

MINUTES OF THE MEETING FOR THE NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE & TIME: September 11, 2020

Public Access with Zoom:

Meeting ID: 868 1650 6022

Passcode: 260966

Due to COVID-19 and Governor Sisolak's Emergency Mandate to Stay at Home for Nevada, this meeting will only take place via Zoom. The Board is pleased to invite individuals to participate remotely using ZOOM. To learn more about Zoom, go to <https://zoom.us/>. On the scheduled day and time of the meeting, visit the ZOOM website and click "Join a Meeting." You will be prompted to enter your name, along the Meeting ID and Meeting Password above.

The Board office recommends that individuals unfamiliar with ZOOM visit the website in advance to familiarize themselves with the format by viewing the online tutorials and reading the FAQs.

1. **Meeting called to order by NSBAT Chair, Jeremy Haas at 2:35 PM.**

Board Members Present: Jeremy Haas, Chair; Tedd Girouard, Vice Chair; Keoni Kins, Treasurer; and Randi Hunewill, Public Board Member.

Staff Present: Harry Ward, Deputy Attorney General and Michelle Cothrun, Board Executive Secretary.

Public Members Present: Brittany Backofen and Nicole Lang.

2. **Public comment.** Jeremy Haas asks if either public member present would like to comment and they do not have a comment at this time. Harry Ward asks if any public comment has been received in writing or other means. Jeremy Haas states that he has not received any public comment. Michelle Cothrun confirms that the Board office has not received public comment by any means. There is no public comment.

3. **Review and approve Board meeting minutes of April 24, 2020, May 22, 2020, and May 29, 2020. (For Possible Action)** Michelle Cothrun explains to the Board that she has had difficulty finishing the meeting minutes in time for this meeting. She is still working on the meeting minutes for the May 29th meeting, so she asks if the Board can table this item until the next Board meeting. Tedd Girouard says that he has reviewed the meeting minutes for the meetings on April 24, 2020 and May 22, 2020. He would like to approve those meeting minutes so there will not be four meeting minutes to approve at the next meeting. Keoni Kins states that he has only reviewed the April 24th meeting minutes and is okay with approving those to get them off the agenda for next time. Tedd Girouard motions to approve only the April 24, 2020 meeting minutes. Keoni Kins seconds the motion and it passes unanimously.

Jeremy Haas states that he would like to take an action item out of order. The next item on the agenda to be considered was originally agenda item number twenty-two (22): Review and discuss Board succession plan and elect a Board member as Chair.

4. **Review and discuss Board succession plan and elect a Board member as Chair. (For Possible Action)** Jeremy Haas informs the Board that his term is up. Since his replacement may or may not be in place before the next meeting, he thinks this is the appropriate time to relinquish his Chairman duties and have Tedd Girouard take those over, since he is currently the Vice Chair. Tedd can continue to conduct the rest of this meeting after being made Chair. Jeremy asks if there is any discussion before he motions and there is none from the Board. Harry Ward advises the Board that other entities and public bodies are still waiting for appointments from the Governor's office. Patience will be needed. Jeremy understands and states that regardless of whether he will be attending the next meeting or not, Tedd will get some direction during this meeting.

Jeremy Haas motions to make the current Vice Chair, Tedd Girouard, the Chairman to take over effective immediately. Keoni Kins seconds the motion. Tedd Girouard abstains from voting. The motion passes with three votes and one abstention.

Tedd expresses gratitude for the opportunity and states that he will do his best to serve as the Chair and fill Jeremy's shoes. He states that the Board is actively looking for a replacement and believes the best practice is to have a candidate nominated by the State Athletic Trainers Association. Jeremy Haas says that he has been directing potential candidates to apply on the Governor's website. There is no further discussion.

5. **Update on disciplinary action reports and investigations of unlicensed activity. (Discussion)**

Michelle Cothrun informs the Board that there have not been any reports of unlicensed activity. Regarding the data that was reported to the LCB for the quarter ending on June 30, 2020, the Board had two (2) licenses added during the last quarter. For the next quarter that ends on September 30th, we will have the number of licenses that were not renewed.

