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Dr. Sheldon Jacobs, *Member*
Sara Pelton, *Member*

MEETING MNUTES
FRIDAY, SEPTEMBER 20, 2024 at 9:00AM

Teleconference

Nevada Board of Examiners
For Marriage & Family Therapists and Clinical Professional Counselors
500 N. Rainbow Boulevard, Suite 201
Las Vegas, NV 89107

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 9:01 AM.
 - Board members present: Sara Pelton, Marta Wilson, Jenny Stepp, Sheldon Jacobs, Jennifer Ross, John Nixon
 - Board members not present: Lauri Perdue, Steve Nicholas, Hal Taylor
 - Staff present: Joelle McNutt, Stephanie Steinhiser, Senior Deputy Attorney General Henna Rasul
 - Members of the public: Brittany Burba, Jeanyne Ward with CASAT, Avalon Hope, Naomi Wilborn, Natalya Sayegh, Rodney Johnson, Todd Cospewicz, Maleia Trembley, Emma Bartlett, Bria Culp, Arion Robinson

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 Anita Momodu, Case No. NV23CPC006. This agenda item may include review and consideration of a consent decree (For possible action)

- Motion to accept the consent decree as written in the matter of Anita Momodu, Case No. NV23CPC006: 1st Jenny, 2nd Marta; No abstentions; Motion approved unanimously.

4. Disciplinary hearing on Complaint and Notice of Hearing in the Matter of Charlene Price, Case No. NV23CPC007. This agenda item may include review and consideration of a consent decree (For possible action)

- Motion to accept the consent decree as written in the matter of Charlene Price, Case No. NV23CPC007: 1st John, 2nd Sheldon; No abstentions; Motion approved unanimously.

5. Disciplinary hearing on Complaint and Notice of Hearing in the Matter of Terri Jackson, Case No. NV23CPC008. This agenda item may include review and consideration of a consent decree (For possible action)

- Motion to accept the consent decree as written in the matter of Terri Jackson, Case No. NV23CPC008: 1st Jenny, 2nd John; No abstentions; Motion approved unanimously.

6. Disciplinary hearing on Complaint and Notice of Hearing in the Matter of April Brown, Case No. NV23MFT010. This agenda item may include review and consideration of a consent decree (For possible action)

- Motion to accept the consent decree as written in the matter of April Brown, Case No. NV23MFT010: 1st Marta, 2nd Sara; No abstentions; Motion approved unanimously.

7. Board consideration of Consent Decree in the matter of Emma Bartlett, Case No. NV24MFT007 (For discussion/possible action)

- John: It's a good reminder that it is when charges are filed that the licensee is obligated to report those charges, criminal charges other than minor traffic violations to the board within 10 days.
- Jenny: Ms. Bartlett, are you a supervisor?
- Emma Bartlett: My application was approved, but since all of this came about, I was just instructed to not proceed with that because of what was happening would interrupt those processes.
- Jenny: Have you completed the supervisor training?

- Emma Bartlett: I have.
- Jenny: I am a little concerned and in this situation that this licensee does or should have had more education and information on our processes. I'm not totally sure if this is enough of discipline.
- John: Actually, this has been a thing for me too. Most legal ethical classes really ignore the legal part. All these examples show that in our academic training, in our grad programs, there really needs to be work on how the law is read and interpreted and applied because this is what happens, and the academic programs tend to not focus on the law like we should.
- Jennifer: Those are both really good points. It makes me think about our discussion last month about jurisprudence exams and the helpfulness of that. So, Jenny, with your concerns, I'm wondering if you're thinking that we need to take a closer look at item three regarding the continuing education, either hours and or categories and/or the six-month restriction on working with supervisees.
- Jenny: I trust that our team has put together a good consent decree here. So, I don't want to create more work, but I would maybe consider a year probation as opposed to the six months and a year off of intern supervision.
- Marta: I'm even more concerned about the supervisory status of even one year with somebody having oversight over interns. That's more concerning to me. I would like to see something addressed with some further training with the supervisory status part.
- Sara: I see that the respondent is a MFT approved supervisor. There is a refresher course that happens through AAMFT, I think it's six CEUs. I'd be comfortable with before supervising taking that refresher course even though it hasn't been five years into supervision yet. I just looked it up for AAMFT. It's a six-hour supervisor refresher course and there's two different options. You can do a hybrid, or you can do the six-hour virtual interactive course. If we're going to consider adding that, I would probably prefer the six-hour interactive course.
- Jennifer: I'm in alignment. It seems like we're in a position to propose some adjustments to what's been offered here in the consent decree. I'm wondering if we can start to refine this a little bit more into something tangible that we can present back to Henna.
- Sara: So, I think what I would be comfortable with is probation from supervision for 12 months and the six-hour interactive AAMFT refresher course for supervision.
- Marta: I still would like to see more than one year.
- Sheldon: Would 18 months be sufficient?
- Emma Bartlett: I'm taking it all in and I'm humbled and appreciative. When I came back and connected with this agency, there was a lot of support, a lot of clinical training. We set goals and my goal was in three years to do supervision. I feel like my life was on track to move into that goal prior to this tragedy that occurred in my life involving my sister. I was just in love with my work. I still wanted to do supervision. That's just my passion. Since I've been in the helping field, I've always been resourceful. I've always helped team members, other clinicians because I just felt like if I help

