

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

March 10, 2023

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

The meeting of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, Psy.D., at 8:39 a.m. online via “zoom” and physically at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste B-116, Reno, Nevada 89502.

Roll Call: Board President Whitney Owens, Psy.D., and members Monique Abarca, LCSW, Lorraine Benuto, Ph.D., and Stephanie Holland, Psy.D., were present at roll call. Secretary/Treasurer, Stephanie Woodard, Psy.D., and member Catherine Pearson, Ph.D., were absent at roll call. Member Soseh Esmaeili, Psy.D. joined the meeting at 9:24 a.m. Despite the member absences as roll call, there was a quorum of the Board members.

Also present were Deputy Attorney General (DAG) Harry Ward, Board Investigator Dr. Sheila Young, Executive Director Laura Arnold, and members of the public Wendi O'Connor and Dr. Jonathan Campos.

2. Public Comment.

There was no public comment at this time.

3. Minutes

**A. (For Possible Action) Discussion and Possible Approval of the
Minutes of the Regular Meeting of the State of Nevada Board of
Psychological Examiners on February 10, 2023.**

There were no comments or changes suggested for the minutes of February 10, 2023.

On motion by Lorraine Benuto, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Regular Meeting of the Board on February 10, 2023. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, and Stephanie Holland.) Motion Carried: 4-0

4. Financials

A. (For Possible Action) Discussion and Possible Action to Approve Recommended Changes to the Fiscal Year 2023 Budget

Director Arnold stated that when the Board approved the changes to the budget Ms. Scurry presented last month, what remained were changes that needed to be made to the staff salary and PERS items because how Ms. Scurry was compensated and contributed to PERS is different than how Director Arnold's PERS contribution and compensation. Director Arnold explained that she began making those changes in the budget, but when she did that, it resulted in a negative final balance of about \$669. Because the result should not be a negative final balance, Director Arnold said she wanted to go back and spend some time gaining a deeper understanding of the Board's budget, as working with budgets is not something she has done before on this level, and she wants to ensure the budget does not have a number that is less than 0 for the final balance. As a result, Director Arnold said she was not looking for approval of the changes she was trying to make at this time, but was just showing her process since the last meeting.

B. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2023 (July 1, 2022, Through June 30, 2023).

Director Arnold went on to state that when she and Dr. Woodard met prior to the Board meeting, they went through the Budget-to-Actual spreadsheet, which is where the Board's actual expenditures are compared to the amounts that are budgeted. Again, Director Arnold explained that she replicated the process she and Ms. Scurry did together last month and that she continues to learn the process to ensure the Board is in good shape, which it is. Director Arnold shared what Dr. Woodard had noticed in the budgeted quarters, namely a negative balance of negative \$12,000 she noticed in one of the quarters that she did not believe were there when the budget was approved. Director Arnold said she went back to when the budget was approved in June 2022 to compare, and those numbers were the same, but wants to go back historically, look at what was approved and why from month to month over the fiscal year so that she can address it at a future board meeting. She noted that a Board's finances is all new to her, and it is just a process of learning it.

President Owens said she appreciated the executive director's transparency and that it is great that she is showing what she is figuring out and looking forward to her showing in six months all that she has learned in handling the budget. President Owens trusted that the executive director is working with Dr. Woodard and the bookkeeper, and has faith that there will be a cleaner report next month. The executive director confirmed

she will be working with both moving forward, and it is just a matter of understanding the mindset in creating the FY23 budget, which she expects to do with a deeper dive into its iterations over the fiscal year.

5. Legislative Update

A. (For Possible Action) Report, Discussion and Possible Action on Legislative Activities, including the work of Interim Committees and the 2023 Session of the Nevada Legislature.

President Owens asked the executive director about the way the agenda is written for the Legislative Update and if the Board is able to make any decisions. Director Arnold replied that she was not sure what decisions the Board would be making. President Owen asked DAG Ward if for AB219, which is an opening meeting law bill, the Board would be able to talk about taking a neutral stance or some friendly amendments.

