

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

MEETING MINUTES

June 2, 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 8:07 a.m. on June 2, 2023, online via “zoom” and physically at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste. B-166, Reno, Nevada 89502.

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

Also present were Deputy Attorney General (DAG) Harry Ward; Board Investigator Dr. Gary Lenkeit; Executive Director Laura Arnold; and member of the public Dr. Jody Thomas (UNR Counseling Services).

2. Public Comment - Note: 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 their 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.

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 May 12, 2023.

There were no comments or changes suggested for the minutes of the May 12, 2023, meeting.

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 held on May 12, 2023. Secretary/Treasurer, Stephanie Woodard, approved the minutes as to form, but not content. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland) Motion Carried: 5-0.

4. Financials.

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

Director Arnold presented the Fiscal Year 2023 Budget. She did not have any changes to the Fiscal Year 2023 Budget as it was reviewed and approved in February 2023. Director Arnold indicated that she has continued to add what comes in and what goes out under the column labeled "actual."

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 stated that, as of May 31, 2023, the checking account has approximately \$396,000 in the account. She informed the Board that it is too close to the end of the month for the statements to be in, preventing the account from being reconciled. However, Director Arnold is confident in the \$396,000 figure.

Director Arnold said that the Board is still operating on \$171,000 of the deferred revenue primarily from renewals that the previous Executive Director addressed in February's meeting. Director Arnold confirmed that nothing has changed regarding the next expected allocations for deferrals for the next biennium quarters as addressed and discussed during the May 12, 2023, Meeting.

Director Arnold also said that the savings account balance is just over \$105,000. The Board's expenditure remains generally on par or below the budgeted amount. Director Arnold indicated that almost all line-item expenditures are under budget based on the Fiscal Year 2023 Budget. At this point, being eleventh-twelfths of the way through this fiscal year, revenues are at almost 112% of expected monies and the total expenditures are about 88% of what had been budgeted.

Based upon the budget-to-actual plus projected, to close out the fiscal year 2023, the Board is on track for the revenues at 112/113% of what was projected with the expenses being at 93/94%. This has left approximately \$38,000 remaining.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the Treasurer's report for Fiscal Year 2023. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

C. (For Possible Action) Discussion and Possible Action to Approve the proposed Budget for Fiscal Year 2024.

As Director Arnold addressed during the May 12, 2023, Meeting, the Fiscal Year 2023 Budget's performance and the projections made from that went into preparing the proposed Budget for Fiscal Year 2024. The intent was to go in line with the actual numbers they represent and those projections moving forward. There may be further adjustments as the Board closes out Fiscal Year 2023. Director Arnold reminded the Board that the numbers represent as accurate a reflection as possible; as the Board moves through fiscal year 2024, Director Arnold will make adjustments to the proposed Budget as necessary. However, as projected, the Board's expected expenses are about \$225,000 while the expected income is approximately \$228,000.

On motion by Stephanie Woodard, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved the Proposed Fiscal Year 2024 Budget. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

5. Legislative Update

A. (For Possible Action) Report, Discussion and Possible Action on Legislative Activities, including the work of Interim Committees, the 2023 Session of the Nevada Legislature, and any position the Board may take on Bills and Bill Draft Requests that the Board is tracking, following, or that may impact the Board and its Operations.

Dr. Owens advised the Board that many of the bills the Board was following have fallen through the cracks.

Director Arnold updated the Board on SB300. SB300 pertains to the requested funding for UNLV to aid with work force development involving interns for the psychology/mental health communities. Director Arnold indicated that Senator Gansert and Dr. Hunt's

presentations were amazing, which was subsequently followed by testimony in support of the Bill with no opposition or neutral testimony being presented.

As some additional background, Dr. Owens advised that this Bill was sparked from a discussion between Senator Gansert and Dr. Hunt wherein it was determined that the psychology/mental health communities needed extra internship opportunities to assist in retaining interns throughout Nevada. After brainstorming, it was decided that additional funding should be sought since a lot of the interns are lost when they travel outside of the state of Nevada to seek internship. The Bill would provide much needed funding to assist with additional internship options for the psychology/mental health departments within Nevada and Dr. Owens is hopeful that it passes.

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.

