

**PUBLIC NOTICE OF A MEETING FOR
NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS**

DATE OF MEETING: Friday, July 12, 2019

Time: 9:00 a.m.

University of Nevada, Las Vegas, 4505 S. Maryland Pkwy. System Computing Services, Room 306, Las Vegas, NV 89154, by video conference to University of Nevada, Reno System Computing Services room 47, Reno, Nevada 89557, and via ZOOM Video Conferencing.

1. The meeting was called to order at 9:25 a.m.

In Las Vegas:

Stephanie Holland, Ph.D., Member

Others present:

Michael Detmer, SDAG, Board Counsel

Kent Dail , Board Witness, employee of Oasis Counseling

Steve Guevara, Respondent

Sara Hunt, Ph.D., President-Elect, Nevada Psychological Association

Danielle Moreggi, Board Witness, Licensed Psychologist

David Schroeder, Board Witness, Licensed Psychologist

Adriana Zimring, Ph.D., Public, Licensed Psychologist

Sarah Ahmad, Psy.D, NPA

Noelle Lefforge, Ph.D., NPA

Carolina Meza Perez, Public

Via ZOOM:

Gary Lenkeit, Ph.D., Board Investigator

Danielle Bello, Public

Sarah Damas, Public

In Reno:

Whitney Owens, Ph.D., President

John Krogh, Ph.D., Member

Anthony Papa, Ph.D., Secretary-Treasurer

Others Present:

Sarah Bradley, Senior Deputy Attorney General

Morgan Gleich, Executive Director

Neena Laxalt, Lobbyist

Ellen Rahn, Executive Assistant

Sheila Young, Ph.D., Board Investigator

2. Public Comment.

No public comment.

3. Review, discuss, and possible approval of minutes from previous meetings: June 14, 2019
Discussion deferred to July 18, 2019 ZOOM Meeting.

4. Review, discuss, and possible approval of Treasurer's report for F/Y 2020 (July 1, 2019, through June 30, 2020); Review, discuss and update on a current biennial budget (July 1, 2018, through June 30, 2020).

Discussion deferred to July 18, 2019 ZOOM Meeting.

- A. Recouping outstanding Legal Fees Owed to the Board from Disciplinary and Unlicensed Practice cases.
- B. Wrapping up F/Y 2019; needs, concerns and updates

5. Review of consumer complaints pending.

A. Complaint #18-0924B

See 7a.

B. Complaint #18-1009

No update.

C. Complaint #19-0418

Dr. Lenkeit is still investigating this complaint and will provide an update at the August 9, 2019 Board meeting.

D. Complaint #19-0424

No update.

E. Complaint #19-0506

No update.

F. Complaint #19-0514

Dr. Lenkeit reminded Board members of the facets of this complaint and in the course of his investigation found that this should move forward for disciplinary proceedings.

Dr. Krogh motioned to forward Complaint #19-0514 to the Attorney General's office; Dr.

Papa seconded; Board 4-0-0

G. Complaint #19-0603

Dr. Lenkeit reminded Board members of the facets of this complaint and his investigation. As the complainant had previously filed a nearly identical complaint, Complaint #16-1122, which resulted in dismissal. Dr. Lenkeit found no violations of NRS 641, NAC 641, or APA Code of Ethics and recommended dismissal.

Dr. Krogh motioned to dismiss Complaint #19-0603; Dr. Papa seconded; Board 4-0-0

6. **Public Workshop for Language Development.**

The Public workshop was held on July 12, 2019, but outside of the Board meeting.

Separate minutes for the workshop are available on the Board website, or by request through the Board Office.

- A. Update from July 1, 2019 stakeholders meeting.
- B. Review of correspondence received regarding language change.
- C. Development of NAC 641 Language.
 - 1. Increase of Biennial Fee
 - 2. Introduction of CE Late Fee
 - 3. Development of clear Endorsement Language
 - 4. Development of clear Foreign Applicant Language
 - 5. Clarifying Language in NAC 641.152
 - 6. Clarifying Language in NAC 641. 154

7. Clarifying Language in NAC 641.161
8. Discussion of other changes needed in NAC 641

7. Disciplinary Matters:

a. Disciplinary Hearing: Case No. 18-0924B, State of Nevada, Board of Psychological Examiners v. Steve Guevara, Psy.D.

Exhibit 1:

Ms. Bradley began by presenting Exhibit 1: Notice of Hearing to Dr. Guevara, which Dr. Guevara agreed to have admitted. No pre-trial motions were made by Ms. Bradley nor Dr. Guevara.

Opening Statements:

Ms. Bradley began by informing Board members of the facets of the case: Dr. Guevara applied to be a Psychological Assistant but never completed registration as one. Despite that, Dr. Guevara engaged in psychological services. During that time, Dr. Guevara received notification that his Psychology Licensure Universal System (PLUS) application was incomplete from ASPPB and therefore incomplete with the Board and failed to respond to requests to complete the steps to register as a Psychological Assistant. Ms. Bradley reminded Board members that as prescribed under NRS 641.2705, the Board has authority to discuss appropriate disciplinary actions against an individual engaged in these acts.

