

# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

## MINUTES OF PUBLIC MEETING

August 6, 2016

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Members Present: Linda Frasier, Kittima Conrad, Deena Spaulding, Stacey Henderson,  
Sol Magpantay

Members Absent: None

Staff Present: Loretta L. Ponton, Executive Director,  
Brett Kandt, Chief Deputy Attorney General

Public Present: Paula Berkley, Board Lobbyist

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Linda Frasier, Chair called the meeting to order at 10:25 a.m. A roll call confirmed a quorum was present.

**Public Comments** – No public comments.

**Approval of Minutes** - Linda Frasier asked if there were any comments or revisions to the minutes of the meeting of May 25, 2016. Hearing none, called for a motion.

Deena Spaulding made the motion, seconded by Kittima Conrad to approve the minutes of May 25, 2016. The motion passed.

**Open Government Presentation** - Linda Frasier welcomed Brett Kandt, Chief Deputy Attorney General.

Mr. Brett Kandt presented a Board training on open government law and rules in Nevada. The training topics included Open Meeting Law, Public Records Law, Ethics Commission, Administrative Procedures, Due Process and Board Member responsibilities.

Mr. Kandt fielded questions from the members; Mr. Kandt recommended Board members establish separate email accounts for Board correspondence as public records law may apply to electronic devices such as cell phones, texts and email and may be subject to disclosure as a public record.

**Proposed Legislation** - Loretta Ponton and Paula Berkley presented a proposed bill draft to address potential legislative oversight concerns arising from the Supreme Court Case North Carolina Dental Board v Federal Trade Commission. The bill draft was developed by a group of professional boards' staff and attorneys who have requested input by the Board on whether the Board would be supportive.

NRS 622 - The proposed language would have minimal effect on the Board, as it is general in nature. The language is intended to document current processes in the oversight by the State of its professional boards; and add an appeal or review process related to cease and desist orders.

Discussion was heard regarding potential revisions that could be made leading up to and during the legislative session and the Board should be made aware of any revisions in a timely manner. There was consensus that the concept outlined in the proposed language was acceptable but that the Board reserves the right to support or oppose any bill introduced based upon this proposed bill draft.

Linda Frasier directed Loretta Ponton to respond to the parties with the Board's comments.

Legislative Report - Paula Berkley reported that bill draft requests have started to be pre-filed; she will be attending legislative committee meetings and tracking pre-filed bill drafts and will work with the Executive Director to evaluate any impacts to the Board on proposed topics and bills.

**Consent Decree** - Loretta Ponton summarized the administrative complaint stating the complaint was the result of non-compliance with continuing education audit requirements. A formal complaint was filed after consultation with legal counsel; Mr. Scussel has agreed to the terms of the Consent Decree before the Board.

Kittima Conrad made the motion, seconded by Sol Magpantay to approve the Consent Decree in Case No. C16-01 with James Scussel. The motion passed.

**Revised and New Board Policies** - Loretta Ponton stated Policy 03, Policy 04 and Policy 05 have been revised to incorporate the updates to regulations changing the expiration date of licenses and number of continuing education hours required annually and reviewed each policy revision.

Ms. Ponton stated Policy 14 is a new policy to establish the parameters for Administrative Office Cost Sharing and establish a formal cost allocation process for cost sharing of expenses, which will standardize the processes utilized over the last few years and in the future.

Ms. Ponton outlined the provisions of NRS 640A.100 requiring the Board to pay all expenses from funds received. All professional Boards are governed by NRS statutes with similar directives and all Boards must adhere to administrative and fiscally sound business practices.

Ms. Ponton stated that pursuant to NRS 281.110, all boards must maintain administrative offices open to the public and post the days and hours of operations at the office. Small regulatory boards may not have sufficient funding to maintain and lease independent administrative offices or staff those offices pursuant to state directives.

Ms. Ponton explained co-location and cost sharing reduces administrative costs, creates efficiencies in operations and provides increased quality of services and public access to State regulatory board services.