With respect to the Corrections Bill, Dr. Owens told the Board it is in the Governor's office. Up to this point, the Corrections Bill moved through the process fairly easy. Dr. Owens worked with the Department of Corrections and the Department of Human Resources Management to change the language, as indicated in the Corrections Bill. As it stands right now, without approval of the Corrections Bill, the Department of Corrections members are not called psychologists according to Dr. Owens. Dr. Owens is hopeful this Corrections Bill will provide clarity and improvement in the Department of Corrections for informed consent and treatment for individuals within the department. She believes there has been some wonderful work done on this Bill.

6. Board Needs and Operations

A. (For Possible Action) Discussion and Possible Action to Select Officers for the State of Nevada Board of Psychological Examiners for a One-Year Term from July 1, 2023, through June 30, 2024, from the Current Board Membership: Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, Whitney Owens, and Stephanie Woodard. Officers to be Selected may Include President, Secretary/Treasurer, Continuing Education Review Officer, Non-Resident Consultant Application Review Officer, and Exam Officer.

i. Exam Officer.

The role is currently held by Stephanie Holland. Dr. Holland indicated she believes the exam has come a long way due to teamwork and group efforts. She believes the role is very important and interesting while she advised that she has learned a lot. Dr. Holland counsels other members to consider the role as she highly recommends it.

When questioned on how many years Dr. Holland had left to serve, she was unsure, but said she believed it to be three (3) years.

Dr. Owens believes there should be shadowing and mentoring between the Board for some roles to allow the individuals to assume the position and help provide knowledge regarding the Board overall. While the learning curve on some positions can be more complicated than others, Dr. Owens believes the Exam Officer may need some shadowing with Dr. Holland prior to anyone else taking over the position. Dr. Holland agreed with Dr. Owen's sentiment. Dr. Owens asked if anyone was interested in the position, to which no one responded.

On motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved Dr. Holland to serve as the Exam Officer. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili.) Motion Carried: 4-0.

ii. Non-Resident Consultant Application Review Officer.

The role is currently held by Soseh Esmaeili. When asked by Dr. Owens if she would like to retain this role, or if she was interested in another position, Dr. Esmaeili told Dr. Owens she is interested in retaining the role but also open to accepting additional positions on the Board. It was determined by Dr. Owens that the Non-Resident Consultant role is not often in front of the Board, so she was unaware of any conflicts. After consulting with the rest of the Board, no one advised of any conflicts. Upon Dr. Owens inquiring if anyone else was interested in the Non-Resident Consultant role, there was no indication of interest.

On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved Dr. Esmaeili to serve as the Non-Resident Consultant Application Review Officer. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Stephanie Holland.) Motion Carried: 4-0.

iii. Continuing Education Review Officer.

The role is currently held by Monique Abarca.

Director Arnold will advise the Board of each role and the length of time left to serve on the Board.

Based upon her recollection, Dr Owens believes Ms. Abarca has an additional six (6) months, unless she elects to sit for another four (4) years. Given Ms. Abarca's absence, this role was held in abeyance for the July 14, 2023, Meeting.

iv. Secretary/Treasurer.

The role is currently held by Stephanie Woodard. Dr. Woodard has requested to step down from the position.

Dr. Owens opened up the floor to anyone who may be interested in accepting the role. After a brief pause, Dr. Owens asked if Dr. Benuto would be interested in the Secretary/Treasurer role as she had previously indicated she would like to participate in shadowing for the Presidency role. Dr. Owens suggested that Dr. Benuto accept the Secretary/Treasurer position for the next year in order to help Dr. Benuto become more familiar with the budget and other similar processes relevant to the Presidency.

The Board participated in discussions related to the requirements of the role with Dr. Benuto: meeting with the Executive Director prior to the board meetings to go through updated financials, meeting about once a quarter with the bookkeeper to do a deeper analysis of the fiscal situation, and potentially reviewing, analyzing, or solidifying additional policy or procedure regarding the recommendations for the internal controls from the auditor regarding determination for changes to the existing policies.

Dr. Woodard believes the role is fairly straight forward with the Executive Director handling a large majority of the lift. The Secretary/Treasurer intent is to serve as a checks and balances advisor to work closely with the Executive Director and bookkeeper. Director Arnold advised that the financials/budget have been established already, which she would be happy to discuss with Dr. Benuto. Further, Director Arnold confirmed that Dr. Benuto would not be determining the budget as that is completed by the Executive Director.

