

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

December 6, 2024

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 Lorraine Benuto, PhD, at 10:01 a.m. on December 6, 2024, online via "Zoom" and physically at the Nevada State Business Center located at 3300 W. Sahara Ave., Suite 400, Las Vegas, NV 89102.

Roll Call: Board President, Lorraine Benuto, Ph.D., Secretary/Treasurer, Stephanie Woodard, Psy.D., members, Stephanie Holland, Psy.D.; Catherine Pearson, Ph.D.; and Robert Moering, Psy.D. were present at roll call. Members Monique Abarca and Dr. Soseh Esmaeili were absent. 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; Administrative Director Sarah Restori; members of the public: Donald Hoier, Mary Marcu, Claudia Mejia, Tatsiana Razzhavaikina, Kelly Robertson, Jodi Thomas, Akiko Hines, Dylena Pierce, Elaine Brown, Roberta Miranda, Sara Hunt, Sarah Burkett, and Becky Savio.

2. Public Comment. The Board wants to remind those who participate in public comment that you are limited to three minutes per person, and that public comment is reserved for comment only. It will not be used as a platform for questions and answers. If you have a statement that is longer than three minutes, please submit your statement in writing and the Board will include it in the written materials that are posted. If you have questions for which you would like answers, please email the Board office at nbop@govmail.state.nv.us.

DAG Ward reminded any members of the public who may have been there to comment on a pending complaint that our Deputy Attorney General has requested that no public comment be made on pending complaints.

There was no public comment.

3. (For Possible Action) Workshop to Solicit Comments on a Proposed Regulation (See Public Notice – 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. Benuto explained that during its October 11, 2024, meeting, the Board conducted a regulation workshop in which it considered the proposed regulation language that it had been working on for several months prior to that meeting to revise NAC 641.136 to include Continuing Professional Development as satisfying some of Nevada's Continuing Education requirements. During that regulation workshop, the Board began reconsidering whether the proposed revision to include pro bono services as Continuing Professional Development aligned with what is intended by continuing education requirements. The discussion focused on whether there could be a way to combine pro bono services with a learning component, and the Board ultimately tabled the regulation workshop for the next meeting so that it could further consider the proposed pro bono services provision in the context of the intent of continuing education.

She went on to state that since the October 11, 2024, regulation workshop, the Board office received a suggestion from a Board member on the proposed pro bono revision, that being to offer CEUs for pro bono work only to early career psychologists, who are still engaged in learning and gaining experience, the idea being that such a provision would address the public comment concern provided during the October meeting regarding CEU costs and also instill the value of doing pro bono work early on. In addition to that suggestion, the Board office received additional suggestions for Continuing Professional Development including Outcome Monitoring as a CPD option, CPD for self-care activities – giving credit to those who take care of themselves in meaningful ways to ensure that providers remain and not leave the profession, and teaching as an approved CPD activity as explained in a public comment letter the Board office received from a Nevada licensee.

Dr. Tatsiana Razzhavaikina shared that pro bono services as continuing education credits do not align. She also believed the idea of self-care as a credit is an ethical responsibility and should not be used to count towards continuing education.

Dr. Jodi Thomas shared she does not support giving credits towards providing pro bono services. She also shared that though self-care is important, she does not see it as a replacement for continuing education, and it would be a disservice to take away from the profession in that way.

Dr. Pearson shared that while supporting pro bono services should be encouraged, she was concerned that she doesn't know how they would be able to control which populations would benefit from that service in a way that is equitable.

Dr. Holland shared that while the intention is good, it is misplaced as being used as a continuing education credit.

Dr. Benuto shared that while everyone values this service, it does not fit as a continuing education credit.

Dr. Woodard agreed with the idea that the Board consider requiring pro bono work, but removing it as a continuing education credit.

On motion by Robert Moering, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved removing the consideration of providing pro bono services as a Continuing Education requirement. Woodard and Holland to form but not content. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

Dr. Lenkeit thought it was a good idea to include other types of programs such as counseling psychology programs to include towards a teaching CPD credit, and not just "clinical" psychology programs.

Dr. Woodard informed she believes it could be overly restrictive if it's limited to just APA-accredited courses, as the courses could be taught in a medical school for residents and is in favor of broadening the types of programs included.

