

STATE OF NEVADA



BOARD OF OCCUPATIONAL THERAPY

NOTICE OF PUBLIC MEETING

August 21, 2021- 10:00 a.m.

Board of Occupational Therapy
Administrative Office
6170 Mae Anne Ave. Suite 1
Reno, NV 89523

ZOOM Access:

<https://us06web.zoom.us/j/2117685876?pwd=TG9IazRkYkU2cFJXNTJkeFFiUzIzBUT09>

Meeting ID: 211 768 5876

Passcode: 069170

Telephone Audio Only (253) 215-8782

MEETING AGENDA

The State of Nevada Board of Occupational Therapy may: (a) address agenda items out of sequence, (b) combine agenda items, and (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030). Action by the Board on an item may be to approve, deny, amend, or table.

1. Call to Order, Confirmation of Quorum
2. Public comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Educational Session (informational)
 - Presentation by National Board for Certification in Occupational Therapy (NBCOT)
4. Approval of the Minutes of the Board Meeting of May 29, 2021 (for possible action)
5. Disciplinary Actions - Recommendation for Dismissal (for possible action)
 - Complaint Case No. C21-04
6. Criminal History Petition– Pre-Determination of Eligibility for Licensure (for possible action)
 - Sonny Heng Occupational Therapist

Request for pre-determination as to whether prior criminal history will disqualify the person from obtaining licensure in Nevada.

Possible closed session for the Board to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030)

7. Fiscal Year 2022 Budget – Final Approval (for possible action)
8. Personnel Policies and Procedures, R8.21.21 (for possible action)
 - Section 350 Remote Work
 - Compensation Schedule
9. Strategic Direction 2020 – 2022 Review (for possible action)
10. Executive Director’s Report (for possible action)
 - Financial Statements, 4th Quarter FY 21 ending June 30, 2021
 - Legislative Report Summary – Belz & Case Government Services
 - Administrative Collaborative Activities
11. Report from Deputy Attorney General (informational)
12. Report from Board Chair and Members (for possible action)
 - Future Agenda Items
13. Public Notice: No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
14. Adjournment (for possible action)

Supporting materials relating to this public meeting of the Board of Occupational Therapy will be available at the Board Administrative Office or by contacting Loretta Ponton, at (775) 746-4101 or email board@nvot.org. and are available on the Board website www.nvot.org.

Public comment is welcomed by the Board. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. Public comment will be available prior to action items on the agenda and on any matter not specifically included on the agenda as the last item on the agenda. At the discretion of the Chairperson, additional public comment may be heard when that item is reached. The Chairperson may allow additional time to be given a speaker as time allows and in his/her sole discretion. (NRS 241.020, NRS 241.030)

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. (NRS 233B.126)

Notice: Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (775) 746-4101; or fax (775) 746-4105 no later than 48 hours prior to the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.

This meeting has been posted at the Board Administrative Office and on the Board of Occupational Therapy website www.nvot.org; and the State of Nevada Public Notice Website at www.nv.gov.

This agenda has been sent to all members of the State of Nevada Board of Occupational Therapy and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 3: Educational Session

National Board for Certification in Occupational Therapy

Barbara Williams, DrOT, MS, OTR, Associate Director, External & Regulatory Affairs

- Overview of NBCOT
 - Mission
 - Accreditation
 - Board of Directors
- NBCOT Partnership with Students, Certificants, and Regulators
 - Exam information
 - Disciplinary action information (including statistics for the last 3 years)
- OT Action Exchange
 - Purpose
 - Features
- NBCOT Navigator
 - Practice analysis study
 - New tools
- Certification Benefits

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AGENDA ITEM 4: Approval of the Minutes

The minutes of the Board meeting of May 29, 2021 are presented for consideration and approval.

Minutes have not yet been approved and are subject to revision at the next meeting.

STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

MINUTES BOARD MEETING

May 29, 2021

Members Present: Elizabeth Straughan, Allison Stone, Mel Minarik, Phil Seitz, Sol Magpantay
Members Absent: None
Staff Present: Loretta L. Ponton, Executive Director, Stacey Whittaker, Licensing Coordinator, Henna Rasul, Sr. Deputy Attorney General
Public Present: Sofia Long, Sr. DAG, Dee Menchavez Noble, OT, Zoe Studer, OTR, Lea Case, Belz & Case Government Services, Abigail Swidergal, OTA

Elizabeth Straughan, Chair, called the meeting to order at 10:02 a.m. A roll call confirmed a quorum was present. Mel Minarik jointed the meeting at 10:07 a.m.

Public Comments – Loretta Ponton announced the reappointment of Mel Minarik representing the public to the Board. There were no other public comments.

Approval of the Minutes - Elizabeth Straughan asked if there were any corrections, revisions, or other discussion of the minutes of the January 16, 2021, board meeting.

No revisions were noted. Ms. Straughan called for a motion.

Allison Stone made the motion to approve the minutes of the Board meeting of January 16, 2021. Phil Seitz seconded the motion. The motion passed with Sol Magpantay abstaining.

Disciplinary Hearing, Complaint Case C21-03, Duchess Menchavez Noble, OT License #0796

Henna Rasul, Sr. Deputy Attorney General prosecuting the case; Sophia Long, Sr. Deputy Attorney General representing the Board. Duchess Menchavez Noble was present on ZOOM link.

Henna Rasul introduced the Petitioner's Index of Exhibits and Certificate of Service in Complaint Case C21-03. Sophia Long asked Dee Menchavez Noble if she had any objections to the viewing of documents. Ms. Menchavez Noble approved the viewing of documents.

Ms. Rasul entered into evidence Exhibit 1 Complaint and Second Notice of Hearing dated May 6, 2021 and Signed Proof of Personal Service and Exhibit 2 Complaint and Notice of Hearing dated April 6, 2021. Ms. Rasul stated the Exhibits are identical except for the time of the Hearing. Ms. Rasul summarized each of 6 Counts contained in the Exhibits: Count 1 alleges unprofessional conduct; Count 2 alleges failure to complete continuing education and provide proof of completion; Count 3 alleges failure to complete continuing education by the renewal cycle; Count 4 alleges failure to comply with continuing education requirements; Count 5 alleges failure to retain credentials in violation of AOTA Code of Ethics; and Count 6 alleges falsification of statements with renewal of a license.

Henna Rasul called Loretta Ponton to the stand. Ms Ponton was sworn in by Sophia Long.

Question: State your name and title.

Minutes have not yet been approved and are subject to revision at the next meeting.

Response: Loretta Ponton, Executive Director of the Board of Occupational Therapy.

Question: Are board files created for each licensee?

Response: Electronic records are created for each licensee which contains all licensing information, pertinent documentation, and correspondence.

Question: Is Ms. Menchavez Noble licensed with the Board; if so date of original licensure.

Response: Ms. Menchavez Noble is licensed as an Occupational Therapist, licensed for several years the exact date is not known at this time.

Question: Are you familiar with the details of the case, and can you explain?

Response: Yes, the case details are comprised of email and written correspondence, documented telephone contacts which are outlined in the Complaint.

Henna Rasul, Sr. DAG introduced Exhibit #3, Administrative Complaint; Exhibit #4 Notice of Complaint and Exhibit #5 Correspondence with Ms. Noble.

Ms. Rasul stated there were no further questions or objections.

Ms. Ponton provided additional emails from Ms. Noble as of 5/28/21 & 5/29/21 which transmitted additional CE hours as attachments stating Ms. Noble has submitted 23.5 hours with these credits, completed from November 2020 to May 28, 2021; she still needs ½ hour.

Henna Rasul requested approval of the additional exhibits provided by Ms. Ponton. Liz Straughan accepted the additional exhibits.

Henna Rasul opened for questions or objections to any of the Exhibits.

Sophia Long asked Ms. Noble if she had questions for Loretta Ponton. Ms. Noble responded she did not.

Ms. Noble stated she has been licensed since 2005, works in home health and has always been diligent with her continuing education. She was divorced in 2017, left alone to raise 2 boys with no family here and has barely been working with the pandemic and having to home school her kids. It was a real financial burden to do continuing education; she is picking up more work hoping things get better and asked the Board for consideration of the difficult year.

Phil Seitz asked what setting she worked in. Ms. Noble responded home health, off and on, had to cut back when kids were at home.

Sol Magpantay asked if she is current with NBCOT. Ms. Noble responded no; she cannot afford membership. Sol Magpantay asked if she had any CE carryover hours from 2018, any courses taken at work or has she taken the jurisprudence exam. Stacey Whittaker, Licensing Coordinator, commented that Ms. Noble had 1.0 hours carry over from 2018 and she has not taken the jurisprudence exam.

Phil Seitz stated she has been licensed a long time, had ample time to respond and turn things around, there are a lot of options for CE's. Ms. Noble responded most were in-service training, not eligible for CEs.

Loretta Ponton stated this Hearing is for violations of CEs for renewal period July 2018 – June 2020; the CE's completed are November 2020 to present; outside the time of the renewal period. The Board should determine if there was a violation, sufficient evidence and whether disciplinary action should be taken.

Sophia Long added there are also allegations regarding false statements; Ms. Ponton added that in evidence are conversations, she indicated it had been completed and she would send in.

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Sophia Long asked if there were any further questions. There were none.

Henna Rasul proceeded with closing with the following recommendations:

- Find the respondent guilty in Counts 1 through Count 6 of the Complaint.
- Suspend the license through 2022.
- Lift the suspension if 24 hours of CE are submitted, place license on probation.
- Respondent to complete an additional 6 hours of CEs in Ethics within 6 months of date of probation.
- Responsible for all costs of CE's and send documentation of completion of CE within 30 days of completion.
- Maintain a license with the Board.
- License would be automatically revoked if terms are not met.
- License would be eligible for reinstatement after 2 years.
- Pay Board's attorney's fees, estimated to date \$1,150 plus \$154.36 per hour for today's hearing for both DAG's.

Loretta Ponton summarized for clarity the recommendations stating if the CEs are received then the suspension would be waived, the license would be put on probation effective that date; she would still be subject to attorney's fees and additional 6 hours of CE in Ethics and the other terms.

Sol Magpantay stated that with the 1-hour CE carryover and the Jurisprudence Exam that would be 25.5 hours. Liz Straughan asked if the CEs are current now. Ms. Ponton responded it is up to the Board to decide if the carry over CE and current CEs would count in determining disciplinary action; if so, they would not count towards the 2022 renewal requirement.

Sophia Long stated the Board should entertain a motion if there is a violation of all 6 counts, the motion should so state, and a violation of being short CE's and unprofessional conduct.

Allison Stone motioned that Duchess Menchavez Noble is guilty of violation of NRS 640A and NAC 640A continuing education requirements and unprofessional conduct as stated in Counts 1 through 6 of the Complaint. Phil Seitz seconded the motion. Motion carries with none opposed and no abstentions.

Board members discussed recommendations for disciplinary action as presented by Henna Rasul.

Phil Seitz commented that if the license is suspended, she would not be able to work. Liz Straughan commented she has one more credit to do, she is at 23.5 hours; Sol Magpantay stated she can take the jurisprudence exam for free.

Loretta Ponton recommended the Board might consider taking suspension off the table if she completes the jurisprudence exam for the needed 1.0 hour of CE.

Allison Stone made a motion to place Duchess Menchavez Noble, License #0796, on two (2) year probation, effective May 29, 2021, with the following terms:

- Completion of the Nevada Jurisprudence Exam by June 2, 2021
- Complete 6 hours of CE in Ethics within 6 months of date of probation; does not count toward renewal of license in 2022.
- Responsible for all costs of CE's; submit documentation within 30 days of completion.
- Pay the Board Attorney's fees and costs.
- Maintain current license.

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- License to be revoked if terms of probation are not met; eligible for reinstatement after 2 years.

Sol Magpantay seconded the motion. Motion carries with none opposed and no abstentions.

Practice Without Current License, Application for Reinstatement of License, Zoe Morgan Studer, OTR, License # OT-2199

Loretta Ponton reviewed the reinstatement request and supporting documentation which identified that Ms. Studer had not renewed her license which expired in January 2021 and continued working until April 2021. A Cease-and-Desist letter was issued, Ms. Studer has not been practicing since issued.

Phil Seitz asked Ms. Studer to explain.

Ms. Studer stated she was waiting for an email to renew, assumed both her state license and NBCOT expired at the same time; it was an oversight on her part.

Phil Seitz asked if she was still working in hand therapy. Ms. Studer responded she was, but not since the cease and desist was issued.

Loretta Ponton explained this was her first renewal in Nevada; her employer speaks very highly of her, and this is her first offense.

Liz Straughan stated she agrees with approving a public reprimand and reinstatement.

Henna Rasul clarified that a public reprimand cannot be imposed on a non-licensee.

Loretta Ponton stated the Board should first consider the unlicensed practice, with the Board having the authority to assess an administrative fine; and second the reinstatement with or without conditions.

Henna Rasul added once the license is reinstated it can be disciplined.

Sol Magpantay stated the services provided during the 3 months of unlicensed practice cannot be charged. Zoe Studer responded her employer has already backtracked with Medicare patients.

Sol Magpantay suggested reinstatement with conditions, public reprimand, continuing education in ethics, jurisprudence exam. Ms. Magpantay added she needs to get back to work.

Phil Seitz stated it is her first violation, would not like to assess a fine.

