



**STATE OF NEVADA**  
**BOARD OF OCCUPATIONAL THERAPY**

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**NOTICE OF PUBLIC MEETING**

**February 18, 2023 – 9:00 a.m.**

Board of Occupational Therapy

Administrative Office

6170 Mae Anne Ave. Suite 1

Reno, NV 89523

ZOOM Access:

<https://us06web.zoom.us/j/86817058986?pwd=bllkK2YzcytaekU4MXFNZ1JUTnl4Zz09>

Meeting ID: 868 1705 8986

Passcode: 716482

Telephone Audio Only: **(253) 215-8782**

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**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. Approval of the Minutes (for possible action)

- November 5, 2022

4. Disciplinary Matters – Citation for Unauthorized Practice; Administrative Fine pursuant to NRS 640A.230 2(c) (for possible action)

- Kristine Booth, OTA, License No. OTA-2107

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)

5. Disciplinary Matters – Recommendation for Dismissal (for possible action)
  - Complaint Case C23-05
6. Consideration of Application for Licensure – Prior Criminal History (for possible action)
  - Marco Flores – Occupational Therapist Applicant
7. Legislative Activities (for possible action)
  - Belz & Case Government Affairs - Legislative Report
  - Delegation of Authority to Represent the Board for Legislative Matters
  - Nevada Occupational Therapy Association Day at the Legislature – March 24, 2023
  - Board Member Legislative Tour – March 24, 2023
8. Governor’s Executive Orders / Timelines and Activities (for possible action)
  - EO 2023-003 – Freezing Regulations / Report Due May 1, 2023
    - Set Workshop for Review of Regulations; Board Recommendations
  - EO 2023-004 – Occupational Licensing Boards / Report Due April 1, 2023
9. Language Access Plan (for possible action)
  - Public Comment, Review and Possible Adoption of Language Access Plan to address barriers to individuals with limited English proficiency pursuant to NRS 232.00819.
10. Board Policy Revision (for possible action)
  - Section 06:034 Co-Locating/Cost Sharing Regulatory Boards
  - Section 06:04 Language Access Plan
11. 2023 / 2024 Strategic Direction (for possible action)
  - Board Self-Assessment Summary
  - 2023 / 2024 Strategic Direction Summary
12. Review and Approval of Job Classification and Compensation Plan Revisions to include but not limited to Job Specifications, Compensation and Benefits (for possible action)
13. Executive Director Performance Review (for possible action)
  - Consideration of Adjustment to Compensation and/or Benefits
14. Consideration of Employee Performance Bonuses (for possible action)
15. Executive Director’s Report (for possible action)
  - FY 2023 Financial Statements as of December 31, 2022
  - FY 2023 Proposed Budget Revision
16. Report from Deputy Attorney General (informational)
17. Board Activities & Reports from Members (for possible action)
  - Election of Board Chair pursuant to NRS 640A.090
  - Appointment of Board Vice Chair
  - Authorized Signatories for Brokerage and Bank Accounts
  - 2023 Meeting and Activities Schedule

## 18. 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)

## 19. Adjournment (for possible action)

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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)

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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)

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**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.

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This meeting has been posted at the Board of Occupational Therapy Administrative Office, 6170 Mae Anne Ave., Reno, NV 89523, on the Board of Occupational Therapy website [www.nvot.org](http://www.nvot.org); and may also be accessed at the following websites: <https://notice.nv.gov/> - State of Nevada Public Notices

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.

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Supporting materials relating to this public meeting of the Board of Occupational Therapy are available on the Board website [www.nvot.org](http://www.nvot.org) or by contacting the Board office at (775) 746-4101 or email [board@nvot.org](mailto:board@nvot.org)

**State of Nevada**  
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<b>AGENDA ITEM 2: PUBLIC COMMENTS</b>
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Attached is a letter to the Board submitted as written public comments for this Board meeting.

December 18, 2022

Nevada Board of Occupational Therapy  
P.O. Box 34779  
Reno, NV 89533

To the leaders of the Nevada Board of Occupational Therapy,

I have been a proud OT for over 20 years, and I can't believe I am now considered "A Veteran" of the profession. I graduated as the last generation Bachelors of Science degree in Occupational Therapy. After my first 5 years in my career, I was a clinical instructor for students for approx 5 years. I used to have a desire to teach the up and coming new grads into the profession, and I achieved a pretty good reputation as being a great CI. Other CIs including myself were able to improve the teaching curriculum at Touro University and other OT schools giving our input as to what to emphasize in the curriculum. Unfortunately that desire of mine, as well as from other CIs had died once the curriculum changed from the Masters of OT to the Doctorate of OT. I'm writing this letter on behalf of many veterans including myself as to why there is a:

### **Major Discrepancy in Academia from the Transition to the Doctorate Degree of OT.**

**Over 20 years ago:** Out of usually 200 applicants who applied to OT school, my Alma Mater The University of Texas at El Paso accepted only 20 with a rigorous interview and application process. My interview reminded me of the tv show American Idol, and we interviewed in front of 5 stringent instructors. One of them read my application and knew of my experience as a rehab tech. She had only one question for me: "Tell all of us why you feel you deserve to be accepted here at the UTEP OT Program. I literally "poured out my heart" and explained that I may not make AOTA's OT of the year nor am I the smartest person in this selection; however; I promise to be the best OT I can be to serve the people- to treat every client as if they were my own family. I know OT is what I really want to do from my experience as a rehab tech and working in the hospital.

**Over 3 years of hard work:** During my times in OT school, we were "drilled, scrutinized, and challenged to do more and achieve more." I worked on the weekends as a skycap at the airport, but fortunately I had some time at work to read, highlight my books, and study hard. Fortunately my experience as a tech helped me with much of the OT theory practices. It was so overwhelming that time management, organizing, and prioritizing assignments and tests in a monthly planner was essential. It was literally a "mental bootcamp." During my times at the hospital, doctors would yell at nurses and even our instructors will yell at us if we appeared to not be busy, looked at our cellphones, or socialized during work.

All of us had no paid internship, and during our clinical presentations, many of us had to present them in front of the whole hospital during lunch. It was a “free for all “ for doctors to challenge us “with hard questions on our topics of choice. OMG by the time I graduated, I looked at all my books, papers, and tests and told myself “I busted my ass for this Bachelors Degree.”

**My years as a clinical instructor:** Did not start out well. The first 2 students I had were better knowledgeable in insurance issues than actual “hands on clinical experiences and critical thinking skills.” It was then that I and other CIs gave our views and opinions on what the schools should emphasize in their curriculums. Since then, I had better students who understood the physiology, treatment approaches, and theories of practice. Many of them were better in the use of modalities such as e-stim, ultrasound, and others by our suggestions to the curriculum. I still had some bad students; however; for the good ones who saw eye to eye with me, acquired my philosophies and carried them onto their practices, they have become successful clinicians in their own areas. For instance, one of my former students took my neuro drills and teachings to heart, and he is an integral part of the UCLA neuro unit as a prominent OT.

**The recession created career changes:** Yes I remember when I still had a job while those in other fields like business, sales, real estate, etc. were losing their jobs. It was then that news reports dubbed the medical field as “the most stable field” that kept us busy during the recession. Even worse was then these news outlets started to emphasize the rates of pay in nursing, OT, PT, ST etc. On the contrary, as more and more people got into the medical field, the reasoning behind it was “it provides a stable job with good pay” instead of the more respectable response “I want to help people in their times of accidents, surgeries, sickness, and/or disease in dire times of need.

**The transition from Masters of OT to Doctorate of OT:** The usual progression in education used to be Associates, Bachelors, Masters, and Doctorate. I was shocked to know that one of the OT doctorate students in our facility didn’t even have a Bachelors degree. Much less, these students didn’t have to do a published thesis. At the end of their affiliation, some of the schools exempted the traditional presentation. If they did a presentation, it was usually presented easily in front of the rehab staff instead of the whole hospital. Some of the OT schools would generally accept 43 out of 44 applicants. Las Vegas now has 2 OT schools: Touro University and UNLV. Now the market has been “saturated” One of our former techs who went to OT school said most of her classes here “skyped” bc the professors would not show up, and would rather do their lectures in their homes. This online-education also has it’s downfalls when professors get too lazy to show up on campus, answer live questions, and present live to the students. My advice as an “Old School Vet: Get your asses in the classroom!”

There are some good students, so I’m not blasphemizing this whole generation of new grads. Some of these grads come from the generation of “everyone gets a trophy, do not yell at them bc it affects their confidence, etc” I come from the generation where if you threw the ball in the gutter, you need to practice to roll it straight, and coaches literally told you “You suck!” It was up to us to practice, improve ourselves, and prove people wrong. At times our emotions ran high, but it was this “Mental Bootcamp” that toughened us to prepare for more intimidation from

doctors, associates, and leaders in the real world. I was a part of the last generation to receive Swats at school and a visit to the principal's office was not a "time out."

The problem that this "entitled" Doctorate of OT has created is that it has "enabled this enabled generation" to feel more "entitled for being a Doctor". In turn, these new grads are asking for more money than I have been making and that I had worked for for over 20 years experience. Part of the problem is that they reveal their instructors tell them what they should be making as a new grad. I was not able to negotiate my salary as a new grad unlike the new grads now. I got whatever was given to me, and it was not til after 5 years when I switched to a new job that I was able to negotiate my salary. They ask for more also because the new degree has put these students in over 100k in debt. In my time I would not have over 100k in debt unless I attended USC which is another school I got accepted to but couldn't afford. These new grads are asking 6 figure salaries right out of school. I'm not quite at 6 figures for being an OT for over 20 years, but I worked hard to establish my current pay. I'm not trying to put my profession down, but to me a doctor is either a professor doctorate in a college/university or an actual doctor who diagnoses client's, pictures in his/her mind the physiology happening in one's body, and prescribes the right dosage of medication while making sure there are no adverse interactions with other medications a client is taking. I'm sorry, but OTs do not diagnose nor prescribe anything beyond hot and cold packs. I'm not speaking for PT.

Another problem is a new school of thought encouraging these new grads to avoid lifting patients. In my time, we were all taught about the importance of body mechanics, lifting, and handling patients with certain techniques. How can clients progress if you don't work on proper handling of them. Sometimes, a family can't afford or take home a lifting machine other than a hooyer lift. If it's one thing me and my PT get done at our LTACH, we achieved getting many people from Max-Dep A to Min A going to rehab or home with home health. One of my prn colleagues wants me to move to his facility bc the new OTs "Are too lazy to do their lifting, handling techniques, or getting clients out of bed." In turn, patients there are not progressing like they should be.

This whole letter explains the problems that the new transition to Doctorate of OT has caused. They are not doing any more than what my colleagues and I had done to achieve our Bachelors and Masters Degrees. This has been a letter that has been several years in the making as discussions with colleagues usually discussed this problem. In the budget of a therapy department, who wants to hire a new "doctor" for a six figure salary?

I might give a copy of this letter to AOTA. The purpose of this letter is for the Nevada Board to hear from myself and other vets with over 10 years experience how this has created a problem for our profession. Myself and many other vets are proud, passionate, yet concerned for the OT profession. **May this letter be read by the leaders of the Nevada OT Board. I do not want any repercussions if this letter becomes exposed and upsets others.** May all of you have joyous Christmas, Happy Holidays, and a Fantastic New Year.

Thank you very much



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<b>AGENDA ITEM 3: APPROVAL OF MINUTES</b>
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The minutes of the meeting of November 5, 2022 of the State Board of Occupational Therapy are presented for approval.



**STATE OF NEVADA  
BOARD OF OCCUPATIONAL THERAPY**

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**MINUTES  
PUBLIC BOARD MEETING**

**November 5, 2022**

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Members Present: Mel Minarik, Elizabeth Straughan, Jose Pablo Castillo, Phil Seitz  
Members Absent: Allison Stone  
Staff Present: Loretta L. Ponton, Executive Director  
Stacey Whittaker, Licensing Coordinator  
Henna Rasul, Sr. Deputy Attorney General  
Public Present: Jeannette Belz, Connie Christiansen, Paula Cook

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**Call to Order, Introduction of Board Members, Confirmation of Quorum**

Vice Chair Minarik, called the Board meeting to order at 9:04 a.m. A roll call confirmed a quorum was present. Chair Stone was absent; Vice Chair Minarik assumed the Chair role.

**Public Comments** – Vice Chair Minarik opened public comments. There were no comments.

**Approval of the Minutes** – Vice Chair Minarik asked if there were any corrections to the July 16, 2022 meeting minutes. Hearing none called for a motion.

Elizabeth Straughan made the motion to approve the minutes as presented; Jose Pablo Castillo seconded the motion. The motion passed.

Vice Chair Minarik asked if there were any corrections to the August 12-13, 2022, meeting minutes. Hearing none called for a motion.

Jose Pablo Castillo made the motion to approve the minutes as presented; Phil Seitz seconded the motion. The motion passed with Elizabeth Straughan abstaining.

**Biennial Audit Report, FY 21/FY 22** – Mel Minarik called on Connie Christiansen, CPA.

Ms. Christiansen presented the Biennial Audit Report prepared by Christiansen Accounting Network for Fiscal Years ending June 30, 2021, and June 30, 2022. Ms. Christiansen stated she is pleased to report the Board received a healthy audit with no unexpected results. All documentation was received in a timely manner with no discrepancies.

Elizabeth Straughan made the motion, seconded by Phil Seitz to approve the Biennial Audit of the Board's financial statement for the period ending June 30, 2021, and June 30, 2022. The motion passed.

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

**Disciplinary Matters – Consent Decree, Complaint Case C22-05 and C23-01  
Darrin Hurdsman, OT-2424**

Vice Chair Minarik confirmed Board members had received and reviewed the proposed consent decree with Darrin Hurdsman. Ms. Ponton summarized the terms of the Consent Decree.

Vice Chair Minarik called for a motion. Elizabeth Straughan made the motion, seconded by Phil Seitz to approve the Consent Decree with Darrin Hurdsman, OT in complaint case C22-05 and C23-01 as presented. The motion passed.

Ms. Ponton stated the Board’s action will be reported to the National Data Bank, NMBCOT and AOTA.

**Disciplinary Hearing – Violation of Board Order, Case C22-03 Shacindra Sloan, OTA-2554**

Vice Chair Minarik called upon Ms. Ponton. Ms. Ponton stated the Board of Occupational Therapy, at their meeting of January 29, 2022, issued an Order in the disciplinary hearing in Case C22-03, finding Ms. Sloan violated the Nevada Occupational Therapy law and regulations. A copy of the final Order was sent February 14, 2022, by Board legal counsel.

On March 22, 2022, a follow-up letter was sent to Ms. Sloan with a copy of the Board Order reminding Ms. Sloan of the terms of the Order which requires a current license with this Board, completion of continuing education, submittal of specific documentation to the Board, payment of legal fees in the amount of \$7,147.15 and adherence to all law and regulations governing the practice of occupational therapy in Nevada. The Board has not received any response from Ms. Sloan nor has the Board received required documentation or payments and Ms. Sloan’s record has not been updated to reflect employment status, supervisory status or contact information. Ms. Sloan did not renew her OTA License which expired effective July 5, 2022.

