

STATE OF NEVADA BOARD OF PSYCHOLOGICAL EXAMINERS
MEETING MINUTES

November 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 8:43 a.m. at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste B-116, Reno, Nevada 89502. Due to COVID-19 and Governor Sisolak's Emergency Mandate to Stay at Home for Nevada, this meeting was also conducted online via "Zoom."

Roll Call: Board President Whitney Owens, PsyD, Secretary/Treasurer Stephanie Woodard, Psy.D., and members Monique Abarca, LCSW, Stephanie Holland, PsyD, and Soseh Esmaeili, PsyD, were present.

Also present were Harry Ward, Deputy Attorney General, Dr. Gary Lenkeit, Board Investigator, Dr. Sheila Young, Board Investigator, Lisa Scurry, Executive Director, Neena Laxalt, Board Lobbyist, and members of the public: Deva Dorris, Sara Hunt, and James Tenney.

2. Public Comment

There was no public comment at this time. Lisa Scurry, Executive Director, stated no 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 a Regulation (Legislative Counsel Bureau File Number R174-20P) Proposed for Adoption; and Possible Action to Make Revisions to and/or Forward any/all of the Proposed Regulation to the Legislative Counsel Bureau In Accordance with NRS Chapter 233B. (See Attached Public Notice for Information on the Draft Regulation)

President Owens opened the public hearing to solicit comments on the proposed regulation (R174-20P) at 8:46 a.m.

Public Comment. There was no public comment at this time.

President Owens explained that the proposed regulation will add the *Code of Conduct* of the Association of State and Provincial Psychology Boards (ASPPB) to Nevada Administrative Code (NAC) 641.250. The *Ethical Principles of Psychologists and Code of Conduct* of the American Psychological Association was previously adopted by the Board. The overlap of the two will create a thorough standard for ethics and conduct for all licensees in Nevada.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners adopted Legislative Counsel Bureau File Number R174-20P and forwarded the regulation to the LCB in accordance with NRS Chapter 233B. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

Public Comment: There was no public comment at this time.

President Owens closed the public hearing at 8:51 a.m. and reopened the regular meeting.

4. (For Possible Action) Discussion and Possible Action to Approve the Minutes of the Regular Meeting and the Work Session of the State of Nevada Board of Psychological Examiners on October 8, 2021.

The minutes of the regular meeting of the Board of Psychological Examiners from October 8, 2021, were reviewed by the Board. There were no questions, comments nor suggested changes.

On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Regular Meeting of the Board on October 8, 2021. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

The minutes of the Board of Psychological Examiners Work Session from October 8, 2021 were reviewed by the Board. There were no questions, comments nor suggested changes.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Board Work Session on October 8, 2021. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

5. Financial Report

A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2022 (July 1, 2021, Through June 30, 2022).

Secretary/Treasurer Stephanie Woodard presented the financial report, providing explanation for any revenue or expense items that were larger than 40% of their budgeted amount. Income for items including licensure fees and state exam fees are currently larger than what was budgeted. She added that licensure fees will go down as that amount is prorated and the prorated amount goes down over the course of the licensure period through December 31, 2022.

Regarding expenses, Dr. Woodard provided explanation on expenditure line items that are greater than the budgeted amount for the first third of the fiscal year. Office supplies, for example, are bought at the beginning of the year and expected to last for at least six months. The legal expenses continue to be above the budgeted amount as there are several ongoing legal matters and complaints.

Lastly, it was explained that future reports will indicate a deferred revenue amount. Deferred revenue is those fees received that are used to finance the Board over the course of the renewal period. As a result, the deferred revenues will be placed into the budget on a monthly basis for a more accurate picture of the status.

On motion by Soseh Esmaeili, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the treasurer's report for fiscal year 2022. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

B. (For Possible Action) Discussion and Possible Action to Approve the Budget Reconciliation and Final Treasurer's Report for Fiscal Year 2021 (July 1, 2020, Through June 30, 2021).

Lisa Scurry, Executive Director, presented the reconciled financial report for fiscal year 2021. She explained that some of the expenses paid in July 2021 were actually accrued in June have been moved to that fiscal year's financial reports. That will result in a more accurate financial picture for fiscal year 2021. Once that was done, items such as salary, legal and PERS increased for fiscal year 2021 but stayed within budget.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the budget reconciliation and final treasurer's report for fiscal year 2021. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

C. (For Possible Action) Discussion and Possible Action to Approve the Contract of Neena Laxalt to serve as the Board's Lobbyist through February 29, 2023 at a cost of \$1,047.75 per month.