Dr. Benuto and Dr. Moering suggested restricting the teaching courses to just graduate courses. Dr. Woodard believed these could also reasonably include master's level courses.

Dr. Pearson and Dr. Woodard expressed desire to limit the CPD's earned for teaching a course, "limited to no more than 6 hours in each of the following categories" under section 2 Academic Activities.

Dr. Benuto stated they also should take out "doctoral" level and replace it with "graduate" level or "graduate level clinically focused" courses. She also proposed adding a clause that states teaching graduate level clinically focused courses that the person prepared themselves, or something to that effect.

Dr. Razzhavaikina sought clarification on the definition and meaning of a "clinical" course. Dr. Benuto addressed this by stating they can work on language to encompass this meaning. Dr. Young recommended using the term "applied".

This agenda item was tabled for discussion for January's Board meeting.

4. Minutes. (For Possible Action) Discussion and Possible Approval of the Minutes of the State of Nevada Board of Psychological Examiners' October 11, 2024, Meeting.

There were no comments or changes suggested for the minutes of the October 11, 2024, meeting.

On motion by Robert Moering, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Regular Meeting of the Board held on October 11, 2024. Stephanie Woodard and Stephanie Holland approved the minutes as to form, but not content. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

5. Financials. (For Possible Action) Discussion and Possible Action to Approve the Treasurer’s Report for Fiscal Year 2025 (July 1, 2024, through June 30, 2025).

The Executive Director presented the Treasurer’s report. She stated that as of November 30, 2024, the checking account balance was \$282,514.35, and is increasing as the Board office continues to process renewals, the fees for which will be allocated to the four 2025-2026 biennium quarters. She explained that the Board is still in the first half of FY2025 and in the fourth 2023-2024 biennium quarter. For the first half of the fiscal year/fourth biennium quarter, the Board is currently operating on the \$80,730.33 in net deferred revenue that was distributed to the fourth biennium quarter from the 2023-2024 biennium renewals, and the approximately \$38,300 from the other deferred revenue distributions that were allocated to this 4th biennium quarter and first half of the new fiscal year, those being late renewals, new licensures, and registrations.

She went on to state that the savings account balance, which is the Board’s reserve account, was \$105,108.51. With the end of November, the Board is just over 38% of budgeted expenditures and a little over 43% of expected revenue.

The Board’s bookkeeper, Michelle Fox, has verified and validated the information being provided in the Treasurer’s report.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the Treasurer’s Report for Fiscal Year 2025. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

6. Legislative/Regulation Update

The Executive Director shared regulation and legislation updates. She stated that in addition to the continuing education regulation that was addressed earlier in the regulation workshop, the Board has one proposed regulation that is pending an LCB draft so that the Board can hold a regulation hearing on it. The LCB has identified that proposed regulation as R192-24, which is the resurrection of the national exam regulation that appeared to have been inadvertently repealed when the LCB codified NAC Chapter 641 earlier this year. Once they receive the LCB’s draft, they will notice a regulation hearing on it.

She went on to share that there are three bills that she is closely following. The first is SB78, which she refers to as the Board consolidation bill. That bill will, among many other things, consolidate Nevada's behavioral health boards under the Department of Business and Industry's Office of Boards, Commissions and Councils Standards, which was created by SB431 in 2023. As applicable to this Board, it is a proposed Nevada Behavioral Wellness Alliance Board under which this Board would be included with the other four Nevada Behavioral Health Boards. At this point, other than the bill, which has been provided in skeleton form, and an outline of the BCCS Office's October 2024 proposal for the consolidation, there is not yet much information available.

The other two BDRs that are now bills are SB68 and AB64. SB68 will impact the Board's NRS 641.145 reporting requirement, and AB64 makes some changes to public meeting requirements.

Dr. Benuto informed that she received an email from Business and Industry's Dr. Kris Sanchez and Nikki Haag's office indicating that she needed to meet with them. She stated it was a meeting with Board members for a chance to ask questions. She shared that she learned that they would still function as a Board, but the consolidated Board will take over the managerial functions which would include things like the website. She believes she would lose the current support staff. She believes this Board operates very well because of the current staff. She stated she believes administrative duties would move to a larger entity and not part of the individual Board office.

