

**STATE OF NEVADA COMMITTEE ON DOMESTIC VIOLENCE  
(BATTERER’S TREATMENT CERTIFICATION COMMITTEE)**

**MINUTES**

*Thursday, May 26, 2011, at 10:00 a.m.*

Via Video Conference:  
Office of the Attorney General  
Grant Sawyer Building  
555 E. Washington Avenue, Room 4500  
Las Vegas, Nevada  
and  
Office of the Attorney General  
100 North Carson Street  
Mock Courtroom  
Carson City, Nevada

**Please Note:** The Batterers Treatment Committee may address agenda items out of sequence to accommodate persons appearing before the Committee or to aid the efficiency or effectiveness of the meeting. The Committee may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030).

***Asterisks ( \* ) denote items on which Committee may take action.  
Action by the Committee on an item may be to approve,  
deny, amend, or table.***

**1. Call to order, roll call of members, and establishment of quorum.**

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General’s Office</u>
Tim Hamilton	Cheryl Hunt	Henna Rasul, DAG
Carol Ferranti		Jennifer Kandt, Admin. Coord.
Sue Meuschke		Kareen Prentice, Ombudsman
Lt. Robert Lundquist	<u>Public</u>	Catherine Cortez Masto, AG
Traci Dory	Ann Pongracz	
Robert Auer	Judge Melissa Saragosa	
Meri Shadley	Dr. Michael Freda	
Judge Bunch	Craig Merrill	
	Frank Karr	
	Dennis Fitzpatrick	
	Penny Jackson	
	Frankie Holtz-Davis	
	Ron Lawrence	

**2. \*Review, amend, and approve minutes of meetings.**

a) February 15, 2011 Meeting

Motion: Traci moved to approve. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried.

**3. Updates by Domestic Violence Ombudsman Kareen Prentice.**

a) Budget

Kareen presented the expenditures and authority remaining.

b) Court Assessments

Kareen said that she appreciated the efforts of Judge Saragosa to improve the Court assessment collections. She also stated that she would work with Jennifer and John McCormick to try to improve collections methods.

c) Match

Kareen requested that all members complete the match forms included in their packets.

**4. \*Discussion, recommendation, and possible action regarding determining indigency and ability to pay for batterer's treatment services in accordance with NAC 228.106. This item will include comments from Judge Melissa Saragosa regarding general issues the domestic violence court encounters surrounding payment for services.**

Jennifer stated that this item was on the agenda as a result of various discussions surrounding these issues. She said that payment for services and indigency is the reason most judges call the Committee. She also stated that Judge Saragosa contacted her and stated that she would be willing to come to a meeting to address the Committee with some issues.

Judge Saragosa stated that there were several issues her court was seeing regarding payment and indigency. She stated that agencies do not seem to have a consistent approach to indigency and that there is no standard sliding fee scale. She stated that agencies are required to accept at least 5% of their clients as indigent, but for the purposes of the court, approximately 85% of the clients are considered indigent.

She stated that she does not feel that agencies are doing an adequate or consistent job of evaluating the need for a sliding fee scale up front. She stated that some agencies allow defendants to attend the entire program without paying fees, and without a plan for how those fees will get paid, which results in the case being left open. She said other agencies require \$150 fee upfront to get the evaluation done, and the agency will not allow them to start classes without the fee. She said that her court had worked hard to schedule appointments right from the courtroom, so that defendants knew exactly when and where they should show up. Judge Saragosa stated that defendants will be most successful if there is a plan and they know what to expect up front, but there are so many variations. She stated that she thought it was not in the best interest of the client to be delayed treatment, and hoped that the Committee could work toward addressing that issue.

Judge Saragosa said that she is also having issues with agencies accepting hearing impaired clients because of the extremely high costs associated with hiring the interpreters.

Jennifer stated that she had been contacted by an agency and an attorney regarding this issue. She said that she informed the agency that they were required to accept the client and that it was their responsibility to pay for the interpreters, and that they would be in violation of the Americans with Disabilities Act if they didn't.

Judge Saragosa stated that agencies are turning away the hearing impaired clients because they do not want to pay for the interpreter services.

Judge Bunch suggested that the Committee send out a notification regarding the federal law, and then the Committee could take action against any agency that denies treatment to these clients.

