

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

September 8, 2023

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

The State of Nevada Board of Psychological Examiners was called to order on Friday, September 8, 2023, at 8:01 a.m. Board President Whitney Owens and members Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard were present at roll call. Secretary/Treasurer Lorraine Benuto joined at 8:03 a.m. Members Monique Abarca and Catherine Pearson were absent.

The Board had a quorum.

Also present at roll call were Deputy Attorney General Chricy Harris, Board Investigators Gary Lenkeit, Executive Director Laura Arnold, and members of the public Dr. Thomas Kinsora, Dr. Yvonne Fritz, Dr. Nicolle Ionascu, Dr. James Tenney, Dr. Teri Belmont, and Donald Hoier.

2. Public Comment.

There was no public comment at this time.

3. Minutes. (For Possible Action) Discussion and Possible Approval of the Minutes of the Regular Meeting of the State of Nevada Board of Psychological Examiners on July 14, 2023, and August 18, 2023, Respectively.

There were no comments or changes suggested for the minutes of the July 14, 2023, and August 18, 2023, Board meetings.

On motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada Board of Psychological Examiners approved the minutes of the Board meetings on July 14, 2023, and August 18, 2023. Board member Dr. Stephanie Woodard approved the July 14, 2023, meeting minutes as to form, not content. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard).
Motion Carried: 5-0.

4. Financials

- A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2024 (July 1, 2023, Through June 30, 2024).

The executive director stated that as of August 31, 2023, the checking account balance was \$369,595.48. The Board continues to operate on the almost \$81,000.00 net revenue for the second biennium quarter deferred income distribution as well as about \$22,000.00 from the other deferred revenue distributions such as late renewal fees, new licensures, and registrations. Nothing has changed regarding the next expected deferred revenue allocations from all sources.

The savings account balance was \$105,055.99, and the Board gains on that at the rate of a few dollars a month.

The executive director explained that as we begin the new fiscal year, the Board is at just under 20% of budgeted expenditures and about 47% of expected revenue. The budgeted expenditures at this point reflect a couple of the bigger ticket items that had been budgeted, namely payment for the computer for the Board office. That was approved last fiscal year, but was paid through the credit card payment this fiscal year. If what is budgeted for office expenses is not sufficient for that expense, adjustments in the budget can be made to accommodate that. The Board has also paid the first half of the fee to the accounting firm for the audit. Most of the Board's revenue is due to the deferred income allocated to this biennium quarter.

The executive director did not have any changes to the budget since the Board approved the revisions at the July meeting, but said she will continue to review and evaluate the budget for adjustments as the Board makes its way through this new fiscal year, and bring any revisions before the Board for approval.

On motion by Stephanie Holland, second by Dr. Woodard, the Nevada Board of Psychological Examiners approved the Treasurer's Report for the fiscal year 2024. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *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, of the 2023 Session of the Nevada Legislature, and any position or action the Board may take on or in response to Bills that have been signed into Law, Legislative Bills, and Bill Draft Requests that the Board is tracking, following, or that may impact the Board and its Operations. This item may include, but is not limited to, the following:

- Proposed change to NAC 641.136 resulting from the passage of AB 267 Changes to cultural diversity continuing education requirement.

President Owens stated that AB 267, a bill that passed through the 2023 legislative session and was signed into law by the Governor, generally addresses cultural competency training in the context of health care. Specific to this Board and its licensees, it revised NRS 641.220 to increase cultural competency continued education instruction for psychologists from 2 hours to 6 hours. That change is in section 8 of the bill.

President Owens explained that in order to align with that statutory revision, the Board needs to amend NAC 641.136, which is the Board's continuing education regulation. The proposed change is in subsection 1. The proposed change indicates changing the cultural competency requirement from 2 hours to 6 hours.

Dr. Owens added that this is legislation that the Board supported and the regulation change has to be made.

On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada Board of Psychological Examiners approved moving NAC 641.136, which changes the cultural competency continuing education requirements from 2 to 6 as a result of AB 267, to a workshop. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

6. Board Needs and Operations

A. Report from the Nevada Psychological Association.

Dr. Chappel-Love reported that NPA is continuing talks regarding the various legislative (AB267 and AB244) from the session. They are gearing up for one of their big social events for the year (the pride parade). The fall newsletter will also be coming out shortly, for anyone who is interested.

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

The executive director shared the office statistics spreadsheet, and stated that, following a very busy June (end of FY2023), July leveled out to be more of an average month in terms of applicants, registrations and licensure, and the office picked up in August on licensure applications. She said the office is receiving more Psychological Assistant applications as new doctoral graduates graduate and transition into their postdoctoral work, and sees that as a seasonal peak.

The executive director stated that the office continues to work with licensure applicants and has a fairly steady stream of those taking the state exam and of new licensees. The Board currently has 671 active licensees, 106 applications for licensure. Also included in the office statistics spreadsheet is data on the applicants and registrations for our psychological assistants, interns, and trainees.

The executive director went on to explain that she has spent a lot of time over the last couple of months cleaning up the database to provide more accurate and up-to-date information about everyone who is in it so that the reports that are run from it to provide the office statistics data are more meaningful.

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

- A. Complaint #19-0626
- B. Complaint #22-0930
- C. Complaint #23-0303
- D. Complaint #23-0612
- E. Complaint #23-0801
- F. Complaint #23-0822

Dr. Lenkeit indicates that they continue to have a meeting every month before the Board Meeting. Some of the complaints are moving along and the people are in the process of completing their CEs and having their resolution completed shortly. Other than that, Dr. Lenkeit indicates 6 complaints with 3 of them for unlicensed practice and

1 is too new to discuss yet. Dr. Young confirmed things are moving along with the complaints.

