

# NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS

## Meeting Minutes

Friday, February 12, 2021

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

**Call to Order:** The meeting of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, PsyD, at 8:35 a.m. Due to COVID-19 and Governor Sisolak's Emergency Mandate to Stay at Home for Nevada, this meeting was conducted online via Zoom.

#### **Roll Call:**

Board President Whitney Owens, PsyD, Board Secretary/Treasurer John Krogh, PhD, and Members Monique McCoy, LCSW, Soseh Esmaili, PsyD, Stephanie Holland, PsyD, and Stephanie Woodard, PsyD, were present at roll call.

Also present were Harry B. Ward, Deputy Attorney General, Gary Lenkeit, PhD, Board Investigator, Sheila Young, Board Investigator, Lisa Scurry, Executive Director, and members of the public: Bethany Schlinger, Brian Lech, Stephen Benning, Robert Mirabella, Lauren Wecker, Alicia Brown, Teri Belmont, and Sara Hunt.

Note: Stephanie Holland left the meeting at 11:30 p.m.

### **2. Public Comment**

There was no public comment provided, nor had any public comment had been received by the Board Office as of the start of the meeting.

### **3. (For Possible Action) Public Hearing to Solicit Comments on Regulations (Legislative Counsel Bureau File Numbers R115-19, R173-20, And R114-19) Proposed for Adoption; and Possible Action to Make Revisions To and/or Forward any/all of The Proposed Regulations to the Legislative Counsel Bureau in Accordance with NRS Chapter 233b. (See Attached Public Notice for Information on Each Draft Regulation)**

The public hearing to solicit comments on the regulations listed was called to order by President Owens at 9:11 a.m.

#### **A. R114-19: Foreign Graduates**

President Owens explained that the intent of this regulation is to ensure that the education of foreign graduates is equivalent to that of a program at a school within the United States. Once adopted, the regulation would allow the Board Office to refer foreign graduates to the National Register of Health Service Psychologist for the educational review to ensure equivalency. This process would remove the burden from the Board Office, particularly as staff is not trained or experienced in the review of transcripts from a school in a foreign country. That candidate would still have to meet

the other Nevada requirements such as the national examinations (EPPP Parts 1 and 2) as well as the State Exam.

There was discussion about the service offered by the National Register such as verification of education and supervisors.

Public Comment:

- Robert Mirabella inquired about the ability of the National Register to evaluate a foreign applicant including what types of methodologies are used to ensure the individual can relate to patients in the American culture.
  - President Owens responded that the National Registry shall ensure the education and training are equivalent and not the area of cultural competency.
- Alicia Brown stated her agreement that the Board office cannot evaluate a foreign transcript. She added there is no course to allow someone to assimilate into American culture and that the way to assimilate is in a university setting.

Dr. Lenkeit provided historical perspective on the origins of the draft regulation. He stated that in the past the Board had no way to look at educational equivalency. Having the National Register handle that aspect of review gives those applicants the ability to become licensed where that had not been available or had been very difficult in past years. He added that cultural competency is beyond the scope of the regulation and should be addressed in another way.

President Owens stated there will potentially be legislation introduced during the current Legislative Session that would require cultural competency through continuing education course.

Public Comment:

- Harry Ward, Deputy Attorney General, commented about the original diploma requirement in the regulation and questioned if an applicant would necessarily be able to obtain such an original.
- Bethany Schlinger asked if there is a way to require post-doctoral training in the United States.
  - President Owens responded that would be outside the scope of this regulation.

President Owens stated that there is currently no process for the evaluation of a foreign graduate and this regulation would provide that pathway.

Member Dr. Holland clarified that the regulation would allow the Board to consider an applicant and would not remove the ability to consider cultural competency.

**On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved forwarding draft Regulation R114-19 to the Legislative Counsel Bureau for the next step in**

**the adoption process in accordance with NRS 433B.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

**B. R173-20 (Previously R131-15): Requires those teaching or engaging in research to be licensed if providing supervision in a university setting.**

Draft Regulation R173-20 was originally developed in 2015 but has never received final adoption.

Public Comment:

- Alicia Brown stated she liked the regulation related to individuals providing clinical services. She added her concern that it is not specific enough.

