

**SOUTHERN REGIONAL BEHAVIORAL HEALTH
POLICY BOARD MEETING MINUTES - **DRAFT****

DATE: Wednesday, March 12, 2025

TIME: 8:00 a.m.- Adjournment

Meeting Location: Virtual - Online Only

This meeting held via teleconference at: Join Zoom [Meeting Login Link](#) (see full details in the notes section below). – check online and links at the bottom.

1. Call to Order and Roll Call (Chair, Dr. Kevin Osten-Garner, and Coordinator)

The meeting was called to order at 8:01am by Stacy Smith in the absence of Chair Osten-Garner, who was unable to attend. Stacy Smith assumed the role of chair for the meeting.

Members Present

Stacy Smith (Vice-Chair)

Boonn Hem

Chief Scott Lewis

Sarah Dillard

Brenda O'Neill (joined 8:04am)

Dr. Whitney Owens

Coleen Lawrence

Jaren Stanton

Lt. Harry William

Members Absent

Dr. Kevin Osten-Garner (Chair)

Assemblyman Gregory Hafen II

Missie Rowe

2. Public Comment

No action may be taken upon a matter raised under the public comment period unless the matter itself has been specifically included on the agenda as an action item. To provide public comments telephonically, dial the number listed below. When prompted to provide the meeting ID, enter the number and password below. Comments will be limited to **three minutes** per person. People making comments will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.

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No public comments was received. With no comment presented, Item 2 was closed, and the meeting moved forward to Item 3.

3. **For Information and Discussion (Chair/Board):** general board updates and announcements regarding events, information, and relevant communication and data.

Stacy Smith invited board members to share any updates or announcements they felt were pertinent to the group. After opening the floor, no board members provided any update or information. With no further discussion, Vice-Chair Smith proceeded to close Item 3 and move to Agenda Item 4.

4. **For Discussion and Possible Action (Chair/Board):** review and vote on approving the minutes for the February 12, 2025 meeting - <https://nvbh.org/pdf-preview?id=5454>

Board members were given time to review the minutes before a motion was made. Scott Lewis moved to approve the minutes, and Lt. Williams seconded the motion. Members voiced their approval, with no opposition noted.

5. **For Discussion and Possible Action (Chair/Vice-Chair and Board):** discussion on taking action to request support from policy boards and other groups for Nonemergency Secure Behavioral Health Transport legislation.

Southern BH Regional Policy Board: [AB31](#) - *Provides for certain Medicaid reimbursement of providers of nonemergency secure behavioral health transport services. (BDR 38-368) - increase in Medicaid reimbursement and paying for unloaded miles - incentives for rural areas as well as an overall statewide increase for this transportation. Overview with FAQs: <https://nvbh.org/pdf-preview/?id=5463>*

Stacy Smith opened the discussion for Agenda Item 5, focusing on the proposed non-emergency secure behavioral transport legislation. She invited Coordinator, Mark Funkhouser, to provide an update on the status of the bill and any recommendations for securing additional support.

Mark Funkhouser provided a detailed update, noting that individuals and organizations are welcome to solicit support for the bill independently. He shared that he had sent out numerous emails advocating for the bill and educating stakeholders. The first hearing for the bill took place on February 19th, with in-person support from Chair Osten-Garner and Assemblyman Hafen, who took the lead during the hearing. Additional support came from Ryan Beaman of the Professional Firefighters of Nevada and Dan Musgrove of Strategies 360, who represents entities such as Desert View Hospital and the Children's Consortium. Coordinator, Valerie Haskin from the Rural Behavioral Health Policy Board also supported the bill remotely. Mark highlighted that there was no opposition during the hearing, with some groups expressing neutral support due to their inability to actively lobby or advocate.

Mark also mentioned that he had presented the bill to the Nevada Detention Administrative Group, which includes law enforcement representatives. While the statewide sheriffs and chief's director expressed neutrality due to questions about liability and safety, they did not oppose the bill. Mark emphasized the importance of building trust with law enforcement and EMS providers, particularly in rural areas, where the need for such transportation services is more pronounced.

Board member, Coleen Lawrence, raised a question about the bill number, which Mark confirmed as AB31. The bill focuses on Medicaid reimbursement for providers of non-

emergency secure behavioral health transport. Coleen also noted that the bill had been discussed in other meetings, indicating growing awareness and chatter around the topic.

Mark further explained that Medicaid administrators are working to enhance non-emergency medical transport services, which aligns with the goals of the proposed legislation. He highlighted the importance of addressing “empty miles” (previously referred to as “deadhead or unloaded miles”) and building trust with stakeholders to ensure the bill’s success.