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.*

On Motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada Board of Psychological Examiners approves the following applicants for licensure contingent upon completion of licensure requirements: Rachel Irish, James Madero, Krystal Smith, Megan Farnsworth, Vanessa Fuentes, Alana Duschane, Courtney Hutchinson, Jonathan Page, Benjamin Rubin, Jonathan Campos, Ina Von Ber, Ramona Burroughs, Bahman Razaipour, Christina Cendejas, and Mary Herzog. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

A. (For Possible Action) Discussion and Possible Action on Dr. Ashley Key's appeal of the ATEAM's July 14, 2023, Decision Denying her Application to Register as a Psychological Intern.

President Owens stated that Dr. Ashley Key originally applied with the Board to register as a Psychological Assistant, but through her efforts to complete her PLUS for that role, she was unable to provide any internship information because, despite having graduated with a Ph.D., she had not done an internship. As a result, the Board office converted her application to a Psychological Intern registration application. However, she experienced some roadblocks with that application as well.

Dr. Owens said that Dr. Key graduated with her Ph.D. in January 2023 from Northcentral University (formerly, National University), which is not APA-Accredited. According to Dr. Key's PLUS report, her graduate school did not have a full-time residence requirement.

Dr. Owens explained that, in order to register as a Psychological Intern, the applicant must have his or her director of clinical training complete an Applicant and Training Program Verification form. Dr. Key is not able to provide that document for her application because the school from which she got her degree does not have a director of clinical training. Dr. Key, however, does have a supervisor – Dr. Brian Norensberg – and provided a Supervised Practice Plan and an Employment Agreement required for her application. Both are included in the materials that had been provided for consideration of her application.

Dr. Owens stated that, after its review of Dr. Key's application, the ATEAM denied it, determining that Dr. Key's non-APA accredited graduate program is substantially deficient as it relates to Nevada's requirements for registration and licensure. The committee highlighted the coursework that would generally be required for a licensure path, practicum experience (and whether there was any), and whether the program has a director of clinical training as the bases for its determination.

Dr. Owens highlighted that, in her appeal of the ATEAM's decision, Dr. Key states:

- her coursework equally compares to APA courses, and provides examples of classes that compare to an APA accredited program; and
- both Walden and Capella University are accredited by the Higher Learning Commission (a regional accreditation agency), and Northcentral is accredited by the Western Association of Schools and Colleges (and previously by the Higher Learning Commission).

Dr. Owens said that, according to Dr. Key, her transcripts show that the courses she took compete with an APA accredited school, but were not given a proper review. Dr. Key believes her education prepared her to meet APA standards, citing to Capella's Ph.D. Residential Colloquium Tracks she completed. Dr. Key's appeal also stated that Walden, Capella, and Northcentral assured her they could withstand the comparison to an APA accredited program, but also told her that if she wanted to gain licensure along the way, she would have to do more clinical hours after her program because they were not all provided.

Finally, Dr. Owens noted Dr. Key's statement that she has worked very hard for 17 years for her degree, and she is vested in working with and inspiring more women and girls who do not have access to a therapist, assessments, or other tools to help in their lives. She does not believe denying her application to register as a psychological intern reflects her abilities, dedication and potential in the field of psychology.

Dr. Owens said she believed that, unfortunately, because Dr. Key does not come from an APA-accredited program and has not had the commensurate training, the Board has to deny her request, but was open to further discussion.

Dr. Benuto said she reviewed the materials and saw Dr. Key's argument that she has comparable coursework, but did not see what the Board would typically see in reference to any practicum experience. Upon confirmation that there was no practicum experience, Dr. Benuto agreed with Dr. Owens.

On Motion by Soseh Esmaeili, second by Stephanie Holland, the Board of Psychological Examiners affirmed the ATEAM's decision denying Dr. Ashley Key's application to register as a Psychological Intern. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

B. (For Possible Action) Discussion and Possible Action on the Board's review of Dr. Nicolle Napier-Ionascu's Personal/Professional Conduct History as identified in her application for licensure.

[This item was taken out of order].

President Whitney Owens stated that Dr. Nicolle Napier-Ionascu has applied for licensure as a psychologist with 18 years as a licensed psychologist. Dr. Nicolle Ionascu was licensed in California in July 2005 and in North Carolina in April 2007. Dr. Owens said that, in her application, Dr. Ionascu answered "yes" to the following two questions:

Have you ever had a professional license or certificate denied, restricted, suspended or revoked in any jurisdiction for any profession?

Have you ever been notified by any state, territory, district, country, U.S. government agency, or state certification/licensing board of any complaint filed against you relative to the practice of psychotherapy and/or assessment (including, but not limited to, any allegations currently pending)?

Attached to Dr. Ionascu's application was an explanation of those affirmative answers by Dr. Ionascu's attorney – a situation that concerned Dr. Ionascu's adolescent psychotherapy patient.

Dr. Owens explained that, as a result of the California Board's accusation against Dr. Ionascu, which concerned the February 2016 situation, Dr. Ionascu entered into a stipulated settlement and disciplinary order by which revocation of Dr. Ionascu's license was stayed in favor of probation with numerous conditions, including:

- taking and passing the CPLEE (the California exam)
- providing the Board's order employers/prospective employers and providing the Board with contact information for employers

- completing certain coursework, some of which must be in law and ethics
- paying more than \$10,000 in investigation and probation costs
- obeying all laws, submitting quarterly reports to the Board, and complying with the Board's probation program, including appearing for interviews with the Board
- notifying the Board of changes of address and if she resides or practices outside of the state
- being prohibited from supervising or providing instruction for coursework
- ...and the like.

Dr. Owens stated that, according to Dr. Napier-Ionascu's attorney, she has complied with and completed the conditions of probation, and the California Board identifies her license as renewed and current. Dr. Ionascu notes in her application that the probation period ended in June 2023. She went on to say that, pursuant to the Board's conduct review process, Dr. Ionascu's application and the information regarding her affirmative answers on its conduct section was first submitted and reviewed by the Board's conduct review panel. Given the nature of the California Board's accusation and the stipulated settlement and disciplinary order, the review panel members deferred Dr. Napier-Ionascu's application for review and consideration by the Board.