them then their work is then they can do their jobs well and our clients can get the services they need. I still function like that in our weekly clinical meetings. Thank you for all of your input because it's helped me sit back and kind of have a little relief. It was my error to not follow through, but I was so overwhelmed and traumatized by what was happening. One thing I did know is that the Board did need to know, and I did need to be honest. What I did learn is that the most powerful thing for me is that when we're not sure, just call the Board. I'm very humbled and grateful for your expertise and your wisdom. I don't want to cause harm. I don't.

- Jennifer: We appreciate your comments, Ms. Bartlett, and I especially appreciate your humility in your discussion. I'm very glad to hear that you are willing to take some time and pleased that we don't have to report back to you that this is a career ending situation, just a learning opportunity. So, it appears that what we have standing in front of us is an 18-month probation, a six-hour interactive, AAMFT refresher in addition to the 10 hours of ethics that relate specifically to self-care.
- Motion to accept the consent decree in the matter of Emma Bartlett, Case No. NV24MFT007 with the amendments of an 18-month of probation and the inclusion of the six-hour AAMFT approved supervisor refresher course, the interactive one with those CEUs being able to be counted toward license renewal: 1st Sara, 2nd Marta; No abstentions; Motion approved unanimously.

8. Discussion, recommendation, and possible action regarding review and approval of minutes from the August 16, 2024, meeting (For possible action)

- Motion to approve minutes from August 16th meeting: 1st Sheldon, 2nd John; No abstentions; Motion approved unanimously.

9. 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
Tracy Legee	Yes	N/A	N/A
Sean Miller	Yes	N/A	N/A
Ryan Simpson	Yes	N/A	N/A
Rodney Johnson	N/A	Yes	Yes
Alyson Mullen	N/A	Yes	Yes
Todd Cospewicz	N/A	Yes	Yes

- Jennifer: I have a couple of questions. So, I'm not sure we will be able to do these in a slate or not. A few look really clean to me, I wanted to bring to the Board's attention that the first applicant, Tracy Legee, is supervising for a program that I'm the project director for, so I have to abstain from voting on that one. I do have some questions for Rodney Johnson and Todd Cospewicz.
- Motion to approve Tracy Legee as a Primary Supervisor: 1st Jenny, 2nd Sara; Jennifer abstains; Motion approved.

- Motion to approve Sean Miller, Ryan Simpson and Alyson Mullen as Primary Supervisors: 1st Marta, 2nd Sheldon; No abstentions; Motion approved unanimously.
- Jennifer: Mr. Johnson, in looking at the application, one of the things that caught my attention is that your hours verification letter is signed by somebody you share a last name with, and I wanted to get some clarification about who that person might be.
- Rodney Johnson: She is my wife, she's also the clinical director where I work and so she's, my boss.
- Jennifer: It seems to me as potentially a conflict of interest for your wife to fit in a supervisory capacity for you. More so for her as a supervisor but I think it comes with some implications that I wanted to bring to the Board's attention for discussion and consideration.
- Marta: There could be a conflict of interest because sometimes the state supervisor, approved supervisor may be in conflict with other supervisors, clinical directors, or different supervisors at an agency. It may have to do not necessarily with an administrative piece because I think most state approved supervisors realize that each agency has its own administrative process. However, when it comes to other aspects of perhaps how somebody looks at a case, whether a certain theoretical position might be better orientation for a case, even a diagnosis that may show up, the primary state supervisor and who the license is under needs to be able to have that responsibility and authority to make sure that that supervisee is working under them.
- John: We have adopted the ACA, NBCC and AAMFT ethical codes. We need to take that into consideration. We do have principal F.3.d: Friends or Family Members in the ACA Code of Ethics. It states that supervisors are prohibited from engaging in supervisory relationships with individuals with whom they have an inability to remain objective. I just offer that perspective.
- Jennifer: Thank you, John. That was my concern as well.
- Sara: I just want to make sure I have it in my head that this was mentorship not a supervisory relationship. It's tricky.
- John: It is mentorship which is supervision of supervision so isn't that a supervisory relationship?
- Sara: Yes, correct.
- John: I also did find in the AAMFT Code of Ethics, this is principle 4.6, Existing Relationship with Students or Supervisees. Examples include but limited to business or close personal relationships with supervisees or supervisees, immediate family. So, I think we have it clearly in the codes and it triggered our own dual relationship concerns. So, I think we do need to be aware of that and what implications that would have on this.
- Rodney Johnson: First of all, we keep our business life very separate from our personal life. We are all independent contractors. So, I work for myself. I am individually credentialed with all the insurance companies that I work with. So, I am billed under my name, not under an umbrella. It's an independent business. So just understanding that it's a completely independent situation where I am responsible strictly to the owner of the company.

