



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
775-688-2555

MINUTES OF BOARD MEETING
December 16, 2016

The meeting of the Board of Examiners for Social Workers was called to order by Rod Smith, Board President, at 9:05 a.m. The meeting was held at Mojave Mental Health: Reno, 745 W. Moana Lane, Suite 100, in Reno, Nevada. There was a simultaneous videoconference conducted at Mojave Adult Clinic, 4000 E. Charleston Blvd., Suite B-230, Las Vegas, Nevada. President Smith noted that the meeting had been properly posted and that the Board members present constituted a quorum. Roll call was initiated by President Smith, with the following individuals present at the following location(s):

Members Present:

Rod Smith, Board President, Reno
Vikki Erickson, LCSW, Secretary/Treasurer, Reno
Jodi Ussher, LCSW, Board Member, Reno
Annie Wilson, LSW, Board Vice President, Las Vegas
Colleen York, LSW, Board Member, Las Vegas

Staff Present

Kim Frakes, LCSW, Executive Director, Las Vegas
Henna Rasul, Senior Deputy Attorney General, Reno

Public Attendees

Nicholas Graham, Reno
Margarita Portillo Hernandez, Reno

PUBLIC COMMENT

No public comment was offered at this time.

CONSENT AGENDA

Review, Discussion and for Possible Action, Approval of the Consent Agenda

A motion was made by Jodi Ussher and seconded by Vikki Erickson, to approve the Agenda as submitted. This motion was carried without objection.

REGULAR AGENDA

DISCIPLINARY MATTERS

Review, Discussion and for Possible Action, Approval of Consent Decree (Settlement Agreement) in the Matter Pertaining to Sonia Martinez, LSW, Disciplinary Case Number, G15-04.

Kim Frakes presented this agenda item to the Board. Each Board member's Board meeting packet in Las Vegas contained the proposed Consent Decree for Sonia Martinez, with instructions not to open the sealed envelope containing the Consent Decree until instructed. Ms. Frakes instructed the Las Vegas Board members

to open the envelope and she also distributed the Consent Decree to the Board members in Reno. President Smith requested the Board to take approximately 10 minutes in order to thoroughly review the Consent Decree. Discussion followed pertaining to the facts of the Consent Decree and whether the proposed stipulations were considered standard. Ms. Frakes indicated that most of the proposed stipulations were standard. Concerns were raised pertaining to continuing education requirements and why none were stipulated in the Consent Decree. Ms. Frakes indicated that Ms. Martinez had provided proof of continuing education completion and since the violations did not pertain to continuing education matters, none were included. Vikki Erickson offered to assist in the development of the open book constructed exam, which was a part of Ms. Martinez's stipulations in the Consent Decree.

Following review and discussion of this agenda item, a motion was made by Vikki Erickson and seconded by Colleen York, to accept the Consent Decree for Disciplinary Case G15-04, as submitted. This motion was carried without objection.

Review, Discussion and for Possible Action, Recommendation to Dismiss: Disciplinary Case Number, G16-18.

Kim Frakes presented redacted background information pertaining to **Case G16-18**, along with her recommendation to dismiss this case. This case was reviewed with Henna Rasul, Sr. Deputy Attorney General, prior to placing this matter onto the Board meeting agenda. Colleen York inquired about the licensee's response to the allegations contained in Case G16-18. Ms. Frakes indicated that since this was hearsay information which was not verifiable, the licensee was notified regarding the allegations, informed that this matter would be presented at this Board meeting in a redacted format, with recommendations to dismiss this case. The licensee was informed that the Board would accept a comment from the licensee, as a matter of record to be included with the closed file, but that the comment from the licensee was not mandatory. Following review and discussion of this matter, a motion was made by Annie Wilson and seconded by Jodi Ussher, to dismiss Case G16-18, as presented by Ms. Frakes. This motion was carried without objection.

Review and Discussion, Redacted Disciplinary Report and Update Pertaining to Ongoing Efforts to Address Disciplinary Cases. *(This matter was tabled in order to aid in the efficacy of the meeting).*

LICENSURE, INTERN AND APPLICATION ISSUES

Review, Discussion and for Possible Action, Social Worker Re-application by Nicholas J. Graham, Following Board Disciplinary Actions Taken in 2011 and 2012, Including Licensure Revocation, of a Previously Issued Social Worker License, Number 5412-S.

