



APPLIED BEHAVIOR ANALYSIS BOARD DRAFT MEETING MINUTES

Date of Posting: March 16, 2021

Date and Time of Meeting: March 22, 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.

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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 Lewis verified posting. The following board members were present: Dr. Brighid Fronapfel, Christy Fuller, Rachel Gwin, Courtney LoMonaco, and Dr. Patrick Leytham. Meeting proceeded with quorum.

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.)

Hua "Echo" Li, an ABA business owner, provided a public comment. She explained that she is taking Medicaid insurance and that they are having issues paying any of their Registered Behavior Technicians (RBTs). With the pay rate cuts for the RBTs, she loses almost everybody. She must hire by going through the interview process and then a different business will offer them \$5 more an hour doing exactly the same thing. Ms. Li stated that it is not because of the company but because they will take the extra \$5 dollars. She stated that they must help low-income families. She receives calls every day because there are providers dropping them and they have nowhere to go with no provider to turn to. They are already getting really low pay with their RBTs. If their rates get cut again, she will not be able to take Medicaid patients anymore because she cannot keep her staff. She lost over 7 people last year. She lost 3 potential RBTs in one day as they were accepting the offers. They had turned down her offer because of a better offer. These other providers are not taking Medicaid and very few do take Medicaid. If RBTs want to get their BCBA, they need over 2,000 hours of supervision. They are providing the training and doing everything they can to keep the RBT, but there is no way she will be able to keep going. Since the start of ownership last year, she has not taken any pay. She has two children, one has services, and one who was kicked off because they lost insurance. Her child still has no services, and she could not afford the pay because it is too expensive. She is trying to help other families but is proving to be difficult.

Carrie Watson provided a public comment. She stated she is having trouble getting fingerprints done because they want it to be done electronically. All the places that she has called only do the fingerprint card. She has called everywhere in Clark County and cannot find any help. Ms. Watson ended her comment by stating if they can help that would be great.

Brianna Uplia provided a public comment. She stated she was there to provide a comment regarding Senate Bill 96 as well as a shortage of ABA programs in the Las Vegas area. Her son was recently diagnosed with Autism and is in the Early Intervention program but will age out soon. She has called about 20 ABA programs within the Las Vegas area. Some are not putting them on waitlists anymore, and those that do put them on a 6 to 10-month waitlist just to see if they can be on the waitlist or if they have any room. A lot of programs she is contacting state they do not even have the therapist there because Medicaid is not paying them enough. Since they are not paying enough, they must cut services. Those who are affected

are the family and the autistic children from the political/financial gain that is happening. She explained that she is not certain if this is the right place but is hoping this bill will pass so Medicaid can increase the pay for these Behavior Therapists.

Julie Ostrovsky from the Autism Commission provided a public comment. She stated that she appreciates the legislation update and hopes everyone can chime in to their legislators in support of these important bills because hearing from the community and contacting their legislators and because they are a constituents is incredibly important. Julie stated thank you again for putting this on their agenda and explained if they can work together, hopefully they will make it happen.

Samantha Lemons provided a written public comment. To read the full comment, please see Attachment A.

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

Dr. Fronapfel requested the board to provide any edits they may have for the meeting minutes. Seeing none, Dr. Fronapfel requested a motion.

Rachel motioned to accept the meeting minutes from February 16, 2021 as they were drafted. Christy seconded the motion. All in favor, motion passed.

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

Dr. Fronapfel began the agenda item welcoming Alison Ristine and requested her to provide her role with the Department of Public Safety (DPS). Alison stated she is the Criminal Repository Manager. Dr. Fronapfel thanked Alison and explained to the constituents that they had asked her to attend this meeting to address the concerns with the delayed processing of background checks as well as the concerns regarding the processing of licenses and registrations.

Alison provided her presentation on behalf of the Nevada Department of Public Safety regarding the background check process. For full statement, please refer to Attachment B.

Jennifer Frischmann thanked Alison and stated she knows they are working tirelessly and knows her presentation clarified the process or a lot of individuals and explained the manual effort that goes into it and applauded her team for processing over 20,000 background checks a month. A lot of people think it is Aging and Disability Services that is holding on the background check and not processing it. Jennifer asked Alison if she can explain further regarding livescan. They receive a lot of confusion with this because they believe it is sent automatically and believe it is an automatic response. Alison stated it is an automatic response from the FBI's perspective. For their department, it prints automatically to their Civil Unit printer. From this point, the process is extremely manual as there is a lot of sorting and matching. They have over 2,000 account holders, so they must be sorted by accounts. The state responses are ran separately, and must be paired to the FBI response. Jennifer asked Alison if she could touch a little bit more on individuals

requesting status checks who are not account holders. Alison stated since they would become inundated with applicants requesting these updates and can now only provide updates to the account holders.

