

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

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November 3, 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 10:03 a.m. on November 3, 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.; members, Lorraine Benuto, Ph.D.; Monique Abarca, LCSW; Soseh Esmaeili, Ph.D.; Stephanie Holland, Psy.D.; Catherine Pearson, Ph.D. were present at roll call. Stephanie Woodard, Psy.D., was absent. Despite the one-member absence at roll call, there was a quorum of the Board members.

Also present were Deputy Attorney General (DAG) Harry Ward; Board Investigators Dr. Sheila Young and Dr. Gary Lenkeit; Executive Director Laura Arnold; Board Staff Kelly Weaver; Board Lobbyist Nina Laxalt; members of the public: Dr. Teri Beaumont, Dr. Vanessa Ma, Dr. Jody Thomas (UNR Counseling Services), Donald Hoier (member of the public), Dr. Lauren Chapple-Love, Elyse Monroy (member of the public), Brian Joseph (freelance investigative reporter), and Dr. Leandrea Caver.

**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).**

Robert Moering and Carolina Meza Perez emailed public comments to the Board Office. Those will be posted to the Board’s website. The Board members were forwarded the public comments for their review.

Donad Hoier provided public comment regarding Agenda Item No. 10. He applauds the Board for improving their current complaint policy. He has several suggestions for the Board's consideration: there is a complaint on the docket that is 4.5 years old, which he believes could have been resolved many years ago if these suggestions were implemented years ago. There is a presumption of innocence that requires the Board to prove guilt of the respondent, but current policy requires respondent to prove their innocence. Mr. Hoier stated he is in strong support of the statute of limitation (10(b)), noting there are exceptions for alleged criminal acts of a licensee that come to light after the limitations period. Regarding how investigations are conducted, public member Hoier went through current policy and makes suggestions to revisions for the same. He said investigations are systematic searches for and the evaluation of evidence for the purpose of determining the truth of the matter. He said that at a minimum, an investigation must include the review of the complaint and response, interview or attempted interview of the complainant, respondent, and all witnesses, and should be done by recorded video call. He continued that all investigative leads must be followed up, including review of documents and other investigations that may have been part of the original complaint, etc., and that investigations must be timely. He noted that the respondent has deadlines in the current policy, and the Board should also have deadlines to complete the investigation. 30-45 days should be more than sufficient for the cases the Board has before it. He said to file a complaint and notice of hearing should be done in all cases, not just selected cases. The accused have a fundamental right to know what they are being charged with and the evidence to support those charges. It should not matter whether they are represented by counsel or not. He explained that the filing of that document should be 15-20 days after the Board makes a determination to move that case forward to the DAG, and if there is an evidentiary reason to amend that document, the amendment should take another 15-20 days after the reason for the amendment becomes known. Charges should not be used as a bargaining chip for negotiation as is occurring in a current case. To respond to motions for the respondent, there should be time limits on that. The respondents have a due process right to defend themselves. 30-45 days should be enough time to accomplish that. There should be a time limit for an administrative law judge when that is required, which should be 30-45 days when the need is recognized. A respondent should be notified by letter of the dismissal of a case. He identified someone who spoke in 2020 during public comment and said it took a year before they realized their case had been dismissed. He said that should be in policy, and it should take no more than 7-15 days to send a letter. Time limitations imposed should be similar for the respondent and the Board. Other violations involving other parties discovered during the complaint investigation should be pursued via a new complaint and not tacked on to an existing complaint. Lack of cooperation by complainant should result in the complaint dismissal. It is an ethics violation not to cooperate in an investigation and that should be enforced by the Board. It is not being done. Investigations must be reviewed and approved by a DAG not acting as counsel for the Board to avoid the appearance of conflict. That reviewing authority should have the

power to deny the case for lack of evidence and send it back to the investigator for further investigation. The investigator should not be the one who has the final say, which is how it is now in policy and practice. He said there should be an audit of the investigators, who are employees of the Board, and asked if they are being evaluated now. The inquiry should be if they are conducting thorough investigations and if they are based on precedence set by the Board in like matters. That is not happening on a regular basis. He suggests that a quarterly audit should be added to the policy. In conclusion, Mr. Hoier states he is retired law enforcement with 32 years of investigation experience as he is a registered private investigator. His position comes from his experience and knowledge of administrative and criminal law.

Dr. Chappel-Love made public comment as an early career psychologist (not as the liaison for NPA) regarding the talk about the EPPP-2. Particularly if the EPPP-2 is being retroactively changed to affect those already listed, and how problematic that is with a lot of ramifications. She is hopeful that the Board will continue to work toward a different eventuality for this item.

The Board Office did receive an additional email received from Mariah Schwan (member of the public) for public comment, which will be emailed to the Board.

Dr. Vanessa Ma wished to address Agenda Item No. 9(e). Dr. Owens indicated the Board could take that item out of order, but it is not proper to be presented in public comment unless Dr. Ma wished to make a public comment about it in general.

Dr. Beaumont asked if the AB244 issue would be addressed during today's meeting. Dr. Owens did confirm the NAC 641 revisions will be addressed during the Workshop but the AB244 revisions were discussed and workshopped at the last meeting. A hearing on AB244 will likely be set for January.

The Board members confirmed that they read the emailed public comments (3 in total).

There was no further public comment at this time.

**3. (For Possible Action) Workshop to Solicit Comments on a Proposed Regulation (See Attachment A); and Possible Action to Forward the Proposed Regulation to a Hearing at a Future Meeting of the Nevada Board of Psychological Examiners in Accordance with NRS Chapter 233B**

Dr. Owens opened the Workshop. Dr. Jody Thomas asked if the Board was taking these items in order, or if the floor was open in general. Dr. Owens indicated the Board would work with the public but may need to be mindful due to time limitations, so

general comments would be presented first then the items would be discussed in order. Dr. Thomas indicated she did not have a general comment.