Kim Frakes presented this agenda item to the Board. A copy of the Board's November 28, 2016 letter to Nicholas Graham, is enclosed in each Board Member's Board meeting packet. This letter summarizes Mr. Graham's history with the Board, including original licensure and disciplinary actions. Following review and discussion pertaining to this matter, the Board may, pursuant to NRS and NAC 641B, either approve or deny a license to Mr. Graham. The Board may also approve Mr. Graham's license and follow with disciplinary action(s) via a Board Order. Each Board member's Board meeting packet contained:

1. A copy of the Board's November 28, 2016 letter to Mr. Graham;
2. A copy of the original consent decree (settlement), approved by the Board on December 16, 2011;

3. A copy of the first Board Order, approved by the Board on April 27, 2012; and
4. A copy of the second and final Board Order, approved by the Board on October 19, 2012.

Mr. Graham was present during this meeting and addressed the Board. He indicated that at the time of the violations and Board actions under his first LSW license, he expressed that he had been immature and did not appreciate his social work license. Following his three (3) year absence from the social work profession, Mr. Graham indicated that he became appreciative of his license, which by then had been revoked by the Board. He further indicated that while practicing under his LSW license, he believed that he was "good" at his job and never engaged in behavior that was unethical or harmful to his clients. Following review and discussion, a motion was made by Jodi Ussher and seconded by Vikki Erickson, to approve Mr. Graham for licensure as a social worker, with a stipulation that his license be placed on probation for six (6) months and that he complete a course pertaining to the subject of "Law and Ethics" prior to the Board's termination of his probation. This motion was carried without objection. Henna Rasul indicated that she would email a copy of an Order reflecting the Board's motion.

Review, Discussion Pertaining to Application for a Social Worker License by Margarita Portillo Hernandez.

Kim Frakes presented this agenda item to the Board. On July 22, 2016, the Board received a social worker license application from Margarita Portillo Hernandez. Ms. Portillo Hernandez answered, "YES", to screening questions pertaining to previous arrests and/or convictions. Ms. Portillo Hernandez provided a written explanation and the required documentation on some of the arrests, while others arrests contained on the criminal background checks were incomplete. A copy of the Board's September 8, 2016 letter to Ms. Portillo Hernandez summarizes the outcome of her criminal history obtained from her submitted fingerprint cards. Although the Board's Executive Director may, in most instances, conduct a YES Policy Review with the Board President and move an applicant along, given the number of incidents in Ms. Portillo Hernandez's criminal background check, including an incident which is less than a year old (i.e. 04/15/2016), her application has been brought to the Board for examination. During review and discussion of this matter, the Board may also examine Ms. Portillo Hernandez in order to determine her fitness for duty. Ms. Portillo Hernandez has taken and passed the Bachelor's exam on September 22, 2016 and would be eligible for licensure if approved by the Board. In reviewing this matter, Ms. Frakes may offer the Board a historical perspective on how the Board has addressed similar applications in the past.

Documentation:

1. A copy of the Board's September 8, 2016 letter to Margarita Portillo Hernandez;
2. A copy of NRS and NAC 641B, which provides the Board statutory and regulatory authority pertaining to this matter:

NRS 641B.260 Hearing on application; refusal to issue license.

1. The Board may hold hearings and conduct investigations into any matter related to an application for licensure. The Board may require the presentation of evidence.
2. The Board may refuse to issue a license to an applicant if the applicant:
 - (a) Is not of good moral character as it relates to the practice of social work;
 - (b) Has submitted any false credential to the Board;
 - (c) Has been disciplined in another state in connection with the practice of social work or has committed any act in another state which is a violation of this chapter; or
 - (d) Fails to comply with any other requirements for licensure.(Added to NRS by [1987, 1119](#); A [1995, 450](#))

NAC 641B.090 Application for licensure or renewal; conditions for waiver of examination. ([NRS 641B.160, 641B.202](#))

