

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

MINUTES

Thursday, May 31, 2012, at 10:00a.m.

Location:
University of Nevada, Reno
1664 N. Virginia Street
Mathewson/IGT Knowledge Center
Room #104
Reno, 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, welcome new members, establish quorum.

- | | | |
|------------------------|-----------------------|----------------------------------|
| <u>Members Present</u> | <u>Members Absent</u> | <u>Attorney General’s Office</u> |
| Tim Hamilton | Max Bunch | Henna Rasul, Senior DAG |
| Lt. Robert Lundquist | Carol Ferranti | Jennifer Kandt, Admin. Coord. |
| Sue Meuschke | | Kareen Prentice, Ombudsman |
| Neil Rombardo | <u>Public</u> | |
| Cheryl Hunt | Craig Merrill | |
| Traci Dory | | |
| Meri Shadley | | |

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) February 16, 2012

Traci noted several corrections to the minutes.

Motion: Traci moved to approve contingent upon requested changes. 2nd: Sue

Vote: All in favor. Neil abstained.

4. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Kareen presented expenditures for the previous quarter, and indicated that \$30,328.90 had been expended to date. She also stated that the budget for FY2013 would be the same as was provided in FY2012.

b) Court Assessments

Kareen presented the court assessment collections for the year, and indicated that collections were down from FY2010 and FY2011.

c) Match

Kareen requested that all members fill out the match form and explained that the time spent by Committee members reviewing documents and attending meetings was used as match time for grants received by the Office of the Attorney General

5. *Discussion, recommendation, and possible action regarding standardized definition of indigent for the purposes of NAC 228.

Jennifer stated that at the previous meeting it had been requested that she research boards similar to the Committee on Domestic Violence in other states to determine if other boards had defined indigent. She stated that of the states researched, none had defined indigent and that most of them left the determination up to the programs. Additionally, she stated that Nevada actually seemed to be advanced in the requirement for programs to offer sliding fee scales and to require programs to accept indigent clients. She said many states do not require programs to offer the sliding fee scale and do not require agencies to accept indigent clients.

Jennifer said that the person she spoke with in Colorado said that Colorado has similar issues with clients not paying for their DV classes and judges not taking that as seriously as they do with clients who don't pay for DUI or Sex Offender classes.

Jennifer stated that the person from Colorado also stated that there does not seem to be a problem with offenders not paying for the DUI classes or the Sex Offender classes, because the offenders know that if they do not pay for the DUI and/or Sex Offender classes, they don't get their license back and they go to jail.

Jennifer also stated that the person she spoke with in Arizona said the judges have zero tolerance for offenders who do not pay and that offenders are required to work or they go back to jail. She said there is a pay by the day program where offenders can show

up to get paid to work for the day, and that money can be used for their court ordered classes.

Sue stated that Henna previously advised that it would be difficult to try to tell programs how to run their businesses, and that initial review of some states seems to indicate that determination on indigent status is left to programs; but she stated that she still felt the Committee should continue to look at the issue for other possible solutions.

There was some discussion on DUI classes and how the courts in Nevada handle non - payment for DUI classes. Neil stated that offenders in Carson City can perform community service which is then converted to payment for the classes through the DAS. There was also some discussion on substance abuse treatment and where money comes from to pay for those classes.

There was discussion on whether the Committee can hold programs accountable for determining whether someone is indigent if the Committee cannot define indigent. Henna stated that the Committee could remove the requirement from the regulation.

Cheryl stated that she thought the Committee should define indigent within the regulation.

Jennifer questioned using the standard dictionary definition.

There was discussion on surveying the providers to see how they are currently defining indigent. Tim stated that a previous survey had been done requesting programs provide a sliding fee scale, but that a survey asking for the definition of indigent might be helpful.

Meri questioned programs advocating for a fund similar to what is available for drug and alcohol counseling which allows judges to draw from the fund to pay for drug and alcohol counseling for indigent clients. Meri discussed the public inebriate program in which programs request payment from the county for offenders who might otherwise be incarcerated or hospitalized.

Sue suggested further research on where funding comes from for substance abuse issues, and if the courts have anything to do with determining whether programs can draw from the funding.

Committee members clarified that this issue was brought up because providers and judges have requested that the Committee do so. There was discussion that Judge Saragosa had addressed the Committee stating that there did not seem to be any consistency among programs in determining ability to pay, and that it was problematic for the court when clients cannot pay.

Neil indicated that he did not feel that this was an issue in Carson. He stated that the judges require the counseling, and the offenders pay a fee based on their ability to pay. He also said that for those who cannot pay, they can perform community service which has a dollar amount associated with it to draw funds to pay for the counseling.

Lt. Lundquist stated that there is such a huge volume of cases out of Saragosa's court, and that probably contributes to some of the issues.

Craig Merrill stated that because unemployment is so high, many of his clients cannot pay, but he allows them to attend while building up a debt, and allows them to make small payments. He said he prefers to determine their ability to pay after a few months to get a better understanding of their financial situation.