Member Dr. Woodard inquired if the Board has received feedback from the universities.

President Owens explained that the regulation was originally proposed by Dr. Paul at UNLV. Over the past years both UNR and UNLV have worked to ensure that psychologists who are teaching and providing direct supervision are licensed. This regulation would put current practice into regulation.

The Board reviewed a proposed language change submitted by Alicia Brown. That change would require a person engaged in teaching or research that involves the delivery or supervision of psychological services be licensed.

President Owens responded that the intent of the regulation was that an individual in a university setting who is not involved in direct clinical care would not have to be licensed.

Member Dr. Holland commented that the Board would not have any authority over such a person who was unlicensed person. President Owens responded that the university or other institution would be responsible for discipline related to concerns within the classroom.

Member Dr. Holland asked about the intent behind the regulation. President Owens explained that requiring instructors who are not providing direct services to be licensed places an undue burden on the universities. She added that requiring licensure for those individuals can also reduce the available talent pool of instructors.

The Board did not suggest any changes nor accept the changes proposed through public comment.

**On motion by John Krogh, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved forwarding draft Regulation R173-20 to the Legislative Counsel Bureau for the next step in the adoption process in accordance with NRS 433B.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

### **C. R115-19: Supervision, payment of psychological assistant, Closure of a Practice**

The Board reviewed language proposed by Dr. Emily Slife at the December 2020 public workshop. The proposed change to Section 6 (NRS 641.152) would change #6 related to supervisor to read, "If not employed by the supervisor or the agency the psychological assistant or psychological intern is based at, there will be a formal written agreement that specifies payment and the role of the supervisor and/or Training Committee over the training. The supervisor/Training Committee will have access to patient medical records and full oversight of the psychological assistant or psychological intern. The PA or PI may not be an independent contractor."

Member Dr. Woodard thanked Dr. Slife for the proposed language and stated her agreement with the changes.

Public Comment:

- Dr. Emily Slife thanked the Board for the work and feedback on the suggested changes to the regulations.
- Dr. Brian Lech asked for clarification on Section 3(2)(a) related to maintenance of health care records in the event of the death of the psychologist or discontinuation of practice. He asked if the Board would be keeping a list of those individuals named as maintaining such records. Secondly, he asked about the language in Section 6 related to the supervisor being employed at the same agency as the psychological intern or assistant. He added that he felt the clinical supervisor should maintain some control.

President Owens clarified that he was speaking about language related to the psychological intern or assistant being "subject to the control and direction" of the supervisor. She stated that the new language states that the supervisor or training committee "will have access to patient medical records and full oversight of the psychological assistant or psychological intern."

Member Dr. Holland suggested changing the language to, "The supervisor/Training Committee will have access to patient medical records and full oversight *and responsibility* of the psychological assistant or psychological intern *and caseload*." (suggested changes in italics)

Dr. Slife commented that she wouldn't want the section to be narrowly defined by caseload as it also includes other training needs and disciplinary action.

It was suggested that "caseload" be changed to "training plan." The new language would read, "The supervisor/Training Committee will have access to patient medical records and full oversight and responsibility of the psychological assistant or psychological intern and training plan."

President Owens moved the discussion back to Section 3 related to patient records.

There was discussion about the way in which patients would be notified who would have their records, how/if the Board office would maintain a list, etc.

Director Scurry explained that during the renewal process, each licensee is asked to provide the name of the individual that would be responsible for the medical records.

There was discussion about the ways in which patients would be notified of how their records would be retained if the psychologist died or discontinued the practice. Options included including information in the informed consent paperwork, on the psychologist's website, and sending a letter.

Public Comment: Alicia Brown submitted proposed language that would read, "provide documented notification to his/her patients at least 30 days before."

Dr. Lenkeit agreed that the informed consent document should include the information. He added that an individual who retains a license should still be responsible for the records, even if no longer seeing patients.

Member Dr. Esmaeili asked if there is language defining who a custodian of a record can be or a requirement that it be a licensed psychologist.

Public Comment: Teri Belmont asked if someone besides a licensed psychologist can be the custodian of the records.