Dr. Owens gave Dr. Ionascu a chance to add to that information, in response to which Dr. Ionascu provided additional information. According to Dr. Ionascu, the incident in question occurred during her course of employment at UCSF – at the Children's Hospital of Oakland, where she continues to work today. She has been employed on the medical staff for 15 years. This incident occurred under circumstances in which it was unclear to her what was disclosed to her intern during the therapy. The tricky part for Dr. Ionascu was that she was not in the room when the incident happened, but since it was Dr. Ionascu's intern, she does take full accountability for the intern and the situation, but this is why the attorney and she thought she should take the settlement because at the end of the day, she had no idea how her intern handled the situation. She only knew what the intern told her, which was that she had the interest of the child at heart, which Dr. Ionascu believes, but she was in a hard position and completed the requirements. She indicates her employer was very supportive and stood by her to continue working there in good standing. Dr. Ionascu would like to expand her practice into Nevada as she has people driving from Reno and flying in from Las Vegas for neuropsych testing as there are not a lot of options available in Nevada for the forensic work she does. Dr. Ionascu is from Nevada County and would like to expand her practice.

Dr. Owens opened up the matter to the Board for discussion. For clarification, Dr. Owens indicated due to how recent and the nature of the disciplinary action in California is why it is being brought before the Board. Dr. Holland was reviewing the paperwork and believes the fact that Dr. Ionascu's employer has continued to employ her throughout the process and to date is noteworthy. She is curious about the

allegations and what they were, but she is not sure that is wholeheartedly relevant since it is the actions of an intern that a supervisor is responsible for and not the licensed psychologist.

Dr. Owens asked DAG Harris if the allegation can be discussed during open meeting or if it needs to be shared in packet for the Board to read? DAG Harris confirmed Dr. Owens is allowed to share that information. Dr. Ionascu explained that a 13-year-old was a neuropsych patient of hers who had a concussion. The parents expressed an interest in having therapy for the child, and Dr. Ionascu's intern wanted the therapy case. One of the issues between the parent and the child was the child's use of social media. According to the intern, the parents told her that they got her daughter a social communication app which required the user to be 18 or older, but the parents told the intern that they were monitoring the app. However, the reality was that the parents were not monitoring the app and the child was communicating with people whose age she did not know. When this came to light, the patient told the parents that she told the intern that she was communicating with people that were older than her and indicated the intern did not tell the parents. However, the intern stated she did not and then the parents complained to the California Board that they knew their daughter was communicating with people outside of her age range and not telling them.

The California Board said that Dr. Ionascu should have been a mandated reporter in that situation and if she knew that the parents gave her an app that was for 18 and older that she should not have believed that the parents were monitoring her and that Dr. Ionascu should not have allowed the child to be in a situation that she could have been harmed. As a result, Dr. Ionascu's failure to fulfill her duties as a mandated reporter was the first accusation. The second was related to record keeping. Dr. Ionascu explained that when they got the request from the Board, the parents did not sign off on releasing the whole medical file – only the therapy notes. She said the way that UCSF stores medical records is through Epic, an electronic medical records platform, which would require an individual to extract records from the system, so when they did that chunks were not aligned and were disjointed when the Board received the records, since she could not release the whole medical file. The Board then accused Dr. Ionascu of attempting to cover something up, which she believes was weird because both sets of records were provided for double checking. Therefore, those were the two accusations against Dr. Ionascu.

Despite the arguments her attorney made, the California Board stated that she violated her duties as a mandated reporter and because it was her signature on the dotted line, it was Dr. Ionascu's responsibility. Dr. Owens is in agreement with Dr. Holland's comment around the support shown by Dr. Ionascu's employer continuing to employ her. Dr. Owens also believes Dr. Ionascu has completed all of the California Board's requirements under the stipulated agreement and that the recency of which that discipline has been concluded is a concern, but is not aware of any regulation that says there has to be a particular amount of time since discipline has been completed in order

to consider licensure. So, there is nothing according to Dr. Owens that she believes would sway her from moving forward with the application. Even though asked by Dr. Owens, no dissenting opinions were shared.

On motion by Dr. Holland, second by Dr. Esmaeili, the Nevada Board of Psychological Examiners approved Dr. Nicolle Napier-Ionascu's application for licensure contingent upon completion of licensure requirements. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

9. (For Possible Action) Discussion and Possible Action on the June 28, 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 the Ad Hoc Committee has done a tremendous amount of work, not without challenge and difficulty, but great considerations were had regarding ethics and trainees. As such, a packet was provided that Dr. Owens would like to overview from the Ad Hoc Committee's recommendations to be reviewed at October's meeting for a full review.

The changes recommended to NAC 641.1519 is to shift from an arbitrary requirement to a more competency-based requirement in terms of supervisor qualifications. The recommendation and change of language is to steer away from using a year requirement, and instead using a specific criteria that must be met: (i) obtain 15 CE in supervision from an approved accrediting agency (not all need to be live, some can be from a self-study); (ii) semester of supervisory supervision experience on internship or post-doc; (iii) have a semester long course in supervision; or (iv) a combination of the above that is equivalent and which equivalency would be determined by the ATEAM. The Board had no questions when asked by Dr. Owens at this time.

The next section Dr. Owens highlighted is the provisions for the training programs for UNR/UNLV, or other training programs, to ensure the Board did not create regulations that go against those models. The Board wanted to ensure protection of students and the general public during these considerations/discussions. NAC 641.158 discusses the number of supervisees a supervisor can have, which language was borrowed from the ASPPB's model of supervision. It is now recommended that a supervisor is not in charge of more than four full time equivalent supervisees as opposed to not breaking it down by level of training – meaning, someone can have up to 160 hours per work week of supervised work. This allows different options, but it all revolves around the 160 hours of work. Dr. Owens asked if Dr. Benuto had anything to add on this topic, in response to which Dr. Benuto said Dr. Owens explanation was sufficient. If a program or training institution is employing a different model, the supervisor can still only

supervise four full time equivalent supervisees. Dr. Owens went on to explain that the licensed psychologist will ultimately be in charge with those four full time equivalents.