Motion: Sue moved to table until further information is obtained from treatment providers regarding their current definition of indigent. 2nd: Traci

Vote: All in favor. Motion carried.

6. *Discussion, recommendation, and possible action regarding possible ideas for increasing treatment in the rural areas.

Sue stated that the Committee is trying to determine the best ways to attempt to address the lack of treatment in the rural areas, and she thought it might be beneficial to discuss the possibility of allowing one treatment provider on a case by case basis or allowing two providers that do not necessarily have to be male/female.

Jennifer said that she thought that might be the one thing that would allow these very small groups to be financially viable by not having to support two treatment providers, and that possibly the Committee could allow fewer clients if they were operating with one provider.

Tim stated that he would have some safety concerns with allowing only one provider, especially if it was one female provider with male offenders.

Sue asked Tim about the possibility of allowing the exception if there were some sort of plan to have another person there who is not necessarily a provider, and possibly an intern. Sue said this could be done on a case by case basis and that this may only assist in a few communities as the number of clients is probably the real issue in most communities.

There was discussion that one on one counseling could be an option, and discussion surrounding the current regulation that allows for fewer than 3 clients in a group, but that the regulation does not allow for only one provider.

Sue said that in talking with Nevada Rural Mental Health, it seemed that the barriers for them would be getting the people trained and needing two people to offer treatment.

Kareen suggested a Craigslist ad stating a need for batterers' treatment providers in the rural areas. Lt. Lundquist stated that Craigslist is not available in the rural areas.

Neil suggested expanding the exceptions to allow for the Committee to make any exception needed on a case by case basis. He stated that the applicant could address the Committee giving the Committee an opportunity to ask questions regarding safety issues or any other concern that needs to be addressed.

Sue stated that she would like parameters around the exceptions, and Lt. Lundquist stated that it could be written to apply only in rural areas. Sue suggested having the Rural Issues subcommittee look at drafting possible regulation changes to allow for further exceptions that would apply in rural communities.

Kareen stated that it would also be a good idea to look at other boards.

Motion: Traci moved to have the Rural Issues Subcommittee draft regulation changes to allow for additional exceptions, draft a Craigslist ad, and review other boards. 2nd:

Meri

Vote: All in favor. Motion carried.

7. *Discussion, recommendation, and possible action regarding discussion of possible changes to NAC 228.

Jennifer stated that 228.100 was highlighted as she had questions from a judge and two treatment programs regarding the allowed absences and whether the offender needed to complete 26 sessions, or 22 since they are allowed 4 absences.

Neil stated that he was surprised that there would be questions from a judge on this as the regulation deals with the program being required to prohibit more than 4 absences, but the offender must comply with his sentence.

Tim stated he felt that completing 26 sessions was clear, and that there was not anything needing to be addressed.

Meri stated that reading it from a non-attorney point of view, she did not think it was clear and that she could see how it could be read differently.

Jennifer stated that when originally asked about this issue, she asked Dr. Hughes what the standard practice was and advised those questioning that the site reviewer indicated that programs typically require clients to complete the 26 sessions and do not include the number of absences toward completion.

There was general consensus that no clarification was needed and that the regulation remain unchanged.

There was discussion surrounding qualifications for supervisors, and allowing supervisors to be able supervise with 5 years experience providing services and 12 hours of training on clinical supervision. There was discussion regarding some corrections that needed to be made, and there was also discussion that the changes were requiring supervisors to have at least one hour per year of supervision continuing education.

Jennifer stated that the Training Subcommittee had requested feedback on the changes to training topics and that she had received feedback from two programs since the last Training Subcommittee meetings. She said that Dr. Freda of Ridgeview Counseling sent written comments (ATTACHMENT A).

She stated that Paul Reeves of Options sent written comments (ATTACHMENT B).

There was discussion on the formal training topics proposed. Meri stated that it appeared that these topic areas would decrease the domestic violence training as these topics become more general in terms of group process, intake, etc.

Cheryl asked if there were trainings available in each of these categories, and Sue indicated that there are trainings available in all of the indicated categories.

Jennifer asked legal counsel about the need for a small business impact statement and how to make the determination on whether a small business is financially impacted.

Henna stated that it would be mailed to anyone who would be impacted, but that she doesn't do them, so she would need to look at the requirements.

Tim stated that he didn't see how delineating the same 60 hours differently would be of any financial impact to a business as the board would still be requiring 60 hours, just different topics.

There was discussion about observation of groups in non-rural areas being conducted by live webcam. Meri suggested adding language that states "webcam or other electronic means approved by the Committee"

Neil pointed out a syntax problem with how it was written and clarified a change.

There was discussion regarding NAC 228.170 regarding substance abuse history and whether treatment providers are qualified to make any determinations regarding substance abuse. There was general consensus that the Committee needed to look closely at this section at the next meeting.

