

**STATE OF NEVADA**  
**DIVISION OF PUBLIC AND BEHAVIORAL HEALTH**  
**BEHAVIORAL HEALTH PLANNING & ADVISORY COUNCIL**

November 1, 2018

1:00 p.m. to Adjournment

*Northern Nevada Location*

4150 Technology Way, Ste. 300  
Carson City, NV 89706

*Southern Nevada Location*

1391 South Jones Blvd.  
Las Vegas, NV 89146

**DRAFT MINUTES**

**Council Members Present:**

Sondra Cosgrove, Ali Jai Faison, Rene Norris, Karen Torry Greene, Amber Neff, Katherine Mayhew, Charlene Frost, William Kirby, Brook Adie, Mavis Major, Alyce Thomas

**Council Members Absent:**

Susan Maunder, Drew Skeen, Dawn Walker, Gillian Rae Stover, Stacy Calvert, Jennifer Sexton

**Others Present:**

Joseph Filippi, DPBH, Caitlin Priess, DPBH, Marco Erikson, DPBH, Betty Hammond, SAPTA, Dawn Yohey, DPBH, Julie Slabaugh, DAG, Susanne Sliwa, DAG, David Robeck, SAB Co-Chair

**1. Call to Order**

Rene Norris, Chair called the meeting to order at 1:04 p.m.

**2. Public Comment**

Joseph Filippi stated he will no longer be the main contact for administrative support for the BHPAC and introduced Caitlin Priess as the new Administrative Assistant for the council.

**3. Approval of meeting minutes from September 28, 2018. – Rene Norris, Chair**

Agenda item tabled.

**4. Presentation on Substance Abuse Prevention and Treatment Agency (SAPTA) and efforts being made by the SAPTA Advisory Board (SAB) – David Robeck, SAB Member**

David Robeck, President/CEO Bridge Counseling Associates, stated he cannot speak on behalf of SAPTA; however, he is co-chair of the SAPTA Advisory Board (SAB) and he can speak on the relationship between the SAB and SAPTA. Mr. Robeck stated one of the challenges SAPTA has is they do not have a Bureau Chief now, but they are actively pursuing a replacement and may have already made an offer. Mr. Robeck stated he joined the SAB four years ago and he is a member because Bridge Counseling Associates is a certified and funded agency in Nevada providing substance abuse treatment. Mr. Robeck added he brought a copy of the SAB bylaws which outlines the required number for members in fifteen because it is easier to get a quorum and vote if there is an odd number.

David Robeck stated his co-chair is Lana Robarts, Executive Director of New Frontier Treatment Center, located in Fallon, Nevada. Mr. Robeck added both he and Ms. Robarts run agencies that were accepted into the Certified Community Behavioral Health Clinic (CCBHC) program which is a two-year demonstration model. Mr. Robeck stated eight states in the United States participate in the CCBHC program and Nevada is at the top of list when it comes to CCBHCs. Mr. Robeck added the three agencies that were approved are New Frontier Treatment Center, Bridge Counseling Associates, and Vitality Unlimited in Elko; he stated there was a fourth agency, West Care, that started as a CCBHC but did not remain in compliance.

David Robeck stated the SAB is made up of fifteen agencies and their single representative who can be replaced at meetings if they are unable to attend by identifying a replacement in advance, which helps meet quorums. Mr. Robeck stated the purpose of the SAB is to advise the agency director of SAPTA on substance abuse issues to enhance the quality of services to achieve the following objectives:

- Ensuring the availability and accessibility of treatment and prevention services.
- Reducing drug and alcohol use.
- Reducing the influence of criminal act involvement.
- Increasing the availability of inpatient services.
- Increasing the availability of outpatient services.
- Increasing the number of adolescents who receive prevention services.
- Ensuring that services for continuing care and recovery support services are available, affordable, and accessible for those in need.
- Promoting the prevention of alcohol and drug abuse.

