

Steve Sisolak
Governor

Richard
Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

AGING AND DISABILITY SERVICES DIVISION
Helping people. It's who we are and what we do.



Dena
Schmidt
Administrat
or

APPLIED BEHAVIOR ANALYSIS BOARD DRAFT MEETING MINUTES

Date of Posting: April 13, 2021

Date and Time of Meeting: April 19, 2021 1:00 PM

Name of Organization: The Board of Applied Behavior Analysis

Place of Meeting: Aging and Disability Services Division
Teleconference:

Please place your phone or your computer microphone on mute unless providing public comment.

In accordance with Governor Sisolak's Declaration of Emergency Directive 006; Subsection 1; The requirement contained in NRS 241.023 (1) (b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.

Board members will be attending telephonically and via Teams. Members of the public will also participate via teleconference or Teams.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 775-321-6111,,701272664#](#) United States, Reno

Phone Conference ID: 701 272 664#

In certain situations, the option exists to declare the meeting on that agenda item to be a Closed (Executive) Session per NRS 241.030.

All times are approximate. The Board reserves the right to take items in a different order, items may be combined for consideration by the Public Body and items may be pulled or removed at any time to accomplish business in the most efficient manner.

AGENDA

1. Roll Call and Verification of Posting

Laryna verified posting. The following board members were present: Dr. Brighid Fronapfel, Christy Fuller, Dr. Patrick Leytham, and Courtney LoMonaco. Meeting proceeded with quorum. Jennifer Frischmann reflected for the record that Rachel Gwin was present in the meeting shortly after the vote on meeting minutes in agenda item three.

2. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

No public comment.

3. Approval of Previous Meeting Minutes (For Possible Action)

Dr. Fronapfel asked the board members if they found any issues with the meeting minutes. Courtney stated that she did not see any issues. Dr. Fronapfel requested a motion. Christy motioned to accept the meeting minutes from March 22, 2021. All in favor, motion passed.

4. Presentation and Discussion from the Nevada Department of Public Safety on the Background Check Process

Dr. Fronapfel stated they will pass this item as it was discussed last meeting.

5. Presentation and Discussion of Legislative Updates and Bills by the Nevada Association for Behavior Analysis

- **SB96-** AN ACT relating to disability services; requiring the Department of Health and Human Services to seek an increase to certain reimbursement rates under the Medicaid program and the Autism Treatment Assistance Program for a registered behavior technician; and providing other matters properly relating thereto.
- **SB208-** AN ACT relating to behavioral health; authorizing certain additional persons to receive services from the Autism Treatment Assistance Program; revising provisions concerning the issuance of a license or certificate by endorsement to engage in certain behavioral health professions; providing for the issuance of a provisional license or certificate to engage in such professions to an applicant for a license or certificate by endorsement under certain circumstances; and providing other matters properly relating thereto.
- **SB217-** AN ACT relating to applied behavior analysis; transferring responsibilities concerning licensing and regulation of the practice of applied behavior analysis from the Aging and Disability Services Division of the Department of Health and Human Services to the Board of Applied Behavior Analysis; making provisions governing providers of health care applicable to behavior analysts, assistant behavior analysts and registered behavior technicians; authorizing the Board to contract with certain entities to carry out duties relating to regulating the practice of applied behavior analysis; requiring members of the Board to complete orientation; revising the activities that constitute the practice of applied behavior analysis; revising requirements concerning the supervision of assistant behavior analysts and registered

behavior technicians; exempting certain persons from provisions governing the practice of applied behavior analysis; revising the membership of the Board; establishing requirements for the ethical practice of applied behavior analysis; revising provisions governing licensure by endorsement and disciplinary actions; and providing other matters properly relating thereto.

Molly Halligan, chair of the Nevada Association for Behavior Analysts Public Policy Committee provided the legislative update. Molly explained she was there to discuss some of the bills they have been following. She stated SB96 is still in play and they are waiting for this bill to go to the Finance Committee and explained this bill is seeking to increase the RBT Medicaid rate. The next bill they were looking at was SB208 which did not go through. SB217 is the bill that NABA has been working on. The bill was presented in a workshop on April 6th and passed unanimously. She does not believe they will need to go to another committee at this point. They are now waiting to see if it passes through the Senate and then it will go to the Assembly. Jennifer asked Molly if she has an idea when it might hit the Senate floor. Molly stated she does not know yet but once she does, she will notify them.