Elizabeth Straughan called for a motion.

Sol Magpantay made the motion that Zoe Studer is guilty of practice without a current license; first offense with waiver of fine. Mel Minarik seconded the motion. Motion carried.

Allison Stone motioned to approve the reinstatement application of Zoe Studer, OTR, license #OT-2199, effective May 29, 2021; and issue a public reprimand for non-renewal of license. The motion was seconded by Phil Seitz. The motion carried.

Mel Minarik commented she felt the licensee handled herself professionally throughout the process.

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Legislative Report, Lea Case, Belz & Case Government Services – Ms. Case was introduced to the Board representing Belz & Case Government Services, formerly J.K. Belz & Associates, Inc.

Ms. Case reported the Legislative Building is now open with the Session scheduled to end on June 1st. Legislation will continue to be monitored for amendments. Ms. Case summarized bills tracked during the session.

Loretta Ponton added it was a relatively quiet session, with no major impacts on the Board.

Biennial Budget Update, Fiscal Year 2022 – Loretta Ponton facilitated a review of the draft FY 2022 Budget stating revisions may be necessary depending upon the final impact of legislation, including passage of SB 217, Applied Behavior Analysis who wish to co-locate. They are interested in filling the vacant executive office for a cost of approximately \$5,300. The final budget will be presented at the August meeting for approval.

Ms. Ponton stated the contract for legislative services expires June 30th and is proposed for amendment to extend for 6 months. The Board is asked to consider approval of the amendment to extend the contract for 6 months under the same terms and costs.

Ms. Ponton explained revenue projections are reduced due to slow growth during the pandemic; there is a 2.5% reduction in total licensees; it is the first-time numbers have decreased. Reserve analysis shows over 30 months of reserve even with reduced revenue.

Overall expenses are projected to be down by 7% over the current fiscal year with the assistant position vacancy, and small adjustments to other line items.

Phil Seitz asked what was included in the professional fees line item. Ms. Ponton responded legislative services, and bookkeeping services.

Mr. Seitz asked if Ms. Ponton was still considering retiring. Ms. Ponton responded a definitive date has been put on hold.

Liz Straughan called for a motion on the contract extension with Belz and Case Government Services.

Allison Stone made the motion, seconded by Phil Seitz to approve the contract extension with Belz and Case Government services for six months, as presented. The motion passed.

COVID 19 Emergency Provisions – Elizabeth Straughan asked Loretta Ponton to facilitate. Ms. Ponton reported the Board office will be re-opening to the public June 1, 2021. The COVID-19 pandemic is easing, and the economy is improving.

The Board had implemented two (2) emergency provisions relating to temporary licenses and deferral of license renewal fees.

It is recommended the Board discontinue emergency temporary license provisions for new applicants, effective June 1, 2021. Temporary licenses will still be available with all required back up and payment of fees.

Ms. Ponton reported there are approximately 25 licensees who are still on deferral of renewal fees. It has now been over 1 year since deferral and coming to the end of the fiscal year. It is recommended the Board establish a due date of June 30, 2021, for payment of deferred renewal fees.

Minutes have not yet been approved and are subject to revision at the next meeting.

Elizabeth Straughan called for a motion.

Allison Stone made the motion to end the Emergency Provisions as presented, effective June 1, 2021. Mel Minarik seconded the motion. The motion passed.

Executive Director's Report - Loretta Ponton reported on licensure statistics with comparisons to prior year and current fiscal year by quarter. Ms. Ponton reported a total of 20 Emergency Temporary Licenses have been issued since April 2020 with 7 currently active.

Ms. Ponton reported the Board of Applied Behavior Analysis has indicated they would like to co-locate their Administrative Office at the Board's location, occupying the vacant executive office. Negotiations are in process to facilitate the co-location. Ms. Ponton added that she will be providing technical assistance to the ABA Board and their Executive Director in Board administrative processes and requirements. The ABA Board was previously under the Division of Aging Services and will now be an independent board.

FY 2021 Financial Statements: Ms. Ponton summarized the 3rd Quarter Financial Statements reporting Revenue is projected to be up to 5% below budget due to a combination of fewer applicants and waiver of temporary license fees. Expenses are below budget and are projected to be well less than budget for the fiscal year due to cost savings in personnel and operating expenses.

Phil Seitz asked what VOYA is and about the investments in CD's. Ms. Ponton responded that VOYA manages the State's Deferred Compensation program; there is approximately \$500,000 invested in tiered term CDs with two maturing each fiscal year; however, with interest rates so low, maturing CDs are being invested in short terms in hopes rates will increase. There is one remaining 5-year CD at 2.5% which will mature next fiscal year. Interest earned on the investments are not taxable and are rolled into the money market account.

Ms. Ponton continued reporting the Administrative Office will be re-opening to the public on June 1, 2021; work schedules will incorporate hybrid schedules combining remote work and on-site staffing.

A short telehealth survey was conducted to provide a baseline idea of the scope of telehealth practice in Nevada. The Touro University OTD program is now fully accredited, and they have withdrawn their master's program accreditation.

The CE audit has been completed with all in compliance except for the one complaint addressed earlier.

The Administrative Collaborative has met 3 times with the next meeting to be scheduled in June. The Model Board Member Manual will be presented for the collaborative's consideration. There are now 11 member Boards.

Complaints: Ms. Ponton reported one open complaint case in the investigative process.

Report from Sr. Deputy Attorney General – Henna Rasul announced she has received approval for permanent remote work.

Report from Board Chair and Members – Elizabeth Straughan stated she would like to resume in-person Board meetings. NBCOT will be presenting at the August 21st meeting and Board members were polled as to availability for that meeting to be held in-person in Reno, with consensus from the members.

Minutes have not yet been approved and are subject to revision at the next meeting.

Ms. Ponton stated the Board regulation should be ready for the regulatory hearing and adoption at the November 6th Board meeting.

The proposed meeting calendar for 2022 was discussed with agreement that a Strategic Planning Retreat should be held in Las Vegas. Calendar year 2022 meeting dates were confirmed for January 29th; April 29 and 30 for the Strategic Planning Retreat; August 20th and November 5th.

Ms. Ponton announced that Mel Minarik has been reappointed to the Board and that Sol Magpantay's term will be ending December 31, 2021. Recruitment for an Occupational Therapist will be needed.

Elizabeth Straughan asked if there were any other future agenda items the members would like to add. There were none.

Public Comment – Elizabeth Straughan asked if there were any public comments.

Abigail Swidergal asked that meetings continue to offer by ZOOM access for individuals who cannot travel. Ms. Swidergal stated sharing space with the Applied Behavior Analysis Board could be a conflict because of perspective; ABA follows conversion therapy with autistic patients. As a clinician, she does not like to see them joining forces and feels they need to keep the Boards separate.

Loretta Ponton commented the co-location is an administrative function, it is an efficiency measure to share physical and logistical resources, not practice resources. ABA is also a provider of health care.

Liz Straughan commented there is a strong demand by parents for ABA in schools, sees this as very positive.

Sol Magpantay commented it is strictly an administrative role.

Adjournment – Elizabeth Straughan called for a motion to adjourn.

Mel Minarik made the motion, seconded by Sol Magpantay to adjourn. The motion passed.

The meeting adjourned at 12:11 p.m.

State of Nevada
Board of Occupational Therapy

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AGENDA ITEM 5: Disciplinary Matters
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Recommendation to Close File: C21-04

After review of all documentation received in regards to the above referenced complaint, it has been determined that there is insufficient evidence to file a formal complaint for hearing before the Board and the facts set forth in the accusations are insufficient to establish a violation of Chapter 640A of the Nevada Revised Statutes or the Nevada Administrative Code.

Case No. C21-04 alleging unprofessional conduct, and violation of the Code of Ethics and Standards of Practice.

Complainant alleged respondent documented treatments to clients/patients when not in attendance and/or which were not provided for the duration specified.

**The Board is requested to formally approve dismissal of:
Case No. C21-04**

State of Nevada
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AGENDA ITEM 6: Criminal History Petition

Pre-Determination of Eligibility for Licensure

Sonny Heng – Occupational Therapist

Sonny Heng has petitioned the Board for a pre-determination as to whether prior criminal history will disqualify him from obtaining licensure in Nevada.

Mr. Heng is currently licensed in California and intends to submit an application for licensure in Nevada pending a determination of eligibility by the Board.

Mr. Heng has a misdemeanor conviction for Driving Under the Influence with property damage and is currently on probation.

Attachment

Request for Pre-Determination and Supporting Documents



STATE OF NEVADA
BOARD OF OCCUPATIONAL THERAPY

6170 Mae Anne Ave., Suite 1 | Reno, Nevada 89523
Phone: (775) 746-4101 | www.nvot.org | Fax: (775) 746-4105

December 2, 2020

Sonny Heng
524 Arlene Dr
Roseville, CA 95678

Re: Petition for Review of Criminal History - Pre-Determination of Eligibility for Licensure

Dear Mr. Heng,

Your request for a review and pre-determination of eligibility for licensure in Nevada as an occupational therapist has been placed on the agenda of the Board of Occupational Therapy meeting to be held as noticed below. Due to COVID-19 restrictions, this meeting will be held by audio-video technology utilizing ZOOM; with public access at the Board Administrative office.

August 21, 2021
10:00 a.m.

Board of Occupational Therapy, Administrative Office
6170 Mae Anne Ave. Suite 1
Reno, NV 89523

ZOOM Access:

<https://us06web.zoom.us/j/2117685876?pwd=TG9IazRkYkU2cFJXNTJkeFFiUzIbUT09>

Meeting ID: 211 768 5876
Passcode: 069170

Telephone Audio Only (253) 215-8782

You may participate in the meeting to provide any additional information or answer questions that may be posed by the Board members in considering your request for pre-determination.

The agenda for the Board meeting will be provided prior to the meeting date.

If you have any questions, please feel free to contact me.

Sincerely,

Loretta L. Ponton

Executive Director

Personal Statement

To Whom It May Concern:

My name is Sonny Heng and I am an occupational therapist. I have been a licensed therapist for four years. I enjoy my work within skilled nursing and in-patient rehabilitation. I am continuously completing continuing education courses in order to further my skills and knowledge.

I am hoping to relocate to Nevada to be closer to family. However, I was arrested for a DUI in October of 2019. It is not a proud moment in my life and I have been striving everyday to rehabilitate and remain on the right path. I have completed 48 hours of court ordered volunteer hours at a non-profit church. I am currently enrolled in a 9-month DUI program, which will be completed August 2021. I meet bi-weekly with a psychotherapist for check ins and continued education in positive coping strategies. I attend informal alcohol anonymous groups as my schedule allows. I have not driven a car since the day of the incident and do not plan to in the foreseeable future.

I am writing this letter to ask for your acceptance of a Nevada license. I believe I have made positive steps in the right direction to demonstrate my ability to provide safe and ethical occupational therapy services to the citizens of Nevada.

With Regards,

Sonny Heng, OTR/L

Sonny Heng

524 Arlene Dr
Roseville, CA 95678

Licensed Occupational Therapist, MS

559.388.1557
Sonnyheng77@gmail.com
<https://www.linkedin.com/in/sonnyheng77>

RELEVANT EXPERIENCE

Roseville Point Health and Wellness Center – Roseville, CA

Long term care, short term rehab and sub-acute
Full Time Therapist July 2020 to Present

-Evaluate patients upon initial encounter to determine need for occupational therapy intervention and make referrals to other treatment team members as deemed appropriate.

-Develop and provide therapeutic and occupation-based interventions to promote increased independence in activities of daily living.

-Communicate with the nursing team prior to evaluating and treating patients. Safe management of patients' tracheostomy lines, feeding tubes, wound vacs. Communicate with interdisciplinary team regarding plan of care, skilled treatment, monitoring of vitals and response to therapy.

-Plan occupational therapy treatment program for each patient based upon interpretation of evaluation results. Communicates plan of care with patient, caregivers and interdisciplinary team members.

-Recommend AE, DME and environmental modifications to promote optimal safety for discharge in least restrictive environments.

-Collaborate regularly with other disciplines including Physical Therapy, Speech Therapy, Social Work, and Nursing to provide comprehensive care and establish appropriate discharge plans for each patient

Pacific Gardens Nursing and Rehab, Fresno CA

Long term care and short term rehab
Travel Therapist March 2020- July 2020

-Perform detailed evaluations of newly admitted patients and long-term care residents to determine appropriateness of skilled OT services based on current and prior levels of function and analysis of overall rehab potential

-Manage full caseload, providing skilled evaluations and interventions, utilizing evidence-based and client-centered intervention methods tailored to each patient's unique needs and goals

-Completed a range of clinical documentation in a timely manner, including daily treatment notes, progress reports, restorative nursing programs, and discharge notes

-Educate staff, patients, and their families/caregivers regarding safety recommendations for performance of ADLs and functional mobility activities, including use of various adaptive equipment to maximize participation and independence

SKILLS

- Licensed Occupational Therapist with 4+ years of experience in skilled nursing facilities, long term care and outpatient mental health with the geriatric, homeless and veteran populations.
- Trained in standardized and non-standardized assessments for best guide patient outcomes.
- Developed and established group process curriculum and facilitated group interactions to best address needs of the population.
- Provide patient centered treatment plans and interventions with measurable functional outcomes
- Program development for sub-acute addition to SNF/LTC facility
- Provide evidence based clinical care

COMMUNITY SERVICE

Apple Valley Post-Acute Rehab, Sebastopol, CA
Long term care and short term rehab

-Travel Occupational Therapist July 2019-January 2020

- Planned individually designed treatment plans for patients across the lifespan rehabilitating from trauma, injury, or illness.
- Evaluate residents to obtain data necessary for treatment planning and develop a treatment plan that includes a target list, short-term and long-term goals
- Directed and supervised Certified Occupational Therapy Assistants in the implementation of treatment plans
 - Provided skilled training to patients, staff and caregivers through formal/informal training, education and inservices.
- Facilitation of therapeutic group processes focused on life skills, ADL training, AE education, etc.
- Skilled use of physical agent modalities and provided assessment/fitting for static/dynamic splints.