Dr. Krogh stated that the item was originally discussed by the Board as a result of records being left with a spouse versus someone who understood the importance of the records, how they should be stored, etc.

The following language was proposed for Section 3(2)(b): "Provide documented informed consent to the patient informing them who the custodian of records will be in the event of death or incapacitation of the psychologist or discontinuation of the practice."

There was discussion related to defining a custodian of records, as well as who controls the records such as with a government agency that employs a licensed psychologist.

The following was added as Section 3(2)(d): "'Custodian of health care records" refers to a licensed psychologist or agency familiar with the legal and ethical guidelines for maintaining and releasing medical records."

**On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved forwarding draft Regulation R115-19 with revisions to Sections 3 and 6 to the Legislative Counsel Bureau for the next step in the adoption process in accordance with NRS 433B.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

President Owens closed the Hearing at 10:42 a.m.

**4. (For Possible Action) Discussion and Possible Approval of the Minutes of the Meetings of the Nevada State Board of Psychological Examiners from January 15, 2021.**

There was no discussion nor recommended changes to the minutes.

**On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the meeting minutes from January 15, 2020.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

**5. Financial Report**

**A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report For F/Y 2021 (July 1, 2020, Through June 30, 2021).**

Board Secretary / Treasurer John Krogh presented the budget to actuals financial report. He explained that the actual expenses are aligning very closely to the budgeted amounts. He added that two items that read higher than expected are PERS and bank charges.

Executive Director Scurry explained that the bank charges line item is including both actual bank charges the Board pays as well as the bank charges paid by licensees and applicants as a result of service charges. She added that it is a result of the way expenses are entered into the accounting software that makes it look as though the Board has paid several thousand dollars in bank charges. Those charges are actually backed out of the deferred revenue line item.

President Owens inquired if the office is researching alternatives to using PayPal in an attempt to lower those service charges. ED Scurry replied she is looking at the bank as well as other online systems.

**On motion by Stephanie Holland, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved the Treasurers Report for Fiscal Year 2021.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

**B. (For Possible Action) Discussion and Possible Action to Provide Direction to the Board Office Regarding the Status of Recouping Outstanding Legal Fees Owed To The Board From Disciplinary And Unlicensed Practice Cases.**

There was no report on this item.

**6. (For Possible Action) Discussion and Possible Action to Provide Guidance On Matters Related To The Covid-19 Pandemic And Governor Sisolak's Directive 011. Discussion May Include Licensure Renewal, Continuing Education Credits, Temporary Licensure, Supervision Concerns, Obtaining Clinical Hours for Licensure, and the Use of Telepsychology and Interjurisdictional Practice.**

Member Dr. Woodard spoke about the State's new roadmap to recovery for dealing with the pandemic.

President Owens stated that the Board is still encouraging psychologists to follow the guidelines of the CDC related to masks, distancing, and other safety measures.

**7. (For Possible Action) Discussion and Possible Action Related to Consideration of Temporary Licensure to Ensure Continuity Of Care for Patients Being Seen By Out-Of-State Providers When the Provisions Of Directive 011 Expire**

There was no report on this item.

**8. (For Possible Action) Discussion and Possible Action To Approve The Online State Examination, Based On The Evaluation And Validation Of The Examination By Dr. Stephen Benning, Consultant / Psychometrician. Possible Action May Be Taken To Approve One To Three Versions Of The Exam To Be Used In The Online Format**

(This item was taken out of order.)

Dr. Stephen Benning was introduced to present his finding of the evaluation and validation of the State Examination. (Note: Dr. Benning is a psychometrician previously contracted by the Board. At the last meeting of the Board, recommendations were made related to the passing score of the exam as well as the time allotted to take the exam. Dr. Benning was asked to validate three versions of the exam and return to this meeting for approval of the three versions by the Board.)

Dr. Benning presented the findings of his research. Using the 140 questions in the question bank, he developed three forms of the exam using the same distribution of items by the pre-established categories (confidentiality, record keeping, risk assessment, patient rights, licensing and supervision, and professional standards).

Another area of concern discussed by Dr. Benning was test security. He suggested the board consider the use of a lockdown browser. A lockdown browser only allows the test taker to access pre-determined sites on the internet. It uses algorithms to flag suspicious behavior, such as the applicant taking screen shots of the questions.