Dr. Fronapfel applauded Molly in her efforts and stated they also have their eyes on others as well.

6. Discussion, Update, Clarification and Possible Approval of Pending Applications Under the Governor's Declaration of Emergency, Directive 011 (For Possible Action)

Dr. Fronapfel asked Laryna if she had an update for this agenda item. Laryna confirmed and provided the update. She explained they now have 3 LBAs and 16 RBTs practicing under the Directive. There are also currently 56 professionals who remain deferred: 9 are LBAs and 47 are RBTs.

Dr. Fronapfel explained this item is for their oversight until this directive is pulled and asked Laryna if they have heard anything. Laryna stated they have not at this time.

7. Review, Discussion, and Possible Approval of Board Activities Necessary to Implement SB 217 if it Passes (For Possible Action)

- **SB217**- AN ACT relating to applied behavior analysis; transferring responsibilities concerning licensing and regulation of the practice of applied behavior analysis from the Aging and Disability Services Division of the Department of Health and Human Services to the Board of Applied Behavior Analysis; making provisions governing providers of health care applicable to behavior analysts, assistant behavior analysts and registered behavior technicians; authorizing the Board to contract with certain entities to carry out duties relating to regulating the practice of applied behavior analysis; requiring members of the Board to complete orientation; revising the activities that constitute the practice of applied behavior analysis; revising requirements concerning the supervision of assistant behavior analysts and registered behavior technicians; exempting certain persons from provisions governing the practice of applied behavior analysis; revising the membership of the Board; establishing requirements for the ethical practice of applied behavior analysis; revising provisions governing licensure by endorsement and disciplinary actions; and providing other matters properly relating thereto.

Jennifer Frischmann explained that when the bill passes, speaking optimistically, which could be around late May, they will have around four months to be up and running. Jennifer and Laryna had discussed what would need to come prior to October 1st. Jennifer explained once it passes, they will want to hire staff immediately as they will need to replace Laryna and herself. Jennifer then listed what needed to be accomplished in the transition: a physical address, five file cabinets that will need to be transferred, a large printer, purchasing computers, they will need an email address, a website, a phone number, how they would like ADSD to message the change on the ADSD website, postage, basic office supplies, order and redesign the certificate paper, update forms, updates in Certemy to remove ADSD, a tax ID, and a new Deputy Attorney General (DAG). Julie explained there is a different section in her office who advises independent Boards when necessary; however, there is an hourly cost. Julie stated she will check more on this once the bill passes. Jennifer continued to explain the board will need to think about the exam and how it will be proctored. Once the Directive is over, they must provide a physical location for each meeting and a physical recorder for the meetings. Jennifer explained the biggest hurdle will be the background checks. On October 1st, ADSD by law would no longer be able to receive the results of the background checks. Jennifer included some discussion from a previous meeting with DPS regarding the possible transition. SB217 must go to the FBI. Although DPS had sent the Bill Draft Proposal (BDR) to the FBI the beginning of this year, the FBI has yet to respond. If this does pass, it will need to be resubmitted to the FBI to review the language. Because of this process, there could be a gap between processing applications. Since ADSD will need to stop accepting backgrounds up to 8 weeks out, they will need to stop processing applications in August.

Dr. Fronapfel clarified the October 1st deadline is what is written in the bill. Dr. Fronapfel asked Jennifer if LCB sends the bill to the FBI. Jennifer explained DPS would need to. She also reminded the seasoned board members that the FBI had granted them an extension after reviewing the issues from the language currently written in NRS, as did the BACB, until the end of the next legislative session. There will be no more extensions once this legislative session is over. Jennifer stated on a good pre-COVID year, it typically takes near 12 weeks for the FBI to clear it to receive an account. Laryna confirmed this and explained because of COVID they are extremely backlogged. Laryna also explained the FBI remains backlogged from the 2017 session. Jennifer explained this is her biggest concern as ADSD will have to stop processing prior to October of this year and hopes the board can begin processing this possible change and plan for their future.

Dr. Fronapfel asked what happens if the FBI does not review the language. Julie stated regarding the language in statute, they would have to wait until they hear from them. The bigger issue seems to be the approval of the account. Without the DPS account, they cannot receive background checks which means they will not be able to process registrations and licenses. Jennifer explained because NRS statute says a state and FBI background check must be conducted, they cannot have one without the other.