Pacific Grove Healthcare Center, Pacific Grove, CA
Long term care and short term rehab

-Travel Occupational Therapist March 2019-June 2019

- Developed and provided therapeutic and occupation-based interventions to promote increased independence in activities of daily living.
- Evaluated patient upon initial encounter to determine need for occupational therapy intervention and made referrals to other treatment team members as deemed appropriate.
- Plans occupational therapy treatment program for each patient, based upon interpretation of evaluation results, interprets evaluation findings for patient, family, and treatment team members.
- Recommended AE, AD and DME to promote optimal safety for discharge in least restrictive environments.
- Attended patient care conferences. Coordination of patient discharges and home evaluations.

EDUCATION

Bay Path University, Longmeadow, MA *Master of Occupational Therapy*

July 2015-June 2017

Bridgewater State University, Bridgewater, MA — *Bachelor of Art in Physical Education*

August 2009-December 2014

LICENSURE & CERTIFICATIONS

National Board for Certification in Occupational Therapy- OTR,
#393689

Licensed Occupational Therapist-State of California (#18476)

BLS Provider- American Heart Association-11/2018-11/2020

- Led initiative for occupational therapy program focused on recovery model principles.
- Initiated, developed and established Program Development for Occupational Therapy services in an Outpatient Mental Health Facility
- Incorporated OT scope of practice into existing mental health services to enhance client outcomes
- Successful grant writing in order to develop and establish initial occupational therapy program within an outpatient mental health facility.
- Ensured successful carryover for established OT program with organized program curriculum and guidelines for incoming fieldwork students.

Attorneys at Law
R. Ryan Wilber, Esq.
Rachel A. Wilber, Esq.

Dave Jake Schwartz, Esq.
Senior Counsel



Dear *Sonny*, please find our sentencing summary and instructions below:

Resolution of Sonoma County Case SCR-733468-1

As you know, on **August 28, 2020**, we entered your plea and received your conviction and sentence in this matter. Uploaded with this memo you will find a copy of the Minute/Sentencing Orders which set forth the requirements of the Judge's sentencing order. *Only the circled items apply to you.* Below is a summary of your specific obligations.

Rarely, mistakes may occur, therefore it is critical to your continued liberty and successful completion of sentencing orders that you independently confirm and understand your obligations and liabilities by reading and understanding the Minute/Sentencing Orders, and then contact each authority listed to confirm your obligations and begin compliance. Although we are pleased to answer questions for free well into your future, you must be responsible for clarification and compliance, and there would be additional legal fees for court appearances or modifications to fix problems arising from simply failing to read your orders and stay ahead of deadlines and obligations.

Disposition – A plea of no-contest was entered on your behalf to a misdemeanor violation of Vehicle Code Section 23152(b), driving with an .08% or higher blood alcohol level. The remaining charges were dismissed, and the .20% Enhancement was admitted. Your bail was exonerated. There was no need for any additional penalties for aggravated facts or circumstances, and we were vigilant to ensure that none were imposed.

Court Fine – The court fine is **\$2242.00, plus a \$150.00 Restitution Fine and a \$35.00 processing fee**, all of which we arranged for you to pay at **\$75.00 per month, with the first payment due November 1, 2020**. Mail your payments to: Superior Court Accounting Department, 600 Administration Drive, Room 106-J, Santa Rosa, CA 95403. You should contact their office at (707) 521-6747 or on the court's site at: www.sonoma.courts.ca.gov/divisions/accounting to confirm your amount and due date. To pay using the court website, click the court link above, then the "access now" button, then "criminal fines" then "find my case" and then enter your case number indicated at the top of this memo. **You will not receive any bills or invoices**; this fine is a condition of probation and therefore in order to avoid collections penalties, new license holds, unnecessary risk of being denied an expungement, etc., it is critical that you maintain good standing with all your payments.

Jail/Work Release Program – Your **4 days of jail** have been credited for time already served. There are no further actions on your part.

Community Service/ Volunteer Hours – You will note that **the court ordered you to complete 48 hours of nonprofit community service**. This work needs to be accomplished with the Sonoma County Volunteer Center, located on: **153 Stony Circle #100, Santa Rosa CA 95401. Telephone 707-573-3399. You must**

contact them within 30 days of your sentencing date 8.28.2020. The court ordered you to have the nonprofit community hours completed by February 24, 2021 when we will return to court to show proof of your completion. Please send us proof of your completion before February 24, 2021.

Probation – You have been granted **36 months informal probation**, meaning that you are ordered to be of good conduct and obey all laws and court orders. The remaining conditions of your informal probation are indicated on the Minute/Sentencing Order. If you violate any of these terms, you would be in jeopardy of receiving additional punishment in this case, including *up to one year in jail with no jail alternatives, and suspended driving privileges with no restricted, hardship or work license.*

Additional Court Orders:

The court did order you to not drive with any alcohol in your system or intoxicating substance.

The court ordered you to not drive without a California valid driver license and insurance in effect.

The court ordered you to not commit criminal offense, refuse a BAC (blood alcohol, test), or drive with any measurable amount of alcohol in your blood.

Be of good conduct and obey all laws.

Remember that jail staff, police officers, probation officers, as well as court employees, DUI program employees, DMV employees, and other government and law enforcement personnel are **NOT** your friends, nor are they lawyers. Never permit yourself to engage in casual conversation, or admit to any activity which might seem to violate the law or terms of probation; quiet and reserved demeanor, with short, concise answers as required, are best (and always remember that, whether you are on probation or not, you are never required to speak with law enforcement unless you are driving, and only then to provide your name, driver license and insurance, and a chemical test if an officer reasonably believes you are driving with alcohol in your blood). Any questions you wish to direct to, or “advice” you may receive from, such individuals should be checked with lawyers like us if at all possible before you act, initiate contact, or follow advice. If you have questions, call us rather than the DMV or the court or other government or law enforcement agencies.

First Offender Three Month DUI Program – You have been referred to the **“Three-Month First Offender DUI Program”**. **The court ordered you to successfully enroll in the DUI program within 30 days of your sentencing date 8.28.2020. The court authorized you to take an online equivalent program. The Prodigy Healthcare DUI Program is an online program that is court authorized. (See the attached Breathe Easy Flyer, call the number on the flyer for more information about the Prodigy Healthcare DUI Program enrollment process). The DMV will require you to do the Nine-Month DUI program because of the high alcohol level enhancement.**

* Do not wait until the last week to accomplish enrollment (beware state holidays and unexpected office closures). Take the Minute/Sentencing Orders with you, as well as a credit card, cashier’s check or money order for the initial payment, or as required by the program.

Ignition Interlock Device (IID) – As we discussed, the Court ordered that you install an Ignition Interlock Device (IID) Breathalyzer for 6 months or file an exemption with DMV.

Driving Privilege – As you know, we requested the DMV to start the suspension date on September 1st, 2020. Uploaded here you will find an IID restricted license procedure memo describing the necessary steps to convert the DMV suspension into a restricted license, ***if you haven't done so already***.

Note that you will receive multiple, seemingly inconsistent suspension notices with misleading or absent information and varying suspension periods, but rest assured that you should be, or have already been suspended, and the above-described procedures will yield a restricted license. Also, remember that typically there are two suspensions: one triggered by this court conviction and one triggered by the separate DMV hearing process. If you are already complying with the applicable IID, SR22 and DUI program requirements when you receive the second suspension notice, then you must return to DMV immediately and simply pay your remaining reinstatement fee to “reconvert” the new suspension to the same restricted license you already possess. If you have not yet obtained a restricted license, then depending where you are in your process, you might have to visit DMV twice as we described here.

The sooner you accomplish these details and obtain this license, the sooner you will remove the risk of being cited for driving on a suspended license, the penalties for which are severe and expensive (jail, car impounded, fines, more lawyer fees, yuck).

Expungement – Once you successfully complete the probation in this matter, you have a right to request the expungement or dismissal of your conviction. You may find more information about expungements on our website at: <https://www.sonomacountyduilawyers.com/top-ten-tips/expungement.html>.

Although we are not retained to represent you in any matter beyond the sentencing stage, it is crucial that you contact us should you have questions about the above explanations, or any difficulty accomplishing any court orders or obligations. I can assure you that if we deal with these problems before or as they arise, it will be much easier and less expensive than if you delay or under-prioritize. *Any further court appearances would require additional legal fees, but phone calls to us are always free.*

It was a distinct pleasure working for you and we wish you the very best fortune in your future endeavors.

Best Regards,



R. Ryan Wilber, Esq.
Wilber Law Offices, P.C.

Also see in your case portal: Minute/Sentencing Orders; Work Release information sheet; Fine payment Information sheet, The Sonoma County DUI Program Flyer and The Breathe Easy Flyer will assist you with the SR22 policy, the IID Installation; and the Enrollment in the Prodigy Healthcare Online DUI Program.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

Case # SCR-733468-1 Date: 08/28/20 Time: 08:30 Courtroom # 4 1st App: _____ Target: _____
Judge: Philip H. Pennypacker Reporter: _____ Sworn Interpreter: _____ INT
Deputy D.A.: _____ Clerk: _____ Cert # _____ Language _____
PEOPLE VS. HENG SONNY [DE] [] Oath on file [] Identity verified
[112] _____ Interpreter needed next date

Agency # CHP-JA06501
Charges: 1) [M]VC23152(a); 2) [M]VC23152(b); 3) [M]VC20002(a)

A NATURE OF PROCEEDINGS: Change of Plea BAC 21 Method Level

DEFENDANT [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [5] Waiver of personal appearance filed
[6] Pub. Def. _____ [7] appointed [A] PD reg fee [8] relieved [21] True name is _____
[9] Defense Csl. R. Wilber [10] generally [11] relieved [22] Defendant advised of charges/allegations
[12] Conflict Csl. _____ [23] Stipulates to arraignment [24] Advised of constitutional rights
[13] assigned [14] appointed [A] reg fee [15] relieved Waives [25] reading [26] further advisement of rights
[16] Complaint filed [17] _____ Amended complaint filed [] **Complaint not filed** [27] Defendant discharged [28] Cont. for complaint
[18] Defense provided with [A] Complaint [B] Report [C] Cite [29] Mutual discovery granted by _____ [30] Judge recuses self per 170.1 CCP
[19] Complaint amended to _____ [31] 170.6 CCP filed re: Judge _____ by [A] DA [B] Defense
[20] Charge(s) amended to _____ P.O. _____ [32] present [A] gives oral report
[33] City Attorney _____ present
[34] Criminal Protective Order [A] issued & filed [B] vacated [C] served

B BAIL/CUSTODY STATUS WARRANT [15] RECALLED [18] remains out Bail [21] increased to \$ _____ [22] reduced to \$ _____
DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY Mtn. for [24] OR [A] granted [B] denied [C] conditions attached
BAIL [3] forfeited [4] reinstated [5] exonerated [7] reinstated and exon [26] OR [A] reinstated [B] revoked [C] terminated [D] continued
[8] Bench warrant to issue per _____ Bail \$ _____ [28] Summary judgment extended to _____
Do not [9] cite out/release on OR [10] recalendar [12] **EXECUTION STAYED** [29] Reassumption of liability filed
Declaration & warrant to be prepared by [13] DA [14] City Attorney PTR [PTR03] Granted [PTR05] Denied [PTR04] Conditions attached
[19] Bail set \$ _____ [A] as set [20] NO BAIL [PTR06] Reinstated [PTR07] Revoked [PTR08] Terminated [PTR09] Continued

C DEFENDANT INFORMED OF RIGHTS/ADVISEMENTS **DEFENDANT** [10] waives each right [11] waives time
[1] to counsel [2] of time for trial [3] to confront/cross exam witnesses [12] does not waive time [13] withdraws time waiver
[4] against self-incrimination [5] to jury/court trial [6] to VOP hearing [14] waives VOP hearing [15] waives jury trial [16] People waive jury trial
[7] possible assessment of P.D. fees [8] alien advisement per 1016.5PC [17] Declaration, Notice, & Order re: Vio. of Conditional Sentence filed
[9] Faretta advisement given re: counsel & waived [9A] Watson [PTR01] Petition for Violation of PTR Filed