Stacy Smith encouraged board members to share any additional ideas for support and to email Mark with suggestions. She emphasized the importance of staying engaged with legislative developments and identifying potential partners.

Coleen Lawrence added that conforming language in the bill could be used to include or exclude specific provisions, such as inmate transfer for medical purposes, depending on stakeholder preferences. Mark agreed, noting that the bill does not mandate the use of specific providers but offers an option for stakeholders.

The discussion concluded with no further questions or comments.

6. For Discussion and Possible Action (Chair/Vice-Chair and Board): discussion on taking action to support pending legislation known to affect behavioral health and related issues including letters of support, testimony, or input for the following or other legislation.

- a. **Rural Policy Board (SB68) - Senate Committee on Commerce and Labor** - *“AN ACT relating to behavioral health; requiring licensing boards that regulate various professions relating to behavioral health to report certain information; ratifying and entering into the Social Work Licensure Compact; and providing other matters properly relating thereto.”*
- b. **AB163 (BDR 54-129) Enters into the Counseling Compact:** *“AN ACT relating to mental health; ratifying and entering into the Counseling Compact; authorizing the sharing of certain information with the coordinated database and reporting system created by the Compact; providing licensed professional counselors practicing in this State under the Compact with the same legal status as clinical professional counselors who are licensed in this State; and providing other matters properly relating thereto.”* Assemblymember Hafen.
- c. **Northern Policy Board (AB60): HHS** - *Revises provisions relating to certain behavioral health services. (BDR 39-434) - pertaining to youth peer support and Certified Prevention Specialists.*
- d. **Washoe Policy Board (SB47):** *“AN ACT relating to insurance; providing for a study of certain issues relating to coverage for behavioral health care; requiring the submission of certain information for the purposes of that study; providing for the confidentiality of such information; and providing other matters properly relating thereto.”* This bill supports a study of parity by insurance plans.
- e. **Clark Policy Board (AB75): Revises provisions governing grants made by the State. (BDR 31-433) - Assembly Committee on Government Affairs**
AN ACT relating to grants; declaring the policy of this State to make payments under a grant agreement within a certain period of time; imposing interest on amounts due under a written grant agreement which are not timely paid after the receipt of a proper invoice; requiring State entities that take grants to certain actions upon receipt of an invoice; authorizing use of media other than original paper documents to process grant payments; and providing other matters properly relating thereto.

- f. **SB165**: AN ACT relating to behavioral health; providing for the licensure and regulation of behavioral health and wellness practitioners; authorizing the establishment of a Behavioral Health and Wellness Practitioner Advisory Group; authorizing the Board of Psychological Examiners to investigate and impose discipline on a behavioral health and wellness practitioner; prohibiting the unlicensed practice of behavioral health promotion and prevention; establishing a privilege for certain confidential communications between a patient and a behavioral health and wellness practitioner; requiring certain insurers to cover behavioral health promotion and prevention services provided by a behavioral health and wellness practitioner; providing penalties; making appropriations; and providing other matters properly relating thereto.
- g. **SB78**: Revises provisions relating to boards commissions, councils, and similar bodies. May impact on the structure and oversight of mental health professionals and services.

Summary of Discussion on Legislation:

Stacy Smith introduced the discussion by outlining the process, stating that she would go through each bill individually and allow for board members to provide input. Mark Funkhouser and board members were encouraged to contribute any relevant updates or perspectives.

The first bill discussed was **SB68**, which pertains to behavioral health licensing boards, requiring them to provide specific information and ratifying Nevada's participation in the Social Work Licensure Compact. Dr. Whitney Owners noted the benefits of licensing compacts, explaining that they facilitate regulation and safe, cross-state practice while increasing access to providers. However, she cautioned against any unintended expansion of the scope of practice, stressing the importance of maintaining professional boundaries and ensuring that all disciplines operate within their defined expertise. Mark added that the bill also includes a reporting component to collect and standardize licensing data. After further discussion, Scott Lewis made a motion to draft a letter of support, incorporating language emphasizing compliance with Nevada's existing scope of practice laws. The motion was seconded by Sarah Dillard and passed unanimously. Dr. Owens volunteered to assist in drafting the letter.