There was some discussion about the potential cost for such a security system and whether or not use of such test security was cost effective against any potential benefits.

Member Dr. Krogh made comment that test security is important but questioned if the need justified the expensive. He added that the test being open book allows the test taker to look for the answers making the benefit limited to only preventing someone from copying the questions.

Member Dr. Holland asked if there are other options such as a proctor of the exam.

President Owens stated the cost looked to be begin at close to \$3,000 per year and wouldn't necessarily eliminate someone from copying the test questions. She also explained the intent of the exam and stated she was comfortable approving the three versions of the exams and not adopting an online security system.

Member Dr. Holland agreed with the need to have test security, at least as a short-term trial.

Member Dr. Woodard agreed and added that opportunities should be reduced for candidates to influence test security.

Dr. Lenkeit described his experience with the Washington state exam, which did not appear to have such security.

Public Comment:

- Alicia Brown made comment in favor of using a proctor.
- Brian Lech added that test takers have many forms of technology available to get around some of the test security options being discussed.

Executive Director Scurry commented that the Board currently charges a fee for applicants to take the exam so the charge for such a system would likely be covered by that fee. She added, however, that individuals who fail the exam do have the ability, in accordance with state law, to review those questions through the Board Office.

Dr. Woodard suggested approving the exam and bringing security options to the Board meeting in March for further consideration.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the three versions of the State Examination as validated by the psychometrician, Dr. Stephen Benning, and directed the Executive Director to research testing security software.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

Executive Director Scurry asked for action to approve an expenditure for the monitoring software.



**On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved an allocation of up to \$3,500 for online test security to begin administering the examination once security is in place. Once a test security option is recommended by the Executive Director, implementation shall be contingent upon the approval of the Board's Testing Coordinator, Stephanie Holland.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

### **9. (For Possible Action) Discussion and Possible Action To Allow Registered Psychological Interns To Take The EPPP Exams Rather than Waiting Until Becoming a Post-Doctoral Psychological Assistant**

President Owens explained that UNLV staff has suggested that psychological interns be allowed to take the EPPP Part-1. This would allow the universities an additional measurement to ensure students are acquiring the knowledge to be licensed. It could also ease the pathway to licensure.

Under this proposal registered psychological interns would be allowed to take the EPPP Part-1. Candidates to take the EPPP Part-2 would do so once they become a psychological assistant. The Nevada State Exam is available once a psychological assistant has reached at least 1,400 of their supervised hours.

Member Dr. Krogh asked about the original rationale for making students wait until they become a psychological assistant. President Owens stated she thought it was to delay the financial burden of taking the EPPP. She added that there would be no requirement that an intern take the EPPP Part-1 but would make it available to them.

Dr. Krogh stated that he supported the idea of allowing registered interns take the test while the information is fresh in their mind.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved allowing registered psychological interns to take the EPPP Part-1.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, John Krogh, and Stephanie Woodard. Not Present at Vote: Stephanie Holland) Motion Carries: 5-0

## **10. Board Needs and Operations**

### **A. Update on the Activities of the Application Tracking Equivalency and Mobility (ATEAM) Committee**

President Owens discussed how the ATEAM Committee is making adjustments to the licensure by endorsement application and review process. The work has included revision of the online application and how they are reviewed when the applicant is from

a state whose licensure requirements are substantially equivalent to those in Nevada or not equivalent (yellow and red states).

### **B. Update and Report from the Nevada Psychological Association**

Sara Hunt presented an update from the Nevada Psychological Association. She informed the Board that elections for the NPA Board will occur soon; and the Legislative Committee is monitoring the Legislative Session.

Ms. Hunt asked if about the process and ability of the NPA to partner with the Utah Association to sponsor continuing education opportunities.

Dr. Krogh, the Board's past CE Coordinator, responded that the application for the course would be reviewed as with any outside organization. Areas reviewed include instructors, objectives of the course, etc.

Member McCoy, the Board's CE Coordinator, agreed and stated that the Board cannot provide a blanket approval and suggested each course be submitted for review and approval.