1. An application for licensure or renewal must be submitted on a form provided by the Board.
2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he or she has previously submitted to the Board.
3. By submitting an application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within the application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.
4. An applicant for initial licensure must submit to the Board to satisfy the requirements of [NRS 641B.202](#):
 - (a) Two sets of completed fingerprint cards;
 - (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and
 - (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.
5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.
6. If deemed necessary, the Board will require the personal appearance of the applicant.
7. For each application, the Board will:
 - (a) Approve the application;
 - (b) Defer action on the application pending the receipt by the Board of additional information concerning the application; or
 - (c) Deny the application.
8. The Board will waive the required examination for an applicant if:
 - (a) The applicant is not eligible for endorsement pursuant to [NAC 641B.126](#);
 - (b) The applicant has passed an appropriate examination in another state within the 6 months immediately preceding the date on which he or she submits his or her application for licensure with the Board; and
 - (c) The examination that the applicant passed is equivalent to the examination that the applicant would otherwise be required to take pursuant to [NAC 641B.105](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-8-95; R112-00, 1-17-2001; R079-02, 1-9-2003; R048-04, 5-25-2004; R142-08, 2-11-2009)

Ms. Portillo was present to address the Board and answer any of their questions. The Board inquired about Ms. Portillo's emotional support system and situations which may become stressors for her as well as coping skills. Ms. Portillo indicated that her family provides her ongoing support and that she relies on them. The Board also acknowledged Ms. Portillo's strengths and commended her on her efforts to help others and to draw upon her past experiences in assisting her clients. Following review and discussion, a motion was made to approve Ms. Portillo for social work licensure without any restrictions to her license. This motion was carried without objection.

Review and Discussion, Summary of the Board's 3rd/2016 Quarterly Statistics, as Posted on the Board's Website at:

<http://socwork.nv.gov/uploadedFiles/socworknvgov/content/about/2016-1st-Quarter-Licensure-Statistics.pdf> and Information from this Summary Also Posted on the State Legislature's Website at: <https://www.leg.state.nv.us/App/OL/A/>.

Kim Frakes presented this agenda item to the Board. On a quarterly basis, the Board's Executive Director, pursuant to NRS 622.100 is required to submit a report on the Legislative Website which summarizes the total number of new, restored, expired, denied and deceased licenses. The report also provides information pertaining to disciplinary actions taken against a specific licensee. Over the past year, Kim Frakes has

provided the Board a more in depth report pertaining to the above information. The Board appears to benefit from the more detailed information provided in Ms. Frakes' quarterly statistical report. Each Board member Board meeting packet contained a copy of the 3rd/Quarter Licensure Statistics. Following review of this agenda item, the Board expressed that this ongoing information was helpful.

(Following review and discussion of the above agenda item, the Board took a 10 minute break. Upon resuming the Board meeting, it was noted that Jodi Ussher was not present and returned about 20 minutes following resuming the Board meeting. There were enough Board members present, however, to constitute a quorum and accordingly, resume the Board meeting.)

DISCIPLINARY MATTERS--CONTINUED

Review and Discussion, Redacted Disciplinary Report and Update Pertaining to Ongoing Efforts to Address Disciplinary Cases.

Kim Frakes presented this agenda item to the Board. This offered the Board an opportunity to inquire about the status of certain cases as well as offer comments or input regarding the overall direction of the disciplinary cases under review by the Executive Director. Enclosed in each Board member's Board meeting packet was a copy of the redacted Disciplinary Report, current as of December 12, 2016. The Board expressed concerns regarding the fact that there appeared to be little movement in the disciplinary cases. Paula Berkley inquired about why the respondents were not notified within 90 days, pursuant to NRS 622. Ms. Frakes indicated that to the best of her knowledge, this was not a stipulation in NRS 622. The Board strongly urged Ms. Frakes to continue working on ways to address the cases on the Board's disciplinary list, including ways to streamline the process of notifying licensees about accusations.

LEGISLATIVE AND REGULATORY ISSUES

Review, Discussion and for Possible Action, Approval of Proposed Contract Pertaining to Paula Berkley and Associates, for Services as a Board Lobbyist Prior to and During the 79th/2017 State Legislative Session.

