

**PUBLIC NOTICE OF A WORK SESSION FOR
THE STATE OF NEVADA BOARD OF PSYCHOLOGICAL EXAMINDERS
MEETING MINUTES**

November 3, 2023

1. Call to Order/Roll Call to Determine the Presence of a Quorum.

The work session of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, Psy.D., at 2:10 p.m. on November 3, 2023, online via "zoom" and physically at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste. B-116, Reno, Nevada 89502.

Roll Call: Board President, Whitney Owens, Psy.D.; members, Lorraine Benuto, Ph.D.; Monique Abarca, LCSW; Soseh Esmaeili, Ph.D.; Catherine Pearson, Ph.D. were present at roll call. Stephanie Holland, Psy.D. and Stephanie Woodard, Psy.D., were absent. Despite the two-member absence at roll call, there was a quorum of the Board members.

Also present Executive Director Laura Arnold; Board Staff Member Kelly Weaver; member of the public: Dr. Shera Bradley.

2. Public Comment - Note: Public comment is welcomed by the Board and may be limited to three minutes per person at the discretion of the Board President. Public comment will be allowed at the beginning and end of the meeting, as noted on the agenda. The Board President may allow additional time to be given a speaker as time allows and in their sole discretion. Comments will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken (NRS 241.020).

There was no public comment at this time.

3. (For Possible Action) Discussion and Possible Action to Revise the Strategic Plan of the Nevada Board of Psychological Examiners. Discussion and possible action may be taken on the goals and objectives as described on Attachment A to this notice

Dr. Owens stated that Attachment A to the agenda had the Board's goals listed on the strategic plan and items historically reviewed. She stated that as the meeting

progresses, she and the executive director will go through those items listed, as well as take deliberation from the Board for any new goals or ideas.

Goal A – enhancing communications with psychologists and students. Dr. Owens stated that one of the things the Board has worked on is improving communication through the database and Listserve, where the Board has coordinated to consistently send out notices, in addition to the executive director using the database to send out notices to licensees with updated and new information. She explained that in 2019, the Board reviewed the website and did a lot of updates, but it is surely in need of additional updates and revisions. The executive director said that she has tried to update the website as she can, but the website is based on an antiquated system that the State of Nevada uses and can be cumbersome to navigate. However, some things like the NAC revisions approved by the Legislature, and keeping that list current, as well as keeping application links current have been done with a lot more to be completed. The executive director believes the website can be updated to be more contemporary and to include different wording to be more helpful in terms of information for the public, based on questions she has obtained.

Dr. Owens asked if the Board had received any comments regarding the websites, but no comments were shared by the Board. In terms of using the website for a main form of communication, Dr. Owens believes that clear readable information is critical. With respect to the strategic plan, Dr. Owens asked what steps were needed to take for the Board to make those changes to the website. The executive director indicated a second person to help on the role would be helpful, as this will take a lot of time and thought. Dr. Esmaeili asked if there is any room for volunteers or internship at the Board office to gain experience to assist with some of the other tasks. The executive director stated yes, volunteers would be helpful for projects. The executive director said she has contemplated getting in touch with the Public Administration Office at UNR to see if there are any resources available there to assist the Board.

Dr. Benuto was curious if volunteers would create more work for the executive director with training and turnover. She also inquired about the budget to hire a new person. The executive director and Dr. Owens discussed holding a response to that question for the proper section and moving forward with Goal A at this time.

With respect to the website, Dr. Owens reiterated that it may not be a priority given some of the other priorities of the Board but asked if there is anything urgent that should be handled with respect to the access of information or links that do not work that should be addressed now. The executive director stated she does not believe there is any misinformation, but maybe just confusing information. The executive director reminds the Board what a large task the website will be, which she would like to do as she now understands the innerworkings of the website a little better. She said

the State does provide phenomenal help to assist when the she needs it and reaches out.

Ms. Abarca wanted to know if it would be beneficial to the Board to send out a short survey to the licensees regarding anything urgent or pertinent for the website to focus on and then worry about a larger reworking later? Dr. Bradley asked if the Board was taking public comment, which Dr. Owens confirmed. As such, Dr. Bradley indicated the NAC is taking a lot of time to codify the changes that have been made which makes it burdensome to get into every document to see what is there – so she believes it would be helpful to have a brief summary of each update/document or something that prevents users from having to click each document separately. Dr. Owens confirmed the executive director has put together a single document for ease of use with the Board members, but the danger of having that available is not having the correct information. She confirmed the website is cumbersome but is not sure how to move forward. The executive director shared Dr. Bradley's concerns/comment. She confirmed that what is on the Board's website is how the LCB has approved them, and as such, the executive director does not want to tinker with that as it should be something the LCB does. The Board is waiting for the LCB to update the regulations, which they are working on. Dr. Bradley indicated even a reference to what the legislative changes were being mentioned, would be helpful. The executive director pulled up the Board's website and shows what happens when the NAC link is clicked, which was last updated in 2016. Dr. Owens confirmed that Dr. Bradley feels a brief description on the adopted changes website next to each link would be helpful. The executive director stated she will take a look at the changes to see if there is a way to provide a brief description per Dr. Bradley's suggestion, but noted some of the adopted changes include several different topics that may make it difficult. Dr. Owens asked that this be put on the task list of the strategic plan to be worked on throughout the year to assist in navigation. Dr. Owens stated that a document should be drafted with the decisions and a brief overview of the strategic planning meeting discussions to be contemplated during the Board's Decision meeting. Accordingly, there will be no votes made today, but instead, recommendations for the Board's December meeting and goals for 2024. The last item on Goal A is the supervisors' handbook, which Dr. Owens and the executive director are working on.