### **C. Report on Board Office Operations**

Executive Director Scurry informed the Board that the online application for licensure is being revamped in an attempt to make the process more streamlined for applicants.

The licensure renewal process has completed and there were approximately 20 licensees who did not renew. Ms. Scurry stated that letters have gone out reminding them to renew and stating the consequences for failure to renew.

### **D. (For Possible Action) Notice of The ASPPB Midyear Meeting Scheduled For April 9 And 10, 2021; and Possible Action to Approve the Registration of Interested Board Members and Staff at a Cost of \$50 Per Registration and not More than a Total Expense of \$500**

President Owens informed the members that the annual midyear meeting of ASPPB will be held on April 9 and 10, 2021. The cost for registration is \$50 per person.

**On motion by Stephanie Holland, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved registration for the ASPPB midyear meeting at a cost of \$50 per registrant and not more than a total of \$500** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

### **11. (For Possible Action) Discussion and Possible Action to Provide Revision To and/or Adopt a Policy Related to Board Staff and Employment Practices**

The draft policy on Board Staff and Employment Practices was discussed at the January meeting. At that time, approval was held as two members were absent.

Director Scurry stated that the policy itself was not changed since the January meeting but a salary schedule was included as an addendum. She explained that as a result of a 2019 PERS audit, the Board was required to adopt a salary schedule with a contribution plan. The two types of contribution plans are employer paid or employer/employee paid. In the former, the Board would pay the full retirement into PERS. In the latter, that cost is split between the Board and the employee. Ms. Scurry explained that as she came from a local government entity where her PERS was fully employer paid, and due to how many years in the system she had already accrued, she was required to stay on the employer paid plan. She added, though, that typically on an employer/employee paid plan, the employee's salary is higher resulting in the Board having roughly the same bottom-line expenditure.

The salary schedule was developed based on Ms. Scurry's current salary and using the rate provided by PERS. Based on the policy provision that would allow for a 2% annual salary increase, the salary schedule was developed to go out five years. It also included an annual increase for the Board investigators and a salary schedule in the event part-time staff is ever hired.

Ms. Scurry added that the policy will return in the future to include provisions for part-time office staff and the Board Investigators. She stated that it was important to get the policy adopted related to her position and to satisfy the PERS audit.

President Owens commented about inclusion of the Board investigators in the salary schedule and the intent to pay them for the hours they are working. She expressed gratitude for the work they are doing.

Dr. Krogh asked about the steps in the salary schedule. Ms. Scurry explained that for budgeting purposes she wanted to establish the minimum salary costs each year, assuming an evaluation of satisfactory or better.

Dr. Krogh asked if there are only 5 steps or a 5-year salary schedule. Ms. Scurry responded she wanted to start with a 5-year schedule but can go back and make adjustments if the Board wanted the schedule to be capped after additional years of employment.

Dr. Holland asked if a 2% increase was standard. Ms. Scurry responded that she wanted to get something in place and wanted it to be appropriate to the Board's budget.

President Owens stated that the Board could choose to give a higher salary increase if they chose based on the performance evaluation. A satisfactory evaluation will result in not less than a 2% increase, however.

Dr. Lenkeit expressed gratitude that the investigators were included in the salary schedule. He also clarified that the investigators are allowed up to 72 hours per year and are not limited to 6 hours per month. The hours can be rolled over from month to month. He added that the policy should be expanded in the future to include provisions related to the investigators and any other office staff.

Dr. Krogh asked about how vacation and sick leave will be calculated as the pay is every two weeks but the accrual in the policy is monthly. Ms. Scurry explained that she keeps her vacation and sick leave on a monthly basis and that information is shared in a folder with the Board President.

Dr. Holland left the meeting and missed the vote but expressed her support for the policy

**On motion by Soseh Esmaeili, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved** Approve the adoption of a Board Staff and Employment Practices Policy (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, John Krogh, and Stephanie Woodard. Not present at vote: Stephanie Holland) Motion Carries: 5-0

**12. (For Possible Action) DISCUSSION AND POSSIBLE ACTION REGARDING NON-RENEWAL OF A LICENSE AND WHETHER A CORRESPONDING SUSPENSION OF LICENSE SHOULD BE DOCUMENTED AS DISCIPLINARY**

This item was not heard.