Dr. Leytham asked Alison if their department has a visual they created so they can share with their constituents to understand this process. Alison explained they do not have this type of documentation but will see what she can do. Alison stated to direct all individuals to their website for more information at rccd.nv.gov.

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 they have a couple bills they wanted to discuss and began with SB96. She stated this bill is seeking to increase the RBT rate of reimbursement for Medicaid and ATAP. NABA is unable to take a stance on this for a variety of reasons but does want the information out that this bill is in existence. Molly stated SB208 is a two-factor bill which looks to increase the age cap from age 22 to 26. It also looks to alter language written in NRS 437 and NRS 641 which are both bills related to licensure for a variety of mental health professions. NABA has been in

communication with the sponsoring senators and the Nevada Association for Behavior Analysis Board. She continued to state that they are in support of the age cap; however, they cannot support the language related to the regulatory bills for a variety of reasons. For SB217, Molly explained some history for those individuals new to Nevada. She stated that their regulatory body use to be housed within the Board of Psychological Examiners. In 2017 it was proposed to move their regulatory board out of the Board of Psychological Examiners and to house it under the Department of Health and Human Services. The bill passed in 2019 with an intent to increase access to services and to also set their regulatory body up to be able to go independent at some point. Molly continued to explain that one of the agreements during this transition was for the Department of Health and Human Services, the Division, would provide employees for free. They have had Ms. Jennifer Frischmann and Laryna for free for the last two years to work for their board and have honored that even though there has been a change in Administration between that time of promise and the time of implementation. She stated another thing the Division has been able to do during this time is to help set up the new board. Molly believes it was misunderstood that when the board moved from the Board of Psychological Examiners into the Department of Health and Human Services that everything would transition smoothly which is unfortunately not how things work because a new business had to be formed. The Department of Health and Human Services allowed their board to do that while saving money and generating funds through their licensure fees. Over the last 5 months, NABA has been doing some research to identify ways in which they can see if their board is currently ready for independence. There are also flaws with the current law related to the disciplinary process and the background checks. Currently, there have been some decisions made to work around those flaws and the laws related to the disciplinary process. However, the law needs to be changed to address those background check issues. In doing their research, they discovered that there is enough financial stability within the current board to be able to go independent. NABA has presented this information to the Division to the Nevada Association of Behavior Analysis Board and agree to move forward with SB217 to move the board to be an independent board. It will also address the background check and disciplinary issues and will require some training for both current and future board members. Molly ended her statement by stating they are very happy to move forward and thanked the Department of Health and Human Services for their time and efforts and agreement to support them during this transition.

Dr. Fronapfel thanked Molly and asked the board members if they had any questions. Christy asked Molly to clarify for the people who do not know why NABA cannot take a stance on SB96. Molly explained NABA is a professional association and because of antitrust laws, to take a stance related to rates would be a violation.

Dr. Leytham asked Molly for clarification regarding background checks as opposed to what Alison Ristine had discussed previously. Molly stated NABA has no control over the fingerprinting process nor does the board anymore that what Allison just spoke to. She will let Jennifer explain and stated NABA does not have an impact on that. Jennifer clarified that this does not change the process whatsoever but changes the verbiage in the language that was put into the bill in the 2019 session. In NRS 437, there is a clause that says if the background check has been submitted to the BACB within the last six months. The BACB does not accept background checks. The BACB legal team came back to both the Department of Public Safety and to Aging and Disability Services Division and said they need to remove the language and they are giving them until July 1st to remove the BACB out of NRS.

6. Discussion, Update, Clarification and Possible Approval of Pending Applications Under the Governor's Declaration of Emergency, Directive 011 Including New Registration of Registered Behavior Technicians and Submission of Fees (For Possible Action)

Laryna provided the update for individuals practicing under the Emergency Directive 011. There are currently two LBAs practicing without a license and 13 RBTs who are practicing without a registration. They currently have 107 professionals who have deferred their fee for renewals: 11 LBAs, 1 LaBA, and 93 RBTs.