Next the board discussed **AB163**, which involved entering the Counseling Compact. Similar concerns were raised regarding scope of practice expansion, with Dr. Owens specifically pointing out the inclusion of psychological testing, which is traditionally reserved for psychologists due to their specialized training. Coleen Lawrence echoed the importance of ensuring that professionals operate within their designated scope of practice. Sarah Dillard made a motion to support AB163 with the inclusion of language reinforcing compliance with Nevada's scope of practice laws. The motion was seconded by Jaren Stanton and passed unanimously. Dr. Owens agreed to assist in drafting the letter.

The discussion then shifted to **AB60**, which addresses the certification of Prevention Specialists. Mark explained that the bill seeks to formalize and standardize the prevention profession, ensuring that specialists receive proper training and oversight. While some concerns were raised about the overlapping roles with other behavioral health professionals, board members agreed that the bill primarily focuses on enhancing public health initiatives through prevention efforts. A motion was made to support the certification of Prevention Specialists under AB60. The motion passes, and Stacy Smith volunteered to draft the letter with assistance from Boonn Hem.

The board then discussed **SB165**, which proposes the creation of a Behavioral Health and Wellness Practitioner role, aimed at providing additional entry-level mental health support. Mark explained this role would require a bachelor's degree and undergo training and supervision, making it distinct from other behavioral health positions. Dr. Owens highlighted that the bill is modeled after an Oregon program and could help create a structured career pathway for psychology graduates. Coleen Lawrence made a motion to support SB165, which was seconded by Sarah Dillard and passed unanimously. Coleen volunteered to assist in drafting the letter of support.

The board then reviewed **SB47**, which calls for a study on parity in insurance coverage for behavioral health services. Mark provided a brief update, explaining that the study would analyze network adequacy, reimbursement rates, and provider availability. However, no motion was made, and the board decided to revisit the bill later.

Next the board examined **AB75**, which concerns revisions to grant processes and timeliness of state payments. No discussion took place, and no motion was made. The bill was set aside for potential future consideration.

The board then considered **SB78**, which proposes consolidating multiple licensing boards and restructuring the oversight of mental health, clinical professionals. Dr. Owens expressed strong concerns about the loss of professional-specific regulation, warning that consolidating boards could diminish the ability of professionals to oversee their own practice areas. Coleen Lawrence highlighted issues specific to the psychology board, particularly the risk of having unqualified individuals making key regulatory decisions. Given the complexity and potential implications of the bill, the board opted not to take immediate action but agreed to revisit in the next meeting after further analysis.

To ensure continued discussion and follow-up on these bills, the board agreed to list all of them on the next meeting's agenda. Mark Funkhouser was tasked with providing updates on their progress and reporting on the status of drafted letters.

7. **For Discussion and Possible Action (Chair/Vice-Chair/Board):** discussion on updates and possible action to vote on recommended changes to the Non-Emergency Secure Behavioral Health Transportation Bill (AB31) and documents. *Bill will be moving to legislative committee work group and board will need to be available for questions. See also FAQs: <https://nvbh.org/pdf-preview/?id=5462>.*

Stacy Smith opened the discussion for Agenda Item 7, focusing on updated and potential actions related to AB31, the non-emergency secure behavioral health transportation bill. She invited Mark Funkhouser to provide an update on the bill's status. Mark shared that the Legislative Counsel Bureau (LCB) had reached out to inquire if the group would like the bill to move to a workgroup committee for a deeper dive, rather than proceeding to another hearing. He noted that Blayne Osborn, President of Nevada Rural Hospital Partners (NRHP), suggested this could be a step toward moving the bill to the Assembly Ways and Means Committee for fiscal review. Mark emphasized that the group may need to be available for questions if the bill moves to a workgroup committee, but no specific date or confirmation has been provided yet.

Mark also mentioned that he had drafted a Frequently Asked Questions (FAQ) document to address questions raised during the last hearing. He attached the FAQ to the one-page overview of the bill, which had already been shared with the group. Mark clarified that the FAQ document had not yet been distributed to legislators or the public, and he sought feedback from the group before sending it out. He proposed that the FAQs be shared with the workgroup committee if the bill moves forward in that direction.

Stacy Smith reviewed the FAQ document and found it clear and comprehensive, with no concerns or questions. She asked if anyone else had feedback or suggestions. Hearing no objections, Stacy called for a motion to approve the FAQ document as a supplemental resource for AB31. Dr. Owens moved to approve the FAQ document, and Boonn Hem seconded the motion. The motion passes unanimously. Stacy thanked the group and confirmed that Mark could now distribute the FAQ document as needed when discussing AB31.