**13. (For Possible Action) REVIEW, DISCUSSION, AND POSSIBLE ACTION ON PENDING CONSUMER COMPLAINTS:**

Harry Ward, Deputy Attorney General, explained that the 2019 complaints (Items A, B, C, D, and E) have been set for a hearing in March. He explained that there will be a separate Deputy Attorney General present representing the Board while Mr. Ward will oversee the hearings.

Items F through K are pending.

- A. Complaint #19-0514
- B. Complaint #19-0626
- C. Complaint #19-0709
- D. Complaint #19-1106
- E. Complaint #19-1223
- F. Complaint #20-0501

- G. Complaint #20-0728
- H. Complaint #20-0818
- I. Complaint #20-0819
- J. Complaint #20-1130
- K. Complaint #20-1229

**14. (For Possible Action) Review and Possible Action on Applications for Licensure as A Psychologist or Registration as A Psychological Assistant, Intern or Trainee. The Board May Convene in Closed Session to Receive Information Regarding Applicants, Which May Involve Considering the Character, Alleged Misconduct, Professional Competence Or Physical Or Mental Health of The Applicant (NRS 241.030). All Deliberation and Action Will Occur in An Open Session.**

(This item was taken out of order.)

The following names were presented for approval of licensure pending satisfactory completion of the licensure application requirements: Jose Arauz, Stephanie Bellusa, Douglas Grant, Monica Parkins Mousa, Janina Scarlet, Vahe Sukiasyan, and Samantha Swanson.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the following applicants contingent upon completion of licensure application requirements: Jose Arauz, Stephanie Bellusa, Douglas Grant, Monica Parkins Mousa, Janina Scarlet, Vahe Sukiasyan, and Samantha Swanson.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

The following names were recommended for approval by the ATEAM Committee for approval of licensure pending satisfactory completion of the licensure application requirements: Luz Robles Gonzalez and Lauren Wecker.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the following applicants based on the recommendation of the ATEAM Committee and contingent upon completion of licensure application requirements: Luz Robles Gonzalez and Lauren Wecker.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

The following name was recommended for approval by the Board contingent upon the recommendation of the ATEAM Committee at the upcoming meeting on February 23, 2021 and pending satisfactory completion of the licensure application requirements: Leah York.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the following applicant contingent upon approval by the ATEAM Committee on February 23, 2021 and completion of all other licensure application requirements: Leah York.**

(Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, Stephanie Holland, John Krogh, and Stephanie Woodard) Motion Carries: 6-0

**15. (For Possible Action) Consideration and Possible Approval of A Request For Testing Accommodations. The Board May Convene in Closed Session To Receive Information Regarding Applicants, Which May Involve Considering The Character, Alleged Misconduct, Professional Competence Or Physical Or Mental Health Of The Applicant (Nrs 241.030). All Deliberation and Action Will Occur In An Open Session.**

**A. Cynthia Cameron For the EPPP Part 1**

Applicant Cynthia Cameron submitted an accommodation request for the EPPP Part-1. The request was for time and a half and a separate room for the test.

There were no questions from the Board.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the request for a testing accommodation for Cynthia Cameron for the EPPP Part 1.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, John Krogh, and Stephanie Woodard) Motion Carries: 5-0

**B. Candis Carswell-Mitchell for the EPPP Parts 1 And 2**

Applicant Candis Carswell-Mitchell submitted an accommodation request for the EPPP Part-1 and Part-2. The request was for temperature regulation, a separate room for the test, and extra breaks.

Director Scurry stated that the she wasn't sure that temperature regulation was possible but the Board may consider giving extra time to allow for the requested extra breaks.

Dr. Esmaeili suggested providing an accommodation for time and a half.

**On motion by Soseh Esmaeili, second by John Krogh, the Nevada State Board of Psychological Examiners approved the request for a testing accommodation for Candis Carswell-Mitchell for the EPPP Parts 1 and 2.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaeili, John Krogh, and Stephanie Woodard) Motion Carries: 5-0

**16. (For Possible Action) Correspondence**

- A. (For Possible Action) Discussion And Possible Action To Consider A Proposal To Change The Current Renewal Process From All Licensees Renewing At The End Of Each Even Numbered Year To Having Licensees Renew Every Two Years From The Licensure Anniversary**

This item was not discussed.