DAG Ward stated that the Board has the discretion and authority to do what it wants with standing neutral, friendly amendments, and the like because it's a bill that would affect it. President Owens inquired about whether the Board could vote on any action it wants to take even though it is not identified in the agenda for possible action. DAG Ward suggested that if it has not been specifically noted in the agenda, the Board can discuss it but not take any action. President Owens asked if the Board could talk about it and then, as president, can she come in neutral or in support. DAG Ward stated that the Board can discuss it today, and if she wants, President Owens can address it at a later time, whether it is to a committee meeting or a formal direction to take action.

President Owens explained that AB219 revises the open meeting law by requiring members of a public body to meet at a physical location at least 25% of the time. She said a suggestion Dr. Holland made was meeting twice a year, and asked what the other Board members thought about it. President Owens said the Board can also be silent – it does not have to come in with a particular position on the bill. President Owens said she felt strongly that the changes in AB219 would be more of a barrier to participation in board meetings than actually fruitful.

Dr. Benuto suggested that the Board make a comment and ask for a friendly amendment to one time a year, which would be more reasonable. She said that everyone has competing obligations, and gave an example of her having a meeting across the hall after the Board meeting in which she would not be able to participate if she had to drive to different places.

President Owens noted nods from Dr. Holland. She again restated the 25% attendance that AB219 would require and that the Board was discussing that would be a barrier for participation for many board members and the Board's DAG, and noted the current feeling is to seek a friendly amendment of making that a one time a year mandatory meeting. President Owens said she would draft language and present that for this particular suggested change.

President Owens inquired about whether anyone had any concerns with any other bills the Board is following and with which she is actively engaged, and stated that the Board has written a letter on AB37.

B. (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

There was no discussion on this item.

6. Board Needs and Operations

A. Report from the Nevada Psychological Association.

Wendi O'Connor, Executive Director for the Nevada Psychological Association (NPA), gave the report from the NPA. She stated that they are very busy during this legislative session, currently monitoring about 20 bills, and that the NPA is in support of some, neutral on others, and some are in discussion.

Ms. O'Connor went on to identify continuing education workshops it has coming up that are requirements for licensure. She said the first is a suicide training program scheduled in April – Use of Attachment Based Family Therapy for Adolescents Struggling with Depression & Suicidal Thoughts – April 28 from 11-2, presented by Guy Diamond. She stated the NPA also opened registration for the 35th annual conference, which will be Clinical Considerations with Transgender and Nonbinary Youth from an Intersectional Lens presented by Dr. Roberto Abreau, Dr. Christina Patterson, and Dr. Lauren Chapple-Love in Las Vegas for 6 cultural competency credits.

President Owens asked if the NPA is neutral or in support or opposition for AB236. Ms. O'Connor answered that the NPA is aware that NBOPE is in support of it and that they are monitoring it closely. She also said they are currently in discussions on the actions they want to take on it, and that they are in support of clarification of the scope and role of psychologists.

B. Report From the Executive Director on Board Office Operations.

Director Arnold reported that licenses and registrations remain pretty steady. She said there were a number of applications that came in at the end of February when the offices were closed due to the severe weather in the area, some of which are not reflected for February, but that she is now caught up on those applications and they will be reflected in next month's report. Director Arnold also noted that there was an increase in Psychological Trainee applications that had come from UNLV and that she is working with her contact there to get those registrations done quickly, as the students will begin working in May.

As for complaints, Director Arnold reported that there was an uptick in complaints received, two of which have been referred to appropriate boards as they were not complaints against psychologists, and for one of which the Board is seeking additional information.

President Owens stated that getting the Psychological Trainee registrations out quickly is helpful because UNLV is working closely with Medicaid to get their trainees registered with Medicaid so that they can start billing Medicaid as quickly as possible. She said with the Psychological Trainees, they change sites every year, so the faster we get them completed and moved along, the faster they can get reimbursed, and that really helps with work force development and providing care to the public.