**A. Supervision of Psychological Assistants, Psychological Interns, and Psychological Trainees – revising the qualifications of a supervisor in NAC 641.1519**

Dr. Owens asked if the Board has had an opportunity to review the proposed language. The executive director interjected that there were some additional indications of verbiage that is highlighted in yellow and highlighted in grey with a strike through that is in response to Dr. Thomas's request to avoid binary language in these provisions. Dr. Owens stated that, for qualifications of a supervisor, as a reminder to everyone, the Supervisor Ad Hoc Committee worked to replace the 3 year requirement to a more competency based requirement for supervision and the recommendation from the Committee was to require 15 continuing educations credits and supervision, a semester of supervisory supervised experience, a semester long formal course in supervision, or for a combination of the above or equivalent to any one of the above. Item no. 2 gives the opportunity for the ATEAM to determine competency, if necessary, if the requirements do not clearly meet 1-4.

Dr. Pearson pointed out that some graduate programs are quarterly. As such, she asked if the Board could consider putting some language in from the get-go regarding the quarterly graduate programs being considered for equivalency or if they must be submitted for equivalency. Dr. Benuto's initial inclination is the quarterly programs provide a formal course in supervision so she would see that as following within no. 3 not no. 4. Dr. Owens asked if there would be utility to change the language from a semester long formal course to a formal course in supervision and take out "semester long." Dr. Owens wanted to know if the Board should consider a revision to specify a formal graduate course in supervision. Dr. Benuto confirmed. Dr. Holland pondered when a typical graduate course is taken, in response to which Dr. Benuto stated that it was not typical for a first-year student but any time after that depending on the structure of the program. Dr. Holland provided an example, which was discussed with Dr. Benuto in theory. Dr. Owens asked if Dr. Holland had concerns or was just clarifying. Dr. Holland said she did initially have concerns. She understands the Board's decision and that the supervisor should be more competency based, but she also finds value in experience. Dr. Holland also pointed out that a psychologist intern can supervise a practicum student, or a practicum student could supervise a graduate student, for a semester and then 3 years later become a supervisor which make her have some general concerns that she expressed. Dr. Owens shared she understands what Dr. Holland was saying and explained that the goal is for the training and education is in supervision so when they graduate they can begin those skills as long as they've had the coursework and experience. Dr. Holland acknowledged the Committee worked hard on this and noted that time does not serve as competency but she does

think there is something to be said for experience. Also, on the 15 credits, she asked if that was a one-time requirement or is there a continuing requirement on supervision credits. Dr. Owens stated that there is no express requirement but in the ethical guidelines there is an express provision that they must maintain competence in the areas they are practicing, so if someone is consistently engaged in the practice of supervision, it would stand to reason that they would continue to have an obligation to get credits for supervision. She said the Committee discussed not including that requirement specifically so that they are not overly prescriptive. Dr. Holland indicated that made sense. Dr. Esmaeili provided some background of her supervision experience, training, and indicated that upon graduation she did not feel competent to supervise. She does believe it is the responsibility of the psychologist to determine if they are or are not competent.

Dr. Lenkeit provided that when he first started reading this the language should read that the training could consist of any of the following for ease of understanding (and to prevent people from thinking they have to do all that was listed). Dr. Owens confirmed this was a good idea.

Dr. Owens stated that the Committee did look at the language from around jurisdictions. Other jurisdictions are quite permissive, and Nevada was really one of the only ones that had a time constriction. So, to shift to competency-based method and avoid being too prescriptive, this language was deemed appropriate to balance those pressures. Dr. Owens reiterated that she hears the concerns and believes there is a balance between a competency-based method and experience.

No other Board or public questions or comments were posed at this time.

*On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners to approve the revisions to the definition of NAC 641.1519 with the changes of Item 1(b) to add the language "the training may consist of any of the following" and Item 1(b)(3) to change the language to "a formal graduate course in supervision." (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

## **B. Requirements of supervision – revising and clarifying the requirements of supervision in NAC 641.152**

The Committee worked on changing the language around employing a nested model of supervision and deleting items (a) and (b) with the other revisions discussed. The Board did not have any questions or comments.

Dr. Jody Thomas wanted to seek clarification under #3 for the equivalent of 4 full time supervisees, and asked if that includes centers/training models that do emphasis training models or a secondary supervisor or for assessment only or group therapy only, or would be preferential. Dr. Benuto indicated she thought if they are the supervisor of record, then it would count under the nested model, but if they are a secondary nested model then it would not. Dr. Thomas thought that made sense. Dr. Owens was not sure how they would explicitly track it – as this is also under interns and trainees for Medicaid. What the Board is trying to protect is that any one supervisor is not responsible for any more than 160 hours of work by supervised students/trainees. Therefore, any combination that totals 160 hours a week is okay with examples discussed.

Dr. Owens stated that the language in section 5 was pulled from the ASPPB Model Act language.

Regarding section 5(a), Dr. Thomas stated that, from what they perceive at their center and compared to other supervisory structures, they provide a lot of supervision for their trainees and have a supportive program to do that. The percentages recommended in 5(a) seem out of reach for them even with the large amount of supervision they provide. For example, a psychology practicum counselor would be 20 hours a week. They require 50% direct service, which would be 10 client hours per week. Under the percentages in 5(a), that would mean if they saw 10 client hours per week, they would need 2 ½ hours of supervision, 1.87 hours of that being individual and about an hour of that with their primary supervisor. They recommend no more than 20% time spent in supervision and only 50% not 75 % of that with individual supervision. Also, not including report writing, case presentation or consultations as direct services, as those are indirect services/work.