8. For Discussion and Possible Action: Discussion and Approval of Future Agenda Items (Coordinator/Board)

- a. **Board Opening:** “representative of residential treatment facility, transitional housing or other housing program serving persons with mental illness or who abuse alcohol or drugs. Section 3, subsection 8(b) - Board appointed ([Link](#)).
- b. **Information:** Possible experts or additional input on LCB review and possible feedback related to legislative priority (BDR) on non-emergency behavioral health transportation.

Stacy Smith opened the discussion for Agenda Item 8, focusing on potential future agenda items. She highlighted two ongoing topics: the board opening for a representative of a residential treatment facility and the need for additional input or expert feedback on the Legislative Counsel Bureau (LCB) review related to AB31.

Mark Funkhouser noted that these items are ongoing and do not require immediate action. He explained that the board chair and vice chair typically meet for administrative purposes before the next meeting. He also mentioned that the group would continue tracking the bills discussed earlier and provide updates as needed. Mark invited board members to suggest any additional agenda items, but no further topics were raised. Stacy Smith confirmed that no other items were proposed and proceeded to close Agenda Item 8.

9. Public Comment

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Stacy Smith opened the floor for public comment, inviting attendees to share their thoughts either by unmuting, raising their hand, or otherwise signaling their intent to speak.

Board member, Chief Scott Lewis raised concerns about federal cuts affecting the National Fire Academy, which provides critical training for fire and EMS personnel. He noted that the academy, located in Emmitsburg, Maryland, has paused all classes through August, with the possibility of permanent closure. This pause also impacts satellite training programs that benefit rural areas in Nevada. Scott encouraged individuals to contact their congressional and Senate representatives to advocate for the academy. Coleen Lawrence expressed interest in learning more about the issue and planned to follow up with Scott via email.

Lt. Harry Williams highlighted ongoing issues with Medicaid fraud, particularly in rural areas like Pahrump. He shared that law enforcement has uncovered approximately \$34 million in fraudulent activities in recent months. Lt. Williams emphasized that some providers are exploiting Medicaid billing differences between rural and urban areas, offering kickbacks to individuals for their information and billing for unnecessary services. He urged the group to consider protections against such fraud in future legislation.

Stacy Smith acknowledged the importance of addressing Medicaid fraud and asked Mark Funkhouser to research whether any related bills are currently before the legislature. She also mentioned consulting with the lobby team she works with to explore potential legislative solutions.

10. For Possible Action: Adjournment (Chair/Vice-Chair)

Meeting was adjourned at 9:33am.

AGENDA POSTED AT THE FOLLOWING LOCATIONS:

Physical Locations:

Nevada Rural Hospital Partners: 4600 Kietzke Lane; Suite I-209, Reno, Nevada 89502, and
Division of Public Behavioral Health: 4126 Technology Way, 2nd Floor, Carson City, Nevada 89706.

Southern Regional Behavioral Health Website: <https://nvbh.org/southern-behavioral-health-region/>. Please refer to the Publications and Reports Section for more information.

Department of Health and Human Services Website:

https://dphh.nv.gov/Boards/RBHPB/Board_Meetings/Meetings/ (here you can find the agendas and minutes for current meetings including an archive of previous meetings and a listing of board members)

Nevada Public Notices: <https://notice.nv.gov/>.

Accommodation Requests:

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Meeting Materials:

- This meeting is a public meeting, recorded and held in compliance with and pursuant to the Nevada Open Meeting Law, NRS 241. By participating, you consent to recording of your participation in this meeting. All voting members should leave their cameras on for the duration of the meeting and refrain from entering any information into the chat function of the video platform.
- Items may be taken out of order, combined for consideration, and/or removed from the agenda at the Chairperson's discretion. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based on viewpoint.
- We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the contact below. Also, if you need supporting documents for this meeting, please use the following contact: Mark Funkhouser, Southern Regional Behavioral Health Coordinator; 4600 Kietzke Lane I-209, Reno, Nevada 89502, or by email at

mark@nrhp.org, or by calling (775) 827-4770 ext. 107 as soon as possible.

- If at any time during the meeting an individual who has been named on the agenda or has an item specifically regarding them included on the agenda is unable to participate because of technical or other difficulties, please email Mark Funkhouser at mark@nrhp.org and note at what time the difficulty started so that matters pertaining specifically to their participation may be continued to a future agenda if needed or otherwise addressed.
- Please be cautious and do not click on links in the chat area of the meeting unless you have verified that they are safe. If you ever have questions about a link in a document purporting to be from Nevada Rural Hospital Partners, please do not hesitate to contact mark@nrhp.org for verification.