Penny Jackson stated that she runs a very small agency that makes very little money from batterers treatment due to the fact that they don't pay very much and that she has to hire two people to run the groups. She said that there would be no way that they would be able to pay for interpreters and asked if there were any funds that could assist programs with paying for these services.

Judge Saragosa stated that she was not aware of any assistance funds that would help a for profit business. She also said that non-profit organizations had different requirements on hiring interpreters.

There was further discussion on the possibility of allowing exceptions for hearing impaired in terms of doing longer sessions every other week, or having several agencies contribute to the costs for the interpreters.

Judge Saragosa also stated that there seems to be confusion on whether an agency can charge for no-shows. She said that some agencies do not terminate on the fourth absence and they allow the clients to continue to rack up fees for no-shows. Additionally, she stated that there seems to be inconsistencies and misunderstandings about whether clients need to start the program over if they are referred back to the court. Judge Saragosa said she did not feel that the administrative code required the defendant to start over, and stated that she felt that was a judicial determination.

Dr. Freda commented that his agency requires indigent clients to complete 5 job applications per week in order to maintain the indigent fee schedule. He said it is very difficult when clients come to group with their cell phones, cigarettes, and Big Gulps then claim they have no money to pay for the session. He said that they need to pay something as part of the accountability. He also said it is frustrating when the courts complete somebody when they haven't paid their fees. Dr. Freda also stated that their agency no longer charges for no-shows as the fees just rack up. He said that in regards to starting the program over, you could have a client who takes 2 to 3 years to finish the program because they are not putting into practice things they

need to be learning and doing. He discussed successful completion, and stated that successful completion involves much more than just attending the classes, so he varies his recommendations on starting clients over, based on a variety of circumstances. He also said that his agency also dealt with the hearing impaired issue six years ago and it would have cost his agency \$260 per session for the interpreters.

Craig Merrill stated that he does not turn any clients away due to indigency. He also said most of clients state that they are out of work, but it is very difficult for an agency to document their financial situation.

Sue stated that she did not feel that these issues would be confined to batterers treatment, and that research could be done with the drug and alcohol counseling and how they deal with these issues. She also said that research could be done with other states to see if any innovative approaches have been successful. Sue said that there are many competing interests involved in this process.

Dennis Fitzpatrick said that the Committee should look at California, which does not mandate that programs accept indigent clients. He also stated that Arizona has state funded programs. Dennis suggested that the Committee sponsor one agency where hearing impaired clients are accepted with one teacher and have the class done with Powerpoint.

Judge Saragosa stated that she has 4 or 5 hearing impaired clients, and had conversations with an agency about having all the clients in one class at one agency, but there seemed to be issues with getting everyone together at the same time. She also stated that she wanted the Committee to be clear that she was not suggesting that she felt that any client should be able to complete the program for free, but was suggesting guidelines for sliding fee scales. Judge Saragosa stated that she almost never closes a case before payment has been made to the agency. She said that agencies could request a Civil Request of Judgement for non-payment of fees.

Sue asked if there were any possibilities of meeting with the judiciary as a whole to discuss the issues surrounding payment and non-payment, and there was discussion that would need to go through the Administrative Office of the Courts. Judge Bunch commented that there was currently not an education coordinator which would make things more difficult.

Bob stated that he felt some of these issues may go beyond the scope of the Committee as these issues are not related to the qualifications and competency of the providers, but is an operational issue that would be intervening in how a service provider charges fees.

Penny Jackson requested clarity on absences and whether they were required to refer back to the courts to start the program over.

Jennifer stated that the NAC outlines the maximum number of allowable absences and requires agencies to refer the offender back to the court after exceeding the allowed absences, but it is up to the judge on whether the individual will need to start over or be allowed to count the number of completed classes and continue treatment.

**5. \*Discussion, recommendation, and action regarding request from Dennis Fitzpatrick to combine Domestic Violence and Chemical Dependency Classes for the first 13 sessions.**

Dennis Fitzpatrick stated that the Department of Justice reports that 61% of domestic violence offenders also have a substance abuse problem. He stated that domestic violence offenders are very difficult to treat when they are currently abusing drugs or alcohol. Dennis said that domestic violence providers are not trained to assess alcoholism or drug addiction. Lastly, he stated that in most cases, clients cannot afford to pay for both classes. He said that he felt it would be beneficial to allow the classes to be combined for the first 13 sessions. Dennis stated that he felt that both providers should be approved domestic violence providers, and that one of the domestic violence providers would be required to be a Licensed Alcohol and Drug Counselor, and that this arrangement would require coordination with the Board of Examiners for Alcohol, Drug, and Gambling Counselors.