Dr. Lenkeit shared concerns with a larger Board. He wondered who would handle regulations and changes to bills, and stated based on what he's seeing, it would be a cumbersome process.

7. Report from the Nevada Psychological Association

Claudia Mejia spoke on NPA's position regarding the EPPP Part 2. She started by noting the ASPPB's recent October letter which she said stated by January 2026, the EPPP Part 2 will not be required. She stated they know that Nevada ranks low in terms of mental health providers and they want to reduce barriers including cost barriers and time to licensure barriers. She stated there seems to be a high fail rate and they don't know the impact the exam has on marginalized communities. She went on to say that on behalf of NPA, she would like the Board to consider revoking the EPPP Part 2. She stated both Arizona and Washington DC have recently revoked the EPPP Part 2.

Dr. Akiko Hines stated she believes it is important to look at the other states that were early adopters. She stated we have less psychologists and psychological assistants than those other states, but Nevada has a high need comparatively. She stated adding this additional barrier does not help clients because then there are less people to provide those services.

8. Report from the Board Office on Operations

The Administrative Director presented the Board office statistics. She stated The Board licensed 8 new Psychologists in October and 6 in November, and had relatively high activity in the licensure applications it received in November. She went on to state that as of December 2, the Board has 742 active licensees, which accounts for those who renewed from active to inactive, and 146 active applications for licensure. They have received a total of 312 renewals. She went on to state that as for those the Board registers, psychological assistants, psychological interns, and psychological trainees, there were a total of 76 that are registered and 24 active applications

The Executive Director provided the update that Dr. Gary Lenkeit provided his letter of resignation as a Board investigator effective January 1, 2025. She mentioned he may provide consulting services from time to time, but she will bring that to the Board at a future meeting. She expressed her gratitude toward his work and service on the Board.

The Executive Director provided a recap of the ASPPB conference she attended with other Board members at the end of October. She reminded it is through the ASPPB that they have PsyPact, and it is the ASPPB that administers the EPPP national exams. She stated she participated in the Board Administrators and Registrars committee (BARC) meeting, during which each jurisdiction in attendance shares with the other jurisdictions in attendance updates and information about what is going on in that jurisdiction. She stated because she is also a licensed attorney, and she participated in the "attorney meeting" in which legal professionals who either represent other boards or are in an administrative capacity like hers share updates and information from a legal perspective. She stated the ASPPB's voting delegates also voted on the candidates for the ASPPB's Board of Directors and elected Dr. Owens to the ASPPB Board.

She went on to state that the ASPPB sent out a letter toward the end of October stating that it had paused the decision to implement the EPPP-1 and the EPPP-2 in two separate parts in favor of determining the feasibility of implementing the EPPP as one test that incorporates both the EPPP-1 and EPPP-2 components. She stated that after that letter went out, the Board office received several inquiries regarding what that meant, with some interpretations seeming to be that the ASPPB halted the EPPP-2 altogether. Due to many inquiries and interpretations of the letter, she confirmed that what the ASPPB is doing is determining how the EPPP-1 and EPPP-2 will be implemented, not whether the EPPP-2 will be implemented. She received clarity that nothing has changed as it concerns the ASPPB's intention to administer a skills-based component of the EPPP, that it is just a matter of how, not whether, they are going to do that, and when in 2026 they would be able to roll that out.

The Executive Director provided a historical perspective on our Board's decision to require the EPPP-2. She researched the Board's April 2019 decision to be an early

adopter of the EPPP-2. She stated her research confirmed that one of the primary reasons the Board did so was because the EPPP-2 would replace the competency, or skills based, evaluation that the Nevada Board has always required for psychologists, but that was very expensive and cumbersome for the Board to administer and maintain. She stated that the Board also noted that the ASPPB is an organization with the resources to develop and maintain a valid, reliable and legally defensible examination to replace the Board's previous competency evaluation. She stated if anyone is interested in reviewing those minutes from April 2019, they are currently available on the Board's website, or she will email them by request.

She stated that during the last Board meeting, she gave an update on the various projects she's been working on, including the supervisor handbook, the state exam, disciplinary supervision, equivalency and the ATEAM, and the AB244 policy and will report on those at future meetings as she has updates.