Director Arnold explained that she was working out a minor issue with the coordinator related to how most of the applicants answered a question on the Supervised Practice Plan. She said it was a yes/no answer that was misread or misunderstood, and once they provide what is needed to correct the answer to that question, the registrations will go out. President Owens thanked Director Arnold for streamlining that process and making it move quickly.

7. (For Possible Action) Discussion and Possible Action to approve the employment agreement of Laura M. Arnold.

President Owens asked to skip Item 7, as Director Arnold was in the process of reviewing the employment agreement. She said the Board would look at this item again in April. Director Arnold said she did review and sign and send the agreement to DAG Ward prior to the Board meeting. President Owens stated that the Board has to approve the agreement. DAG Ward confirmed that Director Arnold did sign and send him the agreement, and it is fine if the Board reviews it at the next meeting. President Owens confirmed that the Board will look it over at the next meeting.

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

President Owens asked for updates on the complaints identified in the agenda. DAG Ward stated that he, Dr. Lenkeit, Dr. Young, and the executive director met and conferred on all of the complaints. He stated that none of them are a threat to psychologists and/or the general public, so there is no need to hurry up and get them out. He went on to explain that they were all working diligently on all of them, trying to resolve them or bring them to a hearing, and that of all of them, there is a possibility of only one of them going to a hearing. DAG Ward said he is in negotiations to try and resolve the 2019 cases because they are somewhat old, however, there have been some problems with them in the past, plus COVID, etc.

President Owens asked DAG Ward if he has a timeline for the complaints identified as A and B, in response to which DAG Ward stated there is no statute of limitations on presenting them. He said on one of them, opposing counsel is asking for an amended complaint, so if for some reason it goes to a hearing, he would amend the complaint and bring in additional allegations based on depositions and other information, but that there is no statute of limitations issue.

President Owens clarified that her question was more to do with whether he has a sense of when they will be resolved. DAG Ward said wished he could provide a specific date, but he does not have one. DAG Ward stated that he has had to get substitute counsel for this Board for him, and it looks like he will have to do the same in the future, but he does not want to burden a substitute DAG to prosecute a case. DAG Ward said he will still work diligently to get these cases going, even if he has to substitute a DAG for another board if we have to go hearing on this matter.

President Owens thanked DAG Ward for the update, and asked Board Investigator Dr. Young if she had any updates. Dr. Young replied that there had been a discussion on 21-0726, and she will be recommending dismissal of that complaint based on the information she has received to date, but she is still waiting for one response. Dr. Young hoped to bring it back to the Board at the next meeting.

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. *Note: Applicant names are listed on the agenda to allow the Board to discuss applicants when necessary to move the applicant through the licensure process. The listing of an applicant's name on the agenda indicates only that an application for licensure/registration has been received. It does not mean that the application has been approved or that the applicant must appear at the meeting in order for the applicant's application to move forward through the licensure process. If an applicant needs to attend the meeting for the Board to take action, the applicant will be notified in writing prior to the meeting. Please, direct questions or comments regarding licensure applications to the Board office.*

Dr. Owens stated that the following applicants are recommended for approval of licensure contingent upon completion of licensure requirements: Michelle Berumen, Tatsiana Rasshavaikina, Jennifer Schafer, Raven Townsel, Michael Whitman, Akira Olsen, Rachel Powers, and Jessica Taverniti.

Dr. Holland said she was happy to move with the exception of Michelle Beruman, for whom she had to recuse herself. President Owens suggested making it easier if Ms. Abarca or Dr. Benuto could make the motion and second, then Dr. Holland could recuse. In response, Ms. Abarca made the motion, and Dr. Benuto seconded. Holland stated she was in favor of the motion with the exception of Michelle Beruman because she has to recuse herself from that applicant.