Tedd Girouard asks for the new date for the end of renewals. Michelle explains that because of the Governor's Emergency Directive, the new end date is September 28th. Tedd also asks for the turnaround time for applications. Michelle states that she has a couple of applications pending that are waiting for the results of their fingerprint background checks. Tedd clarifies that he wants to be sure that there are no delays with issuing licenses once an applicant has all their documentation together. Michelle tells the Board that she has simplified the process for issuing licenses, which takes one or two days. Tedd adds that issuing licenses quickly may possibly reduce unlicensed activity. It could for those applicants who move here and want to be licensed, especially if the applicants are already certified and licensed in another jurisdiction. There is no further discussion.

6. **Review and discuss status of LCB File No. R162-18, which was withdrawn and assigned a new number, LCB File No. R148-20I. (For Possible Action)** Tedd Girouard begins by asking Michelle to give an overview of these regulations. Michelle Cothrun reminds the Board that these are the regulations that Sarah Bradley recommended for the Board. She explains that she just received the official draft from the LCB. Michelle states that the regulations give the Chair of the Board the authority to decide prehearing motions.

The Board asks Harry Ward to explain what a prehearing motion is and Harry explains that a prehearing motion could be anywhere from a motion to continue, a motion to quash evidence, or a motion to dismiss. They are motions that would deal with legal issues to be addressed before the hearing by the entire Board. And if there is a hearing, this Board may have two Deputy Attorney Generals (DAGs) or two senior DAGs assigned. One would advise the Board and the other would prosecute the case.

The Board discusses the new provisions, which deal with either prehearing motions or declaratory orders. Tedd asks Harry for clarification regarding declaratory orders and he explains that declaratory orders would be similar to the prehearing motion. For instance, the Chair would make a ruling or a declaration that this evidence could be used, or this evidence could not be used. Tedd expresses that he is having a hard time voting on something when he does not have a full grasp of what is being proposed with these regulations. The Board agrees with Tedd and adds that there was not much time to consider this draft. Tedd asks Harry if he could explain these legal matters and procedures in plain simple English. Harry Ward states that he can explain but without giving the Attorney General's opinion on what exactly it is. As he understands it, what Ms. Bradley has done for all her boards is given each board a roadmap for how to do an administrative hearing when a licensee is going to be either sanctioned or brought before the board for possible sanctioning. Tedd states that if he as the Chair and the other Board members

do not understand the roadmap, then it does not serve its purpose and questions how it may protect the Board or the public.

Keoni Kins motions to table agenda item five until the next meeting. Jeremy Haas seconds the motion and it passes unanimously

7. Update and discuss status of LCB File No. R053-19 regarding proposed dry needling regulation. (For Possible Action) Michelle Cothrun advises the Board that she has received notice that the Board's regulation will be on the next agenda for the LCB Commission to review. Michelle states that she received a couple of questions from the LCB and everything seems to be in good shape to finally have this regulation adopted into the NAC.

Keoni Kins asks about the status of adding specific instructions to the Board's website about submitting proof of their 150 hours of didactic training and giving licensees guidance on the kind of informed consent form that they will be required to gather from patients. Michelle informs the Board that there are 39 licensees that expressed interest in dry needling on their renewal applications. She states that she has not had time to work on the forms but hopes she will now that the Sunset Subcommittee Review has concluded. She plans on having the forms ready for the Board to review at the next Board meeting, since they will have to be approved before she posts them on the website.

Keoni goes on to say that the Physical Therapy Board did a good job of posting information about the new regulations on their website. They have a one-page standards of practice for dry needling with a copy of the regulation. There is also a copy of a verification form that the licensees have to fill out to accompany their request to dry needle, which has the licensee list out the specific courses that they have taken to satisfy the one hundred fifty (150) hours. They have also included an attestation form for the licensees that cannot produce their course certificates, and a sample of the informed consent form with a minimal set of requirements. Michelle will review what the Physical Therapy Board has posted on their website.

Keoni encourages the board to look at what courses the BOC has approved. Tedd asks why not review the courses that the BOC has not approved. Tedd states that the caveat to the BOC approving the courses is that the regulations are stricter than what the BOC would require to approve a course, for example the classes must have in person written and practical exams. The Board would like to prevent a licensee from taking a \$1,000 course, only to find out it does not meet the criteria.

The Board discusses tabling this item because by the next Board meeting the final language should have been adopted by the LCB. With the final language, the Board can discuss reviewing courses. Keoni Kins motions to table agenda item six until the next Board meeting. Jeremy Haas seconds the motion and it passes unanimously.