- Jennifer: Thank you very much Mr. Johnson for adding those points. My thoughts are, while all of that may be true, I think the fact remains that in a supervision of supervision relationship, that there is still the concern of a dual relationship that's pretty clearly outlined in the ethical codes. I think my concern is if we approve with this letter that we set precedence that sort of defies the codes and well legally, I'm not sure that we can do that since it's written into statute. I also worry about what we open up if we make an exception. So that's my concern. We need your supervision of supervision to happen with somebody who doesn't have a potential conflict of interest. Somebody who's not a friend or relative.
- Motion to deny Rodney Johnson's application for Primary Supervisor: 1st John, 2nd Marta; No abstentions; Motion approved unanimously.
- Jennifer: Mr. Cospewicz, we have a few questions for you in looking at your application materials, a couple of things stand out to me. The first is that in lieu of a university transcript, we have a certificate that it appears like a CEU certificate rather than a transcript. I notice it's from a School of Social Work and would like to bring to the Board's attention that your letter supporting your 25 hours was signed by somebody with a Doctor of Public Administration. I'm wondering from the Board's perspective about whether that qualifies a person to sign off as having completed supervision of supervision for counselors.
- Todd Cospewicz: Sure. So, I submitted a few options for the graduate level course to Joelle before I took the one that I took. It is listed clearly as far as advertising the course as a graduate level certification in clinical supervision. It was three or four months long, four hours each class. It was presented as a graduate seminar. So that was the structure of the course. I reached out to Smith College, and they do not issue transcripts for graduate level certification, just that certificate of completion. As far as the supervision of supervision, I totally misunderstood that. I thought it was just someone who could verify that I have supervised individuals within this field. I've actually taken two courses. It was a CEU that was pretty extensive as well, but then I couldn't meet the other requirements.
- John: I was looking at NAC 641A.182, which is the qualifications of supervisors. So, it does say a 45-hour minimum course in supervision of marriage and family therapy, or clinical professional counseling as determined by the Board to be appropriate. It does say 25 hours mentored supervision as another one of the specifications. So that sounds like that's where the sticking point might be.
- Todd Cospewicz: I do want to clarify, it was through the School of Social Work, but the actual course itself was not social work specific.
- Jennifer: How many hours was the course?
- Todd Cospewicz: It was 16 weeks, and it was three and a half hours each week, so 56 hours.
- Jennifer: So, the equivalent of a semester long.
- Todd Cospewicz: It was very informative and either way I'm glad I took it. There was a whole section on avoiding stress and burnout and telehealth practices, which here in the rurals is golden to me, so I'm going to utilize it within my career, whether it's official or not.

- Jennifer: I'm part of a couple of initiatives that are working on workforce development and especially supervisor development in the rurals. I think as a Board we understand the position that you're in trying to find a supervision community and a mentor supervisor. So again, not wanting to create barriers where we don't need one but wanting to be mindful about the precedent we set as a Board and that we're being thoughtful about the decisions that we make. So other Board members, where is this hitting you and what thoughts do you have about our options?
- Sara: I'm okay with the course. It sounds like ethical codes for other license types were covered. It wasn't just social work. So, I'm back to the mentorship. I mean you have a lot of supervisors in Nevada who could provide that via tele-supervision.
- Jenny: I'm on the Smith College School for Social Work. I found the course you took, and it does look a supervision type course. It says it's a 25-hour course of instruction. I see the two and a half hours live interactive which meets each week for 10 weeks. Just what is posted right now is a discrepancy and so I'm putting it out there. This is a tricky situation and if we're going to offer some wiggle room, which I think we would all love to do because of the type of work that you're doing, I just want to make sure we're dotting our I's and crossing our T's here. This would be quite an exception.
- Jennifer: So, I'm looking at your certificate. The Foundations of Clinical Supervision program: March 14th to April 16th, so that looks like two months, March to April, April to May.
- Todd Cospewicz: Potentially maybe it was a part one and part two and I need to reach back out to Smith College and maybe I am owed another certificate of completion.
- Jennifer: I see their Foundations of Clinical Supervision certificate. It looks like that there are multiple courses. What I hear coming from the Board members is that we definitely recognize the need for qualified supervisors in the rurals and we support you pursuing this. I think there are some basic requirements that we need that even if we were to make an exception for the certificate that we have that we probably do need to make sure that we have evidence that it was a minimum, a 45-hour course and that you've had the supervision of supervision. Is that a fair summary of what I'm hearing from other Board members?
- John: Yes.
- Sheldon: Yes.
- Jennifer: So, it sounds like you have maybe a little treasure hunting to do with Smith College to get the documentation and I don't know if they have a version of their certificate, they can give you that specifies hours or some written documentation perhaps that verifies the number of hours that the program had required of you. How would the Board like to address the supervision of supervision?
- John: We can waive the physical face-to-face requirement, if that is still in place, and accept it all virtual. I'd be good with that.
- Sheldon: I concur with John.
- Motion to deny Todd Cospewicz's application for Primary Supervisor: 1st Marta, 2nd Sheldon; No abstentions; Motion approved unanimously.

