

MEETING MINUTES FOR
NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS

DATE OF MEETING: Friday, November 17, 2017

Time: 9:00 a.m.

PLACE: 555 E Washington Ave #4500, Las Vegas, NV 89101, room 4500 and by video conference to 100 N. Carson St, Carson City, NV, Mock Court Room

1. Call to order/roll call to determine the presence of a quorum.

In Las Vegas:

Michelle Paul, Board President
Whitney Owens, Secretary/Treasurer
John Paglini, Board member
Others present
Gary Lenkeit, Board investigator
Rosalie Bordelove, Deputy AG
Sean Collier
Brian Lech
Richard Schonfeld
Gregory Brent Dennis

In Carson City:

Yvonne Wood, Board Member
Pat Ghezzi, Board Member
John Krogh, Board Member
Pam Becker, Board Member
Others Present
Morgan Gleich, Executive Director
Debra Robertson, Executive Assistant
Sarah Bradley, DAG
Sheila Young, Board Investigator
A. Steven Frankel
Barbara Parry
Ryan Hamilton
Jeff Webb
Richard Perkins
John?

2. Public Comment

No public comment made.

3. Approval of minutes of previous meetings; September 10, 2017

Ms. Becker moved to approve Board meeting minutes for October 13, 2017 as written. Dr. Wood-Antonuccio second. Board vote 7-0-0.

4. Treasurer's report for F/Y 2017-2018.

Dr. Owens presented to the Board the account balance is 132,848.24. Ms. Snyder has accepted a position with another organization, and Ms. Gleich has hired Ms. Robertson as the Board's new Executive Assistant. It was agreed upon between Dr. Owens and Ms. Gleich, that there may be an overlap in the employment of Ms. Snyder and Ms. Robertson to allow for office procedures and training, as long as the budget was being monitored. There was an increase for the Board to cover the travel to Hawaii for the ASPPB meeting, and there will be some increased costs for the training of the Board and assistant.

The annual LCB audit will be due on December 1, 2017. Ms. Gleich is working closely with the accountant to get that completed in time. Ms. Farley, the Board accountant, will present at the Board retreat. The Governors finance audit was completed and turned in by the November 3, 2017 deadline. Ms. Gleich will keep the Board up to date on the findings and any further information that was requested.

Dr. Ghezzi moved to accept the treasurer's report. Dr. Wood-Antonuccio second. Board vote 7-0-0.

5. Review of complaints, disciplinary actions, and litigation pending.

- A. **Complaint #15-1123** discussed under Agenda Item #14.
- B. **Complaint #16-0328** discussed under Agenda Item #15.
- C. **Complaint #16-0919** discussed under Agenda Item #13.
- D. **Complaint #16-1005** discussed under Agenda Item #13.
- E. **Complaint #16-1221:** Dr. Lenkeit reviewed the provided complaint information and provided the Board with the summary. Upon investigation of the complaint Dr. Lenkeit recommends the complaint be dismissed. Dr. Owens moved to dismiss. Dr. Krogh second. Board vote 7-0-0.

- F. **Complaint #17-0522:** Complaint dismissed at previous board meeting.
- G. **Complaint #17-0706:** Dr. Young reviewed the provided complaint information and provided the Board with a summary. Upon investigation of the complaint Dr. Young recommends complaint be dismissed. Dr. Wood-Antonuccio moved to dismiss. Dr. Ghezzi second. Board vote 7-0-0.
- H. **Complaint #17-0710:** Ms. Bradley will present settlement to psychologist in question; settlement should be noticed for January meeting.
- I. **Complaint #17-0717:** Dr. Lenkeit is the reviewing investigator. In the process of investigating the information, Dr. Lenkeit is requesting further information. Ms. Gleich will forward letters on to both parties to provide clarification.
- J. **Complaint #17-0824:** Dr. Young is the reviewing investigator. Upon review of the complaint it was noted as part of a larger institutional investigation. Dr. Young and Ms. Bradley will send subpoena for further information
- K. **Complaint #17-0911:** Dr. Young is the reviewing investigator. Upon review of the complaint it was noted further information is needed. Dr. Young will request further information.
- L. **Complaint #17-1002:** Dr. Lenkeit reviewed the provided complaint information and provided the Board with the summary. Upon investigation of the complaint Dr. Lenkeit recommends the complaint be dismissed. Dr. Owens moved to dismiss. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- M. **Complaint #17-1023:** Discussion deferred to future meeting.
- N. **Complaint #17-1109:** Discussion deferred to future meeting.