Michelle Cothrun requests that the Board consider moving to agenda item number fourteen (14) to discuss the proposal from Certemy. Anthony Warn and Matt Naiman, two company representatives, have joined the Zoom meeting for that agenda item. Tedd Girouard asks if the Board minds moving ahead and there are no objections.

8. Review and approval of proposal from Certemy for online licensing software and database. (For Possible Action) Michelle Cothrun explains to the Board that she has continued to search for an online database and licensing software company. Currently, the Board has something piecemealed together with LogiForms and AirTable. After the Sunset Subcommittee Review, she noted that the Subcommittee emphasized the need for licensing to be online and for applicants to have the ability to submit documentation online, avoiding paper as much as possible. Michelle states that she had a product demo with Certemy. They have started to work with a few boards in Nevada and their pricing is the most reasonable so far, which is based on the number of active licensees. For the Board's size, this proposal may seem like a lot of money. However, with a 15-hour work week, Michelle has little time to develop the necessary forms with AirTable and LogiForms. Even so, both products have served the Board well. To have all Board forms completely online, Michelle has continued to investigate other options for a licensing software package that would be reasonably priced for the Board.

Tedd Girouard asks Anthony Warn to give the Board a rundown of their service. Anthony starts by saying that Certemy creates a centralized ecosystem for the Board's administrators and licensees to communicate in real time. They are a software-as-a-service (SaaS) company, founded by a CPA and a

state licensed, board certified physician who found their licensing processes both on the admin and applicant side to be tedious. They developed Certemy and the company has a former executive director of state and national boards as the Senior Vice President of Client Services. They pride themselves on a world class customer experience.

Their product is configurable and built by people who know licensing for people that need licensing. That pricing is all inclusive with unlimited support. With an automated system in place, the licensee registry is updated on the Board's website in real time and as athletic trainers complete the licensing process. The public is provided enhanced protection, knowing whose license is valid or expired. Applicants are contacted automatically. Michelle and the team will not have to chase applicants down for documentation. For the applicants, they will know the status of their application based on color coded status circles, which indicate if something is overdue, complete, or being approved.

Everything the Board needs is included: applications, payments, continuing education credits. Anything necessary for licensing, Certemy builds the workflows. They make the changes and offer training. Based on the pain points that Michelle has discussed, this is a great fit. Certemy does work with several boards in Nevada, who are all having a great experience. They are looking forward to working with the Board too and asks for any questions.

Tedd Girouard says the first and most important question is price. The Board is very small with 200 to 230 licensees. Anthony explains that the Board size falls into the minimum they charge annually. He states that he believes that with all the software platforms the Board is using, the cost is around \$200 a month, which comes to around \$2,400.00 per year. He states the for Michelle there will be no more administrative work that needs to be done, except for a simple click to review. The Board will have the internal control and the power of having all the data centralized.

Keoni Kins asks about the integration from the Board's systems and how much work that would be. Anthony states that there would not be any need for integration because Certemy would be able to replace the existing system. They will migrate over all the Board's data. The price includes implementation, onboarding, data migration, and unlimited custom reports. This automation will free up Michelle's time for other work.

Tedd asks if anyone else has questions. Jeremy asks which programs can be cancelled to offset some of the cost. Michelle states that the Board would no longer have to pay for AirTable or LogiForms. The Board discusses the current monthly costs and calculates the Board's annual cost to be around \$700.00 per year. Tedd clarifies that the Board is looking at a substantial increase.

Michelle acknowledges that the price is much higher than what the Board currently spends per year. She expresses concern there could be legislation that would mandate Boards to have an online licensing software and may require they use a specific company. Tedd states that is speculation and he cannot see the Legislature mandating a \$50,000 per year piece of software for a Board that does not have \$50,000. Michelle explains that legislation requiring online software had been introduced but it did not pass. Smaller Boards may not be mandated to pay \$50,000 but could be required to pay \$10,000 per year.

Keoni Kins states that, having been a licensee for many years and having been through several similar companies, all in one certification management platforms often do not speak with the BOC. The Board only requires that the licensee has maintained their BOC certification, knowing that the BOC collects the CE's. He appreciates the reason for this product to be in existence but does not believe that our Board needs that level of support.

