaffirms then

that if we're going to reestablish practice, that we would want to know that whatever that was is no longer a concern. That's my thought.

- Sheldon: It seems like Ms. Hernandez has been through a lot. Life is life and it has plenty of ups and downs. So, my question is how is someone going to navigate those curve balls or those storms that life presents us with? How are we to navigate it in a clinically appropriate fashion?
 - Motion to approve the recommended disciplinary action subject to the following amendments: she may not apply for any marriage and family therapist intern license in this state for five years from the date of the order and a payment plan can be put in place: 1st Steve, 2nd Jennifer; Sara abstains; Motion approved.
4. Discussion, recommendation, and possible action regarding review and approval of minutes from the February 16, 2024, meeting (For possible action)
- Motion to approve minutes from February 16th meeting: 1st Jennifer, 2nd Jenny; 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 Approved Clinical Supervisor	University transcript showing 45-hour graduate-level supervision course	Mentor Signature of Supervisory Experience
Zella Childs	Yes	N/A	N/A
Shannon Shreve	Yes	N/A	N/A
Jillian Wendelin	Yes	N/A	N/A
Lawrence Jackson	Yes	N/A	N/A
Julia Catlin	Yes	N/A	N/A
Sara Duerksen	Yes	N/A	N/A
Stacy Holbrook	Yes	N/A	N/A
Laura Brassie	Yes	N/A	N/A
Ricardo Rios	Yes	N/A	N/A
Rhonda Lawrence	Yes	N/A	N/A
Katharine Didericksen	Yes	N/A	N/A

- Motion to approve the slate of applicants as Primary Supervisors: 1st Jennifer, 2nd Hal; No abstentions; Motion approved unanimously.
6. Review/Decision regarding the following applicants who have petitioned the Board for approval of prior experience hours: (For possible action)

Applicant	Total Number of Hours	Prior Experience Form	State Verified Hours	Letter from Previous Supervisor
Keasha Walton-Ellis	1900	Yes	Yes	No
Cecily Fernandez	1610	Yes	No	Yes

- Jenny: May I just get a little clarification? Where you documented the hours for teaching and then the additional training. I think you had maxed out on those. I just wasn't really confident in my math when I went through your logs.
- Keasha Walton-Ellis: I maxed all my stuff out from everything I had. So, between my doctorate and my MFT, I probably have over 8,000 hours.
- Steve: I have no hesitation granting this.
- Sara: I double checked the math, and it is right.
- Motion to approve prior experience hours from out-of-state for Keasha Walton-Ellis: 1st Steve, 2nd Sheldon; Jennifer abstains; Motion approved.
- Joelle: Cecily was licensed as an associate in California. In the state of California, the logs are only a part of the final application for licensure. So, since Cecily did not apply for full licensure in the state of California, there's no logs on file with the BBS. I spoke with Cecily, she does not have a copy of those logs, which is why you see a letter from her previous supervisor in the state of California and then a letter from Cecily explaining her justification for the hours she's submitting.
- Marta: I'm a little concerned because I know it's been quite a few years, but we had a similar type of a situation, and we did not accept the hours because we did not want to set a precedent for it when we did not have the documentation to support it.
- Steve: I'm hesitant without the logs.

Sara: The letter does state that she was under the supervisor's supervision for approximately four years from 2012 to 2016.

- Jenny: I went back to our language, and we said logs or letter and that does make this a little trickier. Her letter of recommendation was strong. Would Mr. Powell sign off on our state verification form or letter?
- Steve: So, Jenny, are you proposing if we get an affidavit from the supervisor vouching for the hours on that sheet?
- Jenny: I like that idea.
- Cecily Fernandez's petition is tabled for future consideration allowing for an affidavit from her previous supervisor that those hours are correct.

7. Review/Decision regarding the following applicants who have petitioned the Board for approval of prior experience hours: (For possible action) – Lidia Milicevic

- Joelle: Ms. Milicevic had an intern number previously and now she's reapplying for another internship number. She was actively working as a clinical licensed drug and alcohol counselor under the Drug and Alcohol Board during her inactivity with our Board. She is now requesting that the hours accrued under the clinical license for drug and alcohol be applied to her new CPC intern license.