Dr. Guevara to begin his opening statement. Dr. Guevara began by informing the Board that he was unaware that he had to complete the PLUS application and noted his confusion of the need to complete one. He stated that he was hired by "a Board member" and assumed that his actions were within the boundaries of practicing psychology. Dr. Guevara denied to disclose the name of the psychologist who hired him. However, Director Gleich informed the Board that prior to the hearing, Dr. Stephanie Holland informed her that she hired Dr. Guevara and recused herself from voting when disciplinary actions were passed down by the Board.

Ms. Bradley took a moment to ensure that quorum was still met with Dr. Holland's recusal. Per NRS 281.A.420: if a person makes a disclosure of needing to abstain, quorum is still met as there are 3 Board members present, seats vacated on July 1 have not been filled, and the new NRS regulation increasing the amount of Board members to 7 was not yet effective. Dr. Guevara continued after Dr. Holland's recusal stating that she was indeed was the Licensed psychologist that initially hired him. Director Gleich noted that Dr. Holland was not a Board member at that time, Dr Guevara's application was active with the Board.

Exhibits 2-7:

Ms. Bradley provided Exhibits 2-7, 2: Consumer Complaint filed by Drs. David Schroder and Danielle Moreggi against Dr. Guevara and his supervisor Heidi Stark-Bank; 3: Board settlement agreement with Dr. Heidi Stark-Bank; 4: Response letter from Dr. Guevara dated November 7, 2018 to the Board regarding the consumer complaint; 5: History of Dr. Guevara's registration status with the state of Idaho; 6: Correspondence from the Board office including Email/letters sent to Dr. Guevara, 28 page ASPPB file, communications with Dr. Guevara regarding licensure status from the Board, and email from Dr. Moreggi to Director Gleich; 7: copy of envelopes indicating dates and addresses; to Dr. Guevara to review and approve prior to Board members reviewing them.

During Dr. Guevara's review of exhibits, Dr. Schroeder, Dr. Moreggi, Dr. Guevara, Dr. Young, and Director Gleich were sworn in for their forthcoming testimonies.

Dr. Guevara allowed Exhibits 2-7 to be admitted and reviewed by Board members.

Dr. Owens admitted Exhibits 1-7, for the Board members and public to review.

Public Disciplinary Hearing, Board v. Steve Guevara Psy.D., Case No. 18-0924B

Ms. Bradley began by calling Dr. David Schroeder as a witness. Dr. Schroeder informed Ms. Bradley he has been a licensed psychologist in Nevada since 1998. Dr. Schroeder affirmed that he filed the complaint in concurrence with Dr. Moreggi. Ms. Bradley questioned why he filed the consumer complaint in the first place. Dr. Schroeder apprised the Board that to his recollection, around July or August 2018, Oasis Counseling Center was in the process of switching supervisors for Dr. Guevara and wanted to examine his status as a Psychological Assistant. Dr. Schroeder noted that Oasis Counseling Center were unable to document that or find proof that Dr. Guevara was registered with the Board. Dr. Schroeder believed that during that time, Dr. Guevara was providing psychological services, including psychological testing and seeing individual patients in counseling/therapy sessions. Dr. Schroeder recollected that prior to this event, he did not talk to Dr. Guevara about his status as a Psychological Assistant. When concerns were raised, Dr. Schroeder approached Dr. Guevara requesting him to provide documentation, as it could not be located in Oasis Counseling Center's files, and recalled Dr. Guevara had informed him that he believed was registered with the Board and allowed provide psychological services. As Dr. Schroeder could not find proof of Dr. Guevara's registration, he ascertained that Dr. Guevara was not registered with the Board and spoke with Dr. Moreggi and colleagues at Oasis Counseling Center. Dr. Schroeder indicated that he and colleagues decided to terminate Dr. Guevara from the organization as he was not registered, which Dr. Schroeder believed to be around September 2018. Dr. Schroeder informed Board members of his concern of the quality of services being provided. Dr. Schroeder asserted that patients were concerned about the breadth and depth of content. Dr. Schroeder remarked that colleagues had reviewed one of Dr. Guevara's reports, and the colleague informed Dr. Schroeder that they could not understand how Dr. Guevara came to the conclusions he did, based on the psychological testing he completed.

In regards to Dr. Guevara's education, Dr. Schroeder noted he did not see an academic transcript in Dr. Guevara's personnel file, but did see a photocopy of Dr. Guevara's degree from the Illinois School of Professional Psychology. Ms. Bradley concluded her examination of Dr. Schroeder.

Dr. Guevara began his questioning of Dr. Schroeder by enquiring as to when Dr. Schroeder had requested information from Dr. Guevara and asserted that no interaction existed. Dr. Guevara recalled informing Dr. Schroeder that he was already supervised by Dr. Stark-Bank and did not recall being asked for documentation of his status as a Psychological Assistant. Dr. Schroeder informed Dr. Guevara that he had been approached by the clinical director of Oasis Counseling Center to review Dr. Guevara's personnel file to see if it was in order.