David Robeck stated SAB is not a policy making or regulatory authority and its only purpose is to advise SAPTA and shared perspective from his agency. Mr. Robeck stated when he took over Bridge Counseling Associates there were eleven clinicians and the agency was mostly servicing substance abuse. Mr. Robeck added he believes substance abuse disorder is a subcomponent of mental health disorder, so Bridge Counseling Associates hires mental health clinicians and immediately provides them with substance abuse internships. Mr. Robeck stated Bridge Counseling Associates now has forty-six clinicians and takes mental health services very seriously which is why the agency applied

for the CCBHC designations. Mr. Robeck added the state released a RFA for six additional CCBHC facilities which will be done by the facilities, not the state. Mr. Robeck stated Bridge Counseling Associates will be opening a second CCBHC location and other agencies will open the five other facilities.

David Robeck stated SAB also looks at who is getting treated and how they are getting treated; for example, undocumented residents in Nevada can get SAPTA funded treatment for substance abuse issues. Mr. Robeck added seventeen of the forty-six clinicians at Bridge Counseling Associates are Spanish speaking rather than having interpreters; Bridge Counseling Associates also offers Japanese, Korean, German, and French languages as well. Mr. Robeck stated the SAB looks at residential treatment and Las Vegas does not have much residential treatment. Mr. Robeck stated Bridge Counseling Associates' top funded clients are typically Medicaid recipients and the agency has a state welfare worker who comes in three days a week and signs individuals up for Medicaid.

David Robeck stated the SAB has recently started pushing recovery issues and has even changed their bylaws to include recovery. Mr. Robeck stated every treatment agency in the state already offers recovery but there was a big push to support a peer support specialist. Mr. Robeck added another piece that is being supported in Medication Assisted Treatment (MAT) which has very limited uses for Marijuana and Methamphetamine which are common in the Southern Nevada region.

Karen Torry Green asked David Robeck how the relationship between SAPTA and SAHMSA came about. Dr. Torry Green added the council has had the regional behavioral health boards present; therefore, the council has an idea of the major pressing issues throughout the state regarding mental health. Dr. Torry Green stated the council is not knowledgeable on what the major pressing issues of substance abuse are. Dr. Torry Green asked Mr. Robeck to educate the council with regard to the general needs.

David Robeck stated as far as residential issues go, there would be mental health and substance abuse treatment which would be targeted case management. Mr. Robeck stated if SAPTA was able to fund mental health and substance abuse treatment, agencies would be able to provide residential, employment, and transportation services for people in the community. Mr. Robeck stated individuals need to get to agencies to receive services and in Las Vegas when the temperature is over 100 degrees, it is difficult for individuals to wait for a bus. Mr. Robeck added transportation is an issue because the social security office is in one part of town and the courthouse is in another part of town or individuals are having a hard time obtaining a job because they have a felony or they cannot keep a job due to substance abuse or mental health issues. Mr. Robeck stated housing is always a challenge, whether individuals are obtaining a temporary voucher or are placed in a shelter.

David Robeck stated his agency had an individual who had a serious drug issue and needed detox, so she was sent to the local detox facility which is funded by SAPTA and the county. Mr. Robeck added within hours of going to the facility she was kicked out and sent to a hospital which also refused to see her. Mr. Robeck stated the individual was sent to a

parking lot of a Managed Care Organizations (MCO) where she was registered, and she spent the night in the parking lot as she was trying to come down from drugs.

Brook Adie stated she has accepted the position of Bureau Chief with SAPTA and will start Monday November 5, 2018. Ms. Adie added regarding Medicaid funding for residential placement, the president signed a new opioid bill which includes the reversal of the IMD exclusion; therefore, SAPTA will be looking at how that can be implemented and what changes need to be made to get it going. Ms. Adie stated the new opioid bill would allow Medicaid to pay for individuals to receive residential treatment for up to thirty days in a facility that has fourteen or more beds. Ms. Adie added she had a discussion with Dr. Stephanie Woodard from DPBH regarding the mental health block grant and it was indicated that the BHPAC is responsible for overseeing the mental health block grant and providing policy guidance, ensuring the grant is spent appropriately, and providing direction. Ms. Adie stated Dr. Woodard is willing to give a presentation to the council and provide information that will be helpful to the council.

David Robeck stated he believes it is important for the BHPAC to hear what providers are doing and what is needed. Rene Norris stated members of the SAB have presented to the council in the past.