Christy asked Jennifer for clarification regarding having the account under someone's name. She asked if they would be putting the account holder under their new Executive Director's name; and if they leave the position, would this become just as big of an issue as it is now. Jennifer stated no, changing the name of the account holder is not an issue. Currently, the account is under ADSD with Jennifer and Laryna as the account holders. They would put the account under the Board of Applied Behavior Analysis with a list of account holders that can

receive the results. The intended account holders must go through an intensive training through DPS prior to becoming an account holder.

Dr. Fronapfel asked if SB217 does not pass, what would they do about the BACB language written in the law because the FBI extension will be over. Jennifer stated they would be done. Dr. Fronapfel asked if they would be able to hire ADSD as a contractor. Jennifer explained from a brief discussion with Julie, it would probably be a conflict for her and Laryna. Julie stated this would be a question for the FBI and DPS. The supporting law does not allow ADSD to process.

Dr. Leytham asked Jennifer how soon they can apply for an account with DPS and if they would have to wait for SB217 to pass. Jennifer confirmed the bill would need to pass first. Laryna wondered if a current board member could start the account process now just so they can have the account and explained they will need to have another meeting with DPS. Dr. Leytham asked if they could continue the account under ADSD. Laryna explained they would then be operating under ADSD. Jennifer explained the ORI/account number would be end dated and they would receive their own account.

Dr. Fronapfel asked if there would be a way to have an account under the board's name. Jennifer believes they will need to have another conversation with DPS and they may include either Dr. Fronapfel or Dr. Leytham in this meeting to explore options.

Christy recapped and stated either way, they have an issue with the language written regarding background checks or they have an issue with backgrounds if they go independent with the possibility of delaying the processing of applications. Jennifer explained ADSD will do everything they can to minimize any disruption but at some point it will be out of their hands.

Dr. Fronapfel explained that Directive 011 may be helpful here while they wait for the authority to receive background checks; however, they must also keep in mind this can be pulled at any time. Christy explained they can practice if they have a license in another state, but it also does not necessarily help with reimbursement of services.

Dr. Leytham asked if they could request the bill to be amended to extend the October 1st date. Jennifer stated that would be tough given the status and deferred to Molly. Molly stated she would need to reach out to the sponsoring Senator to see what her opinion is.

Dr. Fronapfel would like to have someone become familiar with the Certemy program to the extent that Laryna is since they will have to carry it over in her absence. Jennifer stated that is why she believes it is so critical to hire someone. Should they choose, if the hired individual(s) can come to Carson they would have direct access to Laryna and Jennifer to shadow the processes. Laryna suggested to hire someone now as part time and stated she has work for them to do. Dr. Leytham asked Jennifer if they are allowed to hire right away. Jennifer stated they can. Dr. Fronapfel explained if the bill does not pass, there have been conversations to find additional support for Jennifer and Laryna because of the amount of time allocated towards this board. Jennifer stated the current operational structure is not sustainable for her and Laryna. Regardless, if this bill does or does not pass, the structure must change.

Dr. Fronapfel asked Julie if they could vote on hiring someone. Julie stated this would be a gray area and recommended to vote on Jennifer, Laryna, and a board member research what

is out there regarding temporary agencies and bring it back to the next meeting to approve part time staff. Dr. Fronapfel stated this would also need to include formalizing the job descriptions.

Rachel asked if they could have another meeting soon since their timeline is extremely short. Rachel explained this is overwhelming because the new hires will need to know all that Jennifer and Laryna have been doing in a very short window. The faster they can move the better. Jennifer explained they can place it on the agenda for another meeting but asked for it to be enough time for Laryna to complete the minutes.

Dr. Fronapfel stated they may want to meet more frequently to begin checking off their list. Jennifer will send out a doodle poll to see the availability over the next two weeks.

Christy thanked Jennifer for the list. She explained the background checks to her are the most concerning. Christy reviewed SB217 and in section 45 it states they can contract with any appropriate public or private agency, organization, or institution in order to carry out the provisions of the chapter. Christy listed the examples included obtaining assistants for processing applications or for technical assistance. Christy asked if fingerprints fall under this and if that could be a way until they are able to transfer it over. Julie explained this is a question they will need to ask DPS. Julie stated the board could contract with ADSD but ADSD would have to keep their account with DPS.