President Owens questioned whether the Board needed to move applicant Berumen to the April meeting since there was not a quorum on her with Dr. Holland's recusal. DAG Ward stated that was correct. Dr. Holland asked if that means she will not obtain her license until next month. President Owens answered yes because they have not yet voted for approval.

Director Arnold interjected that Dr. Berumen's application is still pending, and that these are preliminary approvals that are contingent on the licensing requirements having been met so that the applicants are not waiting another month or two to go before the Board to be approved after completing the requirements for licensure.

Dr. Holland asked if she was required to recuse because she knows Dr. Berumen. DAG Ward replied that she did not necessarily have to recuse based on knowing her. He explained that she would need to recuse herself if there is monetary gain to her by approving licensure, they are related, or something of that nature. He explained that, in small boards with a small number of licensees, board members are going to know people, and whether recusal is appropriate has to come from her based on whether she feels like she can fairly and objectively approve her for licensure. DAG Ward repeated that she would obviously have a conflict if she pays Dr. Berumen or Dr. Berumen pays her, or if they are related.

Dr. Holland stated that she needs to recuse herself.

DAG Ward told Dr. Holland that she does not need to be specific, but she can say that she has to recuse herself because she knows her. Dr. Holland stated that she has to recuse herself because she knows Dr. Berumen. She went on to note that if the Board does not have a quorum, an applicant may be held up for additional time and cannot become employed. DAG Ward stated that they did not know what was still required for licensure, such as fingerprints or something else. He said the Board is trying to get these applicants pre-approved and make sure they have complied with requirements – they are approved contingent on them paying the fees and completing the application requirements. Dr. Holland asked what if an applicant has completed application requirements, to which DAG Ward replied that she would not be able to obtain licensure until the next month if she is approved next month.

President Owens stated that Dr. Soseh Esmaeili had just joined the meeting and was just in time. President Owens told Dr. Esmaeili that they were on Item 9, voting on applicants for licensure, and because there was a small number of board members today and Dr. Holland has to recuse herself on one of the applicants, it was going to hold up approval for licensure. President Owens started Item 9 again so the applicants could go through the process.

President Owens stated that the following applicants are recommended for approval of licensure contingent upon completion of licensure requirements: Michelle Berumen, Tatsiana Rasshavaikina, Jennifer Schafer, Raven Townsel, Michael Whitman, Akira Olsen, Rachel Powers, and Jessica Taverniti.

On motion by Monique Abarca, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the approved the following applicants for licensure contingent on completion of licensure requirements:

Michelle Berumen, Tatsiana Rasshavaikina, Jennifer Schafer, Raven Townsel, Michael Whitman, Akira Olsen, Rachel Powers, and Jessica Taverniti. (Yea as to applicant Michelle Berumen: Whitney Owens, Monique Abarca, Lorraine Benuto, and Soseh Esmaeili, Stephanie Holland recusing) Motion Carried: 4-0. (Yea as to the remaining applicants: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland) Motion Carried: 5-0

A. (For Possible Action) Discussion and Possible Action to Approve the Recommendation of the ATEAM Committee to approve the application of Dr. Jessica Patel, contingent on the completion of all licensure requirements.

President Owens stated that Dr. Jessica Patel is an applicant for licensure who had a couple of minor, inadvertent discrepancies on her PLUS that needed to be corrected and her number of supervision hours reviewed. President Owens went on to say that Dr. Patel's PLUS was updated with what needed correcting, and highlighted that Dr. Patel is licensed in two other states – Illinois and California – and has been licensed for

more than five years in one of them. President Owens noted that Dr. Patel's PLUS indicated only 1,000 internship hours, but that she had 2,400 supervised hours of post doc, and 80 hours of individual supervision.

President Owens stated that Dr. Pearson reviewed Dr. Patel's application and found that because Dr. Patel has been licensed in another state for more than 5 years, she only needs a total of 3,000 combined hours. She noted that even though Dr. Patel only has 1,000 internship hours, she exceeds the 3,000 hour requirement with 3,400 hours and her 280 hours of supervision and, as a result, the ATEAM moved to recommend Dr. Patel for licensure.