Jeremy adds that the Board has been open to modernizing operations and the tools that Michelle has recommended, such as LogiForms and AirTable. The question is not whether this program is effective, or good. He acknowledges the value of it. His question is more for Michelle. With the tools that the Board has given her, what is preventing her from getting the work done in her work hours? Why would the Board need to invest this kind of money? Michelle is really the one that needs to convince the Board and justify the need for this software to help in the daily operations of the Board.

Michelle begins by stating that even though some operations are done online, she still deals with a lot of paperwork. Tedd asks if Michelle can walk the Board through her workflow and explain the paperwork, as the Board is unfamiliar with her daily routine. Michelle will walk the Board through the process of issuing a license by sharing her screen. Tedd reminds Michelle when she is sharing her screen to be careful not to give out private information. Michelle goes through the steps she takes to issue a license, showing the folders on her computer but not opening them. After walking the Board through the process, she explains that she sends the new licensee their issuance letter, license certificate, and receipt. All the information in the paper application needs to be entered into AirTable. Once the information is entered, the “List of Active Licensees” link on the Board’s website shows the new licensee as active.

Tedd notes that it is clearly a lot of steps and expresses appreciation for Michelle showing her workflow. Michelle states that she has simplified the process using PDF templates but that the process still takes time. He asks Michelle since the last Board meeting several months ago, how many new licenses have been issued? He comments that for the two or three new licenses every quarter, that is a significant amount of cost to save some clicks and work. Tedd states that he is trying to figure out if this software is in the best interest of the Board’s funds. Even though the Board is not short on money, a board our size must be frugal. He questions putting this much money into software compared to how much money the Board brings in a year in licensing dollars.

Tedd then asks Michelle how long that entire process takes. She answers that it takes about thirty (30) to forty (40) minutes. Tedd tries to calculate the number of new licenses issued per year for the cost of the software. Since July 1st, Michelle has issued twenty-five (25) new licenses. For the entire year, the number of new licenses is usually around forty (40) to fifty (50). Jeremy states that at a full hour for each license, the price is high for thirty (30) to forty (40) hours a year. Tedd then asks about the time it takes for renewals. Michelle states that renewals are done online. One of the reasons the matter about encouraging licensees to use credit cards in on the agenda is because processing payments by check is a tedious process.

Keoni steps in and asks Anthony if this system can process paper forms of payment like checks or money orders. Anthony confirms that the system will allow for all types of payments. He reiterates that there will be one centralized area where everything happens. If the Board has 234 current licensees plus the 30 or 40 new a year, the Board is looking at 300 to 200 hours a year saved minimum, with added accuracy and communication. There will always be those that forget to send things in. The whole receipt process is simplified since the system integrates with STRIPE. For those times every day, every week, that Michelle saves time, she could be doing other work.

Tedd clarifies that he has calculated about 40 hours saved. So, \$4,000 for 40 hours does not seem like a very good trade off. Jeremy states that for the Board to vote on this, and not necessarily even today, he suggests that Michelle prepare a proposal for the Board to review. The proposal should include the true value and benefit to the Board, a cost analysis comparing the current cost versus the cost of this system, and what Michelle can do with the time saved.

Michelle expresses that while she understands, this year has been especially difficult. Her thought process was to automate the licensing part as much as possible because new license applications take a lot of time and attention. There are constant phone calls and emails to answer questions, including about the status of the application and confirmation about the receipt of documentation. The focus this year has been on new regulations and the Sunset review, which took many more hours than the allotted fifteen (15) per week. With the licensing automated and running in the background, Michelle’s focus can be on other weighty matters. The Board must be compliant with all regulations and reporting, but Michelle is falling behind with trying to balance all her responsibilities.

Tedd expresses to Michelle that the Board is not attacking her. He states that if the Board is requiring more work than Michelle is being compensated for, the Board needs to know and address that issue, but not necessarily with the software. Keoni agrees with the idea that Michelle's time could be spent more on

bigger picture items like strategic planning for the Board and complying with State regulations and statutes. If all her allotted time per week is tied up with pushing paper, that does not seem to be a great use of her or her position's time. He thinks there is a lot more going on here than just adding one piece of software.

