
**ADVISORY COMMITTEE ON PROBLEM GAMBLING
DRAFT MINUTES
Tuesday, April 28, 2020
12:30 p.m. to Adjournment**

This meeting is being held in compliance with Declaration of Emergency Directive 006.

CALL-IN NUMBER: (669)900-6833

ACCESS CODE: 7756845906

1. Call to order/roll call

Members Present: Alan Feldman, Chair; William Theodore Hartwell; Constance Jones; Carolene Layugan; Carol O'Hare, Nevada Council on Problem Gambling; Denise Quirk, Vice Chair; Brenda Joy Rose; Donald Yorgason

Staff/Guests Present: Jeff Marotta, Problem Gambling Solutions; Brook Adie, Kim Garcia, and Joan Waldock, Bureau Health Wellness and Prevention (BHWP); Michelle Countryman, Division of Public and Behavioral Health (DPBH); Rory Reid; Donna Meyers; Teri Baltisberger; Trey Delap; Edward Kovacs; Helen Godfrey, Bristlecone Family Resources; Lana Robards, New Frontier Treatment Agency; Sarah St. John and Andrea Dassopoulos, University of Nevada, Las Vegas (UNLV); Nann Meador; Jeanyne Ward, Center for the Application of Substance Abuse Technologies (CASAT); Natalie Powell; Stephanie Goodman, Agata Gawronski; Sarah Polito, KSP3, Inc.

2. Public comment

There was no public comment.

3. Approval of minutes February 20, 2020 meeting

Ms. Jones moved to approve with a correction. Ms. Quirk seconded the motion. The motion passed without opposition or abstention.

4. Discussion and possible approval of COVID 19 Responses

Ms. Garcia went over the [COVID-19 Emergency Response Policy Changes](#) that help with treatment subawards regarding telehealth service requirements, add a program development code, and revise reimbursement add-on codes procedures claim limits. Dr. Marotta added the relaxed telehealth service requirements will result in specialized forms, consents, and protocols dealing with client safety that agencies will have in place at their next program review. He noted such policy changes usually go through the Advisory Committee but, due to the special circumstances, that was not done—the BHWP went to the Chair with the changes. Mr. Feldman said the response was necessary due to the emergency.

5. Project Updates

a. Research Project Updates: UNLV International Gaming Institute (IGI)

1. Behavioral Risk Factor Surveillance System (BRFSS) Update

Ms. St. John reviewed the [UNLV Quarterly Progress Report](#). She stated the BRFSS was deemed nonessential at this time. Interviewers are developing confidentiality and privacy procedures for working from home. Funding for added questions was moved from the IGI budget to the Problem Gambling Fund and goes directly to those conducting the interviews. The new telehealth codes went into effect April 1 for March billings. They are collating intake forms from concerned others about those entering treatment. They are forming a workgroup to develop a standardized intake form to be used for “concerned others” in the data management system.

2. Research Grant Program update

Ms. Dassopoulos reported several research projects were derailed as they require human subjects in casino environments; deadlines may be extended or projects may be modified.

3. Pathways to Long-Term Recovery Research Project

The project has been approved.

b. Gambling Treatment Diversion Court

Ms. Garcia provided an update based on Ms. Parker’s [Gambling Treatment Diversion Court Update Report](#). Mr. Feldman asked how the program would do its billing. Ms. Garcia said DPBH did a modification for them and is waiting for an amendment. Ms. O’Hare asked that her appreciation for Chief Judge Linda Bell, DeNeese Parker, and Stefanie Hui, the court coordinator, be noted. Judge Cheryl Moss will retire at the end of this year, moving the program from the family court building to the criminal court building. There may be staff changes.

c. Public Awareness Campaign - KPS3

Ms. Polito’s [Executive Summary](#) reported the Project Worth website was visited 236 times since launching on March 8. Most visitors spent more than three minutes on the site and were from the Reno and Las Vegas areas. She noted 12 individuals completed the problem gambling quiz. Ninety-two stories were picked up by various outlets. Their social media audience grew from 0 to 108 followers. Their May content calendar will promote virtual care through telehealth. She noted they met or exceeded all of the goals they set for the first half of the media campaign. Funds remaining through the scope of work will be used in May to target people using ads that help them to connect with Project Worth and with treatment.