President Owens asked if there were any questions about Dr. Patel's application and whether there was a motion to approve the application for licensure of Dr. Jessica Patel contingent on the completion of all licensure requirements.

On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the application of Dr. Jessica Patel, contingent on the completion of all licensure requirements. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0

10. (For Possible Action) Discussion and Possible Action to Approve the Request of Dr. Jonathan Campos for the Board to extend the EPPP-2 waiver he was granted as part of his now-expired Psychological Assistant application.

[This item was taken out of order]

President Owens stated that just prior to last month's board meeting, Dr. Campos was advised that the EPPP-2 waiver that had been granted him as part of his October 2020 Psychological Assistant application was no longer in effect because: (1) that waiver had been granted so long as he timely completed the requirements of his application for registration/licensure; and (2) his application expired without him having completed the requirements. She said Dr. Campos was told that he would need to reapply and pay the application fee and that the EPPP-2 would be a requirement for licensure, and that Dr. Campos requested that he be able to appear before the Board so that he can be heard on this.

Dr. Owens explained that back in 2019 when the Board voted to include the EPPP-2 as a requirement of licensure, the Board knew there would be a period of time where there would be applicants who were caught in that period of time where they were completing licensing requirements. She went on to state that at the beginning of 2020, the Board was supposed to be able to roll out the EPPP2, but that did not happen

because of the pandemic, so the Board voted to create a period of time where if someone applied for licensure before a particular date, they would not be required to take the EPPP2 so long as they got their application in by that date and completed licensing requirements within a period time. President Owens said that Dr. Campos got his application in by the October 2020 date, but did not complete the licensing requirements by the time his application termed out. As a result, the executive director told Dr. Campos that he would need to reapply and would need to complete all of the requirements for licensure, including the EPPP2 at the time of that application. President Owens stated that Dr. Campos is requesting a waiver of the EPPP-2, and invited Dr. Campos to talk about why he is making that request.

Dr. Campos said that so much has happened since he moved to Las Vegas from Hawaii, and that he has had to work at 2 clinics to finish his hours to qualify for licensure. He said he recalled the previous executive director telling him he was grandfathered in to taking only the EPPP-1, but does not have documents other than what she told him as to how long that would be.

Dr. Campos said he felt that if he shared more about what has happened, it will just open the two places where he worked to scrutiny based on what occurred in the first clinic and then moving to the second. He went on to state that, without getting into detail, he is registered for the EPPP-2, and that the previous clinic let him go even though he requested an extension, and then Dr. Norensberg backed out, which is why he has to work at FedEx. He said he doesn't mind working and hustling, but that he is just trying to get things done with what has occurred. Not wanting to put a negative lens on his experience, he said he is just requesting to have the EPPP-2 waiver extended until he takes his test at the end of May, which he has scheduled. Dr. Campos did not want to open up windows or doors for further investigation, but explained he did not have the best experiences and has had to get done and do what he needs to get his hours.

Dr. Owens asked Dr. Campos to clarify that he is requesting a waiver of the EPPP-2 because he had just mentioned he is scheduled to take it. Dr. Campos confirmed he is requesting an extension of the waiver. He said all he is doing is studying to prepare for the test, and because he does not have any documents as to how long the EPPP-2 was waived for him, he just wants to be considered for an extension of that waiver so that he can take the one test and be done. Dr. Owens clarified that the test he is currently scheduled to take is the EPPP-1.

President Owens opened the floor to ask Dr. Campos questions or deliberate. Dr. Holland clarified that the request is to waive having to take the EPPP-2. Dr. Owens refreshed the Board's memory that 2021 was the last time they considered any waivers, and they granted extensions for the timeline to take the EPPP-2 and granted provisional licenses at that time for people to complete licensure requirements, but since then the Board has not granted any waivers or extensions related to taking the EPPP-2. Dr.