Dr. Owens verified the role would be for one (1) year and again indicated that she believes this position would help support Dr. Benuto if she decides to move forward with the seeking appointment as president when Dr. Owens candidacy expired.

As no one else shared any interest in the role, Dr. Benuto advised she would be in agreement with accepting the role. Dr. Owens asked if Dr. Benuto would like additional time to consider the role, which Dr. Benuto confirmed would be helpful.

Accordingly, the Secretary/Treasurer position has been held in abeyance until the July 14, 2023, Meeting. Director Arnold will email the absent members to indicate the

Continuing Education Review Officer and Secretary/Treasurer role are vacant and will be discussed at the July 14, 2023, Meeting.

v. President.

This role is currently held by Whitney Owens. Dr. Owens advised she would be willing to serve out the remainder of her presidency unless anyone else wished to serve. There was no interest expressed by any other members.

On motion by Lorraine Benuto, second by Stephanie Woodard, third by Stephanie Holland, the Nevada State Board of Psychological Examiners approved Dr. Owens to serve as the President. (Yea: Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 4-0.

B. (For Possible Action) Discussion and Possible Action to Select the Membership of the Application Tracking Equivalency and Mobility (ATEAM) Committee for a One Year Term from July 1, 2023, through June 30, 2024, from the Current Board Membership: Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, Whitney Owens, and Stephanie Woodard. Current Members of the ATEAM Committee are Soseh Esmaeili, Stephanie Holland, and Catherine Pearson.

Currently on the ATEAM Committee are Soseh Esmaeili, Stephanie Holland, and Catherine Pearson. Dr. Owens asked Dr. Esmaeili and Dr. Holland if they would like to continue on the ATEAM Committee. Dr. Esmaeili confirmed while Dr. Holland indicated she would be happy to step down if anyone else would like to have the experience to join. She expressed the importance of the Committee.

Dr. Woodard's term ends in June but should her request to remain be approved and Dr. Woodard was reappointed, then she would be interested in serving on the ATEAM Committee.

Dr. Owens asked the Board if the ATEAM Committee vote should be held in abeyance until July 14, 2023, to allow Dr. Woodard's request to be considered, as well as for Dr. Pearson to be present. Accordingly, the Board decided that Dr. Pearson's appointment would be held in abeyance while Dr. Esmaeili and Dr. Woodard's appointment was considered.

On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved Dr. Esmaeili and Dr. Woodard to serve on the ATEAM Committee. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland.) Motion Carried: 5-0.

C. (For Possible Action) Discussion and Possible Action to Renew Dr. Gary Lenkeit as the Nevada PsyPact Commissioner for a One-Year Term Beginning July 1, 2023, and Ending June 30, 2024; or Announce the Position as Open to the Licensed Psychologists in the State of Nevada for Selection by the Board at a Future Meeting.

Board Investigator Dr. Gary Lenkeit is the current Nevada PsyPact Commissioner. Dr. Owens confirmed that Dr. Lenkeit would like to continue with the position as he is on the Board of Directors for PsyPact for another year. No other interest in the position was expressed by anyone else on the Board.

On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved Dr. Lenkeit to serve as the Nevada PsyPact Commissioner. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

D. Report from the Nevada Psychological Association

There was no report from the Nevada Psychological Association.

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

Director Arnold introduced the office spreadsheet for the month of May. While presenting the spreadsheet, Director Arnold pointed out the numbers surrounding psychologist licensure applications. Director Arnold stated that May was an above average month for licensure applications and state exams, otherwise being unremarkable. No questions presented by the Board.

The Board's newly employed part-time assistant to the Executive Director, Kelly Weaver, was introduced.

Dr. Owens recommended that Director Arnold add the total number of current licensees and the total of each of the Board's registrations to this month's report, and every month moving forward.

Dr. Woodard had to leave the meeting, but the Board still holds quorum.

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

A. Complaint #19-0626

DAG Ward continues settlement discussions.

Dr. Young had no update to provide.

B. Complaint #22-0930

DAG Ward had no update to provide.

Dr. Lenkeit indicated they are making progress and information was shared with DAG Ward yesterday to work towards preparing the settlement agreement. Both Dr. Lenkeit and DAG Ward are hopeful they will be able to have this Complaint resolved before the July 14, 2023, Meeting.