Dr. Owens clarified that if a practicum student is there for 20 hours a week, they would have 10 patients and under this provision it would be 2.5 hours of supervision due to that 10 hours. Dr. Thomas said probably even more if they include report writing case presentation and consultation which are not direct services, which would increase that to more supervision.

In working through the math, Dr. Owens stated 75% of that 2.5 hour is 1.875, so 2 hours of individual supervision would have to be scheduled for seeing 10 clients per week, or more if including the other things that are not direct service.

Dr. Benuto said that when you do the math, it does seem excessive.

Dr. Thomas gave as an example at their center – all of their practicum counselors get an hour of group supervision a week, an hour of didactic, a minimum hour individual, sometimes 90 minutes with their primary supervisor if needed, and if they do a therapy

group, they're getting 30-60 minutes with that co-facilitator, so they do a lot and this would even be hard for them based on the percentages.

Dr. Benuto asked how much time would be spent individually with them on supervision for students that have a 10-hour case load. She said she did not know that the committee looked at the percentages and broke it down in that way, but acknowledged that when you look at it, it seems excessive.

Dr. Owens said that when she supervises students from UNLV, it is an hour of supervision a week and then 90 minutes of group supervision a week.

Dr. Pearson asked if it would make more sense to put in those requirements in terms of an hour of individual supervision. She said that even someone who had 2 clients a week, we probably don't want them having less than an hour of supervision. For instance, should an hour be the minimum per week? She did not know how that computes to other areas as well.

Dr. Benuto said she did not think she could talk to a student about one case for 30 minutes unless it was a complex case. It's a complicated question.

Dr. Holland stated that, at her site, they do mostly assessment and very little therapy. She explained that when they work with practicum students, they're working with their practice guidelines, but also their program. She said sometimes their program will require 2 hours of individual and 2 hours of group. Their site has a minimum of 1 hour of individual and 2 hours of group because it's mostly assessment. One-half of their practicum students' programs require 2 hours of individual and because all of their students participate in group, they all get an additional 2 hours of group. It's not just what the Board requires, but the programs too, and they differ. And what the site specializes in. Group didactics or supervision on assessment looks different than treatment.

Dr. Owens wondered if perhaps it could be shifted to supervision activities being no less than 25% of the trainee's time spent in service-related activities. That would still be 2½ hours of supervision of some kind for 10 patient hours. Most of the supervision shall be with a licensed psychologist, at least half of which shall be with the supervisor or record. That would be most of the supervision either has to be with the supervisor or record or another psychologist. So in a private practice setting that would be an hour of individual supervision and then 90 minutes of didactic or group supervision.

Dr. Benuto said she really likes that approach. It gives the flexibility needed. She noted that things vary so much by setting and by whether the practicum student is a second- or fourth-year student, and whether someone's in an inpatient unit might be

different than treating a generalized anxiety case. That approach gives flexibility to variation. It gets back to the goal of right touch legislation.

Dr. Owens said it is still placing the work of the trainee on training – taking care of the trainees to get plenty of supervision. It's taking more of an open approach to how they are getting that training with most of that being with their primary supervisor.

Dr. Thomas said it sounds like didactic is being included, and asked if that is being included in supervision because she was not interpreting it that way. She also asked if the indirect hours under direct service (report writing, case presentation, consultation) are going to be kept.

Dr. Benuto stated that the challenge with didactic depends on whether didactic is being administered. A lot of didactic she does with her team incorporates supervision within that context so it's not just her lecturing, they are discussing treatment book they read and cases they're working with in that context. It depends on how you're doing didactic. If just a lecture, no, but in a lot of supervision contexts, it mingles with supervision.

Dr. Owens thought allowing for didactic would be helpful. She said she hears Dr. Thomas's concern that what gets tricky is that adding in report writing, case presentation and consultations increases the amount of service-related activities and increases the amount of supervision that is required. She wondered if they should shift that language to say supervision activities shall be no less than 25% of the trainee's time spent in direct service-related activities, and that most of the supervision, a minimum of 75%, shall be in person with a licensed psychologist, at least half of which shall be with the supervisor of record, and keeping the rest.

Dr. Benuto said that sounds perfect.

Dr. Thomas stated that it would stay at 25% and would just say direct service-related activities. It would also state 75% with in person and psychologist but does not have to say individual and majority with primary supervisor, and didactics would be included in supervision activities.

Dr. Owens said she did not recall if the regulations define supervision somewhere else, and that they might have to wait on that. She noted it might be outlined somewhere else.

Dr. Owens asked if there were questions on 5(b) or 5(c).

Dr. Thomas inquired about 5(c) regarding PAs. Dr. Thomas said she remembers from the October meeting the note about trying to follow developmental approach as people do training. Taking a developmental approach, she was confused about why a Postdoc



would be moved to 2 hours a week when they're moving to independent practice. She recommended continuing with one or 1 ½ hours per week for 40-hour workweek.

Dr. Owens said the current requirement is 1 hour per week, and that the current proposed language was taken from ASPPB and is based on ASPPB guidelines. She explained that the goal of streamlining is to make things more usable, and state that she is OK shifting back to 1 hour. The other consideration is when it comes to mobility, it would be in line with other states.

Section 6(c) is to be changed from 2 hours to 1 hour for postdocs.

Dr. Thomas noted that when they look at section 6 and compare it to section 5(a), it does not seem consistent. Dr. Holland concurred and stated that she is now more confused. Dr. Benuto noted that it might be redundant. Dr. Owens agreed that it seems redundant and conflicting, and perhaps they should strike through section 6. Dr. Holland stated that if it's going to be section 5 or 6, section 6 is more straightforward. Dr. Benuto agreed, stating that the benefit to section 5 is that it integrates flexibility given different contexts and situations, which is important. Dr. Thomas agreed with keeping section 6.