The Board discusses tabling this item for now. The Board thanks Anthony for his time and expresses appreciation for their product. Anthony thanks the Board and invites them to reach out anytime. He and Matt leave the meeting.

Keoni Kins motions to table this item until the next Board meeting. Tedd Girouard seconds the motion and it passes unanimously.

Randi comments that she must leave the meeting. The Board still has a quorum, but Jeremy Haas has a hard stop coming up as well. Tedd suggests trying to get through as many agenda items as possible. If needed, the Board will schedule another meeting. Jeremy asks if Frank Sakelarios will be able to join because if not, once he leaves the Board will lose the quorum. Michelle informs the Board that Randi noted in the chat that Frank is in a student IEP and he will be a while. The Board decides to keep going until Jeremy needs to leave.

9. Review and discuss applying for a credit account with the Department of Public Safety so that fingerprint cards may be processed more quickly. (For Possible Action) Michelle Cothrun informs the Board that she contacted the Department of Public Safety to inquire if having a credit account will decrease the processing time for fingerprint cards. She was told that it would reduce the processing time by a few days. For someone waiting to start a job, a few days can make a difference. The account has already been switched from cash to a credit account and the Board will be charged monthly. Michelle added this item to the agenda for the Board's approval to officially change the account to a credit account.

Tedd Girouard asks for the breakdown of the costs. Michelle states that the cost to get fingerprinted is \$40.25. Applicants submit a money order made out to the Department of Public Safety to the Board office. Michelle reviews everything before forwarding the cards and payment to get processed. This change is just for people who are submitting hard cards. As has been discussed, Michelle processes about forty (40) new applications per year. Tedd believes this will speed the process up, even two or three days, and it does not seem to be a financial burden on the Board. Tedd asks for feedback from the Board.

Jeremy Haas asks for clarification on who pays the fees. Michelle explains that the money order for the fingerprinting fees would then need to be paid to the Board. She suggests making it a separate payment to keep the records clear. Keoni Kins questions if now there is more paperwork and processing for the Board. And there may be the need to write the collection of those fees into our regulations, if the Board is requiring the applicant to reimburse the Board for costs not already itemized. Michelle states that she spoke to another executive director, whose Board collects a flat fee that includes the price of getting fingerprinted. That is another option the Board can consider.

Jeremy asks if the Board encourages live scans and it seems that this arrangement would not benefit those doing live scans. Michelle says that the credit account could be for live scans as well. The payment could be done one of two ways. Either the Board incurs the cost completely or the applicant sends the Board a separate payment to reimburse the Board. Tedd questions if the Board's NRS limits the amount for initial licensure to \$300.00. The Board discusses the fees for initial licensure and Keoni states that if the Board does not need to collect \$300.00, then it should be addressed another way. Tedd asks that if this credit account expedites the process by just a few days, can Michelle find out if the person needs their application to be expedited? Michelle has told applicants in the past not to submit hard fingerprint cards if they are moving to Nevada soon. She advises them to get live scanned as soon as they move to get their results the fastest. Tedd asks Michelle how many fingerprint cards she processes a year and Michelle answers about ten (10) per year.

Harry Ward advises the Board, considering their small size, that they not absorb the cost for fingerprinting. Tedd confirms with Michelle that this change in the account has already taken place. Michelle explains that she can call the Department of Public Safety and request to go back to a cash only account. The Board decides to keep the account cash only and not to take action on this matter. There is no further discussion.

10. **Update and discussion regarding the Sunset Subcommittee’s review of the Board, scheduled on June 30, 2020, and final meeting on August 31, 2020. (For Possible Action)** Tedd Girouard starts by asking Michelle Cothrun what happened at the Sunset Review. Michelle Cothrun starts by telling the Board that it was an interesting process and that she learned a lot. Keoni Kins states that he watched the replay video and thanked Michelle for the work that she did and commented that she represented the Board well. Michelle explains that she took Harry Ward’s advice to use this opportunity to show what the Board is doing well. In preparing for her presentation, Michelle observes that Stacey Whittaker, the previous Executive Secretary, did an amazing job running the Board and kept impeccable records.

