

# STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

#### NOTICE OF PUBLIC MEETING

May 13, 2023 – 10:00 a.m. Board of Occupational Therapy Administrative Office 6170 Mae Anne Ave. Suite 1 Reno, NV 89523

Zoom Access:

https://us06web.zoom.us/j/82462503147?pwd=bmZkMlpncHRRNFMwaWdGc1ErVnlMOT09

Meeting ID: **824** 6250 3147
Passcode: **673972**Telephone Audio Only: **(253)** 215-8782

#### **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)
  - March 25, 2023
- 4. Legislative Activities (informational)
  - Legislative Status Report Belz & Case Government Affairs
- 5. Executive Director's Report (for possible action)
  - FY 23 Financial Reports 3<sup>rd</sup> Quarter Ended March 31, 2023
- 6. Executive Director Recruitment Transition (for possible action)
  - Amendment to Executive Director Employment Agreement (for possible action)

- 7. Report from Deputy Attorney General (informational)
- 8. Board Activities & Reports from Members (for possible action)
  - 2023 Meeting and Activities Schedule
- 9. 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)

10. Adjournment (for possible action)

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

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

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

This meeting has been posted at the Board of Occupational Therapy Administrative Office, 6170 Mae Anne Ave., Reno, NV 89523, on the Board of Occupational Therapy website <a href="www.nvot.org">www.nvot.org</a>; and may also be accessed at the following websites: <a href="https://notice.nv.gov/">https://notice.nv.gov/</a> - 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.

Supporting materials relating to this public meeting of the Board of Occupational Therapy are available on the Board website <a href="www.nvot.org">www.nvot.org</a> or by contacting the Board office at (775) 746-4101 or email <a href="board@nvot.org">board@nvot.org</a>

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## **AGENDA ITEM 3: APPROVAL OF MINUTES**

The minutes of the meeting of March 25, 2023 of the State Board of Occupational Therapy are presented for approval.



## STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

## SUMMARY MINUTES PUBLIC BOARD MEETING

#### March 25, 2023

Members Present: Phil Seitz, Jose Pablo Castillo, Jocelyn Pereira, Allison Stone, Melanie Minarik

Staff Present: Loretta L. Ponton, Executive Director

Stacey Whittaker, Director of Licensing & Operations

Henna Rasul, Sr. Deputy Attorney General

Public Present: Jeanette Belz, Vanessa Dunn

#### Call to Order, Confirmation of Quorum

Chair Seitz called the Board meeting to order at 10:02 a.m. A roll call confirmed a quorum was present.

#### **Public Comments**

Chair Seitz opened public comments. There were no comments.

#### **Approval of Minutes**

Chair Seitz called for approval of minutes.

Allison Stone made the motion, seconded by Melanie Minarik to approve the minutes of the meeting of February 18, 2023. The motion passed.

#### **Governor's Executive Order 2023-004 Report**

<u>Executive Order 2023-004</u> 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 is due to both the Governor's Office and the Director of the Legislative Counsel Bureau by April 1, 2023.

Loretta Ponton presented a draft cover letter and EO 2023-004 report to the board for review. She also clarified that the Governor's Office has since provided an excel spreadsheet to be completed which will accompany the reports.

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

Jose Pablo Castillo made the motion, seconded by Allison Stone, to approve the EO 2023-004 report and cover letter as written. The motion passed.

#### **Legislative Activities**

Jeanette Belz of Belz and Case Government Affairs provided 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. To date, over 777 bills have been introduced this session (including four compact bills) and they have extended the deadline to March 27<sup>th</sup>. The OT Board Bill, AB-343 sponsored by Assemblyman CH Miller has been introduced and will be presented on March 31<sup>st</sup>.

The Board Members provided an update on their Legislative tour and floor session, which was also Nevada Occupational Therapy Association Day. NOTA was present and provided a great presentation. Board Members and Staff were able to meet with Assemblyman CH Miller who is sponsoring the OT Board Bill.

#### **Personnel Benefits**

Loretta Ponton presented current and proposed board personnel benefits to include Retirement and Medical Benefits and Personal Time Off. Board Personnel Policy ties 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%

No change was recommended to the current retirement benefits (deferred compensation) as it is comparable to the State PERS retirement.