Ms. Ponton summarized the factors considered in determining whether co-location would benefit the Board and explained that expenses are comprised of three cost centers:

1. General operating/shared expenses such as general office supplies, copier, post meter, equipment maintenance agreements, and internet service. These costs are allocated based upon % of professionals regulated by each of the locating Boards. These type of expenses are directly impacted by the licensee base.
2. Lease expenses at actual cost per square foot allocated to each entity based upon the State of Nevada leasing services worksheet for allocation of space necessary for clerical staff plus 20% for general common areas, pro-rated for less than full time equivalent and
3. Direct costs specific to the needs of each board, will be paid by each board and not be allocated. These costs include furniture, telephone lines, printing, board specific supplies and postage.

Ms. Ponton stated the Cost Allocation would be determined annually and the co-located Boards would be provided notice of their allocated amount each fiscal year. The Fiscal Year 2017 allocation worksheet was provided; Loretta explained the details stating the cost allocation offsets would have the Board recouping \$6,036.66 in costs. Ms. Ponton asked for questions.

Kittima Conrad asked why a policy was not established sooner since the Speech Board has been co-locating since 2012. Loretta Ponton answered that there was no historical basis by which to do so. Ms. Conrad asked Mr. Kandt if this is usual, do other boards do this also, have three or four boards in one location on the same premises? Brett Kandt responded that he could not address other boards; however, there are specific statutory requirements that all boards maintain a physical office with regular office hours. Several small boards do not have a physical location, are therefore not compliant with statutory requirements, and may come under scrutiny from the public, licensees or the legislature. This arrangement seems a productive and sensible arrangement; this is an ideal approach for small boards to comply with those statutory requirements while recognizing their financial limitations.

Linda Frasier asked Kittima Conrad if she had a concern about sharing space. Ms. Conrad stated they are all run by one person, the same Executive Director is running three boards at the same time so there is an issue. Mr. Kandt responded he does not see a legal issue or ethical issue.

Kittima stated she has a concern, three boards are running at the same time during the same hours. A person with a full time job can work per diem at another setting, in this case one person is running 3 boards at the same time in the same facility; she felt it was misleading that Loretta didn't say she was running the Speech Board and the Environmental Health Board. Mr. Kandt responded that he did not see it as a legal issue, it may be a policy issue for the Board but he does not see it as a legal issue.

Ms. Ponton provided background information stating that when the Speech Board came to her for assistance, it was brought before the whole Board who discussed it and made a determination there would not conflict or loss of efficiency to the Board. The Board of Registered Environmental Health Specialists needed help; they asked to have their name on the door and a telephone line in the office and needed an administrator. Ms. Ponton stated she agreed to be their administrator and immediately hired an assistant who works 1-2 hours a week after hours. There is no disruption to the office or loss of efficiency. Ms. Ponton explained that her

employment agreement with the Board specifically allows her to continue providing services as an independent contractor; the employment agreement was negotiated and approved by the Board.

Kittima Conrad stated that the whole Board did not approve the Environmental Health Specialists Board, that only the Chair was contacted, she only became aware of the co-location when she was reviewing the financial documents and saw the payment from the REHS Board. It is the responsibility of the entire Board to make decisions not just one person, the Chair.

Discussion was heard regarding the circumstances and timing regarding the REHS Board office arrangements and the proper processes that should have been followed to obtain approval from the Board.

Ms. Ponton acknowledged that it was an oversight in that she did not bring the matter before the entire Board, it was an emergent situation, and the Board Chair did approve the arrangement as long as it did not affect the Board. Ms. Ponton took full responsibility for not following through to ensure the full Board approved the request.

Ms. Ponton brought the discussion back to the issue of consideration of the co-location policy, stating this matter is now before the Board to consider the process for approval and allocation of costs under a formal Board Policy moving forward.

Linda Frasier asked whether the co-locations are permanent or temporary. Ms. Ponton explained they are ongoing until terminated; either Board can terminate them with notice. The costs are allocated annually and may change each year. Linda Frasier stated she supports the co-location policy and understands the challenges faced by small Boards, this brings funding into the Board and helps the Board run more efficiently. The executive director issues are a separate issue.