Goal B –Dr. Owens explained that she has been in the president's role since 2019, and Ms. Arnold is the third executive director she has worked with since her tenure. Consequently, she has learned that the role is too big for one person, even one-and-a-half people. The current executive director goes above and beyond, providing incredible work that has not been provided to the Board historically. She excels in regulation, policy, writing, and putting the strategic pieces together, which is ideal for the Board. As such, Dr. Owens would like the Board to consider delineating the role of executive director into a director of administration, regulation and policy.

The executive director shared Dr. Owens' thoughts and shared that she has some important projects on her list for the benefit of the Board, which would require more time than she has with the day-to-day duties of the office. Accordingly, she has considered what the Board could benefit from, which would be dividing the role into two people to work together. The executive director expressed some of her goals for the two roles in collaboration.

Dr. Owens noted that in the 2023 Legislative Session, there were more bills than before regarding mental health, and she said she does not see that changing in the future (or hopes it does not change). With that, it would be beneficial to have someone dedicated and focused on the bills moving forward. Dr. Owens asked if the executive director and the Treasurer should work on the budget to ensure that the Board has the resources to implement these changes – which the executive director confirmed would likely be the best option. She mentioned possibly raising licensure fees or other options to review in the budget to make changes or adjustments to meaningfully fund the Board office so that it may be sufficiently staffed for the work that needs to be done. There are 685 active licensees at this time, which is growing constantly. Dr. Benuto asked if the fee should be increased by \$100, in response to which the executive director stated that would be life-changing. Dr. Owens reminded the Board that there was a lot of pushback the last time the Board contemplated raising their rates. Compared to the neighboring states, she said the Board is on the higher end of licensure fees already, so she thinks raising the fees significantly would be difficult. Initially, having a second full-time position would transfer the part-time position to a full-time position so not making up for a full 40 hour role but instead a 20 hour role. Currently, the part-time position has been judiciously used, but the current rate of \$20 an hour is not going to get a director level candidate. Dr. Benuto asked what the figure is that is needed, but the executive director stated the thought is still in its infancy stages and a figure has not yet been determined. Dr. Owens asked if part of the strategic plan should include a cost analysis for the costs associated with the roles and responsibilities to go from there. The executive director confirmed that would be beneficial as right now everything is just a rough idea.

Dr. Owens stated that the next item on Goal B is to transfer paper documents to electronic documents, including applications and licensure renewals. The executive director stated and in furtherance of that goal, the only paper that is maintained is documents submitted to the Board in paper form placed into a paper file. Going forward, however, the executive director stated that if the document is submitted in electronic form, she is no longer printing the document and is not creating a hard file, but instead utilizing an electronic file. She said she does feel comfortable with the computer files as they are updated regularly, and the only time she is referring to the hard files is for a historic file. Board Staff prepared a memorandum on the records retention policy of the Board, so the executive director will be finalizing that memorandum and reviewing to ensure the Board is complying with regulations to clean

up the boxes of old files that the Board is not required to maintain and that are taking up a lot of physical space, and to ensure the Board is only maintaining the records it is required to keep. Dr. Owens wanted to know if all the applications are able to be filled out online, which the executive director confirmed, but clarified that they are not always submitted electronically as sometimes people print the form and mail it in. A discussion was held regarding if the Board has any requirement to continue allowing for paper applications. The ratio of electronic versus paper applications per the executive director is 90% electronic. Dr. Owens believes that as long as all the documents necessary to be filled out can be accessed electronically, it is helpful.

For policies and procedures, Dr. Owens reiterated some of the policies and procedures the Board has implemented in the past 3 years. The goal was to take one per month to review with the idea so that one gets on the Board's agenda every month to ensure the Board is staying current and the policies/procedures are reflective of good regulation practice. Further, 2 more policies need to be updated regarding records retention and continuing education. The executive director and Board Staff are working together on the records retention. As such, the next step is for the executive director to confirm what is applicable to the Board, discuss with the State Archives for feedback, then she will bring it to the Board for approval to ensure the Board remains compliant with the law and regulations. This will be added to the strategic plan.