The contract of Neena Laxalt, Board lobbyist, was presented for approval by the Board. The contract was submitted to the State for approval in 2019 but was not brought to the Board for final approval. The contract will run through February 29, 2023 at a cost of \$1,047.75 per month.

Director Scurry stated that Ms. Laxalt's assistance in monitoring the work of the Nevada Legislature is invaluable to the office.

Secretary/Treasurer Dr. Woodard asked that any bidding or contract renewal process begin at the end of 2022 so that it is completed prior to the 2023 Legislative Session.

On motion by Stephanie Woodard, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the contract of Neena

Laxalt to serve as the Board's Lobbyist through February 29, 2023 at a cost of \$1,047.75 per month. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard) Motion Carries: 5-0

6. Board Needs and Operations

A. Update and Report from the Nevada Psychological Association

(This item was taken out of order.)

Sara Hunt, past president of the Nevada Psychological Association (NPA), confirmed that NPA will be creating continuing education training for compliance with the new diversity, inclusion, and cultural competency requirement. She asked if the Board had determined if all populations listed in the enacted legislation (AB327) must be included in the training.

Dr. Hunt asked if the Board would consider allowing NPA to send flyers of their offered continuing education courses with mailings to licensees. President Owens stated that such action would need to be placed on a future meeting agenda.

B. Report From the Executive Director on Board Office Operations, including the status of provisional licenses previously approved by the Board

Director Scurry informed the Board that two individuals who were provided a provisional license allowing them to practice under supervision had passed the EPPP Part-2. Further action of the Board was not necessary and both Dr. Pudumjee and Dr. Carfagno have been issued licenses and their supervisors notified that supervision was no longer necessary.

Statistical information on the work of the Board office was provided including the number of applications received, licenses and registrations issued, and state exams that were administered.

C. Update on Topics Discussed at the ASPPB Annual Meeting

Dr. Sheila Young provided a review of the recent annual meeting of the Association of State and Provisional Psychology Boards (ASPPB). The theme of the meeting was "public protection through prevention." The highlight was the keynote speaker who discussed competence in licensed professionals.

Other individual topics presented included assessing competency, the future of continuing education and professional development, and state exam practices.

7. (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 Options for Temporary Licensure to Ensure Continuity of Care for Patients Being Seen by Out-Of-State

Providers when the Provisions of Directive 011 Expire, Licensure Renewal, Continuing Education Credits, Supervision Concerns, Obtaining Clinical Hours for Licensure, and the Use of Telepsychology and Interjurisdictional Practice.

Member Dr. Woodard explained that the Department of Health and Human Services is working with the Office of Rural Health at the University of Nevada, Reno on workforce development issues. As part of that work, surveys related to Directive 011 will be issued in the coming weeks. There will be a survey of the Board, specific to their work and continuity of care concerns, and another for those individuals who have received temporary registration through the Directive.

There has been no additional information on the Directive from the Governor's office. The results of the survey will likely inform guidance related to continuity of care.

8. (For Possible Action) Discussion, and Possible Action on Pending Consumer Complaints:

Harry Ward, Deputy Attorney General, provided an update on consumer complaints A through D, inclusive. The other items, E through K, inclusive, are pending.

- A. Complaint #19-0626. This matter is ongoing and remains pending.
- B. Complaint #19-0709. This matter is ongoing and remains pending.
- C. Complaint #19-1106. This matter is being monitored and remains pending.
- D. Complaint #19-1223. This matter is being monitored and remains pending.
- E. Complaint #20-0501. This matter is pending.
- F. Complaint #20-0818. This matter is pending.
- G. Complaint #20-0819. This matter is pending.
- H. Complaint #21-0524. This matter is pending.
- I. Complaint #21-0726. This matter is pending.
- J. Complaint #21-0810. This matter is pending.
- K. Complaint #21-0816. This matter is pending.

9. (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.