With regards to renewals, she stated she is periodically sending out renewal reminders and with 295 active licensees having renewed at this point means they still have about 450 to go.

Dr. Benuto confirmed that the Board did away with their previous competency exam when they adopted the EPPP Part 2. She felt the letter from ASPPB was a little misleading as it sounded like the Part 2 was going away, but it is just going to be replaced by an exam that combines the Part 1 and Part 2. She stated the test will take a while to develop. She went on to state the Board has received lots of concerns about the EPPP Part 2.

Dr. Woodard stated she also attended the ASPPB conference in Dallas and during which, learned a lot about how ASPPB is thinking about the consolidation of the EPPP. She stated several other states have moved away from their own skills-based exam in favor of the EPPP Part 2. She stated it is not a perfect exam, but many states have moved forward to adopt it. She stated if the Board considered moving away from the EPPP Part 2, they would have to have a viable option to replace it with another skills-based exam. She reminded that one of reasons the states adopted it was because it helps the state maintain a minimum standard for professional psychologists entering into the profession, especially because there is such variability in applicants, this allows the state to have a litmus test to meet that minimum standard.

Dr. Benuto wondered if the previous skills-based exam the Board administered still exists. Dr. Young replied stating they paid a lot of money every year to maintain this exam, and they worked with a company out of California and it doesn't exist anymore. The Executive Director didn't have information on the previous skills-based exam as this was many years ago. Dr. Holland stated the questions that are on the current jurisprudence exam were developed by the company that also created the skills-based exam.

Dr. Benuto wondered if the pass rate could be adjusted. She wanted to recognize that she sees many that have struggled with the EPPP Part 2. Dr. Moering was also curious about this option. The Executive Director stated it is something she would have to look into.

The Executive Director raised concern about the amount and time and money it could take to create and implement their own skills-based exam, just in time for the Board to then have to implement the ASPPB's test.

Dr. Lenkeit added that in light of states dropping the EPPP Part 2 requirement, he believes the companies that produce the study materials and provide seminars are no longer going to provide them which could further the difficulty in passing the EPPP Part 2.

Dr. Young added that the content of the EPPP is always based on a survey based on the responses of thousands of practicing psychologists that provides a minimum dataset on what people in practice believe are the important knowledge and skills, and they give this survey about every seven years and they're getting ready to give another one. She encouraged everyone to participate.

Dr. Benuto requested pass and fail rate statistics for the Board to see and guide discussion. The Executive Director stated she does have access to data maintained by ASPPB and will provide her own analysis for a future Board meeting.

This item was tabled for further discussion at a future agenda meeting.

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

A. Complaint #19-0626

DAG Ward informed the hearing officer has submitted a second preliminary hearing and scheduling order on November 15th. The amended complaints have been filed and served in both cases. The hearing is set for November 12th-4th, 2025.

B. Complaint #23-0918

DAG Ward informed a formal complaint and notice of hearing has been served upon respondent. Respondents counsel has submitted their formal answer to the complaint on 11/19/2024.

C. Complaint #24-0103

DAG Ward informed the hearing officer has submitted a second preliminary hearing and scheduling order on November 15th. The amended complaints have been filed and served in both cases. The hearing is set for November 12th-4th, 2025.

D. Complaint #24-0312(1)

DAG Ward informed this matter has been referred to the MFT Board. The cease-and-desist letter has been sent to the respondent. The respondent received it on 11/26/2024, and a response was filed by them with DAG Ward and the Executive Director. The investigator requested further revision to the respondent's online site. The cease-and-desist letter and response will be forwarded to the New York and California Board.

E. Complaint #24-0312(2)

DAG Ward informed he finalized the complaint and notice of hearing has been served to the respondent and the respondent is to answer the complaint by 12/13/2024.

F. Complaint #24-0605

DAG Ward informed this complaint was received regarding misrepresentation of credentials and practicing without a license. The Board investigators have requested additional information from the complainant which has been provided. They are in the process of issuing a cease-and-desist letter to the respondent in regard to language on the online sites.

G. Complaint #24-0607

DAG Ward informed this was a self-report from a licensee regarding two misdemeanor convictions. The Board complaint has been prepared and forwarded to the respondent who has responded to the complaint. The respondent has agreed to the investigator's terms for resolution.