Dr. Owens stated that there still has to be a hearing on this, and asked to assign this language to a board member to look at, clean up, and cross check with some of the other statutes to get it nice and clean for the hearing.

This Agenda Item was postponed for another workshop.

Dr. Owens said she likes section 5 because it offers more flexibility and supports additional supervision through group supervision consultation that should be captured and that section 6 does not capture. She also wants to make the requirements are not conflicting. Dr. Benuto said she would be happy to assist with the executive director's assistance.

No additional changes were discussed at this time. Agenda Item 3B was tabled for December.

### **C. Limitations on supervision – revising and clarifying NAC 641.158's limitations on the number of trainees a supervisor may supervise**

Dr. Owens stated that this language is to make things cleaner with regards to psychological assistants, interns, and supervisors. She discussed the essence of the NAC. Dr. Holland asked if the Board said this language above. Dr. Owens indicated that it is confusion, but it is listed above in the nested model of supervision and provides an example with discussion of the same between her and Dr. Holland

regarding the hours calculations and limitations. No other questions or comments were discussed at this time.

**D. Supervisor availability – revising the requirements of R074-18 (effective January 30, 2019) regarding the availability of supervisors**

Dr. Owens stated that R074-18 has not been added to the NAC Chapter 641 yet. She said the goal with the language was to help ensure that supervisors are providing ethical supervision in accordance and commensurate with the trainees current level of training, as well as allow for flexibility in regards to a supervisor. With that, Dr. Owens walked through the revisions with examples. No questions or comments were provided by the Board or public at this time.

**E. Psychological testing – revising NAC 641.168 to permit unlicensed personnel who perform certain testing to refer to themselves as “psychometrists”**

This was discussed during the last meeting and Dr. Owens reiterated the language revision. The Board had no questions or comments.

Dr. Thomas commented that it appeared that not all of the items accounted for practicum students at the psychological trainee level in 1(C) and 2. Dr. Owens asked that the executive director add psychological trainees to both of those.

No additional changes or questions were presented at this time.

*On motion by Lorriane Benuto, second by Catherine Pearson, the Nevada State Board of Psychological Examiners to approve the revisions to NAC 641.1519 (Item A) with the revisions spoken in the meeting, NAC 641.158 (Item C) with any recommended changes discussed in the meeting, R0174-8 (Item D) with any recommended changes discussed in the meeting, and NAC 641.168 (Item E) with any recommended changes discussed in the meeting to be moved forward to a hearing. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Catherine Pearson, and Monique Abarca; Nah: Stephanie Holland.) Motion Carried: 5-0.*

*On motion by Stephanie Holland, second by Catherine Pearson, the Nevada State Board of Psychological Examiners to move Agenda Item 3(B) to a workshop in December with Dr. Lorraine Benuto working on the language in the meantime. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Catherine Pearson, and Monique Abarca; Stephanie Holland.) Motion Carried: 6-0.*

Dr. Thomas shared her appreciation to the Board in removing the binary language in some of the new suggested language. She does indicate that it is consistent in all of the language reviewed today, but hopes it is reviewed in other existing language, too. Dr. Owens asked the executive director to take note of that for the Strategic Planning Meeting later today.

**4. 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 October 13, 2023.**

There were no comments or changes suggested for the minutes of the October 13, 2023, meeting.

*On motion by Lorraine Benuto second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Regular and Special Meeting of the Board held on October 13, 2023. ((Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Catherine Pearson, and Monique Abarca; Stephanie Holland.) Motion Carried: 6-0.*

**5. 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 October 31, 2023, the checking account balance was \$347,745.37, and that 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. She noted that nothing has changed regarding the next expected deferred revenue allocations from all sources, except that the distributions from new licensures and registrations received during this biennium quarter and will be cast forward into the third and fourth biennium quarters may be a little more than what was anticipated.

The executive director stated that the savings account balance was \$105,063.01.

She went on to note that, with the end of October being a third of the way through the current fiscal year, the Board is at about 29% of budgeted expenditures and just under 50% of expected revenue – most of which is the deferred income allocated to this biennium quarter.

*On motion by Stephanie Holland, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved the Treasurer's report for 2024. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

## **6. Legislative Update**

### **A. (For Possible Action) Report, Discussion and Possible Action on Legislative Activities, including the work of Interim Committees, 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.**

The Board Lobbyist had to leave the meeting. The executive director indicated she does not have any updates in terms of legislature at this time. There are some file numbers provided to the Board for the items done in workshop, including items discussed last month. She said the LCB has some questions that she will be working with Dr. Lenkeit to provide answers. There was also a file number provided for the report on the language revising behavior analyst being used as discussed earlier this year. As soon as drafts are completed, the executive director anticipates moving those into hearing to get the NAC cleaned up. Dr. Owens asked for those file numbers to be added to the Agenda for the next meeting for ease of tracking. The executive director confirmed.

## **7. Board Needs and Operations**

### **A. Report from the Nevada Psychological Association.**

Dr. Chapple-Love provided an update on NPA to include that they are moving forward on coming out with a statement related to AB244, as well as the new proposed limitations and exemptions for EPPP-2 and how that is likely to affect constituents that are ECPs and outside of that.

### **B. Report from the Executive Director on Board Office Operations.**

The Executive Director presented the Board's office statistics spreadsheet. She said October was another busy month administering State Exams, and that the Board issued more licenses than the previous FY24 months. Most everything else remained steady.

As of the end of October, the Board had 685 active licensees and 98 applications for licensure. Also included are data on the applicants and registrations for the Board's psychological assistants, interns, and trainees.

No questions or comments were presented by the Board at this time.

**8. (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

G. Complaint #23-0905

H. Complaint #23-0918

DAG Ward had nothing further to report with regards to the complaints listed A – H. He said he met with the Investigators and executive director the week of November 3, 2023, which is a normal weekly meeting, to discuss the complaints, the next actions, etc. He said Dr. Lenkeit should have one report recommendation for dismissal, but otherwise there is nothing further for DAG Ward to report.