The following candidates were considered for approval of licensure, contingent upon satisfactory completion of all licensure requirements: Rachyll Dempsey, Deva Dorris, Lisa Lainer, Bruce Peltier, and Marquez Wilson.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the following candidates for licensure, contingent upon satisfactory completion of all licensure requirements: Rachyll Dempsey, Deva Dorris, Lisa Lainer, Bruce Peltier, and Marquez Wilson. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

A. (For Possible Action) Discussion and Possible Action to Issue a License to Practice Psychology to Applicant Deva Dorris Under the Supervision of a Licensed Psychologist until she obtains a passing score on the EPPP Part-2 and contingent upon completion of all other licensure requirements

(This item was taken out of order.)

Dr. Deva Dorris requested issuance of a provisional license until such time as she completes the requirements for full licensure. Dr. Dorris completed her training hours as a psychological assistant. The only licensure requirements remaining are receipt by the Board office of the background check report and passage of the EPPP Part-2 (national exam).

Director Scurry explained that Dr. Dorris took the EPPP Part-2 as part of the beta testing in the summer but failed. She re-took the exam but failed it a second time. The Board has previously approved others for a provisional license pending completion of the EPPP Part-2. Ms. Scurry added that this situation is slightly different because Dr. Dorris has taken the exam. If she fails it a third time, Dr. Dorris would be required to submit a study plan for Board review and approval. Director Scurry added that previous provisional licensees have been provided a year to take and pass the exam. As Dr. Dorris has failed the exam previously, she asked if a year would be appropriate or if a shorter time period should be considered.

President Owens stated that the provisional licenses have been provided for applicants needing to pass the EPPP Part-2 because the test is new and there was a beta testing period that resulted in a delay in licensure completion.

Dr. Lenkeit added that there has never been a provisional license given to someone who failed the EPPP Part-2. He added that the psychological assistant registration has been extended to allow time for the applicant to pass the exam. Director Scurry commented that Dr. Dorris had only been registered for one year and would likely be eligible for an extension of that registration if the provisional license is denied.

It was confirmed that Dr. Dorris had passed the state exam.

Dr. Dorris informed the Board that she failed the exam by 1 point during the beta phase. Not receiving the provisional license would impact her ability to take an offered position as a psychologist. Along with the request for the provisional license, she

provided the Board with her study plan for passing the exam, adding that she was scheduled to take it in January 2022.

Director Scurry confirmed that in addition to the EPPP Part-2, the only other pending requirement is the final background check. She added that if a provisional license was approved, it would not go into effect until the background check was received and had no issues.

President Owens confirmed with legal counsel that the Board can deny a provisional license in the future if an applicant applies after failing an exam. Mr. Ward, Deputy Attorney General, stated that the Board had the ability to deny such a request, as long as they are not arbitrary and capricious in their decision making.

At President Owens' inquiry, Dr. Dorris explained that she could continue to practice as a psychological assistant. Having the provisional license would ensure a larger salary and assist with student loan payments.

Dr. Holland inquired about supervision. Dr. Nicole Cavanaugh would remain the supervisor as long as Dr. Dorris is working under a provisional license. Dr. Holland stated she was a past supervisor of Dr. Dorris and would abstain from voting. She added that Dr. Dorris missed passing the exam by one point and that should be considered.

Dr. Woodard confirmed that the provisional license would not take effect until mid-December, or whenever the background check was received. Dr. Dorris is scheduled to take the exam in late January. If the exam is not passed, Dr. Dorris' application would return to the Board at the next possible meeting, likely February 2022, for review. As a result, the provisional license would likely only be in effect for 2-3 months.

On motion by Stephanie Woodard, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved Dr. Deva Dorris to be license eligible with the caveat that she remains under the supervision of Dr. Nicole Cavenagh until she receives a passing score on the EPPP Part-2, contingent upon satisfactory completion of all other licensure requirements, and not to begin until a favorable background check is received by the Board Office and not to extend beyond February 4, 2022, without further approval of the Board. (Yea: Whitney Owens, Soseh Esmaeili, Monique Abarca, and Stephanie Woodard. Abstain: Stephanie Holland) Motion Carries: 4-0

B. (For Possible Action) Discussion and Possible Action to Approve the Request for Accommodation of Dr. Justine Weber to take the Nevada State Examination

Dr. Justine Weber submitted a request for an accommodation to take the Nevada state exam. The accommodation would provide an additional hour, for a total of four hours, to take the exam. She informed the Board office that she had an accommodation when she took the EPPP in California in 2018.