C. Complaint #23-0303

DAG Ward indicated nothing has changed since the May 12, 2023, meeting, but he has had some communication with the individual who was sent the cease-and-desist letter regarding practicing without a license. DAG Ward's communications included an extension for a more formal response to be received within 30 days.

- 8. (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 requested approval for the following upon completion of licensure requirements:

- Robert Antonacci
- Kathryn Pesch
- Maiken Gale
- Judy Fluor Runels

- Tony Strickland
- Peter Grover
- Kathleen Fahrner
- Nichole Flowers
- Norma Ramirez-Miranda
- Candy Crawford
- Nathan Hale

On motion by Stephanie Holland, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved the above upon completion of licensure requirements. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

A. (For Possible Action) Discussion and Possible Action to Approve Dr. Kelly Thomas's Application for Licensure.

Dr. Thomas is an applicant for licensure. She is licensed as a psychologist but inactive in Illinois and New York. Dr. Thomas was licensed in both states in 2014. She is listed as CADC inactive in Illinois and has actively held a license in California since 2017.

The ATEAM recommended approval of Dr. Thomas's Application during the May 12, 2023, meeting based on Dr. Thomas having been licensed for more than five (5) years in other states, and even though she has only met three (3) of the required four (4) hours of predoctoral supervision, all the coursework has met the requirements. No questions were asked by the Board.

On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved Dr. Kelly Thomas's Application for Licensure. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

B. (For Possible Action) Discussion and Possible Action to Approve Dr. Lindsay Wray's Application for Licensure.

The ATEAM has recommended that Dr. Lindsay Wray's application for licensure be approved as Dr. Wray has been licensed in California for just over four (4) years without any issues, including an extra year and nearly 3,000 hours of post-doctoral experience. Her coursework and experience looked equivalent.

On motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved Dr. Lindsay Wray's Application for Licensure. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

C. (For Possible Action) Discussion and Possible Action to Approve the Request of Candis Carswell-Mitchell to Extend her Registration as a Psychological Assistant.

Dr. Candis Carswell-Mitchell has requested an extension of her registration as a Psychological Assistant. Dr. Carswell-Mitchell is currently under the supervision of Dr. Robert Putner and is requesting that her registration be extended for a fourth year. Dr. Carswell-Mitchell was first registered on July 1, 2019, and in March 2021, the Board extended her registration to June 30, 2023.

She is requesting another extension due to medical concerns after a domestic dispute in 2018, which left her with an injury that resulted in her arm being amputated despite multiple surgeries to save the same over the last five (5) years. Dr. Carswell-Mitchell has been struggling with chronic pain and depression, but she reported that she is in the process of scheduling a final surgery to hopefully alleviate her pain. She is scheduled to take the EPPP-1 on July 5.

Dr. Owens inquired as to whether the extension is so she can pass her exams, to which the executive director stated she believed that was the case.

DAG Ward would like the record to reflect that the Applicant provided the personal health information, so any confidentiality has been waived as it was the intent of Dr. Carswell-Mitchell for Director Arnold to share this information to the Board.

On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved Dr. Lindsay Wray's Application. (Yea: Whitney Owens, Stephanie Woodard, Lorraine Benuto, Soseh Esmaeili, and Stephanie Holland.) Motion Carried: 5-0.

D. (For Possible Action) Discussion and Possible Action on:

- i. The Request For Psychological Assistant Tracy Basile To Be Supervised By Dr. Christopher Shewbarran (PY1022), A Licensed Psychologist Who Has Had Supervised Supervision And Supervision Coursework, But Who Has Been Licensed For Less Than Three (3) Years. Or, In The Alternative, Granting Dr. Soseh Esmaeili An Exception To The Number Of Supervisees She Can Supervise In Order To Be Able To Supervise Psychological Assistant Tracy Basile.**

Dr. Basile, whose prior post-doctoral program fell through before she started, has been offered a role in a new residency program, which is anxious to hire her. Dr. Esmaeili (the

principal of the organization) would like to hire Dr. Basile and so Dr. Esmaili requested for Dr. Basile to be supervised by Dr. Shewbarren.