Mr. Hartwell asked if the names of treatment providers could be hyperlinks. Ms. Polito said she would work with the team to implement the change. There was discussion about how the move to offering services online during the COVID-19 crisis was the perfect time to launch this project. Ms. O’Hare mentioned the recovery community’s concern that many will shift to online

gambling while casinos are closed. She requested messaging targeting those in recovery. She added there are no regulations requiring advertising about gambling to include information about responsible gambling.

d. Workforce Development

Ms. Ward said [CASAT](#) entered into a work order with DPBH to:

- Develop a workforce development roadmap. They are now collecting feedback on the look and the content in the second draft.
- Develop a 30-hour problem gambling readiness training. They have contracts with two of the three people who agreed to put together the curriculum by June 30.
- Develop the infrastructure to create a liaison to serve and assist individuals in gaining certified problem gambling internships and certified problem gambling counselor certification. They will engage with the community, stakeholders, and the Board of Examiners to determine what is needed in the position, how it can best serve those interested in becoming interns and counselors, and how it can promote paths to becoming an intern or counselor.

Ms. Quirk suggested having a Zoom meeting for public feedback on the liaison. Ms. Ward said CASAT collaborated with Ms. Quirk and Ms. O'Hare to identify continuing education units (CEUs). She noted CASAT is offering three two-hour trainings before June 30. There are national CEUs being offered as well.

e. State Conference

Ms. O'Hare reviewed the [ACPG Program Update](#), noting the live conference was cancelled due to the COVID-19 shutdown. They deobligated the grant funds. Those scheduled to speak at the conference are willing to hold webinars. Working with Ms. Ward and Ms. Quirk, they identified 14 CEUs available through the end of June through National Council providers; she mentioned many of them were offered free of charge. The information was sent out on ListServ. They will begin to incorporate this into their Promotion to Workforce calendar on a quarterly basis. Other councils approved by the National Council on Problem Gambling can provide CEUs that are accepted by our Board of Examiners.

f. Prevention

The Problem Gambling Awareness events were cancelled because they could not secure the venue. Vance Johnson was to have been featured; he will now participate in a different event or at the event held in March 2021.

Community outreach and staff worked with all of the groups they were scheduled to provide speakers for. Most of what they do transferred well into the digital realm. The website has information about the agencies providing telehealth services for the community and the courts.

Mr. Feldman thanked her publicly for making the hard decision to cancel the conference.

6. Division of Public and Behavioral Health and Bureau of Behavioral Health
Wellness and Prevention Updates

- Treatment Provider Data Update

Ms. St. John highlighted trends identified in the [Quarterly Fiscal Report](#). Northern providers met or exceeded their goals in the number of gambling clients they wanted to see for this year. The goals for concerned others were not met, although it is typical that concerned others of those in residential treatment do not accompany them to treatment and are unable to participate. Twenty-eight unique continuing care clients participated one year or more following discharge from treatment. The consent rate has declined. All of the treatment providers are behind on budget spending at the end of the third quarter. Billing for telehealth services has had an impact on that. Ms. Godfrey commented that most of their clients appreciate the offer and provide consent for research. Ms. Quirk said they explain consent to release personal information at intake; clients do not always say yes. Ms. St. John said the number of clients can be checked on the website under “Reports.” They can pull the intake reports to see if clients consented; they can add clients to their lists. Mr. Hartwell cautioned against reading too much into the decline in consents. Ms. St. John noted treatment providers are doing an excellent job of informing clients throughout the process of treatment, not just during intake.

- Discussion on Fiscal Reports

Ms. Countryman did not have any updates.

