



*Mission Statement: Upholding ethical standards of practice and conduct, the Nevada Board of Applied Behavior Analysis licenses and registers trained professionals, prioritizing consumer protection through regulatory oversight.*

April 15, 2025 10 a.m

**FINAL** Meeting Minutes

1. The meeting was called to order at 10 a.m. Board members present: Dr. Fronapfel, Christy Fuller, Stephanie Huff, Dr. Saunders and Lynda Tache. Henna Rasul, DAG and Executive Director, Wendy Knorr were also present.
2. **Mission Statement-** *Dr. Fronapfel read the statement*
3. **Public Comment –**
  - 1) **Julie Ostrovsky** – Thanked Wendy and Dr. Fronapfel for meeting with her and Sen. Ohrenschall to work forward on SB380. She thought it was an important meeting and encourage everyone on this meeting today, especially the board members to work with the Senator on an amendment that works for all of us to ensure the safety of people with Autism in Las Vegas, actually statewide communities. Thanked again for the meeting and said she looked forward to working together on getting an amendment that all can support.
4. **Approval of Meeting minutes-**

April 2, 2025, meeting minutes were not completed for review/approval for this meeting. They will be available at the next meeting.

March 18, 2025, meeting minutes- Christy Fuller made the motion to approve the minutes with no changes; Stephanie Huff seconded the motion, and the motion passed.
5. **Executive Director's report:** Wendy asked the Board members, in an effort to be transparent and adhere to ethics requirements, to disclose and ABA related activities in which they are involved that may come before the board. This information will help avoid any issues related to conflicts of interest and potential ethics concerns and provide information publicly. Board members received an ethics manual for review. When Board members are first appointed, ethics, among other things are discussed. Boards are comprised of diverse members for a reason, and bringing those perspectives forward is important and at the end of the day, the mission of the Board is the priority. By confirming an individual's relationships and outside activities – not reviewing or opposing any of those activities but understanding that possible conflict when those discussion come to the board that everyone is aware of those interests and relationships and outside efforts of support you might be involved with.

Dr. Saunders: Disclosed that Jan Crandy is her mother-in-law. She also stated that she is a business owner and faculty at UNLV. Stated she makes it clear she is not representing the Board when interacting with others.

Dr. Fronapfel: Stated she has no conflicts of interest

Christy Fuller: Stated she has no conflicts of interest

Lynda Tache: Disclosed she has been involved with ASD related groups, advocacy and legislation for years and knows many people throughout the state for many years in her role as a non-profit professional, ABA business owner and parent. She stated she is in support of several bills this session. She stated she believes she has been transparent and welcomes any questions or concerns and guidance from Henna or others to ensure all is ethical.

Stephanie Huff: Stated she has no conflicts of interest

Wendy reported that she submitted the requested financial information requested by B&I, but not in the mandated format. It was rejected and the email referenced SB431 as the authority for the request. After discussion and legal counsel, it is believed that the information provided meets the obligation of their request as a public information request.

The Scope of Practice tool the Board has been requested to review is coming out of a Rural/Regional Behavior Health alliance. They are interested in developing a simple tool to support their work due to the range of providers and services and the confusion with differentiation of those services and the terms/descriptions used. Wendy and Christy will continue to assist in developing the tool.

We will establish an account with Constant Contact to support email communication and information sharing to our license base. DreamHost is inefficient for large distribution of emails in a short time frame. Lynda Tache asked if it would be used for all email/board emails or email marketing? Wendy explained it would be more for mass information distribution in a timelier manner. This could also assist in expanding communication with providers. Our current process is licensee focused and we'd like to be able to better communicate directly with organizations vs. individuals. Lynda shared in her experience; CC has a very strong firewall causing a high number of bounce-backs – so be aware.

6. **Legislative Update-** April 11 was the deadline for bills to be passed out of their committees or essentially die, with no further action allowed. About 300 will not be progressing through the remainder of the session. Of the bills we've been following: AB225 – no longer following; SB129 We will continue to follow AB264, SB174, SB380, SB425 (new reorganization proposal), SB78 (amendment)

Dr. Saunders asked if both SB78 and SB425 could both be approved? Could they both happen? Wendy responded that there is little information available about the bill and why there are two competing bills. Dr. Fronapfel indicated that the language was very similar when the Board was under ADSD, and appears to be a similar structure, expect that ABA would be combined with four other boards and the disillusion of the boards is included.

7. **NABA report-** Nothing to report  
8. **Review, Discussion of Board Activities**

Discussed the need for reauthorization of authority for Wendy Knorr and Dr. Fronapfel to represent the NV ABA Board for legislative needs during the session. Discussed how the OML can hinder the Board's ability to even call for meetings to meet the need of legislative activities and deadlines. Dr. Saunders asked if in instances where we can't meet and data is being presented that the testimony is provided under neutral until the board meets and votes for opposition or support, then at the next hearing we could vote in opposition or support based on that meeting. Wendy responded that as long as the information is within the definitions of our mission and our regulations we can generally respond accordingly. If things start expanding outside of the established definitions, the Board will most likely want to meet to discuss. Dr. Saunders asked if historically does the Board vote on bills that you will testify on? Or no? Dr. Fronapfel responded that the Board will usually have conversations about our position. It is usually very clear because the majority of legislation has been about our own regulations or Medicaid. But we have stayed out of Medicaid issues for the most part because billing isn't what we do. When we were restructuring and reorganizing ourselves yes, we would of course go out and support our efforts. This is the first time that other bills have pulled us in other directions. Prior, we were very clear about what our positions were, so maybe it would be helpful to review all the legislation and determine where we all stand.