## **5. Discussion of Nominating Committee concerns and possible revisions to the BHPAC Bylaws – Rene Norris, Chair**

See Exhibit A – BHPAC Executive Order and Exhibit B – BHPAC Bylaws

Joseph Filippi stated several members on the council became members by going directly to the Governor's Office and applying and other members have gone through a process outlined in the BHPAC Bylaws which is the nominating committee. Mr. Filippi stated in the past, the council has had a separate nominating committee which held interviews with certain candidates to determine their suitability on the council and if they would like to apply through the Governor's Office to become a member. Mr. Filippi added when he contacted the Governor's Office he was told there are staff members who determine what position on the council that individual would be best suited for by looking at the individual's background and history.

Alyce Thomas stated it was her understanding that if an individual is from Medicaid or the school district, etc. they went straight to the governor's office and applied. Ms. Thomas added she has been on the council for over twenty years and there has always been a process for family members, members of the public, or consumers where a recommendation would be made to the council and the council would determine that individual's suitability through an interview and if the individual was suitable, the council would provide them with the necessary paperwork to take to the Governor's Office. Rene Norris stated her concern is the Governor's Office does not talk to the individuals who apply and sometimes the council

obtains members who are not ready to be on the council. For example, the council has had members in the past who did not focus on the tasks and the purpose of the BHPAC.

Karen Torry Green stated Article III Section 4 explains state representatives can go directly to the governor's office and the administrative assistant keeps a roster of non-state representatives who are interested, and the council can screen those individuals. Rene Norris stated the administrative assistant would contact individuals to be interviewed by the nominating committee and the nominating committee would make recommendations at the next council meeting and the whole council would decide on who should apply to the Governor's Office. Charlene Frost stated her concern is that she interviewed with the nominating committee and did not hear back from the council for six months; therefore, if the nominating committee is going to be a continued piece of the bylaws then there should be a timeframe to follow-up with candidates so they are aware of the process.

Alyce Thomas stated in the past when a candidate was approved by the council, the administrative assistant sent the paperwork to that person who filled it out and sent it to the Governor's Office. Ms. Thomas added the administrative assistant would be in contact with the Governor's Office and keep the candidate informed on where they were in the process. Charlene Frost stated the council cannot enforce the Governor because the executive order states he must appoint them. Rene Norris stated the council can kindly request to screen consumers and family members prior to them being appointed. Susanne Sliwa, Deputy Attorney General, stated the council can kindly request that from the Governor; however, if the Governor chooses to appoint someone, the council cannot say no.

Brook Adie stated on other commissions and committees she has been involved in, the administrative assistant would form a relationship with the staff member at the Governor's Office who was accepting the applications and by having constant communication at that level it made it easier for requests to be implemented. Ms. Adie added there will be a new Governor elected next week so the staff and process could change.

Charlene Frost stated another question she has regarding the bylaws and executive order is at least fifty percent of council members should be people other than state representative and behavioral health providers. Joseph Filippi stated when he contacted the Governor's Office and was told that they do keep track of the current members and their role to ensure the 50 percent ratio is adhered to.

Katherine Mayhew stated she is retiring and recommended Dr. Megan Freeman, Division of Child and Family Services (DCFS) Psychologist, as her replacement. Ms. Mayhew stated Dr. Freeman has completed her packed and is awaiting appointment from the Governor. Mavis Major stated she is a professor for the Department of Social Work at Walden University, works as a psychotherapist for Renown Hospital in the emergency room, holds a PhD in substance abuse, and has over thirty years' experience of mental health treatment. Ms. Major added she was appointed by the governor's office. Charlene Frost stated the nominating committee is specific to consumers and family members, not behavioral health providers. Karen Torry Green stated she does not agree with Ms. Frost's

statement as the nominating committee is for anyone who is not a state representative which would include behavioral health providers. Dr. Torry Green added she completed an application and interviewed with the nominating committee and she is not a state employee. Ms. Frost stated Dr. Torry Green is correct and the bylaws do state council vacancies for state representatives is a different process.

Rene Norris stated one of the issues is the Governor looks at the 50 percent ratio for consumers and family members and looks at the number of state representatives needed; however, he is adding extra spots of service providers in the community, for example Mavis Majors. Karen Torry Green stated there may be variations of the interpretations because this council cannot be made up of only state employees and there should be representatives from all facets of mental health (i.e. employment, housing, schooling substance abuse, etc.) the delineation is so the board does not consist of only state employees.