6. Update from Exam Commissioner regarding Psychologist state exam.

Ms. Gleich will provide a revised Candidate guide to the Board at the next Board meeting.

a. Review of Candidate guide

7. Development of Supervision contract between Board and other parties in disciplinary matters.

Dr. Wood-Antonuccio has been reviewing and developing the sample contract from the proposed ASPPB disciplinary guidelines. Dr. Paul asks that this item be placed on the Board retreat agenda.

8. Schedule of future Board meetings, hearings, and workshops

The board training is scheduled for December 1st. Ms. Gleich was hoping to move the training to December 2nd. However, upon discussion with the Board we will be unable to have the full Board attend either December dates. Dr. Paul stated the purpose of the training is to get as many Board members as possible in one room to really discuss Board items. The training will be held January 28, 2018 in Las Vegas.

The Next Board meeting will be January 5, 2018 at 9am

9. Board needs, operations, and schedules.

a. Review and Discussion regarding Applicants Seeking accommodations.

Discussion deferred to future Board meeting

10. Review and discussion of NAC 641.

Discussion deferred to future Board meeting

A. Development of regulations as based upon bills passed in the 79th Legislative session. (AB429, SB162, AB457, SB69)

B. Review of R133-17; initial proposed regulation R128-14 has been withdrawn

C. Review of R131-15; possible changes needed and requested by legislative commission December 2016.

11. Review/decision upon applications. (NRS 241.030)

PSYCHOLOGISTS/PSYCHOLOGICAL ASSISTANTS/PSYCHOLOGICAL INTERN

- A. Irina Abramians: Discussion deferred to future Board meeting
- B. Kamaar Abulsaad: Discussion deferred to future Board meeting
- C. Ines Acevedo Lugo: Discussion deferred to future Board meeting
- D. Carolina Morales Alicea: Discussion deferred to future Board meeting
- E. Elham Aminigohar: Discussion deferred to future Board meeting
- F. Nicole Anders: Discussion deferred to future Board meeting
- G. Justin Anderson: Discussion deferred to future Board meeting
- H. Brian Andres: Discussion deferred to future Board meeting
- I. Gretchen Arian: Discussion deferred to future Board meeting
- J. Michael Aronwitz: Discussion deferred to future Board meeting
- K. Hope Bagley: Discussion deferred to future Board meeting
- L. Heywood Barash: Discussion deferred to future Board meeting
- M. John Barona: Discussion deferred to future Board meeting
- N. Stephanie Bellusa: Discussion deferred to future Board meeting
- O. Lauren Bennett: Discussion deferred to future Board meeting
- P. Stephen Benning: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 6-0-1; Dr. Paul abstained as she is Dr. Benning's supervisor.
- Q. Earnest Blackshear: Discussion deferred to future Board meeting
- R. Matthew Boland: Discussion deferred to future Board meeting
- S. Tara Boswell: Discussion deferred to future Board meeting
- T. Adam Bradford Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 6-0-1; Dr. Krogh abstained as he is Dr. Bradford's colleague.
- U. Vincent Brouwers: Discussion deferred to future Board meeting

