

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

MINUTES

Thursday, February 5, 2009 at 10:00a.m.

Via Teleconference
Office of the Attorney General
Grant Sawyer Building
555 E. Washington Avenue, Room 3315
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 welcoming of new member.

Tim called the meeting to order and welcomed Lyon County District Attorney, Robert Auer to the Committee as the newest member appointed by Attorney General Catherine Cortez Masto.

Members Present

Tim Hamilton
Max Bunch
Sue Meuschke
Shauna Hughes
Robert Auer
Traci Dory
Lt. Chris Carroll

Members Absent

Walt Dimitroff

Public
Dr. Michael Freda
Craig Merrill
Dennis Fitzpatrick

Attorney General's Office

Henna Rasul, DAG
Jennifer Kandt, Admin. Coord.

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

a) November 20, 2008

Traci recommended several grammatical changes.

Motion: Shauna moved to approve with changes. 2nd: Judge Bunch

Vote: All in favor. Motion carried.

3. *Voluntary withdrawal of certificate or hearing to deny renewal of licensure for the following agency:

a) Counseling Opportunities
3710 Grant Drive, Ste. K
Reno, Nevada

Jennifer said that this agency had a difficult time making their groups cost effective considering the costs of training, etc. She said the agency requested that they be allowed to voluntarily withdraw their certification, but continue with groups through the end of the month allowing their three remaining clients to finish treatment.

Tim said that the request seemed reasonable and Shauna Hughes agreed.

Motion: Shauna moved to accept the voluntary withdrawal of certification and allow treatment through the end of February. 2nd: Sue

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

4. 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 would like the Committee to consider allowing him additional time to make corrections to his position papers due to the Committee's current discussion regarding this item.

Jennifer referred the Committee to the written comments submitted by Dennis Fitzpatrick (attachment A).

Dr. Michael Freda said he wanted to comment on item #12 regarding the use of distance media to complete batterer's treatment groups. He said that this matter had been discussed in the 2007 legislative session and he had testified against allowing this method of treatment. He said that providers need to be face to face with clients in order to look into their pupils and assess whether they are intoxicated. Additionally, he said if clients are not present, the providers are missing all of the nuances in regard to body language, side comments, etc. Dr. Freda said that Mr. Fitzpatrick presents this idea as simply distance learning, but that treatment needs to be psycho-educational, comprised of a psychodynamic component and an educational component. He said that trying to do treatment this way eliminates the psychodynamic component. Dr. Freda said he strongly recommended against allowing this type of treatment.

Bob Auer asked Dr. Freda where he provided treatment and Dr. Freda responded that he provided treatment in Reno. Bob asked where and how Dr. Freda thought people

should obtain treatment in Gabbs, Pioche or Austin. He asked if Dr. Freda thought people from those areas should be expected to drive hundreds of miles to obtain treatment.

Dr. Freda said that he was aware of the problem in the rural areas, but did not think allowing treatment this way was the solution as he was very concerned about whether someone who could blow a .2 on a breathalyzer could be obtaining treatment.

Judge Bunch said he felt there could be a compromise with allowing rural clients to complete a portion of their sessions via distance media. He told Dr. Freda that he had watched him testify and that it was during the 2005 legislative session. Judge Bunch said that there were many miles between the two urban areas of Nevada and that the nearest treatment facility to Austin was 114 miles one way. He stated that since most individuals there work 7 days on and 7 days off, it was impossible to comply with the law as it was written, and that the bi-weekly allowance for counseling was essential for the rurals. He said that he hoped Dr. Freda would not be against a partial distance learning approach making sure that the individuals were alcohol free.

Dr. Freda said that he would not be opposed to allowing distance media for a portion of the counseling if measures were taken to ensure sobriety of the offender during the treatment, but still felt that face to face time was essential.

Judge Bunch said he agreed and said that as a judge, he does not want to see individuals re-offend, but that the rural areas need a real solution. He said there has been previous discussion of having a provider who would drive to the rural areas during the week to provide treatment, but no one has been willing to do that.

Tim stated that in addition to the concerns already raised, one of his main concerns with the idea would be in knowing whether the person completing the course is actually the person ordered to complete the course.

There was discussion on whether the discussion was surrounding counseling sessions with a web cam, or simply sitting at a computer completing course materials.

Sue stated that the comments submitted by Mr. Fitzpatrick seemed to indicate simply completing coursework at a computer.

Tim indicated that since the Committee seemed to be heading into a discussion on this item, that the Committee officially move ahead to item #12.

5. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Jennifer said that Kareen was unable to attend, but referred the Committee members to the information provided by Kareen.

b) Court Assessments

c) Match

Jennifer asked the Committee members to include all time spent working and traveling for the Committee on the match form.

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

a) Request for Training Credits

NNADV

“Responding to Individuals at Risk of Suicide: How Domestic Violence Advocates Can Help”

January 31, 2009 Yerington, NV

(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Judge Bunch moved to approve. 2nd: Bob Auer

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

7. *Discussion, recommendation, and action regarding Corrective Action Plans for the following agencies:

a) Options

Las Vegas, NV

(Reviewed by Sue Meuschke; continued from August and November meetings)

Sue said that this item had been reviewed several times and that there were several items addressed by Dr. Hughes and she still questioned how they were tracking offenders' compliance with the program. She said that the agency seemed to indicate that the only way they track compliance was through attendance sheets and payment. She said that Dr. Hughes felt there needed to be more follow-up on progress.

Jennifer said that she did forward the information to Tim to make sure there wasn't something that she was not clearly communicating to the agency. She said that Tim added some comments which Jennifer forwarded to the agency and requested that any additional information be forwarded to her before the meeting. Jennifer said no additional information was received.

Sue said she recommended that the Committee not accept this corrective action plan.

Bob asked if there was a protocol that other agencies use to track compliance.

Tim indicated that the NAC clearly addressed tracking compliance.

Motion: Traci moved to not accept the corrective action plan. 2nd: Bob

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

b) ACCS

Elko, Nevada

(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Traci moved to approve. 2nd: Shauna

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

- c) Winnemucca Batterer's Intervention Program
Winnemucca, Nevada
(Reviewed by Traci Dory)

Traci recommended approval.

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

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

- d) Family Counseling Service
Reno, Nevada
(Reviewed by Shauna Hughes)

Shauna recommended approval contingent upon receipt of a sample written summary report within 2 weeks.

Motion: Bob moved to approve corrective action plan contingent upon receipt of a sample written summary report within two weeks. 2nd: Traci

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

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

- a) Laura Perez Islas, Provider
LRS Systems
Las Vegas, NV

(Reviewed by Lt. Carroll; continued from August and November meetings)

Lt. Carroll indicated that the Committee had been waiting for English translations of documents that were in Spanish. He indicated that the documents had not been received, and recommended that this item be continued until the proper translated documents are received.

Motion: Bob moved to continue pending receipt of translated documents. 2nd: Sue

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

- b) Antonio Moreno-Tapia
LRS Systems
Las Vegas, NV

(Initially reviewed by Russell Smith; continued from November; reviewed by Lt. Carroll)

Lt. Carroll said that copies of translated documents had been received and he recommended approval.

Motion: Traci moved to approve. 2nd: 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) Options
Las Vegas, NV
(Reviewed by Sue Meuschke; continued from August Meeting)

Sue stated that the first application had missing CEU's for the supervisor and was missing a signature. She said the agency had remedied those deficiencies, but still

needed to provide an adequate corrective action plan. She recommended that this renewal be continued until an adequate corrective action plan was received.

Motion: Traci moved to continue. 2nd: Lt. Carroll

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

There was discussion on possibly requiring the supervisor to attend the next meeting. Sue commented that she felt the agency was communicating with the Committee and that she thought that some clarification may resolve the issue.

b) Winnemucca Batterer's Intervention Program

Winnemucca, NV

(Reviewed by Traci Dory; continued from November meeting)

Traci said the agency had acquired the necessary CEU's and recommended approval.

Motion: Shauna moved to approve. 2nd: Bob

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

c) Community Counseling Center

Carson City, Nevada

(Reviewed by Shauna Hughes)

Shauna recommended approval.

Motion: Sue moved to approve. 2nd: Bob

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

d) Safe Nest

Las Vegas, Nevada

(Reviewed by Walt Dimitroff)

Jennifer said that Walt submitted a recommendation for approval.

Motion: Shauna moved to approve. 2nd: Traci

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

10. *Discussion, recommendation, and action regarding extension of provisional certificate for the following agency:

a) Sierra Counseling

Sparks, NV

(Reviewed by Tim Hamilton)

Tim stated that the information provided on Leah Boe was complete and met the requirements.

Jennifer said that additionally the agency still needed to revise their position papers, but since the Committee still wanted to have a discussion on the position paper requirements, the agency would need to submit the revised position papers before the next meeting. She said the Committee probably needed to extend the provisional until the next meeting.

Henna clarified that the Committee would be clarifying existing requirements as opposed to adding new requirements.

Tim said that he felt they were just making the requirements more clear.

Motion: Sue moved to extend the provisional certificate until position paper clarifications are made. 2nd: Bob
Vote: All in favor. Motion carried.

11. *Discussion, recommendation, and action regarding site reviews in accordance with NAC 228.130.

Jennifer said that at the last meeting, the Committee decided to ask agencies to provide ideas on how the Committee could complete site reviews within a limited budget. She said that she did not receive any comments for this meeting.

Sue explained that the Committee was obligated by NAC to conduct site reviews. She said that the Committee had previously employed a site reviewer who would visit agencies to conduct an on-site inspection and evaluation. She stated that the reviewer would note any violations and submit a report to the Committee. She explained that the Committee then requires the agency to submit a corrective action plan detailing how they will correct the violations. She also explained that the budget no longer has the funds to hire the evaluator.

Jennifer stated that Karen indicated that there was approximately \$6000 available in the budget this year, and that one idea would be to hire the site evaluator for one trip and have him conduct random audits.

Henna said that random inspections would not fulfill the requirement, but that it is a good faith effort to fulfill the requirement within the limited budget.

Bob asked if expertise was needed on site, or if an investigator could be hired to collect data and bring it back to the Committee.

There was discussion and general consensus that the paperwork could be reviewed by anyone and that the expertise was needed for the review of treatment.

There was further discussion on contracting law and whether there was adequate time before the end of the fiscal year to complete the process.

Motion: Shauna moved to allow Jennifer and Henna to further look into a contract for random site reviews. 2nd: Traci
Vote: All in favor. Motion carried.

12. *Discussion, recommendation, and action regarding use of distance media for the purpose of completing court mandated batterer's treatment.

John McCormick stated that bill proposed during the 2005 legislative session was SB74 which was an outgrowth recommendation of the Supreme Court's Rural Study Committee which used a video-conferencing model and did not address the model proposed by Mr. Fitzpatrick. He stated that he had information on travel distances and counseling availability that he could make available to the Committee at a future time.

Sue said that she felt there were actually two different conversations taking place. She said that the Committee had previously been addressing using distance media to obtain CEU's which prompted Mr. Fitzpatrick to submit his ideas regarding the use of distance media for offenders, which the Committee was not considering. She stated that she would have serious concerns with individuals being allowed to complete treatment in this manner. She agreed with the concerns brought forward by Dr. Freda and Tim. She added that she did not understand this to be simply a learning experience for the offender, but that it was about holding people accountable for their behaviors, attitudes, and actions, and she didn't understand how that would happen with an on-line training course. Sue also stated that she did think the Committee should discuss ways to assist the rural areas in accessing viable and appropriate treatment.

John McCormick said he felt it would be appropriate for the Committee to create a subcommittee to address the rural issues and offered his assistance as needed.

Traci asked legal counsel if rural providers could be included on the subcommittee.

Henna said that typically boards can have outside individuals sit on subcommittees.

Judge Bunch recommended tabling item 12 and having the Committee look into creating a subcommittee to provide distance learning through live webcam. He stated that individuals can now even obtain degrees online.

Dr. Freda stated that he taught for the University of Phoenix, but said that all counseling courses were taught in person, and not on-line as face to face interaction was vital to the counseling process.

Motion: Judge Bunch moved to table the discussion and create a subcommittee to further look into distance learning through a live webcam. 2nd: Traci

Sue said she did not want to table this discussion, as two years from now she would still feel that internet intervention was an inappropriate method of providing treatment. She said she felt the Committee should have a strong opinion on whether this would be something it supports.