Christy recommended to have a subcommittee to allow two board members to help with questions. Julie agreed the board could delegate a subcommittee under this agenda item to assist with determining and facilitating the next steps. Dr. Fronapfel agreed with Christy to have a subcommittee.

Dr. Fronapfel requested a motion. Christy asked if they should discuss who should be on the subcommittee. Dr. Leytham and Courtney volunteered. Christy recommended to have at least one seasoned board member on the subcommittee unless the two new board members feel confident to take the role. Julie reminded the members they will have to follow the Open Meeting Law. Jennifer also explained it will need to be on an agenda and Laryna will also be taking minutes. The board members continued to discuss who will be on the subcommittee. Dr. Fronapfel suggested to have Molly as the third committee member. Molly stated she would be happy to.

Christy moved for Dr. Fronapfel, Dr. Leytham, and Molly Halligan to become members of their subcommittee to help the board transition under SB217 if it passes and in preparation for it potentially passing that they are able to meet ahead of time on the front end. Courtney seconded the motion. All in favor, motion passed.

Dr. Fronapfel asked Christy how well she knows the Certemy program since she has been working with Laryna regarding CEUs and she would like for Christy to become more fluid in the process. The intention would be to safeguard the process should there ever be a catastrophic event the Executive Director is not available. Laryna explained she thought of creating some videos to assist in how to process in Certemy. She also explained Certemy will remain their support and resource in understanding the process moving forward. Christy stated she is willing to be a part of this and likes the idea of Laryna creating videos. From what she has seen, it looks intuitive.

Christy moved to have herself as the Certemy helper for the board. Rachel seconded the motion. All in favor, motion passed.

8. Review, Discussion, and Possible Approval of Reinstatement of Behavior Analysts, Assistant Behavior Analysts, and Registered Behavior Technicians Who Failed to Renew and Pay the Biennial Fee Pursuant to Nevada Revised Statutes (NRS) 437.335 Automatic suspension for failure to pay biennial fee for renewal; reinstatement; notice of suspension. **(For Possible Action)**

Jamie Emery, LBA
Jessica Dempsey, LBA
Ashley Padovese, LaBA
Marianne Serone, RBT
Hailey Allen, RBT
Isabelle Pavese, RBT
Jessica Beard, RBT
Cheyanne Johnson, RBT
Nathalie Cabrera, RBT
Dajah Stallings, RBT

Jennifer explained in NRS 437.335, individuals who failed to renew and pay their fee are placed on the suspension status. Their name must come before the board, although they are not required to be present. There were approximately 638 people who did not renew. Letters and an email were sent and unfortunately, most mailed letters were returned because people did not update their address. The individuals listed on the agenda are who have reached out for reinstatement. Many did not renew for a variety of reasons; however, the most common reason was due to COVID. They were not working at the time of renewal and did not feel the need to renew but in recent have since found work.

Laryna explained the individuals who completed their renewal and payment and who did not. There were four people who did not complete the renewal and fee or option to defer the fee and will not be considered. Julie wanted to clarify the statute which states if they have not paid their fee within two years, they can be reinstated; however, if it has been after two years, they would also address their competency to practice. Since they are all within two years, the board will need to simply decide to reinstate. Jennifer requested Laryna to state who the four individuals were. Laryna listed the following: Natalie Cabrera partially submitted on April 8th and is currently inactive with the BACB; Cheyanne Johnson partially submitted on March 4th and has not chosen to pay or to defer payment; Jessica Beard partially submitted on December 7th and could not renew due to an inactive status with the BACB and currently remains without a supervisor on record; Hailey Allen or possibly a Hailey Wilson, had not submitted the RBT renewal nor the payment /deferral.

Laryna began to discuss the individuals who did complete their renewal and payment. The following reinstatements were discussed: Dajah Stallings completed submission on March 29th; Isabelle Pavese completed submission on April 6th; Marianne Serone completed submission on March 30th; Ashley Padovese completed submission on April 9th; Jessica Dempsey completed submission on March 29th; Jamie Emery completed submission on April 8th.