Dr. Lenkeit reported on Item 8(F) (Case #23-0822), as follows:

This complainant was referred to the Board by worker's comp insurance due to a traumatic event that occurred while at work. The psychologist completed some psychological testing and engaged the complainant into individual psychotherapy. The complainant alleged that he caught the psychologist in 2 lies. He alleged the psychologist refused to treat him with EMDR treatment and

refused his request for a "PTSD psychiatric services dog." He indicated the psychologist indicated that a PTSD/service dog/emotional support animal "are the same thing and they are not." He alleged the psychologist was pushing him to return to work "which is unsafe for me to drive heavy equipment." The complainant felt the return to work was premature because he felt like his PTSD was not under control. He alleged the psychologist had written reports with the wrong dates on them, which caused the insurance company to withhold the complainants' pay. The psychologist minimizes the trauma which is still occurring to aid the insurance company who wanted to prematurely close the case.

The psychologist response is that the patient seemed confident about being able to return to work "and I did not believe that he thought I was pushing him to return to work."

Regarding refusing to treat with EMDR treatment, the respondent stated that he did not refuse treatment but simply told the complainant that he did not conduct EMDR treatment and informed the patient that ECP treatment was just as effective as EMDR. The respondent indicated that the complainant never asked to be referred to an EMDR therapist.

Regarding the request for a PTSD service dog, the respondent indicated he told the patient that a psychologist could recommend an emotional support dog but that it was very unlikely the worker's compensation insurance would pay for the dog and training. The respondent told the patient there was no specific psychiatry service dogs for the dog to be trained specifically to deal with patients with PTSD but the patient "insisted there were." He indicated in retrospect he should have submitted an application for the patient to have an emotional support dog and let the insurance company decide whether to provide this service.

Regarding the allegation of pushing the patient to go back to work, the respondent stated that the patient gave him the impression that the patient was ready to return to work and was given an accommodation. The patient did not raise any strong objection to returning to work "and in my clinical judgment, I believe it was safe to return given the restrictions imposed." The respondent indicated he believed the patient's anxiety would improve and the nightmares diminish, but indicated he possibly overestimated the patient's confidence about returning to work. Given the patient was not reporting significant problems of anxiety, the respondent felt it was proper for the patient to return to work. The patient was reporting no flash backs, was functioning better, and reporting less distress. The respondent noted that the patient completed the NMPI, the Beck depression inventory, and the Beck anxiety inventory at the initial assessment

with no significant anxiety or depression were noted on these tests. The clinical tests on the NMPI scale gave no impression of significant anxiety or depression.

Regarding lying about the patient's sleep problems, the respondent stated he discussed the patient's sleep problems during all of the encounters with the patient.

Case analysis - this arose from a dispute between the patient and the psychologist regarding the patient's ability to return to work. The psychologist indicated he believed that he and the patient were in agreement regarding the patient returning to work and that the patient did not raise any objections to the recommendations during the therapy sessions. If the patient did have objections, these objections would have been best raised in the therapeutic setting as such disagreements are common in therapy sessions and is a form in which to resolve such a conflict. If the conflict continued to exist, this disagreement could have been presented to the worker's compensation program as they are the decision makers in such events. There are no indications that the complainant presented the psychologist recommendation disagreement to the psychologist or to worker's compensation program. Dr. Lenkeit's conclusion and recommendation is the proper form for the resolution of this disagreement between a psychologist and a patient in a dispute for a worker's compensation case is with the worker's compensation program itself. There are no indications of any violations of the APA Ethical Code by the psychologist and there are no indications of NAC 641 or NRS 641 violations. Therefore, Dr. Lenkeit recommends that this complaint be dismissed.

No questions presented by the Board.

*On motion by Stephanie Holland, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the dismissal of Complaint #23-0822 (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

DAG Ward confirmed there are no additional comments on any of the other complaints.

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

The following applicants are recommended for approval of licensure contingent upon completion of licensure requirements: Clairissa Hunter, Kristopher Kern, Gordon Zilberman, Malia Sanchez, and So Park.

*On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approves the following applicants for licensure contingent upon completion of licensure requirements: Clairissa Hunter, Kristopher Kern, Gordon Zilberman, Malia Sanchez, and So Park. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**A. (For Possible Action) Discussion and Possible Action on approving the ATEAM’s recommendation to approve Adaeze Chike-Okoli’s application to register as a Psychological Trainee.**

Dr. Owens stated that Ms. Adaeze Chike-Okoli has applied to the Board to register as a Psychological Trainee. Ms. Chike-Okoli is currently a student at Walden University, which is not an APA accredited institution. On October 13, 2023, the ATEAM reviewed Ms. Chike-Okoli’s application and recommended approval of the application based upon their review.

*On motion by Lorraine Benuto, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approves Dr. Adaeze Chike-Okoli’s application to register as a Psychological Trainee. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**B. (For Possible Action) Discussion and Possible Action on approving the ATEAM’s recommendation to approve Dr. Courtney Hutchinson’s application to register as a Psychological Assistant contingent on completing her internship hours.**

Dr. Owens stated that Dr. Hutchinson initially applied for licensure. After her PLUS revealed that she did not have any postdoctoral experience, her application was converted to an application to register as a Psychological Assistant.

Dr. Owens said that Dr. Hutchinson has her Ph.D. from the University of Denver’s School Psychology program (the Child, Family, and School Psychology department), which she obtained in June 2018. That program was granted contingent APA accreditation in July 2019, with full accreditation subject to that program providing



certain required data within three years. It does not appear that the doctoral School Ph.D. program at the University of Denver provided the required data within the required time in order to become fully accredited, as there is no further information from the APA on the program's accreditation status.