Medical benefits were discussed and recommended no changes at this time. The Board could move toward adding medical benefits for full-time staff hired after 7/1/2023.

A revised Personal Time Off benefit schedule was presented and recommended to align with the State Personnel Policy.

The board discussed the benefits presented and felt that they are important for both recruitment and retention of board staff.

Chair Seitz made the motion, seconded by Allison Stone, to approve the Personal Time Off (PTO) changes as presented effective July 1, 2023. The motion passed.

#### **Executive Director's Report**

Ms. Ponton reported on Governor's Executive Order 2023-003 and presented the initial draft to be discussed at the Public Hearing on April 6, 2023. Information included the Governor's Office template and summary of findings and recommendations in regards to a comprehensive review of board regulations.

Jose Pablo Castillo made the motion, seconded by Melanie Minarik, to approve the Executive Director's Report as presented. The motion carried.

Report from Deputy Attorney General – Henna Rasul stated she had nothing to report.

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

#### **Board Activities & Reports from Members**

Loretta Ponton presented an extended 2023 meeting and activities schedule to include the upcoming Public Hearing in April, meetings in May and August for Legislative Review, followed by personnel recruitment interviews and on-boarding meetings for September and November.

<u>Public Comment</u> – Chair Seitz opened the floor for public comments. There were no comments.

<u>Adjournment</u> – Chair Seitz adjourned the meeting at 11:23 a.m.

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### **AGENDA ITEM 4: Legislative Activities**

### **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.

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## **AGENDA ITEM 5: Executive Director's Report**

Attachments

Written Report FY 2023 Financial Reports 3<sup>rd</sup> Quarter Ending March 31, 2023 Draft FY 2024 Preliminary Budget

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### EXECUTIVE DIRECTOR'S REPORT May 13, 2023

*Licensure Statistics* - The following chart provides current and prior year licensing details and activity as of March 31, 2023. The number of practitioners increased by a net 22 licensees over the previous year, with an increase of 24 licensees for those holding active standard licenses.

### **Quarter Statistics**

New Applications Received: 44 Licenses Issued: 42 Licenses Expired: 36 Licenses Renewed: 117

#### Comparison to Prior Year At March 31

Description	FY	FY	% +	OTR's	2022	COTA's	2022
	2023	2022					
Total Current Licensees	1718	1696	1.3%	1302	1286	416	410
Standard Licensees (active)	1707	1683	1.4%	1300	1279	410	382
Inactive Licensees	31	35		22	27	9	11
Inactive - Retired	14	-		12	-	2	-
Provisional Licensees	6	5		-0-	1	6	4
Temporary Licensees	5	8		2	6	2	2

#### Fiscal Year 23 by Quarter

Fiscal Year 2022	<b>Total Licensees</b>	ОТ	OTA
July 1, 2022	1670	1267	403
September 30, 2022	1689	1283	406
December 31, 2022	1711	1292	419
March 31, 2023	1718	1302	416
June 30, 2023			

#### FY 23 Financial Statements

#### FY 23 Financial Statements – Period ending March 31, 2023

Profit and Loss Statement - reflects a net revenue/income less expenses at 68.91% of Budget

<u>Licensing Revenue</u> - Licensing Income is at \$178,482 - 76.36% of budget.

<u>Other Income</u> – Other income is \$12,448 comprised of interest income and cost-share income. Interest income reflects higher CD rates on matured short-term investments.

<u>Net Operating Expenses</u> - are at 72.5% of Budget. Line items over budget are In-State travel and Board education line items associated with Board strategic planning and legislative tour.

**Balance Sheet and Investments** – Total Cash at March 31, 2023 is \$636,885; with \$202,616 in operating, \$427,386 in CD's and \$6,884 in money market funds. A transfer of \$40,000 was made from investment income to operating cash during this period.

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.

*Office Operations & Activities* – The 2023 Legislative Session is being monitored daily. Presentation of the Board's bill, AB343 was heard and passed in the Assembly Committee on Commerce and Labor and the full Assembly vote was unanimous. The Senate Committee on Commerce and Labor heard AB 343 on April 26, 2023 with minimal questions. The deadline for 2<sup>nd</sup> house committee passage is May 19<sup>th</sup> with second house passage by May 25<sup>th</sup>.