Dr. Fronapfel clarified that these are individuals who immediately completed submission once they were notified. Laryna stated that was correct.

Christy asked if they could do two separate votes for the individuals who did not complete and for the ones who did. Christy pointed out that individuals who did not pay may be hesitant to in fear of not being approved. Jennifer agreed with Christy. Christy clarified with Laryna that they also investigated any possible disciplinary actions with the BACB and are in the clear. Laryna confirmed this to be true.

Dr. Fronapfel asked if board members had any further questions. Seeing none, a motion was requested. Christy motioned to reinstate the six individuals who have complete applications and fees: Dajah Stallings, Isabelle Pavese, Marianne Serone, Ashley Padovese, Jessica Dempsey, and Jamie Emery. Rachel seconded the motion. All in favor, motion passed.

Dr. Fronapfel asked if board members had further questions regarding the incomplete applications. Christy recommended to investigate clarification on Hailey Allen. Dr. Fronapfel then asked if there were any questions regarding the other three. Seeing none, Christy motioned to approve the three renewals contingent upon the completion of application and fees or appropriate notice of deferral of fees: Natalie Cabrera, Cheyanne Johnson, and Jessica Beard. Rachel seconded the motion. All in favor, motion passed.

Dr. Fronapfel requested a motion for Hailey Allen's renewal. Christy motioned for the Division to research Hailey Allen, possibly Wilson, and following the information checks out, to reinstate upon completion of application and fees. Rachel seconded the motion. All in favor, motion passed.

9. Discussion of Current Status of Applications and other ADSD Activities Pertaining to Applied Behavior Analysis Including Approval of No Longer Accepting Paper Applications and Allowing Only Online with Certemy. **(For Possible Action)**

Laryna provided the application status updates and explained she was able to receive the numbers from Certemy. The total current numbers were as follows: 1,161 RBTs, 25 LaBAs, and 311 LBAs. The following were total numbers completed beginning in January: 23 RBTs and 6 LBAs; 40 RBTs and 9 LBAs completed in February; 87 RBTs, 2 LaBAs, and 10 LBAs completed in March. For April, they have completed 25 RBTs and 6 LBAs. Before discussing pending status, Laryna explained what application phases were in Certemy. This is new data received by Certemy to understand what stage LBA and LaBA applications are in prior to completion of the application. Christy asked for clarification regarding what phase background results are in. Laryna explained uploading the fingerprint request form is in the initial application phase. There is not an area within the phases where background results are discussed. The receipt of these results are noted on the administrator's end. Laryna continued to clarify the applicant will not be impeded by the results and can complete the phases. There are 263 RBTs pending. 101 are pending in Certemy, 82 are paper applications. Of the 82 applications, 39 applications have received background results and are waiting for either payment or a BACB update. 54 applications pending in Certemy are pending only due to waiting for background check results. All other applicants have not completed their application steps. There are 5 LaBAs pending in Certemy only. Three of the five are in initial application phases and two are in the examination phase. There are 61 LBAs pending, 40 are in Certemy and 21 are paper applications. There are 25 in the initial application phase, 13 are in the

examination phase, and two are in the licensure acceptance phase. Dr. Fronapfel asked if the paper applications were old applications. Laryna explained a lot of them are old. There were several pending due to COVID regarding the need to travel to complete fingerprinting and exams. Since restrictions are decreasing and people are able to receive their vaccines, she believes people will begin to complete their paper applications soon. Jennifer explained that it is about that time to go through the RBT applications as well. A lot of them will begin the process and realize it is not what they wanted to do and never finish. Laryna explained that it has been some time since they have gone through the RBTs to check in to see if they are still interested in completing the application process and they will need to do this again. Dr. Fronapfel asked for clarification regarding the process of RBTs who have been pending for four months. Laryna explained after four months of a pending application, they had agreed to send a letter to the RBTs asking them if they are still interested in completing the application. If they do not receive a response after one month, the application is automatically denied.