On September 15, 2022, a formal notice of hearing was sent to Ms. Sloan at her last known address by certified mail, US mail and email; pursuant to Chapter 233B, Chapter 241, Chapter 622A, Chapter 622 and Chapter 640A of the Nevada Revised Statutes and Chapter 640A of the Nevada Administrative Code. The certified mail Notice of Hearing was returned not deliverable.

Vice Chair Minarik asked if members had any questions. Hearing none, called for a motion.

Elizabeth Straughan made the motion, seconded by Phil Seitz, to revoke Shacindra Sloan’s license OTA-2554 for 10 years. The motion passed.

Elizabeth Straughan made the motion if Ms. Sloan applies for licensure after the revocation period, she will be required to meet all requirements of the Consent Decree in addition to all current license requirements at the time. Phil Seitz seconded the motion.

The motion passed.

**Legislative Interim Report**– Loretta Ponton shared a video by the Nevada Independent on “How a Bill Becomes a Law”. Jeanette Belz of Belz and Case Government Affairs provided a written and verbal report on interim legislative committee meetings, 2023 Bill Draft Requests and the upcoming elections.

**Executive Director’s Report** – Loretta Ponton reported on licensing statistics, office operations and a status update on the 2023-2024 Strategic Direction. Ms. Ponton presented and summarized the FY23 Financial Statements ending September 30, 2022.

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

Ms. Ponton provided an update on the Nevada Jurisprudence Exam and reported that the CE Audit is now complete. There is one complaint currently in the investigative process.

Elizabeth Straughan made the motion, seconded by Jose Pablo Castillo, to accept the Executive Director's Report as presented. The motion passed.

**Report from Deputy Attorney General** – Henna Rasul, Sr. DAG had nothing to report.

**Board Activities and Reports** – A proposed 2023 meeting schedule was presented with the next meeting scheduled for January 28, 2023. Ms. Ponton reported that Elizabeth Straughan will be terming out on December 31, 2022 stating this will most likely be her last meeting. Phil Seitz has submitted his reappointment application to the Governor's Office. Ms. Ponton discussed her timeframe for retirement, the recruitment process and redefining job descriptions.

Vice Chair Minarik thanked Liz Straughan for her service noting this was the third full 6-year term.

The board discussed future agenda items as presented in the board packet. Vice Chair Minarik asked if there were any further items, there were none.

**Public Comment** – Vice Chair Minarik asked for public comments. Paula Cook thanked the board for allowing the students to take the Nevada Jurisprudence Exam, it was a great experience. NOTA will have an upcoming event in March 2023 with more information to follow.

**Adjournment** – Vice Chair Minarik adjourned the meeting at 10:14 a.m.

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**AGENDA ITEM 4: Disciplinary Matters**

Citation for Unauthorized Practice; Administrative Fine pursuant to NRS 640A.230

**2(c) Kristine Booth, OTA      License No. OTA-2107**

Ms. Booth contacted the Board office on November 17, 2022 regarding late renewal of her license which expired September 18, 2022. An application for reinstatement was received the same day with appropriate CE documentation, NBCOT verification of current certification and explanation of her unauthorized practice. Ms. Booth's license OTA-2107 was reinstated as of November 17, 2022 as all the requirements for reinstatement were met.

Pursuant to NRS 640A.230 2(c), a Citation for Unlicensed Practice was issued with notice to appear before the Board for a determination as to whether to assess an administrative fine pursuant to NRS 640A.230 and NAC 640A.170.

**NRS 640A.230 Unauthorized practice prohibited; penalties.**

1.Except as otherwise provided in [NRS 629.091](#), a person shall not practice occupational therapy, or represent that he or she is authorized to practice occupational therapy, in this state unless he or she holds a current license issued pursuant to this chapter. A person who violates the provisions of this subsection is guilty of a gross misdemeanor.

2.In addition to any other penalty prescribed by law, if the Board determines that a person has violated the provisions of subsection 1, the Board may:

(a)Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or otherwise demonstrates that he or she is no longer in violation of subsection 1. An order to cease and desist must include a telephone number with which the person may contact the Board.

*(b)Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.*

(c)Assess against the person an administrative fine of not more than \$5,000.

(d)Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

**NAC 640A.170 Administrative fine for practicing with expired license; Board may waive fine under certain circumstances. ([NRS 640A.110](#), [640A.230](#))**

1. Except as otherwise provided by subsection 2, the Board will assess against a person practicing occupational therapy whose license has expired an administrative fine of:

(a) Not less than \$50 if the period of expiration of the license is 30 days or less.

*(b) Not less than \$200 and not more than \$5,000 if the period of expiration of the license is more than 30 days.*

**2. The Board may waive an administrative fine assessed pursuant to subsection 1:**

*(a) For the first offense.*

(b) If the period of expiration of the license is 30 days or less.

(c) Upon a finding of good cause by the Board. A person seeking waiver of an administrative fine on the grounds prescribed by this paragraph shall submit a written request to the Board which must include proof satisfactory to the Board that good cause exists for the Board to waive the administrative fine. As

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used in this paragraph, “good cause” includes, without limitation, circumstances under which a person suffers from an illness or disability, suffers an injury or experiences a family hardship.

Attachment

Administrative Citation

<b>AGENDA ITEM 5: Disciplinary Matter</b>
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**Recommendation for Dismissal - Complaint Case No. C23-05**

After review of all documentation received regarding 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. C23-05 alleged falsification of license application; non-disclosure of criminal history and disciplinary action by another State.



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November 17, 2022

Kristine Booth, OTA  
511 8<sup>th</sup> Street  
Boulder City, NV 89005

Re: License No. OTA-2107  
Notice of Citation for Unlicensed Practice

Dear Ms. Booth,

Your application for reinstatement of your license OTA-2107 has been reviewed and approved effective this date.

You are hereby issued a **Citation for Unlicensed Practice** during the period September 18, 2022 to November 17, 2022. The practice of Occupational Therapy without a current license is a violation of NRS 640A.230.

You are hereby ordered to appear before the Board at their meeting of January 19, 2023 which will be held by ZOOM video-conference, for a determination of whether to assess an administrative fine pursuant to NRS 640A.230 and NAC 640A.170. The notice of meeting will be provided prior to the meeting date.

**NRS 640A.230 Unauthorized practice prohibited; penalties.**

1. Except as otherwise provided in [NRS 629.091](#), a person shall not practice occupational therapy, or represent that he or she is authorized to practice occupational therapy, in this state unless he or she holds a current license issued pursuant to this chapter. A person who violates the provisions of this subsection is guilty of a gross misdemeanor.

2. In addition to any other penalty prescribed by law, if the Board determines that a person has violated the provisions of subsection 1, the Board may:

(a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or otherwise demonstrates that he or she is no longer in violation of subsection 1. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

(Added to NRS by [1991, 991](#); A [1995, 753](#); [2013, 279, 2243](#))

**NAC 640A.170 Administrative fine for practicing with expired license; Board may waive fine under certain circumstances. (NRS 640A.110, 640A.230)**

1. Except as otherwise provided by subsection 2, the Board will assess against a person practicing occupational therapy whose license has expired an administrative fine of:

(a) Not less than \$50 if the period of expiration of the license is 30 days or less.

(b) Not less than \$200 and not more than \$5,000 if the period of expiration of the license is more than 30 days.

2. The Board may waive an administrative fine assessed pursuant to subsection 1:

(a) For the first offense.

(b) If the period of expiration of the license is 30 days or less.

(c) Upon a finding of good cause by the Board. A person seeking waiver of an administrative fine on the grounds prescribed by this paragraph shall submit a written request to the Board which must include proof satisfactory to the Board that good cause exists for the Board to waive the administrative fine. As used in this paragraph, "good cause" includes, without limitation, circumstances under which a person suffers from an illness or disability, suffers an injury or experiences a family hardship.

(Added to NAC by Bd. of Occupational Therapy by R017-14, eff. 10-24-2014)

If you have any questions, please feel free to contact the Board office at 775-746-4101.

Sincerely,

*Loretta Ponton*

Loretta L. Ponton  
Executive Director

Cc: Henna Rasul, Senior Deputy Attorney General; Board Counsel



**From:** [Kristine Booth](#)  
**To:** [Loretta Ponton](#)  
**Subject:** Re: Notice of Board Meeting Date Change  
**Date:** Thursday, January 5, 2023 1:33:47 PM

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Thank you, I will do my best to attend on Zoom. Thank you again for the information.  
Sincerely,

Kristine Booth

On Thu, Jan 5, 2023 at 1:30 PM Loretta Ponton <[board@nvot.org](mailto:board@nvot.org)> wrote:

You are not required to attend, however, it would be in your best interest to participate to answer any questions they may have.

The Board will take action on whether to assess an administrative fine.

*Loretta L. Ponton, Executive Director*

*State of Nevada*

*Board of Occupational Therapy*

[6170 Mae Anne Ave., Suite 1](#)

[Reno, NV 89523](#)

775-746-4101?

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**From:** Kristine Booth <[kbooth0422@gmail.com](mailto:kbooth0422@gmail.com)>  
**Sent:** Thursday, January 5, 2023 1:21 PM  
**To:** Loretta Ponton <[board@nvot.org](mailto:board@nvot.org)>  
**Subject:** Re: Notice of Board Meeting Date Change

Thank you! What happens if I am unable to attend? We are going out of town that weekend.

On Thu, Jan 5, 2023 at 1:17 PM Loretta Ponton <[board@nvot.org](mailto:board@nvot.org)> wrote:

Good Afternoon Kristine,

The next meeting of the Board has been changed to Saturday, February 18, 2023

beginning at 9:00 a.m. Your citation for unauthorized practice, administrative fine pursuant to NRS 640A.230 2(c) will be on the agenda for consideration at the meeting. The meeting will be held by ZOOM – access information is provided. You will receive another email with the agenda prior to the meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/86817058986?pwd=bllkK2YzcytaekU4MXFNZ1JUTnl4Zz09>

Meeting ID: 868 1705 8986

Passcode: 716482

Telephone Audio Only: (253) 215-8782

If you have any questions, please let me know.

*Loretta L. Ponton, Executive Director*

*State of Nevada*

*Board of Occupational Therapy*

[6170 Mae Anne Ave., Suite 1](#)

[Reno, NV 89523](#)

775-746-4101?

**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](http://www.nvot.org)

---

<b>AGENDA ITEM 6: APPLICATION FOR LICENSURE</b>
---

**Marco Flores, OTR**

Mr. Flores submitted an application for licensure as an Occupational Therapist on January 26, 2023. The application comes before the Board for consideration due to prior criminal history disclosed with the Application.

Mr. Flores initially contacted the Board in 2020, at which time he was a OT Student, regarding a criminal gross misdemeanor conviction stemming from an incident in 2018 and was placed on probation. Mr. Flores completed all terms and was released from probation.

Mr. Flores requested a pre-determination from NBCOT on eligibility to take the certification exam. NBCOT, after review of all documentation, issued a pre-determination that he would not be eligible for examination for 2 years, with conditions for reconsideration after the 2-year period.

Mr. Flores has since completed all the requirements established by NBCOT, graduated from his OT educational institution in 2022 and received approval and authorization to take the certification examination from NBCOT.

Mr. Flores was certified on January 26, 2023 and is requesting a Nevada occupational therapy license.

Attachment

Application and Supporting Documentation



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Personal Information

### License Information

I am applying for

- Occupational Therapist\*
- Occupational Therapy Assistant\*

Application Type

- Standard\*
- Temporary\*
- Provisional\*

### Applicant Information

Please complete the information below. Your name should be entered how it is to appear on your license.

<b>First Name*</b>	<b>Middle Name</b>	<b>Last Name*</b>	<b>Suffix</b>
<input type="text" value="Marco"/>	<input type="text" value="Antonio"/>	<input type="text" value="Flores"/>	<input type="text"/>

<b>Other Names you have used</b>	<b>Social Security Number / Taxpayer Identification Number*</b>	<b>Gender*</b>
<input type="text"/>	<input type="text"/>	<input type="text" value="Male"/>

<b>Date of Birth*</b>	<b>Place of Birth*</b>
<input type="text" value="06/09/1995"/>	<input type="text" value="Huntington Park, California"/>

US Citizen  Yes  No

Contact Information

## Contact Information

### Mailing Address\*

7026 Stone Cactus Street

### City\*

North Las Vegas

### State\*

NV

### ZIP Code\*

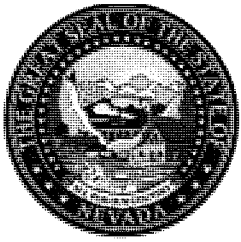
89086

### Contact Phone Number\*

702-635-1176

### E-mail Address\*

marcoaflores95@outlook.com



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Miscellaneous

### Education Information

**Educational Institution\***

Midwestern University

**City\***

Glendale

**State\***

AZ

**Date Graduated\***

09/30/2022

**Degree Awarded\***

Master Degree

### NBCOT Information

Are you currently certified by NBCOT?  **Yes\***  **No\***

Certification Number

486971

### Other State License Information

Are you now or have you ever been licensed, certified or registered in any jurisdiction?

**Yes\***

**No\***



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Employment Information

### Employment Information/Location

Please provide your current/previous employment information. Select the add button to add additional employer information.

#### Employment Information/Location

Senor Frogs in Treasure Island/Las Vegas

#### Address

3300 Las Vegas Blvd S

#### City

Las Vegas

#### State

NV

#### ZIP Code

89109

#### Business Phone

999-999-9999

#### Business Fax

999-999-9999

#### Email Address

user@domain.com

#### Start Date

03/01/2022

#### End Date

mm/dd/yyyy

#### Current Employer

Yes

Click the add button to add additional current or previous employer information.



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Legal Questions

### Legal Information

If the answer to any of the questions below is "Yes", you will be required to provide full details.

- Has there ever been a complaint filed, investigation or legal action taken against your professional license for any reason?\*
- Yes\*  No\*
- Are there any pending legal actions, complaints, investigations or hearings in process?\*
- Yes\*  No\*
- Have you ever had a professional license, certification or registration denied, restricted, suspended or revoked?\*
- Yes\*  No\*
- Have you ever relinquished responsibilities, resigned a position or been fired while a complaint was pending against you?\*
- Yes\*  No\*
- Have you ever been convicted of, or pled guilty or nolo contendere to, a violation of ANY federal or state statute, city or county ordinance, or any law of a foreign country? (Exclude minor traffic violations.)\*
- Yes\*  No\*

### Military Service / Veterans Status

Select one of the following options.