Ron Lawrence stated that he is a substance abuse provider, and felt that it would be beneficial for the systems to come together.

**6. Comments and concerns from Ron Lawrence regarding the Committee on Domestic Violence regulations.**

Ron Lawrence stated that he is the Executive Director for a substance abuse agency, and is also on the Governor's Board for Co-Occurring Disorders. He said that his agency previously had a certified domestic violence program which was losing money. He said that there is a problem with mentally ill clients in the criminal justice system, and mental health issues need to be addressed. Ron also indicated that his agency runs an excellent anger management program, but felt that at least 50% of those clients could actually benefit from a domestic violence program. He said that his agency wants to have a batterers treatment program, but it is too cost prohibitive with the training requirements. He suggested having levels of training, and said that California has less stringent training requirements in terms of only requiring 40 training hours.

Sue questioned why a domestic violence program was cost prohibitive to run, but not a substance abuse program.

Ron stated that grant funding was very restrictive for agencies in terms of not being allowed to use any grant funds for batterers treatment. He said that their agency accepts fees from substance abuse clients, but that they also get a significant amount of federal grant money. He said that there is never enough money to pay for two facilitators and a supervisor.

Meri stated that she felt that all substance abuse counselors should be trained in domestic violence and questioned what it was that Ron was requesting from the Committee.

Ron said that he would like the Committee to consider dropping the 60 hour training requirement down to 40 as he did not think that people who were already in the treatment field needed to sit through hours and hours of observation, and that they needed to be taught domestic violence models and theories instead.

Tim stated that he felt that the code was intended to bring a therapist to a minimum level of understanding of domestic violence, and he did not feel that it should be reduced, but instead thought it could be increased.

Dr. Freda said that the 60 hours of group observation could be reduced for an experienced therapist, but that the 60 hours of formal training in domestic violence was at a minimum. He suggested that the Committee consider an intern program for individuals looking to be trained as providers.

Tim stated that the Committee could continue these discussions further at future meetings.

**7. \*Discussion, recommendation, and action regarding the following requests for domestic violence continuing education credits and/or formal training:**

a) Application for 2 training credits - **APPEAL**

Michael Freda

“Addictions and Domestic Violence”

October 16, 2010 Reno, NV

(Denied November 2010; Continued February 2011; Reviewed by Sue Meuschke)

Sue stated that she reviewed additional documentation submitted by Dr. Freda, and would recommend approval of 1.75 credits.

Motion: Lt. Lundquist recommended approval of 1.75 credits. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried.

b) Application for 16 training credits

Walt Dimitroff

“Working with the Unmotivated Group Client: Enhancing Alliance, Cohesion, and Change”

March 18 & 19, 2011 Reno, NV

(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 16 credits.

Motion: Bob moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried.

- c) Application for 15 training credits  
Dennis Fitzpatrick  
“Criteria for Selecting Videos for the DV and CD Class: Examination of 54  
Appropriate Videos and How to Answer Popular Culture Memes”  
February 10 & 13, 2012 Las Vegas, NV  
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 15 credits.

Motion: Bob moved to approve. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried.

- d) Application for 5.5 training credits  
NNADV – Judy Henderson  
“Collaborating for Safety: Coordinating the Military & Civilian Response to  
Intimate Partner Violence”  
March 31, 2010 Fallon, NV  
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 5.5 credits.

Motion: Traci moved to approve. 2<sup>nd</sup>: Bob

Vote: All in favor. Motion carried. Sue abstained.

- e) Application for 6.5 training credits  
Dennis Henson  
“Emotional Manipulation”  
May 13, 2011 Las Vegas, NV  
(Reviewed by Meri Shadley)

Meri recommended approval of 6 credits.

Motion: Sue moved to approve for 6 credits. 2<sup>nd</sup>: Judge Bunch

Vote: All in favor. Motion carried.

#### **8. \*Discussion, recommendation, and action regarding requests for new providers and supervisors:**

- a) Frankie Holtz-Davis, Supervisor  
Counseling Services Plus, Inc.  
Las Vegas, NV  
(Reviewed by Tim Hamilton)

Tim stated that Ms. Holtz-Davis had completed additional training, and now met the requirements to supervise a batterers treatment program. He recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) Leah Boe, Supervisor  
Great Basin Counseling  
Reno, NV  
(Reviewed by Tim Hamilton)

Tim stated that Ms. Boe had completed the waiver of licensure interview which was recommended for approval and that she met the qualifications to supervise a batterers treatment program. He recommended approval.