V. Julie Brown: Discussion deferred to future Board meeting
W. Hanna Brunet: Discussion deferred to future Board meeting
X. James Bryan: Discussion deferred to future Board meeting
Y. Sonja Burke: Discussion deferred to future Board meeting
Z. Sonnette Caldwell-Barr: Discussion deferred to future Board meeting
AA. Cynthia Cameron: Discussion deferred to future Board meeting
BB. Rachel Cappuro: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
CC. Rita Carlson: Discussion deferred to future Board meeting
DD. Lenadrea Caver: Discussion deferred to future Board meeting
EE. Sylvia Chang: Discussion deferred to future Board meeting
FF. Daniel Chatel: Discussion deferred to future Board meeting
GG. Kevin Choi: Discussion deferred to future Board meeting
HH. Chad Christensen: Discussion deferred to future Board meeting
II. Elizabeth Ciaravino: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
JJ. Shantay Coleman: Discussion deferred to future Board meeting
KK. Lara Conrad: Discussion deferred to future Board meeting
LL. John Crum: Discussion deferred to future Board meeting
MM. Sarah Damas: Discussion deferred to future Board meeting
NN. Scott Deatherage: Discussion deferred to future Board meeting
OO. Melissa Depa: Discussion deferred to future Board meeting
PP. Amanda DeVillez: Discussion deferred to future Board meeting
QQ. Rachele Diliberto: Discussion deferred to future Board meeting
RR. Nicole Dionsio: Discussion deferred to future Board meeting
SS. Margaret Dixon: Discussion deferred to future Board meeting
TT. Shawn Emmons: Discussion deferred to future Board meeting
UU. James English: Discussion deferred to future Board meeting
VV. Brent Fladmo: Discussion deferred to future Board meeting
WW. Andrew Freeman: Discussion deferred to future Board meeting
XX. Daphne Fowler: Discussion deferred to future Board meeting
YY. Cheryl Garn: Discussion deferred to future Board meeting
ZZ. Karesha Gayles: Discussion deferred to future Board meeting
AAA. Rucsandra Georgescu : Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
BBB. Jennifer Grimes-Vawter: Discussion deferred to future Board meeting
CCC. Steve Guevara: Discussion deferred to future Board meeting
DDD. Jennifer Guttman: Discussion deferred to future Board meeting
EEE. Mary Harrison: Discussion deferred to future Board meeting
FFF. Bernadette Hinojos: Discussion deferred to future Board meeting
GGG. Rebecca Holczer: Discussion deferred to future Board meeting
HHH. Roy Hookham: Discussion deferred to future Board meeting
III. Antrice Hronek: Discussion deferred to future Board meeting
JJJ. Ivan Hronek: Discussion deferred to future Board meeting
KKK. Jennifer Hutchinson: Discussion deferred to future Board meeting
LLL. Josette Iribarne-Cazcano: Discussion deferred to future Board meeting
MMM. Katherine Isaza: Discussion deferred to future Board meeting
NNN. Puja Jaitly: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
OOO. Tami Jeffcoat: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
PPP. Dasa Jenrusakova: Discussion deferred to future Board meeting
QQQ. Laura Jensen: Dr. Krogh motioned to approve for temporary license and state exam contingent upon file completion and approval. Dr. Wood-Antonuccio second. Board vote 7-0-0.
RRR. Regina Johnson: Discussion deferred to future Board meeting
SSS. Timi Jordison: Discussion deferred to future Board meeting
TTT. Amoreena Juarez: Dr. Wood-Antonuccio motioned to deny application as applicant does not meet base requirements for licensure. Dr. Ghezzi second. Board vote 7-0-0.
UUU. Kristin Kaminski-Wadle: Discussion deferred to future Board meeting
VVV. Mark Kaplan: Discussion deferred to future Board meeting
WWW. Casha Kaufer: Discussion deferred to future Board meeting
XXX. Barbara Key Dr. Krogh motioned to approve for temporary license and state exam contingent upon file completion and approval. Dr. Wood-Antonuccio second. Board vote 7-0-0.
YYY. Anosheh Khalifeh: Discussion deferred to future Board meeting
ZZZ. Janet Kraft: Discussion deferred to future Board meeting
AAAA. Andrew Krueger: Discussion deferred to future Board meeting
BBBB. Denise LaBelle: Discussion deferred to future Board meeting
CCCC. Verne Lewis: Discussion deferred to future Board meeting
DDDD. Lauren Logan: Discussion deferred to future Board meeting
EEEE. Ravinn Lore: Discussion deferred to future Board meeting
FFFF. Debra Maddox: Discussion deferred to future Board meeting
GGGG. Camille Malcherzyk: Discussion deferred to future Board meeting
HHHH. Dustin Marsh: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board vote 7-0-0
IIII. Mark McDonough: Discussion deferred to future Board meeting
JJJJ. Alexandria Moorer: Discussion deferred to future Board meeting
KKKK. Amy Mouanoutoua: Discussion deferred to future Board meeting
LLLL. An Ngo: Discussion deferred to future Board meeting
MMMM. Lyle Noisy Hawk Jr. : Discussion deferred to future Board meeting
NNNN. Yelena Oren: Discussion deferred to future Board meeting
OOOO. Dorothy Parriott: Discussion deferred to future Board meeting
PPPP. Beverly Paschal: Discussion deferred to future Board meeting
QQQQ. Dylena Pierce: Discussion deferred to future Board meeting
RRRR. Brian Potts: Discussion deferred to future Board meeting
SSSS. Elizabeth Pritchard: Discussion deferred to future Board meeting
TTTT. Mary Pulido-Banner: Discussion deferred to future Board meeting
UUUU. Reshma Rampersad: Discussion deferred to future Board meeting