D DEFENDANT PLEADS [1] Not Guilty [A] NGI [2] Not guilty plea w/drawn **Enters** [28] Arbuckle [29] Harvey waiver _____
[3] Absentia plea filed [4] Priors denied [5] Enhancements/allegations denied [30] Referred to [31] Accepted in [A] 1210 PC Court [B] Drug Court
Advised of [6] max. penalties [7] future consequences [8] understands & [C] DV Court [D] FACT Court [E] DUI Court
waives each right [9] Defense Csl. joins in waiver [10] **TAHL** waiver filed **CRIMINAL PROCEEDINGS** [32] suspended [33] reinstated
[11] **GUILTY** [12] **NO CONTEST** Refer to [34] CAD Contact within 48 hours [35A] Alcohol Monitoring
Admits [13] _____ priors [14] enhancement [15] enhancement stricken [36] CAD [A] accepted [B] denied [C] vacated [X] **PC-1000**
[16] **Violation of Probation** [A] denied [B] admitted [C] dropped Terminate [39] successfully [40] unsuccessfully [A] CAD [B] NBRC
[17] Priors _____ found constitutionally [A] valid [B] invalid [41] **GUILTY** plea for deferred entry of judgment on ct(s) _____
[18] **Stipulates to** [A] factual basis for plea [B] probable cause for arrest Deferred entry completed [41A] successfully [41B] unsuccessfully
[C] Commissioner [19] Report/memo filed [A] Bail [B] CAD [PTR02] PTR [42] Dr. _____
COURT FINDS [20] factual basis for plea [21] admission [22] Def. knowingly [43] Report due _____, appointed per _____
intelligently, freely, voluntarily waives rights [23] Def guilty [24] in Viol. Prob. **DEFENDANT** [44] found mentally [A] competent [B] incompetent
[25] People's motion to dismiss remaining counts at time of sentencing granted [45] committed to Sonoma County Jail [A] contested [B] uncontested
DEFENDANT waives time for [26] sentencing [27] referral to Probation [46] If sentenced to Jail, term would be _____ yrs/mos. Credits

E PROBATION [1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] NBRC [E] Post Sentence
[F] Other _____ [3] **PROBATION SUMMARILY REVOKED** [4] Prob. Rpt filed [5] See P.O. today [6] Test today
SPRAT referral [CP217] to Prob. Dept. [CP218] to Sheriff Dept. [PTR02] SPRAT filed [8] Refer to [A] Mental Health [B] Mental Health Review Team [9] Report due _____

F CALENDAR SETTINGS **HELD** [9] Cert per 1368 PC for hrg. _____ Ctrm _____ [A] **HELD**
[1] Sett. Conf. set _____ Ctrm [A] **MOTION** [11] 1538.5 PC [12] 1050 PC [13] Other _____
[2] Readiness Conf. set _____ Ctrm [A] Set _____ Ctrm _____
[3] Jury trial set _____ Ctrm [A] [A] **HELD** [B] granted [R31E] Denied
[4] Court trial _____ Ctrm [A] [14] P & A's by _____ [15] Response by _____
[5] Vio. Probation hrg. set _____ Ctrm [A] [16] Plea of guilty/conviction set aside [17] Case dismissed per 1203.4 PC
[7] **VACATED** [18] Case [19] Cts. AD **DISMISSED** [A] People's motion
[8] Cont. to _____ Ctrm 4 [B] Interest of Justice [C] Insufficient Evidence [D] With TVS proof
[X] Defendant ordered to be present [X] 977 appearance authorized [E] On condition(s): _____
Judge _____

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

Case # SCR-733468-1

Date: 08/28/20

Time: 08:30

Courtroom # 4

PEOPLE VS. HENG SONNY

[DE]

[G] No legal cause why jdgmt. should not be pronounced [1] Imposition of sentence suspended [2] Probation denied [3] Probation summarily imposed
[4] **CONDITIONAL SENTENCE** [5] **FORMAL PROBATION** [6] **SENTENCE MODIFIED**

[A] **Granted** 4 mos. [7] **Extended** ___ mos. [A] from today's date [B] to _____ [8] **Modified** [9] **Revoked** [10] **Reinstated**
Convert to [11] formal probation [12] conditional sentence [A] upon _____

To [17] **terminate** [13] successfully [14] unsuccessfully [A] upon payment of fine [B] upon completion of jail time [C] On date: _____
[15] **Terminated** [A] successfully [B] unsuccessfully [16] All other terms & conditions remain in full force & effect

[H] [1] Commence & continue education, counsel, other rehab. programs [21B] Do not commit criminal offense, refuse a BAC (blood alcohol test), or drive with any measurable amount of alcohol in blood.

[B] 52-session Batterer's program [C] and do not leave any program without prior written consent [2] ___ meetings as directed [24] firearms for 10 yrs or any weapons for 3 yrs. Per 12021(c)(1) PC

[3] **Make all court appearances & appointments** (including intake) [25] Stay out of places where alcohol is the primary item of sale

[4] Report to Prob. Officer as directed [5] Observe curfew as directed [26] Do not drive with any alcohol in system [A] or intoxicating substance

[6] Complete 112 hrs. work thru Sonoma Co. Volunteer Center as directed by _____ [7] vacated [8] in lieu of _____ [9] Contact by 30 days [27] Do not drive without valid California license & insurance in effect

[10] Seek & maintain employment or enroll in educational program [28] FODDP referral [B] Wet Reckless Referral [C] 9 mo extended program [A] vacated

Do not [11] harm, harass, or annoy victim [A] molest, attack, strike, stalk, threaten, sexually assault, batter, & do not disturb victim's peace [29] MODDP referral [A] vacated [30] Enroll within 21 days & complete as directed [31] MODDP re-referral [A] DL-104 2nd offender re-referral

[12] Do not contact victim directly or indirectly _____ License [33] suspended per DMV regulations [33A] surrendered to Court [33B] Court orders DMV not to issue a restricted license

[13] Do not congregate/frequent locations or associate with gang members, wear gang attire or colors, or possess gang paraphernalia [37] **Interlock** [A] advisement given [B] to be installed for 6 mo.

[14] **Be of good conduct & obey all laws** [15] Abide by any protective orders [38] DL-309 Habitual Traf. Offender [39] DL310 Verbal suspension ntc.

[16] Register per [A] 290 PC [B] 11590 H&S [17] HIV test ordered [40] Traffic Violator School by _____

Defendant to submit to warrantless search & seizure of [18] person, property, vehicle any time of day or night [A] residence any time of day or reasonable hour of the night by any Probation or Law Enforcement Officer [41] **DUI Conviction involves** [42] Commercial vehicle [43] HAZMAT

[19] Submit to random chemical tests [C] as directed by Probation and pay testing fee [44] Corrected abstract [45] Declaration per 23212 & 23103.5 VC filed

[SE074] No marijuana even with a 215 card or recommendation [46] Attend _____ [X] Alive at 25 by _____

Do not possess or use any [20] alcohol [21] controlled substances or associated paraphernalia without valid prescription with proof of attendance to clerk's office by _____

[J] **AMOUNT FINE AND/OR FEE DUE DATE** [17] \$ _____ Diversion Rest. Fee per 1001.90 PC

[1] \$ _____ Court Costs [B] _____ [A] Susp. [18] Fine \$ 242.57 (inc. Security Fee)

[2] \$ _____ FTA Fine [B] _____ [A] Susp. [19] Previous Balance \$ _____ ct.

[3] \$ _____ Alcohol Prevention Fee [B] _____ [A] Waived [20] Vacate \$ _____ ct.

[4] \$ _____ Drug Prevention Fee [B] _____ [A] Waived [21] Suspend \$ _____ ct.

[5] \$ _____ AIDS Educ. Fee to Pub. Health [B] _____ [A] Waived **Payable [A] by _____ [B] at \$ 75 mo. beg 11/1/20**

[6] \$ _____ AIDS Fund Fee [B] _____ [A] Waived plus processing fee thru [C] **Clerk's Office [D] Probation**

[7] \$ _____ Battered Women's Shelter Fee [B] _____ [A] Waived [23] Bail to apply with authorization by _____

[8] \$ 100 Restitution fine per 1202.4(b)PC [B] _____ [A] Waived [29] _____ [30] Booking fee \$ _____

[15] \$ _____ Restitution fine per 1202.44PC, [B] _____ [A] Susp. **[14A] Court finds inability to pay. [32] issue reserved [33] jointly & severally liable with co-defendant(s)**

[9] \$ _____ Restitution fine per 294 PC [B] _____ [A] Reserved DMV hold to be released [26] forthwith [27] _____

[10] \$ _____ Supervision Fee [B] _____ [A] Waived [28] Fines/fees vacated

[11] \$ _____ RPO Fees [B] _____ [A] Waived [29] _____ [30] Booking fee \$ _____

[12] \$ _____ Dom. Viol. Fee per 1203.097 PC [B] _____ [A] Waived [32] issue reserved [33] jointly & severally liable with co-defendant(s)

[13] \$ _____ Appt. Counsel [14] P.D. fees [B] _____ to Central Coll. [34] \$ _____ [A] at \$ _____ per mo. beginning _____ [B] as directed by Probation Officer [35] **10% Administrative fee will be assessed**

Restitution [31] in an amount & manner to be determined by the Probation Dept [36] Def. advised of right to restitution hrg per 1214 PC (Cervantes) w/in 90 days [38] Due to victim by _____

[M] **JAIL SECTION** [X] Defendant sentenced to serve 4 days Credits 4/2 6/2

in Sonoma County Jail [X] in any penal institution

[X] All but _____ suspended [X] Consecutive to [X] Concurrent with _____ [X] any time previously imposed

[X] Jail time of _____ suspended [X] With credit for time served (CTS) of 4 days (2 actual + 2 conduct)

[X] Stayed to _____ by _____ p.m. [X] Surrender to NCDF [X] forthwith [X] previously imposed [X] Defendant given credit for time served

Refer to [X] Work release - contact within 10 days [X] Work furlough [X] Supervised Electronic Confinement [X] consecutive 48 hour periods

[X] Day for day credits allowed while in residential treatment program [X] Release to program representative when bed space becomes available

[X] Sentenced to jail time on _____ cases this date [X] Jail alternative programs denied [X] Jail to calculate credits

Defendant's Signature _____ Phone _____

Address: _____

City: _____ State _____ Zip _____ JUDGE [Signature]

Case Information

SCR-733468-1 | People vs. HENG, SONNY

Case Number
SCR-733468-1
File Date
11/25/2019

Court
Criminal
Case Type
Misdemeanor

Case Status
Sentenced

Party

Plaintiff
THE PEOPLE OF THE STATE OF CALIFORNIA

Active Attorneys ▼
Lead Attorney
Sonoma County District
Attorney

Defendant
HENG, SONNY
DOB
11/07/1990

Active Attorneys ▼
Lead Attorney
Wilber, R. Ryan
Retained

Charge

Charges
HENG, SONNY

	Description	Statute	Level	Date
001	DUI ALCOHOL ONLY	23152(a)	*Misdemeanor	10/28/2019
001	ENHANCEMENT/BAC OVER .20	23556(b)(3)/(4)	*Enhancement	10/28/2019
002	DUI ALCOHOL/0.08 PERCENT	23152(b)	*Misdemeanor	10/28/2019
002	ENHANCEMENT/BAC OVER .20	23556(b)(3)/(4)	*Enhancement	10/28/2019
003	HIT AND RUN:PROP DAMAGE	20002(a)	*Misdemeanor	10/28/2019

Disposition Events

08/28/2020 Plea ▼

Judicial Officer
Pennypacker, Philip H.

001	DUI ALCOHOL ONLY	Not Guilty
001	ENHANCEMENT/BAC OVER .20	Deny
002	DUI ALCOHOL/0.08 PERCENT	*No Contest
002	ENHANCEMENT/BAC OVER .20	Admit
003	HIT AND RUN:PROP DAMAGE	*No Contest

08/28/2020 Disposition ▼

Judicial Officer
Pennypacker, Philip H.

001	DUI ALCOHOL ONLY	Dismissal: Motion of the People
001	ENHANCEMENT/BAC OVER .20	Dismissal: Motion of the People
002	DUI ALCOHOL/0.08 PERCENT	Found Guilty - Plea of Guilty/Nolo Contendere
002	ENHANCEMENT/BAC OVER .20	Admitted
003	HIT AND RUN:PROP DAMAGE	Found Guilty - Plea of Guilty/Nolo Contendere

08/28/2020 Conditional Sentence ▼

002	DUI ALCOHOL/0.08 PERCENT	Conditional Sentence
002	ENHANCEMENT/BAC OVER .20	Conditional Sentence
003	HIT AND RUN:PROP DAMAGE	Conditional Sentence

Fee Totals

\$2,392.00

\$35.00

Fee Totals

\$2,427.00

Adult Confinement

Type: *Jail

Start Date: 08/28/2020

Term Type: Jail Term

Term: 4 Days

Credit for Time Served - Actual: 2 Days

Conduct Credit: 2 Days

Comment: CTS of 4 days; Defendant given credit for time served.