On motion by Soseh Esmaeili, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the request of Dr. Justine Weber for the Nevada State Examination for a testing accommodation of an additional hour to complete the exam. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

C. (For Possible Action) Discussion and Possible Action to Approve the Application for Reactivation of License for Dr. William Follette, Expiring December 31, 2022

Dr. William Follette submitted an application requesting reactivation of his license. He submitted proof of 33.75 continuing education credits. Of those credits, 9 were live/interactive courses. It was noted that for the applicable renewal period, the Board had reduced the number of live credits from 15 to 9.

Director Scurry explained that proof of 5 ethics credits were presented. Dr. Follette requested that the course entitled "DBT in practice" could be used for the final ethics credit. After discussion, the Board determined that a course in DBT would not be applicable toward ethics and asked that Dr. Follette submit an additional ethics credit. As a result, the request was moved to the December meeting or the next meeting after the ethics credit is completed.

D. (For Possible Action) Discussion and Possible Action to Remove/Inactivate the Provisional License of Dr. Andrew Hickman as of November 26, 2021

At a previous meeting, Dr. Andrew Hickman was provided a provisional license to practice pending passage of the EPPP Part-2. Recently, Dr. Hickman provided correspondence stating his intention to leave clinical practice as of November 26, 2021.

As the supervisor of record, Dr. Esmaeili abstained from voting on the item.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners inactivated the provisional license of Dr. Andrew Hickman as of November 26, 2021. (Yea: Whitney Owens, Stephanie Holland, Monique Abarca, and Stephanie Woodard. Abstain: Soseh Esmaeili) Motion Carries: 4-0

E. (For Possible Action) Discussion and Possible Action to Approve the Licensure of Dr. Timothy Law, contingent upon satisfactory completion of other licensure requirements

Dr. Timothy Law applied for licensure in December 2020. Previously he had more than 20 years' experience but had not been licensed in the United States since 1999, when he went to work in Hong Kong. He was asked by Board staff to present proof of continuing education credits but had not responded to that request.

Dr. Gary Lenkeit, Board investigator, was asked by the Board at a previous meeting to review the application and associated documents. Following that review, he recommended Dr. Law's application be considered as his education and experience appeared to meet Nevada's requirements as someone who has been in practice for 20 or more years. He added that Dr. Law indicated he would complete continuing education if required, and that his intention was to enter into either private practice or volunteer services in neuropsych evaluations as he speaks Mandarin and Cantonese.

President Owens stated her belief that an individual who has not been licensed for 20 years should provide proof of completion of 30 continuing education credits.

Director Scurry stated that she equated his application to that of a Nevada licensee who allowed their license to go inactive. In that case, the Nevada licensee would be required to submit proof of continuing education before being allowed to reactivate their license.

There was discussion regarding the time frame in which the continuing education must be completed and the types of credits that would be allowed. It was decided that Dr. Law would need to complete 30 continuing education credits prior to his application expiring in December of 2022. Also, of the 30 credits, at least 9 of them would need to be "live" opportunities. ("Live" includes courses that are offered online where interaction with the instructor is possible.)

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the senior psychologist application for licensure of Dr. Timothy Law, contingent upon satisfactory completion of other licensure requirements including, but not limited to, the Nevada State Examination and proof of completion of 30 continuing education credits to be completed in the next year, at least 9 of which must be "live." (Yea: Whitney Owens, Stephanie Holland, Soseh Esmaeili, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

F. (For Possible Action) Discussion and Possible Action to Extend the Application for Licensure of Dr. Marie Ehrler for one year to complete licensure requirements

Dr. Marie Ehrler applied for licensure in early 2020 and completed all licensure requirements except taking the state exam. As her application will expire in early 2022, she requested an extension of her application to allow her the time to take the exam. She is currently licensed in Utah.

On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the request of Dr. Marie Ehrler for a one-year extension of her application for licensure. (Yea: Whitney Owens, Stephanie Holland, Soseh Esmaeili, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

G. (For Possible Action) Discussion and Possible Action to Approve the Change in Supervisor as Part of the Registration of Stephanie Bellusa as a Psychological Assistant

Dr. Stephanie Bellusa requested approval of a change in supervisor. She was previously provided a 6-month extension of her registration as a psychological assistant contingent on providing proof of the contractual agreement between the new supervisor, Dr. Joseph McEllistrem, and her employer, Carson City Juvenile Services. Such an agreement ensures that the supervisor, who does not work for Juvenile Services, has access to patient records and can fully and adequately serve as a supervisor.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the change in supervisor of Dr. Stephanie Bellusa to Dr. Joseph McEllistrem and the work location to Carson City Juvenile Services. (Yea: Whitney Owens, Stephanie Holland, Soseh Esmaeili, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