Dr. Shewbarren has been trained in supervision by his supervisor, has been in an ongoing supervision program with 2-3 students per month, has completed supervision coursework as required by his employment, and supervision is an area he is very interested in pursuing, but he has only been licensed for two (2) years (not the required three (3) years). Dr. Esmaili would be interested in supervising Dr. Basile, but she currently has met the current maximum number of supervisees as the regulations permit. Therefore, it is the request for Dr. Shewbarren to supervise Dr. Basile, or alternatively, to increase the number of supervisees Dr. Esmaili may supervise.

Dr. Owens asked how long Dr. Shewbarren has been licensed, to which Director Arnold confirmed it was just under two (2) years (July 2021). Dr. Esmaili clarified that Dr. Basile had requested to start in July 2023, and that if the Board would review and approve that she be allowed to have an extra supervisee on her list then she would ask for Dr. Shewbarren to be a secondary supervisor to allow Dr. Esmaili assistance with maintaining her case load. Dr. Basile acknowledged that she would be okay with this and Dr. Esmaili recognized she does not believe she would feel comfortable if she was the only supervisor of Dr. Basile. Dr. Shewbarren also does the weekly training hours with Dr. Esmaili.

Dr. Owens provided some background regarding a prior request that involved a psychologist that hadn't been licensed for three (3) years. The Board has made prior exceptions when the timing is close (a couple months away: someone licensed two (2) years and nine (9) months for instance). The Ad Hoc Committee on the Registration of Supervisors is currently looking at the Board's metrics, so Dr. Owens wants the Board to be mindful of past decisions until the Board can change the regulations. As such, Dr. Owens would recommend that the Board deny Dr. Shewbarren's request and table Dr. Esmaili's request until the July 14, 2023, Meeting as Dr. Esmaili will have to recuse herself from the vote and there are not enough remaining members at the meeting for a quorum.

Dr. Holland wanted to know if the Ad Hoc Committee on the Registration of Supervisors anticipated making those recommendations in the near future. Dr. Owens stated it is at least a couple of months away, but believes they are making progress and getting closer to moving in the direction of having a more competency-based approval of supervisors instead of arbitrary timelines. Under the new criteria, Dr. Owens indicated that Dr. Shewbarren may be approved. Still, she is hesitant to approve things prior to official approval. Dr. Owens does believe Dr. Esmaili's suggestion for supervision does make sense but regardless, a decision could not be made that day.

Dr. Benuto discussed Dr. Shewbarren's matching criteria (coursework and training) and noted that he is missing the three (3) year mark. She appreciated that this is exactly the scenario the Ad Hoc Committee is discussing to change.

Another question was posed by Dr. Holland regarding how much coursework Dr. Shewbarren had completed. Dr. Esmaeili confirmed that while in graduate school Dr. Shewbarren took one (1) to two (2) semesters of supervision, and since he has been working with her, Dr. Shewbarren has completed a 12-hour CEU that is required in her office.

In Dr. Benuto's opinion, she believes Dr. Shewbarren has participated in fairly extensive training while Dr. Owens shared concerns related to prior decisions and those decisions not considering those exceptions. She is worried that it may be perceived as favoritism or operating under different rules. Since the Board has historically denied requests based upon the three (3) year mark, it would be her recommendation to table Dr. Shewbarren's request until next month for a full Board discussion with all the members present. Dr. Owens further stated that she believes it would be a good opportunity for Dr. Basile to be supervised by both Dr. Esmaeili and Dr. Shewbarren, as it would be the safest path.

Dr. Benuto shared Dr. Owen's sentiments about having a full Board present to meet quorum. Dr. Lenkeit does not believe the Board has a quorum today which requires this to be tabled. Dr. Owens agreed.

9. (For Possible Action) Discussion and Possible Action on the May 31, 2023, meeting of the Ad Hoc Committee to Consider the Registration of Supervisors of Psychological Assistants, Psychological Interns, and Psychological Trainees.

Dr. Owens stated that Ad Hoc Committee is moving forward and making progress. She explained that the Subcommittee does not feel strongly about registering supervisors as it stands. The Committee would like the rules and current regulations to clearly state and ensure that the supervisors are aware of their responsibilities as they pertain to applications so that supervisors are more active in the process of getting their students registered. Some ideas are to clean up the language proposed by Dr. Paul in the 2019 Legislative Session that the LCB, due to pandemic and other reasons, has not yet put into the Board's chapter. Even though it is language that has been adopted, it is not included. It is the goal of the Committee to clean this up. It was also recommended to create a supervision guidebook that provides a clear outline of the Nevada Revised Statutes regarding supervision.