Probation

Type: Conditional Sentence

Start Date: 08/28/2020

Term: 36 Months

End Date: 08/28/2023

Status

Status	Date	Comment
Granted	08/28/2020	

Programs

First Offender Drinking Driver Program

Ordered

Order Date: 08/28/2020

Enroll by Date: 09/28/2020

Comment: or online equivalent

DL Conditions

Type: DUI Conviction

BAC/Drugs: Alcohol

BAC Level: 0.21

03/26/2021 Amended Sentence Modified ▼

Amend Reason
Sentence Modified

002	DUI ALCOHOL/0.08 PERCENT	Sentence Modified
002	ENHANCEMENT/BAC OVER .20	Sentence Modified
003	HIT AND RUN:PROP DAMAGE	Sentence Modified

Probation

Type: Conditional Sentence

Start Date: 08/28/2020

Term: 36 Months

End Date: 08/28/2023

Status

Status	Date	Comment
Granted	08/28/2020	

02/24/2021 Amended Sentence Modified ▼

Amend Reason
Sentence Modified

002	DUI ALCOHOL/0.08 PERCENT	Sentence Modified
002	ENHANCEMENT/BAC OVER .20	Sentence Modified
003	HIT AND RUN:PROP DAMAGE	Sentence Modified

Probation

Type: **Conditional Sentence**

Start Date: **08/28/2020**

Term: **36 Months**

End Date: **08/28/2023**

Status

Status	Date	Comment
Granted	08/28/2020	

Events and Hearings

10/30/2019 On View ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Cancel Reason
Party Bailed to Appear, Cite To Appear, PTR, OR

Comment
Canceled due to one of the Case Flags added

11/01/2019 Bail Bond Filed ▼

Comment
AB-01032911

11/25/2019 Complaint Filed ▼

Judicial Officer
Shaffer, Nancy Case

11/26/2019 Bail to Appear ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

11/26/2019 Defendant arraigned on Complaint by Court /Stipulation ▼

Judicial Officer
Shaffer, Nancy Case

01/28/2020 Disposition ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

Comment
To set

03/03/2020 Change of Plea ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

07/23/2020 Change of Plea ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

08/05/2020 Change of Plea ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

08/28/2020 Change of Plea ▼

Judicial Officer
Pennypacker, Philip H.

Hearing Time
8:30 AM

Result
Held

08/28/2020 Bail Bond Exonerated

08/28/2020 Authorization For Plea In Absentia Filed

08/28/2020 Addendum to Tahl Waiver Filed ▼

Judicial Officer
**Pennypacker, Philip
H.**

08/28/2020 Tahl Waiver - Filed ▼

Judicial Officer
**Pennypacker, Philip
H.**

02/18/2021 Failure to Comply with Volunteer Center Referral - Received

02/24/2021 Verification ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

Comment
Proof of 48 vol hours

03/26/2021 Verification ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

Comment
48 Hrs. Vol. Work

05/10/2021 Verification ▼

Judicial Officer
Shaffer, Nancy Case

Hearing Time
8:30 AM

Result
Held

Comment
Proof of 48 hr Vol

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 7: Fiscal Year 2022 Budget

FY 2022 Budget

The Biennial Budget for FY 22 reflects adjustments necessary to reflect more current financial information for both Revenue and Expenses for Fiscal Year 2022.

Revenue

Licensing revenue reflects a 2.27% increase above FY 21; Cost Sharing income adds the Board of Applied Behavior Analysis at \$5,300 for a total of \$256,025.89 in projected Revenue for FY 2022.

Licensing activity has increased during the final month of FY 21 and into July 2022, which will be realized in FY 22 revenue increases. Revenue from licensing is projected at a conservative increase of 2.27%

Expenses

Expense line items reflect reductions in most categories. Budget funding has been added for a replacement computer system for the Board office as the current system is obsolete and causing incompatibility issues.

Office Expense reflects savings in postage and telephone and an increase in internet service as the bandwidth needed to be increased to function effectively. Office expense reflects a 23.41% decrease.

A Board strategic planning retreat is budgeted in Board education/planning and travel. Generally operating expenses are funded at conservative levels, reflecting cost savings with remote operations and electronic records and processes.

Personnel: The Licensing Assistant position will not be filled until such time as office operations warrant and is funded at a minimal level. The Investigator position is also minimally funded. The Licensing Coordinator and Executive Director positions remain funded at current levels with no salary increases. Personnel expense reflects a decrease of 10.52% due to the minimally funded support positions.

Employee benefits: July 1, 2021 the PERS contribution rate increases by .25%. The PERS rate is the base for calculation of the Board's employer contributions to the deferred compensation program for staff. The resulting contribution rate increased from 9.05% to 9.3%.

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Professional Fees: The contract for Legislative Services expires December 31, 2021. Continuation or extension of the contract is not budgeted for the remainder of the fiscal year. Budget reflects a 65.17% decrease in professional fees due to non-continuance of the government services contract.

Other Budget Considerations: No funding has been “set-aside” from reserves as there was no legislation passed that would impact the Board finances in FY 22.

The Budget reflects an (\$11,446.54) loss or reduction of reserves for Fiscal Year 2022.

Budget to Prior Years Actual

FY 19 through FY 22 budget is provided for comparison of revenue / expenses. One time expenses for Audit Services and Legislative Services impact expenses every other year. In our case, every odd-numbered year. These are the largest of known deviation in annual expenses during a biennial period.

Projected Revenue / Fee Analysis / Reserve Funds

The projected impact on revenue / reserve funds from FY 2019 through FY 2030 shows the results of moving to the biennial renewal cycle in FY 19, with fee revisions in FY 21. It was the Board’s intent to reduce “Reserves” to approximately \$500,000. This analysis indicates that the actions taken by the Board will achieve the Goal of establishing a Reserve of approximately \$500,000 by FY 2028.

Original estimates projected a break-even point in 2025 (revenue covers expenses); however, due to the pandemic, and lower revenue gains per year, the break even point is now 2028.

Attachments

Biennial Budget; FY 2022 / FY 2021
FY 2022 Budget vs Prior Years Actual
Projected Revenue/Fee Analysis/Reserve Funds

State of Nevada
Board of Occupational Therapy
FY 22 / FY 21 Budget

July 1 - June 30 2022 / July 1 - June 30 2021

BUDGET	2022	2021	Difference	% Change
Revenue				
Processing Fees	\$ 30,000.00	\$ 30,000.00	\$ -	
License Fees	\$ 208,243.38	\$ 201,594.00	\$ 6,649.38	
Miscellaneous / List Fees	\$ 4,750.00	\$ 6,000.00	\$ (1,250.00)	
Sub-total Licensing Fees	\$ 242,993.38	\$ 237,594.00	\$ 5,399.38	2.27%
Interest Income	\$ 3,000.00	\$ 6,200.00	\$ (3,200.00)	
Cost Sharing Income	\$ 10,032.51	\$ 6,095.60	\$ 3,936.91	
Total Revenue	\$ 256,025.89	\$ 249,889.60	\$ 6,136.29	2.46%
Operating Expense				
Audit Fees	\$ -	\$ 8,000.00	\$ (8,000.00)	
Bank Fees - Merchant Svcs	\$ 5,500.00	\$ 4,751.88	\$ 748.12	
Equipment Purchase	\$ 3,000.00	\$ 3,000.00	\$ -	
Equipment Rental & Maintenance	\$ 2,100.00	\$ 2,600.00	\$ (500.00)	
Insurance	\$ 1,100.00	\$ 1,500.00	\$ (400.00)	
Legal Fees	\$ 11,000.00	\$ 12,000.00	\$ (1,000.00)	
Licensing Software Subscription	\$ 8,850.00	\$ 10,200.00	\$ (1,350.00)	
Maintenance / Repairs	\$ -	\$ -	\$ -	
Meeting Expense	\$ 500.00	\$ 500.00	\$ -	
Office Lease	\$ 32,125.00	\$ 31,225.00	\$ 900.00	
Office Supplies	\$ 2,500.00	\$ 2,000.00	\$ 500.00	
Office Expense	\$ 4,870.00	\$ 6,010.00	\$ (1,140.00)	-23.41%
Records Storage & Recycling	\$ 1,000.00	\$ 750.00	\$ -	
Internet Service	\$ 1,920.00	\$ 1,560.00	\$ -	
Postage & Mailing	\$ 750.00	\$ 1,200.00	\$ -	
Telephone	\$ 1,000.00	\$ 2,000.00	\$ -	
Printing & Reproduction	\$ 200.00	\$ 500.00	\$ -	
Personnel Payroll	\$ 171,427.42	\$ 189,454.00	\$ (18,026.57)	-10.52%
Executive Director	\$ 100,161.36	\$ 100,161.36	\$ -	
Licensing Coordinator	\$ 32,760.00	\$ 32,760.00	\$ -	
Licensing Assistant	\$ 5,474.56	\$ 21,151.00	\$ -	
Investigator	\$ 1,575.00	\$ 3,275.00	\$ -	
Employer Taxes	\$ 11,987.14	\$ 13,463.29	\$ -	
Employee Benefits	\$ 19,469.37	\$ 18,643.35	\$ -	
Professional Fees	\$ 17,500.00	\$ 29,000.00	\$ (11,500.00)	-65.71%
Bookkeeping Services	\$ 3,000.00	\$ 3,000.00	\$ -	
Legislative Services	\$ 12,000.00	\$ 24,000.00	\$ -	
IT Support Services	\$ 2,500.00	\$ 2,000.00	\$ -	
* Board Education / Planning	\$ 2,500.00	\$ -	\$ 2,500.00	
Travel	\$ 4,500.00	\$ 500.00	\$ 4,000.00	
* In State Travel	\$ 1,500.00	\$ 500.00	\$ -	
* Out of State Travel	\$ 3,000.00	\$ -	\$ -	
Total Operating Expense	\$ 267,472.42	\$ 300,740.88	\$ (33,268.45)	-11.06%
Revenue Over / Under Expense	\$ (11,446.54)	\$ (50,851.28)		
Reserve Funds Set Asides	\$ -			
Fiscal Year Budget Impact	\$ (11,446.54)	\$ (50,851.28)		

* Board Strategic Planning / Retreat

**State of Nevada
Board of Occupational Therapy**

FY 22 Budget vs Prior Years Actual

	2022 Budget	2021 Actual	2020 Actual	2019 Actual
Revenue				
Processing Fees	\$ 30,000.00	\$ 33,350.00	\$ 32,325.00	\$ 37,425.00
Licenses & Renewals	\$ 208,243.38	\$ 184,219.82	\$ 132,557.78	\$ 131,800.55
Miscellaneous / List Fees	\$ 4,750.00	\$ 4,775.00	\$ 6,075.00	\$ 6,975.00
Subtotal Licensing	\$ 242,993.38	\$ 222,344.82	\$ 170,957.78	\$ 176,200.55
Interest Income	\$ 3,000.00	\$ 4,901.84	\$ 12,000.74	\$ 10,277.99
Cost Sharing Income	\$ 10,032.51	\$ 5,987.60	\$ 13,774.18	\$ 6,843.42
Fines / Legal Fees	\$ -	\$ 2,670.34	\$ 26,971.02	\$ 6,867.83
Total Revenue	\$ 256,025.89	\$ 235,904.60	\$ 223,703.72	\$ 200,189.79
Operating Expense				
Audit Fees	\$ -	\$ 8,000.00	\$ -	\$ 8,800.00
Bank Fees - Merchant Svcs	\$ 5,500.00	\$ 5,065.24	\$ 3,123.16	\$ 4,042.05
Equipment Purchase	\$ 3,000.00	\$ 2,928.98	\$ -	\$ -
Equipment Rental	\$ 2,100.00	\$ 2,027.10	\$ 2,035.21	\$ 2,113.20
Insurance	\$ 1,100.00	\$ 964.50	\$ 1,215.69	\$ 1,283.50
Legal Fees	\$ 11,000.00	\$ 6,066.32	\$ 20,424.77	\$ 25,934.71
Licensing Software Program	\$ 8,850.00	\$ 7,869.59	\$ 9,960.75	\$ 13,801.25
Maintenance / Repairs	\$ -	\$ -	\$ 257.16	\$ 295.90
Meeting Expense & Dues	\$ 500.00	\$ 571.00	\$ 431.07	\$ 9,879.01
Office Lease	\$ 32,125.00	\$ 30,830.25	\$ 28,381.84	\$ 25,665.58
Office Supplies	\$ 2,500.00	\$ 1,908.70	\$ 2,515.91	\$ 1,899.72
Office Expense	\$ 4,870.00	\$ 3,178.13	\$ 14,656.39	\$ 13,667.39
Personnel Services	\$ 171,427.42	\$ 174,804.24	\$ 194,881.45	\$ 174,483.94
Professional Fees	\$ 17,500.00	\$ 27,125.00	\$ 19,837.50	\$ 29,393.92
Travel - In State	\$ 1,500.00	\$ -	\$ 2,245.62	\$ 5,115.13
Travel - Out of State	\$ 3,000.00	\$ -	\$ -	\$ 5,549.22
Board Education / Planning	\$ 2,500.00	\$ 475.00	\$ -	\$ -
Total Expense	\$ 267,472.42	\$ 271,814.05	\$ 299,966.52	\$ 321,924.52
Net Revenue / Expense	\$ (11,446.54)	\$ (35,909.45)	\$ (76,262.80)	\$ (121,734.73)
Financial Statement Adjusted Balances				
unrealized gain/loss	\$ -	\$ 1,186.91	\$ (7,745.30)	\$ (6,828.05)
Financial Statement Adjusted Balances	\$ -	\$ (37,096.36)	\$ (68,517.50)	\$ (114,906.68)

Projected Revenue / Fee Analysis / Reserve Funds

Base Year	Licensing Fees	* 3% increase	Other Income	Revenue	*Operating Expense	Reserve Used	Cash Balance
FY 2019 A	\$	176,200.55	\$ 23,989.24	\$ 200,189.79	\$ 321,924.52	\$(121,734.73)	\$ 752,017.27
FY 2020 A	\$	170,957.78	\$ 52,745.94	\$ 223,703.72	\$ 299,966.52	\$(76,262.80)	\$ 675,754.47
FY 2021 A	\$	222,344.82	\$ 13,559.78	\$ 235,904.60	\$ 271,814.05	\$(35,909.45)	\$ 639,845.02
FY 2022 B	\$	242,993.38	\$ 13,032.51	\$ 256,025.89	\$ 267,472.42	\$(11,446.54)	\$ 628,398.48
* Projected	\$	250,283.18	\$ 10,532.51	\$ 260,815.69	\$ 300,000.00	\$(39,184.31)	\$ 589,214.17
FY 2024	\$	257,791.68	\$ 10,532.51	\$ 268,324.19	\$ 300,000.00	\$(31,675.81)	\$ 557,538.36
Original Break even	\$	265,525.43	\$ 10,532.51	\$ 276,057.94	\$ 300,000.00	\$(23,942.06)	\$ 533,596.30
FY 2026	\$	273,491.19	\$ 10,532.51	\$ 284,023.70	\$ 300,000.00	\$(15,976.30)	\$ 517,620.00
FY 2027	\$	281,695.93	\$ 10,532.51	\$ 292,228.44	\$ 300,000.00	\$(7,771.56)	\$ 509,848.43
FY 2028	\$	290,146.80	\$ 10,532.51	\$ 300,679.31	\$ 300,000.00	679.31	\$ 510,527.74

Reserve / Cash Reduction	Thru FY 2027
Beginning Reserve / Cash	\$ (363,903.57)
Ending Reserve / Cash Estimate	\$ 873,752.00
	\$ 509,848.43

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AGENDA ITEM 8: Personnel Policies Revision

The Personnel Policies have been revised to add the Remote Work option for employees, establish guidelines for remote work and update the compensation plan.