Both the EO 2023-003 and 2023-004 Reports were submitted to the Governor's Office ahead of deadlines.

*Nevada Jurisprudence Exam* – Board regulation requires completion of the jurisprudence exam every five years. The deadline for taking the jurisprudence is May 16, 2023.

**Potential Regulation Revisions** - Assemblywoman Bakus questioned our requirements to complete the jurisprudence examination every 5 years during the Assembly Committee on Commerce and Labor presentation on AB 343. A survey of other licensing Boards found Boards jurisprudence exam requirement are at initial licensure. No other Board requires a licensee to retake their jurisprudence exam.

Now that all current licensees will have completed the jurisprudence and all new licensee are required to take the exam, the Board may wish to re-consider the 5-year repeat requirement when they review potential changes to regulations.

Additional regulation revisions will be necessary to implement AB 343 provisions for reciprocity and establish criteria for citations and fines.

Currently, all regulations are on hold pursuant to Executive Orders; the Board may consider requesting an exemption from the freeze on regulations.

*Complaints Status* – There are no pending complaints.

*Fiscal Year 2024 Preliminary Budget for Planning Purposes* – The preliminary budget for next fiscal year includes projected Personnel Costs for transition of the Executive Director position.

For budgetary purposes the new ED position is calculated at entry level of \$88,197 pro-rate to 9 months and current ED calculated at 3 months for \$33,110; employer paid deferred comp is at 11.3% of salaries. The budget reflects a decrease in total personnel costs, salaries and benefits, of approximately \$58,000.

A positive Net Income is projected with minimal changes in other overall operating costs.

Budget vs. Actuals: FY\_2022\_2023 - FY23 P&L July 2022 - March 2023

		ТОТ	AL	
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
Fees	25,100.00	32,400.00	-7,300.00	77.47 %
Fines and Legal Fees	1,206.20		1,206.20	
License Fees	147,326.04	195,330.75	-48,004.71	75.42 %
List Fee	4,850.00	6,000.00	-1,150.00	80.83 %
Total Income	\$178,482.24	\$233,730.75	\$ -55,248.51	76.36 %
GROSS PROFIT	\$178,482.24	\$233,730.75	\$ -55,248.51	76.36 %
Expenses				
Attorney General / Legal Fees	2,004.90	12,000.00	-9,995.10	16.71 %
Audit fees	9,600.00	9,600.00	0.00	100.00 %
Bank Service/Merchant Charges	3,509.93	5,843.27	-2,333.34	60.07 %
Board Education	1,804.05	1,500.00	304.05	120.27 %
Dues & subscriptions	2,353.33	2,700.00	-346.67	87.16 %
Equipment Rental	1,423.02	2,100.00	-676.98	67.76 %
Insurance	1,084.53	1,200.00	-115.47	90.38 %
Licensing - Data System	5,550.03	8,850.00	-3,299.97	62.71 %
Meeting Expenses	50.00	100.00	-50.00	50.00 %
Office Expense				
Internet Service	1,409.82	2,400.00	-990.18	58.74 %
Postage and Delivery	107.64	500.00	-392.36	21.53 %
Telephone	432.83	750.00	-317.17	57.71 %
Total Office Expense	1,950.29	3,650.00	-1,699.71	53.43 %
Office Lease	24,188.53	34,055.49	-9,866.96	71.03 %
Office Supplies	643.10	700.00	-56.90	91.87 %
Payroll Expenses				
Deferred Compensation	11,764.04	15,668.91	-3,904.87	75.08 %
Employer Taxes	12,118.23	15,843.54	-3,725.31	76.49 %
Medical Benefit	3,397.50	4,530.00	-1,132.50	75.00 %
PTO Expense	4,195.64		4,195.64	
Salaries and Wages	143,337.01	186,906.16	-43,569.15	76.69 %
Total Payroll Expenses	174,812.42	222,948.61	-48,136.19	78.41 %
Professional Fees				
Accounting	2,250.00	3,000.00	-750.00	75.00 %
IT / Technical Support		1,000.00	-1,000.00	
Legislative Services	18,000.00	24,000.00	-6,000.00	75.00 %
Total Professional Fees	20,250.00	28,000.00	-7,750.00	72.32 %
Travel				
Travel - in state	4,820.34	4,700.00	120.34	102.56 %
Total Travel	4,820.34	4,700.00	120.34	102.56 %
Total Expenses	\$254,044.47	\$337,947.37	\$ -83,902.90	75.17 %
NET OPERATING INCOME	\$ -75,562.23	\$ -104,216.62	\$28,654.39	72.50 %