Kim Frakes presented this agenda item to the Board. During the August 19, 2016 Board meeting, the Board had approved for the Board's Executive Director to draft a contract with a prospective lobbyist, with a final drafted contract to be reviewed for possible approval at a subsequent Board meeting. Paula Berkley has expressed interest in providing services as a lobbyist for the Board during the upcoming legislative session. Ms. Berkley brings a wealth of experience and has agreed to meet with the Board during this scheduled Board meeting. If the Board takes action to move forward with Ms. Berkley, then the attached contract will be finalized following the Board meeting and submitted to the State's Board of Examiners Clerk for final approval.

Each Board members' Board meeting packet included copies of:

1. A copy of the proposed drafted contract. Given the length of the contract, one (1) copy is provided at the Las Vegas Board Meeting location and two (2) copies are available at the Reno Board Meeting location;
2. Contingent upon approval by the Board for Ms. Berkley to provide lobbying services, a copy of Ms. Berkley's "Goal(s)" when providing lobbying services for the Board; and
3. Contingent upon approval by the Board for Ms. Berkley to provide lobbying services, a copy of Ms. Berkley's "Dual Strategy" in response to the anticipated legislative bill which proposes to combine the State's mental/behavioral health boards, including this Board.

Discussion followed pertaining to the Board's need for a lobbyist this legislative session. Ms. Berkley indicated that this appears to be a very contentious session, with legislators and the Governor's Office expressing concerns about the State's behavioral health boards, especially the Social Work Board. Given these concerns, a bill is being proposed to consolidate the State's behavioral health boards. Ms. Berkley indicated that it appear that it will be difficult to change the minds of certain legislators and the Governor regarding pursuing board consolidation, but that if hired, she would do her best. Ms. Berkley further indicated that her work with the legislature would involve much of Ms. Frakes' time and suggested that available Board members also provide assistance whenever possible. Ms. Frakes stated that although she recognized the urgency pertaining to this matter, that she still had an office to oversee. She indicated that she would do her best to assist Ms. Berkley but could not provide assistance that would interfere with her ability to continue her work at the office. Ms. Frakes added that any assistance offered by Board members would be greatly appreciated.

Following review and discussion of this agenda item, a motion was made by Jodi Ussher and seconded by Colleen York to move forward with the contract to hire Paula Berkley as a lobbyist for the Board during the 79th/2017 Legislative session, under the terms and conditions noted in the contract. This motion was carried without objection.

Review, Discussion and for Possible Action, Strategic Planning for the 79th/2017 Legislative Session, Including:

- i. **Identification of Participating Board Members and Staff Prior to and During the Legislative Session; and**
- ii. **Establishment of a General Budget to Cover Costs Incurred by Board Members and Board Staff Prior to and During the Legislative Session, Including In-State Travel Expenses.**

Kim Frakes presented this agenda item to the Board. This legislative session will require some in-State travel. The purpose of this travel may include scheduling face-to-face meetings between the Board's Executive Director, interested Board members and the Board's lobbyist with various members of the State legislature. It may be necessary to educate key stakeholders (e.g. licensees) about various legislation being proposed during the upcoming Legislative session which has the potential to impact the Board and Board services provided to these stakeholders. This agenda item will provide the Board with an opportunity to engage in strategic planning for the upcoming Session and to accordingly establish a general budget to address anticipated costs.

Each Board members' Board meeting packet contained:

1. A copy of the Board's 1st Fiscal Year Quarter (July 1, 2016 through September 30, 2016), reviewed and approved by the Board during the October 21, 2016 Board Meeting and Retreat;
2. A copy of the "State of Nevada 2017 Legislative Session 120-Day Calendar"; and
3. A copy of the October 24, 2016 letter to the UNLV, Lincy Institute Senior Resident Scholar, from the State's Department of Health and Human Services, Division of Public and Behavioral Health (Division), which provides justification, from the perspective of the Division, for proposing to combine the Mental and Behavioral Health Boards in the upcoming Legislative session.

Ms. Frakes noted that much of item "i" appears to have been addressed when the previous agenda item, 6-A, was discussed. Accordingly, there was not any further Board discussion on this agenda item. In discussing item, "ii", Paula Berkley indicated that there may be an occasion when she may need to fly to Las Vegas, especially prior to the session, to meet with Legislators. Ms. Frakes also noted that since many of the licensees had requested a legislative educational get-together prior to this session, she was planning on scheduling this event, one of Northern Nevada and one for Southern Nevada. Ms. Frakes anticipated that she

and Ms. Berkley would be attending both events and that once scheduled, she would also notify the Board members to see who else would desire to attend the events.