Ms. Conrad asked what would happen if Loretta leaves, how can three boards hire another person. It was clarified that each board is independent and would hire their own staff, it could be three different people; also, the co-location agreements can be terminated at any time.

Sol Magpantay also expressed concerns with one position running three boards and getting paid by each board; stating one person can be an OT Director for different departments in the same facility and get one pay; they only get paid for being a Director of one unit, not for each. She does not understand how this works.

Stacey Henderson stated that staff is not what we are here to discuss, the decision is whether this Board wants to co-locate with two other Boards, they are only here part time, we have the space; why wouldn't we want to reap the benefit and save costs?

Kittima Conrad expressed concerns with the amount paid by the Speech Board, stating they should be paying half the costs. If she wanted space and could pay only \$50 per month to rent which includes internet and everything, she would definitely rent. She asked if we are going to continue bringing in people to rent space.

Loretta Ponton clarified the other Boards are not "renting" space, they are sharing actual costs. The Board is not in the business of leasing space, and we do not want to get in that business.

The purpose here is it benefits the Boards and the State of Nevada the other small boards that can't afford to comply with the laws as they are written because they don't have enough money, they don't enough licensees don't even have staff but still required to have a physical location and regular office hours.

If we can help the citizens of this state and also recoup actual costs by affording them space and the opportunity, why would you say no? Whether they are here or not, the lease is going to be paid; that is not the issue. We are in the business of providing services to the State of Nevada residents, offices that are open to the public to ensure they have access to services in according to state law. We need to look at the bigger picture here and not approach this as just what is in it for the Board of Occupational Therapy and someone comes in here so they have to pay half the costs. It does not cost half for these small boards to provide services from this facility, they were previously provided from home based offices, just as this board was.

Deena Spaulding asked where the Speech Board was before they moved in. Ms. Ponton responded they were home based. Sol Magpantay asked how many staff they have. Loretta Ponton answered herself and a part-time licensing specialist. Ms. Magpantay asked how many staff for the REHS Board. Ms. Ponton responded herself and a part-time 2 hour a week administrative person who works after hours. Ms. Magpantay stated that technically then there are three people in the office. Ms. Ponton affirmed, stating one of the advantages is that there is office coverage when she or the other staff are out, they all work together to cover the office, telephones and any walk in traffic. There is staff coverage every day by coordinating schedules.

Linda Frasier stated she likes the idea that it is just not room sharing it role sharing. She used an example of what happened to the PT Board in the past, how some applicants had to wait over six months and could not get telephone calls answered.

Stacey Henderson stated she agreed that the REHS agreement should have been brought before the Board, but that was in the past and we need to move forward.

Sol Magpantay stated she does not think the \$6,000 is enough; discussion was heard of the costs being allocated and number of licensees. Loretta explained that cost allocation basis for lease allocation utilizing the state's leasing worksheet, and the basis for allocating shared costs by number of licensees.

Deena Spaulding stated she thinks the question is whether we needed this large a space when we moved. Ms. Ponton provided background information on the move, stating the landlord did not renew the original lease, forcing the Board to relocate. This facility was available from the same landlord and was near the previous office; it had more space which allowed us a nicer facility and to have a conference room to have Board meetings on-site. Ms. Ponton explained the Speech Board originally joined our office at the old location and had signed an agreement to co-locate which helped justify the need for more space.

Sol Magpantay asked if the Speech Board signed the lease; Ms. Ponton stated no, they are not a co-lessee, they are sharing costs under the existing agreement; the lease is with the Board of Occupational Therapy.

Linda Frasier called for a motion on Policy 03 License Renewal R08.06.16.

Stacey Henderson made the motion, seconded by Deena Spaulding to approve Policy 03 - License Renewal R08.06.16. The motion passed.

Linda Frasier called for a motion on Policy 04 - Continuing Competency Education R08.06.16.

Kittima Conrad made the motion, seconded by Sol Magpantay to approve Policy 04 - Continuing Competency Education R08.06.16. The motion passed.

Linda Frasier called for a motion on Policy 05- License Reinstatement R08.06.16.