10. (For Possible Action) Discussion and Possible Action to Consider an End Date for the Granting of Provisional Licenses for Applicants Needing to Take and Pass the EPPP Part-2 as part of the Requirements for Licensure

Nevada was an early adopter of the EPPP Part-2 as a requirement for licensure for applicants who were not previously licensed. When the exam was launched in 2021 there was a beta testing period and then a black out period which resulted in delays in licensure for those who were subject to the exam. As a result, the Board provided provisional licenses to those who only needed to take the exam to complete licensure.

The exam became fully accessible to applicants as of August 2021 and, as they are mainly psychological assistants who need to take the exam, applicants are given timely notice of the requirement. It was recommended that the Board no longer consider requests for provisional licensure based on the EPPP Part-2.

On motion by Stephanie Holland, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners determined to no longer consider requests for a provisional license based on access to the EPPP Part-2.

The Board discussed amending the motion to no longer accept requests for provisional licenses as of November 15, 2021.

On motion by Stephanie Holland, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners determined to no longer consider requests for a provisional license based on access to the EPPP Part-2 as of November 15, 2021. (Yea: Whitney Owens, Stephanie Holland, Soseh Esmaeili, Monique Abarca, and Stephanie Woodard.) Motion Carries: 5-0

11. (For Possible Action) Discussion and Possible Action to Consider a Request by Dr. Soseh Esmaeili for a One-Time Waiver of NAC 641.158 to allow for the Supervision of a 4th Psychological Assistant

Dr. Soseh Esmaeili requested a waiver of NAC 641.158 to allow her to supervise a 4th psychological assistant. She cited the unavailability of another psychologist with three years' experience to provide supervision. Of the three current psychological assistants she was supervising, two have completed their training hours and are in the process of taking their exams to complete licensure. As a result, their need for supervision is limited.

She added that patients need care and her practice is having difficulty hiring a psychologist. Additionally, as discussed in a previous item, the departure of a recently licensed psychologist is necessitating the request.

President Owens stated her concern with a psychologist having a large case load, combined with the supervisees' patients, maintaining adequate care of patients/clients. She also added that passing the exams can take several months so there is no guarantee this waiver will be short term.

Member Dr. Holland inquired if the post-doctoral students were conducting assessment, therapy, or both.

Dr. Esmaeili responded that the practice does no assessment, only therapy. She added that the psychological assistant that would join the practice, Dr. Sharon Simington, would not have a full case load initially.

Member Dr. Woodard stated that the Board has been clear in the past about the supervision requirement and her concern with setting a new precedent.

Member Dr. Holland inquired about what would happen to those patients if the Board denied the request. Dr. Esmaeili responded that she would likely have to add them to her caseload. She added that she is looking to hire another licensed psychologist. Dr. Holland responded that she did not see the request as an attempt to increase business but as a way to ensure patient care.

Member Dr. Woodard suggested finding colleagues in California who could register under Directive 011 to provide service. Dr. Esmaeili stated that many of her patients are children making telehealth not possible or appropriate in many cases.

Member Dr. Holland inquired about how long Dr. Esmaeili was proposing needing the waiver. Dr. Esmaeili responded that she hoped only a few months until one or two of the current psychological assistants are licensed and no longer in need of supervision.

On motion by Stephanie Holland, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the waiver of NAC 641.158 to allow Dr. Soseh Esmaeili to supervise a 4th psychological assistant.

No vote was taken.

It was suggested that the name of the 4th psychological assistant be added to the motion as a one-time waiver.

On motion by Monique Abarca, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved a one-time waiver of NAC 641.158 to allow Dr. Soseh Esmaeili to supervise a 4th psychological assistant, Dr. Sharon Simington. (Yea: Whitney Owens, Stephanie Holland, Monique Abarca, and Stephanie Woodard. Abstain: Soseh Esmaeili) Motion Carries: 4-0

12. (For Possible Action) Discussion and Possible Action to Create a Master's Degree Level License and/or a Psychological Assistant (Post-Doctoral) License

President Owens explained that at the annual meeting of the Association of State and Provincial Psychology Boards discussion occurred related to creation of a master's degree level license. At that meeting, several issues were discussed including the potential accreditation by the American Psychological Association. There are currently 17 states that have a form of master's level license.