According to both Dr. Hutchinson and the program's Academic Services Associate (who attested to the information regarding the program), Dr. Hutchinson's education included at least one year in full time residency, which was fulfilled between September 2014 and June 2016.

Dr. Hutchinson accrued a total of 1,523 internship hours between January 2017 and December 2017 between two different internship sites. She is also a licensed School Psychologist in Nevada (March 2020), Colorado (April 2021), and Arizona (December 2017).

During the October 13, 2023, ATEAM meeting, the Committee recommended approval of Dr. Hutchinson's application contingent on her completing the internship hours required to comply with Nevada's 2,000 hour internship requirement.

*On motion by Stephanie Holland, second by Lorriane Benuto, the Nevada State Board of Psychological Examiners approves Dr. Courtney Hutchinson's application to register as a Psychological Assistant contingent on completing her internship hours. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**C. (For Possible Action) Discussion and Possible Action on approving the ATEAMS recommendation to approve Jessica Jensen's application to register as a Psychological Intern.**

Dr. Owens stated that Ms. Jensen has applied with the Board to register as a Psychological Intern under Dr. Sarah Ahmad's supervision. Ms. Jensen is currently a Ph.D. student at Walden University, which is not APA-accredited.

Dr. Owens explained that Ms. Jensen is currently registered as a Psychological Trainee under Dr. Ahmad and Dr. Holland. To date, Ms. Jensen has submitted to the Board office the documentation that is required for registration as a Psychological Intern. The ATEAM reviewed Ms. Jensen's application and her PLUS report, determined that her clinical doctoral program at Walden was substantially equivalent to APA standards, and recommended that her application for Board approval.

*On motion by Catherine Pearson, second by Lorriane Benuto, the Nevada State Board of Psychological Examiners approves Jessica Jensen's*

*application to register as a Psychological Intern. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Catherine Pearson, and Monique Abarca.) Dr. Stephanie Holland abstained from the vote. Motion Carried: 5-0*

**D. (For Possible Action) Discussion and Possible Action on approving the ATEAM's recommendation to approve Leandrea Caver's application for Licensure.**

Dr. Owens stated that Dr. Caver has applied for Nevada licensure. According to her PLUS, she is licensed as a psychologist in Michigan since February 2020.

Dr. Caver obtained her Ph.D. in 2017 from Saint Louis University, and the information provided to the ATEAM mistakenly stated that Dr. Caver's program did not become APA-accredited until October 2021, which would have meant that Dr. Caver graduated prior to that accreditation. However, the October 2021 date was the date on which APA-accreditation was renewed, not granted. Saint Louis University's clinical Psychology program was actually initially accredited in May 1964, and that date and the confusion around it had been noted during the ATEAM meeting.

The ATEAM's review of Dr. Caver's application was not required, but because the APA-accreditation clarification did not occur until after the ATEAM meeting, the ATEAM proceeded in recommending that her application for licensure be approved.

Dr. Caver's application for licensure was approved by the Board during its July 14, 2023, meeting, contingent on her completing the requirements for licensure.

*On motion by Lorraine Benuto, second by Monique Abarca, the Nevada State Board of Psychological Examiners approves Leandrea Caver's application for Licensure. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**E. (For Possible Action) Discussion and Possible Action on approving Dr. Vanessa MA's application to retake the EPPP-2 and to extend her Psychological Assistant Registration.**

Dr. Owens stated that Dr. Ma has applied to retake the EPPP-2 a fourth time. She has taken and passed the EPPP-1 and the Nevada State Exam but has not passed the EPPP-2 after three attempts. Dr. Ma's application to retake the EPPP-2 includes her explanation of how she intends to approach her schedule, study program, practice tests, coaching, study groups, and areas of focus.

Dr. Owens said that Dr. Ma also requests to extend her registration as a Psychological Assistant. She was originally registered in May 2020, and that registration expired in May 2022 after being extended in 2021. Dr. Ma and her supervisor believed that her registration had again been extended in 2022 through August 2023, but that was at a time when the Board office may not have been staffed, and it is not clear whether there was a formal extension.

Assuming Dr. Ma's request to retake the EPPP-2 is granted, and in order to continue her work as a Psychological Assistant while she studies for and prepares to retake EPPP-2, Dr. Ma requests that the Board extend her registration as a Psychological Assistant for a year. In order to do that, and to clearly establish continuity in her Psychological Assistant registration, the Board may want to establish Dr. Ma's registration from the last confirmed expiration date (May 2022) to an extended date one year from this meeting date.

Dr. Holland questioned what the passing score for the EPPP-2 is and Dr. Ma confirmed it was 500. Dr. Esmaeili asked how close Dr. Ma was to passing the EPPP-2, which Dr. Ma confirmed her test scores were 484, 482, and 478 (she believed). Dr. Esmaeili wanted to state for the record that she is Dr. Ma's supervisor and will therefore be recusing herself from this vote. Dr. Owens expressed that she sees no concerns with extending the registration for a year and granting Dr. Ma's request to take the EPPP-2 a fourth time.

When asked if she believed she could take the EPPP-2 before May, Dr. Ma indicated she possibly could. However, she is currently waiting on more study materials, which are currently unavailable. Further, she expressed that she was successful at passing the EPPP-1 on the first try. She does not believe her failure to pass is based upon her studying abilities or knowledge. Dr. Young indicated the ASPPB is working on additional study materials for the public to use, and suggested that Dr. Ma reach out to them to obtain those materials, if available.