H. Complaints #24-0711

#24-0719

#24-0726

#24-0823

DAG Ward informed these four complaints are against the same psychologist. All complaints have been forwarded to the respondent and appropriate federal agencies. DAG Ward informed he has been in communication with respondent's counsel and respondent is in the process of preparing his answers to the complaint.

I. Complaint #24-0730

DAG Ward informed a cease-and-desist letter has been sent out to the respondent and they are awaiting a response which should be by mid-December, 2024.

J. Complaint #24-0829

DAG Ward informed this was received and forwarded to an investigator for review. Additional information was received from both the complainant and respondent per the investigator's request. The investigator is recommended further formal action.

K. Complaint #24-0903

DAG Ward informed this was received and forwarded to an investigator for review. He is in the process of preparing a cease-and-desist letter with service pending locating an accurate address.

L. Complaint #24-0924

DAG Ward informed this was received and forwarded to an investigator for review. The investigator has requested to prepare a cease-and-desist letter to the respondent. The investigator response and recommendations for a cease-and-desist order which DAG Ward is in the process of preparing.

M. Complaint #24-1015

DAG Ward informed the complaint was received regarding unprofessional conduct. The allegations are that the complainant reported a series of "bizarre behaviors" on the part of the psychologist during their session. Complainant reported being very uncomfortable during therapy session. The psychologist was contacted and provided a very different description of the events. The psychologist provided logical and reasonable explanations for the misinterpreted behaviors. The analysis of the case is that the only available evidence was the very different description of events provided by the only two people in the room at the time and no way of proving either story. The psychologist was able to provide ethical and appropriate boundaries and why they would never behave in that way. It was reported that the psychologist wishes the client well and hope they would find help through another therapist. There is no evidence in this matter regarding NAC or NRS and dismissal was recommended.

Dr. Young reminded that these reports are kept intentionally vague to protect identity of people involved.

On motion by Robert Moering, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved dismissing Complaint #24-1015. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

N. Complaint #24-1023

DAG Ward informed complaint was received regarding ethical violations and forwarded to the investigator. A request from the attorney for whom the respondent did work was to speak to the investigator. DAG Ward has been speaking with the attorney for the complainant and respondent. Requests have been made by DAG Ward with respondent's attorney regarding "work product". Council for the respondent will be responding with DAG Ward as well as the investigator in regard to work related privileged work product and requesting that this information remain confidential and not a public record.

O. Complaint #24-1125

DAG Ward informed complaint was received regarding misrepresentation of credentials. This has been forwarded to the investigator. The respondent is an applicant for licensure. Complaint was forwarded to respondent for response which is due on 12/16/2024. An email response from respondent updated that all online presences were updated and responded to all allegations, respondent has responded to the complaint. All responses have been forwarded to the investigator.

Dr. Lenkeit added that though he is leaving his position as Board investigator, he will continue to work on Complaint #23-0918 and #24-0607 until they are complete.

10. (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: **Fredrica Hendrix, Cody Kaneshiro, Cynthia Funes, Christine Moberg, Kristin Robinson, Charles Bichajian, Amy Vail, Grady Gallagher, Elsa Baena, Coreen Schwartz Starr, Kathi Jones-Iorenz, Robert Nemerovski, Tyson Furr, Danielle Richards, Bernadette Hinojos, Carol McLean, Jessica Peltan, Carol McLean, Chelsea Mackey, and Luzviminda Morrow.**

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the following applicants for licensure contingent upon completion of licensure requirements: Fredrica Hendrix, Cody Kaneshiro, Cynthia Funes, Christine Moberg, Kristin Robinson, Charles Bichajian, Amy Vail, Grady Gallagher, Elsa Baena, Coreen Schwartz Starr, Kathi Jones-Iorenz, Robert Nemerovski, Tyson Furr, Danielle Richards, Bernadette Hinojos, Carol McLean, Jessica Peltan, Carol McLean, Chelsea Mackey, and Luzviminda Morrow. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

- A. (For Possible Action) Discussion and Possible Action to Approve Dr. Dylena Pierce's request to extend her registration as a Psychological Assistant for a fifth year.