Laryna began to discuss the possible removal of paper applications. She explained Certemy has license number tickers which offers licenses and registrations to be automated. Moving to an online only platform would assist in preventing duplication of license/registration numbers. Currently, there are two databases, one for paper applications and one with Certemy. Having everything in spot would be ideal. Any paper application they receive must be manually put in to Certemy which causes additional labor which adds another step to the process. Jennifer explained removing paper applications will reduce paper waste. They are proposing a May 1st cutoff and if applications are received past this date, they will receive an email asking them to please complete in Certemy. Rachel stated that it sounds great. Dr. Fronapfel explained she believes this was originally the intention of this software to expedite the process and to keep all the data in one location as well as the impact on the environment. Dr. Fronapfel asked if they have numbers from other state boards regarding who is online only as she does not believe they would be the first board to do this. Christy likes the idea of online and believes it will save them postage, prevent delays in mail, and will be more expedient. She wonders if they maybe excluding people who do not have a computer or internet access by not allowing paper applications to come in. Christy suggested to allow these individuals to request a paper application. Laryna agreed with Christy and stated they can have them submit their explanation of circumstances and accommodate. Courtney agreed with Christy to have this exception and receive the reasons to accommodate as needed. Christy does not believe an accommodation needs an explanation or proof but should accept the accommodation and provide it. Laryna explained with the request they could provide this via email or via mail if internet access is an issue; however, she would like to remove the paper applications from the website. Rachel agreed with Laryna and stated it makes sense to her. Christy explained with the RBT paper applications, she liked being able to see what was on the application to prep and help them. By going all online, it may be hard to see specific things that may be requested of the RBTs. Dr. Fronapfel referred to what was discussed last regarding FAQs for common mistakes seen in Certemy and to take screen shots and suggested to do this here as well. Laryna explained there are also technical resources companies can use to assist their employees such as creating their own video or sharing screens via Microsoft Teams or Zoom. She stated she could make videos on how to complete all three applications; however, the application is step by step and is easy to understand what is missing and what needs to be completed. Christy explained companies likely did provide their own steps with the original applications but since the change, she believes it limits the supervisor's ability to help because they are unable to get in to see the application. Christy suggested to have screen shots or provide a check list to aid RBTs when completing an application. Christy supports companies

making their own aids but understands it is hard for them to see what is happening making it hard to create those internal documents. Jennifer agreed with Christy and explained the biggest kickbacks are individuals uploading an unsigned fingerprint waiver and providing a BACB ID number which does not correlate into the BACB RBT number. Aside from this, Jennifer believes they should know their own basic demographic information. They have been doing this for a while now; however, aids can be provided. Christy clarified that she is asking for screen shots of each of the steps for companies who may want to develop something internally.

Dr. Fronapfel asked if the board members had further questions or concerns. Seeing none, Dr. Fronapfel stated that it sounds like they are all in agreement with Laryna as long as those supports are in place. Dr. Fronapfel asked if the board agrees with the May 1st date. The board members agreed. Dr. Fronapfel requested a motion. Christy motioned to place the application process online in Certemy and for those requesting paper applications due to various accommodations, they can reach out to the Division or the Board and they will make those allowances. Rachel seconded the motion. All in favor, motion passed.

10. Review of Financial Status with Discussion and Possible Approval of Spending Board Funds for Conference/Training or other Potential Expenditures and Discussion and Possible Approval of Subcommittee **(For Possible Action)**

Dr. Leytham requested Christy to assist him with explaining the financial status report. Jennifer stated she can go over the statement. Jennifer explained they brought in about \$30,000 since their last meeting. The current budget is \$394,567 which also contains the projected amount. The cash on hand is \$440,620.

Dr. Leytham began to discuss the CLEAR training that Christy had provided. He believes this training would align with the required training stated in SB217. Jennifer confirmed. Dr. Fronapfel explained that historically these trainings fill up quickly. She also explained the investigators and ethics professionals with the BACB complete this course which also means they have been vetted and recommended. Dr. Leytham recommended for a motion to approve most if not all of the board members to attend the virtual training. Christy wanted to clarify that this training consists of 30 hours of content in a matter of two weeks which would be a big commitment. Christy stated they would be paying for each individual registration unlike the last CLEAR training they had approved. Dr. Leytham asked with SB217 if it would be satisfactory to delegate one board member to complete this training. Jennifer suggested to have at least two people attend, but preferably anyone who is licensed should attend. Dr. Fronapfel understands it is a time commitment, but it will be beneficial to go through. Dr. Fronapfel asked if anyone is in opposition. Rachel explained she does not see it as realistic for her to attend. Dr. Fronapfel suggested to make a motion for up to four board members. If it does not work for them, they can choose to bow out. Jennifer recommended to have the members send an email to her and Laryna and they will get them registered. Laryna requested a final date request if they want to join. Dr. Fronapfel stated to have their emails in by close of business Friday. Dr. Fronapfel requested a motion. Christy motioned to register up to four LBAs for the CLEAR online investigation basic training and will notify the board of registration by close of business this Friday if they are able to attend. Rachel seconded the motion. All in favor, motion passed.