Laryna clarified what it means to utilize this Directive for RBTs. When they are looking at allowing RBTs to practice without a registration, they need to have their complete application on file. Per Julie in a previous meeting, they can utilize the Directive since [most] other states do not register RBTs, a national credential is sufficient. They must be certified by the BACB with a Nevada licensed supervisor and must also notify the ABA Board email. Laryna discussed creating an outline to provide clarity. Jennifer explained they have been inundated by emails stating their RBTs need to practice under Directive 011. When they receive their application, whether it is the paper version or in Certemy, they do not know of their intent to practice and to process under 011 without the email notification. Jennifer also clarified that when this Emergency Directive is over, individuals who are practicing under this Directive have 60 days from the time that the Directive is over to become fully licensed or registered. This would include completing your background check. As Alison discussed previously, they are 6-8 weeks out to process these backgrounds. Most likely, if they wait until the 60 days, they will not receive the results and if they do not have that as well as payment, they cannot, by law, practice. There will not be an extension on the 60 days unless the Governor comes out with additional information.

Dr. Fronapfel stated that this Directive was not necessarily intended for their field but rather was intended for people rendering services amidst the pandemic for medical fields in relation to hospitals. While they can operate under the Directive in

other ways, they will be adhering to the 60 days. There will be an email sent out to let everyone know the Directive has been pulled; however, it is the responsibility of the individuals to complete their applications and start on the fingerprinting process. If applications are not completed, the credentials will be pulled, and they would then be practicing without adequate licensure or registration within the state. Dr. Fronapfel also wanted everyone to be aware that this Directive can be pulled at any time.

Laryna noted that when they receive emails for RBTs that will be using the Directive, it is added to a separate spreadsheet which is provided to ATAP and Nevada Medicaid for their awareness.

7. Review, Discussion, and Possible Approval of Bylaws, Values, Operating Policies and Mission Statement (For Possible Action)

The Board members continued their discussion regarding their bylaws. Dr. Leytham asked for background regarding reading the mission statement before each meeting versus adding the mission statement to the agenda. Dr. Fronapfel stated it is to reorient and believes it is common practice with other boards as well. Christy explained the FARB conference Dr. Milyko had attended suggests reading the mission statement to realign to the purpose at the start of every meeting.

Christy began discussing Article III and went over a list of purposes that may not be their role. Dr. Fronapfel asked Dr. Leytham and Courtney if they need more time to look over the bylaws. Dr. Leytham stated yes. Dr. Fronapfel then asked if the board members could create their own draft of the bylaws and then send those drafts to her to assist in expediting the process. Julie stated they could as long as they send it to Dr. Fronapfel and not to everyone and have the edits brought back to the open meeting for discussion. Rachel agreed and believed it was a good idea.

Christy motioned for board members to send their bylaw edits directly to Dr. Fronapfel, and not to anyone else, by April 7th so Dr. Fronapfel can compile the edits and present for the next meeting. Rachel seconded the motion. All in favor, motion passed.

Dr. Fronapfel asked if the board members would like more time to prepare for the Operating Policies. Rachel stated yes and said these looked more like an outline and clarified if they are going through to see what they want said in the sections. Dr. Fronapfel stated yes, they will need to go through to see if anything is missing and asked them to highlight it and place in the appropriate categories. In addition, Dr. Fronapfel asked to keep in mind that they will be referring to the job roles that Shane put together.

Rachel made a motion for everyone to work on the policy and procedure manual before the next meeting and will defer to the next meeting to discuss it. Christy seconded the motion. All in favor, motion passed.

8. Discussion and Clarification of NRS 437.215 “Expedited license by endorsement as behavior analyst: Requirements; procedure for issuance.”

Dr. Fronapfel provided a quick overview stating the expedited license by endorsement is a section of their law that allows for reciprocity in states that have licensure in place. The applicant must fill out their corresponding paperwork and meet all the criteria of an in-state licensee applicant but do not have to take the jurisprudence exam. When they developed the NAC, a section stated all applicants will take the jurisprudence exam. Per their regulations, they are exempt from taking the exam. She stated her concerns were to ensure they have read NRS 437 and asked to include an attestation to the expedited license form for them to check and to state they have read and understand NRS and corresponding NAC. Jennifer clarified they still need everything they would normally need to process, the only thing missing is the jurisprudence exam. It is also in NRS that they still need to complete their fingerprinting to complete their background check.

