

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

MINUTES

Thursday, February 16, 2012, at 10:00a.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 Committee on Domestic Violence may 1) address agenda items out of sequence to accommodate persons appearing before the Committee or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; and 3) pull or remove items from the agenda at any time. 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)*

Public comment is welcomed by the Committee, but at the discretion of the chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions 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.

**Asterisks (*) denote items on which the 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, establish quorum.

Members Present

Tim Hamilton
Lt. Robert Lundquist
Sue Meuschke

Members Absent

Cheryl Hunt
Robert Auer

Attorney General's Office

Henna Rasul, Senior DAG
Jennifer Kandt, Admin. Coord.
Kareen Prentice, Ombudsman

Members Present

Traci Dory
Carol Ferranti
Judge Bunch
Meri Shadley

Public

Craig Merrill

2. 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)

3. *Discussion, recommendation, and possible action regarding review and approval of minutes of the following meeting:

a) November 10, 2011

Motion: Traci moved to approve. 2nd: Judge Bunch

Vote: All in favor. Motion carried.

4. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Kareen presented expenditures for the previous quarter.

b) Court Assessments

Kareen stated that at the Limited Jurisdiction Judges Conference, there was discussion concerning the court assessments and that it appeared that there was interest with judges and the courts to try to figure out problems with assessment collection.

c) Match

Kareen reminded members to fill out their match forms.

5. *Discussion, recommendation, and possible action regarding standardized definition of indigent for the purposes of NAC 228 (Updates from Henna).

Henna stated that she had reviewed laws in several other states and said it appeared that the determination of indigent was left to programs. She stated that one state did have judges making determinations at the time of sentencing.

Judge Bunch stated that judges are determining whether someone is indigent for the purposes of a public defender and are using standards required by the Supreme Court. He said that since treatment programs are typically six months to one year in length, he did not think judges should be making determinations for payment of programs because income status could change many times throughout the program, and the court would become overwhelmed with reassessing offender financial situations.

Sue stated that it was her understanding that currently the courts have issues with having large numbers of indigent clients needing services, and treatment providers not having enough openings for indigent clients. Additionally, Sue stated that treatment providers have requested that the Committee clarify the term indigent.

Tim stated that there was also the issue of only being required to have a certain percentage of indigent clients and every program is determining whether someone is

indigent differently. There was also discussion that the regulations state that programs are not allowed to turn away clients based on inability to pay.

Judge Bunch stated that if this board is unable to define indigent as requested, they will need to notify those parties that the board was unable to define the term.

Sue asked about incorporating 439B into the regulations for the Committee, and Henna stated that she would be reluctant to do that as it is not within the practice act of the Committee.

Henna suggested contacting other licensing boards in other states to determine if they have dealt with similar issues and see how they have addressed it.

Jennifer stated that she would contact other state licensing bodies close to Nevada to see how they are addressing the issue.

Henna stated that she would also do a Westlaw search to see if there was any relevant case law.

There was further discussion that all agencies have a sliding fee scale, but agencies may not have a definition of indigent, and it may not be clear whether indigent means that the offender pays a reduced fee, or that they pay no fees.

Lt. Lundquist stated that the Committee is holding programs accountable for having at least 5% of their clients that are indigent, but not having a definition of indigent. He stated that it not clear whether that means that they make no money, or are at a certain level of poverty.

Carol asked the treatment providers present at the meeting how they were currently making determinations with sliding fee scales.

Craig Merrill stated that at least 50% of his clients were receiving treatment at a reduced rate, and with having to pay two therapists it was difficult. He said they look at everyone on a case by case basis and they look at their income and budgets, but it is hard to even get documentation.

Tim stated that the Executive Director for Safe Nest created the sliding fee scale for Safe Nest based on industry standards.

6. *Discussion, recommendation, and possible action regarding changes to Committee forms.

Jennifer stated that the Forms Subcommittee was unable to meet, and a recommendation had been made to bring these form changes to the full Committee.

Sue stated that the overall goal of the Forms Subcommittee was to streamline the process, and make sure all needed information was obtained.

Motion: Judge Bunch moved to approve forms. 2nd: Sue

Vote: All in favor. Motion carried.