The continuing education policy and procedure needs to be worked on. One of the conversations during the annual ASPPB meeting was the idea that a lot of jurisdictions are shifting to a model of continuing professional development from continuing education, which Dr. Owens thinks is a good idea. California just shifted to a CPD model within the last couple of years that resulted in a lot of push back from their licensees regarding the shift. So, Dr. Owens would like the Board to consider shifting from a CE model to a CPD model but making the transition slow to include NAC being more inclusive of other professional opportunities that contribute to continuing education and development. Dr. Benuto said she felt that is a fantastic idea and it makes a lot of sense to broaden that, but she is curious what the pushback in California was. Dr. Owens stated that the limitations on the amount of continuing education credits they can take were limited to a certain amount coming from continuing education courses with the remainder having to come from another menu of options. Some of the licensees were used to getting their full hours from the courses or a conference which was then changed that would require them to obtain the hours from other areas. Accordingly, Dr. Owens believes it should be rolled out inclusively with a rollout to include other development options. The idea is to expand the idea of what continuing education hours look like for the future. Dr. Benuto does like adding additional options. Dr. Owens thought another idea to consider is to try to maintain a good working relationship with the Nevada Psychological Association as they rely on a lot of their revenue from the continuing education courses so she is aware that it is possible any transition would impact that. She wants to ensure the Board is discussing

with the NPA, and other stakeholders, to ensure the Board is working towards the real goal of reducing barriers and costs for licensees while also providing a wider variety of professional opportunities. Consequently, this will also be added to the strategic plan to create a policy and procedure to evaluate the guidelines to include developing the non-CE opportunities.

The other side is to create a policy to evaluate the applications that Ms. Abarca gets into the office. Ms. Abarca discussed the process for continuing education which includes the executive director providing a very helpful email to Ms. Abarca with the application, certificates, what is being taught, an agenda, and everything encompassed in the entire CEU class that Ms. Abarca reviews for criteria and policy and she approves or denies or asks additional questions. For the most part they are straightforward and put together. Per Dr. Owens, the idea is to create the policy to highlight how this is completed, which the executive director and Ms. Abarca will work on over the course of the next year.

Dr. Owens stated that the employee manual, office procedure manual, is put into the materials for today but it appears there are some clear updates that need to be completed. Dr. Owens asked the executive director if she would like help from a Board member, which the executive director confirmed. Dr. Owens said the last time the handbook was reviewed was 2019, which included each Board member reviewing their particular job descriptions. Accordingly, the executive director will separate the manual into 4-5 pages for each Board member to review a specific section over the new couple of months with questions and revisions to be presented to the Board. The executive director would have to compare the HR handbook and the employee manual to see what is and is not included, or if they overlap. Dr. Owens is going to take on the task of comparing and contrasting the HR policy and employee manual to report back to the Board in maybe March to see if the employee handbook can be retired in favor of the HR policy. The Board reviewed the manual to see if the Board's roles and responsibilities are included but it did not appear it is, but Dr. Owens knows there is a document out there that has that information contained. Board Staff confirmed she has seen this document and will find the document to send to the executive director and Dr. Owens. Once that is received, this should be added to the strategic plan to review over the next year.

Annual Legislative Regulation and Training – all Board members should have training in legislation and regulation, as well as open meeting law. The executive director has not onboarded a new Board member so she is unsure of the procedure. Dr. Owens indicated a member of ASPPB is coming to join the Board meeting in January or February to do an hour long Board member training, so she believes that should be added as an annual requirement to stay up-to-date. Accordingly, once the roles and responsibilities document is found, there should likely be an addition to include that the

Board members are required to complete a yearly legislative, open meeting law training.

Goal C – complaint investigation and procedure for disciplinary proceedings – in terms of securing the confidential documents, the executive director feels confident with those and she has confirmed with the Department of Public Safety to ensure the Board is properly securing the documents. She believes it would be beneficial to review, adapt, revise to ensure the Board is remaining compliant. This goal should be at the forefront given other policies that are being reviewed. Further, the executive director meets monthly with the Board's DAG and the investigators, which meetings include constant discussions related to the same that produces the agenda items. This remains an ongoing project. Dr. Owens confirmed that in next month's meeting, they will review the complaints and policies from some of the conversation and public comment made today to take feedback into account to see if any further revisions to the policy should be made by the Board.