Language on subsection 5 essentially establishes the amount of supervision that should be employed for each level of training to ensure the trainees are getting an APA level of supervision depending on their level of training. Dr. Holland asked if the Committee recommended an additional hour of supervision for post docs from one to two hours (6c). Dr. Owens and Dr. Benuto do not recall specific discussions related to this, but Dr. Owens will confirm with Dr. Paul prior to the next meeting as she wrote the language.

RO 174-18 was passed in 2019 and the Board is still waiting on LCB to put it into their language, but for ease of reference, the Board is still citing it there. One of the intents of the Board was to ensure proper and diligent oversight of psychology assistants, interns, and trainees. Some of the concern was born out of concern to have students working out in the rural regions to ensure they have proper oversight as it is difficult to provide service to the rural communities as many licensed individuals do not live there. As such, the Committee/Board wanted to ensure proper oversight, especially because the pandemic allowed the Board alternative means to oversight (such as remote, telehealth, etc.). Section 4a states that a supervisor shall be available to an intern/trainee while they are providing services to a client and they should arrange for an appropriate behavioral or medical health professional to be available should the licensed psychologist not be available. Dr. Owens believes the availability and not the presence should be changed. Essentially the Committee was thinking of those individuals who have a private or small practice who may employ a post doc and they are going on vacation but need someone to provide supervision while they are away, the Committee wanted to not create such stringent rules that people who are supervision cannot go on vacation, etc. It was important to have a policy in place. Dr. Benuto indicated she believed Dr. Owens' summary was accurate. Dr. Holland asked if the Committee recommended or supported psychology trainees (practicum students) to essentially be on site without the presence of a licensed psychologist/supervisor as opposed to more advanced trainees/post docs? Dr. Benuto indicated there were extensive discussions surrounding that and it was discussed what on site means, specifically. It was decided that while someone may not be physically present, there is always someone available to the trainee. In that instance, a Zoom presence can still be a presence and a physical on site supervisor was not required. Dr. Owens shared that section 1 was reviewed and considered during this recommendation as well. Dr. Owens also shared that the proper and diligent supervision would require the supervisor to use their best judgment and ethical understanding to provide that appropriate and diligent training over the trainee, so the supervisor should use their discretion to ensure they are providing appropriate supervision for the level of training and for the patient population that is being seen.

The other recommendation from the Committee is to create a supervision handbook for supervisors that the executive director has started to create. That way, rather than registering supervisors, the Board can provide them with a handbook that will allow them to help identify their responsibilities as a supervisor, which is less cumbersome than a supervisor having to shift through all the rules and regulations to make it more user friendly to provide the necessary information.

Dr. Woodard commented that there has been extensive conversation from the Board on this topic since she has been on the Board. She is thankful to everyone to get a close to completed product on the topic. Further, from a Board perspective, she believes it is an opportunity to model to other professional licensing boards regarding the conduct of supervision. Dr. Owens thanked her for her thoughts. Dr. Owens believes being overly prescriptive can be so easy, but the Committee truly wanted to embody real world situations to ensure protections to the public. The Committee wanted to be mindful of creating access to care while ensuring protection of both patients and trainees. Dr. Woodard will be reviewing the provisions more thoroughly, but she is curious if there is language in there regarding the limitations on the patient expressing concern regarding the trainees/supervision and for the Board to watch implementation of this policy (or any other policy thereafter) to see what type of impact it may have on the number of complaints/investigations the Board is reviewing. Dr. Owens said she did not believe there is language regarding how the supervisees/supervisors have to provide information related to how individuals can make complaints, and focus on not creating any undue concerns.

No other questions were presented. Dr. Owens encouraged the Board to review the language prior to the next meeting. Accordingly, the discussion was tabled for the October 2023 meeting.

On motion by Dr. Benuto, second by Dr. Holland, the Nevada Board of Psychological Examiners approved tabling this discussion for the October 2023 meeting. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

10. (For Possible Action) Discussion and Possible Action in response to the July 18, 2023, Letter from the Department of Business and Industry to the Board's Executive Director regarding AB 431.

Dr. Owens stated that during the 2023 Legislative session, SB 431 was signed into law by the Governor, giving the Department of Business and Industry general oversight and centralized administration of, among others, the Board of Psychological Examiners. The Board office received the July 18, 2023, letter from the Department of Business and Industry's Office of the Director that:

- identified six main areas on which it would be working on uniform standards and procedures,
- highlighted its focus on how discipline cases will be administered, and
- stated the director would be contacting the executive director to set up a time to meet and answer my questions.

Dr. Owens said that the Board office has not yet received further contact or a request for a meeting date. In advance of that happening, Dr. Owens wanted the Board to be able to have a conversation about how to help the executive director as she enters into those conversations. One of Dr. Owens' concerns is that underneath the numbered portions of this regarding the administration of the policy board for disciplinary hearings is vague and unclear. But, Dr. Owens' concern is removing the disciplinary actions from the Board's purview, which she believes is quite concerning due to the intricacies of their profession. Dr. Owens would like to have a discussion for the executive director to have when she has this meeting with the Board's wishes on how to handle discipline moving forward. Dr. Owens believes the Board's voice/opinion should be heard on the topic.