Motion: Traci moved to approve. 2<sup>nd</sup>: Sue

Vote: All in favor. Motion carried. Judge Bunch abstained.

- c) David Dummar, Supervisor  
American Comprehensive Counseling Services  
Carson City, NV  
(Reviewed by Carol Ferranti)

Carol stated that Mr. Dummar had previously supervised a program, and that he appeared to meet all of the qualifications.

Motion: Sue moved to approve. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried. Judge Bunch abstained.

- d) Michael Caughlan, Supervisor  
American Comprehensive Counseling Services  
Reno, NV  
(Reviewed by Cheryl Hunt)

Jennifer stated that Cheryl provided a recommendation which stated that she did not see where Mr. Caughlan had two years supervisory experience in domestic violence. She recommended that the item be continued pending additional documentation of the supervisory experience.

Motion: Sue moved to continue. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried. Judge Bunch abstained.

- e) Rodney Smith, Provider  
American Comprehensive Counseling Services  
Reno, NV  
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Bob moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried. Judge Bunch abstained.

- f) Bridgette Deboar, Provider  
American Comprehensive Counseling Services  
Reno, NV  
(Reviewed by Lt. Lundquist)

Lt. Lundquist recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried. Judge Bunch abstained.

- g) Allison Hilborn, Provider  
American Comprehensive Counseling Services  
Reno, NV  
(Reviewed by Lt. Lundquist)

Lt. Lundquist recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.



- h) William Gallego, Provider  
ABC Therapy  
Henderson, NV  
(Reviewed by Bob Auer)

Bob recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried. Judge Bunch abstained.

- i) Martha Reyes, Provider  
SAFE House, Inc.  
Henderson, NV  
(Reviewed by Carol Ferranti)

Carol asked whether observation hours from 2009 would qualify, or if there were any time restrictions for the observation hours.

Jennifer stated that the observation hours did not have any timeline requirements.

Carol recommended approval.

Motion: Bob moved to approve. 2<sup>nd</sup>: Sue

Vote: All in favor. Motion carried. Judge Bunch abstained.

**9. \*Discussion, recommendation, and action regarding the application for certification renewal from the following agencies:**

- a) New Beginnings Counseling Center  
Las Vegas, NV  
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) Healing Our Future  
Las Vegas, NV  
(Reviewed by Cheryl Hunt)

Jennifer stated that Cheryl recommended approval.

Motion: Traci moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.

- c) LRS Systems  
Las Vegas, NV  
(Reviewed by Sue Meuschke)

Sue recommended approval.

Motion: Lt. Lundquist moved to approve. 2<sup>nd</sup>: Traci

Vote: All in favor. Motion carried. Judge Bunch abstained.

- d) SAFE House  
Henderson, NV  
(Reviewed by Carol Ferranti)

Carol stated that the agency was short on the continuing education hours. She recommended that the item be continued pending receipt of proof of additional continuing education hours.

Motion: Sue moved to approve pending receipt of additional hours within six months.  
2<sup>nd</sup>: Bob

Vote: All in favor. Motion carried. Judge Bunch abstained.

- e) Sierra Counseling Center  
Sparks, NV  
(Reviewed by Lt. Lundquist)

Lt. Lundquist recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.

- f) Nevada Court Counseling  
Sparks, NV  
(Reviewed by Tim Hamilton)

Tim stated that the supervisor was short on continuing education credits. He recommended that the item be continued pending receipt of proof of additional continuing education hours.

Motion: Sue moved to continue. 2<sup>nd</sup>: Meri

Vote: All in favor. Motion carried. Judge Bunch abstained.

- g) Counseling Services Plus  
Las Vegas, NV  
(Reviewed by Bob Auer)

Bob asked Jennifer whether the site review report had been received by Dr. Hughes, and asked whether it was favorable.

Jennifer stated that she had received the report very recently, but did not recall what their violations were. She said that the report would be sent to the agency with a request for a corrective action plan within 45 days. She said the corrective action plan would then be on the August agenda.

Bob recommended approval of the renewal application pending a successful site review report.