Dr. Fronapfel asked Laryna for a number of people who have applied in this category. Laryna stated a rough estimate of 30%. Christy asked for clarification regarding the estimation. Laryna stated this is for out of state and explained even if they are in California or in Nevada, if they have a license in another state and can provide the license by endorsement form, then they can be exempt from the jurisprudence exam. Laryna explained that she did modify this form to include the attestation.

9. Discussion of Current Status of Applications and other ASD Activities Pertaining to Applied Behavior Analysis

Laryna provided the current status of application update. She explained these numbers do not currently reflect numbers in Certemy. She does have a meeting with Certemy tomorrow to go over reports she had requested from them. She will follow up beginning January so they can have complete numbers. The following data is from paper applications. Total active licenses and registrations are as follows: 997 RBTs, 23 LaBAs, and 282 LBAs. Applications completed in February are as follows: 36 RBTs and 7 LBAs. Applications completed in March so far are as follows: 9 RBTs and 1 LBA. The pending status of applications are as follows: 113 RBTs and 19 LBAs. Laryna explained 38 of the pending RBTs have backgrounds and are pending either due to payment or for a BACB update.

Laryna provided some data regarding applicants who have or have not provided their Fingerprint Request form. Jennifer asked Laryna to explain what this means. Laryna stated they have quite a few companies who have their employees seek out to have their fingerprinting completed before they receive the fingerprint email. However, the fingerprint email is essentially the approval to have this done. They are having issues with people completing their fingerprinting before waiting for these instructions. They are also using an old form which does not provide a section for

the date it was completed which is important for ADSD to know because that date tells them when they can send over a status request to DPS if they are still waiting on the results. Jennifer added that people ask why does this matter. Jennifer explained it matters a lot as ADSD can get in a lot of trouble. Before receiving an account with them, you go through a rigorous training. As soon as they receive the waiver the fingerprinting instructions are sent along with the updated form. This is so the Division has everything they need on file when they receive the background results. Jennifer explained they have received background results when they do not have anything on file. From there, they try to tack this person down and typically give 24 hours until the background results are shredded. They continue to keep a running total of backgrounds shredded. Jennifer asked if anyone from DPS was still in the meeting and if they could further clarify what happens when the Division does not have the fingerprint waiver on file and still receive background results. Erica Souza from the Department of Public Safety stated this would be an audit finding when their staff goes out to audit the agency and would be included in their report. Jennifer continued to explain that this is why we wait to send out the fingerprint email, so they do not lose the account. Dr. Fronapfel asked Jennifer to describe what an audit finding is and what happens if there is one. Jennifer deferred to Erica. Erica explained the purpose of the forms are so the applicants are aware of their rights and that they are giving their authorization for their office to conduct the background checks. The waivers are required by the FBI to access the national criminal history. Not only does DPS audit this but so does the FBI. DPS generally works with the agencies when they have any audit findings to correct the deficiencies and does not believe they have ever shut an account down. Dr. Fronapfel clarified that this essentially is completing a step without informed consent. Erica stated that was correct. Dr. Fronapfel stated this is something many behavior analysts are very sensitive to, doing things without informed consent. Dr. Fronapfel stated in an effort to being responsive to delays in fingerprint emails, they are also looking to update this in Certemy. This will be a process of its own, but so the constituents know, they are trying to expedite the process as much as possible.

Laryna continued to provide some data regarding the fingerprint request forms. They have approximately 7 applicants who have completed their fingerprinting and did not wait for the fingerprinting instructions email. They have approximately 12 applicants who waited for the fingerprinting instructions email. There are 51 applications who have not provided the form. There are 13 applications who have not provided the waiver which means they have not received the fingerprinting instructions to complete the background process. Dr. Fronapfel asked Laryna for clarification what they are obligated to do regarding if background results were received, and they do not have the waiver. Laryna stated it will be shredded. Dr. Fronapfel continued to explain if certain application processes have not been adhered to, then the Division is by law obligated to shred that background check and they will need to start the process over.

Christy asked Laryna how long it takes for the fingerprint instructions to get sent out once the waiver is received by the Division. Laryna stated these instructions are sent

out typically within 24 hours if they are completing their application in Certemy. It will take a little longer if they send in their paper application. If they complete their application in Certemy, it is typically that day, if not it is within three days. Laryna explained they are out of renewal season, so it makes it a lot easier to keep up with it. She would also like to discuss with the board to remove the paper application process because it does affect how Certemy processes applications. There are tickers in Certemy which automates the numbers once someone's application is totally approved. They need to avoid duplicated numbers and to make this as automated as possible.