- None\*
- Uniformed Military\*
- Veteran\*
- Military Spouse\*
- Veteran Spouse\*





# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Explanation

### Explanation

Please provide details and/or upload documentation to explain each question with a "yes" answer. If further information is required, you will be notified.

**Have you ever been convicted of, or pled guilty or nolo contendere to, a violation of ANY federal or state statute, city or county ordinance, or any law of a foreign country? (Exclude minor traffic violations.)\***

***Answer: LEWD AND/OR DTSSOLUTE CONDUCT (M) - NEVADA- NRS 207.030I was cleared by the NBCOT board to take the exam. They have reviewed all documentation required and granted me permission to continue my career path.***

Click [here](#) for recommendations on uploading files.



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Information

### Nevada Business License Information

- I do NOT have a Nevada state business license number.\*
- I have applied for a Nevada business license with the Nevada Secretary of State in compliance with the provision of NRS Chapter 76 and my application is pending.\*
- I have a Nevada Business License number assigned by the Secretary of State in compliance with the provisions of NRS Chapter 76.\*

### Child Support Information

- I am not subject to a court order for the support of a child.\*
- I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.\*
- I am subject to a court order for the support of one or more children and am NOT in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.\*



# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY



## Initial Application - Declaration

### Notice as Mandatory Reporter of Abuse or Neglect

- I acknowledge I have been informed of my duty as a mandatory reporter of abuse or neglect of a child pursuant to NRS 432B.

### Declaration

- I declare, under penalty of perjury, all the information supplied herein is to the best of my knowledge true, accurate and complete and I have not withheld, misrepresented, or falsely stated any information relevant to my application, education, training, experience or my fitness to practice the profession for which I am applying.

### Photograph

Please upload a 2x2 photograph. Driver's License is acceptable.

Click [here](#) for recommendations on uploading files.

#### Uploaded File(s)

[DL.jpg](#)

### Verification of NBCOT Certification

Please upload current certification status. Acceptable documentation include:

- on-line verification printout from NBCOT; or
- request written verification from NBCOT to be sent directly to the board.

## **Loretta Ponton**

---

**From:** Loretta Ponton  
**Sent:** Tuesday, April 14, 2020 3:47 PM  
**To:** Marco Flores (AZ OT Mast 20)  
**Subject:** Information Request

Hello Marco,

After review of your request, the following is provided to assist in your pre-determination request at NBCOT:

Expungement results in the deletion of any record that an arrest or criminal charge ever occurred. Consequently, it does not need to be reported and if an applicant discloses an expunged record, the Board is not required to review the record for a determination of qualification for licensure.

Based upon the above, if you applied for a license in Nevada after your record has been expunged, you would be required to report the conviction but the Board would not deny licensure based solely upon that information. If you apply for licensure prior to the expungement of your record, the conviction would be reviewed by the Board for a determination of whether you meet the moral turpitude requirement for licensure. If NBCOT issues a pre-determination that the conviction would not preclude you from certification, that information would be considered supporting documentation to your application as Nevada requires NBCOT certification for initial licensure.

Feel free to share this email with NBCOT and I wish you well in your pursuit of your profession.

Loretta Ponton, Executive Director  
Nevada Board of Occupational Therapy

November 2, 2020

**SENT VIA EMAIL**

Marco Flores  
17222 N. Central Avenue #127  
Phoenix, AZ 85022

**RE: Letter of Ineligibility for Certification**

Dear Mr. Flores:

The National Board for Certification in Occupational Therapy, Inc. (NBCOT®) has reviewed the materials you have submitted for Early Determination Review regarding your conduct as it relates to your misdemeanor conviction for Open or Gross Lewdness and the requirement to register on the Arizona Sex Offender Registry.

Having completed the review of your case, the Qualifications and Compliance Review Committee (QCRC) of the National Board for Certification in Occupational Therapy, Inc. has determined that this Letter of Ineligibility should be issued to you due to a violation of Principles 1 and 6 of the NBCOT Candidate/Certificant Code of Conduct.

Ineligibility for certification means an individual is barred from becoming certified by the NBCOT, either indefinitely or for a certain duration. Please refer to the enclosed Procedures for the Enforcement of the NBCOT Candidate/Certificant Code of Conduct regarding public notification and additional information about NBCOT's disciplinary process.

The QCRC further determined that Ineligibility, in this case, shall be for a minimum period of two (2) years. This means that you may apply through the NBCOT examination application process after two (2) years from the execution of this agreement, provided that you have:

1. Provided confirmation to NBCOT of successful completion of the criminal probation required by your guilty plea agreement for Open and Gross Lewdness,
2. Provided confirmation to NBCOT of successful completion of the sex offender treatment therapy program you are currently enrolled in due to the misdemeanor conviction describe above,
3. Submitted to NBCOT a letter from a licensed sex offender treatment provider from the sex offender treatment program you are currently enrolled in confirming that you are deemed to be a low risk for sexual offense recidivism. If you are unable to obtain the letter from the program, you must submit to NBCOT a letter completed by a licensed psychologist or psychiatrist following a psycho-sexual evaluation they performed no more than two months prior to your submission of the letter and,
4. Met exam candidate eligibility requirements.

Ineligibility will become effective the date of your signature below if you agree with this sanction. If you choose to accept this Letter of Ineligibility for Certification as proposed, and if you wish to waive your right to a hearing, please signify your agreement by checking the appropriate option, and signing and dating the section at the end of this letter. Please return the original signed letter to me no later than **December 3, 2020**. You may retain a copy of this letter for your files.

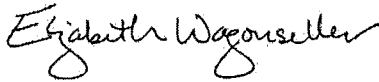
If you choose not to accept this Letter of Ineligibility for Certification, you may request a hearing before the Qualifications and Compliance Review Committee (QCRC) of the NBCOT. If you prefer to have a formal hearing in this matter, please choose the appropriate option and review the enclosed Hearing Guidelines.

Failure to respond to this letter by **December 3, 2020** will result in action being taken, as stipulated above.

Letter of Ineligibility Marco Flores

If you have any questions or concerns regarding this request, please direct them to Mary Valle at [mvalle@nbcot.org](mailto:mvalle@nbcot.org) or (301) 990-7979 extension 3150.

Sincerely,



Elizabeth Wagonseller  
Director, Credentialing Services

Attachments: Procedures for the Enforcement of the NBCOT Candidate/Certificant  
Code of Conduct  
Hearing Guidelines  
Adverse Action Notification

**PLEASE CHECK ONE OF THE FOLLOWING AND SIGN:**

X (1) I choose to ACCEPT this Letter of Ineligibility for Certification

\_\_\_ (2) I choose NOT TO ACCEPT this Letter of Ineligibility for Certification and request a hearing before the QCRC

I have included the following:

- My written request for a hearing which includes my reasons for requesting a hearing
- Any additional information or documentation I wish to provide in support of my position

*My signature below certifies that I personally completed and signed this letter and that I received the named enclosures.*

**Signed:** Marco Flores **Date:** November 5, 2020

**Print Name:** Marco Flores **Date:** November 5, 2020



OHDP

Electronically Filed  
05/06/2022

*Alvin S. ...*  
CLERK OF THE COURT

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

State of Nevada

Case No.: C-19-344140-1

vs

Dept. No.: XXIV

Marco Flores

**ORDER HONORABLY DISCHARGING PROBATIONER**

This Court previously placed the Defendant named in the caption on probation. The Division of Parole and Probation has filed a Petition requesting the discharge of the Defendant from probation in this case.

This Court finds that the Defendant successfully completed probation. As a result, the Court orders the honorable discharge of the Defendant from probation.

This Court finds that the Defendant failed to comply with the conditions of probation as described in the Petition. As a result, the Court orders the dishonorable discharge of the Defendant from probation.

In either case, the Defendant is released from supervision and from any ordered requirements of probation, with the exception of unpaid restitution. This Order takes effect on the date it is signed.

Dated This 6th day of May, 2022.

*Erika Ballou*

Erika Ballou, District Judge

1 **GPA**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 SHANON CLOWERS  
6 Chief Deputy District Attorney  
7 Nevada Bar #10008  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10 Plaintiff,

11 -vs-

12 MARCO FLORES, aka,  
13 Marco Antonio Flores, #3077985  
14 Defendant.

CASE NO: C-19-344140-1

DEPT NO: XXIII

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: OPEN OR GROSS LEWDNESS (Gross Misdemeanor  
17 - NRS 201.210 - NOC 50971), as more fully alleged in the charging document attached hereto  
18 as Exhibit "1".

19 My decision to plead guilty is based upon the plea agreement in this case which is as  
20 follows:

21 The State has no opposition to probation not to exceed three (3) years if Defendant is  
22 not high risk to re-offend. The State will retain the full right to argue terms and conditions of  
23 said probation. If Defendant is successful and honorably discharged from probation, he may  
24 withdraw his plea and plead guilty to LEWD AND/OR DISSOLUTE CONDUCT  
25 (Misdemeanor - NRS 207.030 - NOC 53143), with credit for time served.

26 I agree to the forfeiture of any and all weapons or any interest in any weapons seized  
27 and/or impounded in connection with the instant case and/or any other case negotiated in  
28 whole or in part in conjunction with this plea agreement.

1 I understand and agree that, if I fail to interview with the Department of Parole and  
2 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,  
3 by affidavit review, confirms probable cause against me for new criminal charges including  
4 reckless driving or DUI, but excluding minor traffic violations, the State will have the  
5 unqualified right to argue for any legal sentence and term of confinement allowable for the  
6 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have  
7 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without  
8 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite  
9 twenty-five (25) year term with the possibility of parole after ten (10) years.

10 Otherwise I am entitled to receive the benefits of these negotiations as stated in this  
11 plea agreement.

#### 12 CONSEQUENCES OF THE PLEA

13 I understand that by pleading guilty I admit the facts which support all the elements of  
14 the offense(s) to which I now plead as set forth in Exhibit "1".

15 I understand that as a consequence of my plea of guilty I may be imprisoned in the  
16 Clark County Detention Center for a period of not more than three hundred sixty-four (364)  
17 days and that I may be fined up to \$2,000.00. I understand that the law requires me to pay an  
18 Administrative Assessment Fee.

19 I understand that, if appropriate, I will be ordered to make restitution to the victim of  
20 the offense(s) to which I am pleading guilty and to the victim of any related offense which is  
21 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to  
22 reimburse the State of Nevada for any expenses related to my extradition, if any.

23 I understand that I am not eligible for probation pursuant to NRS 176A.110 unless a  
24 psychologist licensed to practice in this State who is trained to conduct psychosexual  
25 evaluations or a psychiatrist licensed to practice medicine in this State who is certified by the  
26 American Board of Psychiatry and Neurology, Inc., and is trained to conduct psychosexual  
27 evaluations certifies in a written report to the court that I do not represent a high risk to reoffend  
28 based upon a currently accepted standard of assessment. I understand that, except as otherwise

1 provided by statute, the question of whether I receive probation is in the discretion of the  
2 sentencing judge. I understand that my attorney is responsible for obtaining this psychological  
3 evaluation and providing it to the Court and the assigned Deputy District Attorney prior to my  
4 sentencing.

5 I understand that I must submit to blood and/or saliva tests under the Direction of the  
6 Division of Parole and Probation to determine genetic markers and/or secretor status.

7 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,  
8 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or  
9 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation  
10 and may receive a higher sentencing range.

11 I understand that if more than one sentence of imprisonment is imposed and I am  
12 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order  
13 the sentences served concurrently or consecutively.

14 I understand that information regarding charges not filed, dismissed charges, or charges  
15 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

16 I have not been promised or guaranteed any particular sentence by anyone. I know that  
17 my sentence is to be determined by the Court within the limits prescribed by statute.

18 I understand that if my attorney or the State of Nevada or both recommend any specific  
19 punishment to the Court, the Court is not obligated to accept the recommendation.

20 I understand that if the offense(s) to which I am pleading guilty was committed while I  
21 was incarcerated on another charge or while I was on probation or parole that I am not eligible  
22 for credit for time served toward the instant offense(s).

23 I understand that if I am not a United States citizen, any criminal conviction will likely  
24 result in serious negative immigration consequences including but not limited to:

- 25 1. The removal from the United States through deportation;
- 26 2. An inability to reenter the United States;
- 27 3. The inability to gain United States citizenship or legal residency;

28 ///

- 1 4. An inability to renew and/or retain any legal residency status; and/or
- 2 5. An indeterminate term of confinement, with the United States Federal
- 3 Government based on my conviction and immigration status.

4 Regardless of what I have been told by any attorney, no one can promise me that this  
5 conviction will not result in negative immigration consequences and/or impact my ability to  
6 become a United States citizen and/or a legal resident.

7 I understand that the Division of Parole and Probation will prepare a report for the  
8 sentencing judge prior to sentencing. This report will include matters relevant to the issue of  
9 sentencing, including my criminal history. This report may contain hearsay information  
10 regarding my background and criminal history. My attorney and I will each have the  
11 opportunity to comment on the information contained in the report at the time of sentencing.  
12 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also  
13 comment on this report.

14 WAIVER OF RIGHTS

15 By entering my plea of guilty, I understand that I am waiving and forever giving up the  
16 following rights and privileges:

- 17 1. The constitutional privilege against self-incrimination, including the right  
18 to refuse to testify at trial, in which event the prosecution would not be  
allowed to comment to the jury about my refusal to testify.
- 19 2. The constitutional right to a speedy and public trial by an impartial jury,  
20 free of excessive pretrial publicity prejudicial to the defense, at which  
21 trial I would be entitled to the assistance of an attorney, either appointed  
or retained. At trial the State would bear the burden of proving beyond  
a reasonable doubt each element of the offense(s) charged.
- 22 3. The constitutional right to confront and cross-examine any witnesses who  
23 would testify against me.
- 24 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 25 5. The constitutional right to testify in my own defense.

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6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

I am not now under the influence of any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

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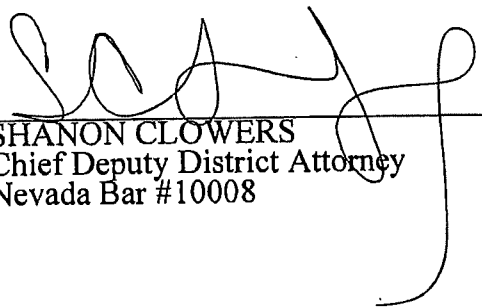
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My attorney has answered all my questions regarding this guilty plea agreement and its consequences to my satisfaction and I am satisfied with the services provided by my attorney.

DATED this \_\_\_\_\_ day of October, 2019.

\_\_\_\_\_  
MARCO FLORES, aka,  
Marco Antonio Flores  
Defendant

AGREED TO BY:

  
\_\_\_\_\_  
SHANON CLOWERS  
Chief Deputy District Attorney  
Nevada Bar #10008

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CERTIFICATE OF COUNSEL:

I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

- 1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.
- 2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.
- 3. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to:
  - a. The removal from the United States through deportation;
  - b. An inability to reenter the United States;
  - c. The inability to gain United States citizenship or legal residency;
  - d. An inability to renew and/or retain any legal residency status; and/or
  - e. An indeterminate term of confinement, by with United States Federal Government based on the conviction and immigration status.

Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.

- 4. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.
- 5. To the best of my knowledge and belief, the Defendant:
  - a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement,
  - b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily, and
  - c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time I consulted with the Defendant as certified in paragraphs 1 and 2 above.

Dated: This \_\_\_\_\_ day of October, 2019.

\_\_\_\_\_  
DEFENSE ATTY. NAME

cmj/L3



1 **INFM**  
2 **STEVEN B. WOLFSON**  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 **SHANON CLOWERS**  
6 Chief Deputy District Attorney  
7 Nevada Bar #10008  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

7 I.A. 10/28/19  
8 10:00 AM  
9 M. BECKER, ESQ.

9 THE STATE OF NEVADA,  
10 Plaintiff,

CASE NO: C-19-344140-1

11 -vs-

DEPT NO: XXIII

12 MARCO FLORES, aka,  
13 Marco Antonio Flores, #3077985  
14 Defendant.

**INFORMATION**

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That MARCO FLORES, aka, Marco Antonio Flores, the Defendant(s) above named,  
20 having committed the crime of OPEN OR GROSS LEWDNESS (Gross Misdemeanor - NRS  
21 201.210 - NOC 50971), on or between June 1, 2018 and August 31, 2018, within the County  
22 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made  
23 and provided, and against the peace and dignity of the State of Nevada, did willfully and  
24 unlawfully commit an act of open or gross lewdness, by repeatedly touching

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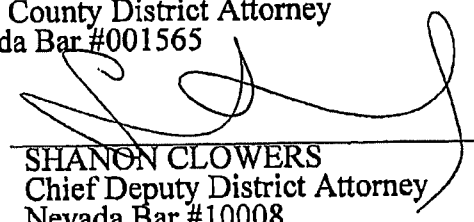
**EXHIBIT "1"**

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NANCY ARAGON on the thigh, back and/or buttocks while talking to her about having sexual intercourse.

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY



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SHANON CLOWERS  
Chief Deputy District Attorney  
Nevada Bar #10008

19F07761X/cmj/L3  
LVMPD EV#181100056192  
(TK2)

# OTR® & COTA® Credential Verification

Thursday, 26 January 12:17:26 PM

Fullname	City	State/Province	Credential	Cert#	Initial Date	Expiration Date	Status
Marco Flores	North Las Vegas	Nevada	OTR®	486971	26 Jan 2023	31 Mar 2027	Active - In good standing

Showing 1 entries

## Primary Source Disclaimer:

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<b>AGENDA ITEM 7: Legislative Activities</b>
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**Legislative Report**

Jeanette Belz and Lea Case of Belz and Case Government Affairs will provide an update on the Board's bill and sponsor; legislative activities, and potential bills that may affect the occupational therapy profession and/or Board administration.

**Delegation of Authority to Represent the Board**

The Board is requested to formally approve delegation of authority to represent the Board to the Executive Director, for all legislative matters, submittal of fiscal notes, presentations before the Committees, preparation and submittal of comments on Bills potentially affecting the Board, and related legislative matters.

**Nevada Occupational Therapy Association Day**

March 24, 2023 has been designated Nevada Occupational Therapy Association Day at the Legislature. NOTA will be in attendance and will have a table with information on Occupational Therapy.

**Board Member Legislative Tour**

On Friday March 24, 2023 a tour of the Legislature and viewing of Committees and possible Floor Session will be facilitated by Jeanette Belz and her staff; and will support the NOTA day at the Legislature.

Attachment

Written Legislative Report

**Nevada State Board of Occupational Therapy**  
Legislative Interim Report - As of February 9, 2023  
Submitted by Belz & Case Government Affairs

### **2023 Legislative Session - Overview**

The session began on Monday, February 6 with a swearing in of the newly elected members and brief floor sessions to officially introduce the pre-filed bills.

To date, 274 bills have been introduced. The only bill to this point that specifically references NRS Chapter 640A is [SB131](#), a reproductive health care bill sponsored by the Senate Majority Leader, Nicole Cannizzaro. The definition of a “health care licensing board” includes the OT board in section 1(2)(a)(1). The bill prohibits the licensing boards listed from disqualifying from licensure or disciplining a person solely for providing or assisting in the provision of certain reproductive health care services, if those services would have been lawful and consistent with standards for the practice of the relevant profession in Nevada.

Also there are two compact bills that have been introduced: Nursing ([AB108](#)) and Physical Therapy ([SB97](#)). Neither bill has been scheduled for a hearing at this time. We will also be watching bills regarding issues such as open meeting law and health care workforce.

### **Board’s Bill Draft**

The board has secured a sponsor for its bill draft. Assemblyman CH Miller has submitted the proposed statute revisions approved last summer by the board to the Legislative Counsel Bureau under BDR #737. We have met with him to review the provisions of the bill and also provided him with follow up information. We are waiting for the bill to be introduced. The deadline for individual legislator bill introductions is March 20.

### **First Hearing Regarding Occupational Licensing**

The Assembly Commerce and Labor scheduled a hearing on February 10 to receive a presentation from the Legislative Counsel Bureau’s Audit Division regarding financial information received from professional and occupational licensing boards. More detail will be provided at the board meeting.

### **In Other News:**

#### **Nevada Department of Education, Commission on Professional Standards**

There is no update regarding this agenda item. The Legislative Counsel Bureau released its draft of the [R123-22](#), the regulation regarding OT and PT endorsements in K-12 education in July 2022. The Department of Education approved this regulation on a consent agenda (no discussion) on November 3, 2022. The regulation needs final approval from the Legislative Commission.

### **Executive Orders**

To date, Governor Lombardo has issued [five executive orders](#), four are relevant to this board. [The first](#) rescinded all COVID-19 era declarations, executive orders and emergency directives. [The second](#) called for a transition back to normal office work for state agencies that had gone remote during the pandemic by July 1, 2023. [The third](#) implemented a freeze on all new regulations and required all executive branch agencies, departments, boards and commissions to review existing regulations and to come up with 10 that could be removed. [The fourth](#) calls for licensure reciprocity among all occupational licensing boards. During an [interview with the Nevada Independent](#) on January 27<sup>th</sup>, Lombardo acknowledged that regulations protecting public health and safety are necessary and that 10 is an arbitrary number, but one that requires a strong effort. He believes there are antiquated regulations on the books that are no longer necessary in every executive agency, department, and board and that this will help streamline government systems.

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<b>AGENDA ITEM 8: Governor's Executive Orders</b>
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Executive Order 2023-03 Freezing Regulations and ordering a Review of Existing Regulations requires the Board to prepare and submit a Report to the Governor's Office by **May 1, 2023**.

A Public Hearing is required to be held to solicit public input into how to streamline, clarify, reduce or otherwise improve regulations. The report to the Governor's Office must include stakeholder input and must identify a **minimum of 10 regulations recommended for removal**. The Public Hearing is proposed for Thursday April 6th, at 1:00 p.m. via ZOOM.

No new regulations may be proposed, approved or acted upon until the Executive Order is rescinded.

Executive Order 2023-04 Order Directing Professional and Occupational Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for all Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity.

The Report, due **April 1, 2023**, must be submitted to both the Governor's Office and the Director of the Legislative Counsel Bureau.

Section 1 of the report must include detail on all pertinent regulations that **restrict entry into an occupation or profession** regulated by the Board, fees and costs, examinations and other licensure requirements.

Section 2 must provide justification of items in Section 1 and include **an analysis of states** who license/regulate a profession.

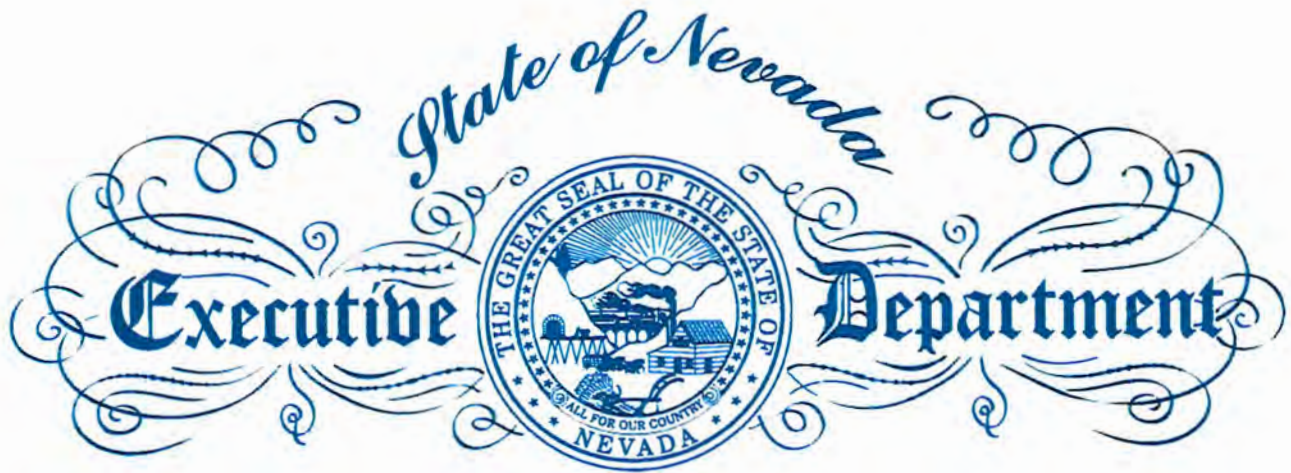
Section 3 provides an opportunity to **recommend revision** to current regulations to expedite licensure.

Section 4 must provide information on **State Compacts and reciprocity** that exist regionally, nationally or internationally; a summary of states providing reciprocity including if states do not license or regulate the profession; justification of why Nevada does not participate in a Compact or reciprocity; and include an **Action Plan** should we decide to participate in reciprocity programs.

The Executive Order establishes a deadline of July 1, 2023 to phase out licensure if a profession is not licensed in 26 states or more; and recommendations for implementing reciprocity if reciprocity is available in 26 states or more.

Attachments

Governor's Executive Orders 2023-34 & 2023-04



## EXECUTIVE ORDER 2023-003

### Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

*WHEREAS*, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

*WHEREAS*, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

*WHEREAS*, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

*WHEREAS*, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

*WHEREAS*, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

*NOW, THEREFORE*, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

#### SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

#### SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

#### SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

#### SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

#### SECTION 5:

The following regulations are not subject to the suspension set forth in Section 4:


- (a) Regulations that affect public health;


- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.

Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.



  
\_\_\_\_\_  
Governor

  
\_\_\_\_\_  
Secretary of State

  
\_\_\_\_\_  
Deputy





## EXECUTIVE ORDER 2023-004

### **Order Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity**

*WHEREAS*, Nevada's economic growth and vitality is dependent upon the depth and quality of the State's workforce; and

*WHEREAS*, Nevada currently has 1.7 job openings for every unemployed person actively looking for work and there are acute shortages of employees in core sectors of the economy, including, without limitation, education, health care and technology; and

*WHEREAS*, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

*WHEREAS*, the Sunset Subcommittee of the Nevada State Legislature identified financial disparities and expressed concerns with practices of Nevada's occupational and professional licensing boards including, without limitation, those involving hearing officers, training, operating reserves, fines and fee structures, electronic access and payments, use of outside counsel and lobbyists and centralized coordination of expenditures; and

*WHEREAS*, The State Division of Internal Audits concluded that the current composition and actions of Nevada occupational and professional licensing Boards may expose the State to anti-trust liability; and

*WHEREAS*, it is in the best interest of Nevada that its occupational and professional licensing boards are seeking opportunities to attract and retain qualified workers to the State and not create unnecessary barriers to entry; and

*WHEREAS*, Nevada's occupational and professional licensing boards are subject to oversight by both the legislative and executive branch of government; and

*WHEREAS*, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

*NOW, THEREFORE* by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

#### **SECTION 1:**

Effective immediately and until the suspension of this order, all Nevada occupational and professional licensing boards shall suspend the creation of any new regulations that limit or otherwise impact the ability persons to enter any occupation or profession in Nevada.

#### **SECTION 2:**

Before April 1, 2023, all Nevada occupational and professional licensing boards shall provide a report to the Office of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the board. Section 1 of the report shall include, at a minimum, all pertinent regulations, fees and other costs, examinations and any other requirements for entry into any occupation or profession regulated by the board. Section 2 of the report shall include, at a minimum, the board's justification for the regulations, fees and other costs, examinations and other requirements set forth in Section 1 of the report. Section 2 shall also include an analysis of the number of states that currently license

each profession or occupation regulated by the board. Section 3 of the report shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers. Finally, Section 4 of the report shall identify state compacts or any other pathways to professional licensure reciprocity that exist regionally, nationally or internationally. Section 4 shall also include a summary of states currently providing reciprocity for each profession or occupation regulated by the board to include those states that do not license the profession or occupation, and therefore, do not require reciprocity. To the extent Nevada does not currently participate in any identified reciprocity opportunity, the board's report shall provide a justification as to why Nevada does not currently participate and shall set forth an action plan should the state decide it should participate in such a reciprocity program.

**SECTION 3:**

To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023.

**SECTION 4:**

To the extent an occupation or profession that is currently licensed in Nevada allows for licensing reciprocity in the majority of states (26 or more), reciprocity shall be presumed to be possible and appropriate, and the board shall provide a recommendation for implementing a program for reciprocity participation by July 1, 2023.

**SECTION 5:**

Failure for any board to fully comply with the provisions of this order shall trigger an immediate operational and financial audit of the board by the Division of Internal Audits as well as recommendation to the Legislature that the board be subject to sanctions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twentythree.



  
\_\_\_\_\_  
Governor

  
\_\_\_\_\_  
Secretary of State

  
\_\_\_\_\_  
Deputy

**State of Nevada**  
**Board of Occupational Therapy**

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<b>AGENDA ITEM 9: Language Access Plan</b>
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Senate Bill 318 of the 2021 Legislative Session, codified as NRS 232.0081, requires an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government to develop a Language Access Plan to address the barriers persons with limited English proficiency face in accessing governmental programs and services.

The Office of New Americans (ONA) has been the designated contact agency for questions and implementation of the requirements.

The draft Language Access Plan follows the guidelines and template provided by the ONA. The Language Access Plan is provided for public input / comments and Board approval.

Attachments

NRS 232.0081  
Language Access Plan



STATE OF NEVADA  
**BOARD OF OCCUPATIONAL THERAPY**

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Phone: (775) 746-4101 | [www.nvot.org](http://www.nvot.org) | Fax: (775) 746-4105

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## *Language Access Plan*

### *I. Purpose and Authority*

The State of Nevada, through Nevada Revised Statute Chapter 232 and federal guidance on Title VI, address the barriers persons with limited English proficiency face in accessing governmental programs and services.