Bob Auer stated that he felt the Committee should be ready with a position on this issue should it be brought forward from someone else possibly through the legislature. He asked if anyone was aware of any current bills affecting this matter.

John McCormick said at this point he knew of two bills dealing with domestic violence, but that neither of them had anything to do with internet counseling.

Sue stated that she felt the Committee should have a position today on this particular request, and would also like to put together a subcommittee to address adequate and appropriate treatment in the rural communities.

Judge Bunch withdrew his motion. Traci Dory withdrew her second.

Tim requested that the creation of a subcommittee to deal with treatment in the rural communities be added to the agenda for the next meeting. He asked for a motion or recommendation on item #12.

Motion: Sue moved that the Committee take a position against providing internet batterer's intervention as described by Mr. Fitzpatrick in his e-mailed comments (attachment A). 2nd: Traci

Bob asked that it be clarified that the Committee was denying this particular request, but that there would be further study on addressing treatment in the rural areas.

There was further discussion and clarification that the Committee was denying this particular request from Mr. Fitzpatrick, but was not eliminating the idea completely. There was also clarification that this particular proposal was not specific to the rural areas, and that Mr. Fitzpatrick was not representing a rural area.

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

13. *Discussion, recommendation, and action regarding position papers required for initial program certification.

Sue said she looked at the Wikipedia definition of a position paper and at the application paperwork the Committee sends out which indicates that a position paper be no more than 3 or 4 sentences long.

Tim said he felt it was very important that the philosophical positions of batterer accountability and victim sensitivity be clear within the position papers.

Sue asked if the sample included in the meeting packet of a recently approved program met the Committee's standards, or if the Committee was looking for something more detailed.

There was discussion on the position papers submitted by Sierra Counseling and whether the provided sample could be helpful for Sierra Counseling in revising their submission. There was clarification that the position papers provide the agencies philosophies under which they operate and a basis for those philosophies.

Sue asked what the Committee could include in the instructions to be clear in the requirements.

Dr. Freda stated that he felt the simple questions of "What is your belief on this and why" could help people further elaborate on their positions.

There was discussion and general consensus that the instructions maintain the language regarding length of the position paper, but that language be added clarifying content of the position paper. It was suggested that Jennifer make changes to the instructions which would then be evaluated by the Committee at the next meeting.

Motion: Shauna moved to have Jennifer bring changes to the instructions to the next meeting for evaluation. 2nd: Sue
Vote: All in favor. Motion carried.

14. *Discussion, recommendation, and action regarding batterer's treatment programs within the prison system.

Traci said that there are currently no batterer's treatment programs within the prison system.

Sue said that there are no statutory requirements for anyone convicted of felony domestic violence battery to participate in treatment. She said that typically this would be the third conviction and that the batterer would have already had two chances at treatment.

Traci said there are times when individuals come to prison on a felony domestic violence charge shortly after their second offense and they have not been able to complete the treatment from that offense.

Judge Bunch stated that if the individual was in prison for a domestic violence case then the case should be closed because they will not be completing the treatment. He also said that if the individual had 180 days suspended, they could be put in the county jail after their prison sentence.

Traci said that would require filing a detainer or hold with the prison system so that when they are released, they are sent back to the judge who can violate them and send them to county jail.

Judge Bunch said he didn't understand why this would be a question, but said that Judge Lynch could be referred to him for explanation of the process. He directed Henna to inform Judge Lynch that the cases can be kept open, a bench warrant issued, and a detainer placed on the individual or place the individual in contempt.

Traci clarified that there are only anger management courses in prison and that they are all voluntary.

15. *Discussion, recommendation, and action regarding report due to LCB.

Sue asked whether there was any movement to do anything in regards to the legislative recommendations.

Jennifer explained that last session the Committee wanted to go forward with charging fees to programs, but that it was not an ideal session to ask for a new fee. She said that upon the Committee's approval of the report, it will be sent to the Attorney General for her input and final approval.

There was discussion on removing the provision for assisting victims of domestic violence with divorce, and general consensus that the recommendation continue to be made in future reports and that the Committee try to make that change in possible future sessions.

Motion: Bob moved to approve the report. 2nd: Judge Bunch
Vote: All in favor. Motion carried.

16. Comments from Tim Hamilton, Committee Chair.

Tim again welcomed Bob and thanked everyone for their time and effort.

17. *Date, time, and location of future meetings:

May 21, 2009, 10:00 am

August 20, 2009, 10:00 am

November 19, 2009, 10:00 am

There was discussion on having everyone meet in person for at least one meeting a year, with Vegas being a possibility for November.

18. Adjournment

Motion: Sue moved to adjourn. 2nd: Traci

Vote: All in favor. Motion carried.

ATTACHMENT A

Hi Jennifer:

Would you pass on this request to the Distance Learning Subcommittee?

I would like to suggest that Chapter 228 or the appropriate chapter be amended to permit online counseling for offenders to satisfy the 26 weeks of agency counseling requirement. Here are some reasons to consider:

1. **Cost to the Offender:** The present cost in most agencies is around \$30 for a weekly class x 26 classes = \$ 780. I can provide 26 weekly online classes for half that amount. Competition might be able to reduce that number further. In these difficult financial times, compliance is likely to decline.
2. **Safeguards:** Weekly tests can be used to verify completion by the client to that week's material. By using registration information, we can verify that the same person is taking each test and has viewed the material.
3. **Distance Learning:** This approach is a growing 21st century mode of learning. As you know many courts and states are now using such online courses to satisfy regulatory requirements. In Nevada there is www.NevadaDui.org The FAQ section on this website is informative. Safeguards are built into this course. Those who don't live near an agency or whose work schedule precludes attendance at an agency would welcome the option of distance learning.
4. **Overcrowded Classes:** Present regulations permit up to 24 members in a class. Agencies like larger classes for economic reasons even though there is less time for individual offender attention. Introverted offenders might get more out of online classes.
5. **Accountability:** Online classes use tests at the conclusion of each class to see if the material was learned. There is no such measurement in agency classes. All that is required is that the offender is exposed to the 21 topics mentioned at NAC 228.185. In some ways distance learning can be a superior tool.
6. **Farsighted Decision:** Offering the option of an online course to offenders is a wise and farsighted decision by the subcommittee as agency approaches transition into online education.

May I submit such a course for approval built around my recently approved Domestic Violence curriculum? If so, does the Distance Learning Committee have additional requirements they would like met?

Thank you for your consideration of my request.

Dennis Fitzpatrick
Domestic Violence and Chemical Dependency Supervisor
Phone: 702-837-1998
Address: 1340 European Drive
Henderson, NV 89052-4019
Email: D-F@cox.net
Fax: 702-837-1995

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

DISTANCE LEARNING SUBCOMMITTEE MEETING

MINUTES

Wednesday, March 11, 2009 at 1:30p.m.

Via Teleconference

Public Access: Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511

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 and roll call of members.

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General's Office</u>
Tim Hamilton	Walt Dimitroff	Henna Rasul, DAG
Traci Dory		Jennifer Kandt, Admin.
Sue Meuschke		Kareen Prentice, Ombudsman

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

a) December 18, 2008

Motion: Traci moved to approve. 2nd: Tim

Vote: All in favor. Motion carried.

3. *Discussion, recommendation, and action regarding standardized criteria used to evaluate internet continuing education providers.

Tim said he still wanted to revise the criteria to remove all of the gender pronouns.

Sue said that these would be criteria used to evaluate the content of a course.

Traci said she thought the criteria would be helpful in a review.

Sue said a review sheet for Committee members could include these criteria and asked if enough information is received in an application to properly evaluate the criteria.

Tim said it there was not always enough information. He said outlines and objectives are always present but that all of the handouts are not always included. He said the criteria were not exclusive and that further criteria or points could be added.

Jennifer said that there were different items required depending on whether the submission came from the entity providing the training or the individual attending the training. She said that less was required if you attended the training versus if you were conducting the training.

Sue asked why the NAC was written with the different criteria, and whether the NAC addressed internet training.

Jennifer said that the NAC did not address internet training and that she was not sure why the NAC required different criteria.

Sue referred to the meeting in which the Committee approved the use of distance learning for one half of training credits and stated that the Committee may want to look at requiring additional information for internet courses.

Jennifer said she thought it would be a good idea for the Committee convert some of these policies to regulations.

Sue said then it would be possible to revise the regulations around expanded requirements. She said that when the subcommittee was done with their work, one of the recommendations could be to change the regulations and expand the requirements. She also reminded the Committee members of the motion that was made to allow internet training as follows: "as a matter of policy, the Committee clarify existing rules on approved training to allow in principle, training that is obtained through teleconference, video, internet, virtual private network, online training or home study training if the training is approved by other regulatory boards like the Committee, i.e. other domestic violence certification bodies or is approved by the Committee either through the employment of a contractor or Committee member and if the training is time limited in that it needs to be completed within a reasonable period of time consistent with the number of hours involved, if it is interactive requiring responses and program learning measurement between instructor and pupils, and if learning success is objectively measured at the conclusion of the course. And to the extent that the course allows acceptance of formal training hours for up to ½ the hours required for victims i.e. 15 hours and ½ the hours required for batterer's i.e. 15 hours."

Jennifer said she did not think that all of these items were necessarily being looked at in terms of training.

Sue said she felt it would be a good idea to have a form including the content criteria as well as the process criteria included in the motion.

Jennifer said she would be happy to create a draft form to incorporate review criteria.

There was some discussion on the time completion aspect of the motion and whether it referred to time needed to obtain a credit or limiting the time of completion. Sue stressed that one of the criteria needed to look at how much time reasonably went into obtaining each credit.

Sue discussed the use of a post test and that some of the CEU agencies allow individuals to take the post test as many times as needed to pass.

Tim said that at many face to face conferences post tests are not given and that individuals may or may not have learned anything.

Jennifer said that the NAC requirements for submission of a course for approval and the Committee's form requirements which seemed slightly different. There was general consensus that the forms should be looked at closely and changed appropriately.

Sue said she thought the same items should be required from someone attending a training as is required from someone providing the training. Sue said a form for the reviewer would be needed.

Jennifer said she would prepare draft forms for Sue's approval before the next subcommittee meeting.

4. *Discussion, recommendation, and action regarding development of sharing process for distance learning criteria.

Sue said that once a form is developed, the criteria can be shared through the form.

5. *Discussion, recommendation, and action regarding potential distance learning providers to be placed on approved list.

Tim said he was pleased with the response from the Relationship Training Institute, but was still waiting to hear from the other agencies he had contacted.

Jennifer read Walt's comments regarding speedyceus.com. He indicated that he signed up to take a course to get 7 CEU's for \$56. He skipped reading the article and went straight to the test, and within 5 minutes he had printed a certificate. He said the article presented a vestigial account of the domestic violence

literature concerning victims and perpetrators. He said the information was far less than he would expect from a professional presentation.

Sue said that she went to each website to assess different agencies. She said she felt that Quantum Education was the best one she reviewed. Sue said that the course she looked at seemed to require substantial reading and that the exams seemed comprehensive. She said that they are currently approved through some other licensing boards and would contact them to see if they would be willing to submit information for approval. She also said that Mincava should be taken off the list as they do not provide internet training. She said that the other agencies were similar to the experience Walt had mentioned. She said that CEcredits.com was approved by the marriage and family therapist board in Nevada, but that it did not appear that the agency went looking for the best articles and instead had people submit their writing with a test and did not offer royalties.

Traci said that the US Journal Training agency was approved by many other licensing boards, and said that the trainings involved reading an article and taking an exam. She said that if an individual did not pass the exam, they could request a retake, but would have to pay additional fees. She said there were several trainings she would recommend from US Journal. Traci said the NASW Domestic Violence Committee offered a very good training she would recommend. She said that ZUR Institute was approved by many licensing boards and offered the same type of training requiring reading an article and taking a test. She said lasthomestudy.com trainings all dealt with substance abuse.

Sue said that she felt the subcommittee's members should follow up with the agencies they liked and ask them to submit information to the Committee for approval. She said that she felt it was important to stress to providers that if they take a class that has not been approved, there is no guarantee that the course will be approved.

There was discussion on how long an approval remained in effect. Discussion included the fact that an individual can take a course and then not retake for two years. Additionally, individuals must maintain proof of completion of course for two years.