10. Review/Decision regarding the following applicants who have petitioned the Board for approval of prior experience hours from out-of-state: (For possible action)

Applicant	Total Number of Hours	Prior Experience Form	State Verified Hours	Letter from Previous Supervisor
Derek Carroll	1950	Yes	Yes	Yes

- Joelle: Derek was fully licensed in the state of California and his license expired in October of 2014. The license verification from California shows that he did complete 3,000 supervised hours over the course of two years.
- Jennifer: Do you have any information on what has been happening for the last 10 years?
- Joelle: He did not share that with me. The Board has approved varying amounts of hours for applicants that have been fully licensed in other states.
- Jenny: I would be okay accepting these now because that's how we figured this new experience could potentially go. We have current day supervision in this time and place now. So, I'm okay with it.
- Sara: I agree with Jenny, and also, he would be taking a national licensing exam, in addition. I'm okay accepting all these hours.
- John: I agree.
- Motion to accept the hours for Derek Carroll: 1st Jenny, 2nd Sheldon; No abstentions; Motion approved unanimously.

11. Review, discussion and possible action regarding editing and final draft of letter of support for the Counseling Compact (For discussion/possible action) – Joelle McNutt

- Joelle: I did reach out to Lauri and Steve to get their feedback because I knew in advance, they would not be present today. Steve wanted to add “with the strong recommendation of a jurisprudence exam” in the last paragraph.
- Sara: I really like that recommendation from Steve because when I read through it, I thought we need to emphasize that portion a little more, maybe even bold print it. So otherwise, the letter is fabulous.
- John: The news last month that the licensure boards are being considered for reform was like a gut punch to me. I think this letter also in view of that potential shows that we're not looking to block the trending, but rather going with it and also elaborating what we've done so far as being very progressive toward workforce development and meeting the mental health needs of Nevadans. So, I think the letter accomplishes, especially with the addition yes, of the jurisprudence exam request, that it helps to show that we are viable as a decision-making body for the benefit of the public and accomplishes a number of things that way.
- Jennifer: Joelle, I think that you did a really nice job of also being able to say we already did that. No, we've done a lot as a Board to make licensure really accessible.

- Joelle: I hope the letter communicates that public protection is our main focus and if one person is harmed by this then it negates the whole point.
 - John: Absolutely. Protection of the public is job one. And what this also sets the path as well when MFT interstate compact comes on board, we have our senses about already worked through our understandings and conditions. So, it will lay our pattern for saying, okay, rinse and repeat and these are the things we want, the jurisprudence, we want these things because protection of the public is still our top priority.
 - Jennifer: I agree with you, Sarah, that even just bolding that piece or highlighting it in some way to make sure that it doesn't get lost and might be really helpful to emphasize the importance of it.
 - Joelle: Does anyone else have any changes that they want made?
 - Jennifer: I'm comfortable with this. I think you did an exceptional job. No other edits or additions.
 - Jenny: I thought it was so well written and really communicated our function as well as a cooperation to work together. It's just really pleased with it.
 - Motion to approve the Board's Letter of Support with the stipulations mentioned for allowing the option for a state jurisprudence exam as well as emphasizing protection of the public as being our primary concern: 1st John, 2nd Sheldon; No abstentions; Motion approved unanimously.
12. Review, discussion and possible action regarding new license type for registered trainees and proposed legislation for social work (For discussion/possible action) – Dr. Jennifer Ross
- Jennifer: So, you all have an example of the language proposed by the Social Work Board. This is something that had come up during my last AAMFT refresher. It just so happened that the facilitator of my refresher course was the MFT board president in Ohio. I was able to meet with her and chat with her about how that was working for them and just what some of the benefits and limitations were. They have a super board. I was curious about how much extra work is up in for their board office and how much of a mess has it been. You can see with social work example, there's two components that I think could really benefit our Board if we were to consider adopting something like this. One is on a gatekeeping level due to the legal departments and some universities. I've experienced this at UNR, I don't know how things are looking down at UNLV, but some of the online programs as well that some of the gatekeeping powers are limited in the program depending upon what their policies are and what the graduate school policies are. If we had student trainees registered with our Board, then we could be an oversight body to help support what the university training programs are trying to do. I think on a workforce development front as well, and knowing how many of our student trainees really struggle during practicum and internship, especially if they don't have a paid site with that additional health and human services read to then make them reimbursable, then we might be opening up the possibility of more paid student internships and more potential internship sites who would be willing to take students on. So that's my initial thought with this and I wanted to bring it to the Board for discussion and just to hear your thoughts and ideas and concerns. What do you guys think?
 - John: I would just say I raised this issue a few years ago. The Psychology Board was doing this and got legislation through. The awkwardness of it was that their outgoing Board president is also the

director of our joint partnership training clinic and while we're co-presenting on interprofessional collaboration, they did all of this for themselves and themselves only. I brought it to the Board and said, we don't have the overhead to deal with that. We don't want to mess with it. I love the fact now we're in a place to really consider this to see the advantage and it really would strongly impact internship opportunities because that is just a mess with sites that will only do it for cash pay or for pro bono is how they use students now because they don't or can't bill insurance for student trainees. It also establishes a connection then when they come for licensure of any concerns, behavioral issues. So, I am very much in support of this.