Dr. Woodard is curious if there are any provisions within their PsyPact agreement that have to do with direct oversight over the Board regarding any disciplinary actions that the Board is required to do for any violations within the State for PsyPact. Dr. Lenkeit does not see anything in the PsyPact agreement that discusses that specific issue – it only addresses discipline in general and each state does it differently. However, he believes for everybody it is under the Board itself. Dr. Lenkeit believes in terms of the discipline process, as he read their desires, would be not to have the same group of people (ie the Board) to investigate the complaint and deciding the outcome of the complaint. With the Board's hiring of investigators, which are not a part of the Board, to present to the Board for decision on these matters, so he believes their Board is already doing something different than most boards do. He indicated that the executive director should articulate that during any meeting she has. Dr. Lenkeit would also like to be in the meeting to discuss the Board's process and how it differs and how to proceed moving forward. Dr. Owens indicated she believed that would be an excellent idea that she would support.

Dr. Owens asked if the Board would have an opportunity to share its policy with the Department of Business and Industry. Dr. Lenkeit would think so and believes it should be shared with the other mental health professions to see if they want to adopt their applicable sections of NAC to meet their code to help eliminate concerns. Dr. Owens again indicated she would be in favor of sharing their procedure with other mental health professions. She believes the Board has a robust policy that would be helpful. Overall, she wants to be mindful of being helpful while also sharing the hard work the

Board has done in hopes of maintaining autonomy for discipline. As such, she reiterated that she is hearing that it would be helpful for the Board to share their policy with other boards and believes the executive director should share their policy with the Director of Business and Industry, as well as Dr. Lenkeit being present during the meeting with the executive director to discuss the Board's discipline policy to see if there are ways to advocate for the Board in that way. Dr. Young would like to emphasize that the investigators took the time to get trained to be investigators, which she believes would be beneficial to share. Dr. Owens and Dr. Lenkeit confirmed the training is specifically mentioned in the Board's policy.

No other thoughts, comments, questions were discussed.

On motion by Dr. Woodard, second by Dr. Benuto, the Nevada Board of Psychological Examiners approved for Executive Director Arnold to share the Board's policy with other boards in advance of their meetings with the Department of Business and Industry, to provide the Board's disciplinary policy to the Director of the Department of Business and Industry, and to ensure Dr. Lenkeit is also a part of the meeting between Executive Director Arnold and the Department of Business and Industry. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

11. (For Possible Action) Discussion and Possible Action to Revise the Board's Licensure by Endorsement Policy as it Relates to the EPPP-2.

Dr. Owens stated that NRS 641.180 generally requires that applicants for licensure to have taken and passed the national examination, which now consists of the EPPP-1 and the EPPP-2. The Board's Licensure by Endorsement Policy currently permits the Board to waive the EPPP-2 for applicants who currently possess a doctoral-level license in another jurisdiction. Dr. Owens explained that when the Board first adopted the EPPP-2 in around 2018 and 2019, but then came on line in 2020, there were discussions around how to go about ensuring applicants were not dodging the Board's licensing requirements by going to other states first and getting licensed and then coming to Nevada and getting licensed by endorsement. Unfortunately, given both the pandemic and many other competing demands, the Board has not gotten to this issue and is now finding applicants who have been licensed in another jurisdiction for less than a year and then applying to get licensed in Nevada to subvert the EPPP-2 requirement. Dr. Owens explained that in 2026, the EPPP-2 will be required in all jurisdictions, so there will not be a concern about that then. But the Board needs to discuss how to handle the situation where applicants are getting licensed in other jurisdictions that do not require the EPPP-2 and then coming to our jurisdiction to subvert those requirements.

Dr. Owens suggested that one way to do that is to amend the Board's Licensure by Endorsement policy to state that the EPPP-2 waiver only applies to applicants who have been licensed in another jurisdiction for at least one or two years. She said she was open to discussion on that, but believes it is an ethical concern that applicants would get licensed in another jurisdiction to subvert licensing requirements in Nevada and would have concerns about those applicants' ethical decision making. As a result, Dr. Owens proposed tightening up the policy.

Dr. Esmaeili thinks that the Board should consider at least two years to be licensed in another state for consideration. Dr. Owens highlighted that the EPPP costs are an additional \$600 so maybe it is an equity concern, but in this case, she does not believe this is a financial concern because the individual would have to pay for licensure in both states, which does not save money. Dr. Lenkeit wondered if it would be helpful to indicate that instead of one to two years, it should instead be set to a date so that if a license is held in another jurisdiction prior to a certain date, which he would suggest the date be when Nevada implemented the EPPP-2, then the person would not have to take the EPPP-2. Yet, if the license was received after that date, then the individual would have to take the EPPP-2. The executive director thought that a number of people have already been licensed under this exception, which Dr. Owens indicated it would be a change moving forward. Dr. Esmaeili asked if this would include those who have been licensed for five years plus, or if they would also still have to take the EPPP-2. Dr. Lenkeit responded that it would basically be any license in another state after Nevada has set the standard, then they would have to take the EPPP-2 yet if the license was before that standard, then they would not. Dr. Esmaeili thought that sounded reasonable. Dr. Owens provided a scenario: EPPP-2 was implemented in 2018, but the test actually came out in 2020. So, in theory, the date of 2020 would be used, but in theory, the national test would be rolled out in 2026, so if someone was licensed in 2021 in Colorado and it is now 2024, then they would be required to take the EPPP-2 to be licensed, but if they got licensed in Colorado in 2019, they would not be required to take the EPPP-2.

Dr. Young asked how many people are applying from California thinking if they got a license they would be eligible for PsyPact? She indicated it does not/would not help, but is curious about the other motive. The executive director stated she does not believe that is the case as California is not a PsyPact licensed state and she thinks people licensed in California know that. The executive director also said she believes in order to be licensed with PsyPact a licensee has to use their home state, and if Nevada is not their home state, then they could not use the Nevada license anyway. Dr. Young confirmed people living/licensed in California are prevented. The executive director stated this is not a question that has come up to her. Dr. Lenkeit indicated that if someone in California wanted to get the PsyPact credential by getting a license in Nevada, they can do that, but they would still have to claim Nevada as their home state and be in Nevada when they are doing anything over the internet (practicing under their PsyPact).