Jennifer stated that NAC seemed to indicate that the letter written to the agency after approval should include how many times the course can be given and how long the approval remains in effect.

Sue asked Jennifer to include that item on the forms she is creating.

Tim asked about how the Committee tracks whether individuals are retaking the same courses.

Jennifer said the database is designed to keep track of continuing education credits and classes.

Sue said she didn't feel that the Committee would ever want to approve a course into perpetuity.

6. 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.

7. Adjournment.

Motion: Traci moved to adjourn. 2nd: Tim

Sue said she will look at scheduling the next meeting sometime in the future.

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

MINUTES

Thursday, May 21, 2009 at 10:00 a.m.

Via Teleconference
Office of the Attorney General
Grant Sawyer Building
555 E. Washington Avenue, Room 3315
Las Vegas, Nevada

And

Office of the Attorney General
100 North Carson Street
Mock Courtroom
Carson City, Nevada

Please Note: The Batters 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.

Members Present

Tim Hamilton
Max Bunch
Sue Meuschke
Shauna Hughes
Robert Auer
Traci Dory

Members Absent

Lt. Chris Carroll

Public
Dr. Michael Freda
Craig Merrill
Dennis Fitzpatrick
Penny Jackson
Clarence Sutton
Julio Landero

Attorney General's Office

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

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

a) February 5, 2009

Motion: Judge Bunch moved to approve the minutes. 2nd: Sue

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

3. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Kareen presented budget documents (attached to official copy of the minutes). She said that it appeared that the Committee would expend all allowable funds for the year.

b) Court Assessments

Kareen indicated that court assessments were down, and that she had heard of several Washoe County judges who were waiving the \$35 fee. Kareen indicated that she is currently working with AOC on that issue. She also said that court assessments were down about \$15,000 for the year. Kareen discussed possible legislation that if passed could free up money for the Committee.

c) Match

Jennifer asked that everyone complete the Match form provided in their materials and return to her after the meeting.

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

a) Request for approval of 3 credits

Sandra Dietrich-Hughes

“The Five Big Trends in Domestic Violence that Everyone Needs to Know”

“Domestic Violence from an Attachment Disorders Perspective”

March 7, 2009 Las Vegas, NV

(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Shauna moved to approve. 2nd: Walt

Vote: All in favor. Motion carried.

b) Request for approval of 6 credits

NNADV

“Working with Plural Families in the Context of Domestic Violence”

April 24, 2009 Las Vegas, NV

(Reviewed by Judge Bunch)

Judge Bunch recommended approval.

Motion: Bob moved to approve. 2nd: Traci

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

c) Request for approval of 8 credits

Ronald Mackey

”Sexual Abuse: Intervention and Treatment Issues”

Distance Media Course www.getceusnow.com

(Reviewed by Lt. Carroll)

Traci secondarily reviewed this application. Traci indicated that the training did not appear to be specific to domestic violence and recommended denial.

Bob asked if there was an appeal process.

Jennifer said that individuals could appeal within 30 days.

Motion: Sue moved to deny. 2nd: Walt

Vote: All in favor. Motion carried.

- d) Request for approval of 17 credits
Safe Nest
"Voices of Men for Change"
March 3-5, 2009 Las Vegas
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Bob moved to approve. 2nd: Sue

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

- e) Request for approval of 16 credits
ACCS
"Managing Yourself and Your Group"
June 19-20, 2009
(Reviewed by Tim Hamilton)

Tim recommended approval.

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

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

5. *Discussion, recommendation, and action regarding requests for change of curriculum for the following agencies:

- a) ABC Therapy
"Domestic Violence" by Clarence Sutton
(Reviewed by Walt Dimitroff)

Walt recommended approval.

Motion: Shauna moved to approve. 2nd: Sue

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

6. *Discussion, recommendation, and action regarding Corrective Action Plans for the following agencies:

- a) Options
Las Vegas, NV
(Reviewed by Sue Meuschke; continued from August, November, and February meetings)

Sue indicated that she had a conversation with the individual running the agency and said that they were complying. She recommended approval.

Motion: Shauna moved to approve the corrective action plan. 2nd: Traci

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

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

a) Options

Las Vegas, NV

(Reviewed by Sue Meuschke; continued from November and February meetings)

Sue stated that the agency had been continued due to the pending corrective action plan and missing CEU's for the supervisor. She stated that the missing CEU's had been completed and that the corrective action plan had been approved. She noted that the application was complete with the exception of the monthly supervision schedule which was missing. She recommended approval pending receipt of the supervision schedule.

Motion: Bob moved to approve pending receipt of monthly supervision schedule. 2nd: Traci

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

b) New Beginnings Counseling Center

Las Vegas, NV

(Reviewed by Bob Auer)

Bob recommended approval.

Motion: Sue moved to approve. 2nd: Traci

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

c) Las Vegas Municipal Court

Las Vegas, NV

(Reviewed by Traci Dory)

Traci stated that everything appeared complete with the exception of missing CEU's for one of the providers. She recommended approval contingent upon receipt of proof of missing CEU's for the provider or a statement from the agency that the individual will no longer provide treatment.

Motion: Bob moved to approve contingent upon completion of CEU's for the provider or verification that the agency will no longer allow the individual to provide treatment. 2nd:

Sue

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

d) LRS Systems

Las Vegas, NV

(Reviewed by Sue Meuschke)

Sue recommended approval.

Motion: Traci moved to approve. 2nd: Walt

Vote: All in favor. Motion carried.

e) Nevada Court Counseling

Sparks, NV

(Reviewed by Shauna Hughes)

Shauna recommended approval.

Motion: Bob moved to approve. 2nd: Sue
Vote: All in favor. Motion carried.

- f) SAFE House
Henderson, NV
(Reviewed by Lt. Carroll)

This item was secondarily reviewed by Walt.

Walt recommended approval pending clarification on the Wednesday group which does not appear to have a male co-facilitator.

Motion: Bob moved to approve pending clarification on the Wednesday group. 2nd: Traci

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

- g) Healing Our Future
Pahrump, NV
(Reviewed by Traci Dory)

Traci stated that the supervisor for the group had passed away, and that Eileen Atkinson, the female co-facilitator for the agency, had contracted with a supervisor from another agency and a male co-facilitator from another agency. She recommended approval contingent upon receipt of signed letters from the individuals the agency has contracted with confirming the supervision and co-facilitation.

Motion: Shauna moved to approve contingent upon receipt of signed verification. 2nd: Bob

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

8. *Discussion, recommendation, and action regarding new program applications for the following agencies:

- a) Counseling Services Plus, Inc.
Las Vegas, NV
(Reviewed by Walt Dimitroff)

Walt said the application was much better organized. He recommended approval.

Motion: Sue moved to approve. 2nd: Traci

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

- b) Sierra Counseling
Sparks, NV
(Reviewed by Tim Hamilton; Granted provisional status November 2008)

Tim said that the position papers had been revised and were exemplary. He recommended approval.

Motion: Bob moved to approve. 2nd: Shauna

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

9. *Discussion, recommendation, and action regarding creation of subcommittee focusing on batterer's treatment issues in rural communities.

Walt said that the problem in rural areas seemed to be the lack of trained facilitators.

He discussed the training of providers with Rural Mental Health and the lack of funding which led to the closure of the program. He indicated that it would take financial

resources to train facilitators in rural areas. Walt said that there was now ample opportunity for on-line training, but that money seemed to be the issue.

Sue mentioned that any changes or exceptions to the way treatment is being provided would need legislative approval.

Walt said he is opposed to modifying the regulations to allow for on-line treatment.

There was general consensus that a subcommittee be created.

Sue, Kareen and Walt volunteered to serve on the subcommittee.

Motion: Shauna moved to create the subcommittee with Sue, Kareen, and Walt.

2nd: Traci

Vote: All in favor. Motion carried.

10. *Discussion, recommendation, and action regarding referrals in rural areas to anger management classes as opposed to batterer's treatment classes.

Sue recommended that this item be referred to the subcommittee, and there was general consensus to do so.

Motion: Sue moved to refer this item to the subcommittee on rural issues. 2nd: Bob

Judge Bunch asked for further specifics concerning this item.

Jennifer said that she has had several inquiries from rural agencies informing her that they are running batterers treatment groups and want to know how to become certified. She said that the Attorney General's Office then writes a letter to the agency and the judge and the response has been that the agency only does anger management classes and the judges are referring for anger management. She said that in the past discussion has taken place that judges referring for anger management may be the result of a lack of training, but it appears that the referrals to anger management may be a way around the certification requirements.

Bob asked about the certification requirements for anger management providers and the difference between anger management counseling and batterers treatment.

Walt said that there were no requirements to provide anger management counseling. Walt said that with domestic violence there is generally a belief system supporting power and control within the family, which is not necessarily the case in anger management.

Tim said that with the Duluth, Emerge, and Evolve programs, anger is only one component of the power and control issue. He said that there are no credentials required to teach anger management.

Judge Bunch asked Jennifer about her dialogue with the judges relating to this item.

Jennifer said that she did have written dialogue with the judge in Pahrump, but that on the second complaint in another rural area, she spoke with John McCormick and he indicated he would speak with the judge.

Sue said the subcommittee could follow up with some of these agencies providing anger management, and see what could be done to assist them with getting certified.

There was some discussion on judges accepting treatment completion from non-certified agencies, specifically Twin Falls, and the possibility of those agencies applying for reciprocity.

Vote: All in favor. Motion carried.

11. *Discussion, recommendation, and action regarding proposal by Dennis Fitzpatrick to provide distance media courses for the purpose of completing court mandated batterer's treatment in the rural areas or for individuals with extenuating circumstances.

Tim said that the NAC was set up as it was because peer feedback is such an important element to treatment. He said that he did not see how on-line treatment would allow for peer feedback.

Shauna said that she understood that the treatment providers seemed very opposed to this idea, but that she felt Mr. Fitzpatrick actually made some good points. She said she thought some type of treatment would be better than none, which is the reality in some rural areas.

Walt said he did not agree that something was better than nothing. He said he felt this type of treatment could do more harm than good.

Bob asked whether an assessment had been done to ascertain which areas were lacking in treatment opportunities.

Sue responded that the AOC had done a study. She said that Ely, Tonapah, Pioche were some of the areas without certified treatment agencies.

Bob asked where perpetrators in Ely were supposed to obtain treatment when sentenced by the judge.

Tim brought up the possibility of batterers in rural areas traveling once a month for a six hour session as opposed to on-line treatment or no treatment.

Judge Bunch said it is very frustrating for the courts dealing with these cases. He discussed job situations with truck drivers, etc. and how difficult it is for people with those types of jobs to attend on a weekly basis. He discussed judges sending people to communities outside of Nevada to obtain treatment, specifically Twin Falls, Idaho.

Sue said that the regulations already allow for reciprocity with other states, but that possibly some outreach needed to be done letting them know how to obtain reciprocity. Sue said that other changes may require statutory change.

Bob asked if there were people in the urban areas willing to travel to rural areas.

Walt said that the individuals in his Elko agency traveled to Wendover, but said that adding in travel times and costs really did not make it profitable.

Bob suggested the possibility of funding a mobile team of providers to travel to the rural areas on a regular basis.

Sue said that there were instances in which people were trained in the rural areas and then did not receive any referrals. She said it would be difficult to send two people out to provide treatment to only one or two individuals.

Bob said that with grant funding, it might be a viable option.

Dr. Freda commented that he did not feel that some counseling was better than nothing. He said that he felt inappropriate counseling could actually do more harm than good. He said that if the belief systems and thinking of the batterer is not challenged appropriately, they are going to continue battering and tell their victim that everything would be back to normal with just paying a fee. He said that the next time the victim won't call the police, she will just put up with the abuse. He said that he felt a possible option with counseling would be to have one facilitator in each location with video-conferencing.

Judge Bunch said that he added video-conferencing to his office, and that each unit was \$12,000.

Walt said he still thought video-conferencing would be ineffective. He said it is a much different experience to look someone in the eye, than look at them on a screen. He said he understood that it would be very difficult for a judge to order treatment knowing that the individual would have to travel a great distance to complete the treatment, but that he was very worried about the possibility of watering down the regulations and standards.

Shauna asked if the Attorney General's Office had anyone who specifically looked for available grants.

Kareen said that there was a grants unit, but that she would be willing to look into available money.

There was discussion that Nevada is not the only rural state, and that some research could be done into how other states deal with this issue.