***On motion by Stephanie Holland, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved Dr. Vanessa Ma's request to take the EPPP-2 a fourth time and to extend her registration as a Psychologist Assistant for an additional year, with her registration being retroactive from May 2022 to November 2024. (Yea: Whitney Owens, Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 5-0 with Dr. Soseh Esmaeili abstained from the vote.***

**F. (For Possible Action) Discussion and Possible Action on approving Dr. Bernadette Hinojos's application to extend her registration as a Psychological Assistant.**

Dr. Owens stated that Dr. Hinojos has requested that her registration as a Psychological Assistant be extended. Dr. Hinojos was originally approved as Psychological Assistant in October 2017. In July 2019, Dr. Hinojos was issued a certificate of registration as a Psychological Assistant (PA019) under Dr. Diana Wright's supervision that was valid through November 2021. In July 2021, that registration was extended through July 8, 2022. At that point, Dr. Hinojos was under Dr. Quinten Lynn's supervision.

In September 2022, the Board approved another registration extension request through September 8, 2023. Dr. Hinojos continued to be under Dr. Lynn's supervision.

Dr. Hinojos is requesting an additional extension of her registration as a Psychological Assistant under Dr. Quinten Lynn's continued supervision. The reason for her request is so that she can apply for and complete the requirements for licensure. Dr. Owens asked that the executive director remind the Board of the requirements as included in the NRS. A discussion occurred regarding how many times an assistant can renew their assistantship, which is 3 times. It was confirmed that Dr. Hinojos has renewed several times in the past. Dr. Hinojos had passed the state exam in 2020, but still has to take the other 2 tests. Dr. Owens shared why the Board has limitations on renewals for assistants, which revolves around protecting the trainees from abuse with the supervisors helping to prepare the supervisees for independent licensure and that is the purpose of the renewal limitations – to encourage them into licensure. Dr. Hinojos's registration expired in September. When Dr. Hinojos requested a renewal and that is when the executive director confirmed it would need to go before the Board. The executive director stated that Dr. Hinojos has been before the Board before for extensions once or twice. The executive director stated she does not have a lot of details as Dr. Hinojos did not provide much more than requesting that her application be submitted so she could pursue licensure. Dr. Owens poses different options: (1) request information from Dr. Hinojos on what extenuating circumstances; (2) could extend grace and offer an extension with the understanding that this would be the last extension; (3) could deny the extension and have her take the exams without being registered and hope that she passes them and can apply for license.

Dr. Benuto indicated that the notes state she was previously granted one in 2017, so this would be 6 years of registration. Dr. Benuto is concerned in all of the documentation there is not an explanation for why the request is being made or why so much time has elapsed. Dr. Holland concurs with Dr. Benuto's concerns. The executive director does not have any insight on this matter, as she has not previously dealt with

Dr. Hinojos with the exception of this request. The executive director said she did try to look into it to provide the synopsis that had been provided. Dr. Pearson wanted to know if anyone could recall the circumstances for the extension in 2022. The executive director stated she believed Dr. Hinojos's hours were complete. The prior minutes did not provide much insight other than to say they approved the extension. Dr. Pearson found it hard to move forward with approval without more information from the applicant for the extension. The executive director said she could follow up with Dr. Hinojos to provide more information to be discussed during the next meeting.

Dr. Owens thought the Board should consider the fact that Dr. Hinojos's registration has been expired for over a month, which is a concern for Dr. Owens because of the timing of the request, as well as Dr. Hinojos practicing under an expired license. With that, Dr. Owens asked if the Board wanted to suspend her registration (she is practicing under an expired registration) or retroactively extend that for Dr. Hinojos to provide an explanation as to why the extension needs to happen. However, the second option posed another concern for Dr. Owens in setting a precedence that people can allow their registration to expire and it will not be a problem. Dr. Owens confirmed they want the licensees to be aware and responsible for the awareness related to their expiration to take the appropriate steps. Dr. Benuto shared Dr. Owen's concerns.

Dr. Holland believed that Dr. Hinojos should be present so the Board can ask some questions. Dr. Holland does not feel comfortable making a decision without more information. Dr. Owens does, however, believe a decision needs to be made since they are dealing with a registrant whose license already lapsed. A decision should be made about that despite her lack of attendance today. It appeared that Dr. Hinojos may be practicing under Dr. Lynn's license. Dr. Pearson wanted to know if the Board made the decision to suspend Dr. Hinojos' license and table the extension discussion until the following month when Dr. Hinojos can be present to provide more information, then at that time can the Board move remove the suspension if they deem approving her request upon extenuating circumstances. Basically, that the suspension is upheld until the Board has more information to approve or deny the request. According to Dr. Owens, the Board would not have to suspend it due to it being already expired. Accordingly, the Board could remind her that her license is expired and provide they need additional information to determine if they want to extend her registration, and given the registration is currently expired, it means Dr. Hinojos should not be practicing under Dr. Lynn's license until the Board can meet back again in December to determine if they want to extend the registration. Dr. Benuto confirmed the importance of reminding Dr. Hinojos that she should not be practicing at this time. She also agreed with Dr. Holland that it would not be wise to make a decision until they are provided additional information regarding any extension.

*On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners to approve tabling Dr. Bernadette Hinojos's application to extend registration as a Psychological Assistant until the December meeting when more information can be obtained from Dr. Bernadette Hinojos and for the Executive Director to let Dr. Bernadette Hinojos know that her registration is currently expired based on the end date of September and any practice will need to be stopped until the December meeting when a determination can be made. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**10. (For Possible Action) Discussion and Possible Action on the Board's Disciplinary and Complaints Policy and Regulations.**

**A. (For Possible Action) Discussion and Possible Action on proposed revisions to the Board's Complaints and Disciplinary Policy.**

The executive director stated that the Complaints and Discipline policy has been revised to:

- adjust the flow and writing style
- clarify some of the processes to reflect how complaints are addressed in practice
- remove duplicate language
- add reference to complaints that involve court ordered evaluations and psychological services
- remove reference to appendices that did not exist and add reference to appendices that do exist and are proposed
- make revisions Dr. Lenkeit proposed in reference to adding "remedial" to some of the sections that involve discipline
- add a table of contents that includes page number references and is hyperlinked

The executive director shared the revisions and discussed the same.