Revisions are to the following Sections:

- 020 General Policies and Procedures – Added reference to remote work option
- 040 Definitions – Added definition of “Remote Work”
- 350 Remote Work – New Section
- Classification and Compensation Plan (pg 20)

The Classification and Compensation Schedule reflects a change in the Executive Director and Licensing Assistant Grade Equivalent and Salary Ranges.

Executive Director: The Executive Audit Committee Audit of Independent Boards, June 14, 2018, included an analysis of Executive Director salaries utilizing 2017 data. Based upon their comparison of salary, qualifications, responsibilities, authority and budget, the suggested ranges for Executive Director Compensation should be between \$101,000 and \$132,000. In comparing the suggested ranges to the State Pay Schedule, the comparable grade and top range equates to a Grade 47.

Licensing Assistant (vacant/part time): The position wage range has been increased from a Grade 21 to Grade 23 to reflect competitive wage ranges when the position is filled.

With these two changes, a 10% deviation is established between the ending salary range and the beginning salary range of the next highest position; creating hierarchical equity between administrative positions.

Current staffing wages/salary are within the wage ranges.

Attachment

Revised Personnel Policies and Procedures – Applicable Sections Only

Revisions to Personnel Policies and Procedures

August 21, 2021

020 GENERAL POLICIES AND PROCEDURES

Operating Provisions: The Board Office shall be kept open on all normal business days for the transaction of public business from 9:00 a.m. to 4:00 p.m. during a work week. The normal hours of work for Board employees shall be established by the Executive Director and may include *full-time*, part-time, and flexible scheduling. *On-site and remote work options, including hybrid schedules, may be available for employees in a qualifying position.*

Employees shall be allowed a rest period of ten (10) minutes during each four (4) consecutive hours of work. A thirty (30) minute paid rest period/lunch break may be provided employees working six (6) or more hours per day.

Employees shall be in attendance during his or her scheduled hours of work. Any absence *or deviation from an approved work schedule* ~~from work~~, without prior authorization, or not provided for in these Policies and Procedures, shall be the basis for disciplinary action.

040 DEFINITIONS

◆ *REMOTE WORK means working off-site, from home or other remote location.*

350 REMOTE WORK

The Executive Director shall determine whether a position and/or employee will be eligible for the remote work option. Remote work authorization will be based upon the needs of the Board, availability of on-site staffing and the position requirements.

Equipment: *The Board will provide equipment for remote working staff to perform their current duties. This may include laptop computer & associated hardware, computer software, connectivity to cloud applications and other applicable equipment as deemed necessary.*

The use of equipment, software and supplies provided by the Board for use at the remote work location is limited to the designated Board staff and for purposes relating to Board business. Remote work shall be conducted through Board authorized Office 365 accounts and may not be conducted through use of personally owned computers for Board business unless authorized by the Executive Director. Remote work products shall not be stored in files on personally owned computers.

Employees are responsible for furnishings, equipping, and maintaining their home/remote offices so that they have a safe, secure, healthful and comfortable work environment and can accomplish their work in an efficient and expeditious manner.

Any equipment, software and supplies provided by the Board to staff for remote work must be returned upon request. It is the employee's responsibility to protect the Board's equipment while in the employees care. The employee has the obligation to protect the data of the Board from unauthorized access or loss.

Workspace & Materials: *Remote staff must adhere to the following conditions:*

- *Workspace must be maintained in a safe condition, free from hazards, noise and other dangers to the employee or equipment.*
- *Materials, files, etc., removed from the Board office shall be kept in the designated work area at the remote location and not be made accessible to others.*
- *Office supplies will be provided by the Board as needed. Out-of-pocket expenses for other supplies will not be reimbursed without prior approval of the Executive Director.*
- *Remote employees are responsible for all other costs of equipping and maintaining a remote / home office including but not limited to furnishings, internet service, cell phone or other telephone service and any other costs not directly attributable to Board business.*

Business Related Meetings: *Business related meetings may be conducted through remote communications through Board approved software applications such as ZOOM, Teams, or other communication technologies.*

When attending business meetings conducted remotely, employees must ensure actual or virtual backgrounds are maintained in a professional manner and do not appear cluttered, dirty or show inappropriate materials.

When participating in remote business meetings, all efforts must be taken to eliminate distractions that may interfere with visual or audio communications.

Communications: *Employees must be available by phone, email, Zoom or other communication technology during regular work hours. Meetings with management should be frequent to discuss progress and results of work assignments.*

Board of Occupational Therapy Personnel Policies and Procedures



State of Nevada

BOARD OF OCCUPATIONAL THERAPY

CLASSIFICATION AND COMPENSATION PLAN

Position	Classification Title	Grade Equivalent	Wage Range	Full Time Annual
1	<i>Executive Director</i>	47	<i>Unclassified</i>	<i>\$ 87,320.16 - \$132,441.84</i>
Classified Positions				
2	Executive Assistant / Licensing Coordinator	36	\$ 25.67 - \$ 38.18	\$ 53,598.96 - \$ 79,719.84
3	Licensing Assistant	25	\$ 16.27 - \$ 23.54	\$ 33,971.76 - \$ 49,151.52
4	Investigator	33	\$ 22.60 - \$ 33.40	\$ 47,188.80 - \$ 69,739.20

** As of 7/1/2021

Nevada Employee/Employer PP01

Suggested Ranges for Executive Director Compensation

Based on our comparison of salary, qualifications, responsibilities, authority, and budget, the top salary of full-time executive directors of Nevada's independent regulatory boards should range between approximately \$101,000 and \$132,000 depending on the complexity of the board. Part-time executive directors should be compensated accordingly based on an hourly equivalency and the number of hours worked.

Pharmacy Board May Require Additional Evaluation

The Pharmacy Board requires that its executive director be a licensed pharmacist and may require more pharmacy specific and medicine related managerial experience than is required from a state agency director. Accordingly, the Pharmacy Board's executive director position may require further evaluation to determine if it should fall within the suggested range.

Division of Human Resource Management Has Expertise to Provide Direction

Boards are exempted from the state personnel act under the provisions of NRS 284.013 and consequently may not have sufficient expertise or familiarity with the state's personnel system classifications to select similar positions within the state system for salary comparability. Additionally, without state involvement in the selection process, no oversight by the state would exist. The Division of Human Resource Management (DHRM) has the expertise to provide direction which would bring state involvement to the selection process.

DHRM represents that it could bring state involvement to the selection process by providing formal oversight if given the executive or legislative authority. This would not require the Boards to be subject to the provisions of Chapter 284.

Conclusion

Complying with state statute and Executive Branch guidelines governing the salaries of their executive directors and staff will ensure that salaries are allowable by law and the level of compensation for executive directors and staff is consistent with similar positions within the state system.

Recommendation

1. Comply with statute and guidelines for salaries.

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AGENDA ITEM 9: Strategic Direction 2020 – 2022 Review
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In preparation for the Board Planning Session & Retreat scheduled in April 2022, the Board will review the Board Strategic Direction for 2020 – 2022 adopted in April 2019.

Topics for discussion will include the Priority, Action and Status of each priority. The Board shall discuss the continued need and/or emphasis of a priority item identified in the Strategic Direction.

The Board may also discuss the impact of COVID-19 on OT Practice and the resulting applicability of the Board’s Strategic Direction for future planning.

The Board may discuss and direct staff on the emphasis and/or topics for the Strategic Planning Session to be held in April 2022.

Recommended Topic for the Strategic Planning Session -**Board Fiduciary Responsibilities**

Emphasis on “Protection of the Public through Regulation of Practice”; “Board Internal Operations”; and the “OT Compact – impact on practice, regulation, fees and legislative costs”.

STRATEGIC DIRECTION 2020 - 2022 REVIEW

Mission Statement

To protect the public health, safety and welfare by ensuring that only competent occupational therapy practitioners are licensed in the state and that those licensed practitioners maintain the highest level of professional conduct. This includes ensuring the competency of occupational therapy practitioners and / or providing the public with a means by which they can pursue administrative legal recourse.

Strategic Priorities

Priority	Description / Action	Status
Scope of Practice	<ul style="list-style-type: none"> • SURVEY & DATA COLLECTION FOR SPECIALITIES: Identify demographics, specialties, interests, and ethical concerns at current setting. 	FY 20 - Complete OT Practice Survey Issued Jan 2020
	Supplemental Survey – Telehealth	April 2021
	<ul style="list-style-type: none"> • ETHICS: Increase awareness of ethical practice to decrease the number of ethical complaints resulting in disciplinary actions. 	Board Seminar on Ethics April 2020 Cancelled - COVID-19
	<ul style="list-style-type: none"> • SCOPE OF PRACTICE: OT’s have access to evidence-based practice to help the public. 	On Hold – COVID-19
Workforce Development	<ul style="list-style-type: none"> • RURAL ACCESS: Increase access to occupational therapy throughout the state of Nevada 	Access by Telehealth increased per survey
Staff Initiatives	<ul style="list-style-type: none"> • Staff succession plan 	TBD
	<ul style="list-style-type: none"> • Manage the risk of government overregulation of boards—mitigate the impact or preempt significant changes. 	Administrative Collaborative
	<ul style="list-style-type: none"> • Development and implementation of new regulations and policies as required by Legislature. 	TBD: SB 379 Data Collection at renewal, Sec 26 – future discussion

Impacts of COVID-19 on OT Practice and Board Strategic Direction

- Health Facility Access & Closures, Staffing Shortages, Health Risks, Shifting Responsibilities
- Board Mitigating Actions:
 - Emergency Provisions on Temporary Licenses & Fees
 - Administrative Office Closure / Operating Work Scheduling / Remote Work

Topics for Strategic Planning Session 2022

Board Fiduciary Responsibilities

- *Internal Operations
- *Protection of the Public through Regulation of Practice
- *OT Compact –Impact on Practice, Regulations, Fees

STRATEGIC DIRECTION

FISCAL YEARS 2020 - 2022

MISSION

To protect the public health, safety and welfare by ensuring that only competent occupational therapy practitioners are licensed in the state and that those licensed practitioners maintain the highest level of professional conduct. This includes ensuring the competency of occupational therapy practitioners and / or providing the public with a means by which they can pursue administrative legal recourse.

STRATEGIC PRIORITIES

Scope of Practice

Future State-What does success look like in FY22?

- We have partnered with our stakeholders (State, educators, facilities, legislators, the public) and secured buy-in.
- We have identified the evidence-based specialties that the Board of Occupational Therapy recognize.
- We have a knowledgeable and competent workforce with regard to specialties:
 - Specialties recognized by BOT are clear.
 - Requirements are clear.
 - OTs follow policy and legislation.
- The public knows what the specialties' benefits are and what is available; and that OTs offer these specialties and that OTs add value to the outcomes.
- It will be clear who 'owns' the competency.
- Information / knowledge / research is shared easily among practitioners and the public.
- We will know what is needed and be ready for the 2023 Nevada State legislative session.

Workforce Development

Future State-What does success look like in FY22?

- The Board of Occupational Therapy understands those practicing more by collecting reportable data, including diversity and practices.
- The Board understands national trends and specialties.

- More people are aware of the profession and the Board’s role.
- There is access to occupational therapy across the State.
- The Board is the resource for OT professional information.
- OTs learn from the Board’s disciplinary actions and “mistakes” made from fellow OTs (anonymously)—especially ethics disciplines.
- We see a decline in ethics complaints and disciplines.
- The Board has made it clear which evidence-based specialty practices it recognizes.
- More out-of-state practitioners see Nevada as a place for opportunity for specialty practices.