Bob commented that he did not hear anyone comment that they thought the use of distance media for treatment was a good idea.

Dennis Fitzpatrick commented that he wrote the included memo and that he was proposing a very simple solution. He said that the proposed idea would have a male and female co-facilitator on one end with a webcam and the other end would have clients all over the state accessing their computers from home at an appointed time. He said the technology would allow for facilitators to have conversations with the individuals on the other end of the webcam. He said this method would result in less cost to the offender. Mr. Fitzpatrick also said that in regards to comments suggesting that this type of treatment would not result in changes in misogynistic attitudes, he said that there is no proof that batterer's intervention how it is conducted now changes misogynistic attitudes. He said that this method would be recorded and progress measured at each session resulting in advantages to using this method. He also said that he felt this was an ideal solution for the rural areas because it would not require money from the Committee or the State.

Motion: Bob moved to deny Mr. Fitzpatrick's proposal based on the fact that it does not provide appropriate methods of treatment at this time.

Judge Bunch asked if there would need to be legislative change to allow this type of training.

Sue indicated that was correct.

Bob clarified that his motion was not to allow it and not to pursue legislative change to allow at this time.

Shauna said that there were two years before the next session and in those two years, there could be changes in technology or situations in the rural areas could change. She said that additionally some research should be done on other rural states and research should be done on whether any stimulus funds could assist with rural treatment. Shauna also stated that she did not want to preclude ever discussing this or any option in the future.

Bob clarified that his motion only included this proposal.

2nd: Walt

Vote: Walt, Traci, Bob, Tim, Shauna, Sue voted in favor. Judge Bunch opposed.

12. *Discussion, recommendation, and action regarding application forms.

Jennifer indicated that at the last meeting, she was asked to make several changes to the Committee's forms. Additionally, she said that in having the distance learning subcommittee meetings, there were changes that needed to be made to the training applications to be consistent with the regulations.

Tim made several further clarifications on changes.

Motion: Sue moved to accept form changes as corrected by Tim. 2nd: Shauna

Vote: All in favor. Motion carried.

13. Update by Distance Learning Subcommittee.

Sue reported that the subcommittee had met on March 11th. She said that Tim has helped to develop criteria used to review trainings. She also said that the subcommittee feels that some of the ideas generated may result in some needed changes to the regulations. She said that past minutes and the regulations were reviewed which has resulted in some form changes. Sue also indicated that a preliminary list of providers has been further evaluated, and that standards are being looked at along the lines of the regulations. She said that there was also discussion on timelines regarding trainings, and not approving into perpetuity. Additionally, she said that the subcommittee would be scheduling another meeting.

14. Update on site review contract with Dr. Alfred Hughes.

Jennifer said that the contract went through and that Dr. Hughes indicated that he anticipated completing the contract by the second week of June.

Walt asked how the random site visits were going to be done.

Jennifer said that it was her understanding that he was going to pick agencies as randomly as possible within the confines of time constraints. She said the Committee was not involved in telling him which agencies he would review, but that there was discussion on trying to review agencies which had not had a previous site review.

15. Comments from Tim Hamilton, Committee Chair.

Tim thanked everyone for their time and hard work.

16. *Date, time, and location of future meetings:

August 20, 2009, 10:00 am

November 19, 2009, 10:00 am

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.

Shauna announced that she was retiring and said that it had been a pleasure working with everyone.

Kareen said that had been approached by some treatment providers at a conference regarding their concern on the lack of available opportunities for continuing education.

Jennifer added that it was her understanding that Las Vegas Municipal Court would no longer be holding their annual conference which many providers depended on. Additionally, she said NNADV used to hold a 15 hour course, but that they were now holding shorter conferences throughout the state.

Sue commented that the conferences were not getting enough attendance and if people were concerned about the lack of training, then they should have shown up previously.

18. Adjournment

This agenda has been sent to all members of the Committee on Domestic Violence and other interested persons who have requested an agenda from the Committee. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

Anyone desiring additional information regarding the meeting is invited to call the Committee office at (775) 688 - 1960. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Committee on Domestic Violence at (775) 688 - 1960, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

**THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED
IN THE FOLLOWING LOCATIONS:**

Reno City Hall One E. First Street Reno, Nevada 89501	Office of the Attorney General 100 N Carson St. Carson City, NV 89701	Office of the Attorney General 5420 Kietzke Lane, Ste 202 Reno, NV 89511
Jean Nidetch Women's Center University of Nevada, Las Vegas 4505 Maryland Parkway Las Vegas, NV 89154	Grant Sawyer State Office Building 555 E. Washington Ave. Las Vegas, NV 89101	Safe Nest 2915 W. Charleston Blvd., #12 Las Vegas, NV 89102

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

DISTANCE LEARNING SUBCOMMITTEE MEETING

MINUTES

Monday, August 3, 2009 at 10:00a.m.

Via Teleconference

Public Access: Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511

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 and roll call of members.

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General's Office</u>
Tim Hamilton	Walt Dimitroff	Henna Rasul, DAG
Traci Dory		Jennifer Kandt, Admin.
Sue Meuschke		Kareen Prentice, Ombudsman

2. *Review, amend, and approve minutes of meetings.
a) March 11, 2009

Motion: Tim moved to approve. 2nd: Traci
Vote: All in favor. Motion carried.

3. *Discussion, recommendation, and action regarding standardized criteria used to evaluate internet continuing education providers.

Tim discussed separating the criteria into process and content.

Sue said she did not think that was necessary as it already coincided with the form Jennifer created which addressed form and content for trainings.

Traci said she thought the criteria were very good and liked that they would be attached to the form created for training review.

Motion: Traci moved to approve the criteria to be attached to the review form.
2nd: Tim

Vote: All in favor. Motion carried.

4. *Discussion, recommendation, and action regarding form for training review.

Sue asked about the difference between the provider and individual application and asked how the information would be given to people applying for training. She asked if there would be a cover letter, or if individuals would get a copy of the review form and criteria.

Jennifer said that the applications already included a checklist with some of the information, but that not all of the information was required by regulation.

Sue suggested that the application forms include a checkmark indicating if it was approved by other regulatory boards.

Jennifer said that the 60 minutes equaling one unit was in the regulations and that the application form could make that more clear.

Sue asked if a post test was going to be required.

Jennifer said that a post test is required in the regulations, but that not all trainings offer a post test.

Sue said that if the Committee requires a post test then providers will make that part of the training.

Jennifer said there was a training on the next agenda that appeared to be charging an additional \$125 to take a test.

Sue said that her agency charges an additional \$25 for anyone needing continuing education units.

Tim asked if the \$25 fee included a post test for individuals.

Sue said that it included a post test if the continuing education body required a post test, such as POST or nursing.

There was discussion that POST doesn't give credits without a post test score, and that the Social Work board did not require a post test, so everyone attending a conference does not need to take a post test.

There was discussion and general consensus that the Committee be strict in adhering to the regulations which require a post test, and remind the providers that a post test is required when attending a training.

Tim said that we should also make Committee members aware that a post test is required in order for a training to be approved.

Jennifer stated that some of the larger organizations who put on national trainings may be opposed to submitting applications and composing post tests for so few individuals. She said there was a national organization putting on a training in Reno, but they had not provided the individual with everything that was required by the Committee.

There was discussion that the application forms be clear that a post test is required. There was also discussion that most on-line providers seem to offer a post test.

Sue stated that the tests are generally about what was learned and how the information learned will be used in practice. She said that the Committee needs to be more stringent in its requirements.

There was general consensus that the review form would be easy to use and useful for Committee members.

Motion: Tim moved to approve. 2nd: Traci

Vote: All in favor. Motion carried.

5. *Discussion, recommendation, and action regarding potential distance learning providers to be placed on approved list.

Jennifer said that at the last meeting, members decided they would look further into providers that initially appeared to provide quality continuing education.

Sue and Tim said they had not yet looked further into any providers.

Traci said she didn't look further into the US Journal trainings because she could only look at the course materials if she paid to take the course. She said the Simmons trainings appeared very good and she needed to look into it further.

There was discussion on whether a national body existed dealing with batterer's treatment issues.

Tim said he didn't think there was, but that he would look further into whether such a body existed.

Sue asked if the Committee thought it was a good idea to agree to accept courses that had been approved by the MFT board or the NASW board.

There was discussion and question on whether those boards would be the most qualified in terms of evaluating domestic violence training.

Tim asked about how long a training should stay on the approved list, and whether the subcommittee was going to designate a timeframe for how long a course remained approved.

Sue said that the reviewer would decide that, but that the subcommittee could recommend a limit, and suggested that the form state the length of time the course should remain approved not to exceed two years. She also said that courses could be re-evaluated if needed.

Jennifer asked if courses approved two years ago are no longer valid.

Sue asked legal counsel if a time limit could now be set.

Henna said that a time limit could be set if people were put on notice.

Tim suggested adding a column to the training list which puts an expiration date on the training.

Sue said that she wanted to make clear that the courses would be valid if taken within the two year time frame. She said that after the expiration date, the courses would not automatically be reviewed again, but that they would be reviewed again if resubmitted.

Jennifer said language could be added to the bottom of the training log letting people know that expired classes could be resubmitted for approval. Additionally, she said that she would put these recommendations before the full committee, and recommended that these changes be put into the regulations.

Discussion resulted in general consensus that the recommendations to the full committee would include 1) requiring that courses expire at least every two years 2) conducting regulation review 3) approving the review form.

6. 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.

7. Adjournment.

Motion: Tim moved to adjourn. 2nd: Traci

Vote: All in favor. Motion carried.

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

RURAL ISSUES SUBCOMMITTEE MEETING

MINUTES

Monday, August 3, 2009 at 10:30a.m.

Via Teleconference

Public Access: Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511

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 and roll call of members.

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General's Office</u>
Kareen Prentice Sue Meuschke	Walt Dimitroff	Jennifer Kandt, Admin.

Public
Traci Dory

2. *Discussion, recommendation, and action regarding election of chairperson to the subcommittee.

There was discussion and general consensus that Walt be asked to serve as chair since Sue was chairing another subcommittee. It was decided that if Walt was unwilling to serve as chair, this item would be revisited.

3. *Discussion, recommendation, and action regarding possible goals and objectives for the subcommittee.

Sue said the issue is a lack of services in the rural areas and the goal would be to identify how to expand services to the rural areas. She said the

objectives would be to: 1) Understand the barriers to treatment in the rural areas 2) Understand referrals to anger management vs. batterer's treatment in the rural areas 3) Identify resources to build services in the rural areas.

4. *Discussion, recommendation, and action regarding future agenda items.

Kareen volunteered to look into how other rural states deal with similar issues and report for the next meeting.

Jennifer said she could create a map to show where services are available and get a copy of the draft report created by AOC.

Kareen said part of the lack services in rural areas could be a very limited time frame that classes are offered, and asked that the map include times services are available.

Sue said she would conduct a survey with the rural programs and service providers to see what they feel are the barriers to providing services. She said she would bring a copy of the proposed survey back to the subcommittee before sending it out.

Kareen said she thought one of the barriers to agencies becoming certified is the 60 hours of training that is required.

Jennifer agreed and said that the 60 hours of observation time could be more of a barrier, especially if other agencies decide not to allow individuals to observe in their agencies.

Sue said that part of the problem could be judges not ordering treatment in the rural areas, so that agencies don't get any business, and said Walt may be able to go to one of the judges meetings to discuss batterer's treatment. Sue also said that it could be possible for the Committee to hold an annual batterer's treatment conference.

There was discussion on the various tasks that had been assigned, and agreed that a future meeting date would be decided at another time.

5. 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.

6. Adjournment.

Motion: Kareen moved to adjourn. 2nd: Sue
Vote: All in favor. Motion carried.

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

MINUTES

Thursday, August 20, 2009 at 10:00 a.m.

Via Teleconference
Office of the Attorney General
Grant Sawyer Building
555 E. Washington Avenue, Room 3315
Las Vegas, Nevada

And

Office of the Attorney General
100 North Carson Street
Mock Courtroom
Carson City, Nevada

Please Note: The Batters 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, establishment of quorum, and welcoming of new member.

Members Present

Tim Hamilton
Max Bunch
Sue Meuschke
Robert Auer
Traci Dory
Lt. Chris Carroll
Cheryl Hunt
Walt Dimitroff

Members Absent

Public
Dr. Michael Freda

Attorney General's Office

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

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

a) May 21, 2009

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

Vote: All in favor. Motion carried.

3. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Kareen presented budget materials and indicated that there was two thousand dollars left over from the last fiscal year. Kareen presented the work program for the next two years which indicated there was more money available than the last fiscal year. She indicated that there would be sufficient funds for the Committee to meet in person at least once per year. She said that she added funds for a Committee brochure which she said she would work on for the next meeting.

b) Court Assessments

c) Match

Kareen asked that everyone fill out their Match forms and return to Jennifer.

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

a) Individual Application for 15 Training Credits

Stephanie Bixler

“2009 NAFC Annual Conference”

September 28-30, 2009 Reno, NV

(Reviewed by Traci Dory)

Traci said she did not have enough information on the course content and the specific courses that the individual would attend to approve.

Jennifer said she thought the individual had marked the courses she would attend.

Traci said there were some courses that were starred and some circled and that there were multiple items marked at the same time, so it was not clear. She recommended denial.

Motion: Walt moved to deny. 2nd: Sue

Vote: All in favor. Motion carried.

b) Individual Application for 18 Training Credits

Stuart Gordon

“CASAT Spring Academy Prevention and Treatment Exchange”

May 18-20, 2009 Reno, NV

(Reviewed by Lt. Carroll)

Lt. Carroll indicated that everything was there, but he wasn't sure about the number of credits and that would need to be determined. He said he would need to see a syllabus with a time break down. He recommended approval contingent upon a breakdown of hours.

Motion: Sue moved to approve contingent upon receipt of syllabus with breakdown of hours. 2nd: Traci

Vote: All in favor. Motion carried.

- c) Provider Application for 40 Training Credits
Relationship Training Institute
“The STOP Program: Understanding and Treating Domestic Violence in the 21st Century”
May 7,8,9,15, and 16, 2009 San Diego, CA
(Reviewed by Sue Mueschke)

Sue recommended approval.

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

Vote: All in favor. Motion carried.

- d) Individual Application for 8 Training Credits
Stuart Gordon
“Co-occurrence of Domestic Violence and Child Abuse”
April 2, 2009 Carson City, NV
(Reviewed by Judge Bunch)

Judge Bunch recommended approval of 7.25 victim hours.

Motion: Walt moved to approve. 2nd: Traci

Vote: All in favor. Motion carried.

- e) Individual Application for 8 Training Credits
Sandra Dietrich-Hughes
“Documenting, Investigating, and Prosecuting Domestic Violence Strangulation”
June 9, 2009 Henderson, NV
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Walt moved to approve. 2nd: Sue

Vote: All in favor. Motion carried.

- f) Individual Application for 6 Training Credits
Sandra Dietrich-Hughes
“Conference on Domestic Violence”
May 20, 2009 Las Vegas, NV
(Reviewed by Judge Bunch)

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

Motion: Traci moved to approve. 2nd: Walt

Vote: All in favor. Motion carried.

- g) Individual Application for Training Credits
“Treating Clients with Post Traumatic Stress Disorder”
Las Vegas, NV
(Reviewed by Bob Auer)

Bob recommended approval of 5 victim hours.

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

Vote: All in favor. Motion carried.

5. *Discussion, recommendation, and action regarding requests for new providers:

- a) Gerald Baer
ACCS
(Reviewed by Tim Hamilton)

Tim recommended that this item be continued pending further documentation as the individual appeared to be missing adequate formal training and observation hours.

Motion: Bob moved to continue pending additional documentation. 2nd: Traci

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

- b) Mary Wolery
ACCS
(Reviewed by Tim Hamilton)

Jennifer said this item could not be heard as she did not receive a waiver.

- c) Cindy Veschi
ACCS
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Bob moved to approve. 2nd: Traci

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

- d) Nelda Ray-Smith
Safe Nest
(Reviewed by Walt Dimitroff)

Walt recommended approval.

Motion: Sue moved to approve. 2nd: Traci

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

Walt stated that he had been looking at another individual's paperwork and had made an incorrect recommendation.

Motion: Bob moved to reconsider the item. 2nd: Sue

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

Walt recommended that the request be denied as the individual was missing 4.5 perpetrator hours. He stated that the individual was short hours due to distance media limitations.

Bob asked how long it would take someone to obtain the hours, if the application would need to be resubmitted, and whether fees would be reassessed.

Jennifer said the application would need to be resubmitted if denied, but that it was not a very long application. She indicated that the length of time it would take to obtain the hours would depend on when the next training was offered and that the Committee does not charge any fees.

Motion: Bob moved to continue pending additional perpetrator hours. 2nd: Sue
Vote: All in favor. Motion carried. Judge Bunch and Tim abstained.

- e) Laura Navarro de Sanchez
Safe Nest
(Reviewed by Walt Dimitroff)

Walt recommended approval.

Motion: Bob moved to approve. 2nd: Sue

Vote: All in favor. Judge Bunch and Tim abstained.

- f) David LeBaron
Mesa Family Counseling
(Reviewed by Traci Dory)

Traci recommended approval contingent upon receipt of a legible copy of the individual's degree.

Motion: Sue moved to approve contingent upon receipt of a legible copy of the individual's degree. 2nd: Walt

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

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

- a) ABC Therapy
Henderson, NV
(Reviewed by Sue Mueschke)

Sue stated that two observation forms were missing. She recommended approval contingent upon receipt of the two missing forms.

Motion: Traci moved to approve contingent upon receipt of the forms. 2nd: Bob

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

- b) Ridgeview Counseling
Reno, NV
(Reviewed by Lt. Carroll)

Lt. Carroll recommended approval.

Motion: Bob moved to approve. 2nd: Traci

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

- c) Mesa Family Counseling
Las Vegas, NV
(Reviewed by Traci Dory)

Traci recommended approval.

Motion: Walt moved to approve. 2nd: Sue

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

- d) Family Counseling Service
Reno, NV
(Reviewed by Bob Auer)

Bob recommended approval.

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

- e) ACCS
Sparks, NV
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Traci moved to approve. 2nd: Sue

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

- f) South Lake Tahoe Women's Center – RECIPROCITY AGREEMENT
South Lake Tahoe, CA
(Reviewed by Walt Dimitroff)

Walt recommended approval.

Motion: Bob moved to approve. 2nd: Sue

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

7. *Discussion, recommendation, and action regarding requests for additional locations for the following agencies:

- a) ACCS
421 Hill Street, Reno, NV
(Reviewed by Tim Hamilton)

Tim recommended approval.

Motion: Sue moved to approve. 2nd: Traci

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

- b) Healing The Future
3838 Raymert Drive
Las Vegas, NV
(Reviewed by Sue Mueschke)

Sue stated that a letter was needed stating that the providers used at this location will remain the same. She said a letter from the supervisor was received stating that the curriculum will remain the same.

Motion: Bob moved to approve contingent upon receipt of verification of providers. 2nd: Traci

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

8. *Discussion recommendation, and action regarding site review contract.

Jennifer stated that there was additional money in the budget for site reviews. She said there was \$19,000 available in the budget for site reviews and that the Committee needed to decide how they wanted to complete those reviews. She said that in the past agencies were reviewed every two years, but that the Committee could consider reviewing more agencies with the elimination of the satellite offices. She indicated that the Committee has contracted on a per agency basis and on a per day basis. Jennifer said that there were 28 agencies, and eliminating review of satellite offices put the number at 18.

Sue said she wanted to see the report from the last reviews before making any decisions.

Jennifer said that she had just received the report the day prior and said she could e-mail it out to all members right away. She asked if the Committee would like a special meeting to decide on the site review contract, or if the members wanted to wait until the November meeting.

There was general consensus that members wanted to see the previous site review report before making any major decisions, and that the item could wait for the November meeting.

There was discussion that the agenda item should be expansive enough to include discussion of the site review report and the scope of a possible RFP.

Motion: Bob moved to continue until the next agenda and have the agenda item include discussion of the RFP. 2nd: Sue

Vote: All in favor. Motion carried.

9. *Discussion recommendation, and action regarding Committee's position on specific client contract terms and defaulting of clients for non-payment.

Jennifer stated that a judge had contacted her about concerns regarding an agency that was charging clients additional fees and requiring additional attendance upon failure to pay timely. Jennifer said the judge was requesting an opinion from the Committee on whether this practice was acceptable. She said that she had spoken with an individual from the agency in question and was told that the agency used the terms of the client contract as a motivation for payment. Jennifer said the individual also mentioned that Dr. Hughes had never commented on the terms of the client contract. Jennifer also said she contacted Dr. Hughes who indicated that he did not feel that the practice violated any part of the NAC, but that it was also not common practice among other agencies. Jennifer said that he noted that agencies typically terminate clients, deny certificate of completion, or move to a sliding fee scale when clients fail to pay for services.

Tim said that he did not feel that agencies were allowed to extend the number of required sessions as that was mandated by the courts.

Jennifer said she has had other judges call and question how a program can terminate a client based on non-payment when the code states that treatment cannot be denied based on inability to pay. She said it would be helpful if the Committee had a position on this so she could answer those questions.

Sue stated that non-payment and inability to pay are two different things.

Bob said that programs cannot be expected to work for free, and that this item did not seem like a licensing issue, but an issue between the client and the provider.

Walt said he had concerns about continuing to charge someone after completion of the required number of classes.

Cheryl said that the statute said non-payment and she does not think the Committee can define non-payment. She said that she does not feel that it is appropriate to charge an additional \$120 to someone who cannot pay \$30.

Tim said this is a very complicated issue that he does not feel has a quick response. He said that at least 5% of clients must be given pro bono treatment. He said that it can be difficult to determine if someone really can't pay, or just doesn't want to pay without any investigative resources.

Judge Bunch asked if a financial overview was required when entering a program.

Tim said that his agency requests financial information from the client, but that often the client states they don't have employment or documentation; they only have a court order.

Bob asked if the client signed a contract stating they are going to pay.

Tim said that they do.

Bob stated that he felt taking a position on this item could interfere with the contract between provider and client.

Lt. Carroll said that he felt there were two separate issues. He said the first issue was the difference between inability to pay and unwillingness to pay. He said the second issue was whether an agency can penalize an individual by extending the number of classes. He said that it seemed reasonable to withhold a certificate, but not extend classes.

There was discussion that the perpetrator or "client" signed a contract agreeing to terms detailing exactly what would happen for failure to pay.

Jennifer said the judge indicated that she did not feel the agency had the right to extend the number of classes as the number of classes were dictated by the courts.

Bob said that the order by the court and the contract between the client and the agency were two separate things.

Traci said that if the individual did not agree with the terms of the contract, then she shouldn't have signed the contract, and that the Committee had nothing to do with those terms.

Tim said that there was very little an agency could do when a client violates the terms of a contract and that it is the court deciding what to do with client violations.

Judge Bunch said that agencies could use small claims courts to try to get back owed money using the client contract for evidence.

Sue said that did not feel that the Committee could make a determination on this issue with the limited information available.

There was discussion on whether the judge had spoken with the agency. It was clarified that the clerk had communication with the agency, but that there did not seem to be any resolution.

Walt said he felt that charging additional fees for failure to pay could be considered abuse of power.

Lt. Carroll said he agreed.

Bob said he did not feel it was this Committee's job to make that determination.

Walt said that we do set limitations things, including attendance, and that maybe there could be limitations set to this as well. He also said that he did not think this was a widespread issue.

Tim said that he felt the judge was asking whether a provider could add sessions to a clients program and said that he does not think there is anything in the code which allows a provider to add sessions to a client's program.

Judge Bunch said that a provider could not add sessions without the court's approval, and that the judge typically listens to the professional in regards to the status of the perpetrator.

Sue said that the Committee could not say that a program can only charge for 26 weeks if judges often listen to the professional and have them attend more sessions. She said that she did not feel that there was an answer to this question today as it was more complicated than it appeared.

Cheryl said she felt that there was nothing in the NAC that would allow a program to charge for more classes for failure to pay.

Bob asked if there was anything in the NAC which prohibits the practice.

Henna said that the Committee should closely consider the comments from Dr. Hughes as he is very familiar with the regulations.

Motion: Bob moved to table the item until the next meeting. 2nd: Sue

Sue said she wanted to get additional information and requested that the individuals be invited to attend the next meeting to provide additional information and clarification on the item.