Stacey Henderson made the motion, seconded by Kittima Conrad to approve Policy 05 - License Reinstatement R08.06.16. The motion passed.

Linda Frasier called for a motion on Policy 14 - Administrative Office Cost Sharing R08.06.16.

Stacey Henderson made the motion to approve Policy 14 - Administrative Office Cost Sharing 08.06.16.

Sol Magpantay stated that she cannot in good conscience make a decision, she needs more time and she does not understand why the other Boards do not sign on the lease. She stated an example of her nephew leasing a house and his roommates also signed on the lease. Mr. Kandt stated in that example it was a business decision, this is a policy decision of the Board, not a legal decision. He could have signed the lease himself, and charged the roommates whatever he wants.

Ms. Frasier stated that based upon the comments and questions from members, more information may be needed to make an informed decision on this matter. Ms. Frasier asked members to make a list of questions and concerns or information they need and provide them to Ms. Ponton to prepare documents and to be adequately prepared to discuss this issue at the next meeting. Ms. Frasier stated she understand the concepts, and the move but there seems to be more questions, and without the historical background, it is hard to understand.

Ms. Frasier asked when the REHS Board needs an answer, if there are any deadlines. Ms. Ponton responded they are in the office now; it would be very detrimental for this board to say there is no signed agreement and the REHS has to move out. They were under duress to begin with, this board stepped up to address a need - the client here is the state of Nevada, the client is not me. Sol Magpantay reiterated it was not brought to the whole board before; it was not presented to the Board or to the REHS Board. Ms. Ponton responded the REHS Board is the one who approached us, they were very thankful to have a place for their office; they were left in a lurch with no staff and their files left in a file cabinet in Las Vegas.

Linda Frasier summarized stating what she is hearing is that they all should be in the loop and any discussion in the future.

Loretta Ponton asked if the issue is the REHS Board or co-location at all. Ms. Ponton continued stating the Board of Occupational Therapy started out as a very small board and operated out of a home-based office. They were in the previous office for two years, and have been in this office

for two years, so four years total. Sol Magpantay asked if Speech was there too. Ms. Ponton explained that when the Speech Board moved in, it helped with the costs, the Board went from no lease costs to a physical location. The Speech Board also had a home-based office, when their administrator left Ms. Ponton was contacted. It was brought before the entire board both their request to have me serve as Executive Director and sharing office space. At that time, I told this Board that I would only consider putting in a proposal for that position if they were co-located with this Board so as not to interrupt the services to this Board; my primary responsibilities were to the Board of Occupational Therapy. The Board had discussions and by vote approved me to submit a proposal with a condition that the Speech Board be co-located.

Sol Magpantay asked how the amount for the REHS Board was decided. Loretta responded, the \$50 per month was her best estimate of costs. Ms. Magpantay asked how the Speech Board amount was determined. Loretta responded using the existing formula as was prior years.

Brett Kandt stated it is not uncommon for one state agency to provide a service or give to another state agency something for nothing or at a lesser cost. It is also common for the state to do something for a local government free or at reduced cost as they are all serving the public; in fact, it is very common.

Kittima Conrad asked if it was common for one executive director to be running three boards in the same office. Mr. Kandt responded he does not know, she is not a state employee but a contractor. Ms. Conrad stated she is our employee on salary with us. Mr. Kandt stated he meant a contractor with the other two boards; he cannot answer the question for the other Title 54 boards.

Deena Spaulding stated what it boils down to is a decision was made between the executive director and the Board Chair about the REHS without coming before this Board. Ms. Ponton responded that issue does not affect this policy; stating it should effect the evaluation of the executive director, her performance, it was a failure to put the matter on the next agenda. Deena responded she had not thought of it that way.

Stacey Henderson asked the question, do you think cost sharing is a good thing for the Board, not thinking about Loretta, is it a positive thing for the Board to share space and supplies, or would you rather have more costs and the building to yourself.

Sol Magpantay stated that in terms of budget we have the budget, it was also stated we are growing in terms of licensees, so why can we not have our own office. Ms. Magpantay added that she cannot decide so she will have to abstain. Deanna Spaulding added that she came in 2014 and so she was not here either and does not know the history; she understands that giving to lesser smaller small boards is a good thing; and she sees what Kittima is saying about the offices having the same hours, but it is a lot to consider here today.