VVVV. Ashleigh Rankin: Discussion deferred to future Board meeting
 WWW. Jennifer Ries: Discussion deferred to future Board meeting
 XXXX. Luz Robles-Gonzalez: Discussion deferred to future Board meeting
 YYYY. Brian Sackett: Discussion deferred to future Board meeting
 ZZZZ. Melody Samuelson: Discussion deferred to future Board meeting
 AAAAA. Jasmine Schnurstein: Discussion deferred to future Board meeting
 BBBB. Avraham Schweiger: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second.
 Board vote 7-0-0
 CCCCC. Shamecca Scott: Discussion deferred to future Board meeting
 DDDDD. Halleh Seddighzadeh: Discussion deferred to future Board meeting
 EEEEE. Kevin Seid: Dr. Wood Antonuccio moved to approve for licensure contingent upon passing state exam. Dr. Ghezzi second. Board
 vote 7-0-0
 FFFFF. Jay Seitz: Discussion deferred to future Board meeting
 GGGGG. Shewta Sharma: Discussion deferred to future Board meeting
 HHHHH. John Shaughnessy: Discussion deferred to future Board meeting
 IIIII. Leigh Silverton: Discussion deferred to future Board meeting
 JJJJJ. Gurpreet Singh: Discussion deferred to future Board meeting
 KKKKK. DeAnn Smetana: Discussion deferred to future Board meeting
 LLLLL. Cassandra Snipes: Discussion deferred to future Board meeting
 MMMMM. Samuel Song: Discussion deferred to future Board meeting
 NNNNN. Richard Starrett: Discussion deferred to future Board meeting
 OOOOO. Ellie Sternquist: Discussion deferred to future Board meeting
 PPPPP. Michael Summerlin: Discussion deferred to future Board meeting
 QQQQQ. Valerie Tolbert: Discussion deferred to future Board meeting
 RRRRR. Lennon Tyler: Discussion deferred to future Board meeting
 SSSSS. Lynelle Tyler: Discussion deferred to future Board meeting
 TTTTT. Joyce Ulofoshio: Discussion deferred to future Board meeting
 UUUUU. Michellane Vendivel-Mouton: Discussion deferred to future Board meeting
 VVVVV. Lipika Wadhwa: Discussion deferred to future Board meeting
 WWWW. Joshua Weiberg: Discussion deferred to future Board meeting
 XXXXX. Ronald Williams: Discussion deferred to future Board meeting
 YYYYY. Stephen Willis: Discussion deferred to future Board meeting
 ZZZZZ. Tod Zwahlen: Discussion deferred to future Board meeting

BEHAVIOR ANALYST/ASSISTANT BEHAVIOR ANALYST

- a) Janetria Alberty: Discussion Deferred to a future Board meeting
- b) Lesley Banzon: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.
 Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
 Lisa Boster: Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
 Shannon Burger: Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- c) Justine Catubig: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.
- d) Jonelle Dumayas: Discussion Deferred to a future Board meeting
- e) Jessica Ehrenreich Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- f) Ashlie Encinias Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- g) France Fischer Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- h) Luisa Gatto: Discussion Deferred to a future Board meeting
- i) Grace Gayles: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.
 Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- j) Beverly Greer Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- k) Karissa Iverson: Discussion deferred to a future Board meeting.
- l) Ramella Lee: Discussion deferred to a future Board meeting.
- m) Carrie Myers: Discussion deferred to a future Board meeting.
 Benjamin Reynolds Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- n) Sean Saunders: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.
 Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0
- o) Ytamar Segall Dr. Ghezzi Moved to approve for licensure contingent on passing the state exam. Dr. Wood-Antonuccio second. Board vote 7-0-0.
- p) Misty Shoffner: Discussion deferred to future Board meeting
- q) Kasey Smith: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.
- r) Matthew Sosa: Discussion deferred to future Board meeting
- s) Brooke Walker: Discussion deferred to future Board meeting
- t) Desirae Wingarter: Discussion deferred to future Board meeting
- u) Katherine Woodhouse: Dr. Wood-Antonuccio moved to approve for temporary licensure and state exam contingent on file completion and approval. Dr. Ghezzi second. Board Vote 7-0-0.

12. Approval of Transition from LaBA to LBA

Annette Aloiau: Dr. Ghezzi reviewed and approved application. Dr. Owens moved to approve transition from LaBA to LBA. Dr. Krogh second. Board Vote 7-0-0.

13. Amended Settlement Agreement with Dr. Gregory Brent Dennis, Case Numbers 16-0919 and 16-1005 and review and discussion of forensic evaluation of Dr. Dennis completed by Dr. Okeke. Review case summary A, attached, to review the summary of proceedings.

14. Formal disciplinary hearing regarding Barbara J. Parry, Ph.D., license number PY0284, Case Number 15-1123. Review case summary B, attached, to review the summary of proceedings.

15. Review, discussion and possible approval of a proposed Stipulation for Settlement of Disciplinary Action regarding Richard Perkins, Ph.D., License Number PY0280, Case Number 16-0328. Review case summary C, attached, to review the summary of proceedings.

16. Public Comment.

Mr. Collier did provide comment relating to the hearing of Dr. Parry and disagreement of decision made by the Board.