The Executive Director presented Dr. Dylena's Pierce request to extend her registration as a Psychological Assistant for a fifth year. She shared that Dr. Dylena Pierce requested that this Board approve extending her registration as a Psychological Assistant for a Fifth year. Dr. Pierce's request is based upon her efforts to pass the EPPP-1, which she details in her letter that is provided with the applicant materials provided to the Board members.

Dr. Moering wanted to know how Dr. Pierce's studying plans are different than past times. Dr. Pierce stated that she will be cutting back on the number of evaluations she

will be doing per week, though it is difficult financially to do so. She stated she will be cutting back the for the next four to five months. She also stated she felt the third-party study materials are not helpful, the materials aren't standardized, and for-profit driven. She stated this is the last time she's going to follow through with studying.

On motion by Stephanie Holland, second by Robert Moering, the Nevada State Board of Psychological Examiners approved Dr. Dylena Pierce's request to extend her registration as a Psychological Assistant for a fifth year. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

B. (For Possible Action) Discussion and Possible Action to Approve Dr. Jeffrey Aguiar's request to retake the EPPP-2 a Fourth time.

Dr. Benuto shared that Dr. Jeffrey Aguiar, who is an applicant for licensure, has applied to retake the EPPP-2 a fourth time. He passed the EPPP-1 and the State Exam in August 2024. He took the EPPP-2 in September, October, and November of this year, but did not receive a passing score. She shared that Dr. Aguiar's application to retake the EPPP-2 includes his study schedule, study programs, areas of focus, and other guidelines he intends to review.

Dr. Holland shared that she is Dr. Aguiar's clinical supervisor. She shared that he was unable to attend the meeting this morning. She shared that he's come very close to passing and has worked very hard towards passing the exam. She stated they are working together to ensure he has the time to study and pass.

Dr. Moering wanted to know if Dr. Aguiar is doing anything different to prepare for the exam. Dr. Holland stated that she believes he will be participating in a more formalized study program. She stated because these programs are very expensive which kept him from utilizing them in the past.

Dr. Benuto reminded that there are no official study materials for the EPPP Part 2. She stated Nevada was an early adopter, and many states have pulled out as early adopters as there is a lack of resources to prepare the exam.

Dr. Young informed that the most reliable preparation materials can be found on the ASPPB website. The Executive Director also shared there are practice exams now available on the ASPPB website.

On motion by Robert Moering, second by Stephanie Woodard the Nevada State Board of Psychological Examiners approved Dr. Jeffrey Aguiar's request to retake the EPPP-2 a fourth time. (Yea: Lorraine Benuto, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0. Stephanie Holland abstained from the vote.

11. (For Possible Action) Discussion and Possible Action to Approve Dr. Sarah Burkett's Request for an Extension to Complete the Continuing Education Required for Renewal.

Dr. Benuto informed that Dr. Sarah Burkett has requested an extension of time to complete the required Continuing Education hours required for renewal and has submitted a letter to Board explaining the reason for her request. That letter is included in the meeting materials provided to the Board.

She shared that NAC 641.132(4) permits a licensee to request a 60-day extension to complete the continuing education required for renewal so long as that licensee submits to the Board, on or before December 1, immediately preceding the license expiration, a written request for an extension that includes a compelling explanation for not completing the continuing education requirements during the immediately preceding 2 years. Dr. Burkett submitted her letter of explanation to the Board office on November 29, 2024.

The Executive Director reminded that Dr. Burkett is still required to submit the renewal application and pay fee by 12/31/24, and this would only provide additional time to submit CEs.

On motion by Stephanie Woodard, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved Dr. Sarah Burkett's request for a 60-day extension to complete the continuing education required for renewal. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

12. (For Possible Action) Discussion and Possible Action to Approve Proposed Supervisor Handbook for Supervisors of Psychological Assistants, Psychological Interns, and Psychological Trainees.

The Executive Director presented the proposed Supervisor Handbook for Supervisors of Psychological Assistants, Psychological Interns, and Psychological Trainees.

She stated that during its April 12, 2024, meeting, the Board conducted a regulation hearing on and approved R002-24, which revised some of the Board's regulations regarding the supervision of psychological assistants, psychological interns and psychological trainees. The Legislative Commission approved R002-24 during its September 13, 2024, meeting, after which the regulation was filed with the Secretary of State and went into effect.