Michelle explains how she watched the previous reviews and took note of the questions that were asked to other Boards. The Subcommittee wanted to know about the diversity of the Board, so Michelle explained how the Board has the goal of having more diverse candidates by reaching out to women and other underrepresented groups. Any question or issue that the Subcommittee brought up, Michelle made note of it. She preemptively answered their questions and addressed what she thought were the Subcommittee’s concerns. For instance, Michelle addressed the issue about military spouses and advised the Subcommittee that the Board would be adding that question to their applications. On August 31st, the Subcommittee motioned to allow our Board to continue with no recommendations.

Tedd congratulates Michelle on doing such a good job and remarks that she will be ready to do it again in ten years. No action is taken by the Board and there is no further discussion.

11. **Review and discuss streamlining the initial application process. (For Possible Action)**

a. Remove the requirement for transcripts or notarized diplomas; Michelle Cothrun explains that if a candidate has their current certification, the Board does not need transcripts. She double checked with the BOC and they do require official transcripts. The Board does not need to duplicate that work. Tedd Girouard asks if there is a way that a person could test early during their last semester of school before they graduate. Keoni Kins answers that the person cannot be certified until they send their official transcripts showing a graduation date.

b. Remove the requirement of the notarization of the application and waiver form; Michelle Cothrun states that if the Board were to go to a completely online system, removing the requirement of the notarization would streamline the process for the applicant. Harry Ward suggests to the Board that instead of having the application notarized, adding an attestation clause to the application stating that the applicant attests to the information provided on the perjury law. The Board agrees that the attestation would suffice.

c. Require that applicants submit official verification of BOC certification in order to comply with BOC policy; Michelle Cothrun found the policy on the BOC website, which states, “This registry is a listing of BOC Certified Athletic Trainers (Ats). Per the Fair Credit Reporting Act, it should not be used for verification purposes in employment and state regulations situations. Employers, state regulators or anyone else requiring official verification of certification should request that the AT order an official certification verification through the BOC website.” The fee is \$25.00 for an official verification. And it would be one less piece of paper to deal with.

Tedd Girouard states that it is tricky because transcripts are free. Keoni Kins clarifies that official transcripts are not free. Michelle states that the application requires a copy of the applicant’s BOC card, asking them to please sign it. The Board thinks the copy of the card is fine and does not want the applicants to incur the extra cost. Michelle confirmed with the BOC that the Board was not breaking a requirement of the BOC’s by only requiring a copy of the candidate’s BOC card.

The Board takes no action on requiring an official BOC verification.

d. Remove the credit card convenience fees and encourage the use of credit or debit cards for the payment of initial and renewal fees, instead of money orders or personal checks.

Tedd Girouard starts by asking Michelle Cothrun to confirm the current credit card fee. Michelle Cothrun states that the convenience fee is currently \$4.79, and it would be roughly double for the initial application. Initial licensure fees must be paid by a money order or Cashier’s check and removing the fee would allow applicants

to pay their initial fees with a credit card. The Board discusses the cost to the Board, considering the excess in reserves, and how it would help Michelle not to have to go to the bank for deposits. Keoni Kins motions to approve agenda sub items A, B, and D. Jeremy Haas seconds and the motion passes unanimously.

12. **Review and discuss the Strategic Plan for the Board and reassess priorities. (For Possible Action)** Michelle Cothrun explains to the Board that a strategic plan was required for the Sunset Subcommittee Review. She put one together from the last Board meeting where the Board had discussed some goals and a basic template she found online. Now all of the Board's goals are together in one central document. From this point, the Board can make a policy for how often the strategic plan gets reviewed to reassess priorities.

Tedd Girouard states that he did not get a chance to read the strategic plan. He thinks that the best way to approve a strategic plan is to have a workshop. The Board discusses if the workshop would be its own meeting or part of the next Board meeting. Harry Ward suggests having the workshop separately but have the workshop and the Board meeting back-to-back. He advises the Board that the meeting can start a little late, but it cannot start early.

Tedd proposes that the Board does not take any action on this matter. At the end of today's meeting, the Board can plan the date for the for the next meeting and a workshop for the strategic plan. Tedd believes that workshops are more informal and do not need to be run quite like a Board meeting. The Board can just bounce ideas off each other. Harry interjects that while that is true, he recommends that the Board Chair control it by using rules of order, for instance recognizing people.

Tedd asks the Board for any other feedback and there is none. The Board takes no action on this matter and there is no further discussion.