Persons with Limited English Proficiency (LEP) require and deserve meaningful, timely access to government services in their preferred language. Moreover, it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The Board of Occupational Therapy is committed to complying with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) to ensure meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this document is to establish an effective plan and protocol for employees of the Board of Occupational Therapy to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission to protect the public health, safety and welfare by ensuring that only competent occupational therapy practitioners are licensed in the state.

### *II. General Policy*

The Board of Occupational Therapy recognizes that the population eligible to receive its services may include limited English proficiency individuals. It is the policy of the Board to ensure meaningful access to LEP individuals. The Board will adopt the following policies and procedures to ensure that LEP individuals can gain equal access to the services the Board of Occupational Therapy provides and regulates.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. The Board of Occupational Therapy intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. The Board seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

The Board endorses the following policies:

- The Board of Occupational Therapy is committed to equity and will take all reasonable steps to provide limited English proficient (LEP) individuals with meaningful access to all its services, programs, and activities.
- The Board, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- Staff may not suggest or require that an LEP individual provide an interpreter in order to receive Board services.

Board of Occupational Therapy Language Access Coordinator:

Executive Director

775-746-4101

[board@nvot.org](mailto:board@nvot.org)

### ***III. Profile of Clients of the Board of Occupational Therapy***

Our preliminary assessment is that the Board has a limited LEP constituency. Our primary "service" is licensing and regulating occupational therapists and occupational therapy assistants. All applicants must meet eligibility requirements including national certification in occupational therapy.

The Board currently collects specific demographic information from individuals applying for a license; however demographic information does not include LEP status, whether they identify as indigenous or as a refugee.

Going forward, the Board will periodically conduct a demographic survey to include questions about applicant's and licensees preferred language(s) to better assess language access needs and to determine whether an individual identifies as indigenous or as a refugee.

The Board is committed to tracking the languages preferred for communication among the individuals with limited English proficiency whom the Board serves, so that the Board can better provide meaningful, timely access to the Board's services without regard to any language impediments.

The preferred language of the public and individual receiving services from the Board is US English. The most common methods for the public to access services are through the Board website and email communication.

#### ***IV. Language Access Services and Procedures***

The Board does not have staff who can provide language assistance services.

The Board does not have any known LEP applicants or licensees. Currently it is not known whether any applicants or licensees identify as indigenous or refugee. The Board has never received a request for translation or American Sign Language Services for LEP applicants, licensees or the public.

Language access needs will be addressed in the following manner:

The Board will utilize one of the active statewide contracts for translation and interpreter services offered by the state, which can be found here:

[https://purchasing.nv.gov/Contracts/Documents/Translation\\_ Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_ Interpretation/)

#### **Providing Notice of Language Assistance Services**

All staff will be made aware of appropriate language assistance services. Those seeking services may also request language assistance by contacting the Board by email which is posted on the Board's website.

#### ***V. Implementing The Language Access Services***

In order to fulfill the goals of this Plan, the Language Access Coordinator will provide staff with the necessary training to ensure that staff are familiar with the Language Access Plan and its related policies. This training will include:

- How to respond to LEP individuals via phone, writing, or in person.
- How to seek assistance with internal or state sanctioned language access resources.
- How to document the mode of communication and preferred language of an LEP individual to better understand the needs of those accessing services and ensure that equitable access is available throughout the duration of their interactions with the Board.
- How to report these interactions to the Language Access Coordinator.

In addition to staff training, the Board will use the internal and state sanctioned resources to provide information in languages other than English.

#### ***VI. Evaluation of and Recommendations for the Language Access Plan***

The Board is committed to providing our limited English proficient individuals full access to our services and is committed to monitoring the policies and procedures stated above to ensure that limited English proficiency Nevadans are receiving equitable access to Board services.

The Language Access Coordinator will continue to develop and monitor this plan, and update it biennially based on applicant data and language accommodation requests documented by staff and demographic data obtained through surveys. We will also track any costs we may incur by using external, state sanctioned resources.

The Board is exempt from the State Budget Act; all expenses are paid from fees received from licensed individuals.

#### **Suggested Legislative Amendments:**

Independent regulatory Boards that do not have staff capacity to perform language access roles could benefit from a State assigned liaison that works for the Governor's Office of New Americans to provide those duties for the Boards on an as needed basis, similar to an assigned Deputy Attorney General (DAG).

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**Board of Occupational Therapy**

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<b>AGENDA ITEM 10: Board Policy Revision</b>
--

Proposed updates to Board Policy Manual to update Section 06:034 and add Section 06:04.

**06:034 Co-Locating/Cost Sharing Regulatory Boards**

*The Board has entered into Administrative Cost Sharing Agreements with the following Nevada boards:*

- *Speech Language Pathology, Audiology and Hearing Aid Dispensing Board*
- *Board of Environmental Health Specialists*
- *Nevada Applied Behavior Analysis Board*
- *Nevada Board of Athletic Trainers*
- *Nevada State Board of Podiatry*

~~The Speech Language Pathology, Audiology and Hearing Aid Dispensing Board and the Board of Environmental Health Specialists have been approved and have executed Co-location and Cost Allocation Agreements pursuant to this policy.~~

~~Additional co-location requests will not be considered until such time as the existing agreements are terminated.~~

**06:04 Language Access Plan**

*The Board has developed a Language Access Plan pursuant to NRS 232.0081 and will review and update the Language Access Plan biennially.*

*The Board will ensure services are accessible to every person regardless of their ability to speak, understand, read, or write English. The Board will take all reasonable steps to provide limited English Proficient individuals with meaningful access to its services. The Board seeks to reduce barriers by increasing its capacity to provide services to people in their preferred languages.*

*The purpose of this Policy is to provide guidance to address any potential barriers to access to Board services due to limited English proficiency.*

**06.041 Language Access Coordinator**

*The Language Access Coordinator is responsible for ensuring services are accessible to LEP individuals; and that staff are knowledgeable and trained in resources available to LEP clientele.*

*The Executive Director is the designated Language Access Coordinator and can be reached at 775-746-4101 or by email at [board@nvot.org](mailto:board@nvot.org).*



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**06.042 General Policy Statement**

*The Board of Occupational Therapy is committed to equity and will take all reasonable steps to provide limited English proficient (LEP) individuals with meaningful access to all its services, programs, and activities.*

*The Board, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.*

*Staff at the initial points of contact have the specific duty to identify and record language needs.*

*Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.*

*Staff may not suggest or require that an LEP individual provide an interpreter in order to receive Board services.*

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<b>AGENDA ITEM 11: 2023 / 2024 Strategic Direction Summary</b>
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The Board Self-Assessments have been compiled and are presented for review and consideration. The Board may evaluate whether additional actions should be considered to augment the 2023 / 2024 Strategic Direction.

The outcomes of the Strategic Planning Session on August 12 – 13, 2022 have been summarized and are presented for review, potential revision and/or approval.

Attachments

Board Self-Assessment Compilation  
2023 / 2024 Strategic Direction Summary

## Board Self Assessment

A Board assessment process can help Board Members:

- Reflect on their experience.
- Explore how comfortable, enjoyable, and meaningful participation on the Board is to the Board Member
- Understand individual expectations for preparation time, how the meetings are run, and how decisions are made.
- Identify different perceptions and opinions among Board Members about the Board's role.
- Identify and remove obstacles to increased Board effectiveness.

The self-assessment points to issues that need Board discussion and clarification.

Mark with an "x" the column that best represents your agreement or disagreement with the statement.

	<b>Statement</b>	<b>Strongly agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Not sure or can't rate</b>
1.	I feel the meetings focus on important Board of Occupational Therapy matters.	XXXX	X			
2.	I am clear about my responsibilities as a member of the Board.	XXX	XX			
3.	Materials related to significant decisions are given to the Board far enough in advance of the meeting.	XXXX	X			
4.	The amount of material I need to read prior to the meetings is reasonable.	XXXX	X			
5.	It is clear to me how urgent matters are handled between meetings.	XXXX	X			
6.	I feel I have a clear understanding of the mission and activities of the Board of Occupational Therapy.	XXXX	X			
7.	When I was new to the Board, I was given sufficient information to allow me to make a contribution to the Nevada Board of Occupational Therapy quickly.	XX	XX			New Board had no directions
8.	I receive financial information that is understandable and gives me a clear sense of the Board's financial position.	XXX	XX			

	Statement	Strongly agree	Agree	Disagree	Strongly disagree	Not sure or can't rate
9.	There is good follow-up on tasks delegated to the Executive Director.	XXXXX				
10.	I feel that other members listen to my opinions.	XXXX	X			
11.	I feel I can comfortably say when I disagree with another member or with staff.	XXXXX				
12.	The Board gives honest feedback to the Executive Director.	XXXXX				
13.	It is clear to me how the Board will be involved in important decisions.	XXXX	X			
14.	Board members understand that they do not have authority to act on behalf of the Board unless specified through a Board decision.	XXXXX				
15.	The Board has a clear process for making important decisions.	XXXXX				
16.	The Board sets performance measures for the Executive Director and evaluates performance against these measures.	XXXX	X			
17.	The Board uses a formal and approved method of ED performance evaluation.	XXXX	X			
18.	The Board sets clear goals that are realistic and relevant to the strategic plan.	XXX	XX			

In thinking about your service and role on the Board:

How satisfied are you with the work of the Board overall (circle your answer)

VERY SATISFIED                  SATISFIED                  NOT SATISFIED  
XXXX    X

In thinking about the administrative services and role of the Staff of the Board:

How satisfied are you with the administration of the Board overall (circle your answer)

VERY SATISFIED                  SATISFIED                  NOT SATISFIED  
XXXXX

Please list the three areas where you would like to see the Board improve its **performance focus** in the next two (2) years. Be as specific as possible.

1. **Transition of ED – shared or staggered**

To be more confident and efficient with hearings related to disciplinary matters  
More in person meetings

2. **Proactive approach**

To be more active and understand the legislative process and recognizing legislative opportunities and laws we have that may need updated or changed.

Make the Board as efficient as possible, if that's possible

3. **Limit outside interference**

Please list the three areas where you would like to see the Board **focus its attention** in the next two (2) years. Be as specific as possible.

1. **Executive Director Transition**

Finding and training a good Executive Director  
Ethics

2. **Specialty Practice – identifying public interest**

Specialty practice areas will continue to be a hot topic; addressing that with practitioners either with education or regulation

Professionalism

3. **Restarting the board education seminars and connecting the Board and practitioners more.**

Ethics training always needed

Feedback to educational programs

More continuing education in regards to the role of OT; clarity in regards to CE requirements for practitioners

Please provide any other comments, concerns or other topics you feel the Board should address or consider.

Once a Compact Commission is developed and the cost and expectations are identified, it would be good to take another look and see if this would be helpful to our state or not something that benefits our practitioners.

Changing practices / knowledge in different OT areas; best practices

Enjoy my role as a member and look forward to the future



# ***Board of Occupational Therapy***

## ***STRATEGIC DIRECTION 2023 - 2024***

### ***Protection of the Public through Regulation of Practice***

#### **Mission Statement**

*To protect the public health, safety and welfare by:*

- *ensuring that only competent occupational therapy practitioners are licensed in the state;*
- *that those licensed practitioners maintain the highest level of professional conduct;*
- *ensuring the competency of occupational therapy practitioners; and*
- *providing the public with a means by which they can pursue administrative legal recourse.*

#### **Fiduciary Objectives**

- (1) To Protect the Public**
- (2) Board Oversight**

**Fiduciary Objectives**  
**(1) To Protect the Public**

**(a) To establish a communication system wherein the public and practitioners are informed.**

Objective	Description	Action
Services	the public are knowledgeable of occupational therapy and what services are available	<p style="text-align: center;">“Orientation to OT in Nevada”</p> <ol style="list-style-type: none"> <li>1. Presentation to OT students; Touro University, UNLV, Pima University, other educational institutions.</li> <li>2. Annual ZOOM question and answer session</li> <li>3. CE opportunity for licensees on website</li> </ol>
Complaints	the public and practitioners have administrative recourse for addressing sub-standard, unethical or illegal practices	
Supervision	practitioners are knowledgeable of the supervision requirements for OT practice and provision of services	
Students	practitioners understand their role and responsibilities in the clinical training of occupational therapy students	

**Fiduciary Objectives**  
**(1) To Protect the Public**

**(b) To establish laws and regulations that address:  
barriers to licensure; the provision of services; maintenance of practice competency, and ethical and professional conduct.**

Objective	Description	Action
<b>Fees</b>	fees are reasonable and established based upon current Board operations and future liabilities	<p>“Professional Conduct”</p> <p>1. Ethics and Professional Conduct Seminars</p>
<b>Licensure Equity</b>	eliminates barriers to licensure, facilitates electronic access for licensure, communications and information, and utilizes recognized national standards for competency achievement	
<b>Military &amp; Veterans</b>	recognizes active duty and veterans’ service by expedited licensure for military affiliated practitioners at reduced fees	
<b>Professional Conduct</b>	ensures practitioners are aware of ethical and professional boundaries in the provision of services and interactions with clients, interdisciplinary professionals, and the public	



## Fiduciary Objectives

### (2) Board Oversight

(a) To ensure effective and efficient Board administrative systems.