- Jenny: I'm coming at this from a different lens being that I'm a person in private practice and that I got my training and education in another state. I have a couple of questions. First of all, what would this entail for the Board office? I mean we are about to undertake the counseling compact, potentially a super board. My thoughts are, what does this put-on Joelle, can you speak to that at all? Are you comfortable talking about what this would look like for the administrative office?
- Joelle: Well, my initial thoughts are that this would be a new license type. So, it would potentially double the workload in the office because now we're going to have another license type. I don't know what your thoughts would be on trying to collaborate with the Social Work legislation. I don't know if that's possible but let's just say that's an opportunity. We would then have to write regulations for a new license type. Some of the other thoughts are I don't know what's going to happen financially with the counseling compact and what I'm looking at in terms of workload. I would like to refrain from hiring anybody right now when I don't know if I'm going to be able to keep them employed. So those are some of the considerations.
- Jenny: That's where my gut is talking to me that there are some unknowns that I would be open to some ongoing discussions about this. But while we're in the midst of a lot of change, I feel a little unsettled about it right now. Then I wonder, what about virtual programs or online programs that conduct that have educational programs across state lines? I would be curious on the feedback about that.
- John: So, I would say that online universities would look at the revenue because staff expand, and faculty expands based on enrollments. So, it's very elastic that way. So, they're flexible, or used to be, and capture opportunities and then add whatever staff, whatever infrastructure's necessary and order to make happen. This idea is very entrepreneurial, it's very opposite obviously of how traditional schools are, how government bureaucracies are.
- Jennifer: I'm also contributing faculty for Walden University, and I teach their practicum and internship. I work with students nationwide and some of whom live in states that have this registration, some of whom don't. I can't speak for all online programs, but Walden has a huge field office that have systems in place to help students navigate what's required by them so under the university training system, but then as it applies within their individual states because it's such a large program. So, on their end I think they're used to it because there are different regulations in different states. What I learned is that the registration is optional in Ohio. So, it's not something that all students living in the state are required to have, but something that either a program can require of them or that they can seek because the employer is asking them to do it more for the piece. So, the program can require it if they so choose based on the gatekeeping, but even if the program doesn't require it, then the employer or the internship can request it so that then they can reimburse. It's inclusive of students who are being asked to register or choose to register. So, the main advantage from a training standpoint is that it opens up opportunities for a more robust internship

opportunities because the employers would be able to get paid for the services for third party payers potential than paid internships as well. But the main thing is that they would have more training opportunities. We always seem strapped for sites in Nevada. That's one thing. The second thing is it opens up an accountability door, no continuing education requirement while they're in the academic program. Social work is probably more complex than what ours needs to be because they also license sites which we don't do. So, I think that it would actually probably be among the thinnest and lightest just it would be that registration would involve, essentially it would open a file. I don't think it would require much more than that because the university is tracking supervision, the university is doing all that directly, and that's kind of within their purview. So, we don't want to overstep what we already do in terms of simply accepting their university training as is. It simply would be a gatekeeping tool that would be supportive of the university training would open up the number of sites, but it still does remain a question in terms of the administrative impact in terms of time resources.

- Marta: Jennifer, thank you for sharing what Ohio is doing because that was very helpful. I see two things and one is having that registration. There must be some type of an application process, and we'd want to make sure that whatever university they have is consistent with the requirements of our state. The other thought that I had, had to do with whether it would be voluntary if the student wanted to do that or where they were going because at this point the university is the one that vets the sites that they go to. It could open up another can of worms if now they're asked to do something that's fraudulent, let's say with Medicaid.
- Sheldon: I have seen some practicum students from some of these online programs and what I've noticed this trend where a lot of students that are attending these online programs, they don't have the support compared to our in-state institutions where they do the vetting. I feel like there's just a lot that they're lacking, especially as it pertains to the practicum experience. So, the hope is that if things move forward, that could be a way to provide a greater oversight.
- Marta: How would that look if there was disciplinary action taken against with a student, somebody who's registered as a student intern?
- Sheldon: Is your question more of whose responsibility would it be? It would be the school versus the Board?
- Marta: Obviously if they were registered through us and a complaint came to the Board, we are protecting public safety. So, I'm just wondering what would that look like and are current regulations even allow for that at this time?
- Henna: I don't believe that your current regulations would allow for that at this time. You wouldn't have jurisdiction. I don't know of any type of licensure regarding this, so I can't really tell you how it would be applied. Currently, you wouldn't have any jurisdiction.
- Jennifer: I think part of this is the introduction of new language to define it. I think put us in a position to define the parameters in consultation with people who know things about how that all works. It would be interesting to look more into the language about the disciplinary side of things. I think that if a complaint were issued against a registered student intern that that would impact their ability to apply for a postgraduate internship license and allows for some gatekeeping then before they enter our jurisdiction, but we have it on record. I think it allows the Board to notify the program that a complaint was received, and the program would then be in a position to remediate or dismiss and

then it's handled in that way before they enter our jurisdiction. I'm thinking that we could actually make things easier by catching stuff early and having less complaints down the road. Jenny, to your comments on the timing. I hear you a thousand percent.