The board moved on to discuss the subcommittee. Jennifer suggested to have this subcommittee for the transition instead of having two separate subcommittees since they have a full plate right now. The board members agreed.

11. Determine Future Agenda Items (For Possible Action)

Dr. Fronapfel stated she would like to continue to have SB217 on the agenda as well as complaints and asked the board members what else they would like added. Dr. Leytham recommended to add discussion on obtaining a bank account. Jennifer suggested to keep the SB217 agenda and add subcommittee updates for possible action. Dr. Leytham agreed. Rachel asked if this would include hiring more people. Dr. Leytham stated yes. Laryna stated she would like to keep reinstatements. Jennifer will see if they can add the expired list as an attachment to the agenda so whenever requests come in, they can discuss them without a delay between board meetings. Jennifer asked if they would want the bylaws. Dr. Fronapfel stated she would like to focus on SB217 and adding bylaws would make it too long. Jennifer recommended to make it a standing agenda item. Dr. Fronapfel agreed. Christy motioned to keep the standing items plus complaints, bylaws, reinstating and SB217 subcommittee. Rachel seconded the motion. All in favor, motion passed.

12. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

Dr. Kerri Milyko provided a public comment. Dr. Milyko thanked the board for allowing a provision for the non-technology version if people do not have the resources. She liked how the board problem solved. She explained Certemy was a feature she brought in and she really loves this option and thinks encouraging people to use this will be a huge benefit to their board. She thinks inclusion is something they should value and appreciates their problem solving. Dr. Milyko suggests the board to consider if ADSD needs an additional pair of hands that that person may not be the Executive Director if SB217 passes. The person they hire will not say yes to a temporary job if they may not have a job down the road. If they say they want them to work part time and it may turn into a full time job that has been well respected, they should understand that it is two different jobs. The person who says yes to the first job may not be the person they want to say yes to the second job. If they need additional help, they should look at it as two separate positions. Dr. Milyko ended her statement saying this is just something to consider.

Chantal Rainford provided a public comment. She had a question and thanked everyone for what they do as there were a lot of great things today. She asked how long it will take for the people who were approved for reinstatement and when will they be able to practice. Dr. Fronapfel stated this is technically not question and answer time with the board and will go ahead and allow it since it was not discussed. Dr. Fronapfel asked Jennifer and Laryna if they have a timeline. Jennifer stated it will be completed by the end of the week for those who had everything in. They cannot move forward with those who have not completed and provided all the information. Chantal Rainford ended her comment, stating thank you.

13. Adjournment

Dr. Fronapfel adjourned the meeting at 3:09 pm.

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Laryna Lewis at (775) 687-0503 as soon as possible and at least one **business** day in advance of the meeting. If you wish, you may e-mail her at larynalewis@adsd.nv.gov. Supporting materials for this meeting are available at 3416 Goni Road, D-132, Carson City, NV 89706, or by contacting Laryna Lewis at 775-687-0503, or by email larynalewis@adsd.nv.gov.

In accordance with Nevada Governor Sisolak’s Declaration of Emergency Directive 006 there will not be a physical location for the Nevada Board of Applied Behavior Analysis. The public is strongly encouraged to participate by phone or Teams link and download any material provided for the meeting at the website addresses below.

- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 3: The requirements contained in NRS 241.020 (4) (a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 4: Public bodies must still comply with requirements in NRS 241.020 (4)(b) and NRS 241.020 (4)(c) that public notice agendas be posted to Nevada’s notice website and the public body’s website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 5: The requirement contained in NRS 241.020 (3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.
- As per Nevada Governor Sisolak’s Declaration of Emergency Directive 006; Subsection 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body’s website, if it maintains one.

Agenda and supporting materials posted online on the following sites:

<http://adsd.nv.gov/Boards/ABA/ABA/>

<https://notice.nv.gov/>