Objective	Description	Action
Training	Board members and staff are knowledgeable of their roles and responsibilities	<p style="text-align: center;">“Continued Board Training”</p> <ol style="list-style-type: none"> <li>1. Educational Sessions at each Board Meeting</li> <li>2. Feedback from Legal Counsel on Prior Hearings</li> <li>3. Improve Hearing Logistics                             <ol style="list-style-type: none"> <li>a. ZOOM - group members north and south</li> <li>b. In-person when feasible</li> </ol> </li> </ol> <p style="text-align: center;">“Resource Collaboration”</p> <ol style="list-style-type: none"> <li>1. Continue Administrative Collaborative</li> <li>2. Support Co-locations &amp; Cost Sharing</li> <li>3. Research Cost Share Support Position</li> </ol>
Finances	financial systems reflect accurate information, and are compliant with financial reporting requirements	
Licensing	licensing systems provide accurate and expeditious processing, tracking and reporting	
Complaints	complaint and disciplinary systems are fair, equitable and compliant with NRS 233B, Nevada administrative procedures	
Reporting	reporting systems provide timely, accurate data reports and information as required by State and legislative actions	
Policies	internal Board operating policies and procedures reflect current practices, requirements and Board directives	
Resources Collaboration	External resources and collaborations are encouraged and utilized <ul style="list-style-type: none"> <li>• Administrative Collaborative</li> <li>• Co-Locations &amp; Cost Sharing</li> </ul>	

## Fiduciary Objectives

### (2) Board Oversight

#### (b) Personnel Oversight.

Objective	Description	Action
Personnel	personnel systems reflect fair and equitable employment practices	<p>“Employment Practices”</p> <ol style="list-style-type: none"> <li>1. Review Optional Benefits</li> <li>2. Cross-Training</li> <li>3. Cost-Share Support Position</li> </ol>
Training	<p>Staff are knowledgeable of their roles and responsibilities:</p> <ul style="list-style-type: none"> <li>• Executive Director</li> <li>• Licensing Coordinator</li> <li>• Investigator</li> <li>• Administrative Assistant (vacant)</li> </ul>	<p>“Personnel Policies”</p> <ol style="list-style-type: none"> <li>1. Job Specification Updates</li> <li>2. Personnel Re-alignment</li> <li>3. Salary and Benefits Review</li> </ol>
Policies	<p>Personnel policies are reviewed and updated regularly</p> <ul style="list-style-type: none"> <li>• Job Descriptions / Responsibilities</li> <li>• Staffing Levels are Reasonable and Appropriate</li> <li>• Salary and Benefit Package                             <ul style="list-style-type: none"> <li>○ Deferred Compensation (Employer Contributions)</li> <li>○ *Public Employees Retirement System (PERS)</li> <li>○ *Public Employees Benefit Program (PEBS Medical)</li> <li>○ Medical Insurance Stipend</li> <li>○ Leave Accrual Rates</li> <li>○ On-Site, Hybrid Work, Remote Schedules</li> </ul> </li> </ul> <p style="text-align: center;">* PERS and PEBS are not currently offered</p>	

## Fiduciary Objectives

### (2) Board Oversight

(c) Transition Planning – Executive Director.		
Transition	Board Executive Director <ul style="list-style-type: none"> <li>• Retirement target August 31, 2023</li> </ul>	“Target Timeline” <ol style="list-style-type: none"> <li>1. November 5, 2022 – Review Job Specifications Determine Position Realignment</li> <li>2. January, 2023- Review Budget, Salary &amp; Benefits Determine Any Revision to Benefit Structure</li> <li>3. February/March, 2023 – Recruitment Posted</li> <li>4. April/May, 2023 – Interviews and Selection</li> <li>5. July 1, 2023 – Start Date</li> <li>6. July – August, 2023 – Mentoring/Training</li> </ol>
Recruitment	Timeline / Board Participation	
Hiring	<ul style="list-style-type: none"> <li>• Recruitment Posting, Application Evaluations, Selection                             <ul style="list-style-type: none"> <li>○ Initial Pre-Interviews</li> <li>○ Full Board Interview of Candidates</li> </ul> </li> <li>• Selection of Executive Director</li> <li>• Negotiation of Salary &amp; Benefits</li> <li>• Start Date</li> </ul>	
Training/Mentoring	<ul style="list-style-type: none"> <li>• Training and/or Mentoring Period</li> </ul>	

**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

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<b>AGENDA ITEM 12: Job Classification and Compensation Plan</b>
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Board Personnel Policy ties Salary/Wage rates and Retirement Benefits (employer contributions to deferred compensation) to the State of Nevada personnel rates and PERS employer contribution rate.

Effective July 1, 2023, the employer PERS contribution rate will increase by 2% to 17.5% and the State Legislature will be adjusting salary/wage rates for state employees by up to 10%.

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**Job Specifications** - Staff was directed to review and make recommendations for revisions to the Board Classification and Compensation Plan; specifically the realignment of duties and responsibilities of the Executive Director and Licensing Coordinator positions.

Updated and revised Job Specifications have been developed and are presented for Board consideration and approval.

The following Job Specifications are recommended for consideration of approval:

Executive Director – reformatted and expanded to more accurately reflect the major categories of responsibilities and identify tasks within each category. Also updated performance evaluation form to reflect the new format and content. No change in compensation range.

Director of Licensing and Operations – new Job Specification for the previous Licensing Coordinator position. Reference to “part-time” have been removed as position is salaried with expanded duties. Formatted and expanded to identify major categories and tasks within each category of responsibility.

An additional 13 tasks have been transferred from the ED position to the Director position. The additional 13 tasks represent a 31% increase in assigned tasks for the position.

With expanded duties and responsibilities, the position compensation range is proposed to be upgraded to a Grade 38 from the current Grade 36 salary range; effective July 1, 2023.

Administrative Assistant – revised Job Specification from “licensing assistant” to the more general “administrative assistant” to allow for varied duties as assigned. No change to compensation range.

Investigator – no changes recommended.

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**Benefits** – The attached chart provides an analysis of retirement benefits (deferred compensation) and state PERS retirement. Current retirement (DC) is comparable to employee/employer PERS; no change is recommended.

Medical Insurance is not offered as a benefit currently. The cost analysis to participate in the state PEBP medical insurance program is provided.

The PEBP conducted a wage and benefits survey of State employees which indicated that salary/wage rate is of most concern and that PTO is seen as the greatest benefit. The Board position salaries are tied to the State wage ranges, leave is less than offered by the State.

In considering benefit changes, the Board may want to consider revising PTO benefits.

Existing leave benefits (PTO) begin at 4 weeks annually increasing to 5 weeks at 5 years and 7 weeks at 10 years. PTO can be used for any purpose.

State Benefits (separate sick and leave) start at 6 weeks annually increasing to 7.20 weeks total at 15 years. Sick leave is capped at 120 hours; annual leave increases at benchmarks.

A proposed new PTO benefits would start at 6 weeks annually increasing to 7 weeks at 6 years and 8 weeks at 10 years.

Attachments

Job Specifications  
Benefits Analysis  
Leave Benefits Analysis



State of Nevada  
**Board of Occupational Therapy**

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**Unclassified Position Specification**

**EXECUTIVE DIRECTOR**

**DESCRIPTION:** The Executive Director is the chief executive officer for the Board of Occupational Therapy. The Executive Director is appointed by, reports directly to and serves at the discretion of the Board.

**DUTIES AND RESPONSIBILITIES:** The position is responsible for the management of all Board activities and functions including, but not limited to, strategic planning, Board training, continuous improvement, liaison with agencies and organizations, board and committee meetings, budgeting and financial management, disciplinary action and complaint process, law and regulatory compliance, legislative and lobbying activities, professional licensing, general operational, personnel and administrative requirements for State regulatory Boards.

The Executive Director's responsibilities include, but are not limited to:

- ***Coordinating and implementing the Board strategic plan and planning process***
  - Implements directives
  - Conducts research, prepares publications and reports
  - Facilitates on-going review of strategic direction
  - Plans and coordinates biennial strategic planning sessions
  
- ***Facilitating and/or conducting Board Member Training***
  - Presents educational sessions at Board Meetings
  - Conducts annual Board Member Training for new appointees
  - Provides Board member manuals, resource documents and information
  
- ***Developing concepts and innovations for Board consideration that will improve the Board's effectiveness and efficiency***
  - Continually evaluates internal and external processes and procedures
  - Communicates with outside and internal resources
  - Researches, prepares and presents concepts and information to the Board
  
- ***Promoting the Board's activities and functions***
  - Communicates In person, through written communications, electronic media and website presence
  - Presents at outside organizations, associations, and other settings
  - Conducts surveys, prepares reports and presents information
  - Oversees website maintenance, updates information, develops content

- ***Serving as Board liaison with individuals and other agencies***
  - Coordinates with the Governor's office on Board appointments, and implements Governor's directives
  - Communicates with State Department of Administrative Services; Budget Division, Purchasing, Risk Management, Leasing Services and other state agencies
  - Collaborates with State and National professional organizations
    - Nevada Occupational Therapy Association (NOTA)
    - American Occupational Therapy Association (AOTA)
    - National Board for Certification in Occupational Therapy (NBCOT)
  - Facilitates Communications and Collaborates with Regulatory Licensing Boards
    - Professional and Occupational Licensing Boards Administrative Collaborative
    - Co-Locating State Regulatory Boards
  - Responds to the public; interested parties, licensees; recipients of services and employers
  
- ***Facilitating Board and Committee meetings and activities in compliance with the Nevada Open Meeting law NRS 241***
  - Communicates with Board members, works closely with Board Chair and legal counsel
  - Prepares agendas and supporting documents
  - Responds to Board requests, directives and facilitates communications with the Board, the public and interested parties
  
- ***Managing the Board's financial management system***
  - Prepares the annual budget and analyzes reserve funding
  - Manages bank operating and investment accounts
  - Reviews and approves revenue and deferred revenue allocations
  - Coordinates agency financial reporting and financial audits
  - Ensures compliance with Board financial reviews and internal controls
  - Reviews and approves, expenses, financial data and Board financial statements
  - Coordinates single audit of Board financial statements
  - Calculates account receivables for allocated co-location assessments/costs
  - Conducts procurement activities, performs contract management
  - Negotiates office lease, contracts, office equipment and software agreements
  
- ***Managing the Board complaint and disciplinary action process***
  - Receives, reviews and/or issues initial complaints,
  - Conducts initial determination of merit, and notification pursuant to NRS 233B
  - Performs informal investigation, and assignment of complaints for formal investigations
  - Coordinates, in consultation with legal counsel, settlement agreements
  - Coordinates formal disciplinary hearings with legal counsel
  - Testifies at formal disciplinary hearings
  - Prepares correspondence, notices, Board orders and settlement agreements
  - Maintains disciplinary action and complaint records
  
- ***Coordinating and managing regulatory activities***
  - Identifies, drafts language and presents recommendations for revision of NAC 640A
  - Conducts outreach to stakeholders and solicits public comments on proposed changes
  - Conducts public workshops and hearings,
  - Coordinates reviews with Legislative Counsel Bureau;
  - Prepares and submits forms and documents required by Legislative Commission
  - Testifies at legislative committees, as necessary

- ***Performing Legislative and Lobbying activities on behalf of the Board***
  - Identifies, drafts language and presents recommendations for revision of NRS 640A
  - Conducts outreach to stakeholders and solicits public comments on proposed changes
  - Works closely with Board Lobbyist to obtain Bill Sponsor and legislators' support
  - Prepares, submits and testifies during the Legislative Session on Board bills
  - Works closely with Board Lobbyist in identifying and addressing potential actions
  - Monitors, reviews and responds to Legislative actions and requests
  - Monitors Bill Draft Requests
  - Responds to requests for information
  - Prepares and submits fiscal notes on BDR's and Bills as required
  - Represents the Board at legislative sessions, committee meetings, legislative hearings and interim session meetings as directed by the Board
  
- ***Overseeing Licensing, Personnel and Agency Operations***
  - Conducts licensing, personnel and operational reviews for consistency and compliance with policies and procedures
  - Reviews affirmative criminal history disclosures; approves applications or schedules applications for consideration by the Board pursuant to Board policy
  - Receives requests for pre-determination of eligibility due to criminal history; makes determination or refers for consideration by the Board pursuant to Board policy
  - Responds to scope of practice and law/regulatory questions from licensees, employers and stakeholders
  - Monitors licensing activity, application processing and renewal of licenses
  - Issues administrative notices or complaints for non-compliance with licensee reporting, CE audit compliance or maintenance of documentation requirements
  - Develops and maintains jurisprudence examination content
  - Maintains knowledge of licensing data system operations, reporting and website maintenance
  
- ***Managing personnel administration***
  - Conducts personnel recruitment and makes hiring decisions
  - Approves personnel actions and payroll transactions
  - Supervises personnel, conducts performance evaluations
  - Maintains personnel records, documentation and forms
  - Reviews, prepares and/or approves personnel and payroll reports
  
- ***Ensuring adherence to general administrative requirements for State Regulatory Boards***
  - Serves as Board contact with State and Legislative entities
  - Responds to inquiries on Board operations and administration
  - Maintains State required credentials, attends trainings and distributes information
  - Develops, reviews and revises manuals, policies, procedures and resource documents
  - Reviews and/or prepares and submits Legislative, State and Board required reports and documentation

**EDUCATION AND EXPERIENCE:** Bachelor's degree or higher and a minimum of four years management experience; or six (6) years equivalent combination of education and relevant professional experience. Experience and knowledge of public administration, budgeting, financial management and occupational licensing preferred.



**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of the Nevada Open Meeting Law (NRS Chapter 241)
- Strong written and verbal communication skills
- Knowledge of governmental processes and available technology
- Ability to read, analyze and interpret governmental regulations and statutes
- Ability to write reports, business correspondence, policies, procedures and manuals
- Ability to effectively communicate ideas, principles, and information to groups, agencies and various governmental entities
- Ability to form and maintain professional and positive working relationships

**WORK ENVIRONMENT:** Work is performed in a typical office setting at the Board Administrative Office located in Reno, Nevada. Work may be performed through a combination of on-site and remote work settings. Travel and use of personal vehicle may be required.

State Pay Grade - Grade 47      Salary    \$ 88,197.12 - \$133,757.28  
Hourly Equivalent = \$ 48.46 - \$73.50



State of Nevada  
**Board of Occupational Therapy**

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**Position Specification**

**DIRECTOR OF LICENSING AND OPERATIONS**

**DESCRIPTION:** The Director of Licensing and Operations provides support to the Executive Director, performs regulatory licensing functions of the Board, and manages the daily activities of the Board's administrative office. The position is a classified, salaried position reporting to the Executive Director.

**DUTIES AND RESPONSIBILITIES:** The position is responsible for supporting the activities of the Executive Director, performing comprehensive licensing functions, managing office operations, assisting in personnel administration and conducting internal accounting functions. The Director of Licensing and Operations reports to the Executive Director.

The Director of Licensing and Operations responsibilities include, but are not limited to:

- ***Providing professional administrative support to the Executive Director***
  - Assists with projects and assignments, compiles and summarize information, composes reports and transmits correspondence
  - Makes logistical arrangements, and participates in board meetings and board functions
  - Performs public posting of meetings, workshops and hearings
  - *Transcribes minutes of Board meetings and functions*
  - *Transmits meeting materials and documents to Board members and interested parties*
  - *Responds to public information and records requests*
  - *Assists in compiling and files legislative, state and Board required reports*
- ***Performing technical and comprehensive licensing activities***
  - Maintains the licensing database system, creating and updating licensee records, processing supporting documentation as received, preparing correspondence, and answering licensing questions
  - Provides technical assistance for licensees in using and accessing the licensing system
  - Performs troubleshooting of database and/or website issues
  - Works with Contractor to resolve licensing system issues and creation of new elements
  - Reviews applications and documentation for compliance with Board laws and regulations
  - Approves and issues initial licenses, reinstatement of licenses and license renewals in accordance with established Board policies
  - Transmits licensee notices and follows up on outstanding application elements
  - Conducts audits of continuing education, supervision requirements and other required reporting elements
  - Prepares and transmits license verifications, and processes mailing list requests
  - *Reports disciplinary actions to the NPDB, NBCOT, AOTA and appropriate agencies*
  - *Monitors probationary licensees for compliance with Board orders*

- **Managing office operations**
  - Maintains official records and documents, including licensing and administrative records in accordance with established records retention schedules
  - Coordinates with property owner on facility issues, maintenance and repairs
  - Maintains office equipment, requests repairs, maintenance and supplies
  - Inventories and orders office supplies
  - Answers telephones, and processes mail
  - Communicates with bookkeeper and vendor contacts
  - Posts to Board website and performs website maintenance and updates
  - Coordinates scheduling of office staff coverage and conference room use
  - Works closely with co-located Boards, transmits messages, forwards mail and addresses issues related to board operations
  
- **Assisting in personnel administration**
  - Processes leave requests, transmits leave documents for payroll processing
  - Compiles payroll and leave information for reporting purposes
  - Coordinates payroll audits
  - Prepares employer personnel payroll and benefits reports
  - *Assists in personnel recruitment, reviews employment applications, participates in interviews, and makes recommendations for hire*
  - *Performs staff training and supervision*
  - *Schedules and assigns work tasks*
  - *Conducts staff evaluations*
  
- **Conducting Board internal accounting functions**
  - *Processes payables and receivables, enters bills, and manual deposits into accounting software, uploads support documentation*
  - Reconciles monthly merchant services and credit card processing accounts
  - *Prepares monthly credit card receipt detail and current licensee listing*
  - Compiles and distributes financial documents to bookkeeper and Board financial reviewer
  - Maintains monthly Board financial review records and attestations
  - *Prepares and transmits invoices for reimbursement of direct costs of co-located services*
  - Maintains electronic vendor files and records

**EDUCATION AND EXPERIENCE:** Bachelor's Degree from an accredited college or university, or four (4) years equivalent combination of education and experience in a management or supervisory position, professional licensing, public agency or regulatory setting.