Following review and discussion pertaining to this agenda item, a motion was made by Vikki Erickson and seconded by Colleen York to establish a budget, not to exceed \$10,000, for possible travel and accommodations by Board members and staff, including the Board's lobbyist, in anticipation of having an opportunity to meet with legislators and stakeholders prior to and during the 79th/2017 Legislative session. This motion was carried without objection.

Review, Discussion and for Possible Action, Proposed Revision to NRS 641B.280, Suicide Prevention and Awareness Mandate, Proposed by Assemblywoman Benitez-Thompson, During the 79th/2017 Legislative Session.

Kim Frakes presented this agenda item to the Board. During the previous 78th/2015 Legislative Session, AB (Assembly Bill) 93, mandating 2.0 CEU'S of suicide prevention and awareness for certain licensed healthcare professionals was passed. This mandate included licensed social workers, with the bill being codified into NRS 641B.280 and effective July 1, 2016. An unforeseen outcome required that the mandated 2.0 CEU'S was based upon each licensee's "annual renewal" and not based upon the licensee's continuing education collection cycle, which is every 2 years. The unintended consequence required licensees to complete more CEU'S for suicide prevention and awareness than intended. Assemblywoman Benitez-Thompson is proposing to amend this during the upcoming Legislative session. This agenda item served to educate the Board regarding this proposed NRS amendment. Each Board members' Board meeting packet contained a copy of the proposed amendment to NRS 641B.280. Following review and discussion of this agenda item, no further action was taken by the Board since this appeared to be more of an update pertaining to a proposed legislative bill.

ASSOCIATION OF SOCIAL WORK BOARD (ASWB) AND NATIONAL ASSOCIATION OF SOCIAL WORKERS (NASW)

Review, Discussion and for Possible Action, Attendance and Participation by Board Members and Selected Board Staff During the 2017 Spring Education Meeting, April 27 Through 29, 2017, in Henderson, Nevada, Including Approval of Budget to Cover Expenses.

Kim Frakes presented this agenda item to the Board. During the October 21, 2016 Board Meeting and Retreat, the Board's Executive Director informed the Board that the next scheduled ASWB conference would be in Henderson, Nevada. Although not required, it has been customary for member jurisdictions where the conferences are held to assist in hosting the conference. It has been customary to have Board members attend regionally held conferences when the Board's budget allows. This agenda item provides the Board an opportunity to discuss their level of involvement in assisting to host this event and to determine the interest in having interested Board members and possibly selected Board staff to attend the conference.

Ms. Frakes requested that the Board review the A copy of the 1st / quarter fiscal year-to-date budget (July 1, 2016 through September 30, 2016) in comparison to the 2016/2017 Fiscal Year Budget (See Agenda Item 6A). If the Board approved to set aside a budget for this ASWB event, Ms. Frakes suggested that the Board may also wish to include in the budget, funding for small mementos pertaining to the State. One suggestion was to contact Ethel M's Chocolates, located in the Las Vegas area, to see about a price breakdown. Colleen York agreed to contact Ethel M's and bring her findings to the next Board meeting. Based upon the existing Board budget, President Smith suggested that a preliminary budget of \$10,000 be set aside for travel and accommodations and the purchase of a limited number of Nevada-based mementos and for Kim Frakes to

bring back information pertaining to costs at the next Board meeting. A motion was made by Colleen York and seconded by Jodi Ussher, based upon President Smith's recommendation to: set aside a preliminary Board budget of \$10,000 for Board travel and accommodations and the possible purchase of a limited number of Nevada-based mementos for the ASWB Spring Education Meeting, with Kim Frakes to bring back at the next scheduled meeting a list of itemized costs. This matter would be discussed further for Board approval at the next meeting. This motion was carried without objection.

Review and Discussion, Attendance of the ASWB 2016 Annual Meeting in San Diego, California, November 17 Through 19, 2016 by Board Member and Board's Executive Director.