Jennifer said she was asked to remove identifying information from the request and asked if inviting the individuals would mean the agency information would be revealed.

Bob said he was bothered by the fact that the identifying information was left off, and questioned that decision. He asked whether it had to do with giving proper notice.

Jennifer said she had been told this could be considered an informal complaint and that the agency in question would only be revealed if this moved to a formal complaint.

Bob said that this was not an informal complaint, this was just a request for interpretation of regulations.

There was discussion and general consensus that the provider and the judge be invited to the next meeting or submit further written comments on their position.

Tim said more specificity from the judge could be helpful.

10. Update by Rural Issues Subcommittee.

Walt said he missed the meeting, so he was elected chair of the subcommittee.

Jennifer referred the Committee to the report.

Walt said the subcommittee needed to schedule an additional meeting to start working on some of the goals and objectives.

Judge Bunch asked why the issue of judges referring to anger management as opposed to batterer's treatment was on the list.

Sue said that this was a rural issue and that it was something the Rural Issues Subcommittee was going to look into. She asked if Judge Bunch would like to serve on the subcommittee.

Judge Bunch said he did not want to serve on the subcommittee, but said he wanted to understand the goal.

Sue stated that it could be an issue of a group needing help to become certified. They may be calling their service, "anger management" when it may be something else. She said this is not about the judges, it is about figuring out what is happening in the rural areas and addressing the needs.

Judge Bunch requested that Jennifer send him any relevant reports from the AOC or Prevention Council on batterer's treatment.

11. *Discussion, recommendation, and action regarding Distance Learning Subcommittee recommendations.

There was discussion on changing regulations to accommodate changes to the continuing education requirements, and further discussion that the Committee was overdue for a formal 10 year review of regulations. There was general discussion that the next meeting include a regulation workshop.

There was general consensus that the recommendations of the subcommittee be accepted.

Motion: Traci moved to accept the recommendations. 2nd: Walt
Vote: All in favor. Motion carried.

12. *Discussion, recommendation, and action regarding new and or revised forms.

Jennifer indicated that a Committee form had not been created for the purpose of applying for an additional location and that the regulations required a form for this purpose. Additionally, she said the training review forms were the result of the Distance Learning Subcommittee.

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

13. *Discussion, recommendation, and action regarding designation of a Committee member to handle informal complaints.

Cheryl volunteered to handle complaints in the north, and Bob volunteered to handle complaints in the south.

Motion: Sue moved to allow Cheryl to handle complaints on any agencies in the north, and to allow Bob to handle any complaints on agencies in the south. 2nd: Traci
Vote: All in favor. Motion carried.

14. Comments from Tim Hamilton, Committee Chair.

Tim welcomed Cheryl to the Committee and thanked everyone for their time. Additionally, he commented that he had concerns in reviewing training for an individual regarding trainings being from 1997 and not on the approved list. He said that he did not see in the regulations that the formal training had to be approved by the Committee.

Jennifer said that the approval requirement was in the “definitions” section and referred the Committee to the regulation.

15. *Discussion, recommendation, and action regarding annual election of chair as required by NRS 228.470.

Sue nominated Tim. There was general consensus that Tim remain the chair.

Motion: Sue moved to re-elect Tim as chair. 2nd: Traci
Vote: All in favor. Motion carried. Tim abstained.

16. *Date, time, and location of future meetings:

November 19, 2009, 10:00 am – Las Vegas

There was discussion on everyone meeting in Las Vegas or in Reno. Kareen indicated that everyone could meet in Las Vegas in November. There was general consensus that Jennifer arrange the details of the meeting and regulation workshop to include whether the meeting needed to be one or two days.

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.

Dr. Freda said he wanted the Committee to consider qualifications and training from other states in regards to formal training. He said that someone could be a pioneer in the field working in another state and would not meet the criteria of the Committee. He said he felt that the Committee should consider some type of reciprocity to accommodate people with experience in other states.

Dr. Freda also commented that providers have been struggling for a long time with clients who fail to pay. He said that his agency has denied a letter of completion to the court until fees are paid, and has also tried making individuals continue to attend classes until fees are paid, but not to continue charging them. He said he felt it was an abuse of power to continue charging clients when they fall behind on payments.

Dr. Freda suggested that the Committee look at the report completed by the Domestic Violence Prevention Council which was submitted to the legislature and based on a survey which dealt with batterer's treatment in the rural areas. He said that as a result of the report, the Judicial Training Subcommittee, which he chairs, was created to address various judicial training issues.

18. Adjournment

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

DISTANCE LEARNING SUBCOMMITTEE MEETING

MINUTES

Friday, November 6, 2009 at 9:30a.m.

Via Teleconference

Public Access: Office of the Attorney General
 5420 Kietzke Lane, Suite 202
 Reno, NV 89511

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 and roll call of members.

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General's Office</u>
Walt Dimitroff	Tim Hamilton	Henna Rasul, DAG
Traci Dory		Jennifer Kandt, Admin.
Sue Meuschke		Kareen Prentice, Ombudsman

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

a) August 3, 2009

Motion: Traci moved to accept minutes as written. Walt seconded but said he did not attend that meeting.

Vote: All in favor. Motion carried.

3. *Discussion, recommendation, and action regarding suggestions for regulation changes.

There was discussion on the language surrounding courses expiring two years from the date of approval.

Jennifer asked whether the regulation needed an exception to the two year expiration with language such as, “unless otherwise determined by the Committee”.

Walt said he had some concern with the two year policy as that would mean that many of the distance learning courses would be expiring and said that rural areas need the distance learning courses.

Sue reminded the subcommittee that there was discussion concerning the Committee not wanting to approve courses into perpetuity, and that the course was valid toward formal training as long as it was taken while it was valid.

Jennifer stated that the full Committee had already voted on and approved the recommendations of the subcommittee, one of which was to have courses expire two years after approval.

There was general consensus that courses could be resubmitted once expired.

Walt stated that he was ok with the two year expiration if courses are allowed to be resubmitted.

Henna suggested adding language specific that approval is made by the Committee.

There was lengthy discussion on whether a post test should be a training requirement and whether a passing score would be required.

Walt said that when he took an on-line course, it appeared that individuals who did not pass the test were allowed to continue taking the test until passing. He also stated that many live trainings do not give post tests.

Sue stated that there are not many boards that require a post test. She said the only boards she knows of that require a post test, are POST and nursing. She said that at live trainings, people can sign in and leave. She also said that at some point the Committee needed to trust the process and not be grading tests.

There was extensive discussion about whether a post test should be required, and general consensus that the Committee should focus on the materials and not a test.

Sue stated that the application form should indicate that if a test is provided or offered, it should be included with the application.

There was general consensus that the requirement for the post test be removed, but that the application form still request the test if available or offered.

Walt reminded the subcommittee members that these changes would still need to be approved by the full Committee.

Henna recommended that a catch all phrase be added to request additional information when needed.

There was discussion about keeping the sections separate for individuals submitting training or providers of training submitting applications. There was general consensus that the requirements be the same, but that the sections be kept separate.

Jennifer stated that the regulations require agencies to maintain proof of continuing education for two years, but there is not a requirement to maintain proof of formal training hours.

There was discussion and general consensus that agencies be required to maintain proof of formal training hours for all providers.

Jennifer said that part of the regulation discussions with the full Committee will need to include the process for requesting approval of new providers.

Walt mentioned the database and the Committee's ability to keep track of that information.

Sue recommended that the remainder of the items be tabled.

Motion: Walt moved to table the remaining agenda items until the next meeting.

2nd: Traci

Vote: All in favor. Motion carried.

4. ***Discussion, recommendation, and action regarding training application forms.**
5. ***Discussion, recommendation, and action regarding potential distance learning providers to be placed on approved list.**
6. ***Discussion, recommendation, and action regarding future agenda items.**
7. ***Discussion, recommendation, and action regarding future meeting dates.**

Meeting was scheduled for January 5, 2010 at 9:30 a.m.

8. 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.

9. Adjournment.

Meeting adjourned at 10:45 a.m.

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

RURAL ISSUES SUBCOMMITTEE MEETING

MINUTES

Friday, November 6, 2009 at 10:00a.m.

Via Teleconference

Public Access: Office of the Attorney General
 5420 Kietzke Lane, Suite 202
 Reno, NV 89511

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 and roll call of members.

<u>Members Present</u>	<u>Members Absent</u>	<u>Attorney General's Office</u>
Kareen Prentice		Jennifer Kandt, Admin.
Sue Meuschke		
Walt Dimitroff		

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

a) August 3, 2009

Motion: Sue moved to approve. 2nd: Kareen

Vote: All in favor. Motion carried.

3. *Discussion, recommendation, and action regarding goals and objectives for the subcommittee.

Walt said he looked at the goals and objectives put forth by Sue, and that he felt they were very good.

Sue thanked Jennifer for the copy of the survey from the Supreme Court, and for the creation of the services map. She said that she did not feel that another

survey would be appropriate. Sue asked Walt, as a provider in rural communities, what he saw as the barriers to treatment.

Walt said one barrier was getting properly trained providers willing to provide services. He said the second barrier, was that if someone is trained and willing to provide services, there may not be any clients. He said when his agency tried to assist with treatment in Battle Mountain and Ely, they only had one or two clients. He said there did not appear to be a great enough need to support two therapists even on a bi-monthly basis.

There was discussion on the number of domestic violence charges versus the number of convictions.

Sue noted that the report seemed to indicate that there was not solid data on the number of charges versus convictions and that a targeted survey on that issue might be a possibility.

Kareen said she wondered whether judges weren't convicting because treatment was not available, but noted that all judges in the survey seemed to indicate that they sentence to batterer's treatment.

Sue asked how many clients would be needed to make a group financially viable.

Walt said that if the counselors were local, then probably eight to ten would be worthwhile. Walt said it would be very helpful to have real numbers as to the number of possible clients, so that providers could decide whether it was feasible to put a program together in that area. He said that ideally, providers would be local, and supervision could be provided remotely.

Sue mentioned the possibility of a town meeting in a rural area where the Committee could discuss the qualifications and services needs to generate interest.

Kareen said the Committee could hold a May meeting in Ely inviting judges and people from the community. She said the Committee could put an ad in the paper to tell people about the meeting.

Walt volunteered to talk to the judge in Ely to try to get an understanding of their numbers and exactly what they are doing in terms of sentencing to treatment.

There was discussion that Ely, Tonapah, Hawthorne, Pioche, and Caliente would be good places to start in terms of gathering information.

Walt suggested sending out letters saying that the Committee is concerned about the lack of services in rural communities and will be contacting judges to set up times to discuss the needs in those communities to help prepare them for the call. Questions would include, how many convictions for domestic battery in the

last year, how many people were able to access certified counseling and how many were able to access un-certified counseling.

Kareen suggested reaching out to John McCormick about this issue.

Walt said that he felt Judge Bunch seemed very willing to help in this area and that he would be willing to call him to see if he is able to offer any assistance in talking to judges and how he feels we could access this data. Walt said to wait on the letter until his discussions with Judge Bunch and John McCormick.

4. *Discussion, recommendation, and action regarding future agenda items.

Sue said a future agenda item would be a report back on Walt's discussions, and if he is able to gather any info, we would have specific info on communities.

5. *Discussion, recommendation, and action regarding future meeting dates.

Meeting date was set for January 5, 2010, at 10:00 a.m.

6. Public Comment.

<p>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.</p>

7. Adjournment.

Meeting was adjourned at 11:15.

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

MINUTES

Thursday, November 19, 2009 at 10:00 a.m.

Office of the Attorney General
Grant Sawyer Building
555 E. Washington Avenue, Room 3315
Las Vegas, Nevada

With Public Video-Conference Access:
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	Lt. Chris Carroll	Henna Rasul, DAG
Max Bunch	Traci Dory	Jennifer Kandt, Admin. Coord.
Sue Meuschke(phone)	Walt Dimitroff	
Robert Auer		<u>Public</u>
Cheryl Hunt		Craig Merrill

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

a) August 20, 2009

Motion: Bob moved to approve the minutes. 2nd: Sue

Vote: All in favor. Motion carried.

3. Updates by Domestic Violence Ombudsman Kareen Prentice.

a) Budget

Jennifer indicated that Kareen was unable to attend the meeting, but had submitted the budget information included in the meeting materials. (Attachment A)

b) Court Assessments

c) Match

Committee members were reminded to complete the Match forms included in their packets.