17. ADJOURNMENT

Dr. Krogh moved to adjourn the hearing. Second was made by Dr. Ghezzi, all approved. Board vote 5-0-0

CASE SUMMARY A

CASE NO. 16-0909 and 16-1005

State of NV Board of Psychological Examiners v. Gregory Brent Dennis, Ph.D.

Gregory Brent Dennis represented by Counsel: Richard Schonfeld, Esq.

BOPE represented by Counsel: Sarah Bradley, Senior Deputy Attorney General

PRESENT: Michelle Paul, Chair
Whitney Owens, Vice-Chair
Sheila Young, Secretary-Treasurer
Yvonne Wood, Member
Rosalie Bordelove, Deputy AG
John Paglini, Member
Patrick Ghezzi, Member
Pam Becker, Member
John Krogh, Member
Gary Lenkeit, Member
Morgan Gleich, Executive Director

SETTLEMENT:

- 1) Respondent agrees to a six (6) month suspension of license, beginning May 6, 2017, and ending November 5, 2017. Licenses to be reinstated subject to the conditions outlined in Agreement.
- 2) Respondent agrees to submit to an administrative forensic evaluation conducted by Dr. Matthew Okeke, M.D.
- 3) Respondent agrees to follow the recommendations of his evaluation from Dr. Okeke, and enroll in monitoring for a period not to exceed seven (7) years through the NPAP.
- 4) Respondent agrees to give consent to NPAP for the full duration of his monitoring program, and the NPAP is authorized to send the reports on his progress on a monthly basis with any recommendations for modifications of treatment, monitoring or work plan.

The Board requests that NPAP clearly address the dual relationships between Respondent and his patients.

- 5) The Board will maintain jurisdiction over this Agreement and these cases and may modify the terms and conditions as deemed warranted by NPAP, which may include further evaluation of Respondent, drug testing and/or urine testing, inpatient v. outpatient treatment, ongoing treatment and monitoring for up to seven (7) years.

Also, a re-entry to work plan (with monitoring) and may include supervision by another licensed psychologist or medical professional.

- 6) Respondent's ability to practice and the conditions which he practices during the NPAP monitoring program will depend on NPAP's monitoring and recommendations, approved by the Board

- 7) Respondent will be responsible for the costs of Dr. Okeke's administrative forensic evaluation and monitoring and treatment provided by NPAP
- 8) Respondent agrees that he cannot treat any patients with substance abuse issues. If it's not known ahead of time but comes up in later sessions, he must excuse himself from treating that patient and refer him elsewhere by stating "That's not my area of expertise at this moment. Let's send you to somebody else". Must be documented
- 9.) If NPAP confirmation and the clinical supervisor is in place, Dr. Dennis could start working as drug testing and supervision is occurring.
- 10 If Ms. Bradley, Dr. Lenkeit confirm that abuse track is in place and that there is a clinical supervisor overseeing Dr. Dennis, he could reopen his practice right away.
- 11) A Motion was made to approve Dr. Dennis's return to practice, contingent on all the steps requested taken, signed documents are in place, that we will allow Dr. Dennis to proceed to re-start his practice and would give him his license to do that. Four yeses and one nay and one recusal.
- 12) Ms. Bradley asked for a report every other month from Dr. Dennis' therapist, one meeting a week (SMART meetings). Also a stipulation to no treatment of substance abuse, summary from ABC, weekly therapy with report every other month
- 13) Abuse track to be tracked for five years. Board opted to revisit changes as they occur in the 5-year period.
- 14) Motion made by Ms. Becker to have Dr. Dennis' license reinstated. 4 yay, 1 nay and 1 recusal.
- 15) Morgan to contact Dr. Shiode to let him know Dr. Dennis would be contacting him the following Monday.
- 16) If Dr. Shiode cannot supervise Dr. Dennis, Ms. Bradley suggested giving leeway to Dr. Lenkeit to help find a supervisor.
- 17) Motion was made that if Dr. Shiode was not able to perform the supervision, that other people be suggested and approved by Dr. Lenkeit and move forward, allow the process to move forward.

All approved.

CASE SUMMARY B

CASE NO. 15-1123

State of NV Board of Psychological Examiners v. Barbara J. Parry, Ph.D.

Dr. Parry represented by Counsel: Ryan Hamilton, Esq.