Linda Frasier commented that she looks at it differently, she has a money background; I think how can we make more money, we need to think about this differently, we need to consider if there are any pros of not sharing, why would we want more costs. Ms. Frasier stated she personally looks at this long term to saving our Board, what if we have a mass event and people leave Nevada; this would make the future better and more secure by saving money.

Linda Frasier concluded stating we need to move on and look at it again at our next meeting. It does not seem everyone is comfortable making a decision today.

The motion died for lack of a second.

Linda Frasier stated Policy 14 would be reconsidered at the November Board meeting.

**Co-Location and Cost Allocation Agreements** - Linda Frasier tabled this item stating it will be moved for consideration at the November Board meeting. The current agreements with the two Boards will remain in effect.

**Board Operating Policies** - Loretta Ponton summarized the changes to the operating policies. Updates and clarifications were made to payment processing and approval, check writing & electronic payments, scope of operations, merchant services, record retention, website and backup and recovery systems, off-site security and the payment approval form.

Ms. Conrad asked how many records the Board has. Ms. Ponton responded there are approximately 60 boxes in records storage; all licensee records are scanned and retained electronically. Ms. Ponton explained there are record retention schedules that must be followed; the term of retention varies depending upon the type of records.

Linda Frasier called for a motion to approve the update to the Board Operating Policies.

Stacey Henderson made the motion, seconded by Deena Spaulding to approve the revised Operating Policies. The motion passed.

Ms. Ponton reported that the Chair and Vice Chair are bank signatories and Kittima Conrad is the Board Member reviewer for financial documents. The Board will need to consider designating a new signatory and reviewer as Ms. Conrad's term expires at the end of the year.

**Personnel Policies** - Loretta Ponton explained the personnel policies were adopted in September 2011, at which time there was one part-time, 10-15 hour per week employee; PTO was capped at 50 hours per year.

Section 230 Personal Leave is proposed for revision to increase the amount of personal time off (PTO) an employee may earn and provides for a graduated increase based upon longevity with the Board. The PTO hours would be pro-rated for less than full-time employment. The proposed revision also establishes a maximum number of hours that can be carried over each year and the maximum number of hours that could be paid upon termination of employment. The graduated scale ranges from 3 weeks for new employees to 6 weeks PTO for employees with 10 years of service or more.

Discussion was heard regarding the amount of leave and comparison to state employees and private sector employees; the amount allowable for roll over each year with concerns expressed that employees should be using their time off. Ms. Ponton explained she has a policy that employees take at least one week consecutive time off which gives her the opportunity to cover the positions responsibilities and actually do their job. All staff leave must be pre-approved by the Executive Director.



Linda Frasier called for a motion to approve the revisions to the personnel policies.

Deena Spaulding made the motion, seconded by Kittima Conrad to approve the revision to Section 230 Personal Leave as proposed. The motion passed.

**Executive Director Employment Agreement** - Loretta Ponton stated this item is provided for review at the request of Kittima Conrad. Ms. Ponton stated she is not requesting or recommending any revisions or changes to the agreement. The agreement is ongoing unless terminated according to the termination provisions of the agreement.

Deena Spaulding stated the amount has changed due to the salary increase; Loretta responded the agreement has provision in paragraph 3 for raise in salary.

Loretta Ponton referred to paragraph 1) Employment which addresses the concerns expressed by Ms. Conrad regarding work performed for the other Boards. The agreement specifically states:

- a) Employee acknowledges and agrees that Employee's employment is primary to all other services or business interests and that other such services or business interests shall not interfere with Employee carrying out the duties of Executive Director.
- b) Employer acknowledges and agrees that Employee has other business interests and activities and the employee will not be restricted from rendering services or engaging in such activities, including but not limited to the business of Lorylynn Ltd.