Holland said that was her recollection as well, and that she would be really concerned if the Board now granted a waiver. She said it is unfortunate and it sounds like there are a lot of circumstances for why Dr. Campos is making his request, but the Board should remain consistent.

Dr. Benuto echoed Dr. Holland's sentiments, and Ms. Abarca agreed with Dr. Benuto and Dr. Holland. President Owens concurred. She said granting a waiver of the EPPP-2 at this point would open the Board up to having to consider more of these requests and that the Board followed its procedure very clearly on this case. President Owens stated that she can appreciate the challenges that Dr. Campos faced, but agrees with the members of the Board.

On motion by Stephanie Holland, second by Monique Abarca, the Nevada State Board of Psychological Examiners denied the request of Dr. Jonathan Campos to extend the EPPP-2 waiver he was granted as part of his now-expired Psychological Assistant application. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaili, and Stephanie Holland.) Motion Carried: 5-0

Dr. Campos asked how he would be able to follow up on all that he has dealt with. He said that while he appreciated the Board at the time and its considerations, there has been a lot he has dealt with that created more circumstances than any PA should have to endure in this State. Dr. Campos explained that he has colleagues that ask questions, and if they consider moving here, he is hesitant about providing any positive feedback because of what has occurred. He went on to state that if he has to open up an investigation, it is a way for him to lookout for future PAs, because no one should have to deal with what he did at two clinics just to even try to get the hours. He said he did not get any supervision at his last place, and went from salary to hourly at his first place.

President Owens said that if he has concerns about the supervision or treatment he had as a PA, the Board would welcome him to make a complaint.

Dr. Campos stated that this is after the fact, which is why he asked for an extension. He said he does not have the energy or time, and if he has to wait 30 days for a board meeting to try to get answers, it is a hassle at this point and he just wants to get done with it. Dr. Campos stated his request is a simple courtesy for those who have accepted him into positions, and to not feel supported, he questions whether he even wants to continue in mental health.

President Owens stated she can appreciate that it has been a difficult road for him, and if there are any complaints he wants to make about supervisors he has had, there are avenues to do that, but the Board has to follow the law and its procedures so that we have a fair system for everyone. President Owens thanked Dr. Campos, and Dr. Campos thanked the Board for its time.

11. (For Possible Action) Discussion and Possible Action to Approve the Application for Reactivation of License by Dr. Erin M. Oksol, PY0531.

President Owens stated that Dr. Oksol has submitted her application and the fee to reactivate her license. She explained that Dr. Oksol's license was issued in August 2007 and was last active in September 2018, and noted that in the personal/professional conduct history, Dr. Oksol states that her right to practice was reinstated following a 2013 DUI and after she received treatment. President Owens said that for Dr. Oksol's her entire career as a licensed psychologist, she has been a self-employed private practitioner. She went on to highlight the continuing education that Dr. Oksol reports having completed between February 2022 and February 2023 – 32.5 hours of continuing education, 28.25 hours were live, 4 were distance learning, 12 were ethics, and 2 were suicide prevention and awareness – the certificates of for which were included in the application. President Owens stated that the goal was to deliberate whether to reinstate Dr. Oksol's license.

Dr. Holland asked how long ago the incident was. President Owens answered that Dr. Oksol was originally licensed in 2007, she had a DUI in 2013, she inactivated her license in 2018, and she's now asking for reinstatement. President Owens asked whether it was the Board that revoked her license or someone else. Director Arnold said she did not know whether her license had been revoked. President Owens stated that question 3 on the personal and professional conduct section asks if the applicant's license has ever been revoked or suspended, and that is where she wrote that she had a DUI in 2013, and then her license was reinstated after treatment. Director Arnold said it looks like that happened in 2015 and in 2016, Dr. Oksol went back to active status. President Owens clarified that this Board reinstated Dr. Oksol's license after she went through treatment, to which Director Arnold said that appeared to be the case. President Owens further clarified that Dr. Oksol then went inactive in 2018, and is asking for reinstatement. She stated that Dr. Oksol has completed all of the continuing education hours required to be an active licensee, and if they look at the history, the Board reinstated Dr. Oksol's license after treatment and then Dr. Oksol decided to go inactive. President Owens said that because Dr. Oksol has already had consequences from the Board for the DUI, all the Board is looking at today is whether Dr. Oksol has enough CEs to be reinstated.