BOPE represented by Counsel: Sarah Bradley, Deputy AG and Rosalie Bordelove, Deputy AG

PRESENT: Michelle Paul, Board President
Whitney Owens, Vice-Chair
Sheila Young, Secretary-Treasurer
Yvonne Wood, Member
John Paglini, Member
Pam Becker, Member
John Krogh, Member
Gary Lenkeit, Member
Morgan Gleich, Executive Director

COMPLAINT:

Issue before the Board is whether or not Sean Collier was a patient or a collateral in 2013, when sessions with both he and his wife occurred. Respondent failed to release patient records under the conditions required by Nevada law, which is grounds for disciplinary action. Issue at hand is whether the sessions with Mr. Collier were considered collateral or couple's sessions

BOARD POSITION:

Burden of proof is on the Board's counsel to approve the alleged facts and violations of law by a preponderance of the evidence. There are 15 factual allegations and one violation of law. The violation is a records-related violation. Board's concern is that the patient records were not released under the conditions required by Nevada law pursuant to NAC 641.219 Sub3.

Dr. Parry had an ongoing relationship with Kelly Collier. She was a patient. She had been a patient for many years. In 2013, there were visits with both the patient and the patient's husband, Sean Collier. There were 4 visits with both husband and wife.

Question is who owns the records regarding that therapy when the husband and wife were together in sessions. In some communications, Dr. Parry referred to that as couples counseling or marital counseling. In other communications she referred to Mr. Collier as an Adjunct. The question is did he become a patient during those 4 visits and do those records belong to him. Proper release of those records would include both a signature from both Mr. Collier and Mrs. Collier.

An adjunct is not an appropriate term for Mr. Collier, which is an evaluation or assessment of somebody. An adjunct does not participate in therapy with you specially to try to improve communication in a marriage. That is not adjunct or collateral roMr. Collier was not just a collateral. He had crossed over into a different role and his signature would have been required. The relationship between Colliers were not identified properly by Dr. Parry. The information and records of the Colliers were not tracked properly and Mr. Collier was not allowed to access the records.

Main concern is Dr. Parry's records and the fact that Mr. Collier wasn't classified appropriately by Dr. Parry in this treatment. Everything has been proven based on the exhibits.

Mr. Hamilton (Dr. Parry's attorney) made it clear to the board that their position since the beginning of the matter that Dr. Parry denies the complaint. Mr. Hamilton asks the Board to find that the violation of law has been proven.

Mr. Hamilton stated the issue was "was Sean Collier a patient, and did he own the records that are at issue. Their position is that he was not a patient – he was a collateral. Dr. Parry had advised Mr. Collier to his role in therapy – that being of a collateral.

Sean Collier was expressly designated as a collateral – it is in the records. There were no patient consent forms, billing codes, etc., that Mrs. Collier had to sign as a patient. And because Mr. Collier was not a patient he had no right to decide whatever happened to the records.

Mr. Hamilton submits that the weight of the evidence is that Mr. Collier has been and was correctly identified as collateral at all times during proceedings. He was designated as a collateral by Dr. Parry. Mr. Collier was a collateral and Mrs. Collier was the patient.

Dr. Parry refers to Mr. Collier in all records, billing codes and billed him individually

Ms. Bordelove gave guidance to the Board as to the deliberations – standard of care is preponderance of evidence. Findings in all should be fact has been proven more likely than not.

Allegations 1-5 are undisputed, 6-11 are undisputed with exception of the term "marital therapy"; 13 and 14 are statutes; 12 and 15 are of a legal conclusion.

Ms. Becker stated she was not inclined to think there had been a violation as the fact Dr. Parry uses the words "couple's therapy" - it would have been billed as "couple's therapy"

Dr. Krogh stated that it "boils down to what was the relationship and what does couples counseling or individual therapy mean? Bringing individuals together for the benefit of what I would consider the identified patients is something that's common practice in different kinds of treatments, specifically helping people cope with certain disorders. There should have been better documentation."

Dr. Ghezzi raised questions that this couple's therapy really didn't relate to the couple but just to one person. Why wasn't husband involved? Dr. Parry did not bill for couple's therapy. She billed for one on one therapy with an individual.

Dr. Owens stated that the intention of the sessions wasn't clear. Mr. Collier was under the assumption that it was couple's therapy session.

Ms. Becker felt that the billing was only for Mrs. Collier. Mr. Collier was never involved. Also, that it was clear from Dr. Parry's testimony that she has changed how she does everything. She was once sloppy in 2013 but her practice has changed.

Vice Chair Owens submitted a proposal that the Board go through the different allegations and maybe group a few and go ahead and move that those that have been proven or not proven to get them out of the way and just get to the two pieces the Board needs to get to.