Dr. Guevara moved forward by asking if Dr. Schroeder had an amount for the number of patients Dr. Guevara had seen; Dr. Schroeder informed him that he had no idea. Dr. Guevara continued by asserting that he believed he was registered with the Board as he had submitted an application, paid a fee, and sent a copy of his passport, which was all that required in other states where he had applied for registration as a Psychological Assistant. Dr. Guevara further wondered why Dr. Schroeder had not contacted his supervisor or the clinical supervisor of Oasis Counseling Center when questioning his diagnosis. Lastly, Dr. Guevara inquired as to what exactly Dr. Schroeder had looked at in his personnel file and reiterated that he had seen a photocopy of Dr. Guevara's diploma but did not see any transcripts. Dr. Guevara concluded his questioning.

As no Board member had questions for Dr. Schroeder, he was then excused from further questioning.

Ms. Bradley called Dr. Danielle Moreggi for questioning. She answered that she has been a licensed psychologist in Nevada since 2015. Dr. Moreggi agreed that she stated she was somewhat familiar with Dr. Guevara and was aware that she wrote a complaint with Dr. Schroeder against Dr. Guevara and Dr. Stark-Bank. Dr. Moreggi said that within a few days of employment at Oasis Counseling, she reached out to Dr. Bank and Dr. Steve [Guevara] about her concerns. Dr. Moreggi went on to say that day-to-day issues arose and in learning how Oasis Counseling operated, she initially brought concerns about Dr. Stark-Bank to the owners of the center. She noted that Dr. Guevara was included in these discussions. She stated that if Dr. Stark-Bank was dismissed, Oasis told Dr. Moreggi that Dr. Guevara would require a new supervisor and approached her to take over supervision. She informed the Board that Dr. Guevara was then tasked with contacting Director Gleich in August/September 2018 to get the appropriate forms. Dr. Moreggi noted that as Dr. Guevara had neglected to do so in a timely fashion, Dr. Moreggi was asked to contact Director Gleich to see what she could do as a supervisor. On September 10, 2018, Dr. Moreggi emailed Director Gleich and on September 11, 2018, Director Gleich replied informing Dr. Moreggi that Dr. Guevara's application had been closed in April 2018. Dr. Moreggi said that it was then that Oasis threatened to put Dr. Guevara on leave so he submitted the appropriate forms. As Dr. Moreggi consulted with Dr. Guevara, she was frequently in his office, and noted that Dr. Guevara did not have his degree on the wall, which is a requirement for practitioners. Dr. Guevara had informed her he specialized in autism and that he would like to continue working with children, and that Dr. Moreggi would focus on psychological services with adults.

Dr. Moreggi recalled that Dr. Guevara was constantly busy. She agreed that Dr. Guevara had admitted he was completing psychological tests, but was unsure whether he engaged in counseling and therapy sessions, and that management of Oasis had touted him as an expert. It was at this time that Dr. Moreggi and Dr. Schroeder met with the clinical director of Oasis, Kent Dail, regarding their concerns that Dr. Guevara was not registered with the Board. Dr. Moreggi was aware that if he were, it would be in the Board's database online, and communicated that to Dr. Schroeder and Mr. Dail. Dr. Moreggi recalled that when she asked Dr. Guevara about his registration he stated, "I think I have an email somewhere", and informed him that he needed to obtain confirmation from the Board if she was to be his supervisor. Dr. Moreggi concluded by stating that as a licensed psychologist, it was her duty to inform the Board of Dr. Guevara engaging in psychological services while not being registered with the Board. Ms. Bradley concluded her examination.

Dr. Guevara began his cross-examination by asking Dr. Moreggi how many times they had met, which was only a few times, and noted that every organization is different in the way they go about testing. Dr. Guevara went on to question Dr. Moreggi's expertise, which was forensic psychology, and how they aligned with the testing she engaged in at Oasis. Dr. Moreggi asserted that Dr. Guevara advertised himself as a psychologist, but when she was told he needed supervision, it was then that she found out he was a Psychological Assistant. She noted that she brought her concerns to her employer and not to Dr. Guevara or Dr. Stark-Bank. Dr. Guevara countered that he had a doctorate degree and is therefore a doctor, but did not advertise himself as a licensed psychologist. Dr. Guevara recalled that he put forth that he did not want Dr. Moreggi to be his supervisor and took issue with Dr. Moreggi saying he did not inform the Board in a timely fashion. He stated and that he did testing in 1 or 2 cases. Dr. Guevara then questioned Dr. Moreggi about her viewing his personnel files. Dr. Moreggi denied having seen his personal records or degrees, but was asked by Dr. Schroeder and Mr. Dail what Dr. Guevara would need to be registered as a Psychological Assistant. She reiterated that they could see if he was registered by checking the Board's database online.

Dr. Guevara concluded his cross-examination. Board members did have questions for Dr. Moreggi, and they were allowed to begin. Dr. Krogh wondered about the vetting process of

those hired and Dr. Moreggi informed him that she questioned Oasis as soon as she knew of inconsistencies with Dr. Guevara's registration with the Board. Dr. Guevara stated that Dr. Moreggi had mentioned to people at Oasis that her license was in danger. Dr. Moreggi disagreed with this assertion and that she has never worried her license was in danger. There were no further questions for Dr. Moreggi, and she was excused from questioning.