President Owens inquired with Dr. Holland and Dr. Esmaili if they remembered last year when they had a discussion around how many CE units they are requiring for reinstatement if they have been inactive for some time. Dr. Holland said she recalled that discussion, but she did not recall what the number was they came up with, as it was a general discussion about when someone is inactive because of a, b, or c. Dr. Esmaili did not remember precisely what they said, but thought they talked about it being an unnecessary burden to have them do CEs for every two years since they had been inactive. President Owens stated that Dr. Oksol has what would have been

required for the last biennium – she completed ethics, she completed suicide CEs, she has 32.5 hours. Dr. Owens noted that they could get picky on the diversity CEs, but with diversity CEs, mental health is a diversity factor, so the Board did not need to get super picky on that based on how the statute currently reads for diversity CEs.

On motion by Stephanie Holland, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved Dr. Oksol's application for the reactivation of her license. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0

12. (For Possible Action) Discussion and Possible Action to Adopt the Policy on Finance: Budgeting

President Owens asked to skip over Item 12 until Dr. Woodard is able to join because she has been very active in the Budgeting Policy process, and the Board wants her, as the Board's secretary/treasurer to be present for discussions on it.

13. (For Possible Action) Discussion and Possible Action on Executive Order 2023-003 Requiring the Board's Comprehensive Review of its Regulations.

President Owens explained that the Board had previously discussed the Governors' executive orders, but she wanted to talk more about them, and referenced them being in the meeting packet. She said that the Board is being required to review its statutes and regulations to see how it can streamline them and also make recommendations to the Governor about what we want to remove. President Owens stated that in the Board's earlier discussion, she shared that she and Director Arnold were looking at how the Board's regulations could be streamlined. She noted that the Board has done a great job of looking through the supervision regulations to see how they can be streamlined to make more sense to licensees, the public, and supervisees, and that would be highlighted for the Governor. She also noted that the Board has created a subcommittee to streamline the supervision regulations.

Present Owens went on to characterize the Board's regulations as fairly lean. She said that there is not a lot of excess or extra that does not make sense for the protection of the public, but that as she and Director Arnold look through in deciding what can be removed, they have identified the behavior analyst language in the administrative code as unclear. She explained that because the Board does not regulate behavior analysts, it is confusing to the public when they look at those regulations and it adds a burden on our office because the executive director gets calls about behavior analysts and she has to refer them to the Department of Aging and Disability Services. President Owens stated that the bulk of what will be recommended for removal is related to behavior analysts. She said another recommendation will be to remove the regulation for the

registration of partnerships and businesses because the Board does not do that, it has never done that, and it is confusing, as the executive director gets calls on that as well. President Owens stated that, if there are other code provisions any Board members think should be removed, she will entertain that and open the door for discussion in terms of following the Executive Order.

President Owens stated that the report is due to the Governor's office by May 1, 2023. She said that she and the executive director will continue working on the report and will bring the report to the Board in its April meeting to take action to approve the report before the May 1, 2023, deadline.

In response to President Owens' query about what is due on April 1, 2023, Director Arnold stated that it is a response to Executive Order 2023-004, which requests that the Board review and identify administrative code provisions that are a barrier to licensure and that address reciprocity. She said it is directed at the current workforce shortage, and that she has been going through the Board's regulations to identify those provisions that respond to the Executive Order, which are licensing requirements and Nevada's participation in PsyPact, and that she will be highlighting that most states in the U.S. participate in PsyPact.