Kittima Conrad stated Ms. Ponton began as a contractor position but as an employee on salary, there should be a timeline or requirement for how many hours should be worked for the Board. Ms. Ponton responded that as an executive salaried position, the hours are based upon what needs to be done; it may be 4 hours one day and 12 hours the next; the position is not an hourly position.

Sol Magpantay asked for clarification of where in the agreement it states that other business interests are allowed. Ms. Ponton directed her to Paragraph 1.

Kittima Conrad commented that it is not fair to work for three boards within the same facility. The Boards are operating all at the same time. How can one person work a full time position and two part-time positions at the same time? Ms. Ponton reiterated the position is a salaried position; work may be performed from her home office, the Board office or any other location, during the day, evenings or weekends, whatever it takes to get the work done.

Kittima Conrad expressed her feelings that she felt Loretta should not have her business running in the same facility, running three different boards, in the Board office.

Sol Magpantay commented that she cannot fathom how it is possible that the work can be done for three different boards; when research was done on salaries, it was assumed the position was only for one board.

Linda Frasier commented that she has been salaried and been hourly, an hourly employee clocks in and clocks out; as a professor under salary, there are some days she works 14 hours, the next

day perhaps 4. The executive director is salaried, that is what Loretta is trying to say, she is salaried and can still run the other boards under the Lorylynn Ltd., it is here in the agreement and we already agreed to it as a Board, she does work Saturdays and she does work off the premises.

Sol Magpantay stated she would understand if she was a contractor with all three boards, but she is on salary with us to work full time.

Stacey Henderson responded that it does not make a difference, if you are on salary you are paid to do the job; what is done as a contractor outside of that does not matter, it is a salary for a job, not hourly. With the contract, if hours were an issue, it should have been addressed then, it was not.

Kittima Conrad reiterated her concerns with the Boards being run from the same facility, stating it's not a problem with the Speech Board but now there is the REHS Board coming in and she's running that Board too.

Sol Magpantay asked if it is fair to each of the boards, the Boards' licensees and to protect the public. The profession of speech is the same but the environmental health specialists are different, how are you able to grasp the differences. Stacey Henderson responded that the professions may be different but the executive director job is the same. It doesn't matter what the Board regulations, the job duties are the same. Stacey stated Loretta was hired as a salaried position; there were no complaints or negatives with her performance when we did her evaluation.

Kittima Conrad expressed that she felt Loretta was misleading when asked about her salary; when she said she has not had a raise in four years. Ms. Conrad stated she went back and read the minutes for all the meetings since 2007 and there were references to performance bonuses and awards each year. Loretta Ponton responded that she feels the issue most likely was miscommunication on what was being asked. For an independent contractor, performance bonuses or awards are not considered a raise but are earned.

Discussion was heard regarding the difference between a "raise" which is a permanent increase in a salary and a "bonus" or "performance award" which is a one-time dollar amount with no guarantee in the future. Ms. Ponton explained that the prior year's performance awards were considered when the Board established her salary; the Board removed the option for bonuses as an employee when negotiating the employment agreement, which she agreed to. Ms. Ponton stated she did not request a raise in salary, and she was very thankful when the Board gave her a raise at the last meeting; and reiterated that the Board of Occupational Therapy is her primary responsibility.

Linda Frasier stated that she thinks moving forward it is going to be important to make sure language is clear and that if people do not understand, clarification should be requested.

Linda Frasier stated the agreement is the agreement, and asked if there were any revisions anyone would recommend. Ms. Frasier asked if anyone is uncomfortable with the inconsistent schedule or the current language. Ms. Frasier stated the discussion points were with Lorylynn Ltd. working under contract; Ms. Frasier stated she does not have an issue with it; her main focus

is that she is doing her job; she is hearing good reports out in the community and the reviews and efficiency of the Board. That is her priority and she is not concerned.

Mr. Kandt added that there is an NRS requirement that state officers and employees are supposed to dedicate their time to the duties of their employer; it does not need to be in an employment agreement as it is implied under another NRS.

Deena Spaulding asked if it has become easier to operate the Board with the computer program; Loretta responded that the executive director functions, open meeting laws, research, legislation, regulations, that hasn't changed, the data entry process is a function of the licensing specialists.