Brook Adie stated there appears to be a system failure according to the BHPAC bylaws because someone was able to get through without going through the process and Mavis Majors is evidence of that. Rene Norris stated with the amount of member slots allowed and the number of state employees and consumers required, there are no spots available for service providers. Charlene Frost stated the bylaws list nine state employee slots and Mavis Majors could be considered a private entity concerned with the need, planning, operation, funding and use of mental health, substance use, cooccurring services and related support services.

## **6. Discussion, decisions, and approval on amendment of BHPAC Bylaws – Rene Norris, Chair**

See Exhibit B – BHPAC Bylaws

Brook Adie asked if the council would like to change the section of the bylaws which states “At least 50 percent of the members of the council will be individuals who are not state employees or providers of behavioral health, substance abuse, or cooccurring services.” Charlene Frost stated the council cannot make changes because it is listed on the Governor’s Executive Order. Karen Torry Green stated depending on the commas, the bylaws can be interpreted two ways: half or less must be state employees or more than half must be consumers or family members. Dr. Torry Green added she reads it as council members should represent different components of mental health including consumers.

Sondra Cosgrove stated the council needs clarification as to what the bylaws and the executive order say and whether the council complies or not; and if spots need to be filled or if changes need to be made to the bylaws. Rene Norris stated the council needs a list of what the actual spots are and what the make ups are. Charlene Frost added, to change this portion of the bylaws would require a new executive order from the incumbent governor. Joseph Filippi stated he was told by a SAPTA staff member that the guidelines that are in the executive order came from federal restrictions that the governor must follow; therefore, it may not be possible to amend the executive order. Rene Norris stated the number of

members can be amended if need be. Alyce Thomas added the number of members can change but the executive order that comes from the federal government states exactly who and how the council must be made up to comply.

Rene Norris stated the executive order from the federal government may say services providers from the community is one of the entities that be represented on the council. Susanne Sliwa stated as far as the composition of membership goes, no less than 50 percent of the members of the council will be individuals who are not state employees, peers, or providers of any behavioral health service; therefore, at least half of the council needs to not work for the state and not be a provider. A council member stated she is interpreting it the same way as Ms. Sliwa and it does not make sense because half of the council is twelve when added to the nine required state employees, there is no room to include providers. Susanne Sliwa stated the executive order is the executive order; therefore, it cannot be changed. Ms. Sliwa added the number can be changed, but in her experience of representing public bodies, the bigger the public body the harder it is to get a quorum.

Charlene Frost stated as she was reviewing the bylaws she focused on the purpose of the BHPAC. Ms. Frost explained she is aware the BHPAC advises on the mental health block grant; however, the block grant was released to the state on October 1, 2018. Ms. Frost added it is under federal statute that the council review that information and it has not been accomplished. Brook Adie stated at the next meeting Dr. Stephanie Woodard from the Division of Public and Behavioral Health (DPBH) can give a presentation on the purpose of the BHPAC. Rene Norris asked if the council could obtain copies of the mental health block grant budget, the council budget, and the SAMHSA yearly progress report. Ms. Adie stated she would work on obtaining that information.

Joseph Filippi stated the council appears to agree to have Dr. Stephanie Woodard provide clarification and information for the council at the next meeting. Mr. Filippi asked if the council would like to make any amendments to the bylaws at this time or if they would like to wait until after Dr. Woodard's presentation.

Sondra Cosgrove stated she would like to expand on Charlene Frost's point regarding Article I Section 2.2.3 of the BHPAC Bylaws which states "the council shall monitor, review, and evaluate no less than once annually the allocation and adequacy of behavioral health services within the state." Ms. Cosgrove stated when the BHPAC Legislative Subcommittee asked the Department of Health and Human Services for an overview of the services that are being provided and their funding source, they were told by Kyra Morgan, DPBH Chief Biostatistician, they were not allowed to receive that information. Joseph Filippi stated to his knowledge, Ms. Cosgrove's request was to have collective information from all the behavioral health entities and their financial data. Mr. Filippi added he was told by Dr. Stephanie Woodard that a comprehensive list of financial data for all behavioral health entities in Nevada does not exist. Ms. Cosgrove stated she only wanted to know the funding source (i.e. state, city, county, or private). Ali Jai Faison stated he worked with Dr. Woodard and tried to obtain a list; however, the financial data of private sector entities will not be received. Ms. Cosgrove stated she would like Dr. Woodard to help the council

identify how they are going to achieve Article I Section 2.2.3 of the BHPAC Bylaws. Brook Adie stated she would talk to Dr. Woodard about including that information in her presentation.