Kim Frakes presented this agenda item to the Board. This agenda item serves to update the Board regarding attendance by Vikki Erickson, LCSW, Board Secretary/Treasurer and Kim Frakes, LCSW, Board Executive Director, at the ASWB 2016 Annual Meeting. The Board did not incur any expense for Ms. Erickson and Ms. Frakes to attend the Annual Meeting. Ms. Frakes' travel was funded by ASWB since she chairs the Administrator's Forum. Ms. Erickson was the identified Board delegate and voted on behalf of the Board during Annual Meeting on jurisdictional member matters. Accordingly, ASWB funded the travel for Ms. Frakes and Vikki Erickson. Ms. Frakes further indicated that during the Administrator's Forum, which she also chaired, that numerous Board Executive Directors expressed that legislation was also being introduced in their jurisdictional states to combine behavioral health boards. Ms. Erickson indicated that discussion during the Board Member's Forum, there was discussion pertaining to a general lack of funding for jurisdictional boards and frustration regarding this. Since this was an informational only agenda item, no action was taken by the Board.

Review and Discussion, Decision by Board President and Board's Executive Director to Decline Participation in ASWB'S Consortium Mobility Readiness Team (MRT).

Kim Frakes presented this agenda item to the Board. This agenda item serves to update the Board about ASWB'S Consortium Mobility (Mobility Consortium) Readiness Team, which is a funded project for ASWB. The purpose of the Mobility Consortium was an opportunity for interested member jurisdiction to form a "Readiness Team" in each jurisdiction to discuss ways to better facilitate licensure mobility. Although this Mobility Consortium provides opportunities to discuss licensure mobility with the Board's Executive Director and identified stakeholders, given the fact that the Board's Executive Director will be actively engaged in reaching out to many of the same stakeholders identified in developing the Readiness Team, this matter now appears to be a duplicated effort. Following discussion between the Board's President and Executive Director, it was determined that the Board would respectfully decline to participate in the Mobility Consortium. This agenda item serves to inform the Board about this decision.

Each Board members' Board meeting packet included:

1. A copy of the November 15, 2016 email from the ASWB Chief Executive Officer, explaining the Consortium development of team participants; and
2. An overview of the Consortium's, "Snowflake Model", in developing the Consortium's team of participants.

The Board agreed with the recommendation by President Smith and Kim Frakes to politely decline ASWB's invitation to participate in the MRT. Ms. Frakes mentioned that it was unfortunate that this invitation did not occur following the 2015 Legislative session as this may have alleviated many of the concerns expressed during this current session. Since this was an informational only item, no action was taken by the Board.

DEPUTY ATTORNEY GENERAL REPORT

Review, Discussion and For Possible Action, Clarification of Attorney General Opinion No. 2016-08, as it Pertains to Mandatory Child Abuse and Neglect Reporting Pursuant to NRS 432B.220, in Response to the State Board of Psychological Examiners' Request to the State Attorney General and Applicability of the Opinion to Social Workers Licensed by the Board.

Board member, Jodi Ussher, LCSW, was recently approached by a co-worker pertaining to a recent State Attorney General Opinion (Opinion) rendered to the State Board of Psychological Examiners (Psychology Board) pertaining to mandatory child abuse and neglect reporting. Since portions of the Opinion appear to contradict information previously disseminated to social workers historically, Ms. Ussher requested that this item be placed on the Board meeting agenda.

Each Board members' Board meeting packet included:

1. A copy of Ms. Ussher's email requesting this item to be placed on the Board Meeting Agenda; and
2. A copy of the above referenced Attorney General Opinion.

Following review and discussion of this agenda item, Henna Rasul suggested that the Board may wish to research this matter further and post its own opinion. The Board did not take any action on this agenda item.

Review and Discussion, Senior Deputy Attorney General Report.

Henna Rasul indicated that she did not have anything to add to this Board meeting.

PRESIDING OFFICER'S COMMENTS

President Smith indicated that in preparation for the upcoming legislative session, he wanted Kim Frakes to email each Board member a copy of the YES Answer Policy (Policy). Following receipt of the Policy, President Smith requested the Board to return with any recommendations for revisions. When the findings from the DHHS Contractor's Board site visit is available, he would like this to be placed on the Board's agenda for Board discussion. Finally, President Smith noted that an employee evaluation was due for Kim Frakes. He suggested that since Vice President Vikki Erickson was familiar with Board operations, having stopped by the office on several occasions, that she assist him with the employee evaluation process. Ms. Erickson agreed to contact President Smith after the Board meeting to make arrangements to meet with him regarding Ms. Frakes' employee evaluation. The Board did not take any action on this non-action agenda item.