Vice Chair Owens asks for a motion for 1-5 have been proven. Ms. Becker –moved that allegations 1 through 5 have been proven. Dr. Krogh second the Motion – Board 8-0-0

Ms. Becker motioned that the Board accepts allegations 6 through 8 as proven with word changes as in under Allegation 6 there were actually five visits that Board heard about. Motion was made that the Board accepts allegations 6, 7, and 8 with the stipulation that there were the five visits and they were for therapy. Eliminate the word “marital”. Dr. Krogh second the Motion, - discussion was held about taking the wording “marital or couples” out of the language, call the visits for therapy. Board 8-0-0

Vice Chair Owens stated that Allegation 9 “Complainant did not authorize Respondent to release these records on his behalf”. Ms. Becker stated that in the Complaint it was proven that the Complainant did not authorize the release. She moved to accept Allegation 9 as proven. Dr. Ghezzi second the motion- Board – 8-0-0

Allegation #10 – Discussion was held regarding that Dr. Parry only saw the Complainant in a collateral capacity. Ms. Becker moved that Board accepts Allegation 10 as being proven. Dr. Ghezzi second the Motion – Board 8-0-0

Allegation #11 – Ms. Becker – made a motion that it has been proven; Dr. Krogh seconds Motion. the Board – 8-0-0

Allegation #12 – The Board believes and alleges that Respondent failed to correctly identify patient Complainant as a patient and not just a collateral contact of mother. Ms. Becker motioned that #12 has not been proven. Dr. Krogh second the Motion. Discussion was held – Ms. Becker believed that Dr. Parry, having been a therapist for as long s she has been, that she would have developed a protocol that would have been followed by now. Dr. Ghezzi asked if Dr. Parry incorrectly identified the Complainant as a collateral? Did she incorrectly identify? Does the preponderance of evidence suggest that the identifications were incorrect? Allegation #12 needs to be rephrased. Ms. Becker made a Motion that #12 has not been proven. Dr. Ghezzi second the Motion, the Board -8-0-0

Ms. Becker made a motion that Allegations 13 and 14 are true and have been proven - Dr. Ghezzi second the motion – the Board 8-0-0

Allegation #15 - the Board believes and alleges that as described in factual allegations 1 through 14, Respondent failed to comply with Nevada law regarding access to client’s records.

First claim for relief is Respondent described in 1 through 15, failed to release patient records under the conditions required by Nevada law pursuant to NAC 641.213 and NRS 629.061(1) which is grounds for disciplinary action pursuant to NRS 641.230(1)(g)

Dr. Krogh makes a Motion that this has not been proven. Ms. Becker seconds the Motion. Ms. Becker asked “if we say she didn’t violate any laws, we can’t do any discipline, can’t put anything on the record about how we felt or what we think should happen and make a recommendation for the future?”

Ms. Bordelove told the Board if they find that she has not violated the law, then you cannot issue discipline, because it’s the violation of one of the NRS statutes or the NAC. Finding that there is no violation of the law, you can’t put any conditions or anything thing like that on her.

Dr. Krogh moved that it was not proven because there was discussion that the grounds for this rested on the client and the psychologist’s relationships. Also that the term “couples counseling” was used loosely in the sense to describe two people in the same room rather than marital therapy, a type of therapy. Also discussed that the Complainant was not yet identified as patient, we found that she had acted appropriately.

Dr. Owens asked Ms. Becker to provide rationale. She stated she agreed with what Dr. Krogh said, and felt bound by the billing piece because that was clearly for a client. It was not for couples.

Dr. Ghezzi felt convinced that Mr. Collier was not a client. And base for that is the billing record.

Vice Chair Owens stated that in the future (for the record) Dr. Parry would be advised and encouraged to be more clear in her recordkeeping, her intentions for the collateral in the office as to what their designation is and what the treatment plan is more specifically. Evidence is not clear enough to say that she's particularly broken any law.

Ms. Becker made a motion that Allegation 12 has not been proven. Dr. Krogh second the motion - Board – 8-0-0

Ms. Becker made a Motion that Allegations 13 and 14 are true and have been proven
Dr. Ghezzi Second the Motion - Board – 8-0-0

Ms. Becker made a Motion that Allegation 15 has not been proven because “Board Staff believes and, therefore, alleges that, as described, failed to comply with Nevada law regarding access to client files”. Dr. Ghezzi second the Motion – Board – 8-0-0

Discussion was made that if Board says Dr. Parry didn't violate any laws – the Board cannot do any discipline, or put anything on the record about how the Board felt or what the Board thinks should happen or moving forward make a recommendation for future.

Ms. Bordelove informed the Board that if you find that Dr. Parry has not violated the law then you cannot discipline, it's a violation of one of these NRS statutes or the NAC. It would give you the authority to issue discipline. There's nothing that stops you from any of your discussions, giving your thoughts or recommendations. Nothing is binding. If you find there is no violation of the law, then you can't put any conditions or anything on her. Because this is the main claim of the law, you can just give a very brief reasoning for why you're voting one way or the other.