**17. (For Possible Action) Discussion and Possible Action To Create A Psychological Assistant (Post-Doctoral) License**

This item was not discussed.

**18. Legislative Update**

- A. (For Possible Action) Discussion and Possible Action Related To The 2021 Session Of The Nevada Legislature Scheduled To Begin February 1, 2021**

Director Scurry explained that the Session has begun and several bills are being tracked. The bill by the Rural health

- B. (For Possible Action) Discussion and Possible Action On Bill Draft Request (BDR) 456 Which Proposes Changes To Nevada Revised Statutes To Clarify Purpose, Scope Of Use, And Use Of Audio And Video Recordings In Therapy And Assessment Training For Psychological Trainees, Psychological Interns And Psychological Assistants.**

This bill, proposed by the Board had not been released as of the meeting date.

- C. (For Possible Action) Discussion and Possible Action On Bill Draft Request (BDR) 55-428 Of The Rural Health Board In Which Provisions Of NRS Chapter 641, Psychologists, Are Proposed For Revision Related To Data Collection And Licensure By Endorsement.**

This bill, proposed by the Rural Health Board, has been submitted and staff has been attending meetings to ensure there is no negative impact. The bill is now Senate Bill 44.

- D. (For Possible Action) Discussion And Possible Action On A Proposal To Remove Language From NRS 641.390, Representation Or Practice Without License Or Registration Prohibited, During A Future Session Of The Nevada State Legislature.**

Lisa Scurry, Executive Director, explained that meetings have occurred with leadership of the State Corrections Department. The proposed language change will potentially be addressed in the 2023 Legislative Session. Until then, meetings will continue in an attempt to work on any concerns and to ensure a successful outcome.

**19. (For Possible Action) Discussion and Possible Action On Regulations Submitted To The Legislative Counsel Bureau (LCB) For Changes To Nevada Administrative Code (NAC) Chapter 641**

Lisa Scurry, Executive Director, explained that the regulations listed as Items A and B below are pending with the Legislative Counsel Bureau and will be addressed following the current Legislative Session.

Items C, D, and E will be submitted to the Legislative Counsel Bureau following the earlier public hearing. As items D and E had further changes, they may need to come to a future meeting for an additional hearing.

Items F and G are pending until the conclusion of the Legislative Session.

**A. R057-19: Fees**

**B. R058-19: Endorsement Language**

**C. R114-19: Foreign Graduates**

**D. R115-19: Supervision, payment of psychological assistant, Closure of a Practice**

**E. R173-20 (Previously R131-15): Requires those teaching or engaging in research to be licensed if providing supervision in a university setting.**

**F. R174-20: Code of Conduct**

**G. R175-20: Removal of "Moral"**

**20. (For Possible Action) Discussion of U.S. District Court Case 2:20-CV-00651-KJD-VCF Where the State Of Board Psychological Examiners Is A Named Defendant.**

Harry Ward, Deputy Attorney General, informed the Board that a Hearing was held related to counsel withdraw. Plaintiff was given until April 25 to retain new counsel. The matter is stayed until then.

**21. (For Possible Action) Schedule of Future Board Meetings, Hearings, and Workshops. The Board May Discuss and Decide Future Meeting Dates, Hearing Dates, and Workshop Dates**

A. The next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, March 12, 2021 at 8:30 a.m.



Due to a schedule conflict, President Owens suggested the next meeting be moved to March 26, 2021 rather than March 12.

All members agreed on changing the date.

**On motion by Stephanie Woodard, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved moving the next meeting to March 26, 2021.** (Yea: Whitney Owens, Monique McCoy, Soseh Esmaili, John Krogh, and Stephanie Woodard) Motion Carries: 5-0

**22. Requests for Future Board Meeting Agenda Items (No Discussion Among The Members Will Take Place On This Item)**

There were no suggestions for future agenda items.

**23. Public Comment**

There was no public comment at this time.

**24. (For Possible Action) Adjournment**

There being no further business before the Board, President Owens adjourned the meeting at 11:57 a.m.