She went on to state that during the course of the 2023 meetings of what she called the "Supervision Subcommittee," which developed the revised language that became R002-24, the Subcommittee proposed creating a Supervisor Handbook that

encompassed the relevant provisions of NAC Chapter 641, including those in R002-24. After R002-24 was adopted and went into effect, she prepared a proposed Supervisor Handbook for Supervisors of Psychological Assistants, Psychological Interns, and Psychological Trainees aligned with NAC 641.1506 - 641.168 for the Board's review and consideration during its October 11, 2024, meeting. The Board tabled a decision on the draft handbook in favor of including some revisions and additional information discussed during that meeting to be considered at a future Board meeting. The Clinical Supervision Handbook draft that is now before the Board for its review and consideration includes the revisions and additional information requested and suggested at the October 11, 2024, meeting.

Dr. Benuto clarified that this handbook only applies to individuals that are registered with the Board and this document is just a resource for those supervising someone registered with the Board.

Dr. Holland asked if this applies to any supervisor, primary or secondary supervisor. The Executive Director confirmed that this does incorporate those revisions where the Board eliminated that requirement of three years for primary supervisors in favor of more competency based supervision qualifications. The Executive Director stated she doesn't recall discussion around the distinction of primary and secondary supervisors and will need to look into that.

The Executive Director recommended approving this handbook and if any changes needed to be made, she will come back with a revised version for approval.

On motion by Catherine Pearson, second by Robert Moering, the Nevada State Board of Psychological Examiners approved the Supervisor Handbook for Supervisors or Psychological Assistants, Psychological Interns, and Psychological Trainees. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

13. (For Possible Action) Discussion and Possible Action Regarding Potential Financial Assistance that Could be Provided to Certain Applicants for EPPP Study Materials.

Dr. Benuto shared that after recently becoming aware of the efforts of at least one other jurisdiction (Minnesota) to provide assistance to certain licensure applicants who had difficulty passing the EPPP, she wondered about the Board exploring whether something similar could be done in Nevada. She recently met with Dr. Sara Hunt with BeHere NV to begin a dialog regarding what options there may be to provide such assistance, during which they talked about bringing the idea before the Board for further discussion and consideration. Dr. Benuto stated the pass rate has been really high for those that have been able to use this program.

Dr. Sara Hunt presented information on BeHere Nevada. She shared that BeHere is an initiative under the Nevada System of Higher Education with the goal to invest and grow the pipeline of mental health professionals in the state. BeHere also looks at initiatives to retain graduates in mental health. She recognized that one of the barriers are financial barriers including financial barriers of licensing exams.

Dr. Holland agreed a model or grant such as this is very much needed. Dr. Woodard recognized the financial burden and that this is a good way to support graduates towards licensure.

The Board agreed to continue to work with BeHere Nevada to establish a model for financial assistance for the EPPP for the State of Nevada.

On motion by Robert Moering, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved continue working with BeHere to establish a model for the State of Nevada. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

14. (For Possible Action) Discussion and Possible Action regarding the Proposed Policy/Regulatory Guidance regarding R095-23 (Response to 2023 AB244).

The Executive Director shared that in 2024, the Board worked diligently to respond to 2023 AB244, which established certain rights to a person compelled to submit to a mental or physical examination, including that person's ability to have a third-party observer present during the examination. Included in the Board's response was regulation revisions that passed through the Legislative Commission as R095-23.

She went on to state that the Board's Regulation Workshops and Hearings on the various proposed draft versions of R095-23 included pretty significant public comment that sought, among other things, clarity and distinctions in the terminology suggested and proposed for the regulation. The Board ultimately decided to approve a version of the regulation that would allow it to address its regulatory intent with guidance that would assist in interpreting R095-23 as it relates to the code of conduct and ethics. The first section of that document is the background that gave rise to R095-23. AB244 went into effect during the 2023 Legislative Session and the Board's efforts to respond to it by publishing a statement on its website and developing regulatory language.

The Executive Director stated she stopped short of proposing the regulatory guidance for the Board in favor getting some assistance from some dialog among the Board members on, for instance, the terms of art that are at issue in providing the R095-23 guidance.