Dr. Krogh again moves that Allegation #15 is not proven because “we had discussed that the term “couples counseling” was used loosely in the sense to describe two people in the same room rather than marital therapy. Also in discussions we found that she had acted appropriately.

Ms. Becker second the motion, and agrees with what John said, “is bound by the billing piece because that was clearly for a client. It was not for couples”.

Dr. Ghezzi agrees with fellow Board members and is convinced that Mr. Collier was not a client. Basis for conviction, is the billing record. Board 8-0-0

Dr. Owens voted aye but finds it a bit murky and for the record, advised that in the future that Dr. Parry would be advised and encouraged to be more clear in her recordkeeping, her intentions for the collateral in the office as to what their designation is and thinks that the evidence that was given isn't clear enough to say that she's particularly broken any laws.

Matter is concluded with no discipline.

PUBLIC COMMENT:

Sean Collier spoke to the Board– stating that the issue as to releasing information was just one simple bullet point of many of Dr. Parry’s behavior.

He stated the real issue was she was treating his children. He requested records for his children that she had from this treatment and Dr. Parry claimed she didn’t treat his children.

The word collateral never came up in 2018. He filed his Complaint in December 2015. In August 2016 he contacted the Board about where his Complaint was. Board responded they were still working on it. and were requesting additional information from Dr. Parry. And while waiting new guideline came out. He questions validity of some of the documents that were submitted.

He has primary custody of his children. After years of therapy for his wife with Dr. Parry she’s still only allowed to see children 7 hours a week supervised.

Ms. Becker stated that the issues need to be brought to more of the forefront within the Board. Recommends putting it into NRS and we have terms for (collateral, marital, etc.,)

Dr. Paul stated it would be good to provide educational steps to provide psychologists how to handle multiple guardians, collaterals and make sure informed consent is very clear.

CASE SUMMARY C

CASE NO. 16-0328

State of NV Board of Psychological Examiners v. Richard Perkins, Ph.D.

Richard Perkins, Ph.D. represented by Counsel: John L. Arrascada, Esq.

BOPE represented by Counsel: Sarah Bradley, Senior Deputy Attorney General

PRESENT: Michelle Paul, Chair
Whitney Owens, Vice-Chair
Sheila Young, Secretary-Treasurer
Yvonne Wood, Member
Rosalie Bordelove, Deputy AG
John Paglini, Member
Patrick Ghezzi, Member
Pam Becker, Member
John Krogh, Member
Gary Lenkeit, Member
Morgan Gleich, Executive Director

(PROPOSED SETTLEMENT):

- 1) Respondent agrees to complete at least two hours in record keeping and the remaining four hours in ethics or risk management in continuing education courses on records management, record-keeping, responding to patient records, within six (6) months from date of Board's Order approving the Settlement.
- 2) Respondent will provide a summary within thirty (30) days after completion of each course of what he learned in these courses.
- 3) Completion of these six (6) hours of continuing education will not be counted towards the renewal of license.
- 4) Respondent agrees to reimburse the Board for its costs in this matter an amount not to exceed \$850.
- 5) Board is to provide Respondent with an exact total of its costs within twenty (20) days of the Order to approve Settlement.
- 6) Respondent can make payments provided that the total amount due is paid within six (6) months from date of the Order to approve Settlement
- 7) If not paid within allotted time, the Board may institute collection and recovery actions.
- 8) Respondent understands the Settlement is a public document and the public records law may require the Board to make Settlement available for inspection.

- 9) Respondent understands that the Board reports all disciplinary actions to the appropriate national practitioner databanks, and Nevada Legislature; and the Board may share the contents of the Settlement with any governmental or professional organization or member of the public
- 10) If legal costs are not paid within the time allowed, the Board can rescind the Settlement and proceed with conducting a hearing on the Matter.

Dr. Young moved to accept the proposed settlement. Dr. Krough second. Dr. Wood moved to accept the settlement agreement proposed by Ms. Bradley with the changes.
Dr. Krogh second. The Board – Aye, Dr. Paglini recuses and Dr. Paul votes aye.

- 11) Respondent agrees and understands that by entering into this Settlement, Respondent is waiving his right to a hearing which he may present evidence in his defense and to be represented by counsel, and to a judicial review of any adverse decision in his defense.
- 12) Respondent agrees that the Board members who review this matter for approval of the Settlement may be the same members who hear the Board Staff's Complaint if the Settlement is either not approved by the Board, or is not timely performed by the Respondent
- 13) Settlement Agreement was approved at the November 17, 2017, State of Nevada Board of Psychological Examiners meeting, by the Board and Respondent's Counsel.

(No witnesses or exhibits presented)