President Owens asked DAG Ward about whether our licensure by endorsement provisions could be considered reciprocity for purposes of the report to the Governor. DAG Ward said that it was a bit of gray area. He explained that if you have regulations and the reciprocity does not meet the requirements for the state of Nevada, then there is no reciprocity. He noted, however, that he needs to discuss the issue with colleagues and other boards to be able to give a clearer response.

President Owens stated that the goal for Executive Order 2023-004 is to highlight membership in PsyPact, which creates the opportunity for reciprocity, and to highlight regulations for licensure by endorsement because it provides for ease of licensure. She said that the Board has done a great job of creating a rubric for those who can apply for licensure by endorsement and licensing them quickly and easily while also protecting the public. President Owens stated that what she wants to vote on is allowing the executive director and her to draft a response to Executive Order 2023-004 and submit the report by the April 1 deadline, and then bring the report back to the Board in its April meeting to review and make any amendments that we can submit later.

On motion by Monique Abarca, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved executive director Laura Arnold and President Whitney Owens to draft the required report to the officer of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the Board. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaili, and Stephanie Holland.) Motion Carried: 5-0

President Owens restated that the report for Executive Order 2023-004 will be brought back before the Board in April and it can make any amendments if there is anything any other Board members think should be included. She told Board members who have a chance to review the Executive Order and want something else included to let Director Arnold know because Director Arnold is working on the main draft of this report and she will be working with her to add to or subtract from it. President Owens also stated that the Board will bring back the response to Executive Order 2023-003 in April and submit it after the Board votes on it in April.

Director Arnold recommended that, if any Board member goes back to look at the Executive Orders, that they be reviewed from the Governor's website rather than how they were downloaded and provided in the packet, because they are hard to read as they download for printing.

President Owens asked if there were any questions about the Executive Orders. She further commended the executive director for the work she has done on the Executive Orders in addition to learning the job and coming into a legislative session, but noted it is good for the Board to look through its regulations to create ease and streamline them.

14. (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

President Owens stated that the next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, April 7, 2023, at 8:00 a.m. She acknowledged that Dr. Woodard would be out for the next meeting, and wanted to make sure the Board will have a quorum at that meeting. President Owens asked whether any other members knew whether they would be out on that date, to which no member present responded.

DAG Ward said that if he is out that day, he will have a substitute. He noted that he believed that is the Friday before Easter.

President Owens stated that she did not see any conflicts with that date.

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

President Owens asked if there were any agenda items for future Board meetings, in response to which Ms. Abarca stated she went to a roundtable discussion with City Council and every first responder chief in the valley. She said the topic was about how there is not enough mental health support for first responders in the valley, how they

are trying to come up with solutions to find competent practitioners for that population, and that they are trying to create training for all different disciplines to learn more about law enforcement, firefighters, emergency medical personnel, etc. Ms. Abarca stated that they have spoken with other Boards, and that she recommended the Psychological Board to them. She explained that they may want to present to the Board for Continuing Education opportunities or something like that.

President Owens thanked Ms. Abarca for the update, and said that the Board and she, personally, is happy to help out and have conversations with them.

President Owens asked Director Arnold to add an update for master's level licensure to the agenda for next month's meeting, as she should have updates from the preliminary committee from the ASPPB and where they are on that.

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

There was no public comment at this time.

17. (For Possible Action) Adjournment

President Owens stated that the Board can adjourn. She thanked the everyone, noted that they would see updates come through on legislation, and said that once she has drafted neutral comment on AB219, Director Arnold would send it out and would give an update on how things go on Monday with the Board's bill.

Director Arnold stated that member of the public Dr. Tenney just joined the meeting.

President Owens welcomed Dr. Tenney and told him the meeting was just adjourning, but asked if he had anything he wanted to share.

Dr. Tenney stated he had no comment, he just wanted to keep current, and thanked the Board for putting notice out there so the public can attend.

There being no further business before the Board, President Owens adjourned the meeting at 9:48 a.m.