- Steve: I'm under the impression that those are different scopes of practice and licensure, but I invite you to unmute and tell us your thoughts on why LADC hours should apply for CPC hours.
- Lidia Milicevic: Thank you all for your time and consideration today. So, both LCADC and CPC interns can diagnose from the DSM. Our scope of practice includes mental health conditions including substance use disorders for both licenses. We both take the national clinical mental health exam. We both assess, diagnose, and treat mental health conditions. Under the LCADC, they must occur with substance use. Under the CPC, they do not have to co-occur. We both have master's degrees for both licenses. I'm just using that to simplify and to speak quickly. With the LCADC, we complete 4,000 hours, 2,000 are mental health and 2,000 substance use. Of course, with the CPC we complete 3,000. As far as the scope of practice for NRS 641C.065 and NRS 641A.065, it says essentially, we are providing assessment, diagnosis and treatment for clinical mental health. The primary difference between LCADC and CPC is that LCADC cannot diagnose psychosis. Other than that, the assessment treatment diagnosis is equal. Thank you for your time.
- Steve: Lidia, what can an LCADC do that a CPC cannot?
- Lidia Milicevic: The question is actually kind of more reversed. There's more liberty, a greater scope in the sense where someone can have depression, they don't have to have co-occurring substance use. So, to reverse it, it's the CPC that has that ability.
- Steve: That's my understanding as well. So, help me get on board with your petition for us to allow your LCADC hours to be CPC hours.
- Lidia Milicevic: So, I kindly request, of course I will accept the mercy and the grace that you're willing to offer with respect to allocating hours. I just request that a portion of, not the 4,000, but at least a portion of the 2000 that were specifically clinical mental health hours that I received some reciprocity for that. So, I did not request that the said hours be considered just some of the 2000 hours for clinical mental health that they be considered.
- Steve: Tell me about your supervision. Was that under the purview of a CPC or MFT?
- Lidia Milicevic: My supervisor for the LCADC? No, they were not. They were LADC supervised.
- Marta: Was your supervision done by an LCADC?
- Lidia Milicevic: My supervision was done by LCADC supervisor.
- Marta: I have been a state approved supervisor for the Alcohol and Drug Board for many years. So, for me it would be important that your supervisor held the LCADC license, which has the mental health component to it, whereas the LADC license has a limited scope of practice, whereas the LCADC has a much broader scope of practice.
- Sara: I was curious about your degree and your course of study.
- Lidia Milicevic: I have two master's degrees. One master's degree is a Master's in Education Guidance and Counseling. The second master's degree is a Master of Science Clinical Mental Health Counseling. Thank you.

- Steve: Based on the differences in scope and in training and practice throughout internship, I'm not comfortable granting these hours to be transferred.
 - Marta: I'm not so comfortable with the supervision hours, but the group hours and the hours below the group, the categories below the group at hours, I'm much more comfortable in accepting.
 - Jenny: I would probably accept some documented teaching and maybe some additional training so I could potentially see up to 400 hours in there.
 - Steve: How about we ask Ms. Lidia to reapply a transfer of hours or with documentation of her teaching and additional training for our consideration?
 - Agenda item is tabled for future consideration allowing Lydia to come back to us with an updated petition for hours in the categories of teaching and additional training.
8. Disciplinary Matter – Recommendation for Dismissal (For possible action)
- a. Case No. NV21CPC003
 - b. Case No. NV21CPC004
- Motion to dismiss Case No. NV21CPC003 and Case No. NV21CPC004: 1st Jennifer, 2nd Lauri; No abstentions; Motion approved unanimously.
9. Review, discussion, and possible action regarding approval of Keith Stark's application for licensure as a MFT intern (For discussion/possible action) – Joelle McNutt
- Joelle: Keith has been an intern for six years and had to reapply for a new number to continue his internship. And upon reapplication, Keith answered no to the ethical considerations or background information when there was an arrest that populated on his background check results.
 - Steve: Mr. Stark, are you comfortable walking us through the situation?
 - Keith Stark: My wife and I got into an argument, and she hit me. During that process the cops came. When the cops came, they were going to take her to jail and immediately I said no. I made the decision to go in her place. I've never been in any trouble of any shape or form of this magnitude. I'm thinking it's a 12-hour hold. I go, I'm there for two and a half days. It was dismissed and because I didn't understand that I thought dismissal meant that there was nothing attached to that. So, me not telling the Board, I honestly can say I admittedly say that I didn't think about communicating with the Board because I thought it was dismissed and there were no charges.
 - Steve: I appreciate your vulnerability and your transparency, sir. Has there been anything else that is noteworthy that has transpired since then?
 - Keith Stark: Outside of the fact that I now have added speaking out against domestic violence in married couples, definitely for men, it's very difficult for men to speak out to say that they struggled with that. I talk about that a lot. I did some additional counseling for myself. I went through some EMDR for myself, my ex and I have a cordial relationship where we've worked through our issues. We're definitely divorcing, and we've moved on.
 - Steve: What is your internship plan?
 - Keith Stark: Once this is behind me, my goal is to take the test this summer.