Future legislative needs – currently, the Board has tabled master's level licensure because the APA and ASPPB have been working on model language. Therefore, Dr. Owens wanted to wait to push forward to ensure that language is completed so the Board is not jumping the gun. They are currently working on 2 different tracks: 1 track for licensure in psychotherapy, and the other track in testing and assessment. With that, the bulk of the graduate school training would be in one or the other, not both. Additionally, there are other requirements for practicum internship and post-internship. The Board should continue tracking and considering this, but the goal is for this to be implemented with the model language completed in the next year to increase care through master's level individuals and aid in insurance reimbursement. Dr. Benuto thinks with the shortage of mental health professionals that it would be beneficial and overall helpful. One of the challenges as shared by Dr. Owens is the distinction between master's level and doctoral level licensure, which the Board should keep on the forefront of their mind. If the Board does work towards adopting the model language, then they should provide a lot of education to the licensees and be prepared to answer the questions that will be forthcoming. Dr. Owens will be serving on the Prelim Committee of the ASPPB until the end of next week, so she can continue to update the Board so the Board can consider if they want to proceed with that. The other future legislative needs are removal of legislative registration of businesses in NRS so it can be in statute and regulation. Currently, the Board does not register businesses. It seems duplicative and unnecessary at this time. In 2025 the Board will want to get a Board sponsor and move forward with it.

Psychometry was just workshopped, which will be taken to hearing. The Board is dealing with it in the regulation, but the Board needs to go in and update the statute. The Board will want to relate the statute with the regulation to ensure they are

referring to each other. That is another project the executive director has on her future list.

Dr. Owens said she sits on the Southern Regional Rural Behavioral Health Policy Board and each of the regional health policy boards has a one bill draft request per legislative session. Currently, Dr. Owens is trying to watch each board's considerations for the 2025 sessions. The Board should keep in mind that a lot of mental health legislation will be anticipated in 2025. She wants the Board to be mindful that the standards are not decreased throughout the process, so it is important for the Board to track the legislative session in 2025. Dr. Owens is curious if the Board members would like training or discussions to prepare the Board for possibly in the summer of 2024. Dr. Benuto shared she would like all the training available for that. The executive director shared Dr. Owens' sentiments. Dr. Owens will likely speak to Nina regarding possibly providing the training, and she attended some helpful training for her other board so she may reach out to them to see if they would be willing to provide the training, as well for next year.

Goal E – external audit and financial oversight. The executive director provided insight that this agenda was left over from last year so she is not fully aware of this item specifically. Whoever does take on this goal should understand the differences and how the Board accounts for those. She specified there should be training provided to the individual who takes over this goal. Dr. Owens is curious if the training should be annually or just when someone takes over the executive director role. To which, the executive director indicated it should be when a new person takes over the role, to also include a written explanation to be provided, too. The executive director believes it would be most appropriate for the auditor to draft, or at least be consulted on, and it may need to be added in different places in the policies and procedures. Dr. Owens believes this process is extremely cleaned up with great checks and balances.

Examination – in 2019 the Board shifted from a paper exam to an online exam. But, there should be policy added to reviewing the databank, the state exam, policy for administration, and examination handbook. This will be a huge undertaking. The concern is that more than one Board member working on this could constitute a committee. The executive director thinks there is a good basis on this, but she is going to add to her list to review and see how the policies can be refreshed to get this going. The goal is to create a policy for how often the test items are updated and how that is done, to include implementation. Dr. Benuto asked if the Board collects ethnic or racial information when taking the exam or in general. She is curious based off the discussion today during the meeting regarding people being at a disadvantage due to their background. She wants to ensure the state exam is not biased in any way. There is no current data collected on demographics on race or ethnicity. Dr. Owens and the executive director did discuss creating an information sheet being sent out to acquire the demographics of licensees on a voluntary basis to start collecting the data,

however, it is not asked on the application. The Board wants to shift the question of gender as male and female to maybe gender identity or sex assigned at birth, or how to soften the question to be more inclusive. Dr. Owens confirmed that the demographics are information that can be accumulated after the application is received on a voluntary basis. When the state exam was first developed, Dr. Pearson recalls test items being provided from psychologists in the community. According to Dr. Owens, that occurred a while ago and the process was quite expensive. Dr. Holland may be a better person to discuss this topic with, but she is not present for this work session. Although Dr. Owens is aware this should be updated and how often the Board reviews that information/the test questions.

No further discussion related to future items that have not been discussed that the Board should work on in the future.

The Executive Director will compile the action items to present to the Board at the next meeting for any action determined to be taken.

- 4. Public Comment** - Public comment is welcomed by the Board and may be limited to three minutes per person at the discretion of the Board President. Public comment will be allowed at the beginning and end of the meeting, as noted on the agenda. The Board President may allow additional time to be given a speaker as time allows and in his sole discretion. Comments will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the agenda 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 at this time.

5. (For Possible Action) Adjournment

There being no further business before the Board, President Owens adjourned the work session at 3:48 p.m.