- Jenny: I'm going back to the counseling compact. That's going to be a really big deal, and we don't know yet what that's going to look like for our budget. So just trying to imagine taking on the change in legislation with the compact and how that's going to impact budget. How would we pay for this? Do we have the budget for this?
- John: Okay, so there is a lot to Jenny's point, there's a lot of changing going on and what does this impact mean and is this a potential lost opportunity if we just fail to move on it? Can we put our foot in the door somehow perhaps to say, yes, we're interested, but can you give us some time?
Sara: One thing I started thinking about, if a student is now registered, that would change the way they would be able to videotape sessions because now this would become part of a medical record instead of a training purpose. So, I'm just thinking of all the possible ripple effects that could happen from this too.
- John: We actually did address that on videotaping, and it was a level of a policy statement, but essentially it specifies that the record is to be temporary, but it is not considered to be part of the clinical record. The caveat is that yes, as long as it exists, a judge can subpoena it, but from our standpoint, it is a training record and therefore its existence is to be considered temporary. So, we do have language in place because right now there is videotaping because we can't imagine not doing competent training without video review to be able to see the work being done. So, we do have that statement, and we might need to then take that into consideration in terms of how that might fit into a larger thing. If we're talking about registration, maybe.
- Sara: Well, I'm thinking insurance regulations too. They might have an opposing viewpoint on that.
- John: They might, but it would be for the schools to hold fast to whatever their training standards are. I think part of our fear is that a lot would fall in our lap in terms of process gatekeeping, but I think maybe we're overthinking it in that regard. That falls back on the university to figure out.
- Marta: Just to give a timeframe. Back in the day when we used the VHS type tapes at that time, I believe UNLV was required to save those tapes for 10 years and then they could destroy them.
- John: All to the point that new language is written. Right now, for UNLV, it's until the end of the semester. So, in practical terms, in terms of supervision assist, which is a HIPAA secure environment, those recordings automatically purge on a rolling 90 days, so that way a student will have it for the duration of a semester. So there has been advancements since the old days videotape rotation. It was considered part of the patient record at that time. But to work from a training standpoint, we would want to reiterate that we don't consider the training record part of the client's medical record, but part of the training record and that the university has the obligation to ensure compliance with HIPAA and appropriate deleting to reaffirm that it's their responsibility as the training agent to do that.
- Jennifer: I believe as part of the training record, that those tapes are actually protected by FERPA as well. So, I don't know what the implications of that are in somebody trying to subpoena them, but I think that is double protection.

- Sara: I'm thinking about an insurance audit, wanting to look at recordings and patient privacy.
- Jennifer: Good point. Again, I can't speak for all universities, but I'm thinking about at UNR and even at Walden that because of how those videos are being housed, that they never really become accessible as part of a client record. John mentioned supervision assist. There's no connection between supervision assist and the EHR system that we're using on campus, for example. So, it is part of the informed consent that sessions will be recorded, but also, it's part of that informed consent that they will be destroyed after they're used and viewed by the supervisor.
- John: I would point out that in Arizona, they don't have a registration requirement for trainees, but the law is written differently within state agencies. So, all trainees work in the state agencies. We don't have that community infrastructure of agencies to be able to do that in. But recognize that there are situations where trainees are providers that under supervision, third parties pay for, and they're not registered by the state. So that exists as well. It's simply that the legislature has this template now because of psychology of the registered trainees and why. And then social works kind of following suit, what now? The law has been established that way.
- Jenny: So just to get my head around the process, enrolled student would then submit an application to our Board and then we would come up with what are the requirements? We would work on the legislation to pin down what this would look like, and then it would all be managed through Certemy?
- Joelle: Yes, that is how all of our applications are processed. I don't know what the proposed legislation says but there could be something to say who has jurisdiction over complaints. Any fees, how complaints would be handled would all have to come out of legislation. Does the application need to be renewed? Is it mandatory? Is it optional? Does that help, Jenny?
- Jenny: Yes, it does.
- John: So, if we get in there and we're included, then we still have time to develop how we implement it. Is that what you're saying, Joelle? In terms of putting it into to the code?
- Joelle: Yes and no. It's just as we are experiencing now with the counseling compact. So, we don't really know at this point what is being written to allow for us to be included in the counseling compact. So, we are hopeful yet strongly suggesting a jurisprudence exam, but we don't know if that's necessarily going to come to pass. I don't know how much influence we would have over the initial language. That's why it would be helpful to what's been submitted for social work, because that would give us a good idea of what it would look like.
- Jenny: That's what my gut is picking up on right now is that a lot of this would fall on Joelle at this particular point in time. I just want to be very protective about that and that we're eyes wide open about the point in time where we are right now. I just want that to be out there. And as soon as we were discussing that you would be Joelle, you would be ahead of it. We are so thankful for you and thankful to be working with you as a Board that has you, because look at what would happen if we didn't. And I want to be protective of you right now in this too. So, I just want to be aware.
- Jennifer: I would love to hear the opinions of other Board members as well. I am hearing that there are some important pieces of information that we would need. I wonder if our action at this point is just to sort of define some of those informational or data points that we need to then revisit at the next meeting and continue the conversation. We certainly don't have to make a decision about that