At the October Work Session, Dr. Owens, Dr. Lenkeit, and Dr. Esmaeili volunteered to research those states that currently have some form of Master's degree license. Director Scurry will assign those states and additional discussion will occur at a future meeting.

13. (For Possible Action) Discussion and Possible Action to Approve the 2021-22 Strategic Plan Goals and Objectives

At the October 8, 2021 Work Session, the Board made revisions to the existing Strategic Plan. The final version of the Strategic Plan, including Board member assignments and timelines, was presented to the Board for adoption.

On motion by Stephanie Woodard, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners adopted the 2021 Strategic Plan as discussed at the October 8, 2021 Board Work Session. (Yea: Whitney Owens, Stephanie Holland, Monique Abarca, and Stephanie Woodard, and Soseh Esmaeili) Motion Carries: 5-0

14. Legislative Update

- A. (For Possible Action) Discussion and Possible Action on the Proposed Revision of Nevada Revised Statutes (NRS) 641.390, Representation or Practice Without License or Registration Prohibited, During the 2023 Session of the Nevada State Legislature

This item is pending additional discussion with the state Corrections Department and Human Resources.

15. (For Possible Action) Discussion and Possible Action on Regulations Proposing Changes to Nevada Administrative Code (NAC) Chapter 641 in Accordance with Nevada Revised Statutes (NRS) Chapter 233B

Director Scurry provided an update on the status of the regulations listed below.

- A. R057-19: Fees. This regulation is pending final adoption by the State.
- B. R058-19: Endorsement Language. This regulation was submitted to the Legislative Counsel Bureau (LCB) with changes. It is pending.
- C. R114-19: Foreign Graduates. This regulation is pending final adoption by the State.
- D. R115-19: Supervision, payment of psychological assistant, Closure of a Practice. This regulation was submitted to the Legislative Counsel Bureau (LCB) with changes. It is pending.
- E. R173-20 (Previously R131-15): Requires those teaching or engaging in research to be licensed if providing supervision in a university setting. This regulation is pending final adoption by the State.
- F. R174-20: Code of Conduct. This regulation was submitted to the Legislative Counsel Bureau (LCB). It is pending.
- G. R175-20: Removal of "Moral" . Draft language was submitted to the Legislative Counsel Bureau (LCB). It is pending.
- H. TBD: Removal of "Behavior Analyst" Draft language was submitted to the Legislative Counsel Bureau (LCB). It is pending.
- I. TBD: Regulations related to Assembly Bill 327.

Assembly Bill 327 (2021) requires licensees to obtain 2 continuing education credits in diversity and cultural competency each renewal period. There has been debate among the various boards as to whether all 7 of the categories of populations described in the Bill are required or if the continuing education opportunity must only include one or more of the categories.

Harry Ward, Deputy Attorney General, stated that all 7 categories are not necessary to satisfy the intent of the Bill. Licensees must complete a minimum of 2 hours in at least one of the areas listed in the Bill.

Member Dr. Woodard added that the Department of Health and Human Services has recommended that each board's Deputy Attorney General should interpret the bill and make the determination for their boards.

- J. TBD: Regulations related to Assembly Bill 366. Draft language was submitted to the Legislative Counsel Bureau (LCB). It is pending.
- K. TBD: Regulations related to Senate Bill 44. Draft language was submitted to the Legislative Counsel Bureau (LCB). It is pending.

Member Stephanie Holland left the meeting at 11:43

16. (For Possible Action) Discussion of U.S. District Court Case 2:20-CV-00651-KJD-VCF Where the State of Nevada Board Psychological Examiners is a Named Defendant.

Harry Ward, Deputy Attorney General, informed the Board the matter is still in the discovery process and will be moving toward depositions in the coming weeks.

17. (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, December 10, 2021, at 8:30 a.m.
- B. Proposed Schedule of 2022 Board Meetings

There was no discussion or proposed changes to the proposed schedule of future meetings.

18. Requests for Future Board Meeting Agenda Items (No Discussion Among the Members will Take Place on this Item)

There were no requests for future meeting agenda items.

19. Public Comment

There was no public comment provided.

20. (For Possible Action) Adjournment

There being no further business before the Board, President Owens adjourned the meeting at 11:50 p.m.