**KNOWLEDGE, SKILLS AND ABILITIES:** Working knowledge of advanced administrative support functions; personal computer systems and software programs. Ability to work independently, apply agency regulations and policies to specific situations; receive, review and process a variety of documents according to established guidelines, policies, regulations and timelines.

**WORK ENVIRONMENT:** Work is performed in a typical office setting. Work may be performed through a combination of on-site and remote work settings. Use of personal vehicle may be required.

State Pay Grade: *Grade 38*      *Salary \$58,965.12 - \$88,197.12*  
*Hourly Equivalent = \$ 32.40 - \$48.46*



State of Nevada  
**Board of Occupational Therapy**

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**Position Specification**  
**ADMINISTRATIVE ASSISTANT**

**DESCRIPTION:** The Administrative Assistant provides general administrative support to professional staff and reports directly to the Director of Licensing and Operations.

This is a part-time, classified hourly position and is not eligible for benefits. Hours may be flexible, dependent upon the needs of the Board.

**DUTIES AND RESPONSIBILITIES:** General administrative duties include, but are not limited to, answering telephones, processing mail, filing, preparing general correspondence, conducting data entry and other duties as directed by the Deputy Director.

**EDUCATION AND EXPERIENCE:** Graduation from high school or equivalent education. Preferred experience in data entry and administrative support in one or more of the following areas: reviewing files, documents and other written materials, maintaining records and files, conducting data entry using a personal computer, answering telephones, providing customer service and performing duties in support of professional staff.

**KNOWLEDGE, SKILLS AND ABILITIES:** Working knowledge of administrative support functions; personal computer systems and software programs. Ability to apply agency regulations, requirements and policies to specific situations; receive, review and process a variety of documents according to established guidelines, policies, regulations and timelines.

**WORK ENVIRONMENT:** Work is performed in a typical office setting. Use of personal vehicle may be required.

State Pay Grade: Grade 25 *Hourly \$16.43 - \$23.78*



State of Nevada  
**Board of Occupational Therapy**

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**Position Specification**

**INVESTIGATOR**

**DESCRIPTION:** The Investigator supports the complaint and regulatory compliance functions of the Board and reports directly to the Executive Director. The Investigator position is a temporary part-time, intermittent position dependent upon caseload and is not eligible for benefits.

**DUTIES AND RESPONSIBILITIES:** The position is responsible for the informal and formal investigation of complaint allegations filed with or on behalf of the Board. The investigative process is initiated following a formal complaint or suspected violation utilizing standard investigative techniques.

Incumbents are not sworn peace officers, and enforcement actions are limited to specific regulatory areas and involve recommendations for administrative sanctions or penalties which are imposed by the Board.

Upon assignment of a complaint case by the Executive Director, investigative duties include:

Gather and analyze licensing history, background information and facts pertaining to the case.

Conduct interviews with complainants, witnesses, employers, State and local governmental agencies and other sources to obtain information regarding violations or noncompliance; develop leads and facts pertaining to the case to substantiate violation.

Prepare required forms and/or notices regarding complaint and alleged violations; review responses and discuss with complainant and respondent.

Gather evidence such as records, reports, billings, receipts, transaction verifications, personnel files and historical data pertaining to the initial violation to support the complaint; conduct surveillance activities and serve subpoenas to obtain evidence and expedite the case as required.

Develop case files and maintain case logs and reports; file evidence along with chronological documentation regarding investigative steps taken and all contact made with complainant, respondent, witnesses and other sources; utilize information to develop final case report for further litigation as appropriate.

Prepare recommendation for case disposition and submit to Executive Director for determination of further action, as appropriate.

Appear before the Board at formal Hearings or in a court of law to provide testimony as required.

**EDUCATION AND EXPERIENCE:** Bachelor's degree from an accredited college or university with major course work in Criminal Justice, Political Science, Business Administration, Health Science or closely related field and four years of investigative, law enforcement, and/or compliance experience.

Experience must be in settings where standard investigative and enforcement techniques were utilized to make program compliance determinations, enforcement of state and federal law, and preparation of detailed reports for the purpose of justifying administrative actions, penalties or criminal prosecution.

Experience may be obtained in law enforcement, investigations, regulatory agencies, government program or comparable setting. An equivalent combination of education and experience may be considered (applicants without a bachelor's degree must have six years of related experience.).

**KNOWLEDGE, SKILLS AND ABILITIES:** Skills necessary to make determinations based on evidence collected, apply laws, rules or regulations and complete thorough analysis and verification of data. Must be familiar with Rules of Evidence, rights of citizens, general law enforcement, state and federal laws that pertain to investigative, compliance and enforcement activities. Must be familiar with Microsoft Word, Excel, Outlook, and general office technology.

**WORK ENVIRONMENT:** Work is performed in both field and office settings and requires ability to travel statewide. Use of personal vehicle may be required, and a valid Nevada driver's license must be held at all times.

State Pay Grade: Grade 33 Hourly \$23.78 – \$33.73

**Salary  
Benefit Options & Costs**

Retirement Options		DEFERRED COMP	Rate / %	Board Share	Employee Share
<i>Employer Paid Deferred Compensation</i>	Retirement		9.30%	9.30%	
<i>Social Security</i>	Social Security		12.40%	6.20%	6.20%
	Medicare		2.90%	1.45%	1.45%
<b>Total Board Liability per Employee / % of Salary</b>				<b>16.95%</b>	
PERS					
<i>PERS - Public Employees Retirement System</i>	Employee/Employer Paid		15.50%	15.50%	15.50%
	Employer Paid		29.75%	29.75%	0.00%
	Social Security - Employee/Employer Paid		2.90%	1.45%	1.45%
<b>Total Board Liability per Employee / % of Salary</b>			<b>EEP</b>	<b>16.95%</b>	
			<b>Employer Paid</b>	<b>31.20%</b>	
Medical Insurance Option				Board Share	Employee Share
PEBP - Public Employees Benefit Program	Group Insurance	Per Empl Month		\$ 755.00	PEBS Cost Sch
		Annually		\$ 9,060.00	
	Retired Group Ins.	Gross Salary		2.17%	
<b>Total Board Liability per Employee / % of Salary</b>			<b>Annually</b>	<b>\$ 9,060.00</b>	
			<b>Plus % of Gross Salary</b>	<b>2.17%</b>	

**LEAVE BENEFIT ANALYSIS**

**BOARD OF OCCUPATIONAL THERAPY - CURRENT**

(Pro-Rate for Less Than 40 Hr Wk)

	<b>Vac / Sick / Personal</b>	<b>Hours</b>	<b>Annual Weeks</b>	<b>Hours Month</b>	<b>Bi-weekly</b>
1-5 years	PTO	160	<b>4.00</b>	13.33	6.15
6-10 years	PTO	200	<b>5.00</b>	16.67	7.69
Over 10 years	PTO	280	<b>7.00</b>	23.33	10.77
<b>Annual Carry Over Limit</b>		160	<b>4.00</b>		

**Termination Pay**

Maximum	No Service Limits	160	<b>4.00</b>		
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**\* STATE OF NEVADA BENEFITS**

	<b>Leave</b>	<b>Hours Vac / Sick</b>	<b>Annual Weeks</b>	<b>Hours Monthly</b>	<b>Hours Bi-weekly</b>
1-9 years	Annual 120 Hr + Sick 120 Hr	240	6.00	20	9.23
10-14 years	Annual 144 Hr + Sick 120 Hr	264	6.60	22	10.15
15+	Annual 168 Hr + Sick 120 Hr	288	7.20	24	11.08
Carry Over Limit	Annual Sick	240 Unlimited	6.00		

**Termination Pay**

Pay-Out Maximum	Annual Leave	408	7.85		
Sick Payout	Service < 10 Yrs	0	0.00		
Sick Payout	Service > 10 Yrs	Excess of 30 days	Cost Capped	\$ 2,500 - \$8,000	

**BOARD OF OCCUPATIONAL THERAPY - PROPOSED**

(Pro-Rate for Less Than 40 Hr Wk)

	<b>Vac / Sick / Personal</b>	<b>Hours</b>	<b>Annual Weeks</b>	<b>Hours Month</b>	<b>Bi-weekly</b>
1-5 years	PTO	240	<b>6.00</b>	20	9.23
6-10 years	PTO	280	<b>7.00</b>	23.3	10.77
Over 10 years	PTO	320	<b>8.00</b>	26.67	12.31
<b>Annual Carry Over Limit</b>		260	<b>6.50</b>		

**Termination Pay**

Maximum	Pay-Out < 10 Yrs	260	6.50		
Maximum	Pay-Out > 10 Yrs	320	8.00		



**State of Nevada**  
**Board of Occupational Therapy**

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<b>AGENDA ITEM 13: Executive Director Performance Review</b>
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**Performance Review**

Pursuant to the employment agreement entered into between the Executive Director and the Board, the Board is to conduct an annual performance review. A raise in salary and change in benefits, may be considered at the time of the performance review.

The last performance review was completed by the Board at the meeting of November 6, 2021.

At the November 2021 Board meeting, the salary of the Executive Director was increased to the top of the range effective July 1, 2022 in recognition of outstanding performance and years of service to the Board.

Effective July 1, 2022, the State's salary ranges were adjusted by 1% approved by the 2021 Legislature, the Board salary ranges are based upon the State compensation schedules.

It is proposed the Board consider the following:

- 1% increase in base salary, \$1,315.44 annually, to top of the range, retroactive to July 1, 2022

<b>AGENDA ITEM 14: Performance Bonus</b>
--

Pursuant to the personnel policies, the Board may award individual bonus payments.

“The Board may approve award of individual bonus payments and will determine the amount and method of payment. Bonus payments are considered one-time payments and will not be carried into normal compensation for the next year.”

It is requested the Board consider the award of individual performance bonuses for staff:

For outstanding service and in recognition of willingness to take on additional responsibilities while continuing exceptional support to the Board, a 10% performance bonus is recommended for Stacey Whittaker.

- Stacey Whittaker – based on outstanding performance - \$3,472.56
- Executive Director – as determined by the Board, if warranted



Joe Lombardo  
Governor

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Loretta L. Ponton  
Executive Director

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## **EXECUTIVE DIRECTOR PERFORMANCE EVALUATION**

The Executive Director is the chief administrative officer for the Board of Occupational Therapy.

The position is responsible for the management of all Board activities and functions including, but not limited to, strategic planning, Board training, continuous improvement, liaison with agencies and organizations, board and committee meetings, budgeting and financial management, disciplinary action and complaint process, law and regulatory compliance, legislative and lobbying activities, professional licensing, general operational, personnel and administrative requirements for State regulatory Boards.

The following represent the general duties/responsibilities by category for the position. Refer to the Position Specification for additional detail of each category.

On a scale of 1 - 5 with 5 being the highest and 1 being the lowest, complete an evaluation of how well the individual met or exceeded the criteria. A score of 3 = met criteria.

- \_\_\_\_\_ 1. Coordinating and implementing the Board strategic plan and planning process
- \_\_\_\_\_ 2. Facilitating and/or conducting Board Member Training
- \_\_\_\_\_ 3. Developing concepts and innovations for Board consideration that will improve the Board's effectiveness and efficiency
- \_\_\_\_\_ 4. Promoting the Board's activities and functions
- \_\_\_\_\_ 5. Serving as Board liaison with individuals and other agencies
- \_\_\_\_\_ 6. Facilitating Board and Committee meetings and activities in compliance with the Nevada Open Meeting law NRS 241
- \_\_\_\_\_ 7. Managing the Board's financial management system
- \_\_\_\_\_ 8. Managing the Board complaint and disciplinary action process
- \_\_\_\_\_ 9. Coordinating and managing NAC regulatory activities
- \_\_\_\_\_ 10. Performing Legislative and Lobbying activities on behalf of the Board

\_\_\_\_\_ 11. Overseeing Licensing, Personnel and Agency Operations

\_\_\_\_\_ 12. Ensuring adherence to general administrative requirements for State Regulatory Boards

\_\_\_\_\_ Total Score                      Maximum Points 60

Comments:

Other factors considered in evaluating performance, recommendations for improvement, etc.:

\_\_\_\_\_  
Board Member Signature

Date: \_\_\_\_\_



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Loretta L. Ponton  
Executive Director

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**EVALUATION CRITERIA - SUMMARY OF ACTIVITIES**  
**December 1, 2021 – December 31, 2022**

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Highlights of the Year

Two full Disciplinary Hearings before the Board  
Board Strategic Planning  
Legislative Bill Preparation

**Board Strategic Planning** – Prepared all planning documents, arranged logistics and facilitated the two-day planning session. Developed Board training manual and conducted the Board Training Session; facilitated Board discussions and summarized Board actions for review and finalization of the 2023 / 2024 Strategic Plan.

**Budgeting, Accounting and Financial Reporting**

Biennial Audit of the Board Financial Statements for Fiscal Years 2020 and 2021 found no discrepancies and was approved by the Board and submitted to LCB and Governor's Finance Office.

**Financial Investments and Reserves:** Manage and review financial investments, operating cash and reserves on an ongoing basis.

**Accounting and Financial Statements:** Record expenses, review reports and modify financial information in coordination with contract bookkeeper; review and approve payroll entries and benefit contributions.