Dr. Owens believes that the real concern is those already training in Nevada or those wanting to come into Nevada right after training, are training to subvert the requirement by getting a licensed by a non-EPPP-2 requiring state, which is what the executive director is seeing coming through. Dr. Owens asked, what does the Board think is an equivalent to the EPPP-2, if there is any? Does the Board just say, any licensure received after 2020, then the individuals are required to take the EPPP-2 moving forward or does the Board think that two years of licensure and practicing without discipline is sufficient to not taking the EPPP-2? Dr. Holland stated she believed Dr. Lenkeit's recommendation is a very objective recommendation that speaks to competency. She believes the years of practice are subjective, and that Dr. Lenkeit's recommendation is tangible as there is a date and that is Nevada's requirement, as opposed to a subjective discussion regarding how many years. Dr. Young interjected that EPPP-2 in some places is replacing a verbal and oral exam, and she does not believe that is very objective. In terms of the date to choose, Dr. Owens believes it should be the date the test was implemented between the test was not available from 2018 to 2020. So, the date should be the date the EPPP-2 was available, which Dr. Owens thinks was late summer of 2020. The executive director stated the footnote includes the date the EPPP-2 was implemented, which says the date was November 1, 2020.

On motion by Dr. Holland, second by Dr. Esmaeili, the Nevada Board of Psychological Examiners approved a revision to the Board's licensure endorsement policy to state that the EPPP-2 waiver applies to applicants who hold a licensed in another jurisdiction prior to November 1, 2020, and licensees licensed after November 1, 2020, would be required to take the EPPP-2. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

12. (For Possible Action) Discussion and Possible Action to Provide a Requested Opinion regarding Psychological Supervisees as it concerns:

- a. The Board's expectations about required versus optional Psychological Trainee registration; and
- b. What the term "available" means in R074-18, Section 8(4), which states:

Except as otherwise provided in this subsection, a supervisor shall be available to a psychological assistant, psychological intern or psychological trainee whom he or she supervises while the psychological assistant, psychological intern or psychological trainee is providing services to a client or patient. A supervisor shall arrange for the availability of another appropriate licensed medical or

behavioral health provider to be on site in the case of the absence of the supervisor.

A request was made by Dr. Benuto for an opinion regarding psychological supervisees as it concerns the expectations the Board's required versus psychological trainee registration and what the term available means in R074-18. Dr. Benuto would like the Board's opinion on whether or not a psychological trainee is required to be registered. Dr. Holland's understanding is that this was put in place when the psychological trainees were able to be licensed through Medicaid and the Board's directive was if they are going to fill insurances, or specifically Medicaid, then it was a requirement to be registered. If not, then it was up to the site to register them. Dr. Young confirmed it was not about everybody, but more so for individuals not in structured programs or an APA accredited internship. Dr. Benuto reiterated that it is the Board's opinion that it is not required and it was designed intentionally for trainees who are going to bill for Medicaid and/or in non-structured/accredited programs. Dr. Owens confirmed it was a requirement of Medicaid and part of their willingness to allow for this to allow anyone who would be billing Medicaid to be registered by the Board for additional oversight. But in general, the trainees really are under the purview of their training institution, which comes with protections that did not require the registration from the Board. Dr. Benuto stated that the second part of her question did not need to be answered now given the changes in the supervision as determined by the Board.

On motion by Dr. Benuto, second by Dr. Woodard, the Nevada Board of Psychological Examiners approved to verify language around registration of psychological trainees to reflect that the language is permissive that psychological trainees and interns do not have to be registered by the Board unless requesting reimbursement from Medicaid. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

13. (For Possible Action) Discussion and Possible Action regarding and in response to 2023 AB244, which establishes certain rights of those who are compelled by court order to submit to a mental or physical examination.

- The Board's discussion and possible action may include, but is not limited to, a Statement by the Board and proposed NAC Chapter 641 revisions in response to AB244.

[This item was taken out of order]

Dr. Owens stated that in the July 14, 2023, Board meeting, Dr. Thomas Kinsora read a statement into the record regarding AB 244's impact on the practice of psychology. AB244, which passed through the 2023 legislature and which the Governor signed into

law, establishes the substantive rights of a person compelled to submit to a mental or physical examination under certain circumstances. Dr. Kinsora and Dr. Holland worked together to prepare a proposed position statement for the Board in reference to AB244, and Dr. Lenkeit drafted proposed additional regulation language as it relates to AB244.

To start, the Board will review the proposed language put together by Dr. Kinsora and Dr. Holland, which Dr. Owens thanked them both for preparing. Dr. Holland indicated that Dr. Kinsora did most of the work as she simply provided a little bit of input. Dr. Woodard was not a part of prior conversations regarding the legislation, but was curious for context sake, were there conversations with the bill sponsors regarding any potential opposition for the content of the bill. From the Board's perspective, by the time the Board caught wind of what was happening with the bill, the turn around time was very tight. As such the Board did not provide any type of guidance on this bill – it was also during the time that the executive director was coming up to speed and the lobbyist was out sick. It was a difficult time for the Board.

Dr. Chapple-Love stated on behalf of the NPA, she did testify against this piece of legislation twice – once in the assembly and once in the senate. She worked alongside the legislative committee and NPA with the bill sponsor, and the legislator who put it forth (Assemblywoman Selena Torres). Dr. Chapple-Love had another meeting with the Assemblywoman yesterday about it. The NPA was working with APA national team about gaining support. Additionally, they met with the lawyer group that put forth the proposed bill at the time on two occasions. Unfortunately, none of that was successful in stopping the legislation.