Mr. Dail, the clinical director of Oasis Counseling Center, was sworn in for questioning. Mr. Dail informed Ms. Bradley that he is the clinical director for Oasis Counseling Center, has been since August 2017, and is a licensed Clinical Professional Counselor (CPC) in the state of Nevada. Mr. Dail agreed that he is familiar with Dr. Guevara and stated that Dr. Guevara was hired as he did not think to question the work or integrity of a psychologist. When Dr. Schroeder and Dr. Moreggi raised their concerns of Dr. Guevara's qualifications, Mr. Dale reviewed Dr. Guevara's file looking for a letter a Psychological Assistant would receive if they were registered with the Board. Mr. Dail did not recall whether a transcript or degree was in the file but agreed it would be appropriate for there to be them in there. He brought his concerns to the owners of Oasis and it was then that Dr. Guevara was asked to provide proof. Dr. Guevara was terminated for failing to do so. Mr. Dail reviewed the coded schedule Oasis used and based on those, Mr. Dail asserted that Dr. Guevara was providing psychological testing services and some individual psychotherapy. Ms. Bradley concluded her questioning of Mr. Dail .

Dr. Guevara questioned how Mr. Dail had access to personal records and Mr. Dail informed him he was given permission by the President of Oasis.

At this time, Ms. Bradley reminded Dr. Guevara that he in the order he was sent, he was informed he could have called witnesses of his own and failed to do so.

Dr. Guevara continued to question what Mr. Dail was looking for in his file, and Mr. Dail informed him he was looking for a letter from the Board about his registration but was unsure exactly what he was looking for and asked his colleagues for assistance. Dr. Guevara asked Mr. Dail who could look at his personnel records. Mr. Dail informed him that as he was management, he had permission to do so. The Board members had no further questions for Mr. Dail and he was excused from further questioning.

Ms. Bradley called Director Gleich to testify. Director Gleich agreed that as the Executive Director, she is familiar with applications such as Dr. Guevara's. Director Gleich informed the Board that Dr. Guevara's application was opened, closed, and reopened twice, as he did not complete the PLUS application, or return Board correspondence. Director Gleich agreed that Exhibit 6 is the email informing applicants what the PLUS system is, including a URL to psypro.org and extensive directions. After Dr. Guevara did not complete the PLUS application, Dr. Guevara received two letters: one informing him that the application file will be closed and then another after it was closed. Director Gleich clarified that the registration approval letter in question that would have been in Dr. Guevara's file is sent to an applicant when they finish their PLUS application informing them of their supervisor of record and requests a registration fee. When the fee is received, applicants are given their backdated application date informing them of when their registration officially began. These letters are also copied to the supervisor of record.

Director Gleich asserted that neither a Supervised Practice Plan [which is filled out by the psychological assistant and supervisor] nor work agreement [which is an agreement between a supervisee, supervisor, and if necessary, an employing organization] was received by the Board office for Dr. Guevara. Director Gleich noted that a typical application has 2-3 items of proof of a supervisor and that these are required to be registered. Further, that applicants are not allowed to work if they are not legally registered with the Board. Ms. Bradley completed her questioning.

Dr. Guevara began by questioning when he opened his application files. Director Gleich noted that he opened his application file with the Board first in November 2016, and second in

May 2017. The first was as a licensed psychologist and second as a Psychological Assistant. Director Gleich informed Dr. Guevara that multiple letters sent to Dr. Guevara were returned and that it is not the Board's responsibility to maintain addresses, it is the applicant's responsibility.

Ms. Bradley had a redirect question for Director Gleich regarding what the Board does when mail is returned. Director Gleich informed Ms. Bradley that the Board office attempts to get an updated address of applicants by phone and email. As the Board members had no further questions for Director Gleich she was dismissed from further questioning.

Ms. Bradley called Dr. Sheila Young for questioning. Dr. Young informed Ms. Bradley that she is a clinical psychologist, has been licensed in Nevada since 1991, and is currently employed by Veteran's Administration. As well as a Board investigator, in which role she was assigned this case for investigation. As such, she reviewed the complaint, records and documents from the Board office, letters, emails, and other items pertaining to this case. Dr. Young informed Board members of facets of her investigation. Firstly, that as the PLUS application was incomplete, the Board does not have first source verification of education. Dr. Young was able to verify that Dr. Guevara was registered as a Psychological Assistant in Alaska. Dr. Young concluded that as registering as a Psychological Assistant is a contractual agreement, the Board has a clear outline of what the procedure is. Ms. Bradley completed her questioning.

Mr. Guevara questioned how long the state of Nevada has used the PLUS application; Dr. Young informed Dr. Guevara that Nevada was an early adopter of the PLUS joining in 2014 or 2014. Dr. Guevara also questioned the information Dr. Young had regarding his registration as a Psychological Assistant in Alaska; Dr. Young informed him that she only knew the dates in which he was registered. Board members had no further questions for Dr. Young and she was dismissed. Ms. Bradley rested her case.