Lt. Lundquist suggested that the Committee continue the item just in case there were any issues with the inspection.

There was further discussion that it might be beneficial to wait for the results of the site review inspection and response to that inspection.

Bob stated that his recommendation remained unchanged.

Motion: Sue moved to continue pending response to the results of the site review. 2<sup>nd</sup>: Traci

Vote: Tim, Meri, Sue, Traci, Carol, Lt. Lundquist in favor. Bob opposed. Judge Bunch abstained. Motion carried.

- h) Las Vegas Municipal Court  
Alternative Sentencing  
Las Vegas, NV  
(Reviewed by Bob Auer)

Bob recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.

**10.\*Discussion, recommendation, and action regarding request for additional program location for the following agencies:**

- a) Healing Our Future  
1500 E Sahara Ave  
Las Vegas, NV 89104  
(Reviewed by Cheryl Hunt)

Jennifer stated that Cheryl recommended approval.

Motion: Traci moved to approve. 2<sup>nd</sup>: Sue

Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) New Beginnings Counseling Centers  
3376 S Eastern, Suite 148  
Las Vegas, NV 89169  
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Lt. Lundquist

Vote: All in favor. Motion carried. Judge Bunch abstained.

**11.\*Discussion, recommendation, and action regarding the following request for certification of program located in another state:**

- a) Life Stone  
7300 South 300 West, Suite 101  
Midvale, UT 84047  
(Reviewed by Meri Shadley)

Meri recommended approval.

Motion: Sue moved to approve. 2<sup>nd</sup>: Carol

Vote: All in favor. Motion carried. Judge Bunch abstained.

**12. Update from the Training Subcommittee.**

Sue stated that the Training Subcommittee is continuing to look at distance learning providers, and also developing a list of training topics for consideration.

### **13. Update from the Forms Subcommittee.**

Sue said that the Forms Subcommittee is attempting to streamline and improve the forms used by the Committee, and was nearly finished with the revisions to the renewal application.

### **14. Update from the Rural Issues Subcommittee.**

Jennifer stated that the subcommittee had requested some information from John McCormick regarding domestic violence charges, and were inviting him back to discuss and clarify the information. Jennifer stated that she had also been asked to provide a report on some discussions she had with LRS regarding the possibility of offering treatment in Pahrump. She also said that she had received a call from the judge in Pioche who stated that he had a large number of outstanding cases because there were no treatment services in the rural areas, and he asked what could be done. Jennifer said that she then contacted Tim about the possibility of the providers in Mesquite traveling to Pioche, but that she had not heard further on whether that could work.

Tim said that the providers had agreed to offer the services, but that he was waiting for management to decide on payment for those services. He also said that he was going to be contacting the judge to discuss the issue further.

Judge Bunch said that there are two judges in Ely, one in Caliente and one in Alamo that could potentially send to the same providers. He said Tonopah was probably too far to add to the group.

### **15. Discussion regarding future agenda items.**

There was discussion and general consensus that the Committee discuss a standardized sliding fee scale, the hearing impaired issue, and the substance abuse issue.

Sue requested that someone from the ADA be available to answer questions regarding ADA and reasonable accommodations.

### **16. Discussion regarding future meeting dates currently set for:**

August 23, 2011, 10:00 a.m.

November 15, 2011, 10:00 a.m.

Judge bunch said Mondays, Tuesdays, and Wednesdays are very bad for him. Meetings were rescheduled for August 25<sup>th</sup>, and November 10<sup>th</sup>.

### **17. Public Comment.**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020). Public Comment will be limited to 3 minutes per person.

Craig Merrill stated that he offered services to Nevada Urban Indians, but said that they often do not have 3 clients so he has had to cancel classes and asked if there was a waiver process.

Jennifer stated that there was an exception, and that it was at the discretion of the chair. She requested that Craig call her to discuss the recommended course of action.

Dr. Freda stated that he would have a problem with combining substance abuse and domestic violence classes because the methods of treatment are so different. Dr. Freda said that domestic violence treatment providers are required to do a substance abuse evaluation on offenders and refer to substance abuse counseling if needed.

Dennis Fitzpatrick said that one of the problems with the domestic violence providers doing a substance abuse evaluation is that they are not qualified to do them as they are not Licensed Alcohol and Drug Counselors, which is one of the reasons for the proposal. Additionally, he hoped the Committee would look at other states in terms of dealing with indigency and payment for services.

## **18. Adjournment**