**Written Publications, Website, Board Activities**

Created new Board Resource documents and updated existing policies and procedures:

- NEW Language Access Plan in compliance with NRS 232.0081
- NEW Board Member Training Manual
- Operating Policies and Procedures Manual updated July 16, 2022
- Personnel Policies and Procedures updated July 16, 2022;

## **Board Meetings and Activities**

December 11, 2021: Full Disciplinary Hearing – Shacindra Sloan

January 4, 2022: Full Disciplinary Hearing – Jennifer Courtad

January 29, 2022: Continuation of Disciplinary Hearing – Shacindra Sloan

March 19, 2022:

Regulatory Hearing on LCB File No. R076-21, Consent Decree – Ashley Shaul

May 14, 2022:

Disciplinary Hearing – Jennifer Courtad

Dismissal of Complaint C22-02

OT Compact Survey results and discussions, discussed Board position for proposed BDR

July 16, 2022:

Disciplinary – Release from Probation – Rantissi;

Disciplinary - Practice without Valid License and Reinstatement – Hagen-Stenson

NOTA presentation on NBCOT programs; Personnel Policy update

Board Bill Language approval

August 12 – 13, 2022:

Board Strategic Planning and Board Member Training

November 5, 2022:

Approval of Audit Report

Disciplinary – Consent Decree – Hurdsman

Disciplinary Hearing – Sloan

February 18, 2023 Board Meeting Preparation:

Personnel Classification and Compensation Plan Revisions,

Job Specifications, Benefits Review

Language Access Plan and Board Policy Revision

Legislative Meetings and Board Bill Presentations

Governor's Executive Orders Analysis

## **Complaint and Disciplinary Action Process**

Received, reviewed and conducted informal investigations of complaints and made determinations as to actions, if any.

Formal Hearings = 2 cases; 4 hearings

Cases Dismissed/Withdrawn = 4 cases

Cases Closed = 1

Pending Cases = 0

Disciplinary actions reported to the National Practitioners Databank, NBCOT, AOTA and Nevada Legislative Counsel Bureau.

## **Regulation Revisions, Workshops and Hearings**

Proposed Regulation – LCB File 076-21; Hearing and Adopted March 19, 2022  
Draft new proposed regulations, facilitated workshop on proposed language.

## **2022 Legislative Interim and 2023 Legislative Session Preparation**

In coordination with Board lobbyist, monitored interim committee activities.

Preparation for 2023 Legislative Session: Prepared BDR draft language approved by the Board July 16, 2022 and participated in three (3) meetings with potential bill sponsors. Prepared one-page summary of bill for use in lobbying support for the Board's bill.

Continually monitor new BDR requests and bill drafts for potential impact on the OT Board.

## **Administration / Licensing**

State Reporting: All state reporting requirements were met and submitted in a timely manner including but not limited to:

- Biennial Audit Report to LCB and Governor's Finance Office
- Veteran's Services submitted to Nevada Department of Veteran's Services
- Consultant Reports submitted to the Budget Division
- Licensing and Disciplinary Actions quarterly reports submitted to the Legislative Counsel Bureau.
- Debt Collection Reporting, due every 6 months

Co-Location in Board Office: Negotiated new co-location agreement with the Board of Podiatry effective December 1, 2022 with physical co-location on October 1, 2023.

Licensing: Oversee Licensing Coordinator activities; perform licensing functions when Licensing Coordinator is not available; respond to licensee practice questions.

## **Other Accomplishments and Activities**

On-going assistance to other Board Executive Directors in administrative requirements; sharing of information and responding to general questions on administrative and regulatory responsibilities.

*Professional and Occupational Licensing Boards Administrative Collaborative* - Facilitate all meetings and developed Resource documents for the Collaborative. I also serve as the Contract Manager and perform contract manager functions for five (5) member Boards.

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<b>AGENDA ITEM 15: Executive Director's Report</b>
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Attachments

Written Report  
FY23 Financial Statements as of December 31, 2022

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**EXECUTIVE DIRECTOR’S REPORT**  
**February 18, 2023**

**Licensure Statistics** - The following chart provides current and prior year licensing details and activity as of December 31, 2022. The number of practitioners increased by 27 licensees over the previous year, with an increase of 66 licensees for those holding active standard licenses.

**Quarter Statistics** - The Board processed 63 new license applications; which include new applicants, reinstatements and conversions and 125 license renewals. There were 41 licenses expired during the same period for a net gain of 22 licenses in the 2<sup>nd</sup> Quarter of FY 23.

**Comparison to Prior Year At December 31**

Description	FY 2023	FY 2022	% +	OTR’s	2022	COTA’s	2022
Total Current Licensees	1711	1668	1.3%	1292	1266	419	402
Standard Licensees (active)	1688	1622	4.1%	1288	1234	400	388
Inactive Licensees	31	34		9	25	23	9
Inactive - Retired	13	-		12	-	1	-
Provisional Licensees	8	4		3	4	5	0
Temporary Licensees	5	8		1	5	4	3

**Fiscal Year 23 by Quarter**

Fiscal Year 2022	Total Licensees	OT	OTA
<b>July 1, 2022</b>	<b>1670</b>	<b>1267</b>	<b>403</b>
September 30, 2022	1689	1283	406
December 31, 2022	1711	1292	419
March 31, 2023			
<b>June 30, 2023</b>			

**FY 23 Financial Statements**

**FY 23 Financial Statements – Period ending December 31, 2022**

**Profit and Loss Statement** - reflects a net revenue/income less expenses at 39.89% of Budget

Licensing Income is above budget at 52.01%. with new licensee processing fees at 58.95% and renewal/deferred income are on target at 50.15% . Other Income – interest income exceeds budget at 101% as investments interest rates and returns have increased; cost-sharing income increased by the addition of the Podiatry Board assessment,

Operating Expenses are below budget at 49.46% which includes the one-time expense of audit services and the Board strategic planning session.

All other line items are within budget.



**Balance Sheet and Investments** – Total Cash at December 31, 2022 is \$678,762.51; with \$207,019.97 in operating, \$461,297.42 in CD’s and \$ 10,445.12 in money market funds.

Market rates are increasing, CD’s are now being invested at higher rates and longer terms so interest income will continue to increase in the future.

**Profit & Loss Projections vs Budget / Revision to FY 2023 Budget** – Net Operating Expenses are projected to be approximately \$16,000 below original budget based upon projected expenses through FY end.

If the Board approves increased personnel costs and travel expenses for 3 members to attend the Legislative Session in March, the following is an estimate of additional budget authority proposed.

In-State Travel	\$ 3,000.00
Personnel	\$ As Approved by Board

**Recommendation for approval of FY Budget Revision to include costs associated with personnel actions and in-state travel for attendance of 2 members from Las Vegas to attend the Legislative Tour.**

**Office Operations & Activities** – The Deferred Compensation Committee held a public Hearing on January 10<sup>th</sup> and adopted the proposed regulation revisions to address the Governor’s Audit recommendation to clarify “employer contributions” in the law and/or regulations. The final revised regulation will not impact the Board’s ability to establish “employer contributions” as a benefit for employees.

**Nevada Jurisprudence Exam** – Board regulation requires completion of the jurisprudence exam every five years. There are approximately 400 licensees who have yet to complete the examination; the deadline for completion is May 2023.

Nevada Jurisprudence Exam as a training tool – There have been 36 students who completed the Jurisprudence Exam. The examination is being made available for OT students as a training tool at no cost to the student.

**Administrative Collaborative** – The Administrative Collaborative met on January 26, 2023. Items of discussion included Governor’s Executive Orders and proposed Legislation.

**Complaints Status** – There are no pending complaints.

# State of Nevada Board of Occupational Therapy

## Balance Sheet

As of December 31, 2022

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Wells Fargo Bank - Checking	207,019.97
Wells Fargo Bank - Investments	461,297.42
Wells Fargo Bank - Money Market	10,445.12
<b>Total Bank Accounts</b>	<b>\$678,762.51</b>
Accounts Receivable	
Accounts Receivable	13,318.13
<b>Total Accounts Receivable</b>	<b>\$13,318.13</b>
Other Current Assets	
Prepaid Expenses	4,581.35
Undeposited Funds	0.00
<b>Total Other Current Assets</b>	<b>\$4,581.35</b>
<b>Total Current Assets</b>	<b>\$696,661.99</b>
Fixed Assets	
Net Fixed Assets	0.00
<b>Total Fixed Assets</b>	<b>\$0.00</b>
<b>TOTAL ASSETS</b>	<b>\$696,661.99</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	123.84
<b>Total Accounts Payable</b>	<b>\$123.84</b>
Credit Cards	
WF Mastercard	0.00
<b>Total Credit Cards</b>	<b>\$0.00</b>
Other Current Liabilities	
Accrued PTO	29,771.64
Deferred Compensation Payable	124.21
Deferred Revenue	245,789.45
Direct Deposit Liabilities	0.00
Due to State Treasurer	0.00
Other Current Liabilities	5,448.45
Payroll Liability	1,335.60
Payroll Tax Liability	111.72
<b>Total Other Current Liabilities</b>	<b>\$282,581.07</b>
<b>Total Current Liabilities</b>	<b>\$282,704.91</b>

# State of Nevada Board of Occupational Therapy

## Balance Sheet

As of December 31, 2022

	TOTAL
<b>Total Liabilities</b>	<b>\$282,704.91</b>
Equity	
Retained Earnings	441,438.99
Net Income	-27,481.91
<b>Total Equity</b>	<b>\$413,957.08</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$696,661.99</b>

# State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY\_2022\_2023 - FY23 P&L

July - December, 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
Fees	19,100.00	32,400.00	-13,300.00	58.95 %
Fines and Legal Fees	1,206.20		1,206.20	
License Fees	97,960.22	195,330.75	-97,370.53	50.15 %
List Fee	3,300.00	6,000.00	-2,700.00	55.00 %
<b>Total Income</b>	<b>\$121,566.42</b>	<b>\$233,730.75</b>	<b>\$ -112,164.33</b>	<b>52.01 %</b>
<b>GROSS PROFIT</b>	<b>\$121,566.42</b>	<b>\$233,730.75</b>	<b>\$ -112,164.33</b>	<b>52.01 %</b>
<b>Expenses</b>				
Attorney General / Legal Fees	1,515.90	12,000.00	-10,484.10	12.63 %
Audit fees	9,600.00	9,600.00	0.00	100.00 %
Bank Service/Merchant Charges	2,906.43	5,843.27	-2,936.84	49.74 %
Board Education	1,804.05	1,500.00	304.05	120.27 %
Dues & subscriptions	1,434.45	2,700.00	-1,265.55	53.13 %
Equipment Rental	971.00	2,100.00	-1,129.00	46.24 %
Insurance	897.03	1,200.00	-302.97	74.75 %
Licensing - Data System	3,700.02	8,850.00	-5,149.98	41.81 %
Meeting Expenses		100.00	-100.00	
Office Expense				
Internet Service	929.88	2,400.00	-1,470.12	38.75 %
Postage and Delivery	242.14	500.00	-257.86	48.43 %
Telephone	291.79	750.00	-458.21	38.91 %
<b>Total Office Expense</b>	<b>1,463.81</b>	<b>3,650.00</b>	<b>-2,186.19</b>	<b>40.10 %</b>
Office Lease	15,993.07	34,055.49	-18,062.42	46.96 %
Office Supplies	404.29	700.00	-295.71	57.76 %
Payroll Expenses				
Deferred Compensation	7,785.67	15,689.58	-7,903.91	49.62 %
Employer Taxes	7,165.82	14,444.65	-7,278.83	49.61 %
Medical Benefit	2,265.00	4,387.00	-2,122.00	51.63 %
PTO Expense	-813.79		-813.79	
Salaries and Wages	83,710.48	168,742.44	-85,031.96	49.61 %
<b>Total Payroll Expenses</b>	<b>100,113.18</b>	<b>203,263.67</b>	<b>-103,150.49</b>	<b>49.25 %</b>
Professional Fees				
Accounting	1,500.00	3,000.00	-1,500.00	50.00 %
IT / Technical Support		1,000.00	-1,000.00	
Legislative Services	12,000.00	24,000.00	-12,000.00	50.00 %
<b>Total Professional Fees</b>	<b>13,500.00</b>	<b>28,000.00</b>	<b>-14,500.00</b>	<b>48.21 %</b>
Travel				
Travel - in state	1,635.57	1,700.00	-64.43	96.21 %
<b>Total Travel</b>	<b>1,635.57</b>	<b>1,700.00</b>	<b>-64.43</b>	<b>96.21 %</b>
<b>Total Expenses</b>	<b>\$155,938.80</b>	<b>\$315,262.43</b>	<b>\$ -159,323.63</b>	<b>49.46 %</b>
<b>NET OPERATING INCOME</b>	<b>\$ -34,372.38</b>	<b>\$ -81,531.68</b>	<b>\$47,159.30</b>	<b>42.16 %</b>

# State of Nevada Board of Occupational Therapy

Budget vs. Actuals: FY\_2022\_2023 - FY23 P&L

July - December, 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Other Income				
Interest Income	2,546.59	2,500.00	46.59	101.86 %
Sublease Income	5,214.54	10,129.67	-4,915.13	51.48 %
<b>Total Other Income</b>	<b>\$7,761.13</b>	<b>\$12,629.67</b>	<b>\$ -4,868.54</b>	<b>61.45 %</b>
Other Expenses				
Unrealized Investment Loss	870.66		870.66	
<b>Total Other Expenses</b>	<b>\$870.66</b>	<b>\$0.00</b>	<b>\$870.66</b>	<b>0.00%</b>
<b>NET OTHER INCOME</b>	<b>\$6,890.47</b>	<b>\$12,629.67</b>	<b>\$ -5,739.20</b>	<b>54.56 %</b>
<b>NET INCOME</b>	<b>\$ -27,481.91</b>	<b>\$ -68,902.01</b>	<b>\$41,420.10</b>	<b>39.89 %</b>

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**AGENDA ITEM 17: Board Activities & Reports From Members**

**Election of Board Chair Pursuant to NRS 640A.090**

The Chair of the Board must be elected at the 1<sup>st</sup> meeting of the Board annually.

**Appointment of Vice Chair**

The Vice Chair serves in the absence of the Chair.

**Authorized Signatories for Brokerage and Bank Accounts**

The Executive Director and two Board members are authorized signatories to the Board financial accounts. New Board signatories are needed as both Sol Magpantay and Liz Straughan have completed their terms.

**2023 Meeting and Activities Schedule**

***Friday - March 24, 2023***

Nevada Occupational Therapy Day at the Nevada Legislature and Board Legislative Tour

***Saturday, March 25, 2023***

Regular Board meeting

**2023 Meeting Schedule**

<b>Calendar Year 2023</b>	<b>Topics/Comments</b>
March 25 - ZOOM	<i>Legislative Session</i>
May 13 - ZOOM	<i>Legislative Session</i>
July 29	<i>Legislative Review</i> FY 2024 Budget Approval
September 23	TBD
November 4	TBD

**Reports and Comments from Board Members**