Dr. Guevara began his testimony. He informed the Board that he graduated in 2009 from an APA accredited program focusing on psychological testing, mainly with children. Dr. Guevara felt confident about his work and did not mean to work as an unregistered Psychological Assistant. He assumed he was working within the limits as he was hired by Dr. Holland. Dr. Guevara asserted that the accusations are uncalled for and that colleagues should be able to relate to one another and be able to communicate with each other about the work they are doing. That he has CANS (Child and Adolescent Needs and Strengths) certification.

Dr. Owens questioned Dr. Guevara regarding his registration in Alaska as a Psychological Assistant and wondered if he has been registered or licensed in other states. Dr. Guevara informed Dr. Owens that he was only registered as a Psychological Assistant in Alaska and that in other states he always worked under the license of a licensed psychologist. Dr. Guevara conceded that he should have completed his PLUS application but was not aware that he needed to at the time he was working in Nevada, and that he completed his training hours in Florida.

Dr. Owens took a moment to inform Dr. Guevara that Dr. Holland was not a member of the Board when he was hired by her.

Board members questioned if Dr. Guevara was registered in other states beyond Alaska, and Dr. Guevara indicated that he is registered in Idaho, as well. In Alaska, he was registered for about 3 years, and has been registered in Idaho for a year or two. He was unsure whether or not he was registered in Florida as every state's registration process is different. He was contracted to work under a psychologist's license in Alaska for a year, left the state, then went back and registered as a Psychological Assistant. Dr. Krogh questioned the timeline of Dr. Guevara's post-doctoral period. Dr. Guevara indicated that he obtained compensatory hours in Florida, then moved to Alaska, Idaho, then Nevada. Dr. Krogh noted that he had been properly registered in other states but failed to do so in Nevada.

Ms. Bradley began her re-direction by confirming Dr. Guevara's email address and whether he had received emails from the Board indicating closure of his file in September 2018, which Dr. Guevara confirmed he had received. Ms. Bradley pointed to a second email sent by Jayson Louizos of ASPPB (Association of State and Provincial Psychology Boards) on August 23, 2017 and Dr. Guevara confirmed he had received this email but did not do the things the email said. He further ignored information given to him by Julie Carper of ASPPB to complete his PLUS application. Dr. Guevara informed Ms. Bradley that he had emailed Director Gleich with his new mailing address on June 13, 2017, but that he had not received mail at that address as he had not lived there for very long. Lastly, Ms. Bradley aimed to confirm how many patients Dr. Guevara had seen. He noted that he had seen approximately 4 or 5 in capacity as a therapist, and had completed psychological testing for approximately a couple hundred patients in the state of Nevada.

Dr. Guevara declined redirect, but prior to resting his case, Dr. Guevara informed Board members that he felt singled out and was treated unfairly by his colleagues. He posed his defense that Nevada's use of the PLUS application system held him back from being registered as a Psychological Assistant, despite his wealth of experience in psychological testing.

Ms. Bradley on redirect called Dr. Holland to testify, with permission by President Owens. Dr. Holland was sworn in and Ms. Bradley began her questioning. Dr. Holland informed Ms. Bradley that she has been licensed in Nevada since 1997, is a current Board member, and was not a Board member but was exam commissioner when she hired Dr. Guevara in December 2016. Dr. Holland remarked that around mid-January 2017, Dr. Guevara was terminated for not completing the registration process, as directed by her office. In that time period, Dr. Holland believed that she had not seen Dr. Guevara's credentials. Ms. Bradley concluded her questioning of Dr. Holland.

Dr. Guevara informed Dr. Holland that when he met her in 2016, he believed she had worked for the Board. Dr. Holland clarified that she had a position as the Board's exam commissioner but that she was not a Board member, or employee. Dr. Holland agreed that she hired Dr. Guevara as a Psychological Assistant recalled discussing Dr. Guevara doing psychological testing. Dr. Guevara questioned if Dr. Holland remembered seeing an email saying he was uncomfortable with the position and was unsure it was what he wanted to do. Dr. Holland agreed that it was a mutual decision for him to leave Desert Regional Center. Dr. Guevara concluded his questioning of Dr. Holland. As Ms. Bradley nor the Board had further questions for Dr. Holland, she was excused. Ms. Bradley rested her case.

Ms. Bradley began her closing statement first by reminding the Board of the proceedings. She noted that Dr. Guevara engaged in psychological testing and psychotherapy. Further, that by violating NRS 641.390, the Board has authority to discipline an individual who engages in these acts. It does not matter if you have training, you have to be registered by the Board, even if you have supervision. She noted that it is concerning that Dr. Guevara admitted to have been practicing for 9-10 years despite not being licensed. Ms. Bradley remarked that under APA code of conduct, psychologists do need to work cordially, but it can be different when working with Psychological Assistants and Psychological Interns. She went on to note that Board members should disregard Dr. Guevara asserting "improper access" of files as the people accessing them were supervisors, would-be supervisors, and management of Oasis Counseling. Ms. Bradley stated that they were doing their due diligence, and noted the good Dr. Moreggi and Dr. Schroeder did by bringing this issue to the Board. Ms. Bradley went on stating concern regarding Dr. Guevara seemingly going state to state without providing proof of a degree and transcripts. Ms. Bradley concluded by asking the Board to find allegations 1-36 as true and pass down the highest penalty possible.