As Dr. Owens read through the letter, she pointed out that the Board always needs to be mindful of the Board and professional associations being on the same page, but also holding the differences in tasks held by each. She believes it is important to highlight the concerns to public safety and that the letter is clear on the emphasis to public safety without too much conversation about upholding the practice of psychology, even though the argument is easy to make that they are complimentary. To that end, Dr. Owens would like to recommend that the executive director revise the proposed statement to shorten it in terms of communication strategies to licensees and succinct enough to be read and understood versus another piece of information that is not read. Accordingly, Dr. Owens' recommendation is to have the executive director review it with the lens of public safety and then bring it back to the October meeting. Dr. Kinsora would be cautious of not pairing it down to the point where there are loopholes that allow attorneys to argue that they did not specifically state that, so that they are going to allow the psychologists to do this. He went on to state that it seems every step and turn allows for the release of information that is protected, which needs to remain protected, or it involves asking psychologists to violate the standardized administration in a way that may invalidate the findings. As long as the Board is mindful of that, it could certainly be shortened. He attempts to find the different terms that need to be

addressed and struggles to not address them in a lengthy term. In addition to safety, he believes the buffer and safety argument need to remain in the letter.

Dr. Lenkeit concurred with Dr. Owens that the guild issues are not presented, but the safety issues are presented. Further, Dr. Lenkeit thinks the issues Dr. Kinsora presented are really addressed to NAC, which is what the attorneys will look at anyway. He believes and hopes the proposed NAC revisions would cover Dr. Kinsora's concerns. Dr. Owens indicated that the essential elements of the letter should discuss how individuals not abiding by their ethics does provide risk to the public as the ethics and standards are there for a reason. Most, if not all, are there for the protection of the public. In the interest of brevity and to ensure the statement they are creating as a Board does heavily lean on the side of public protection.

On motion by Dr. Woodard, second by Dr. Esmaeili, the Nevada Board of Psychological Examiners approved to have the position statement regarding AB244 reviewed and revised by Executive Director Arnold and be brought back to the Board for the October 2023 meeting. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

Dr. Lenkeit drafted the proposed language as it relates to AB244. He noted that the idea was to define what a psychological evaluation was as opposed to psychological testing, as the bill calls for an observer to be present at a mental examination. He further defined a mental examination as a psychological examination and what that means is a clinical interview and psychosocial determination of an examination. As such, the intention is that would be the only part of a psychological examination in which an observer could be present. It defines psychological testing as different from a psychological examination or mental examination. That is the first part, which intent is to let everyone know that based on this law you can have someone present in a mental examination which is defined specifically as to what mental examination does and does not mean.

Dr. Lenkeit went on to state that the second part was provided to him from Dr. Kinsora and Dr. Berman, which came from Iowa law as to how they define when and to whom an individual can release psychological data. With minor changes, that is from their law to have codified into the Board's regulations. Dr. Holland asked, when Dr. Lenkeit includes the mental status examination as that encompasses so many different mental statuses, would it be worth defining who drives that and would it be necessary to include more information so as to not open Pandora's box. Dr. Lenkeit thinks that would get too complicated if they tried to get too specific. Dr. Owens posed a question about taking the mental status examination language out of the proposed language. Dr. Lenkeit said he did not know if they would have to include it, which Dr. Woodard proposes having "may include" as opposed to absolutely having to. There was further discussion regarding where the "may include" portion would be included in the

proposed language. Dr. Woodard wondered if Dr. Holland's concern is not addressed in section 3 with psychological testing and resolved in section 4. Dr. Holland would be in favor of just removing mental health examination, but can appreciate what Dr. Woodard is stating and understands she may be in the minority. No further comments or questions were presented by the Board.

Dr. Belmont wondered if the use of the term malingering would be too much of a hot button word for some people and was curious if it should be revised to include symptom and performance validity to remove the word that makes people upset? The next step, per Dr. Owens, would be to workshop the language so it can be word-smithed based on the conversation held during today's meeting. Dr. Owens reminds the Board the task today is to work towards approving the language to move to workshop to workshop the language. The executive director confirmed. The concerns addressed by Dr. Woodard and Dr. Holland will be noted by the executive director in future workshops on the topic.

Dr. Chapple-Love confirmed her interest in this and hopes to show support from the NPA side as well. The legislator who has moved this bill has been in discussions with Dr. Chapple-Love, who is not a representative of the Board, but as NPA, and she has indicated that they are interested in preparing regulations to ensure the work gets done. She believes once the NPA or the Board has updates, the legislator would be interested in hearing those and working with the NPA and the Board.

Dr. Lenkeit commented that rather than the statement that was written and being revised, attorneys would be referred to this section of NAC when questioning who could and would be available for an interview. They would be referred to NAC rather than the letter.

On motion by Dr. Holland, second by Dr. Benuto, the Nevada Board of Psychological Examiners approved to move proposed additions to NAC 641.001 to a workshop. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

On motion by Dr. Woodard, second by Dr. Esmaeili, the Nevada Board of Psychological Examiners approved to move proposed additions to NAC 641.234 to workshop. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 5-0.*

14. (For Possible Action) Discussion and Possible Action Regarding and to Clarify and Reconcile NAC 641.168(1)(b) (permitting test administration by those who have completed training in psychometrics required for a master's degree) and NRS 641.440 (prohibiting anyone who is not a licensed psychologist from using titles or descriptions that incorporate, among others, the word "psychometrist").

Dr. Owens stated that, in a recent email dialog between Dr. Kinsora and the Board's executive director, a discrepancy was revealed in how NRS 641.440 addresses the term "psychometrist" and how that term is generally used in reference to NAC 641.168(1)(b).

NAC 641.168(1)(b), which governs Psychological testing, states, in relevant part:

A licensed psychologist may have personnel who are not licensed pursuant to chapter 641 of NRS perform the following types of psychological testing under the psychologist's direct supervision and periodic observation:

- *Objective tests that require a response other than in writing may be administered and scored only by a school psychologist or a person who has completed the training in psychometrics that is required for a master's degree.*

Dr. Owens said that, according to Dr. Kinsora, those who administer the tests that NAC 641.168(1)(b) contemplates generally refer to themselves as "psychometrists," as it is a designation that is nationally used for such test administrators, including those at a Bachelor's level. However, NRS 641.440 prohibits anyone who is not a licensed psychologist from using titles or descriptions that incorporate, among others (i.e., psychometry and psychometrics), the word "psychometrist."

