



## STATE OF NEVADA BOARD OF OCCUPATIONAL THERAPY

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### SUMMARY MINUTES PUBLIC BOARD MEETING February 15, 2025

Members Present: Christopher Liebl, Philip Seitz, Jocelyn Pereira, Chelsea Gonzalez, Scott Oakley

Members Absent: None

Staff Present: Heather Hartley, Executive Director  
Stacey Whittaker, Director of Licensing & Operations  
Henna Rasul, Sr. Deputy Attorney General

Public Present: Gabriella Bertolino, Lea Cartwright, Julia Graham, Judith Ishibashi, Kristen Neville, Matt Olivier, Rebecca Preddie, Jessika Savage

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#### **Call to Order, Confirmation of Quorum**

Chair Liebl called the Board meeting to order at 9:33 am. A roll call confirmed a quorum was present.

#### **Public Comments**

Chair Liebl called for public comments. Both Jessika Savage and Gabriella Bertolino provided positive testimony in support of Judith Ishibashi's License Reinstatement and Citation for Unlicensed Practice going before the Board.

#### **Approval of Minutes**

Chair Liebl made the motion, seconded by Jocelyn Pereira to approve the minutes of the meeting of November 9, 2024. The motion passed.

#### **Appointment of Chair and Board Officers**

Chair Liebl stated that he has enjoyed his role of Interim Chair and nominated himself to continue as Board Chair. Philip Seitz seconded the motion to elect Christopher Liebl as Board Chair. The motion passed.

Philip Seitz made the motion, seconded by Chair Liebl to elect Philip Seitz as Vice Chair of the Board. The motion passed.

Jocelyn Pereira made the motion, seconded by Chair Liebl to elect Jocelyn Pereira as the Board Financial Reviewer. The motion passed.

Executive Director Hartley stated that the Authorized Signatories for Brokerage and Bank Accounts would include the Board Chair, Chris Liebl, and one Board Member. Chelsea Gonzalez made the motion to nominate herself as an authorized signer on Board bank accounts, seconded by Chair Liebl. The motion passed.

### **Citations for Unauthorized Practice; Administrative Fine pursuant to NRS 640A.230 2(c)**

#### **Judith Ishibashi, OT License No. 0001**

On February 3, 2025, Ms. Ishibashi was issued a Citation for Unlicensed Practice during the period of June 8, 2023 to February 3, 2025 and provided notice to appear before the Board for a determination of whether to assess an administrative fine for practicing without a valid license pursuant to NRS 640A.230 and NAC 640A.170. Ms. Ishibashi's complete license reinstatement application and explanation of unlicensed practice was received and her Occupational Therapy License, 0001 was reinstated as of February 3, 2025. Ms. Ishibashi explained the circumstances that led to the lapse in her license and stated that she only treated one patient during the time in which her license was expired. The Board recommended that Ms. Ishibashi address the unlicensed practice with her employer and/or insurance provider during the period of time her services were billed without an active license.

Vice Chair Seitz made the motion, seconded by Jocelyn Pereira, to issue Ms. Ishibashi a \$500.00 fine for unlicensed practice. The motion passed.

### **Consideration of Application for Reinstatement of License pursuant to NRS 640A.200;**

#### **Duchess Menchavez Noble, OT License No. 0796**

Director Hartley stated that Ms. Noble entered into a Consent Decree with the Board on May 29, 2021. Ms. Noble's license (0796) was then revoked on August 15, 2022 for not completing the terms of her probation and failure to submit 24 hours of continuing education. Ms. Noble was eligible for reinstatement of her license as of August 15, 2024 and is pending NBCOT reinstatement. Ms. Noble confirmed to Chair Liebl that everything has been submitted to NBCOT for reinstatement and that they are reviewing her continuing education content.

Vice Chair Seitz made the motion, seconded by Chair Liebl to approve the license reinstatement of Duchess Noble once her certification with NBCOT has been reinstated. The motion passed.

### **Disciplinary Matters – Recommendation for Dismissal, Complaint Case No. C25-01**

Director Hartley explained that C25-01 was an administrative complaint regarding alleged failure to submit continuing education requirements and failure to comply with notice of citation and administrative fine. The requirements have since been met and the case is presented for dismissal.

Vice Chair Seitz made the motion, seconded by Chair Liebl to dismiss Case C25-01. The motion passed.

### **Legislative Activities – Cartwright Nevada Government Affairs**

Lea Cartwright of Cartwright Nevada Government Affairs (formerly Belz & Case Government Affairs) provided a written Legislative Interim Report and an update on legislative activities and potential bills that may affect the occupational therapy profession and/or Board Administration. Most notably included SB78 which proposes Occupational Licensing Board Reform, and two proposed OT Licensure Compact Bills. Further discussions centered around Nevada Occupational Therapy Association Day and Board Member Tour at the Legislature on March 28, 2025.