Laryna began to discuss Certemy housekeeping. She explained when RBTs are completing their application in Certemy, she asked to not complete the Professional Information step unless they are active with the BACB and their supervisor is listed on record. This step will be rejected if it cannot be verified in the BACB Certificant Registry. This does not mean your application was rejected, this is strictly for administrative purposes. Laryna continued to explain that this is to avoid registering individuals without checking with the BACB first. If your step or steps were rejected, please read the notes as it will explain why it was rejected. There are several people who continue to submit the same step with the same issue and do not read the notes provided. When completing any application, document uploads will not be accepted unless it is a requirement to complete that step. Items such as your BACB certificate or a picture of the application fee are examples of uploads that are required to move forward from that step. For LBAs and LaBAs, the preferred method to receive transcripts is now via email. If sent via USPS, it will be accepted but please know it will take a little more time to process. If you are an RBT or LaBA and you want to progress your credential, please do not make a new account as they can use the same account. They will need to go to the ADSD website and on the ABA page, they can select the corresponding link to complete the application. Once they select the link, it will allow you to log in to Certemy with the credentials they had previously established.

Christy asked Laryna if there is a way for these preferences to be updated in the instructions in Certemy. She understands they are trying to get rid of the paper applications and they also have the paper application instructions online. Christy suggested to add something to say for example that transcripts are preferred via email. Laryna explained there are instructions in Certemy but they can work on providing clearer instructions. Laryna would also like to revamp the website because so much has changed. Dr. Fronapfel suggested to Christy's and Laryna's point, when creating instructions, to provide screen shots to break everything down. Dr. Fronapfel stated they will add an item next meeting to discuss removing paper applications.

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

Christy asked Jennifer if they currently have a work program. Jennifer stated they have the money but do not have the authority and that is what the work program is for. They need the approval from the Interim Finance Committee (IFC) to grant the spending authority. Jennifer also explained the \$34,862 total expense number is what was spent and expecting to spend. There is a lot to remember when looking at this number as it projects spending such as travel, previous cost for the printer, and so on. This number will be reduced.

Dr. Fronapfel began to discuss the CLEAR investigation training. She explained this will start around July or August. She believes this is something they may want to discuss since they are responsible for the investigation process. These are the courses that the members of the BACB taskforce take. Christy recommends all of the training they can get. Courtney agreed with Christy, the more training the better since they are new and need to ensure they have all the information they can have to have the best procedures in place. Dr. Leytham agreed with Courtney.

Christy went over the 2019 Revenue spreadsheet which displays the revenue when they were brand new and shows the number of licenses and registrations processed each month. Christy explained there were almost no RBTs registered in 2019 until they enforced it. Christy went over the fees they received specific to each credential. Jennifer explained to Christy the exam fee total all goes to the board. Christy would suggest to the new Secretary-Treasurer to possibly change the calendar year to fiscal year to align with the fiscal statement or have both as well as to include the full exam fee of \$151.33. Christy also explained that this does not include the money transferred over from the Board of Psychological Examiners.

Christy went over the 2020 Revenue spreadsheet which displays the renewal year. There was deferral of payments that Laryna had reported, and they will need to figure out how to track this. They are taking the numbers Laryna provides the board and putting them in the spreadsheet to see their revenue. Christy would also like information on how much they are spending regarding postage, basic office supplies, and fancy paper for the licenses/registrations to get an idea if they need to charge more in fees or if they can charge less. Christy stated what Laryna had explained earlier with Certemy numbers that they will need to go back and adjust the numbers. She would also like to investigate how many new licensees and registrants are credentialed each year as well as how many renew to help with projections. Christy noted that there will be some difficulty with projections regarding proration.