There are also discussions regarding the three (3) year requirement being replaced by a more competency-based approach. The intent would be so people can supervise as long as long as they have had coursework, continuing education, supervision of supervision,

or something substantially similar. The CE requirements are also being considered. The Committee wants to confirm people do not take only (1) CE and feel as though they are ready to meet the criteria but at the same time avoid the number being so high the metric is a workforce development barrier. Accordingly, they are settling around 15 hours, give or take. An update will be provided next month.

With respect to the number of supervisees, the Committee is discussing cleaning up that language also. Dr. Michelle Paul is obtaining information from other jurisdictions to make sure the language is not overly intrusive to those who feel as though they can supervise a lot of people. They want to also ensure they are protecting students and the public in their choices.

Dr. Benuto affirmed Dr. Owens's summary.

Member of the public Dr. Thomas asked for clarification regarding the 15 hours of training being discussed. Dr. Owens advised that the Board needs to make the final decision, but reiterated the discussions related to the training that is currently being discussed. Dr. Thomas offered some helpful input on the topic. Both Dr. Owens and Dr. Benuto confirmed the intent of the Committee in making certain the Subcommittee does not create unrealistic barriers for mental health professionals.

10. (For Possible Action) Discussion and Possible Action on Dr. Sheila Young's Proposal for a More Formal Process for Disciplinary Supervision.

Dr. Young presented her proposal for a more formal process for disciplinary supervision. There are concerns that the doctors are selecting supervisors that are not qualified to offer disciplinary supervision. Disciplinary supervision should focus on the problems that got the individual in trouble in the first place, which is drastically different than pre- or post-doctoral training. She believes a competency-based approach may be beneficial for disciplinary supervision.

Oregon was mentioned as a program that offers a great example for the training they provide.

Dr. Owens agreed that Dr. Young's suggestions are something that should be included in the disciplinary complaint process. She requested Dr. Young to take the lead on this being formalized in a way the Board could offer training in the future.

The Board determined that Dr. Owens has the authority to direct Dr. Young to move forward. There was no opposition expressed by the Board.

11. (For Possible Action) Discussion and Possible Action on Dr. Gary Lenkeit's Proposed Addendum to the Board's Complaint and Disciplinary Policy regarding Court Ordered Evaluations and Court Ordered Psychological Services.

Dr. Gary Lenkeit presented his proposed Addendum to the Board's Complaint and Disciplinary Policy related to improving the process. Dr. Lenkeit states that the Board gets a fair number of complaints related to court-ordered evaluations. These complaints generally revolve around the judge making a decision the complainant does not agree with. Regardless, the amount of work required by the Board to investigate these complaints is extensive. After discussing how other states handle these types of baseless complaints, Dr. Lenkeit believes the responsibility should be put on the complainant to specify with particularity what the problem/complaint is.

Dr. Holland asked how many of the complaints were found to be substantiated. Dr. Lenkeit advised that he is aware of zero complaints that were found to be valid. Dr. Young stated that the investigation process is quite extensive, and she is also not aware of any substantiated findings of fault by an evaluator.

Through his work with PsyPact, Dr. Lenkeit contacted five (5) other Executive Directors in other states to ascertain their procedures. The Addendum proposed is law in Texas with some modifications from Dr. Lenkeit.

Dr. Lenkeit clarified there should be an expert weighing in on the complaints. As it stands now, there may be individuals opining on judgments for areas they are not experts on and do not have the expertise to make a judgment on. There have been situations in the past where this presented a problem. Consequently, allowing an expert to weigh in may alleviate this concern.

DAG Ward indicates the complainants have other avenues to seek due process when they are not happy with the court order. He believes they may be trying to impermissibly sidestep the proper due process allotted to them through the Court system or expedite their case. Although, he again clarified that the complainant has other options available to them if they are unhappy with the court ordered evaluation.

Dr. Owens clarified she does like that the complainants still have a pathway to complain that psychologists may be engaging in unethical practice and there is a process for complainants to ensure their complaints are not meritless as a result of being upset about the outcome of their case. She would like to have more time to review and analyze the materials provided by Dr. Lenkeit. Dr. Holland agreed with Dr. Owens' sentiment to have more time.