Budget vs. Actuals: FY\_2022\_2023 - FY23 P&L July 2022 - March 2023

		ТОТ	AL	
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Other Income				
Interest Income	4,030.99	2,500.00	1,530.99	161.24 %
Investment Gain / (Loss)	218.24		218.24	
Sublease Income	8,196.81	10,129.67	-1,932.86	80.92 %
Total Other Income	\$12,446.04	\$12,629.67	\$ -183.63	98.55 %
NET OTHER INCOME	\$12,446.04	\$12,629.67	\$ -183.63	98.55 %
NET INCOME	\$ -63,116.19	\$ -91,586.95	\$28,470.76	68.91 %

## **Balance Sheet**

As of March 31, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Wells Fargo Bank - Checking	202,615.68
Wells Fargo Bank - Investments	427,386.32
Wells Fargo Bank - Money Market	6,883.39
Total Bank Accounts	\$636,885.39
Accounts Receivable	
Accounts Receivable	12,907.57
Total Accounts Receivable	\$12,907.57
Other Current Assets	
Prepaid Expenses	890.42
Undeposited Funds	0.00
Total Other Current Assets	\$890.42
Total Current Assets	\$650,683.38
Fixed Assets	
Net Fixed Assets	0.00
Total Fixed Assets	\$0.00
TOTAL ASSETS	\$650,683.38
LIADULITICO AND COLUTY	
LIABILITIES AND EQUITY	
Liabilities AND EQUITY Liabilities	
Liabilities	
Liabilities Current Liabilities	681.39
Liabilities Current Liabilities Accounts Payable	
Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable	
Liabilities Current Liabilities Accounts Payable Accounts Payable	
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards	\$681.39
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards WF Mastercard Total Credit Cards	<b>\$681.39</b> 789.85
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards WF Mastercard Total Credit Cards Other Current Liabilities	\$681.39 789.85 \$789.85
Liabilities Current Liabilities Accounts Payable Accounts Payable  Total Accounts Payable Credit Cards WF Mastercard  Total Credit Cards Other Current Liabilities Accrued PTO	\$681.39 789.85 \$789.85 34,781.07
Liabilities Current Liabilities Accounts Payable Accounts Payable  Total Accounts Payable Credit Cards WF Mastercard  Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable	\$681.39 789.85 \$789.85 34,781.07 62.11
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards WF Mastercard Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable Deferred Revenue	\$681.39 789.85 \$789.85 34,781.07 62.11 232,786.13
Liabilities Current Liabilities Accounts Payable Accounts Payable  Total Accounts Payable Credit Cards WF Mastercard  Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable	\$681.39 789.85 \$789.85 34,781.07 62.11 232,786.13 0.00
Liabilities Current Liabilities Accounts Payable Accounts Payable  Total Accounts Payable Credit Cards WF Mastercard  Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable Deferred Revenue Direct Deposit Liabilities	\$681.39 789.85 \$789.85 34,781.07 62.11 232,786.13 0.00 200.00
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards WF Mastercard Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable Deferred Revenue Direct Deposit Liabilities Due to State Treasurer	\$681.39 789.85 \$789.85 34,781.07 62.11 232,786.13 0.00 200.00 2,438.10
Liabilities Current Liabilities Accounts Payable Accounts Payable Total Accounts Payable Credit Cards WF Mastercard Total Credit Cards Other Current Liabilities Accrued PTO Deferred Compensation Payable Deferred Revenue Direct Deposit Liabilities Due to State Treasurer Other Current Liabilities	\$681.39 789.85 \$789.85 34,781.07

## Balance Sheet As of March 31, 2023

	TOTAL
Total Liabilities	\$272,460.58
Equity	
Retained Earnings	441,338.99
Net Income	-63,116.19
Total Equity	\$378,222.80
TOTAL LIABILITIES AND EQUITY	\$650,683.38