Director Hartley stated that the Board is requested to formally approve delegation of authority to her to represent the Board for all legislative matters, submittal of fiscal notes, legislative presentations, and related matters.

Vice Chair Seitz made the motion, seconded by Jocelyn Pereira to delegate Heather Hartley authority to represent the Board on all Legislative activities. The motion passed.

### **Work Session regarding Reform of State Licensing Boards**

Executive Director Hartley explained that The State of Nevada Department of Business and Industry is proposing legislation to reform Nevada's Boards and Commissions. The proposed bill would reorganize independent state licensing boards. The original language proposed to merge the Board of Occupational Therapy with five (5) other Boards including the Physical Therapy Board, Athletic Trainers Board, Massage Therapy Board, Chiropractic Physicians' Board, and Oriental Medicine Board. The duties of those boards would be transferred to the Nevada Board of Healing and Rehabilitative Practice created by section 89 of the bill.

Further amendments to SB78 have since been suggested that would rename the combined board to the “Rehabilitative Practice and Therapy” Board with the following professions: Occupational Therapy (2), Athletic Trainers (2), Physical Therapists (2), Physical Therapy Assistants (1), Speech-Language Pathologist (1), Audiologist (1), and Hearing Aid Specialist (1). One member would be appointed who represents the general public. The Nevada Board of Rehabilitative Practice and Therapy would consist of a total of eleven members appointed by the Governor. The proposed amendments were provided to the Board in the Reforming Nevada's Boards and Commissions document along with SB78 and the Reorganization Summary.

The Work Session is intended to determine if the Board is in support of this Bill, in opposition or neutral. The Board discussed several factors including the new board composition, personnel, funding, and public protection. Based on the information provided and the fact that this is a Governor’s priority, Chair Liebl made the motion, seconded by Vice Chair Seitz to currently remain neutral on Senate Bill 78, reforming Nevada’s Boards and Commissions. The motion passed.

### **Executive Director’s Annual Performance Evaluation**

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. Chair Liebl stated that the last performance review for Heather Hartley, Executive Director was completed by the Board at the meeting of March 2, 2024 which was the six (6) month Performance Evaluation. The Board then approved regular employment status and increase in salary effective March 5, 2024 pursuant to the initial employment agreement. Effective July 1, 2024, the State’s salary ranges were adjusted by 11% due to cost of living approved by the 2023 Legislature. The Board salary ranges are based upon the State compensation schedules. Chair Liebl and Executive Director Hartley went over the evaluation criteria and summary of achievements. Chair Liebl and Jocelyn Pereira provided feedback. Board members were provided with a Performance Evaluation to complete prior to the meeting.

There was no further discussion.

### **Consideration of Employee Performance Bonuses**

Executive Director Hartley stated that pursuant to the Personnel Policies, the Board may award 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 that 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 5% performance bonus is recommended for Stacey Whittaker. The performance bonus for Executive Director Hartley would be determined by the Board, if warranted.

The Board discussed historical State Cost of Living Adjustments and what that will look like for FY26; reiterating that merit increases differ from cost-of-living adjustments.

Chair Liebl made the motion, seconded by Vice Chair Seitz, to approve a one-time 5% bonus for both Heather Hartley and Stacey Whittaker. The motion passed.

### **Executive Director’s Report**

Heather Hartley provided a report on Board Office Administrative Activities to include Licensure Statistics, FY25 Financial Statements, Board Member Appointments, Complaints Status, and Citations and Administrative Fines.

Vice Chair Seitz made the motion, seconded by Jocelyn Pereira to approve the FY25, 2<sup>nd</sup> Quarter ending December 31, 2024 Financial Statements. The motion passed.

### **Report from Deputy Attorney General**

Henna Rasul, Senior Deputy Attorney General had no report.

**Board Activities & Reports from Members**

Executive Director Hartley presented the 2025 meeting and activities schedule to include a Strategic Planning Session and Legislative Visit to Carson City, March 27-29. Heather will work with Board Members to determine their availability for the June and August Board Meetings. There were no further comments.

**Public Comment**

Chair Liebl opened the floor for public comments. Judith Ishibashi expressed her appreciation and admiration of the Board and their current operations. Kristen Neville, AOTA encouraged attendance at their upcoming Aspire Conference in April 2025 to include a Compact Session. Matt Olivier, NOTA thanked the Board and Lea Cartwright for their work on SB78 and is excited to see everyone on Hill Day at the Nevada Legislature in March. There were no further comments.

**Adjournment** – Chair Liebl adjourned the meeting at 11:27 am