BOT PERFORMANCE MEASURES

The following measures were identified as quantifiable means to demonstrate progress against the BOT’s two strategic priorities.

PRIORITY	MEASURE	BENCHMARK / FY19 Actual	FY20	FY21	FY22	Status 4/22	
Scope of Practice	List of approved specialty practices.			100%		Survey	
	Number of specialty practices vetted for legislative action.					None	
	Number of partner meetings.					None	
Workforce Development	Response rate to (annual) survey.				70%		
	Rural access to occupation therapy / therapists.					Impact of COVID	
	Decline in ethics disciplines as percent of total.						

BOT INITIATIVE ROADMAP

As the Board completes an Initiative, they will determine which Initiative to address next from the Initiatives “Waiting in the Wings” and the Board will set milestones that align with the Board meeting schedule.

PRIORITY	FY19-FY21 INITIATIVE	INITIATIVES WAITING IN THE WINGS
Scope of Practice	<ul style="list-style-type: none"> • SURVEY & DATA COLLECTION FOR SPECIALITIES: Identify demographics, specialties, interests, and ethical concerns at current setting. (Melissa and Sol) <ol style="list-style-type: none"> 1. April 20, 2019: questions due from Board. 2. September 2019: Board to finalize letter and survey. 3. November 2019: Response update to Board. 4. February 2020: Results and implications discussed / decided. 5. April 2020: Share results / determine next steps. 	<ul style="list-style-type: none"> • ETHICS: Increase awareness of ethical practice to decrease the number of ethical complaints resulting in disciplinary actions. • SCOPE OF PRACTICE: OT’s have access to evidence-based practice to help the public.
Workforce Development		<ul style="list-style-type: none"> • RURAL ACCESS: Increase access to occupational therapy throughout the state of Nevada.

Staff Initiatives

These Initiatives were discussed and determined to be the purview of the staff:

- Staff succession plan.
- Manage the risk of government overregulation of boards—mitigate the impact or preempt significant changes.
- Development and implementation of new regulations and policies as required by Legislature.

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AGENDA ITEM 10: Executive Director's Report

Attachments

Written Report
Fiscal Year 2021 – 4th Quarter Financial Statements
Legislative Report Summary

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EXECUTIVE DIRECTOR'S REPORT
August 21, 2021

Licensure Statistics - The following chart provides current and prior year licensing details and activity as of June 30, 2021. The number of practitioners decreased by 48 licensees (2.94%) over the previous year, with a decrease of 37 licensees (2.34%) for those holding standard licenses.

Comparison to Prior Year

Description	2021	2020	% +	OTR's	2020	COTA's	2020
Total Current Licensees	1587	1635	(2.94%)	1204	1245	383	390
Standard Licensees	1540	1577	(2.34%)	1169	1205	371	372
Provisional Licensees	5	6		2	4	3	2
Temporary Licensees	6	8		6	6	0	2
Inactive Licensees	36	44		27	30	9	14

Fiscal Year 21 by Quarter

Fiscal Years 2021	Total Licensees	OT	OTA
July 1, 2020	1635	1245	390
September 30, 2020	1562	1187	375
December 31, 2020	1558	1186	372
March 31, 2021	1568	1187	381
June 30, 2021	1587	1204	383

FY 21 Financial Statements – 4th Quarter ending June 30, 2021

Revenue/Other Income: Revenue totaled \$225,015.16 in licensing and other fees, 94.71% of budget. Licensing revenue is below budget by 5.29% due to fewer applicants and lower renewals during the COVID-19 emergency.

Other Income is comprised of \$ 4,901.84 in interest income and cost share income of \$ 5,987.60. Other Income totals \$ 10,889.44 which is 88.56% of budget.

Total Revenue and Other Income combined is \$ 235,905.60. Unrealized Investment Loss reflects the current market value of investments as of June 30, 2021 which is a book entry only and not an actual expense.

Expense: Expenses totaled \$ 271,814.05 which is 90.38% of budget. Expense items which deviate from budget are a new expense line item of Board Education which reflects the fee for the FARB virtual conference for one Board member. Dues amount is renewal of Survey Monkey subscription. Employee Benefits reflects accrued but not yet taken PTO time which is expensed as it is earned. All other line items are below budget levels. Total expenses are 9.62% under budget.

Net Ordinary Income/Loss: Net revenue less expense from operations for the fiscal year is at 74.11% of budget for a total of (\$ 46,798.89). Net Total Income is (\$ 37,096.36) or 72.95% of Budget when including Other Income and Expense.

Balance Sheet: Total cash at June 30, 2021 is \$ 698,118.13; deferred revenue is \$ 196,886.75, reflecting cash receipts for licenses and renewals not yet earned which will be recognized as revenue as it is earned.

Cash in the operating checking account is \$ 176,273.90; Investments total \$ 521,844.23 as of the end of FY 21.

Administrative Collaborative – The Administrative Collaborative met on June 22nd to discuss the legislative session and share updates on bills' status. Bills that did not pass include board consolidation efforts, PT and Nursing Compacts and the Dispensing Opticians law updates. Bills that did pass include the ABA bill. Discussion of general legislation affecting Boards was also discussed. The Board Resource Document “***Model Board Member Manual***” as revised was distributed. Other items of discussion were contract management, documentation of name changes, work history requirements, SPLOR reporting implementation and office reopening plans.

Co-Location Agreement – The ABA Board has approved the co-location at the OT Board administrative office occupying the now vacant executive office. The cost allocation and agreement is reflected in the FY 2022 Budget. Their new Executive Director will occupy the office on October 1, 2021.

Complaints Status - There are no open complaint cases under investigation.

State of Nevada
Board of Occupational Therapy
Profit & Loss Budget vs. Actual
July 2020 through June 2021

	Annual Budget	Actuals July 20 - June 21	Remaining Balance	% of Budget Spent
Ordinary Income/Expense				
Income				
Processing Fees	30,000.00	33,350.00	-3,350.00	111.17%
License Fees	201,594.00	184,219.82	17,374.18	91.38%
List Fee	6,000.00	4,775.00	1,225.00	79.58%
Fines and Legal Fees	0.00	2,670.34	-2,670.34	100.0%
Total Income	237,594.00	225,015.16	12,578.84	94.71%
Expense				
Audit Fees	8,000.00	8,000.00	0.00	100.0%
Bank service charges	4,751.88	5,065.24	-313.36	106.59%
Board education	0.00	475.00	-475.00	100.0%
Dues	0.00	571.00	-571.00	100.0%
Equipment Purchase	3,000.00	2,928.98	71.02	97.63%
Equipment Rental	2,600.00	2,027.10	572.90	77.97%
Insurance	1,500.00	964.50	535.50	64.3%
Legal Fees	12,000.00	6,066.32	5,933.68	50.55%
Licensing - Data System	10,200.00	7,869.59	2,330.41	77.15%
Meeting Expense	500.00	0.00	500.00	0.0%
Office Expenses				
Internet Service	1,560.00	1,259.64	300.36	80.75%
Postage	1,200.00	344.53	855.47	28.71%
Printing	500.00	65.40	434.60	13.08%
Records Storage	750.00	620.35	129.65	82.71%
Telephone / Email	2,000.00	888.21	1,111.79	44.41%
Total Office Expenses	6,010.00	3,178.13	2,831.87	52.88%
Office Lease	31,225.00	30,830.25	394.75	98.74%
Office Supplies	2,000.00	1,908.70	91.30	95.44%
Personnel Costs				
Compensation	157,347.36	141,679.96	15,667.40	90.04%
Employer Taxes	13,463.29	12,177.27	1,286.02	90.45%
Employee Benefits	18,643.35	20,947.01	-2,303.66	112.36%
Total Personnel Costs	189,454.00	174,804.24	14,649.76	92.27%
Professional Fees				
Accounting	3,000.00	3,000.00	0.00	100.0%
IT / Technical Support	2,000.00	125.00	1,875.00	6.25%
Legislative Services	24,000.00	24,000.00	0.00	100.0%
Total Professional Fees	29,000.00	27,125.00	1,875.00	93.53%
Seminars / Continuing Ed	0.00	0.00	0.00	0.0%
Travel & Ent				
Out of State Travel	0.00	0.00	0.00	0.0%
Travel - in state	500.00	0.00	500.00	0.0%
Total Travel & Ent	500.00	0.00	500.00	0.0%
Total Expense	300,740.88	271,814.05	28,926.83	90.38%
Net Ordinary Income	-63,146.88	-46,798.89	16,347.99	74.11%

State of Nevada
Board of Occupational Therapy
Profit & Loss Budget vs. Actual
July 2020 through June 2021

	Annual Budget	Actuals July 20 - June 21	Remaining Balance	% of Budget Spent
Other Income/Expense				
Other Income				
Interest Income	6,200.00	4,901.84	1,298.16	79.06%
Costshare Income	6,095.60	5,987.60	108.00	98.23%
Total Other Income	<u>12,295.60</u>	<u>10,889.44</u>	<u>1,406.16</u>	<u>88.56%</u>
Other Expense				
Unrealized Investment Loss	0.00	1,186.91	-1,186.91	100.0%
Total Other Expense	<u>0.00</u>	<u>1,186.91</u>	<u>-1,186.91</u>	<u>100.0%</u>
Net Other Income	<u>12,295.60</u>	<u>9,702.53</u>	<u>2,593.07</u>	<u>78.91%</u>
Net Income	<u><u>-50,851.28</u></u>	<u><u>-37,096.36</u></u>	<u><u>13,754.92</u></u>	<u><u>72.95%</u></u>

State of Nevada Board of Occupational Therapy
Balance Sheet
As of June 30, 2021

June 30, 2021

ASSETS

Current Assets

Checking/Savings

Wells Fargo Bank - Checking	176,273.90
Wells Fargo Bank - Investments	521,844.23

Total Checking/Savings	698,118.13
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Other Current Assets

Accounts Receivable	8,879.95
Prepaid Expenses	13,247.91
Undeposited Funds	0.00

Total Other Current Assets	22,127.86
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Total Current Assets	720,245.99
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Fixed Assets

Net Fixed Assets	0.00
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Total Fixed Assets	0.00
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TOTAL ASSETS	720,245.99
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LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

Accounts Payable	2,749.09
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Total Accounts Payable	2,749.09
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Other Current Liabilities

Deferred Revenue	196,886.75
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Accrued PTO	27,953.72
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Payroll Liability	1,084.62
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Other Current Liabilities	410.23
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Total Other Current Liabilities	226,335.32
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Total Current Liabilities	229,084.41
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Total Liabilities	229,084.41
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Equity

Retained Earnings	528,257.94
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Net Income	-37,096.36
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Total Equity	491,161.58
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TOTAL LIABILITIES & EQUITY	720,245.99
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State of Nevada Board of Occupational Therapy
Transaction Detail by Account
April through June 2021

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Wells Fargo Bank - Checking					
Paycheck	04/01/2021	DD1334	Stacey Whittaker	Direct Deposit	0.00
Paycheck	04/01/2021	DD1335	Loretta L Ponton	Direct Deposit	0.00
Deposit	04/01/2021			Deposit	750.00
Check	04/01/2021		Voya	Payroll expense	-2,855.69
Check	04/01/2021	5384	Scott Cooley	Office lease	-7,725.00
Check	04/01/2021	5386	Numbers Inc.	Bookkeeping services	-750.00
Check	04/01/2021	5387	JK Belz & Associates	Lobbyist	-2,000.00
Check	04/01/2021	5385	State Public Works Division	Lease assessment	-237.91
Deposit	04/04/2021			Deposit	325.00
Check	04/05/2021	5388	IT Services of Nevada	IT support	-125.00
Check	04/05/2021		Wells Fargo	Albertson Consulting, copier lease	-7,512.21
Deposit	04/05/2021			Deposit	13.06
Deposit	04/06/2021			Deposit	875.00
Check	04/06/2021	5389	Puliz Records Management Services	Records storage	-45.00
Deposit	04/07/2021			Deposit	825.00
Deposit	04/08/2021			Deposit	175.00
Deposit	04/09/2021			Deposit	275.00
Deposit	04/12/2021			Deposit	625.00
Check	04/12/2021			Merchant fees	-272.72
Deposit	04/12/2021			Deposit	29.09
Deposit	04/13/2021			Deposit	300.00
Liability Check	04/14/2021		QuickBooks Payroll Service	Payroll expense	-459.63
Deposit	04/14/2021			Deposit	650.00
Paycheck	04/15/2021	DD1336	Stacey Whittaker	Direct Deposit	0.00
Deposit	04/15/2021			Deposit	25.00
Check	04/15/2021		Voya	Payroll expense	-689.03
Check	04/15/2021	5390	Information Technology	Telephone expense	-5.58
Deposit	04/16/2021			Deposit	400.00
Deposit	04/17/2021			Deposit	400.00
Deposit	04/18/2021			Deposit	650.00
Deposit	04/20/2021			Deposit	925.00
Deposit	04/21/2021			Deposit	250.00
Check	04/21/2021	5391	Attorney General	Legal fees	-385.90
Deposit	04/22/2021			Deposit	50.00
Check	04/23/2021		A T & T	Telephone expense	-44.59
Liability Check	04/26/2021	E-pay	US Treasury	Payroll expense	-3,634.22
Deposit	04/26/2021			Deposit	375.00
Deposit	04/27/2021			Deposit	400.00
Check	04/27/2021		Charter	Internet services	-104.97
Liability Check	04/28/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	04/28/2021			Deposit	175.00
Paycheck	04/29/2021	DD1337	Stacey Whittaker	Direct Deposit	0.00
Check	04/29/2021		Voya	Payroll expense	-689.03
Liability Check	04/30/2021		QuickBooks Payroll Service	Payroll expense	-5,417.62
Deposit	04/30/2021			Deposit	1.52
Deposit	05/01/2021			Deposit	250.00
Check	05/01/2021		Voya	Payroll expense	-2,166.66
Paycheck	05/03/2021	DD1338	Loretta L Ponton	Direct Deposit	0.00
Deposit	05/03/2021			Deposit	600.00
Deposit	05/04/2021			Deposit	75.00