7. *Discussion, recommendation, and possible action regarding requirements for out of state program compliance as detailed in NAC 228.104.

Jennifer stated that this item was on the agenda again, as part of the information given at the last meeting was incorrect. She said that she had previously stated that this regulation dealt with offenders from out of state receiving treatment out of state, but that the regulation had actually been amended in 2008 to comply with NRS. She also stated that Lt. Lundquist had originally brought this issue up because he was concerned about the Committee allowing programs in other states to not meet our state's requirements, while we have lack of treatment providers in rural areas who may benefit from different requirements.

Lt. Lundquist said this requires programs in our state to meet requirements that out of state programs don't need to meet. He said that based on NRS, he doesn't see anything that can be done.

8. *Discussion, recommendation, and possible action regarding possible ideas for increasing treatment in the rural areas. This item will include updates from the Limited Jurisdiction Judges Conference.

Jennifer stated that the Rural Issues Subcommittee had requested that a list of all of the suggestions for increasing treatment in the rural areas be drafted and presented to the full Committee for ideas and suggestions.

Kareen requested that the suggestion to not require batterers' treatment in rural Nevada, but to require a mental health evaluation, be removed from the list.

Motion: Judge Bunch moved to remove from the list, the suggestion to not require batterers' treatment in rural Nevada, but to require a mental health evaluation. 2nd: Traci

Vote: All in favor. Motion carried.

Jude Bunch stated that he would like to talk to other rural judges about the list to get their thoughts, so he requested that more time be allowed to review the list.

Jennifer stated that part of this agenda item was to include an update on the Limited Jurisdiction Judges Conference presentation aimed at addressing the concerns judges have related to lack of treatment in the rural areas. Jennifer said that she presented with Kareen and Tim, and that the judges are very concerned with that issue, but that they seem to have concerns on a whole lot of other issues related to domestic violence cases in general.

Judge Bunch stated that based on some comments made at the conference, there is some confusion that exists around certain areas. He also said that in his jurisdiction, offenders have to drive over a hundred miles round trip, and there are very limited class times, and that groups are canceled when the providers are on vacation, during holidays, etc., and combining that with the work schedules of the offenders, it can take a

very long time for them to complete the counseling. He said that as long as offenders are making progress, he tends to give them extensions, and if not, he sends them to jail.

Sue said there appears to be several issues that contribute to the lack of treatment in rural areas. She said the first issue is that the small population does not support having multiple group times, or even having a program at all. She said the second issue is that qualified individuals in those rural areas may seek employment in the mining industry or other fields that may pay more than social services. Sue also commented that in looking at similarities and differences between the problems substance abuse treatment providers encounter in rural areas, the main difference is that there is a significant amount of federal dollars going into substance abuse treatment and not into batterers treatment.

Kareen commented that some of the judges were looking at possible changes to legislation and wanted to set up a working group that included judges, victim advocates, and a representative from the Attorney General's Office.

Judge Bunch commented that he thought the judges were looking at clarifying the "relationship" language, and that they would like to have more discretion.

Jennifer stated that she would forward a digital copy of the spreadsheet to all Committee members for them to fill in the pro/cons section and return. She stated that she would then compile them into one document.

*Motion: Traci moved to continue the item until the next meeting. 2nd: Meri
Vote: All in favor. Motion carried.*

9. *Discussion, recommendation, and possible action regarding supervisory experience detailed in NAC 228.110 1(c).

Jennifer said that the Committee requested that the Training Subcommittee look at this language as the current language required someone have two years supervisory experience and there was no way to get the experience if you are not approved as a supervisor.

There was discussion on requiring a supervision training, and the training needing to be approved by the Committee. Meri commented that there seemed to be quite a bit of supervision training available, and that some of it was very good in terms of getting people thinking about what it means to be supervise people.

There was further discussion on the number of hours that should be required and general consensus that 12 live hours of initial supervision training be required. There was discussion that additional CEU's could be required, but could be done on-line. Jennifer stated that all of these changes will have to go through the regulatory process.

*Motion: Meri moved to refer this item back to the Training Subcommittee for further revision. 2nd: Judge Bunch
Vote: All in favor. Motion carried.*

10. *Discussion, recommendation, and possible action regarding preferred topics for formal training.