BOARD OPERATIONS

Review, Discussion and for Possible Action, Approval of the October 21, 2016, Board Meeting and Hearing to Adopt Regulation, Minutes.

Each Board members' Board meeting packet contained a copy of the October 21, 2016 Board meeting minutes. Following review of the minutes, a motion was made by Colleen York and seconded by Vikki Erickson to approve the October 21, 2016 Board meeting minutes as submitted. This motion was carried without objection.

Review, Discussion and for Possible Action, the Hiring of a Full-Time Clerical Staff, at a Cost of Approximately \$3,400 per month, through a Temporary Staffing Agency, With a Targeted Hire Date of February 1, 2016

Kim Frakes presented this agenda item to the Board. Ms. Frakes indicated that the day-to-day operations have increased steadily over the past several months. In order to afford the Board's Executive Director the ability to address additional legislative-based functions, it has become necessary for Board staff to absorb these duties. A full-time clerical staff member is now required to assist with the Board office's daily operations. Each Board members' Board meeting packet included a copy of the 1st Quarter Fiscal Year (July 1, 2016 through September 30, 2016) Budget in comparison to the 2016/2017 Fiscal Year Budget (See Agenda Item 6A). Jodi Ussher expressed the desire to bring in Board staff who would be familiar with the use of technology. She agreed to participate in any interviewing panel, provided that it was scheduled after "4:30 p.m." Following review and discussion of this agenda item, a motion was made by Vikki Erickson and seconded by Jodi Ussher, for Ms. Frakes to proceed in hiring a temporary, full-time clerk, through a temporary staffing agency. This motion was carried without objection.

Review, Discussion and for Possible Action, Approval of the Board's 2015/2016 Fiscal Year Financial Statements Audit.

Kim Frakes presented this agenda item to the Board. Annually, an audit of the Board's budget is conducted. A copy of the audit, as mandated in NRS, is sent to the State Legislative Counsel Bureau, by December 1st annually. This agenda item serves to update the Board regarding the annual budget. As noted on page 28 of the fiscal audit, the audit concluded that there were "no recommendations" in the report and that there did not appear to be any financial weaknesses under the, "Current Year Recommendations".

Ms. Frakes indicated that since this is a lengthy document, one (1) copy has been sent to the Las Vegas Board meeting location and two (2) copies will be available for the Reno Board meeting location. Following review of the Board audit, a motion was made by Jodi Ussher and seconded by Vikki Erickson, to accept the 2015/2016 Fiscal Year Financial Statements Audit as submitted. This motion was carried without objection.

Review, Discussion and for Possible Action, November 10, 2016 Letter from the State's Department of Administration, Public Works Division, and the Board's Option to Opt Out of Utilizing Leasing Services to Negotiate Office Leases on Behalf of the Board.

Kim Frakes presented this agenda item to the Board. This agenda item serves to update the Board regarding a November 10, 2016 Letter from the State's Department of Administration, Public Works Division, and the opportunity for State boards, including this Board, to opt out of utilizing their leasing services to negotiate office leases on behalf of State boards. It should be noted that opting out may provide a cost savings to the Board should the Board choose to opt out of utilizing the leasing services.

Each Board members' Board meeting packet contained a copy of the referenced November 10, 2016 letter and pages 1 and 4, from the Board's office lease agreement, which provides an overview of the Board's leasing cost. Following review and discussion of this agenda item, a motion was made by Colleen York and seconded by Jodi Ussher to opt out of utilizing the State's Department of Administration Leasing Services to negotiate the Board's office lease when it expires after July 31, 2020. This motion was carried without objection.

Review and Discussion, Executive Director's Report.

Kim Frakes thanked the Board members attending this Board meeting. She indicated that she would be emailing the Board regarding the YES Answer Policy as requested by President Smith.

PUBLIC COMMENT

There was not any comment from the public at either the Las Vegas or Reno location.

ADJOURNMENT

President Smith adjourned the Board meeting at 1:15 p.m.

Respectfully Submitted,

Kim Frakes

Kim Frakes