

**COMMISSION ON BEHAVIORAL HEALTH
DUTIES, LIMITS, AND RESPONSIBILITIES OF THE
COMMISSION ON BEHAVIORAL HEALTH SUBCOMMITTEE**

**March 30, 2018
DRAFT MINUTES**

VIDEO TELECONFERENCE MEETING LOCATIONS:
DIVISION OF CHILD AND FAMILY SERVICES
4600 KIETZKE LANE, SUITE A-107, RENO, NV
AND
DIVISION OF CHILD AND FAMILY SERVICES
6171 WEST CHARLESTON BOULEVARD, BUILDING 8
LAS VEGAS, NV

COMMISSIONERS PRESENT AT THE LAS VEGAS LOCATION:

Viki Kinnikin
Noelle Lefforge

COMMISSIONERS PRESENT AT THE RENO LOCATION :

Denise Everett

COMMISSIONERS ON THE PHONE:

Pam Johnson
Lisa Ruiz-Lee

COMMISSIONERS ABESENT:

Denise Everett
Noelle Lefforge

STAFF AND GUESTS:

Lea Cartwright (by phone), Nevada Psychiatric Association

CALL TO ORDER AND INTRODUCTIONS

Commissioner Ruiz-Lee called the meeting to order at 10:00 A.M. Roll call is reflected above; it was determined that a quorum was present.

PUBLIC COMMENT

There was none.

APPROVAL OF MINUTES FROM THE FEBRUARY 2, 2018 MEETING

MOTION: Commissioner Lefforge made a motion to approve the minutes from the February 23, 2018 meeting.

SECOND: Commissioner Kinnikin.

VOTE: The motion was passed unanimously.

REVIEW THE BYLAWS, NEVADA REVISED STATUTES AND ASSEMBLY BILLS AND FORMULATE RECOMMENDATIONS TO BE PRESENTED TO THE FULL COMMISSION ON THE DUTIES, LIMITS, AND RESPONSIBILITIES OF THE COMMISSION ON BEHAVIORAL HEALTH

Chair Ruiz-Lee reminded everyone that they talked about using the excel spreadsheet of Commission responsibilities to go statute-by-statute through the various Commission authorities identified in statute and in Nevada Administrative Code. We have a breakdown that was distributed electronically.

Kristen Rivas was going to walk us through the things specific to DCFS. Chair Ruiz-Lee read the document herself and found it was about what she suspected regarding the number of things that showed up as responsibilities that we have no responsibility to execute, N/A, or no notation, where the state said we do not have any history on this. We can talk through what is an N/A and ultimately, we need to take some recommendations back to the Commission to formulate next steps.

Commissioner Johnson agrees. In the eight years she was on the Commission she does not know that Commissioners have been aware of most of the things we were supposed to be doing.

Chair Ruiz-Lee said a question for Ms. Rivas would be for the responsibilities that wound up as N/A or we do not know could the state reach back to the Legislative Counsel Bureau to get the intent? What happens is a lot of times, statutes age and policies change, and the intent may have been applicable years ago, but it might not be necessary any more, or it might be applicable once we understand it and we might need a mechanism to follow through. Commissioner Johnson thinks that is perfect.

Chair Ruiz-Lee said we might be stuck on this item because Ms. Rivas spent a lot of time on this and she would like to hear her notes and the notes from DPBH. Maybe we should pull apart those that are N/A or no history and ask the state to request legislative intent on those items. A lot of times you get nothing back because there is nothing on the record. Commissioner Johnson said that way we will know that we are not leaving something out.

Then we could recommend that we request statute change to eliminate these items and here is the rationale why, or if we think something should be in statute that is not in statute, we can make that recommendation. Members agreed this is a good idea.

Commissioner Lefforge said it is important that we integrate this better into the orientation materials and our bylaws. Step one is to figure out what we want to keep and eliminate and more information on the legislative intent.

Commissioner Kinnikin said at some point, we must bring Kelly Wooldridge and Cara Paoli to the table. Important to bring them in and get them into the whole system of this. Chair Ruiz-Lee agrees.

Chair Ruiz-Lee suggested the next step. We are missing Ms. Rivas today and she did a lot of work on this. She would like to have her comments on these on a row by row basis. It gives us time to go through it ourselves. We can highlight all the N/As. We will also ask Ms. Rivas to do some additional research on those line items with N/A or blank to get some legislative intent. When we come back we will hopefully have the legislative intent and we can go row by row. We can also take some time to go through these items. It would be a good opportunity to identify any areas of authority or responsibilities you would like to see the Commission have.

MOTION: Commissioner Kinnikin made a motion to have Kristen Rivas go over the spreadsheet line by line. In the meantime, we want each member to highlight N/As and the questions that we have and find out where there is no process that is documented and search further to see the legislative intent. We will do some of that independently and Ms. Rivas too.

SECOND: Commissioner Johnson

VOTE: Motion passed unanimously.

DISCUSSION REGARDING ANY LEGISLATIVE ACTION THE COMMISSION WISHES TO TAKE

Chair Ruiz-Lee asked if outside of the previous motion do we have any legislative action we would like to assess? This will be an agenda item for the next meeting.

Commissioner Lefforge said she is frustrated by not being able to fill positions of the Commission. She thinks we need to suggest an amendment to the statute about how these positions are appointed to allow us to appoint if we are not getting responses from the people who are supposed to be appointing. There is nothing in the statute that says how we handle that. The physician position has not been filled for more than six months.

Commissioner Johnson said the Nevada Nurses Association has submitted three names.

Commissioner Lefforge said right now the only one that is a problem is the Nevada State Medical Association. Laura Adler stated that she saw the letter from the Governor appointing Dr. Melvin Pohl to the Commission. She will forward it to Commissioner Lefforge.

Commissioner Kinnikin said the one person interested in Social Work asked her about time and energy and has not come back to her. We do not need three candidates, if anyone knows a social worker, they can apply online.

UPDATE ON REGIONAL BEHAVIORAL POLICY BOARDS

Ms. Rivas was going to take the lead on this as well. It will be on the agenda for the next meeting.

ANNOUNCEMENTS

Chair Ruiz-Lee announced that all three regional Consortia are scheduled to present their strategic plans to the Interim Legislative Committee on Child Welfare and Juvenile Justice on Tuesday morning. You can get to it through the Legislative website.

DISCUSS AND DECIDE ON NEXT STEPS

- Specify Agenda Items and Next Steps for the Next Meeting
 - Agenda items 4,5, and 6 will be on the agenda again.
 - Agenda item to talk specifically about the orientation procedures, especially if Dr. Pohl will join us. Commissioner Everett said she received an orientation handbook, but it is generic. It is difficult to discern what the Commission does from the handbook. She appreciated the emails from Chair Lefforge about what to do with the Seclusion and Restraint reports. It would have been helpful to have more step-by-step information. Commissioner Johnson said when she came on the Commission, Kevin Crowe sat down with her and helped her do her first batch. Chair Lefforge asked if Commissioner Everett was trained on Open Meeting Law and Roberts Rules of Law. She was not from this Commission.

- Confirm Next Meeting Date
 - Laura Adler will send out a doodle poll.

PUBLIC COMMENT

None.

ADJOURNMENT OF PUBLIC SESSION

Commissioner Ruiz-Lee adjourned the meeting at 10:30 A.M.