Dr. Owens asked if other than the recommended appendix from Dr. Young, are there any other substantive changes? The executive director indicated most are changes to the ebb and flow but not substantial changes. The proposed appendix C was reviewed on the record by the Board and it was presented by the Board Office. Dr. Young, who authored appendix C, was not present at this time. In response to Dr. Owen's inquiry about whether there is a list of disciplinary supervisors, the executive director stated

she is not aware of a list of disciplinary supervisors, but the investigators might have one. Dr. Owens was hesitant to approve that until they confirm if they do or do not have a list of disciplinary supervisors. As a result, this item was tabled until the Board can confirm the existence of a list with Dr. Young, and if they do not, does language need to be changed until they do. The executive director confirmed this is not in tracked changes because the whole document would be revised, making it overwhelming to review and would not be a meaningful draft.

*On motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners to table Agenda Item 10(A) until the December meeting with the understanding the Board will review the complaints and disciplinary policy and bring changes or questions to the December meeting. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**B. (For Possible Action) Discussion and Possible Action on creating regulations to establish a limitations period for filing complaints and for resolving complaints.**

During the ASPPB conference, discussions regarding statutes of limitations for complaints that are submitted to Psychological Boards and limitations periods for resolving complaints reinforced the potential importance of having them in the context of the fact that our regulations do not have such limitations periods. The question is whether the Board wants to consider creating and proposing regulations that establish limitations periods for filing complaints and resolving complaints.

The executive director shared Missouri's rules on this topic for the Board's review. Due to time restraints, Dr. Owens stated this should be sent to the Board for their review as an example of another jurisdiction's language. She said one of the pluses of this is to ensure the Board is moving along the complaints in a timely manner and that the Board and respondents are doing their due diligence to move things along. Other jurisdictions offered warnings about getting into a catch 22 that could revolve around dismissal due time line restrictions, which Dr. Owens thinks is unlikely. But Dr. Owens would like the Board to consider timelines, pros, cons, what are factors that should be considered for implementation, other jurisdictions, etc. to ensure efficient handling of the complaints for the protection of the public to ensure the Board is moving the complaints along. The executive director confirmed they are discussing a statute of limitations being implemented for those who want to make a complaint, as well as making sure complaints move along once they have been filed. Therefore, there are two things to consider. Dr. Owens asked that the executive director confirm that is in the email for the Board's review, especially for those people who were not present.

*On motion by Lorraine Benuto, second by Catherine Pearson, the Nevada State Board of Psychological Examiners to table Agenda Item 10(B) to the December meeting establish a limitations period for filing complaints and for resolving complaints. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*

**11. (For Information Purposes Only) Presentation by Dr. Hao Song, psychometrist for the ASPPB, on the EPPP-1 and EPPP-2.**

Prior to Dr. Hao Song's presentation, Dr. Owens reminded the Board that in the September meeting the Board considered some requirements of the EPPP-2, and that there seemed to be misinformation that the Board made a decision to retroactively require people who are already licensed to take the EPPP-2. That is incorrect. Once a licensee is licensed, the Board cannot take away that license. New applicants may be required to take the EPPP-2 for licensure in Nevada, however, if they were licensed in another state after 2020. For further clarification, this change only applies to applicants who have applied after the policy change, not the applicants who have applied before the policy change according to the Executive Director.

Dr. Hao Song is the associate executive officer of examinations for the ASPPB. Dr. Song presented on psychometrist for the ASPPB on the EPPP-1 and EPPP-2 to clarify some critical information.

No questions or comments were presented from the Board or public at this time.

**12. (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.**

Due to a conflict, Dr. Owens cannot attend the regularly scheduled meeting of December 8, 2023, and has requested that the next regular meeting of the Nevada Board of Psychological Examiners would be held on Friday, December 15, 2023, in Reno, Nevada, beginning at 8:00 a.m. It will be a hybrid meeting, so individuals can zoom in if necessary.

*On motion by Lorraine Benuto, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the request to move the next regular meeting of the Nevada Board of Psychological Examiners to December 15, 2023, beginning at 8:00 a.m. (Yea: Whitney Owens, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, Catherine Pearson, and Monique Abarca.) Motion Carried: 6-0.*



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

None were presented at this time.

**14. 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)

During the meeting, the Board Office received a public comment from Elena Gavrilova in response to the Board's EPPP-2 policy change. That was forwarded to the Board for their review.

Donald Hoier provided an antidote regarding his time as a police officer where they would hold public meetings and there was a guy that the board did not take seriously. Likewise, he feels like that guy wherein the Board did not take him seriously. As an example, he provided the comment about adding language regarding gender and how that comment was taken seriously enough for Dr. Owens to tell the executive director to take a note of that comment yet there was nothing but a thank you to his commentary regarding the fundamental right to due process that all American should be able to enjoy in this country. He affirmed he heard comments about the concerns being public safety and moving things along, not about the due process rights of respondents. As such, he believed it would be in the best interests of the Board to keep in mind while they are adjusting policy as he indicated it would inevitably come back and "bite the Board in the behind." Dr. Owens thanked Mr. Hoier and stated that once the meeting minutes are prepared by the Board Office, it will help her to break down those comments to ensure the Board can review his comments while reviewing the policy revisions. Dr. Owens reiterated that she heard his comments and that it is a lot to digest, but she wanted to make sure she fully digests his comments and suggestions prior to giving a response. She thanked Mr. Hoier for his time and comments.

No further public comment at this time.

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

There being no further business before the Board, President Owens adjourned the meeting at 1:52 p.m.