Jennifer stated that the Training Subcommittee created a draft list of preferred topics for formal training which the subcommittee would like feedback on.

Sue stated that this list was a suggestion to further define the 60 hours of formal training currently required. Sue explained that the regulations currently required 30 hours pertaining to victim services and 30 hours pertaining to perpetrator services, and that these suggestions for preferred topics would ensure that providers have more specific training.

There was further discussion that these changes would require changes to the regulations, and that current providers would be “grandfathered” in. There was additional discussion that these topic areas have been covered in various trainings throughout the state and will be obtainable.

Motion: Judge Bunch moved that language be drafted to incorporate these changes into regulation. 2nd: Traci

Vote: All in favor. Motion carried.

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

a. Application for 6 training credits

Robert Del Baccio

“Domestic Violence 101: An Introduction to Domestic Violence Issues in Child Welfare”

August 1, 2011 Las Vegas, NV

(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 3 victim and 3 perpetrator hours.

Motion: Lt. Lundquist moved to approve. 2nd: Carol

Vote: All in favor. Motion carried.

b. Application for 6 training credits

Robert Del Baccio

“Domestic Violence 201: Interviewing Techniques and Strategies”

August 15, 2011 Las Vegas, NV

(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 6 perpetrator hours.

Motion: Traci moved to approve. 2nd: Sue

Vote: All in favor. Motion carried.

c. Application for 7 training credits

Robert Del Baccio

“The Abused Woman”

Distance Media

(Reviewed by Tim Hamilton)

Tim recommended approval.

*Motion: Judge Bunch moved to approve. 2nd: Sue
Vote: All in favor. Motion carried.*

- d. Application for 15 training credits
Ali Jamshidi
“Infections of Leisure: Fourth Edition” -Home Study Course
(Reviewed by Lt. Lundquist)*

Lt. Lundquist stated that very little documentation was included, but that based on what was submitted, it appeared that the course was not specific to domestic violence. He recommended denial.

*Motion: Sue moved to deny. 2nd: Meri
Vote: All in favor. Motion carried.*

- e. Application for 12 training credits
Las Vegas Municipal Court
“Gender Matters: Creating Services for Women in the Criminal Justice System” March 7-8, 2012 Las Vegas, NV
(Reviewed by Sue Meuschke)*

*Sue recommended approval of 6 victim and 6 perpetrator credits.
Motion: Judge Bunch moved to approve. 2nd: Traci
Vote: All in favor. Motion carried.*

- f. Application for 21 training credits
National Institute of Crime Prevention
“Advanced Domestic and Sexual Violence”
November 29-December 2, 2012 Las Vegas, NV
(Reviewed by Carol Ferranti)*

*Carol recommended approval of 15 victim and 6 perpetrator hours
Motion: Judge Bunch moved to approve. 2nd: Lt. Lundquist
Vote: All in favor. Motion carried.*

- g. Application for 10 training credits
Mary Anne Miller
“Restoring Lives: A Community United Against Domestic Violence and Sexual Assault”
September 27-28, 2011 Pocatello, ID
(Reviewed by Meri Shadley)*

Meri stated that there were 12 eligible hours, and recommended approval of 7 victim and 5 perpetrator hours.

*Motion: Judge Bunch moved to approve. 2nd: Sue
Vote: All in favor. Motion carried.*

- h. Application for 1.75 training credits
Office of the Attorney General
“VINE Awareness Trainings”
Various dates in 2012; Various locations throughout Nevada
(Reviewed by Meri Shadley)*

Meri recommended approval of 1.75 victim hours.

Motion: Judge Bunch moved to approve. 2nd: Lt. Lundquist
Vote: All in favor. Motion carried.

12. *Discussion, recommendation, and possible action regarding request for Waiver of Licensure:

- a) *Amy Martin*
Cornerstone Counseling Center
(Recommendation from Waiver of Licensure Subcommittee)

Sue stated that the Waiver of Licensure Subcommittee recommended that the Waiver of Licensure be approved.

Motion: Judge Bunch moved to approve. 2nd: Meri
Vote: All in favor. Motion carried.