Dr. Guevara began his closing statement by asserting that he never said he was a psychologist to anyone. To his belief, he had furnished his degree to agencies, including Oasis

Counseling. He stated that he had his degree in a garage somewhere, but that the program was an Argosy program, and is unable to get proof of education at this time. Regardless of that fact disagrees with Ms. Bradley's assertion that he lacks experience – he stated that he has experience and can therefore practice psychology. Dr. Guevara concluded by informing the Board that he was not seeking licensure in Nevada and that it was acceptable that he moved state to state.

Ms. Bradley countered Dr. Guevara's closing statement by noting that ignorance of the law is no excuse. Further, regardless, even if it is true that he actually did not know what he was doing, he received information from the Board and ASPPB informing him his application was incomplete. He did not receive confirmation from the Board that he could practice as a Psychological Assistant, and it is telling that he did not work with Dr. Holland for this reason in particular.

President Owens closed the hearing and opened the floor to deliberations by the Board.

Dr. Papa motioned to take the allegations 1-36 stated in the notice of hearing as a block and find them as proven; Dr. Krogh seconded; Dr. Holland recused due to their previous professional relationship; Board 3-1-0

Dr. Papa motioned to find the First Claim of Relief as proven; Dr. Krogh seconded; Dr. Holland recused due to their previous professional relationship; Board 3-1-0

Ms. Bradley clarified discipline is prescribed under NRS 641.2705 as \$500.00 for the first count, \$1,000 for the second count, \$1,500 for the third count and each continued offense, to be paid within 90 days. As such, Ms. Bradley requested for the Board to find 105 counts of unlicensed activity, totaling \$156,000, and to reimburse attorneys' fees and costs, totaling no more than \$1,500.

President Owens asked Dr. Guevara if he understood the disciplinary proceedings and informed him that he could take this opportunity to argue for what penalties should occur. Dr. Guevara affirmed that it was not his intention to engage in unlicensed activity and he was under the impression he could work under a licensed psychologist without the completed registration. He did not realize that by not completing the PLUS, he was not registered and should have paid more attention. He responded to Ms. Bradley's request to the Board by saying that he does not have the ability to pay the said amount and continued to argue his point of having never said he was a psychologist and always working under a licensed psychologist. He disagreed with the amount Ms. Bradley accounted and said it was too much, as he was currently unemployed and couldn't begin to pay that amount.

Board members began deliberation of discipline to pass down. President Owens noted that this was a series of unfortunate events wherein Dr. Guevara went from supervisor to supervisor and had poor supervision in the states in which he resided. That being said, President Owens noted concerns about recouping the costs the Board expended in the course of this investigation. Dr. Krogh noted that that Ms. Bradley had dropped the counts, as Dr. Guevara said he had done psychological testing on hundreds of people and Ms. Bradley was only asking for 105 counts.

Dr. Krogh took this opportunity to ask Dr. Guevara what he thought was fair. Dr. Guevara answered that it might be reasonable for him to not work in Nevada for a period of time and pay \$1,500. He said it might be too much for him to pay for each individual count. Dr. Krogh indicated that he could be accommodated to an extent, but that the Board still needed to recoup the costs expended, and that the fines are in place to protect the public from this happening.

Dr. Krogh reiterated that ignorance from the law is not an excuse and that someone with a graduate degree would understand this.

Dr. Guevara took a moment to remind Board members that he had been unable to find work for 10 months, and that it would be difficult to come up with that money in 90 days. Dr. Guevara could not provide an amount he found fair, but the amount Ms. Bradley indicated was too much. Dr. Krogh tossed out the idea to provide a time extension and/or payment plans.

Dr. Papa echoed President Owens' sentiment that it was a series of unfortunate events, but worried that Dr. Guevara didn't understand needing to know the statutes in Nevada and has not realized he had made a mistake. Dr. Papa remarked that while the Board wants to ensure fairness, fines occurred should not be unsubstantial, seeing that Dr. Guevara is likely to move to another state and attempt to do this again.

Director Gleich agreed that it is of the utmost importance for the Board to recoup their costs, it could be helpful to provide Dr. Guevara with benefit of the doubt and lessen the amount he needs to pay.

President Owens reiterated that Dr. Guevara didn't seem to understand the necessity to register. Further, that wherever he moves, he will have to abide by the laws in each jurisdiction, and that it is a missing element to what he does state to state. President Owens wondered if the Board had the opportunity or ability to remedy that.

Dr. Guevara reminded Board members that he had been in 3 states, and he had obtained proper paperwork and registered with Boards in Alaska and Idaho. Nevada is the only state where this mistake occurred and that his aim is not to go state to state engaging in this activity.