**7. Review of BHPAC Executive Order and Bylaws, make recommendations for next steps of the Council - Rene Norris, Chair**

Agenda item tabled.

**8. Make recommendations and decisions on members who will be placed on the Nominating Committee to address the need to fill Council Membership vacancies. – Rene Norris, Chair**

Alyce Thomas and Rene Norris stated they would like to remain on the Nominating Committee. Ms. Norris asked the council if anyone else would like to be on the Nominating Committee; however, no members responded. Charlene Frost made the motion and Ms. Thomas and Ms. Norris remain on the Nominating Committee, Karen Torry Green seconded the motion and the motion carried.

**9. Make Recommendations on future topics and dates for meetings of the Behavioral Health Planning and Advisory Council - Rene Norris, Chair**

Brook Adie stated it would be helpful to narrow down topics the council would like Dr. Stephanie Woodard to speak about; for example, the mental health block grant, the mental health block grant budget, the council budget, and the SAMHSA yearly progress report, and maybe an agenda item to explain the Federal Executive Order which provides more information about positions on the council. Joseph Filippi stated the agenda for the next meeting currently has the following:

- Approval of the September 28, 2018 and November 1, 2018 meeting minutes.
- Discussion about the BHPAC Executive Order and Bylaws and recommendations made by the council.
- Presentation by Dr. Stephanie Woodard regarding the Federal Executive Order, the mental health block grant, the mental health block grant budget, the council's budget, and the SAMHSA yearly progress report.

Bill Kirby stated there may be some confusion as, to his knowledge, there is not a Federal Executive Order. Mr. Kirby added there are conditions of acceptance of the mental health block grant specified that a council such as the BHPAC needs to exist. Joseph Filippi clarified that Dr. Stephanie Woodard will be discussing the federal guidelines that mandate the mental health block grant for Nevada and serve as guidelines for the Governor's Executive Order which established the BHPAC.

Sondra Cosgrove stated she would like to include the sections 1. Mission and 2.B Functions of the Governor's Executive Order because she would like to know how the council will be reviewing and evaluating the allocation and adequacy of the behavioral health services in Nevada. Joseph Filippi stated he will add Ms. Cosgrove's request to the future agenda.

Brook Adie stated Dr. Stephanie Woodard's schedule is extremely busy; therefore, the council may have to be flexible to fit in with her schedule. Ms. Adie asked if the Council would like to meet in December or January as the legislative session will be starting soon. Rene Norris asked how many meetings the council has accomplished in 2018. Joseph Filippi stated the November 1, 2018 is the BHPAC's third meeting for the year which complies with the executive order's requirement of at least one time annually. Ms. Norris stated the bylaws say quarterly or four times a year; therefore, the council will have to meet again in December. Susanne Sliwa stated the council could meet again in December at the pleasure of the council; however, in her experience it is difficult to get a quorum in the month of December.

Charlene Frost asked if the mental health block grant was included in the state budget. Brook Adie stated Dr. Stephanie Woodard would be able to provide more information on that; however, it is in the current budget. Ms. Adie added any information regarding the next biennium's budget is currently confidential until the Governor gives the State of the State and explains his budget. Ms. Frost stated the council may want to schedule the next meeting after the State of the State which usually takes place the third week of January.

Joseph Filippi stated he would check with Dr. Stephanie Woodard's schedule and get back to the council members regarding the next council meeting. Karen Torry Green made a motion for Brook Adie to find out when Dr. Woodard is available and for the administrative support to send out a poll with the dates available and decide on when the next meeting will be. Sondra Cosgrove seconded the motion, motion carried.

#### **10. Public Comment**

No public comment

#### **11. Adjournment**

Rene Norris, Chair adjourned the meeting at approximately 2:45 p.m.