4. *Discussion, recommendation, and action regarding possible changes to Chapter 228 of the Nevada Administrative Code.

There was discussion that Jennifer compile the possible changes discussed during the regulation workshop and bring to the next meeting for further review and evaluation.

Motion: Bob moved to continue the regulation process with changes discussed during the regulation workshop. 2nd: Sue

Vote: All in favor. Motion carried.

5. *Discussion, recommendation, and action regarding Committee policy and regulation clarification on approval of new and or currently employed providers and supervisors.

Jennifer indicated that discussion on this item was not needed at this time since clarification was going to be made in the form of a regulation.

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

- a) Provider Application for 6.5 Training Credits
Child Abuse and Neglect Prevention Task Force
"Unseen Victims: The Children of Battered Women"
November 17, 2009 Reno, NV
(Reviewed by Judge Bunch)

Judge Bunch recommended approval.

Motion: Sue moved to approve. 2nd: Bob

Vote: All in favor. Motion carried.

- b) Individual Application for 24 Training Credits
Pamela Brown
"NAFC 2009 Annual Conference"
September 28-30, 2009 Reno, NV
(Reviewed by Tim Hamilton)

Tim said that there was not sufficient information included with the packet for him to make an evaluation. He recommended that the item be continued pending further documentation.

Motion: Sue moved to continue. 2nd: Judge Bunch

Vote: All in favor. Motion carried.

- c) Provider Application for 4.75 Training Credits
NNADV
“Stalking: Identifying Tactics, Responding to Victims”
November 4, 2009 Reno, NV
(Reviewed by Cheryl Hunt)

Cheryl recommended approval.

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

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

- d) Provider Application for 8 Training Credits
Las Vegas Municipal Court
“Professional Preservation Domestic Violence Workshop”
December 8, 2009 Las Vegas, NV
(Reviewed by Sue Mueschke)

Sue recommended approval.

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

Vote: All in favor. Motion carried.

- e) Provider Application for 30 Training Credits
Dennis Fitzpatrick
“Practice Teaching Fitzpatrick PowerPoint Classes 1-13 for Offenders, Victims and the Chemically Dependent, Part 1 of 2 in 2010” and “Practice Teaching Fitzpatrick PowerPoint Classes 14-26 for Offenders, Victims and the Chemically Dependent, Part 2 of 2 in 2011”
February 5 and 8, 2010, and February 11 and 14, 2011 Las Vegas, NV
(Reviewed by Walt Dimitroff)

Jennifer said that Walt recommended approval.

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

Vote: All in favor. Motion carried.

- f) Provider Application for 8 Training Credits
Options – Paul Reeves
“Initial Intake Assessment and Evaluation”
October 10, 2009 Las Vegas, NV
(Reviewed by Judge Bunch)

Judge Bunch recommended approval for up to 8 hours contingent upon receipt of syllabus. He said that the application form indicated that the training took place from 8 to 5, but that there was not a break down of hours to include lunch and breaks.

Motion: Bob moved to approve for up to 8 hours contingent upon receipt of syllabus.

2nd: Cheryl

Vote: All in favor. Motion carried.

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

- a) Paul Edwards, Supervisor
Great Basin Counseling Services
(Reviewed by Lt. Carroll)

Jennifer said that Lt. Carroll recommended approval.

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

- b) Judy Humphrey, Provider
Sierra Counseling Center
(Reviewed by Cheryl Hunt)

Cheryl recommended approval.

Motion: Bob moved to approve. 2nd: Sue

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

- c) Stephanie Bixler, Provider
LRS
(Reviewed by Bob Auer)

Bob recommended approval.

Motion: Sue moved to approve. 2nd: Cheryl

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

- d) Mary Wolery, Provider
ACCS

(Continued from August Meeting; Reviewed by Tim Hamilton)

Tim recommended that the item be continued pending additional documentation as the individual lacked sufficient approved formal training hours.

Motion: Sue moved to continue. 2nd: Bob

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

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

- a) Great Basin Counseling Services
Reno, NV
(Reviewed by Lt. Carroll)

Jennifer said that Lt. Carroll recommended approval.

Motion: Sue moved to approve. 2nd: Cheryl

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

- b) Options
Las Vegas, NV
(Reviewed by Bob Auer)

Bob recommended approval.

Motion: Sue moved to approve. 2nd: Cheryl

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

- c) Winnemucca Batterer's Intervention Program
Winnemucca, NV
(Reviewed by Sue Mueschke)

Sue indicated that because the NAFC training had not been approved, the providers lacked sufficient continuing education units. Additionally, she noted that the client file audits revealed that police reports were not being obtained. She recommended that the

item be continued pending additional continuing education and clarification on the issue of police reports.

Motion: Bob moved to continue. 2nd: Cheryl

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

9. *Discussion, recommendation, and action regarding corrective action plans for the following agencies:

- a) ABC Therapy
Las Vegas, NV
(Reviewed by Traci Dory)

Jennifer said that Traci recommended approval.

Motion: Bob moved to approve. 2nd: Sue

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

10. *Discussion, recommendation, and action regarding review of previous site review report, possible future site review contract and RFP.

Jennifer said that this item had been continued at the last meeting as the Committee had decided they wanted to see the previous site review report before making any decisions concerning a future solicitation or contract. She said that Karen indicated that there was \$19,000 per year available for site reviews for the next two years, and that the Committee paid \$1300 per agency under the most recent contract with Dr. Hughes.

There was discussion that eliminating satellite offices and the four recent agency reviews would leave 14 agencies, and that the Committee had funds available to pay for 14 reviews.

Sue suggested that the satellite offices be reviewed the following year.

Sue and Tim commented that they were pleased with the site review report from Dr. Hughes as it seemed to address all of the necessary components.

Motion: Sue moved to have the Committee move forward with releasing an informal solicitation to review 14 agencies. 2nd: Bob

Vote: All in favor. Motion carried.

11. *Discussion, recommendation, and action regarding batterer typologies.

Sue said that she wanted the Committee to see this research as she wanted them to be aware of the different types of domestic violence that are being discussed and asked whether the Committee needed to be aware of this information in terms of looking at curriculums used in various agencies.

Tim said he didn't care for some of the research and said he worried that differentiating between the types of violence might end up decreasing victim safety.

Craig Merrill commented that with smaller groups, the information was helpful in terms of having the additional background, just as the police report is helpful.

Tim said that he agreed the information was helpful from a direct practice standpoint, but not at the Committee level.

Craig asked whether typologies would be useful for trainings.

Tim said that the content would need to be evaluated first.

12. *Discussion, recommendation, and action regarding Committee's position on specific client contract terms and defaulting of clients for non-payment. (Continued from August Meeting)

Jennifer said that this particular item had been resolved between the agency and the judge. She said that the agency had rewritten their client contract and that the judge was satisfied with the terms. She also said that it was her understanding that the judge had wanted to try to get treatment providers and judges together to standardize default practices. She said that it was also her understanding that the judge said that fines were utilized to cover expenses associated with substance abuse treatment for indigent offenders and had wondered whether fines collected for domestic violence offenses could be utilized to cover costs for indigent domestic violence offenders.

Judge Bunch said that he was unsure which fines the judge was referring to in terms of covering substance abuse treatment. He said that he was aware of a specialty court fee, but he was not aware of a fine that could be used for substance abuse treatment. He also stated that the \$35 fee collected for domestic violence pays for the Committee, and that the legislature decides where the money is allowed to go.

Sue recommended looking at how other states handle payment for indigents. She also stated that she felt that it was a good idea for judges and providers to get together to standardize defaults, but did not think the Committee needed to be involved in that.

Judge Bunch said he felt the matter could be discussed with the Judges Association.

13. Update by Rural Issues Subcommittee.

Sue said that the subcommittee was going to have discussions with judges in rural areas to try to figure out how to recruit and train providers in the rural areas.

Judge Bunch said that Walt had talked with him and that Judge Bunch recommended that he get in touch with John McCormick.

Sue stated that the next meeting will be January 5th.

14. Update by Distance Learning Subcommittee.

Sue said that the subcommittee had worked on the regulation changes that were discussed during the workshop and that the next meeting was scheduled for January 5th. She said that meeting would focus on providers and the approval process.

15. *Discussion, recommendation, and action regarding new and or revised forms.

Jennifer said she would like to request that someone be designated from the Committee to approve form changes.

Tim volunteered.

Motion: Sue moved to allow Tim to approve form changes. 2nd: Judge Bunch.
Vote: All in favor. Motion carried.

16. Comments from Tim Hamilton, Committee Chair.

Tim thanked everyone for their time and hard work.

17. *Date, time, and location of future meetings including discussion of various video and teleconference options:

Tim asked the Committee how they would feel about having web meetings. He said it would involve Committee members having a camera at their computer, and that everyone would be able to see everyone else on their computer screen without having to leave their offices.

Sue questioned the viability due to the constraints of the Open Meeting Law.

Meeting dates were set for the following dates:

February 25, 2010

May 27, 2010

August 26, 2010

November 18, 2010

18. 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 asked for the Committee's guidance in dealing with a client from India who did not speak English.

Judge Bunch said that for some victim impact panels, they have used a headset and translation services through AT&T.

Tim said that he previously had an individual and his interpreter in class together for 6 months, and that it was not disruptive to the class.

19. Adjournment

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

REGULATION WORKSHOP MINUTES

Thursday, November 19, 2009 at 8:00 a.m.

Office of the Attorney General
Grant Sawyer Building
555 E. Washington Avenue, Room 3315
Las Vegas, Nevada

With Public Video-Conference Access:
Office of the Attorney General
100 North Carson Street
Mock Courtroom
Carson City, Nevada

Members Present

Tim Hamilton
Max Bunch
Sue Meuschke(phone)
Robert Auer
Cheryl Hunt

Members Absent

Lt. Chris Carroll
Traci Dory
Walt Dimitroff

Attorney General's Office

Henna Rasul, DAG
Jennifer Kandt, Admin. Coord.

Public

Craig Merrill
Sandra Dietrich-Hughes

Tim called the workshop to order at 9:45 a.m.

NAC 228.106

Jennifer indicated that she gets calls from judges questioning aspects of NAC 228.106. She said that judges have questioned a program's authority to default a client who does not pay based on this regulation. Additionally, she stated that a judge in Reno had contacted her because a client was unable to find a program that would allow him to not pay for the program.

Tim indicated this was a very difficult issue because it is sometimes impossible to ascertain whether someone is unable to pay or unwilling to pay. He said that it is

problematic for service providers because the only way for them to determine the offender's ability to pay is self reporting.

Sandra Dietrich-Hughes commented that agencies are denying treatment based on inability to pay, so clients come to her organization and as a result her agency is servicing a very large percentage of indigent clients.

Jennifer said that the Committee had sent a letter to all providers a year or two ago reminding them that they were required to accept indigent clients. She also said that a judge had contacted her regarding programs referring clients back to the courts when they had not paid, and that the judge questioned how agencies could do that when the regulation states that treatment cannot be denied based on inability to pay.

Judge Bunch suggested a letter to all judges informing them of the complaint process so the judge can provide clients with a process if they claim they are being denied treatment.

There was discussion that this issue may be more of an enforcement issue as opposed to a regulatory issue.

Tim said that the regulation requires a program to have at least 5% of their clients be indigent. He said his agency has much more than 5%.

Bob said he felt this regulation represented almost an unfunded mandate on private businesses. He said that ideally there would be a fund providing agencies payment for indigent offenders.

Tim commented that his agency did not have a problem accepting clients who are unable to pay it is just that many clients are able to pay, but unwilling.

There was discussion that the various courts utilize various forms to establish indigency, and the fact that determining indigency for the purposes of obtaining a lawyer may be different than for purposes of obtaining treatment as the courts will always err on the side of providing legal counsel to someone in need.

There was discussion that the site reviews do include a review of each agency's sliding fee scale. Bob stated that the reviewer should be checking files to verify that agencies are accepting indigent clients.

Tim stated that paying for the service is a piece of the accountability and that some of the courts support that, and some don't.

NAC 228.110 1(a)

There was discussion on whether a definition was needed for clinical human services. There was further discussion that "clinical human services" was specific enough and that defining the term might create problems in terms of colleges and universities using different terms for the same type of degree.