Based on the national use of the term "psychometrist" to describe those who administer tests similar to the tests designated in NAC 641.168(1)(b), Dr. Kinsora has requested clarification or exception as it concerns NRS 641.440's prohibition of the use of the term "psychometrist" for those who are not licensed psychologists as it relates to NAC 641.168(1)(b). For example,

- NAC 641.168(1)(b) could include language that permits those who administer the tests it contemplates to be referred to as "psychometrists" notwithstanding the language of NRS 641.440, /or
- NRS 641.440 could except those identified in and contemplated by NAC 641.168(1)(b) from being prohibited from using the term "psychometrist."

Dr. Kinsora believed this was written a long time ago, but the fact is that the national surveys by neuropsychologists generally use these technicians. The issue is that the rest of the world calls these folks "psychometrist" and they work under the direct supervision of neuropsychologists. There are books that use the term psychometrist. He believes Nevada may be the only state that is not. He thinks there should be a way to define it. If you look at the law right now, it states that they can have personnel that is not licensed, but it does not define what they should be called by so he generally says "assisted by" as he is not sure what to call these people. Dr. Kinsora is hopeful for

clarification or to at least add psychometrist to the mix as Nevada is going against the rest of the country as a name for those individuals.

Dr. Owens said she is not sure why the Board prohibited such language in the past, but she would guess that they did not want just any person using that title and believes it should be clear and protected to not open up that terminology for anyone to use. Dr. Young does not remember the Board being asked, and believes it has been a long time since a neuropsychologists assistant had a title that fell within the regulations. Stated it is more of an accommodation, the fact that they do not have that title. Dr. Lenkeit does not believe that it has been put in since no one has ever asked the Board before, but does believe it would be a good idea to put in. He does believe psychometrist should be defined, maybe in the section of definitions, as well as in the area where it says psychologists may be assisted by unlicensed personnel.

Dr. Owens tasked Dr. Kinsora and the executive director to work on the language and bring it to the October meeting for workshop.

On motion by Dr. Woodard, second by Dr. Esmaeili, the Nevada Board of Psychological Examiners approved for Executive Director Arnold and Dr. Kinsora to be tasked with drafting language regarding NRS 641.168(1)(b) to clarify the terms psychometrist. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 4-0.*

15. (For Possible Action) Discussion and Possible Action to Permit the Board's Executive Director to carry her unused vacation time from FY2023 through November and to take 7 days in mid-November, 3.75 of which would be from FY2023.

Dr. Owens stated that this Board's HR policy states that the Executive Director

- accrues 1.25 days of vacation per month
- cannot accrue more than 15 days of vacation per fiscal year, and
- must use all vacation time on or before September 1 that follows the fiscal year or forfeit any vacation time not used.

Dr. Owens went on to explain that since beginning her role as executive director for the Board on January 18, 2023, the executive director has accrued a total of 8 vacation days, of which she took 3 in May and 1 in August, so she has 2.75 days remaining from FY2023 that she was not able to use before September 1, 2023. Dr. Owens said that the executive director has a vacation planned and booked for mid-November for which she would like to use those 2.75 accrued vacation days and 4.25 of the vacation days she will have accrued during FY2024 at that time, for a total of 7 vacation days.

Dr. Owens opened discussion regarding whether the executive director could use the 2.75 unused vacation days from FY2023. She stated that she is completely OK with that as the executive director works exceptionally more hours than she is paid for, so she is happy to be flexible on this policy to allow her to use those 2.75 days. Unless there is a dissenting opinion, Dr. Owens asked for a motion to approve the request.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada Board of Psychological Examiners approved its executive director's request that the 2.75 days of vacation she accrued in FY2023 be carried over until the end of November 2023. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 4-0.*

16. (For Possible Action) Discussion and Possible Action to approve the Board's proposed meeting schedule for 2024.

January 12
February 9
March 8
April 12
May 10
June 7
July 12
August 9
September 13
October 11
November 8
December 13

Dr. Owens inquired with the executive director regarding the dates. The executive director explained that the almost all of the dates, with the exception of June, are the second Friday of the month, which tends to be the best time of the month in terms of the Board office's preparation for the meetings, and it made them more evenly spread apart. The executive director will confirm that none of the meeting dates are on long weekends.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada Board of Psychological Examiners approved the Board's proposed meeting schedule for 2024. That the Board of Psychological Examiners approve the Board's proposed meeting schedule for 2024. (Yea: Whitney Owens, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard). *Motion Carried: 4-0.*

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, October 13, 2023, at 8:00 a.m.
- b. A reminder that the date and location for the Nevada Board of Psychological Examiners' next strategic planning meeting is November 3, 2023, in Reno.

Dr. Owens stated that the Board had a date and location for the Board's strategic planning meeting. The executive director confirmed that the location is the Kietzke Plaza's conference room, next to the management office. She also confirmed that she has scheduled Dr. Owen's flight, and has been in contact with Dr. Holland about travel plans. Dr. Owens reminded the Board members that for those flying in, the Board will cover those costs and encouraged participation in person.

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

The Board did not have any agenda items for future discussion.

19. 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)

The executive director noted that there was a member of the public who had been on the meeting and inquired about when to make public comment, but it appears that person was no longer in the meeting and she did not send anything to the Board office. The executive director will follow up with that member of the public about submitting the public comment for a future meeting. There was no other public comment.

20. (For Possible Action) Adjournment

There being no further business before the Board, President Owens adjourned the meeting at 10:14 a.m.