13. *Discussion, recommendation, and possible action regarding requests for new providers and supervisors:

- a) *Amy Martin, Supervisor*
Cornerstone Counseling Center
Las Vegas, NV
(Reviewed by Traci Dory)

Traci stated that the Waiver of Licensure had been approved, but that there was not adequate documentation on the observation hours. She recommended approval contingent upon documentation of the observation hours.

Motion: Sue moved to approve. 2nd: Meri
Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) *Bryan Link, Provider*
New Beginnings Counseling Center
Las Vegas, NV
(Reviewed by Meri Shadley)

Meri recommended approval.

Motion: Sue moved to approve. 2nd: Traci
Vote: All in favor. Motion carried. Judge Bunch abstained.

14. *Discussion, recommendation, and possible action regarding the site reviews and resulting corrective action plans from the following agencies:

- a) *ACCS*
Sparks, NV
(Reviewed by Bob Auer)

Jennifer stated that Bob submitted a recommendation of approval.

Motion: Sue moved to approve. 2nd: Meri
Vote: All in favor. Motion carried. Judge Bunch abstained.

- b) *Sierra Counseling Center*
Sparks, NV
(Reviewed by Cheryl Hunt)

Jennifer stated that Cheryl submitted a recommendation of approval.

Motion: Sue moved to approve. 2nd: Meri

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

- c) *Great Basin Counseling
Reno, NV
(Reviewed by Tim Hamilton)*

Tim recommended approval.

Motion: Sue moved to approve. 2nd: Meri

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

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

- a) *Safe Nest
Las Vegas, NV
(Reviewed by Bob Auer)*

Jennifer stated that Bob submitted a recommendation of approval.

Motion: Sue moved to approve. 2nd: Meri

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

- b) *Options
Las Vegas, NV
(Continued from November Meeting; Reviewed by Cheryl Hunt)*

Jennifer stated that Cheryl submitted a recommendation of approval.

Motion: Sue moved to approve. 2nd: Meri

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

16. *Discussion, recommendation, and possible action regarding request for initial certification from the following agencies:

- a) *Cornerstone Counseling Center
Las Vegas, NV
(Reviewed by Traci Dory)*

Traci stated that the supervisor for the agency is listed as Amy Martin, so she recommended approval contingent upon submission of the required observation hours required in item 13a.

Motion: Sue moved to approve.

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

17. *Discussion, recommendation, and possible action regarding the following request for additional program location for the following agency:

- a) *Ready for Change
9550 S. Eastern Ave.
Henderson, NV
(Reviewed by Lt. Lundquist)*

Lt. Lundquist stated that the agency had submitted everything that was required. There was discussion that the supervision of the program in Pahrump was currently done via webcam, and that this additional location, which is in an urban area, will also be done via webcam.

Henna stated that there was nothing in the regulations that would prohibit supervision to this agency via webcam.

Jennifer stated that no other agency in an urban area had ever requested supervision be done via webcam.

Lt. Lundquist stated that he recommended approval.

Motion: Sue moved to approve. 2nd: Carol

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

Lt. Lundquist recommended that supervision via webcam be addressed within the regulations to clarify.

18. Update from the Training Subcommittee.

Topics pertaining to the Training Subcommittee were discussed during previous agenda items and no further updates were given under this item.

19. Update from the Forms Subcommittee.

Topics pertaining to the Forms Subcommittee were discussed during previous agenda items and no further updates were given under this item.

20. Update from the Rural Issues Subcommittee.

Topics pertaining to the Rural Issues Subcommittee were discussed during previous agenda items and no further updates were given under this item.

21. Discussion regarding future agenda items.

There was general consensus that annual election of chair, discussion of webcam/supervision, and the Indigent issue be reviewed at the next meeting.

22. Discussion regarding future meeting dates.

The May 17th meeting was rescheduled to May 31st, and it was suggested that members meet in person in Reno. Meri Shadley offered a conference room at the University.

Other meeting dates were kept at:

August 23, 2012

November 8, 2012

23. 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)*

24. *Adjournment (for possible action)

Motion: Sue moved to adjourn. 2nd: Traci

Vote: All in favor. Motion carried.