NAC 228.110 1(b)(2) and 228.165 (3)(c)

There was discussion a change be made to include clinical professional counselors under the marriage and family therapist requirement as NRS 641A was recently changed to add clinical professional counselors under the MFT board with very similar requirements.

There was discussion that this would be a necessary change.

NAC 228.115 (3)

Jennifer stated that it appears most agencies may review 10% of files total; not 10% from each provider. She said that Dr. Hughes has suggested changing the language so that 10% of the total files are reviewed, not 10% from each provider. There was discussion that reviewing 10% total files as opposed to 10% from each provider could leave a supervisor reviewing files from only 1 or 2 providers and not getting a broad view of each provider. Jennifer said the current Committee form probably needs to be revised to be clear that review of files needs to be 10% from each provider. Committee members agreed that they would like to keep the regulation as written.

NAC 228.115 (4)

Jennifer stated that supervisors are currently required to observe providers every 3 months, but there is not a requirement for the form. Jennifer stated that a form is currently required in the renewal application, but that making the change in the regulation could clarify the requirement. Committee members discussed that this would be a good change.

NAC 228.125

Jennifer suggested adding the following language to allow providers already working at an agency to receive approval to work at another agency without needing to be placed on an agenda.

- 7. If a program employs or retains as an independent contractor, a provider or supervisor of treatment who is currently employed or retained as independent contractor as a provider or supervisor of treatment at another certified program, and requests approval for addition of the provider or supervisor of treatment pursuant to 228.125 1(a), approval from the Committee may be made by a person designated by the Committee and will not need to be placed on a Committee meeting agenda.**
- 8. If a program employs or retains as an independent contractor, a provider or supervisor of treatment who is not currently employed or retained as independent contractor as a provider or supervisor of treatment at a certified program, the program must submit the request on a Committee approved form with documentation that the individual meets the requirements of 228.110 and approval will be made by the Committee pursuant to 228.125 (2).**

There was discussion that individuals are not certified by the Committee. The Committee only certifies agencies, but the agencies must request approval for new supervisors and providers. Jennifer said this regulation would allow for people already working at a certified agency to go to another agency without having to be placed on a meeting agenda. Committee members stated that this would be more efficient.

NAC 228.130 (1)

There was discussion that since future funding amounts are uncertain and that the Committee has had a difficult time funding once per year site reviews, changing the language regarding site reviews would be beneficial. Tim stated that he was not comfortable with removing the once per year language. Committee members agreed that changing the word, "will" to "may" would allow for flexibility while maintaining the expectation from programs that a site review may be completed once per year. Committee members also agreed that the current process for corrective action plans should be detailed in the regulations.

There was further discussion on changing NRS to allow the Committee to charge fees for licensing.

Sue said that the Committee needs to figure out who might support this and who might oppose it. Sue stated that she would be willing to figure out a legislator who could carry the bill.

There was discussion on having time constraints for formal training. Cheryl expressed concern over someone requesting approval as a new provider who had all of their training from 1998 and 1999 and was wanting to get back into the field.

Jennifer indicated that there were not currently any time limitations on the formal training and that the 15 CEU's only applied to those currently providing treatment. There was discussion on possibly regulating that 15 hours of the formal training must have been completed within the past two or three years.

Bob suggested having Jennifer and Henna look at other requirements from other boards and come back with specific language for possible time restrictions on the formal training.

The following changes were discussed as recommended by the distance learning subcommittee:

Continuing Education and Formal Training

NAC 228.210 Requirements. ([NRS 228.470](#))

1. An organization that operates a program shall:

(a) Ensure that each supervisor of treatment and each provider of treatment complete annually at least 15 hours of continuing education approved by the committee; and

(b) Maintain proof of the content and completion of the hours of continuing education required pursuant to paragraph (a) for each supervisor of treatment and each provider of treatment for at least 2 years after the 15 hours of continuing education are completed.

(c) Maintain proof of the completion of the hours of formal training required pursuant to NAC 228.110 for each supervisor of treatment and provider of treatment until the supervisor of treatment or provider of treatment is no longer employed or retained as an independent contractor by the organization.

2. A provider of treatment or supervisor of treatment may not receive credit for continuing education for completing a course of continuing education if he has already completed the course within the immediately preceding 2 years.

3. Up to 7.5 hours of continuing education as required by paragraph (a) may be completed each year using distance media.

4. Up to 15 hours of formal training in the provision of services to victims and up to 15 hours of formal training in the provision of treatment to persons who commit domestic violence as required by NAC 228.110 may be obtained using distance media.

5. As used in this section:

(a) "Distance media" means video, computer, television, correspondence, the Internet or other electronic means of communication, or any combination thereof.

(Added to NAC by Com. on Domestic Violence by R213-99, eff. 8-1-2000)

NAC 228.215 Application to offer or teach course. ([NRS 228.470](#))

1. A person who wishes to offer or teach a course of continuing education or formal training in domestic violence must submit to the committee an application that includes, without limitation:

(a) The name and address of the instructor of the course;

(b) The resume of the instructor;

(c) The syllabus for the course;

(d) The instructional materials that will be distributed in the course;

(e) A written evaluation of the content and presentation of the course that will be completed by each person who is enrolled in the course;

~~(f) Any materials that will be used to test each provider of treatment and supervisor of treatment who is enrolled in the course concerning his knowledge of the content of the course; and~~

~~(g)~~(f) A statement describing:

(1) The purpose of the course; and

(2) The requirements for attendance.

2. The committee may request additional information or documentation at its discretion.

~~[2.]~~ **3.** The committee will consider the materials and information submitted pursuant to paragraphs (d) and ~~(f)~~ of subsection 1 to be proprietary information and will not release that information without the consent of the applicant.

(Added to NAC by Com. on Domestic Violence by R213-99, eff. 8-1-2000)

NAC 228.220 Application to obtain credit for course not previously approved by committee. ([NRS 228.470](#))

1. A provider of treatment or supervisor of treatment who wishes to obtain credit for a course of continuing education or approval for formal training in domestic violence that has not been approved by the committee must submit to the committee an application that includes the information set forth in paragraphs (a) to (f), inclusive, and ~~(f)~~ of subsection 1 of [NAC 228.215](#).

2. The committee may request additional information or documentation at its discretion.

(Added to NAC by Com. on Domestic Violence by R213-99, eff. 8-1-2000)

NAC 228.225 Approval of course by committee; credit for completion; written notice of approval, disapproval or denial of credit; request for reconsideration. ([NRS 228.470](#))

1. The committee will approve a course of continuing education or formal training in domestic violence or award credit for completion of a course of continuing education if the course:

(a) Will be taught by a qualified instructor as demonstrated by his educational, professional and teaching experience;

(b) Contains appropriate educational material concerning domestic violence or the treatment of an offender, or both; and

(c) Requires the completion of a written evaluation of the content and presentation of the course by each provider of treatment and supervisor of treatment who is enrolled in the course.

2. Approval by the Committee will expire after two years unless another application is submitted to the Committee for approval.

~~[2.]~~3. If the committee receives an application pursuant to [NAC 228.215](#) or [228.220](#) 30 days or more before its next regularly scheduled meeting, the committee will include the application on the agenda for that meeting. If the committee receives such an application less than 30 days before its next regularly scheduled meeting, the committee will include the application on the agenda for the first regular meeting of the committee that is scheduled to be held more than 30 days after the committee receives the request.

~~[3.]~~4. Within 15 days after the committee renders its decision concerning such an application, it will provide written notice of its decision to the applicant.

~~[4.]~~5. If the committee approves the course or will award credit for the completion of the course, the notice of approval will set forth:

(a) The number of hours of continuing education for which the course is approved or for which the applicant will receive credit; and

(b) If the application was submitted pursuant to [NAC 228.215](#), the number of times the course may be offered or the date the approval for the course expires.

~~[5.]~~6. If the committee does not approve the course or will not award credit for the completion of the course, the notice will include the reasons for the disapproval of the course or the denial of credit. The applicant may, within 30 days after receiving the notice, submit a written request to the committee for reconsideration of its decision.

(Added to NAC by Com. on Domestic Violence by R213-99, eff. 8-1-2000)

Judge Bunch said he would like to have 10 hours of continuing education be allowed by distance learning for rural areas. There was discussion on determining a rural area in terms of counties, towns, townships, etc.

Bob said it may be easier to exclude the major areas of Las Vegas, Reno, Sparks, Henderson, Carson City, Boulder City, and North Las Vegas.

It was discussed that the language should state that up to 10 hours of continuing education may be obtained via distance media for rural areas excluding Las Vegas, Reno, Sparks, Henderson, Carson City, Boulder City, and North Las Vegas.

Committee members did not have any further concerns with the recommended changes from the distance learning subcommittee.

Suggestions from Dr. Hughes:

The Committee discussed Dr. Hughes' suggestion to change pronouns used in the code from masculine to gender neutral. Bob stated that the code exists as written by the legislature. The Committee discussed that this would not be a necessary change.

Tim stated that Dr. Hughes' suggestion to have pre-approved providers of continuing education was a good idea, but one that could be addressed as a matter of policy and did not require a change to the NAC.

There was discussion on whether the code should be changed to differentiate between anger management and batterer's treatment. Committee members stated that anger management was not part of this Committee and adding language about anger management could create confusion.

Dr. Hughes' written comments suggested that he supported the previous regulation change made by the Committee in regards to absences. Judge Bunch expressed concern over the number of allowed absences because of the difficulties in the rural areas with people who work for the mines. He stated that at some point he might want to revisit this issue.

Craig Merrill asked what type of discretion agencies have in terms of determining excused absences versus unexcused absences.

Tim said that his agency allows excused absences for military purposes, court dates, medical emergencies and child care situations, and that the code allows for defaulting of the client on the fourth unexcused absence.

There was discussion on Dr. Hughes' suggestion to change the code to prohibit the possession of a firearm after a conviction. Judge Bunch said that the clients are already advised of this federal law on a conviction.

Jennifer said she believed Dr. Hughes was suggesting this be part of the client contract.

Bob stated that the Committee and agencies have no way of enforcing this. It is already a violation of federal law and law enforcement can be called as opposed to telling clients they are violating the terms of their contract.

Craig Merrill asked for the specific statute that prohibits the possession of firearms to give the information to his clients.

Bob told Craig he could obtain information on 18 USC Section 922 from the Supreme Court.

Judge Bunch warned Craig against providing legal advice to his clients.

There was discussion on Dr. Hughes' suggestion to require agencies to use a victim liaison. Sue noted that this would be a good discussion, but one in which a solution would not be readily available. There was further discussion that this would probably not be viable in the current financial situation of the state.

NAC 228.100

There was discussion on Dr. Hughes' suggestion to make sure that administrative duties are not included in the 90 minute session. Bob stated he felt that this would be micro-managing professionals.

Sue stated that if the Committee had this in regulation, then when Dr. Hughes observes this at an agency it could be written up as a violation instead of simply telling agencies not to do it. She also noted that there were probably more important issues to focus on.

NAC 228.110 and NAC 228.115

There was discussion on Dr. Hughes' suggestion to have supervisors meet with providers once every two months and agreement that the requirement was good as it was.

NAC 228.165

There was discussion changing the class size from 24 to 20. Tim stated that he preferred the smaller class size. There was further discussion that this had been previously discussed, and that it would have a financial impact on small businesses.

Judge Bunch stated that this would affect agencies that are already operating at capacity with waiting lists.

Bob stated that reducing class sizes in agencies that are already treating individuals who aren't paying would further burden the agency and suggested leaving the class size as is.

NAC 228.170

There was discussion on Dr. Hughes' suggestion to add a requirement for referral to additional mental health counseling. Tim stated he felt this item was covered in another section.

The suggestion to add the phrase "during group sessions" in the section referring to measuring attitudinal changes was discussed, and the Committee felt that the regulation was clear as written.

There was discussion on possibly removing the ability to obtain information from a victim and if obtaining that information would be helpful or harmful to the victim. Sue said she felt the information could be helpful if it was the only accounting of the violence that the program was able to obtain.

Tim stated that the information is typically not used in a report or used specifically, but obliquely. The Committee indicated that they felt this regulation should remain unchanged.

NAC 228.195

There was discussion on Dr. Hughes' suggestion to add a requirement for documentation to be included in files when offenders are discharged from a program. The Committee agreed that this documentation should be included in the files and that this would be a beneficial change to the code.