There was discussion on 228.175 and general consensus that "by the offender" be removed under (j).

Motion: Sue moved to address the issues identified during discussion, and bring back revisions to the next meeting. 2nd: Meri

Vote: All in favor. Motion carried.

8. *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

NV Partnership for Training

"Domestic Violence 202: Empowering Families Dealing with Domestic Violence CFT's and Beyond"

Ongoing, Statewide Distance Media

(Reviewed by Judge Bunch)

Jennifer stated that Judge Bunch recommended approval.

Motion: Sue 2nd: Neil

Vote: All in favor. Motion carried.

- b. Application for 6 training credits
Nevada Network Against Domestic Violence
“Economic Security for Survivors”
September 22, 2011 Las Vegas, NV
(Reviewed by Cheryl Hunt)*

Cheryl recommended approval of 5.5 victim credits.

Motion: Meri moved to approve. 2nd: Neil

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

- c. Application for 5.5 training credits
Nevada Network Against Domestic Violence
“Open Minds Open Doors: Transforming Domestic Violence Programs to
Include LGBTQ Survivors”
March 8, 2012 Las Vegas, NV
(Reviewed by Judge Bunch)*

Judge Bunch recommended approval.

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

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

- d. Application for 40 training credits
Relationship Training Institute
“The STOP Program: Understanding and Treating Domestic Violence in
the 21st Century”
May 2012 San Diego, CA
(Reviewed by Lt. Lundquist)*

Lt. Lundquist stated that the training was extremely thorough. He recommended approval.

Motion: Sue moved to approve. 2nd: Neil

Vote: All in favor. Motion carried.

- e. Application for 60 training credits
Elizabeth Munoz Brueckmann
“Relational Violence – PSY642”
November-December 2009 Henderson, NV
(Reviewed by Meri Shadley)*

Meri recommended approval.

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

Vote: All in favor. Motion carried.

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

- a) Las Vegas Municipal Court – Alternative Sentencing
Las Vegas, NV
(Reviewed by Sue Meuschke)*

Sue recommended approval, but stated that the corrective action plan will need to be approved.

Motion: Traci moved to approve. 2nd: Meri

Vote: All in favor. Motion carried.

b) LRS

Las Vegas, NV

(Reviewed by Cheryl Hunt)

Cheryl recommended approval with the statement that the supervisor should be encouraged to make sure that he has met monthly with each provider as there was one provider that he had not met with for two months.

Motion: Sue moved to approve. 2nd: Neil

Vote: All in favor. Motion carried.

c) New Beginnings Counseling Center

Las Vegas, NV

(Reviewed by Sue Meuschke)

Sue recommended approval.

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

Vote: All in favor. Motion carried.

d) Healing Our Future

Las Vegas, NV

(Reviewed by Carol Ferranti)

Lt. Lundquist stated that Carol indicated a site inspection had not been done. Lt. Lundquist also indicated there were questions on whether the application had been submitted on time.

Jennifer stated that the renewal application had originally been submitted on time, but that Jennifer had to ask for original signatures, and asked the provider to submit the packet as a whole with original signature pages inserted. Additionally, Jennifer stated that there were no pending corrective action plans from the agency.

Lt. Lundquist stated that he would then recommend approval.

Motion: Sue moved to approve. 2nd: Traci

Vote: All in favor. Motion carried.

e) SAFE House

Henderson, NV

(Reviewed by Traci Dory)

Traci stated that the agency has not yet responded to the site review report from Dr. Hughes, but that the report only had one minor violation, and that she would recommend approval contingent upon the agency addressing the violation in the corrective action plan.

Motion: Sue moved to approve. 2nd: Meri

Vote: All in favor. Motion carried.

- f) Sierra Counseling Center
Reno, NV
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Neil moved to approve. 2nd: Traci

Vote: All in favor. Motion carried.

- g) Counseling Services Plus, Inc.
Las Vegas, NV
(Reviewed by Traci Dory)

Traci recommended approval conditioned upon receipt of proof of missing continuing education for one of the providers. Additionally she stated that the supervisor had not met monthly with every supervisor.

Motion: Sue moved to approve pending receipt of proof of required continuing education credits. 2nd: Lt. Lundquist

Vote: All in favor. Motion carried.

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

- a) Sierra Counseling Center
421 Hill Street, Suite #1
Reno, NV
(Reviewed by Tim Hamilton)

Tim recommended approval.

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

Vote: All in favor. Motion carried.

11. *Discussion, recommendation, and possible action regarding annual election of Committee chair.

Motion: Sue moved to nominate Tim to continue as chair. 2nd: Traci

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

12. Discussion regarding future agenda items.

No additional agenda items noted.

13. Discussion regarding future meeting dates.

August 23, 2012

November 8, 2012

14. Public comment.

Craig Merrill thanked the Committee for allowing him to comment earlier in the meeting.

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)*

15. *Adjournment (for possible action)

Meeting adjourned at 12:30 p.m.