today. I do feel strongly enough about it to really want to continue the conversation and to make sure that we're doing our diligence.

- John: I agree on all points, Dr. Ross. Something to consider should social work get on board, once they are up and running, those of us who do internship placements or help students find sites, know that our program competes with other programs and other schools. This could open them up to a larger number of agencies and usually some of the topflight agencies and those present then training opportunities. The social work example is also geared toward approved sites, which we don't do. So, I think that we also have the opportunity to think in terms of a thin and light version where they're registered and it starts a file, but we don't take the burden of all the training and components would fall to the universities. In terms of disciplinary issues, there obviously would be cross-communication to recognize that what happens in terms of let's say the student is remediated, that affects their internship. Obviously, that would be then at least on the record in their registration. So, I think there would certainly be some level of minimal, but I really would shy away from thinking that this is going to be a full blown another category in the way that reciprocity is. Nevertheless, I don't want to minimize the increased burden. It would be administratively, especially at this time when we're also considering other things. My fear is that the number of sites may become less available if social work and psychology students have these options that they can. I would not be in favor of voluntary registration, then that becomes a nightmare on the school side.
- Joelle: I understand that there's a lot coming down, but I also understand the need to capitalize on an opportunity. So, we will take it in stride if that's what happens. But as you were talking just then, I was thinking of a registrant versus a licensee very much mirrors the counseling compact. It's almost like a privilege to practice versus a license, a registration versus a license. So, what does that mean? So that means if we just took that model of what the governance document for the counseling compact is and transposed language, that's what I envision it would look like. Let's say, sure, who has jurisdiction that's outlined in the counseling compact governance document? Could it go back to the school and is there the school would be the home state and we would be the privilege to practice the registrant. So, it's just moving parts and language around in a sense. I mean that would be a pretty good gauge of what it could be. I mean that's how I envision maybe it would operate is that yes, we would still have to do an application per se, but really what would be our involvement and that would be outlined in the statute. So, I kind of think it's like that, if that makes any sense. We just substitute the language because in essence that's what you would do with complaints. We agree to work with the home state if a problem happens in our jurisdiction. So, if a complaint came into the Board on a registrant, we would agree to work with the school, the "home state". So, I wonder if it's something we could model. I mean, I don't know how much influence we'd, have over the language, but that's kind of how it came to be in my mind just now.
- John: So, it doesn't have to be as complex as we're fearing. We could in fact use the template of something that's already in the works.
- Jennifer: If I were to list things that would be helpful for you all to hear or know about this, I mean what would be helpful to have in front of us at a future conversation?
- Marta: It would be helpful for me that to be able to show that we can do something like this within our existing law, which Henna was saying, it doesn't look like we can. I guess the law has to come first and then the NAC. So, we need that in place to make sure that what we're doing is okay and it's not going to get cut down with a new governor.

- Joelle: So, I think one piece of information that would be good to think about is if we want to act on this soon and take advantage of the opportunity that is presented with social work, then what I can do is find out who is sponsoring the bill. We would need to find out if in fact that person would entertain even having us on it and then maybe get some input. For right now, it doesn't hurt to know those things, let's just say, it doesn't mean that we have to act on it, it just is more information.
 - Jennifer: So, if they said, no, you guys are on your own, what then? As a Board, if we want this, what would we do?
 - Joelle: Then we would need to find a legislator to sponsor a bill on our behalf. I'm not sure what the deadlines are for submitting new bill draft requests. If we cannot piggyback on the current request for social work trainees, then we will have to find someone now or wait until the next legislative session. If the social work bill passes, then it is highly likely that someone will propose it for us too.
 - This agenda item is tabled.
13. Review, discussion, and possible action regarding review of financial statements 3rd Quarter FY24 ending March 31, 2024 (For discussion/possible action) – Joelle McNutt
- Motion to approve financial statements 3rd Quarter FY24 ending March 31, 2024: 1st Jenny, 2nd Sara; No abstentions; Motion approved unanimously.
14. Review, discussion, and possible action regarding review of financial statements 4th Quarter FY24 ending June 30, 2024 (For discussion/possible action) – Joelle McNutt
- Motion to approve financial statements 4th Quarter FY24 ending June 30, 2024: 1st Marta, 2nd John; No abstentions; Motion approved unanimously.
15. Review, discussion, and possible action regarding approval of revised Board budget for FY25 ending 06/30/2025 (For discussion/possible action) – Joelle McNutt
- Joelle: The categories that I made changes to are highlighted for you in your supporting documents.
 - Motion to approve the revised Board Budget for FY25 ending 06/30/2025: 1st Jennifer, 2nd Sara; No abstentions; Motion approved unanimously.
16. Report from President (Advisement)
- Jennifer: No report.
17. Report from Treasurer (Advisement)
- Joelle: Since Lauri is absent, no report.
18. Report from Executive Director (Advisement)
- Joelle: We have secured a lease at 500 N. Rainbow so the Board office will be moving. I had it on my list to talk about if the Board wanted to hire a lobbyist. Steve mentioned in our last meeting that the Medical Board or Pharmacy Board would have a lobbyist that could champion similar issues but with the uncertainty of their involvement in the reform bill, I didn't know if that changes how you feel about