13. **Review and discuss financial status of the Board, including approval of all claims, expenses, and budget from last Fiscal Year. (For Possible Action)** Michelle Cothrun asks the Board if they have any questions regarding the financials and there are none. Keoni Kins comments that while reviewing the monthly financial statements that Michelle puts together, she is doing a good job with keeping records that are thorough, clear, and easy to follow.

Tedd Girouard motions to approve the balance sheet as of August 31, 2020 that was presented at this meeting. Jeremy Haas seconds the motion and it passes unanimously.

14. **Review and discuss the Balance Sheet that is submitted annually to the LCB, per NRS 218G.400. (For Possible Action)** Michelle Cothrun advises the Board that the Annual Balance sheet was also brought out by the Sunset Subcommittee. She explains that the Board submits an annual balance sheet, instead of having an audit, because the Board's revenue is under \$200,000 a year. Annually a balance sheet is submitted to the LCB audit division and they perform an audit of the Board's financials. Having the balance sheet on the agenda makes it part of the public record, showing that the Board is transparent with their finances.

Tedd Girouard agrees and is glad the annual balance sheet is now in the public record. He suggests that the Board does not need to take action on this item since the balance sheet has already been submitted to the LCB. For the record, the Board's revenue was \$51,991.10 and the expenditures were \$34,284.99.

The Board does not take any action and there is no further discussion.

15. **Review and discuss licenses by reciprocity and reduced fees for both licenses by reciprocity and for licenses for active duty military, veterans, and their spouses. (For Possible Action)** Michelle Cothrun reminds the Board that this item has been discussed in detail before. She informs the Board that the Sunset Subcommittee repeatedly underscored the need to license by reciprocity. Michelle's main concern was that the Board does not have a process in place for reduced fees, especially for military. She acknowledged to the Sunset Subcommittee that this was an oversight that the Board wants to correct. If the fees must be reduced by statute, the Board has unfortunately missed the deadline to be added to the legislative session, so this matter cannot be addressed for another two years.

Keoni Kins asks if there is anything in our current regulations that prevent the Board from giving these folks this benefit that they deserve? Michelle believes that since 640B was left off of AB 357 that changed other Boards' fees by statute, there is nothing the Board can do. The Board cannot change their fees. Michelle asks if Harry Ward may

be able to suggest a way that fees may be changed by regulation. She believes the fee changes must be done by statute.

Harry Ward agrees and instructs that the regulation cannot supersede the statute. Michelle expresses that AB 357 states that all regulatory bodies must abide by this mandate. All these health care boards that are listed with their NRS and their fees reduced by half and 640B was left out. Michelle believes that it might be because the Board did not have a lobbyist advocating for the Board during the legislative session.

Keoni states that the reason he asked for that clarity was that he is looking at the fees listed in the NRS. And it states that the Board shall by regulation prescribe the following fees which must not exceed X number of dollars. For example, the initial application fee listed in the NRS is \$350.00; however, the Board charges \$300.00. Keoni does not read this list of fees as being prescriptive and asks Harry to comment. Harry states that since the Board has the maximum amount, it can always assess lower than the maximum. He also suggests trying to reduce the fees by regulation. Keoni expresses that he wants those service members to get the benefit they deserve.

Tedd Girouard agrees with Keoni that the Board should be able to charges less, since the statute is written with maximum amounts listed. He acknowledges that the LCB will make the final determination if the Board has the authority to make the change to their fees. Tedd suggests putting this item on the agenda for the next Board meeting, since it is unclear if the Board will lose quorum soon.

16. Review and approval for continued use of ZOOM for Board meetings to allow more access to the Public for participation in meetings. (For Possible Action) Tedd Girouard states that the Board has had more public engagement since having Zoom meetings, which he appreciates. Harry Ward informs the Board that the Emergency Directive by Governor Sisolak has suspended the Open Meeting Law requirements of having a physical location for a meeting. He suggests to the Board that they continue with Zoom meetings through the COVID pandemic. Tedd agrees and questions whether the Board wants to continue past the pandemic. Harry Ward states that once the pandemic and the emergency directives are lifted, the Board would still need to have at least one physical location to give access to the public.