Sol Magpantay stated that she does not have a problem with the raise, or doing the job, the Speech Board is pre-existing, and only thing that is an issue is the REHS and sharing.

Loretta Ponton assured the members that the REHS Board services do not impose on the Board, she puts in approximately 5 hours a month, mostly from home; and under her contract, Ms. Ponton hired a person to work 1- 2 hours a week in the office after regular hours; it does not imposing on her duties to the Board.

Sol Magpantay asked whether any other Executive Directors work for more than one board; Ms. Ponton responded the Board of Podiatry and Board of Accountancy have the same staff; the Speech Board licensing specialist is also the Executive Director of the Board of Athletic Trainers. Ms. Magpantay asked if they are in the same office; Ms. Ponton responded the Podiatry Board has a 10-year lease for a 10 hour per week position, the office is in the same building as the Accountancy Board; the Athletic Trainers is a home-based position; these positions are both employee and contract based.

Linda Frasier stated that further clarification has been helpful in understanding the issues and background; a review of prior meeting minutes and budget information on the co-locations was suggested.

No action was taken.

**Executive Director's Report** - Loretta Ponton stated that after the last meeting, she contacted Chrissy Votely at AOTA who provided a lot of information and documents on telepractice. Ms. Ponton reported that she contacted Ms. Votely to see if she could come to Nevada to help in discussion on telepractice and she was very excited to help. Linda Frasier stated telehealth is an emerging practice area and that she would be happy to also work with Chrissy on a telehealth presentation. With consensus, Ms. Votely will be asked to come to the January Board meeting.

**Licensure Statistics** - Ms. Ponton summarized the licensure statistics reporting an increase overall of 12.45%; there were 207 new licenses issued during the fiscal year ending June 30, 2016. Currently, there are 1065 licensees, 25 new since July 1; 71 licensees expired on June 30.

**Financial Reports** - The FY 16 unaudited financial reports were summarized. Ms. Ponton reported \$212,012.50 as revenue from licensing activities, 107.46% of budget and expenditures at \$178,453.21, 86.05% of budget, interest income and cost sharing totaled \$12,230.80 for a net

income of \$48,652.84. Current cash assets total \$816,135.24; total equity in retained earnings and net income is \$658,601.28.

Ms. Ponton concluded the financial report stating the biennial audit FY 2015 / 2016 financial statements is in process.

Law and Regulations - The Board's adopted regulations from 2014 and 2015 and the NRS revisions have been codified; each member was provided a current copy of the new law and regulations, and the website has been updated.

Jurisprudence Exam - Due to the changes made in codification of the law and regulations, the jurisprudence exam needs to be revised to ensure the contents are consistent with the codified law and regulations. It is anticipated that the exam will be deployed in September.

Ms. Ponton provided an update on the GL Suite and InLumon data systems stating, the change is being reconsidered, there are on-going discussions with GL Suite on services with positive responses and issues are being addressed. It would be a cost savings to remain with GL if the service issues are resolved. A formal agreement with InLumon has not been executed.

Ms. Ponton concluded her report stating there are four active complaints in process; the sponsored Seminar registration is now open on-line with a positive response rate.

**Report from Board Chair** - Linda Frasier stated she had nothing else to report. Loretta Ponton stated the Board might need to have a formal hearing, which will require a meeting in Las Vegas.

After discussion of available dates, the next Board meeting was set for November 16, 2016 by teleconference or if a Disciplinary Hearing is required, November 19, 2016 in Las Vegas.

Future agenda items for consideration are Policy 14, the co-location agreements, designation of a Board member for financial reviews, biennial audit report and 2017 meeting schedule; telepractice will be scheduled for the January meeting.

Kittima Conrad asked if the financial audit could be done every year instead of every two years. Loretta Ponton responded that it could, but it would be more expensive. The Board decided to go to the 2-year biennial audit, as they have not had any problems or findings.

**Legal Report** - Brett Kandt stated there was nothing to report.

**Public Comments** – There were no public comments.

**Adjournment** – Linda Frasier adjourned the meeting at 2:15 p.m.