that. Our audit is underway for last fiscal year. I included the productivity spreadsheet for your review in your supporting documents.

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

- Henna: No report.

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

- Joelle: I cancelled the meeting that we talked about having on September 27th as we did not have four hearings today. We have two hearings scheduled for November 15th. I would prepare to block off all day for that since there is an attorney.

21. Board member comments

- Marta: I've had a lot of time to think about that super board concept, the way that it seems like we're being corralled into something that maybe we as board members don't really want. I can tell you I adamantly do not want it, but the way that my mind is thinking is I'm really concerned about the board staff and how this might affect them. I've been around a long time. I've seen a lot with different types of transfers. I've gone through too many things through my lifespan to say that, that the truth is not being totally shared here or the perspective of the truth is not being totally shared. I'm very concerned because when things like this happen and they say we have your jobs will be protected. Nobody's going to lose their position. They might go to a new position. People did lose their jobs. The other people who maybe they didn't lose their job, but they had to take a severe cut in pay because under the new regime, they said, no, we're going to change your job description. And when the job description got paid, got changed, their pay got changed. People under UNR who had a sick bank who may have had 500 hours in that sick bank, it was taken away from them. It was as if they didn't have that anymore. I'm passionate because I love our staff. I don't believe that it will protect the safety of Nevada citizens. I think that that's going to change too.
- John: I've seen it myself over my work life in institutional health and in your university settings previously. And that's exactly what it is. The promise, oh, the merger is perfect for our cultures together. We're not going to lose anyone. We want to build on the strengths that we're bringing in. It's all a pack of lies because not even six months down the road, we really need to cut our costs and tighten our belts and all this stuff. So absolutely that I can see that happening. And thank you for the reminder for that. I think that it would be behoove us to look at the Boards that have already excluded themselves, have been successful, excluding and what their arguments are for doing that. And so, then we can make a proposal even without a lobbyist, can we make a proposal along the lines of using those same arguments. I think that might be really good preventive medicine.
- Jennifer: Your comments earlier though did lead me to wonder if there is some Board desire to discuss further how we might work together with other boards who are also in opposition or if other board as a whole. I agree with you, Marta. I am also in opposition. I have grave concerns about this. So, I don't know exactly what our options would be, but I would not at all be opposed if the board as a whole decided that we wanted to make our opposition known.
- Sara: Somebody mentioned a lobbyist. I don't know what that would cost. However, we have a reserve fund, and I can't think of a better use for it at this moment in time.
- Joelle: We talked about this in our administrative collaborative meeting last quarter, so it's been some months, but other boards are using lobbyist firms. I think the consensus from the group was that it was around \$3,000 to \$4,000 per month. meeting in June, I believe, to talk about the compact. So, he's working with the Rural Behavioral Health Policy Board to write their legislation for putting social

workers in a compact. And then they were going to us with the counseling compact, but that was thwarted their \$4,000 a month. Other boards are wanting to do something too. I can get some quotes and put a proposal on the agenda for your review and approval.

- Jenny: I sort of alluded to this morning, but I was really appreciative of the fact we were able to do four consent decrees today instead of four hearings, and just imagining the work that goes into that. I am also still somewhat shocked that those were going to be hearings. There's a trend that is really disturbing right now, but I was so appreciative of the work, and I feel such trust being able to have these things come before us so that we can approve and adjust and move forward. So, thank you. Henna, Stephanie and Joelle. Wow, that was a lot.
- Joelle: Henna and Stephanie have done a lot of work over this last year. In these last couple of months, you'll see on your productivity spreadsheet that we've completed investigations on 25 cases. That is exceptional. Enough thanks cannot go out to the both of them for the work they've done. I'm extremely proud.

22. Public comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

- No public comment.

23. Adjournment

- Meeting adjourned at 1:12 PM.