## **Board of Occupational Therapy**

## FY 24 / FY 25 Budget

July 1 2023 - June 30 2024 / July 1 2024 - June 30 2025

Revenue Processing Fees License Fees Miscellaneous / List Fees											
_icense Fees											
			\$	35,100.00			\$	35,100.00	\$	-	
Miscellaneous / List Foos				205,619.00				208,943.39	\$	3,324.39	
			\$	6,000.00			\$	6,000.00	\$	-	
Sub-total Licensing Fees				246,719.00			<u> </u>	250,043.39	\$	3,324.39	1.35%
nterest Income			\$	3,500.00			\$	4,500.00	\$	1,000.00	
Cost Sharing Income			\$	15,858.04			\$	15,858.04	\$	-	
Sub-Total Other Revenue			\$	19,358.04			\$	20,358.04	\$	1,000.00	5.17%
Total Revenue			\$	266,077.04			\$	270,401.43	\$	4,324.39	1.63%
Board Operations											
Personnel Expense											
Executive Director	\$	99,258.30			\$	88,197.12					
Director Licensing & Operations	\$	36,463.70			\$	38,286.89					
Investigator	\$	1,260.00			\$	1,260.00					
Employer Taxes	\$	11,739.01			\$	10,769.42					
Employee Benefits	\$	16,469.09			\$	14,292.69					
Sub-Total Personnel Expense			\$	165,190.09			\$	152,806.11	\$	(12,383.98)	-7.50%
Operating Expense Audit Fees			¢.				Ф	9,600.00	lφ	9,600.00	
			\$				\$	,		, , , , , , , , , , , , , , , , , , ,	
Bank Fees - Merchant Svs			\$	5,843.27			\$	6,251.09	\$	407.83	
Equipment Purchase			\$				\$	<u>-</u>	\$	-	
Equipment Rental & Maintenance			\$	2,100.00			\$	2,100.00	\$	-	
Insurance			\$	1,200.00			\$	1,200.00	\$	-	
Legal Fees			\$	12,000.00			\$	12,000.00	\$	-	
Licensing Software Subscription			\$	8,500.00			\$	9,000.00	\$	500.00	
Board Compensation			\$	4,500.00			\$	4,500.00	\$	-	
Office Lease			\$	34,055.49			\$	34,465.24	\$	409.75	
Office Supplies			\$	800.00			\$	800.00	\$	-	
Dues and Subscriptions	Ī		\$	3,000.00			\$	3,000.00	\$	-	
Office Expense	İ		\$	3,880.00			\$	3,880.00	\$	_	
Records Storage & Recycling	\$	130.00			\$	130.00	\$		\$	_	
Internet Service	\$	2,400.00			\$	2,400.00	\$	_	\$	_	
Postage & Mailing	\$	500.00			\$	500.00	\$	_	\$	_	
Telephone	\$	750.00			\$	750.00	\$	_	\$	_	
Printing	\$	100.00			\$	100.00	\$	_	\$	_	
Professional Fees	"	100.00	\$	15,500.00	Ψ	100.00	\$	3,500.00	\$	(12,000.00)	
Bookkeeping Services	\$	3.000.00	_Ψ	. 5,555.56	\$	3.000.00	\$	-	\$	.2,000.00)	
Legislative Services	\$	12,000.00			\$	-	\$	_	\$	_	
IT Support Services	\$	500.00			\$	500.00	\$	-	\$	_	
Board Education / Planning	"	000.00	\$	_	lΨ	000.00	\$	_	\$	_	
Travel	1		\$	2,000.00			\$	2.000.00	\$	_	
In State Travel	\$	2,000.00	Ψ_	_,000.00	\$	2,000.00	\$	,555.55	\$	_	
Out of State Travel	\$	_,			ľ	_,	\$	_	\$	_	
Sub-Total Operating Expense	<u> </u>		\$	93,378.76	Т		<u> </u>	92,296.33	\$	(1,082.42)	-1.16%
			<u> </u>	•			<u> </u>			, , , ,	
Total Personnel and Operating			\$	258,568.85			\$	245,102.45	\$	(13,466.40)	-5.21%
Revenue Over / Under Expense			\$	7,508.19			\$	25,298.98	¢	17,790.79	
			Ф	7,500.19			Þ	∠5,∠96.98	Ф	11,130.13	

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#### **AGENDA ITEM 6: Executive Director Recruitment and Transition**

Loretta Ponton, Executive Director has tendered her resignation as of **September 30, 2023**.