Dr. Krogh motioned to set the fees for the Board to recoup the costs of attorneys' fees at \$1,500.00, and fine Dr. Guevara for 7 counts, totaling \$10,500.00, to be paid within 90 days and/or inform the Board office if he would like to set up a payment plan for the fines to be paid within 2 years; Dr. Papa seconded; Board 3-1-0

b. Settlement Agreement: Case No. UL20150001, State of Nevada, Board of Psychological Examiners v. JoAnne Krumpe, Ph.D. and Case No. CV19-00938, JoAnne Krumpe v. State of Nevada, ex. Rel. its Board of Psychological Examiners.

Discussion deferred to July 18, 2019 ZOOM Meeting.

8. Update regarding Board Office Operations

a. Review and update of Nevada Board of Psychological Examiners Strategic Plan
Discussion deferred to July 18, 2019 ZOOM Meeting.

b. Executive Director Report

1. Update regarding Board settlements and disciplinary orders.

Discussion deferred to July 18, 2019 ZOOM Meeting.

2. Update regarding Executive Director Professional Development.

Discussion deferred to July 18, 2019 ZOOM Meeting.

3. Discussion and update regarding Employee Handbook development.

Discussion deferred to July 18, 2019 ZOOM Meeting.

4. Update regarding PSYPACT Commission.

Discussion deferred to July 18, 2019 ZOOM Meeting.

9. Review and discuss the proposed discipline policies, as drafted by Dr. Lenkeit.

a. Review and Discussion regarding the investigation process, and changes that may streamline and assist the Board in the clarity of requests regarding responses to complaints.

Discussion deferred to July 18, 2019 ZOOM Meeting.

10. Vote on Board Positions; elected annually, to serve for one year.

a. ATEAM membership

Decision regarding ATEAM membership will be delayed until which time full Board membership is reached.

11. Schedule of future Board meetings, hearings, and workshops. The Board may discuss and decide future meeting dates, hearing dates, and workshop dates.

Discussion deferred to July 18, 2019 ZOOM Meeting.

12. Board needs, operations, and schedules.

a. Policy regarding applicants seeking licensing examination accommodations. The Board may discuss, review, and possibly approve a policy for applicants seeking licensing examination accommodations.

Discussion deferred to July 18, 2019 ZOOM Meeting.

b. Update/Report from Nevada Psychological Association Representative.

Discussion deferred to July 18, 2019 ZOOM Meeting.

c. Utilizing ASANA, to assist in project management for Board activities.

Discussion deferred to July 18, 2019 ZOOM Meeting.

d. Board member Training.

Discussion deferred to July 18, 2019 ZOOM Meeting.

e. Future Board meeting agenda items.

Discussion deferred to July 18, 2019 ZOOM Meeting.

13. PSYCHOLOGISTS/PSYCHOLOGICAL ASSISTANTS/PSYCHOLOGICAL INTERNS

Irina Abramians - No discussion warranted at this time.

Danielle Agnello - No discussion warranted at this time.

Zyra Alandy-dy - No discussion warranted at this time.

Britney Alford - No discussion warranted at this time.

Carolina Alicea-Morales - No discussion warranted at this time.

Carol Anderson - No discussion warranted at this time.

Julie Armstrong - No discussion warranted at this time.

John Barona - No discussion warranted at this time.

Lauren Bennett - No discussion warranted at this time.

Natalie Bennett - No discussion warranted at this time.

Monela Beroni - No discussion warranted at this time.

Erin Bigler - No discussion warranted at this time.

Jeremy Bissram - No discussion warranted at this time.

Amelia K. Black - No discussion warranted at this time.

Michael Browning - No discussion warranted at this time.

Hanna Brunet - No discussion warranted at this time.

Cynthia Cameron - No discussion warranted at this time.

Jonathan Campos - No discussion warranted at this time.

Lucille Carriere - No discussion warranted at this time.

Claudia Capizzi-Gay - No discussion warranted at this time.
Leandrea Caver - No discussion warranted at this time.
Sylvia Chang - No discussion warranted at this time.
Lauren Chapple - No discussion warranted at this time.
Stacey Cherup-Leslie - No discussion warranted at this time.
Christine Curtis - No discussion warranted at this time.
Sarah Damas - No discussion warranted at this time.
Emily Daniel - No discussion warranted at this time.
Melissa Depa - No discussion warranted at this time.
Nicole Dionsio - No discussion warranted at this time.
Scott Fidler - No discussion warranted at this time.
Suzana Flores - No discussion warranted at this time.
Daphne Fowler - No discussion warranted at this time.
Bryon Gallant - No discussion warranted at this time.
Donna Greifer - No discussion warranted at this time.
Jennifer Grimes-Vawters - No discussion warranted at this time.
Christopher Guthrey - No discussion warranted at this time.
Jennifer Guttman - No discussion warranted at this time.
Lindsey Hailston - No discussion warranted at this time.
Kristin Hambidge - No discussion warranted at this time.
Laurie Harris - No discussion warranted at this time.
Centina Hernandez - No discussion warranted at this time.
Bernadette Hinojos - No discussion warranted at this time.
Lana Holmes - No discussion warranted at this time.
Antrice Hronek - No discussion warranted at this time.
Helena Huckabee - No discussion warranted at this time.
Josette Iribarne-Lazcano - No discussion warranted at this time.
Katherine Isaza - No discussion warranted at this time.
Helen Jackson - No discussion warranted at this time.
Leah Jacobs - No discussion warranted at this time.
Dasa Jenrusakova - No discussion warranted at this time.
Lidany Jimenez-Viloria - No discussion warranted at this time.
Casha Kaufer - No discussion warranted at this time.
Durriyah Khorakiwala - No discussion warranted at this time.
Kara Klingspon - No discussion warranted at this time.
Shane Kraus - No discussion warranted at this time.
Dorota Krotkiewicz - No discussion warranted at this time.
Kimberley Lakes - No discussion warranted at this time.
Cynthia Lancaster - No discussion warranted at this time.
Merry Larson - No discussion warranted at this time.
Melissa LaVan - No discussion warranted at this time.
Crystal Lee - No discussion warranted at this time.