State of Nevada Board of Occupational Therapy
Transaction Detail by Account
April through June 2021

Deposit	05/05/2021			Deposit	500.00
Deposit	05/06/2021			Deposit	400.00
Check	05/06/2021	5392	JK Belz & Associates	Lobbyist	-2,000.00
Check	05/06/2021	5393	Puliz Records Management Ser	Records storage	-45.00
Deposit	05/09/2021			Deposit	375.00
Deposit	05/10/2021			Deposit	2,475.89
Deposit	05/11/2021			Deposit	700.00
Liability Check	05/12/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	05/12/2021			Deposit	1,450.00
Check	05/12/2021			Merchant fees	-216.77
Paycheck	05/13/2021	DD1339	Stacey Whittaker	Direct Deposit	0.00
Deposit	05/13/2021			Deposit	650.00
Check	05/13/2021		Voya	Payroll expense	-689.03
Deposit	05/14/2021			Deposit	400.00
Deposit	05/15/2021			Deposit	425.00
Deposit	05/16/2021			Deposit	400.00
Deposit	05/17/2021			Deposit	250.00
Check	05/17/2021		Loretta Ponton	Expense reimbursement	-157.80
Deposit	05/18/2021			Deposit	825.00
Check	05/18/2021	5394	Information Technology	Telephone expense	-2.64
Deposit	05/19/2021			Deposit	200.00
Deposit	05/20/2021			Deposit	1,075.00
Deposit	05/24/2021			Deposit	400.00
Liability Check	05/25/2021	E-pay	US Treasury	Payroll expense	-3,302.02
Deposit	05/25/2021			Deposit	50.00
Check	05/25/2021		A T & T	Telephone expense	-44.59
Liability Check	05/26/2021		QuickBooks Payroll Service	Payroll expense	-459.63
Deposit	05/26/2021			Deposit	1,125.00
Check	05/26/2021		Wells Fargo	Copier lease	-115.02
Paycheck	05/27/2021	DD1340	Stacey Whittaker	Direct Deposit	0.00
Deposit	05/27/2021			Deposit	425.00
Check	05/27/2021		Voya	Payroll expense	-689.03
Check	05/27/2021		Charter	Internet services	-104.97
Liability Check	05/28/2021		QuickBooks Payroll Service	Payroll expense	-5,417.62
Deposit	05/28/2021			Deposit	450.00
Deposit	05/28/2021			Deposit	1.48
Deposit	05/30/2021			Deposit	650.00
Deposit	05/31/2021			Deposit	500.00
Paycheck	06/01/2021	DD1341	Loretta L Ponton	Direct Deposit	0.00
Deposit	06/01/2021			Deposit	900.00
Check	06/01/2021		Voya	Payroll expense	-2,166.66
Deposit	06/02/2021			Deposit	900.00
Deposit	06/03/2021			Deposit	425.00
Deposit	06/04/2021			Deposit	675.00
Check	06/05/2021	5395	JK Belz & Associates	Lobbyist	-2,000.00
Deposit	06/06/2021			Deposit	400.00
Deposit	06/07/2021			Deposit	1,050.00
Deposit	06/07/2021			Deposit	400.00
Deposit	06/08/2021			Deposit	1,150.00
Liability Check	06/09/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	06/09/2021			Deposit	400.00
Paycheck	06/10/2021	DD1342	Stacey Whittaker	Direct Deposit	0.00

State of Nevada Board of Occupational Therapy
Transaction Detail by Account
April through June 2021

Deposit	06/10/2021			Deposit	400.00
Check	06/10/2021		Wells Fargo	Merchant fees	-277.77
Check	06/10/2021		Voya	Payroll expense	-689.03
Deposit	06/11/2021			Deposit	850.00
Deposit	06/12/2021			Deposit	187.50
Deposit	06/13/2021			Deposit	175.00
Deposit	06/14/2021			Deposit	975.00
Deposit	06/15/2021			Deposit	650.00
Check	06/15/2021	5396	A T & T	Telephone expense	-1.40
Deposit	06/16/2021			Deposit	725.00
Deposit	06/17/2021			Deposit	725.00
Deposit	06/18/2021			Deposit	450.00
Check	06/18/2021		Wells Fargo	Copier lease, travel, supplies, AI	-823.59
Deposit	06/19/2021			Deposit	425.00
Deposit	06/20/2021			Deposit	250.00
Liability Check	06/21/2021	E-pay	US Treasury	Payroll expense	-3,302.00
Deposit	06/21/2021			Deposit	900.00
Deposit	06/22/2021			Deposit	1,525.00
Check	06/22/2021		A T & T	Telephone expense	-44.59
Liability Check	06/23/2021		QuickBooks Payroll Service	Payroll expense	-459.64
Deposit	06/23/2021			Deposit	1,150.00
Paycheck	06/24/2021	DD1343	Stacey Whittaker	Direct Deposit	0.00
Deposit	06/24/2021			Deposit	175.00
Check	06/24/2021		Voya	Payroll expense	-689.03
Deposit	06/25/2021			Deposit	425.00
Deposit	06/25/2021			Deposit	25.00
Check	06/25/2021		Charter	Internet services	-104.97
Deposit	06/26/2021			Deposit	500.00
Deposit	06/27/2021			Deposit	425.00
Deposit	06/28/2021			Deposit	1,100.00
Check	06/28/2021	5397	Vital Records Storage	Records storage	-74.35
Deposit	06/29/2021			Deposit	675.00
Liability Check	06/30/2021		QuickBooks Payroll Service	Payroll expense	-5,413.83
Deposit	06/30/2021			Deposit	1,775.00
General Journal	06/30/2021	CC	Garcia	Renewal processed June 30, de	175.00
Deposit	06/30/2021			Interest	1.44
Total Wells Fargo Bank - Checking					-21,680.68
TOTAL					-21,680.68

**Nevada State Board of Occupational Therapy
2021 Legislative Session Summary
August 21, 2021**

Session Recap

It was a tale of two sessions.

The first session was 73 days long, while the legislative building was closed to the public. It was an interesting time when all hearings and floor sessions were held virtually and access to legislators was limited to Teams meetings, phone calls and texts.

And then...finally...the building was open on a limited access basis on April 15th when the rest of the session began. It was not easy to get into the building, but it was doable. It required a daily COVID test until fully vaccinated plus 2 weeks. At first, it was required to have a meeting with a legislator, who were allowed one guest per day, or registration to attend a committee hearing with capacity limited to 9 attendees.

Things eventually opened fully and what a relief it was! We were back to catching legislators in the halls and stopping by to visit attaches to make appointments rather than relying on them to call or email back. We were able to get a whole lot more done in the last 47 days!

Tracked Bills

The Board tracked a total of 33 bills, some of which related to licensing boards directly, and others to general topics such as public records, open meeting law etc. Eighteen of these bills became law.

There were several bills that were monitored in case amendments expanded the applicability to include licensing boards or the OT board specifically. Included in this group were bills relating to data collection regarding some health care licensees (AB278 and SB379).

Testimony was provided on behalf of the board regarding two bills SB196 (pelvic exams) and SB335 (umbrella licensing board structure under the Department of Business & Industry). The latter bill proposed to take 5% of the boards licensing fees and deposit them in a newly created Occupational Licensing Account to fund an umbrella board oversight function within the Department of Business & Industry. This would have reduced the board's revenue while keeping it a stand-alone board for the time being. This proposal conflicts with NRS 640A 190(3) which requires fees to be used to reimburse the board for carrying out the provisions of its chapter of law.

Below please find a listing of some of the more significant bills that were signed into law:

Data Collection:

- [AB278](#) Collection of certain information from physicians.
- [SB379](#) Collection of certain data concerning providers of health care.

Occupational Therapy Practice:

- [SB196](#) Prohibition of pelvic examinations in certain circumstances.

Board Operations:

- [AB253](#) Provisions for the use of remote technology systems for meetings

- [AB365](#) Reporting requirements regarding equity in the workplace
- [AB385](#) Compensation received by public officers and employees.
- [SB109](#) Data request and reporting regarding sexual orientation and gender identity and expression
- [SB318](#) Development and biennial revision of a language access plan
- [SB445](#) Allows contracts under \$100k to be approved by the Clerk of the Board of Examiners

Other:

- [AB443](#) Revision of the interim committee structure of the Legislature.

Several bills **failed** to make it through the legislative process. Among others, these include:

- [AB340](#) Directed the Legislative Commission to appoint a committee to conduct an interim study related to the economic impact of administrative regulations.
- [AB369](#) Expiration of professional and occupational boards after 6 years unless reviewed
- [AB439](#) Licensure by endorsement for military
- [SB81](#) Increase in the maximum salary of certain state employees.
- [SB90](#) “Review and evaluation” of alleged misconduct by a health care licensee
- [SB100](#) Physical Therapy Licensure Compact
- [SB302](#) Advancement of workforce equity
- [SB335](#) Created umbrella professional licensing structure under Business & Industry; funded it through a 5% assessment on licensing fees of boards; abolished the Boards of Homeopathic Medical Examiners, Dental Examiners, Oriental Medicine, Athletic Trainers and Massage Therapy.
- [SB402](#) Reciprocal licensing agreements

Interim Between Legislative Sessions

There are several activities that will be monitored during the period prior to the commencement of the 2023 legislative session.

Interim (Legislative) Committee Meetings

AB443 (2021) extended the legislature’s committee structure to the interim. This is significant because for example, the Commerce & Labor Committee is tasked with reviewing issues relating to licensing boards and other committees discuss open meeting law, administrative procedures etc. This is a new structure, so we will be closely following it once the committee members have been announced.

Sunset Subcommittee of the Legislative Commission

The Sunset Subcommittee is required, per NRS 232B.220(2), to review not less than 10 boards and commissions in each legislative interim.

Activities related to bills signed into law

Bills often contain requirements for the development of regulations or submission of reports. Attached please find a list of bills of interest that contain such provisions. We will be keeping an eye on those in the interim.

Bill Drafts

Commencing in July 2022, bill drafts one-line descriptions will be posted on the legislative website as they are submitted by legislators. If any of them reference licensing boards or other

related matters, we follow up with the legislators to better understand what they are proposing to change in applicable law.

2022 Elections

There will be new faces again at the 2023 legislative session and we will be tracking those updates for you.

The following legislators are termed out:

- Senator Mo Denis (D)
- Senator Joe Hardy (R)
- Senator Ben Kieckhefer (R)
- Senator James Settlemeyer (R)
- Assemblywoman Teresa Benitez-Thompson (D)
- Assemblywoman Maggie Carlton (D)
- Assemblyman John Ellison (R)

In addition to these seven open seats, here are election announcements made since the end of session:

- Senator Ratti (D) has let folks know that she will not run for reelection.
- Freshman Assemblyman [Andy Matthews](#) (R) is making a bid for State Controller.
- Assemblyman [Tom Roberts](#) (R) is running for Clark County Sheriff
- Assemblyman [Glen Leavitt](#) (R) is throwing his hat into the race to replace Senator Hardy.

We anticipate that more official announcements will be made before the end of the year.

Occupational Therapy Board Interim Tracker - 81st Session - August 13, 2021

Bill	Sponsor	Effective	Issue	Agency	Section	Action	Regulation #	Notes
AB278	Duran	1-Oct-21	Physician licensure application/ data collection	Department of Health & Human Services	Sect. 4	Report		
AB365	Peters	1-Jul-21	Equity in workforce	Departments of the State Governments; Division of HR/Department of Administration	Sect. 2, 6-8	Report; Regulations		
SB109	Spearman	1-Oct-21	SOGI data reporting	"Certain" governmental agencies (those that request SOGI data)	Sect. 1; Sect. 4	Report		
SB222	Scheible	1-Jan-22	Diversity/inclusion + accessibility of programs	Office of Minority Health and Equity	Sect. 12	Report		
SB379	Senate Health & Human Services	1-Jul-21	Licensed health care providers database	Department of Health & Human Services	Sect. 8	Regulations		

State of Nevada
Board of Occupational Therapy

6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
Phone (775) 746-4101 / Fax (775) 746-4105 / Website www.nvot.org

AGENDA ITEM 11: Report from Board Chair
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2021 / 2022 Meeting Schedule

Regularly Scheduled Meetings

Calendar Year 2021	Topics/Comments
November 6	Regulation Hearing & Adoption
Calendar Year 2022	Topics/Comments
January 29	Regular Meeting
<i>April 29-30</i>	<i>Strategic Planning Retreat – Las Vegas</i>
August 20	Biennial Budget
November 5	Audit Report Approval

Future Agenda Items

Review of NRS 640A

Comments from Board Members