The recruitment for a new Executive Director will begin in June with Board interviews and selection at the **August 5<sup>th</sup> meeting in Reno**. Applications will be reviewed by the Board Chair (Phil) and staff, initial interviews by ZOOM / or in person may be held, the top 3 candidates will be selected for interview by the entire Board.

Employment Committee	June 6 – July 3	Job Announcement
Staff / Board Chair	July 5 - 19	Review Applications / Initial Interviews
	July 19	Select Applicants for Board Interview
Board Meeting	August 5	Interviews for Executive Director
	On-Site Reno	Legislative Review
		FY 2024 Budget Approval
On-Boarding	Aug - Sept	Start Date - Executive Director
Mentor/Training	September	New Executive Director
<b>Board Meeting</b>	September 23	First Meeting New ED
Off-Boarding	September 30	Separation Date

#### **Employment Agreement**

An amendment to the employment agreement of the Executive Director is necessary to designate compensation for Fiscal Year 2024. In addition, an amendment to the PTO payout upon termination is requested.

The 600 hours requested is the maximum PTO that could be accrued at September 30, 2023. There would be an 11.3% cost savings in retirement contributions, approximately \$2,500, as retirement contributions are not made on PTO payouts.

It was the original intent to work through October and take PTO for the months of November and December. Additional PTO time is accrued and retirement contributions are earned while on leave.

#### Attachments

Amendment to Executive Director Employment Agreement

#### AMENDMENT 2

### EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Second Amendment to the Employment Agreement (Agreement) entered into on November 14, 2020, as amended July 1, 2021, by and between the State of Nevada Board of Occupational Therapy and Loretta L. Ponton, Executive Director effective *July 1, 2023* as follows:

#### Current Language:

3. Compensation: Employee base compensation shall be established as follows:

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Fiscal Year 2022, July 1, 2021 through June 30, 2022 - $128,586.50 Fiscal Year 2023, July 1, 2022 through June 30, 2023 - $132,441.84
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#### Amendment 2:

```
Fiscal Year 2022, July 1, 2021 through June 30, 2022 - $128,586.50 Fiscal Year 2023, July 1, 2022 through June 30, 2023 - $132,441.84
```

Fiscal Year 2024, *July 1, 2023* - Grade 47, Step 10

#### Current Language:

5. <u>Personal Leave</u>: Employee shall accrue personal leave at a rate of three hundred (300) hours per calendar year; credited at a rate of 25 hours per month. Unused personal leave shall carry over from year to year during the course of Employee's employment.

Upon separation from employment, accrued but unused personal leave balance not to exceed three hundred sixty (300) hours shall be paid to Employee at the rate of \$65.00 per hour, not to exceed \$19,500.

#### Amendment 2:

5. <u>Personal Leave</u>: Employee shall accrue personal leave at a rate of three hundred (300) hours per calendar year; credited at a rate of 25 hours per month.

Unused personal leave shall carry over from year to year during the course of Employee's employment.

Upon separation from employment, accrued but unused personal leave balance shall be paid to Employee at the *then current rate of pay* not to exceed six hundred *(600) hours*.

All other terms and conditions of the Employment Agreement dated November 14, 2020, remain in full force and effect.

executed on theday of	
State of Nevada Board of Occupational Therapy	
Philip Seitz, Chair	Loretta L. Ponton
Approved by Board Action	,·

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

## **AGENDA ITEM 7: Report from Legal Counsel**

Henna Rasul, Sr. Deputy Attorney General will report on legal matters.

## **AGENDA ITEM 8: Board Activities & Reports From Members**

## Meeting and Activities Schedule

Activity	Calendar Year 2023	Topics/Comments
<b>Board Meeting</b>	May 13 - ZOOM	Legislative Session
Board Meeting	August 5 On-Site Reno	Interviews for Executive Director Legislative Review FY 2024 Budget Approval
<b>Board Meeting</b>	September 23	First Meeting New ED
Board Meeting	November 4	Set 2024 Meeting Schedule

#### **Reports and Comments from Board Members**