Director Arnold will send the material to the Board to be discussed at the July 14, 2023, Meeting. Dr. Lenkeit requested the questions and feedback be provided to him prior to the next meeting, which was confirmed by Director Arnold.

12. (For Possible Action) Discussion and Possible Action on Dr. Sheila Young's Report from the ASPPB's April 2023 Mid-Year Meeting in Denver, CO.

Dr. Young discussed the Mid-Year Meeting held in Denver, Colorado. The theme was Hot Topics in psychology regulations. The first day was about tele-health and tele-supervision, tele-assessment, tele-therapy, tele-therapy business and how it is affecting psychology regulation. The keynote speaker was Jonathan Perle who has articles and YouTube videos available online related to his research related to telepsychology and the virtual world we live in.

Dr. Young believes Louisiana has a very thorough program on tele-supervision involving competency-based approach to prepare individuals for tele-supervision that should be used as a resource for Nevada.

Arizona has developed regulations regarding teletherapy being conducted in the state, including requirements for licensee and informed consent requirements, that should be considered by Nevada. Director Arnold will be sending the Arizona guidelines for the Board's review.

Teleassessments are complicated but were discussed. Dr. Young mentioned that the VA is already attempting these teleassessments.

The representative from Alabama talked about PsyPact and what an advantage it has been for their state to be involved in PsyPact. As of that meeting, 35 states are involved in PsyPact, two states have activations during this year, and four states have active legislation. It has spread a lot over the last few years. Nevada was number 2 after Arizona – the large western states got on board early on.

Another person talked about emerging technologies and the concern about the lack of consistent regulations, guidelines, and laws regarding the use of technology, especially with privacy and informed consent.

Jen from Manitoba gave a talk on various online therapy businesses and the implications for regulations and brought up appropriate concerns about that. Many of those businesses are not run by those involved in therapy, rather it is a business prospect and are unaware of regulations and qualifications for those providing therapy. There are legal issues related to those businesses.

The CPA and APA regulations were discussed. Canada has not updated for a while, but they do have their own statement regarding how technology is treated the same way as social justice is treated in the CPA code, providing access to those who need it most. Linda Campbell talked about where they are with that and wanting a code that is visionary and transformational with their focus on social justice.

The equivalency task force was discussed. Dr. Young explained it is like the Board's ATEAM on a national level, and Dr. Paul is involved in that and they are taking it to the next level.

For the EPPP Update, Dr. Young said that Matt Turner has left, and they rehired a psychometrician who can dive into the statistics for the EPPP1 and EPPP2 and understands the implications. The important points she provided was that adding the second EPPP is really improving the breadth and depth of readiness to practice. The two tests are measuring 2 different constructs that complement each other. The testing measurements were discussed in reference to reviewing internship applications as they related to the EPPP pass rates. This has now been updated after a long time with a plan to update annually for each school to determine a five (5) year span.

Further, Dr. Young discussed regulations with a master's level training being a topic of discussion, with which Dr. Owens is involved. The APA is looking at six (6) guiding principles for master's level practitioners, and Dr. Young stated what those are. After recommendations are made to the ASPPB Board of Directors and will be pushed out to the states and other jurisdictions.

At the end, people got up and talked about what is going on in their state. For instance, Kansas is helping retired psychologists come back into practice to help specific mental health needs.

A few years ago, Oregon changed their regulations so that a person would need to have an APA accredited training program and internship to apply for a license there. They do not have equivalency. They have since dropped this as a regulation. One point of interest Dr. Young brought up was psilocybin assisted psychotherapy that does not require a degree or a license.

13. (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.

The next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, July 14, 2023, at 8:00 a.m.

14. Requests for Future Board Meeting Agenda Items.

Dr. Owens mentioned that she and Director Arnold will be working on reviewing bigger items for the Board to tackle. She advised the topics determined will be on future Board agendas to continue moving the Board forward.

15. 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)

Dr. Jody Thomas with UNR counseling Services provided public comment related to Item 8(D) discussed above (making exceptions to supervising psychological assistants). Dr. Thomas agrees that experience above all is important. She does believe there is precedent for this exception and Dr. Thomas describes three (3) exceptions that UNR Counseling previously considered.

16. (For Possible Action) Adjournment

There being no further business before the Board, President Owens adjourned the meeting at 9:58 a.m.