- Motion to approve Keith Stark's application for licensure as a MFT intern, with consideration that the misstatement on his application was based on reasonable confusion by the applicant and should not be a basis for denial, and the acceptance of his accumulated hours: 1st Jenny, 2nd Sara; Marta and Sheldon abstain; Motion approved.
10. Review, discussion, and possible action regarding review of financial statements 2nd Quarter FY24 ending December 31, 2023 (For discussion/possible action) – Joelle McNutt
- Joelle: I have provided you with the balance sheet, profit and loss and the bank transactions report. There is a lot of activity because we had 1700 transactions in the month of December alone. Everything looks good.
 - Motion to approve financial statements 2nd Quarter FY24 ending December 31, 2023: 1st Steve, 2nd Marta; No abstentions; Motion approved unanimously.
11. Review, discussion, and possible action regarding approval of revised Board budget for FY24 ending 06/30/2024 (For discussion/possible action) – Joelle McNutt
- Joelle: Lauri and I had a plan to do a revised budget once the lease was negotiated. The lease is still in process. There was \$8,965.93 that was remaining as net income on our previous budget that I need to move to the medical insurance category. PEBP notified us of their new rates after the June meeting last year. It's back on the agenda today so that the auditors will see an approved budget with the appropriate values where they should be.
 - Motion to approve the revised Board budget for FY24 ending 06/30/2024: 1st Lauri, 2nd Sara; No abstentions; Motion approved unanimously.
12. Report from President (Advisement)
- Steve: I will be relinquishing this chair in June, so that's probably our next meeting. Joelle's annual review is due in June.
13. Report from Treasurer (Advisement)
- Lauri: Joelle and I are getting together in May to revise the budget. Everything is in order.
14. Report from Executive Director (Advisement)
- Joelle: Just a few things. I provided the productivity spreadsheet. I just wanted to give you a quick update on the communication from the Governor's office. I've received several emails requesting status updates about where we are at with the removal of our regulations included in Executive Order 2023-003. I was at the Legislative Commission meeting yesterday and our regulations were adopted. I wanted to give you an update on the new Office of Boards, Commissions and Council Standards. We now have an organizational chart, and a Deputy Director was appointed. I did reply and give comments on the survey that was requested by that office. And then I did receive communication directly from Nikki on some additional information she needed. She asked for our audited financials. I did give that to her, so I haven't heard back from her if there's any further inquiry that she has at this time. So, the only other thing is the material weakness that showed up in our audit was that we need some way of assuring that we are complying with any new directives that come from the Governmental Accounting and Standards Board. So, I will probably have a contract for your approval at the next meeting for a CPA on retainer.

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

- Henna: No report.

16. Discussion regarding future agenda items and possible future meeting dates

- Joelle: There will be a potential disciplinary hearing at our next meeting. I would probably prepare for two days on that.
- Steve: So, do we want to look at Thursday and Friday, the 20th and 21st?

Joelle: Two full days on June 20th and 21st.

17. Board member comments

- Marta: I just want to say a big thank you to Henna and for the hard work that she puts in for these hearings. You just impress me every time and I appreciate your service to us and to the state of Nevada. I also appreciate Steve so much. We will miss you as the President. You transferred us into a really good place.
- Steve: I appreciate you. I echo so many of those thoughts.
- Henna: Thank you so much for everything. I am really impressed with this Board. You deliberate so well, and it makes for a strong record.
- Sheldon: Steve, are you stepping down from the Board completely?
- Steve: No, I will be around.

18. 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)

- Toni Garguilo: I've been with you all day long. You all do such wonderful work. You are gracious, professional, kind, tenderhearted, and ethical above all else. You just have my deepest respect.

19. Adjournment

- Meeting adjourned at 4:41 PM.