Dr. Leytham asked if there was a reason why RBTs were not included in the proration with the LBAs and LaBAs. Christy and Dr. Fronapfel discussed some history regarding fees. Dr. Fronapfel stated the fees were set by what was carried over from the Board of Psychological Examiners. Christy stated there was no precedent set for registration of RBTs. They decided on \$70 since that is what the national board charges and there were only one or two states who registered

RBTs. Jennifer explained they had one or two Public Workshops to discuss the fees and garner input. Jennifer stated that Dr. Gwen Dwiggins had done a lot of research with other states. Regarding registration fees, they were actually the lowest and the fees were based on what the BACB was doing. The reason it was not prorated is because it would have gone to pennies. They decided to only prorate during the renewal season from October to December for the new RBT applications. Christy also remembers discussion with Dr. Milyko regarding the time it takes to process the check. In addition, Christy explained there is no application fee and is just a straight \$70 fee.

Dr. Fronapfel asked if the board would like to make a motion for the CLEAR training. Christy suggested to look into the dates and pricing. Dr. Fronapfel asked Christy if she will look into this. Christy agreed. This agenda item was tabled.

11. Election of President and Secretary-Treasurer **(For Possible Action)**

Jennifer facilitated the election and provided an overview of the election process. Jennifer began with the election for President and explained if anyone would like to be elected, they can raise their hand and say a few words and explained that Dr. Fronapfel was nominated last time to become President. Jennifer then asked if anyone would like to nominate someone or themselves. Christy asked the new board members if they have any questions regarding the roles of the President or Secretary-Treasurer. Rachel stated that she would like to nominate Dr. Fronapfel again as President since she had done a phenomenal job this last year. Dr. Leytham agreed with Rachel. Christy seconded the nomination. Dr. Fronapfel then accepted the nomination.

Jennifer asked for a motion to re-elect Dr. Fronapfel as President. Dr. Leytham motioned to reelect Dr. Fronapfel to be the continued president. Courtney seconded the motion. All in favor, motion passed.

Jennifer moved on to the election for Secretary-Treasurer. Jennifer asked if anyone would like to nominate themselves. Seeing none, Jennifer asked if anyone would like to nominate someone. Christy stated she can continue the role, but it would not offend her in anyway if someone else wanted to try. Jennifer recommended for Christy to explain the role so they can have a better understanding of what it entails. Christy began to enlighten the new members of what taking on this role means. Dr. Leytham then stated he would like to try taking on this appointment as Secretary-Treasurer.

Christy nominated Dr. Leytham for Secretary-Treasurer. Dr. Fronapfel seconded the motion. All in favor, motion passed.

Christy asked if they could explore voting on a subcommittee next meeting so Christy and Dr. Leytham can meet if there are any questions that come up. Dr. Fronapfel agreed and sees the value in this and thanked Christy for her service.

12. Determine Future Agenda Items (For Possible Action)

Dr. Fronapfel discussed adding an action item for a subcommittee and for the CLEAR investigation training. Christy stated she would like to add an item to discuss having the mission statement read before each meeting. Dr. Leytham recommended to keep bylaws. Dr. Fronapfel agreed and stated to also add operating policies. Jennifer would like to add an action item to the current status of applications and other ADSD activities to discuss a fully online only platform.

Christy motioned to keep their standing items, and to add their mission statement to be read, keep bylaws, policies, and procedures, additional training related to disciplinary actions and investigations through CLEAR, a Secretary-Treasurer Subcommittee to offer their new Secretary-Treasurer assistance, and voting to have applications on an online platform and removing paper applications under Division activities. Courtney seconded the motion. All in favor, motion passed.

13. Public Comment

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Lenise Kryk provided a public comment. Ms. Kryk asked if they could upload the document they were reviewing at the meeting to allow the public to take a look at the bylaws which is a big document they are editing so she can participate a little bit more in public comment in the future and have some of this information to review ahead of time. Ms. Kryk ended her comment by stating thank you to the board for working hard on this and stated she knows it is not fun.

Dr. Gwen Dwiggin provided a public comment. Dr. Dwiggin thanked Laryna for taking the time to break the numbers down differently and for giving the Certemy housekeeping and believes it was very helpful. She explained that often they come to these meetings with complaints versus solutions and she applauds that she listens to feedback and thanked her for presenting it a different way. Dr. Dwiggin also thanked Dr. Fronapfel for her time and for everything she does. She also stated that she is very happy someone else threw their name in for Secretary-Treasurer. She always likes to say thank you because she knows what it takes to make this board run and it takes up a lot of personal time and is definitely valued. Dr. Dwiggin ended her comment by saying thank you so much for what you do.

14. Adjournment

Dr. Fronapfel adjourned the meeting at 2:58 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://adسد.nv.gov/Boards/ABA/ABA/>

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