- Discussion on Program Updates

Ms. Adie reported that Governor Steve Sisolak asked each bureau to provide reductions in its general funds budget. One request was for a 4 percent reduction for the remainder of this fiscal year; a second was for cuts beginning July 1. They have not yet had their budgets approved. The Bureau is looking at all general funds programs. Mr. Feldman asked if, in the preparation of the proposed budget cuts, a single percentage cut was made to all budgets. Ms. Adie replied they looked at each of the services provided and how each piece of the program could operate on a reduced budget with little impact to direct services. Mr. Hartwell asked if there were reductions to calculations for the second half of the biennium. He thought they had been asked to look at a 15% reduction in state funding. Ms. Adie replied they were asked to submit different percentages of cuts to the Governor’s Office. At this point, the budgets are confidential. Until the Bureau knows the direction they are going, she cannot comment further as there may be further increases or decreases to the reductions.

Ms. O’Hare noted Ms. Garcia asked for information for this meeting to begin processing grant agreements for next fiscal year. She asked if they would know by July 1 what the budgets would be. Ms. Adie hoped to hear before then. She said the Bureau is looking at level funding and will make adjustments once the budgets are approved. Ms. Countryman added she has not been given a date when the budgets would be approved. Ms. Garcia created the allocations and

proposed budgets for next year. They were on this year's funding since they do not know what the number is going to be. Ms. Adie said the percentage of cuts is going to be based on how long things are shut down and other factors.

Ms. Garcia went over her [State Fiscal Year Awards - Expenditures](#) that reflects the adjustments and the [Problem Gambling Financial Report](#). Once the 4% general funds adjustment was made, \$7,694.08 in unobligated funds are available. Mr. Feldman noted this was done without taking any money from treatment providers.

7. Discussion and Possible Approval of Division Reallocations Recommendations and Proposals

Ms. Garcia proposed using remaining unobligated funds for digital buys to promote additional items for the Project Worth campaign. Mr. Feldman clarified that Project Worth has been doing its own digital stories, adding links, and pushing the message on social media; there is currently no paid advertising directing people to the site. In going forward, he reminded them the budget for next fiscal year would be less than \$2 million. He recommended investing the \$7,700 in paid advertising that would direct people to the Project Worth website which would drive them to information and the websites of individual providers. For instance, when people search for online casinos, banner ads for Project Worth could pop up. Ms. Goodman said a budget like that could go a long way on a Facebook campaign. She offered to work with KPS3 to share what she has learned in working with digital advertising. Mr. Feldman pointed out the targeted activity would be an efficient use of the money. Ms. Garcia said she would contact Ms. Polito regarding what this money could do.

Ms. O'Hare asked if the money needed to be reallocated now. Mr. Feldman said the it needed to be spent or it would be lost. He pointed out this was money they should be spending. Ms. O'Hare wanted the issue clarified in case anyone thought the money could be used after the budget cuts went into effect. Ms. Quirk noted she had no better idea of how to spend those funds.

Mr. Feldman entertained a motion to recommend the allocation of those funds to KPS3 for paid media. At the discretion of the Chair, Mr. Feldman moved to recommend the allocation of the remaining funds to KPS3 to identify and purchase paid social media advertising. Ms. O'Hare seconded the motion. The motion passed unanimously.

8. Discussion and Possible Approval of Recommendations for Updates to the Department of Health and Human Services (DHHS) Problem Gambling Services Strategic Plan State Fiscal Year (FY) 2021

Dr. Marotta went over the [Strategic Plan Revisions](#) document. The strategic plan has been revised a number of times. Version 1.0 came out before the 2019 legislative session to provide a blueprint for any legislatively approved budget increases. The budget increase resulted in the need for Version 2.0. Version 2.5 was released in March 2020 in response to COVID-19. Version 3.0 of the plan

should be in place for next fiscal year. Because of the unknown budget for next year, that version will be made once next year's budget is known.

The current version expanded telehealth counseling policy and guidelines. A provision in the strategic plan enabled agencies to provide telehealth; this fleshes it out. The development code will stay in play even if the allocation changes for add-ons, allowing agencies to have an expanded menu of options for allocating the add-on code allowance. Program development is a broad category. He pointed out that Ms. Garcia sent out a message describing how treatment providers could apply for program development. She will preapprove the plan and the budget. There is an increase for the add-on codes from 10 percent to 20 percent of the grant award.