Anayansi Lombardero - No discussion warranted at this time.
Vanessa Ma - No discussion warranted at this time.
Debbie Maddox - No discussion warranted at this time.
Isra Malik - No discussion warranted at this time.
Camille Malcherzyk - No discussion warranted at this time
Gayle Mann - No discussion warranted at this time.
Marc McLaughlin - No discussion warranted at this time.
Andrew Mendonsa - No discussion warranted at this time.
Candis R. Mitchell - No discussion warranted at this time.
Samuel Montano - No discussion warranted at this time.
Tracy Moore - No discussion warranted at this time.
Michael Moradshahi - No discussion warranted at this time.
Luzviminda Morrow - No discussion warranted at this time.
Amy Mouanoutoua - No discussion warranted at this time.
Jayme Neiman-Kimel - No discussion warranted at this time.
Kelly Nelson - No discussion warranted at this time.
Kellie Nesto - No discussion warranted at this time.
Pak Yan Ngai - No discussion warranted at this time.
Lyle Noisy Hawk Jr. - No discussion warranted at this time.
Michael Pauldine - No discussion warranted at this time.
Dorothy Parriott - No discussion warranted at this time.
Christina Patterson - No discussion warranted at this time.
Carolina Perez - No discussion warranted at this time.
Anthony Petruzzello - No discussion warranted at this time.
Rachel Pinkerman - No discussion warranted at this time.
Richard Pratt - No discussion warranted at this time.
Elizabeth Pritchard - No discussion warranted at this time.
Ashleigh Rankin - No discussion warranted at this time.
Howard Reid - No discussion warranted at this time.
Rosalinda Reyes - No discussion warranted at this time.
Samantha Schilling - No discussion warranted at this time.
Dana Schmidt - No discussion warranted at this time.
Christopher Shewbarran - No discussion warranted at this time.
David Shoemaker - No discussion warranted at this time.
Christeen Silva - No discussion warranted at this time.
Sharon Simington - No discussion warranted at this time.
Cassandra Snipes - No discussion warranted at this time.
Ralph Turner - No discussion warranted at this time.
Kristine Turner-Sherman - No discussion warranted at this time.
Lennon Tyler - No discussion warranted at this time.
Joyce Ulofoshio - No discussion warranted at this time.
Alexandro Velez - No discussion warranted at this time.

Brent Venters - No discussion warranted at this time.
Michael Villanueva - No discussion warranted at this time.
Lipika Wadhwa - No discussion warranted at this time.
Barbara Wells - No discussion warranted at this time.
Sharon West - No discussion warranted at this time.
Stephen Willis - No discussion warranted at this time.
Christina Wong - No discussion warranted at this time.
Jaime Wong - No discussion warranted at this time.
Donald Yorgason - No discussion warranted at this time.
Qingqing Zhu - No discussion warranted at this time.
Kseniya Zhuzha - No discussion warranted at this time.
Michelle Zochowski - No discussion warranted at this time.
Todd Zwahlen - No discussion warranted at this time.
Simon Zysman - No discussion warranted at this time.

14. Request to waive 3-year licensure requirement for supervising Psychological Assistants.

- A. Yue Huang
Discussion deferred to July 18, 2019 ZOOM Meeting.
- B. Verne Lewis
Discussion deferred to July 18, 2019 ZOOM Meeting.

15. Discussion with Micaela Garofalo: providing clarification of request to have DOC employees' complete assessments for inmates for the court system.
Discussion deferred to July 18, 2019 ZOOM Meeting.

16. Approval of testing accommodations

- A. John Barona
Discussion deferred to July 18, 2019 ZOOM Meeting.
- B. Discussion of Board operations and approval of testing accommodations.
Discussion deferred to July 18, 2019 ZOOM Meeting.

17. Discussion of Executive Branch Audit, and recommendations made to Executive Branch Audit Committee.
Discussion deferred to July 18, 2019 ZOOM Meeting.

18. Correspondence

- a. Sharon Simington: requesting clarification of NAC 641.151
Discussion deferred to July 18, 2019 ZOOM Meeting.

19. Public Comment.

No public comment.

20. ADJOURNMENT

Dr. Papa motioned to adjourn at 2:00 p.m.; Dr. Krogh seconded; Board 4-0-0