Dr. Lenkeit stated he does not think it's necessary to include the background information paragraph and not include the history as the document should focus on the changes that are made.

Tabled for a future agenda item when Dr. Woodard can speak to the proposed policy.

15. (For Possible Action) Discussion and Possible Action to Approve the Executive Director's Potential Election to Receive Benefits through the Nevada Public Employees' Benefits Program (PEBP).

The Executive Director requested receiving health benefits from PEBP in the future should she need them. She stated that during its February 9, 2024, meeting, the Board approved revisions to its Employment, Compensation, and Evaluation Policy to include a provision under the Benefits sections for the Executive Director and full-time office staff that permits them to elect to receive insurance benefits through the Nevada Public Employees' Benefits Program.

She stated there is an impact on the budget for that, as it would increase what the Board pays for her benefits. Currently, the Board only contributes to PERS on her behalf, which is part of the total PERS allocation identified in the Budget. If the Board approves her election to be covered under PEBP, the allocation to that budget item will increase, an approximation of which she has included in the current budget with that change. The Board has sufficient money in the budget to absorb that additional expense and still be within budget. If approved, she will come back to the Board with a revised budget that includes the PEBP benefits for her.

On motion by Robert Moering, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved the Executive Director's request to receive health benefits through the Public Employees' Benefit Program (PEBP). (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

16. (For Possible Action) Discussion and Possible Action to Approve Schedule of Future Board Meetings, Hearings, and Workshops. The Board May Discuss and Decide Future Meeting Dates, Hearing Dates, and Workshop Dates.

- A. (For Possible Action) Discussion and Possible Action to Approve the Meeting schedule for 2025, as follows:

| | |
|-------------|--------------|
| January 10 | July 11 |
| February 14 | August 8 |
| March 7 | September 12 |
| April 11 | October 10 |

| | |
|---------|-------------|
| May 9 | November 14 |
| June 13 | December 12 |

Dr. Benuto requested that the March Board meeting be held on March 7, 2025.

On motion by Stephanie Holland, second by Catherine Pearson, the Nevada State Board of Psychological Examiners approved the Meeting Schedule for 2025. (Yea: Lorraine Benuto, Stephanie Holland, Robert Moering, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 5-0.

- B. The next regular meeting of the Nevada Board of Psychological Examiners is currently scheduled for Friday, January 10, 2025, beginning at 8:00 a.m.

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

There were no requests for future Board meeting agenda items.

18. Public Comment. The Board wants to remind those who participate in public comment that you are limited to three minutes per person, and that public comment is reserved for comment only. It will not be used as a platform for questions and answers. If you have a statement that is longer than three minutes, please submit your statement in writing and the Board will include it in the written materials that are posted. If you have questions for which you would like answers, please email the Board office at nbop@govmail.state.nv.us.

Dr. Benuto wanted to remind members of the public that our Deputy Attorney General has requested that no public comment be made on any pending complaints.

Following Dr. Lenkeit’s announcement of resignation from the Board, the Board members expressed their appreciation for Dr. Lenkeit’s work and dedication to the Board and practice of psychology.

Dr. Akiko Hines shared public comment regarding the EPPP. She stated that currently, the EPPP Part 1 has questions in the cultural section that are outdated. She stated some states are currently having the discussion to lower the EPPP score because it’s been challenging for the marginalized groups to pass. She stated a representative from ASPPB stated each Board is required to maintain their own statistics as she was directed to get statistic information for her Board from ASPPB. She mentioned a few states that do not have a skills-based test. She stated if the Board is going to provide information on what other states are doing, that they provide factual information. She stated there are issues with both the EPPP Part 1 and 2.

Donald Hoier shared public comment regarding the EPPP. He stated there was a Governor's Executive Order requesting all Boards eliminate barriers to licensure. He stated the EPPP Part 2 is a barrier to licensure. He stated the Board has a steady stream of individuals asking for 3rd and 4th attempts. He said based on statistical information he could find, some of that coming from the Board office, the mean score for test takers in Nevada is 5 points under the passing grade. He stated that if the Governor knew that this was going on, he would be very upset.

19. (For Possible Action) Adjournment

There being no further business before the Board, President Dr. Benuto adjourned the meeting at 12:43 p.m.