Concepts for the next version of the strategic plan include:

- With stable or adding funding for treatment,
 - To expand aftercare services for drop-in counseling;
 - To develop peer-delivered services by adding procedure codes and workforce development opportunities; and
 - To determine other services.
- With funding reductions,
 - To revise client benefit caps and/or add-on code allowances;
 - To revise scope of services for several program areas; and
 - To seek service adjustments recommended at an additional ACPG meeting.

Ms. Garcia pointed out that Versions 2.0 and 2.5 can be found on the website.

9. Discussion and Possible Approval of Proposed State Fiscal Year 2021

Allocations

The [Problem Gambling Award Recommendations](#) are based on fiscal year 2020 allocations, but it is possible the budget will be different next fiscal year. Ms. Garcia went through the report. It informed the [Recommended State Fiscal Year 2021 Allocations](#) spreadsheet.

Mr. Feldman commented funding would not likely remain the same for the next fiscal year. It is not practical to try to cut the budget now, since they do not yet know what they will be asked to cut. He asked if they could come to a consensus on their priorities—not what should or should not be cut or cutting the budget by a certain percentage. He pointed members back to the Recommended State FY Allocations spreadsheet that shows the main categories of problem gambling money spending—treatment, prevention, workforce development, data collection, technical assistance, and diversion court. He mentioned the importance of having this Committee approach budget cutting from a commonly held point of view. If they all agree that treatment is their number one priority, they would need to look elsewhere for budget cuts on lower priority items.

Ms. Quirk suggested they may not be able to totally fund some projects. Mr. Feldman agreed. Dr. Marotta concurred that treatment will continue to be the priority and pointed out the need for treatment may increase. He stated there would

be priorities in each of the six categories. Ms. O'Hare added it would not be as simple as choosing a category as a priority. She noted some state-funded providers are also funded by charitable foundations which might decrease significantly. She suggested they look at targeting the goals and outcomes to be as achievable as possible in the event of the cuts. She expressed concerns about timing. She said they need their projections to be realistic. If on July 1 we do not have a budget, they will be concerned about how much they can afford to risk not being reimbursed for if funds are not available.

Mr. Feldman pointed out she talked about the stability or lack of stability of funding as if the things ACPG funds will be stable, but they will not. The other thing coming July 1 is 200,000 individuals plus their families will lose their employer-provided insurance, which could place an even greater burden on state-funded programs. Ms. Goodman said her agency does not bill insurance companies—they bill Nevada as a fee-for-service provider, and they receive donations from the industry. Ms. Robards added insurance companies are paying for shorter durations of services. New Frontier also receives funding through the grant and through self-pay. Ms. Garcia asked if New Frontier and Bristlecone bill Medicaid. Ms. Robards replied they bill Medicaid for outpatient services but cannot bill for inpatient services because of Institution for Mental Disease (IMD) rule. New Frontier has more than the 16 allowable beds. As a result, they rely on ACPG grant funding or funding through other sources. Ms. Quirk knows two private practice gambling counselors not receiving ACPG grants who bill Medicaid. They have a nearly full-time assistant who works on that. Ms. Robards noted her agency does not have much trouble getting prior authorization under the fee-for-service model.

Dr. Marotta said if they lose one provider, they can lose a program. If workforce development is taken off the table, it can cripple treatment. The majority of prevention activities promote treatment, so it is an important part of the treatment system. All of the areas are interrelated. Cuts could undermine the system in a way that would not be sustainable. Some programs would take a long time to revive if they were lost. Mr. Feldman agreed members should touch bases with key constituents in state government to update them on where ACPG is. He and Ms. Quirk will write a memo for legislative leaders and the Governor's Office.

Ms. O'Hare asked if they need to approve the starting point of the proposed budget or if they cannot do anything until they know what the actual cuts will be. Ms. Garcia said the proposed budget is a starting point and the budget will be revisited. Mr. Feldman suggested accepting the budget as a starting point until they receive further direction from the Governor's Office. At that time, they will make recommendations. Ms. Quirk asked if anyone would see the budget as asking for too much. She suggested a caveat saying the Committee is waiting to amend the budget.