Michelle Cothrun states that some Boards were having Zoom meetings before the pandemic to allow public access. For instance, a person can attend a meeting on Zoom via telephone. Jeremy Haas adds that Zoom can be set up at the physical location. In case a member of the public wants to join by Zoom, they do not have to come to the physical location. Tedd Girouard suggests tabling this matter until after until the emergency declaration has changed. He asks if the other Board members agree and there is no further comment.

Jeremy Haas reminds the Board that he will be leaving the meeting soon and the Board will not have a quorum. He suggests that he can be on the meeting for one or two more items. The Board decides to move quickly to accommodate Jeremy.

17. Review and approval of monthly stipend for use of office space and a portion of the cost of high-speed internet. (For Possible Action) Michelle Cothrun advises the Board that the Department of Real Estate contacted her regarding the square footage of the Board office. She calculated 76 square feet, which is one-half of the space in the room she uses for her home office. They also asked if the Board pays a stipend for the space. To calculate the amount for the stipend, Michelle took her mortgage payment divided by the square footage of the house to get \$1.23 a square foot. 76 square feet times \$1.22 a square foot, rounded up, equals \$93.00. For the high-speed internet, 25% of \$70.00 equals \$17.50 for a total of \$110.50. Tedd Girouard asks for feedback from the Board and Keoni Kins states that if a stipend is standard practice, it seems reasonable.

Tedd Girouard motions that the Board pay a portion of the cost of the office space, and a portion of the high-speed internet for Michelle Cothrun, not to exceed \$110.50 per month. Keoni Kins seconds the motion and it passes unanimously.

Michelle Cothrun requests that the Board skip to agenda item number twenty-two (22): Review and approval of the proposed Board Administrative Office Co-Working Agreement with the State of Nevada Board of Occupational Therapy.

18. **Review and approval of the proposed Board Administrative Office Co-Working Agreement with the State of Nevada Board of Occupational Therapy. (For Possible Action)** This was originally agenda item number twenty-two (22). Since Jeremy Haas needs to leave and the Board will not have a quorum, the meeting will finish after reviewing the proposed board administrative office co-working agreement with the Board of Occupational Therapy. All other items will be tabled until the next Board meeting.

Michelle Cothrun begins by stating some of the benefits of the agreement. The Board would have a physical office and would be complying with NRS 281.110, which requires that State offices be open for at least forty (40) hours per week. There is the added convenience of being notified when mail is received, eliminating unnecessary trips to the PO Box. There are more benefits than just having a physical office location.

The cost of the agreement is very reasonable, especially compared to a monthly leasing option. Michelle brings out that there would also be a small fee to add the Board's name to the door. The Board agrees that the cost is reasonable.

Tedd Girouard motions to approve the proposed board administrative office co working agreement with the Nevada Board of Occupational Therapy for the cost of \$650 per year, and the small cost for adding the Board's name to the door. Keoni Kins seconds the motion and it passes unanimously. The Board discusses the date for the next Board meeting.

19. **Review and approval for use of Otter.ai, an online transcription service that works in conjunction with ZOOM, for more accurate records of proceedings at Board meetings and to aide in creation of meeting minutes. (For Possible Action)** This item has been tabled until the next Board meeting.

20. **Review and approval of a monthly subscription of Adobe Acrobat DC. (For Possible Action)** This item has been tabled until the next Board meeting.

21. **Review and approval of the purchase of a new laptop. (For Possible Action)** This item has been tabled until the next Board meeting.

22. **Review and discuss joining the Administrative Collaborative of the State of Nevada Professional and Occupational Licensing Boards. (For Possible Action)** This item has been tabled until the next Board meeting.

23. **Report from Executive Secretary, Michelle Cothrun. (Discussion)** This item has been tabled until the next Board meeting.

24. **Report from Harry B. Ward, Deputy Attorney General. (Discussion)** This item has been tabled until the next Board meeting.

25. **Future agenda items. (Discussion)** This item has been tabled until the next Board meeting.

26. **Discussion, possible decision on date of next meeting. (For Possible Action)** The Board discusses possible dates for the next Board meeting. Tedd Girouard reminds the Board that there will be a workshop before the meeting. The next Board meeting will be on Friday, December 11, 2020 at 2:00PM, with a workshop before at 1:00PM.

27. **Public comment.** At the end of the meeting, there were no members of the public present. There is no public comment.

28. **Adjournment. (For Possible Action)** Tedd Girouard adjourns the meeting at 4:29 PM.