Ms. O'Hare moved to accept these recommendations as the starting point for FY 21 with the understanding that the numbers are subject to discussion and change once the Governor's Office informs them of the amount of funds available in FY 21.

Ms. Quirk seconded the motion. The motion passed without abstention or opposition.

10. Nominations and Election of Advisory Committee

- ACPG Officers
Ms. Jones moved to retain the current officers. Ms. O'Hare seconded the motion. The motion passed unanimously.
- Committee Membership
Ms. Garcia pointed out that Dr. Yorgason's and Mr. Hartwell's terms expire this year. Mr. Hartwell said he was waiting for a notice from the Governor's Office to reapply for Committee membership. Ms. Garcia said she would contact Dr. Yorgason regarding his seat.

11. Discussion on Future Agenda Items

Mr. Feldman pointed out the need to meet once they know what the budget cuts will be. Ms. Quirk suggested they prepare what they would like to present to the legislature. She asked if they had a lobbyist who could represent them. Mr. Feldman said he would discuss this with Tony Cabot.

Mr. Delap said the next legislative session will be a tough one for ACPG. Much is unknown. After establishing ACPG's priorities, the next phase will be to account for all the challenges and decide what the Committee thinks is the best they can do. This should be done before the legislative session, if possible.

Dr. Marotta asked how they should develop a FY 21 budget. He asked if they need to wait for the Governor's recommendation or if there would be a special session of the legislature. Ms. O'Hare asked if there would be a special session to determine FY 21 budgets.

Mr. Delap said a special session is not necessary. The Interim Finance Committee met on April 30. In Nevada, the Governor and the Interim Finance Committee have the power to handle an emergency. The plan ACPG comes up with should sustain them until the regular session. In order to have a special session, the Governor would need to call the legislature back for a narrowly focused purpose. He recommended members of the Committee access <https://www.ncsl.org> for information about how the legislature works. Ms. O'Hare asked if they could plead their case to the Interim Finance Committee by reporting what they did in the first year of the biennium and what they hope to do in the second. Ms. Garcia said her report showing how much money was allocated and how much was spent shows that most of what was allocated was spent. Ms. O'Hare asked Mr. Delap how ACPG could be noticed for its value.

Mr. Delap said they need to demonstrate their work is essential and that the services offered provide relief to other services. He said they need to show how they intend to accomplish their essential purpose. It is unlikely there will be any extra money for the budget. He suggested they point out that without their core categories nothing works. The key is making the message tidy in how essential the

services are so the ask is reasonable. Legislators recognize that everything someone gets is at a cost to something else, so if ACPG can demonstrate how services can complement or work with another objective, the Legislature will double use of the money. Traditionally, the Executive Budget is prepared in late summer or early autumn. All agencies have been asked to come up with various versions of what can be cut.

Ms. O'Hare said they are talking about FY 21 and making sure they show what they do is essential. Simultaneously, they need to face the reality of cuts in the next legislative session when the same questions will be asked again of everything—what is essential and what is the new normal for the next biennium. The whole state is heavily supported through the gaming tax, but there is no gaming going on. The big picture at the legislature is daunting. Decisionmakers need to know why they need what is their essential bottom line is for FY 21.

Mr. Hartwell asked if the Committee would meet again in June. Mr. Feldman said he did not know when they would know about the budget cuts. Ms. Garcia said they could probably put a meeting together in a two-week time period once they know what the cuts will be. The meeting could just be Dr. Marotta going over the budget—it would not have to be a full quarterly meeting with all of the updates. As soon as she has answers, she will send the budgets to everyone. Mr. Feldman urged Committee members to act quickly once the information is available.

12. Additional Announcements

There were no additional announcements.

13. Public comment

Ms. Quirk publicly expressed her gratitude for all the members of the Committee. Others concurred. Ms. Garcia thanked everyone involved in these meetings.

14. Adjournment

The meeting was adjourned at 3:32 p.m.