- AB225- No following
- AB264- Allows for an additional level of review for denied applications related to moral character? Language has been of concern for years due to ambiguity, etc. This would allow an applicant to

appeal a denial based on the moral character language, in addition to the existing appeal process before the Board. This would involve a hearing at the District Court level, with additional time, fees and legal consultations. Dr. Saunders asked if we had data on the number of applications denied for moral character. Wendy stated there have been none. Dr. Fronapfel confirmed that denials have been from criminal backgrounds, not moral character. Wendy indicated that a fiscal note was provided due to the added cost for legal services and that was the biggest concern as historically we haven't had many appeals. Vote taken: Dr. Saunders opposes with current language; Dr. Fronapfel opposes; Christy Fuller opposes, Stephanie Huff opposes, Lynda Tache opposes.

- SB174 (schools)- The ABA Board does not have regulatory authority over the ABA professionals working for the schools because they are an exemption in our licensure laws. Gets a bit convoluted for those working under contract or MOU. Dr. Saunders shared her understanding of how the interactions are with CCSD; Christy Fuller clarified that while we "don't" license professionals employed by the schools, we "can." Wendy has concerns regarding how complaints would be handled with multiple entities. Not clear in the bill, no discussions specifically about this issue. Lynda Tache added that services are inconsistent across the state and this bill would help address. She stated that she would be in support of the bill for the added access. Dr. Saunders stated that the intent of the bill is for better collaboration and consistency. Vote taken: Dr. Saunders supports; Dr. Fronapfel neutral; Christy Fuller is undecided and confused with the language, neutral, Stephanie Huff is neutral, Lynda Tache supports.
- SB380 (law enforcement/provisional RBT)- Potential amendment is being considered. During the meeting some questions came up: would a regulation change trigger a review by the FBI, potentially pausing our abilities to conduct the required clearances, based on the previous delays experienced due to the changes in regulations, provided current data on process timelines and updated DPS processes. Have not seen the amendment language. DPS is going live 6-1, the bill takes effect 10-1, so the problem may be solved before it even goes into effect- will it even be necessary? Questions remain about differences between the background clearances themselves and what is required by statute and BACB. Another thing to consider is the impact on the office. This will create another separate level of RBT application to monitor/process. Possibly suggest a fee for the process; logs of direct supervision be provided before final approval of this new classification of license. Vote taken: Dr. Saunders supports; Dr. Fronapfel opposes; Christy Fuller opposes the background clearance changes of the bill, Stephanie Huff is opposed to the background changes and the unanswered questions, Lynda Tache supports.

## **9. Legal Counsel**

Wendy proposes using an outside attorney to assist with questions and concerns related to the potential reorganizational efforts. Colleen Platt has agreed to work with us initially and then complete the formal contract process. Initial support for questions about the authority authorized by SB431 in relation to the boards.

Dr. Saunders made the motion to allow for an agreement with the attorney on an hourly basis in relation to SB78 and SB425 and any other reorganization-related issues; Stephanie Huff seconded the motion and the motion passed.

## **10. Reorganization proposals from B&I (SB78) and DHHS (SB425)**

Discussed the general differences between the two proposals. DHHS is focusing on 5 boards initially, while B&I is taking on all 37 health boards. Neither have provided much detail on how they will implement and a transition which could cause great disruption for the boards and all the professionals licensed in the state. Wendy stated her greatest concerns are: lack of communication and transparency and the fast pace of the plan. The consequences could be disastrous. Dr. Fronapfel relayed her experience and concerns

while the board was under ASD and the state structure; current board structure will go from our board of 5 to one representative. Other concerns regarding how funding/finances are handled and little detail of critical operational transition; the combination of professions overseeing and regulating multiple disciplines; clarifications of application approvals and discipline issues.

Dr. Fronapfel is in opposition to both bills; Christy Fuller opposes both bills; Stephanie Huff opposes both bills; Lynda Tache opposes both bills ; Dr. Saunders opposes both bills.

## 11. Board Attendance expectations

Wendy thanked the board for serving. She stressed that everyone has jobs and priorities and service to the ABA board and profession is voluntary. Regularly scheduled and noticed meetings require attendance to avoid delays and miscommunication. She would like to get agreement on expectations for attendance. She proposes that no more than 2 Unexcused absences be allowed in any calendar year and no more than 2 excused absences be allowed in any calendar year.

Dr. Saunders asked about the consequences if absences are exceeded. Wendy does not have an answer at this time. Lynda Tache asked for clarification of unexcused/excused absences. Wendy responded that unexcused absences can have major impact on the board being able to conduct business or even hold a meeting. Christy Fuller reminded everyone that the members did sign an oath of office to faithfully perform the duties of the office. Everyone volunteered to be considered for the board and accepted the responsibilities once appointed. We could detail what is excused or unexcused...would agree to more detailed definitions.

Christy Fuller made the motion that board members will communicate with the ED regarding their ability to attend meetings to insure we have quorum and are not absent for more than 4 meetings in a calendar year; Dr. Saunders seconded the motion and the motion passed.

## 12. Recap of APBA/BACB meetings-

Christy shared several resources available through BACB and encouraged us to use it for important announcements, etc. There are also additional training resources available for use by board members. Stephanie agreed that the resources available should be considered and appreciated the networking opportunities. One of the presentations included information from BACB and AZ Board and shared information about some of the processes we might be able to incorporate.

## 13. Complaints- no update

## 14. Financial Update – reports were provided for review. Next steps will include a review of the budget for the next fiscal year and update as needed. Will work with Stephanie and present any updates and suggested revisions.

## 15. Discussion of Current Status of Applications and other Licensing Activities (For Possible Action)

- DPS update- 85% of current RBT applicants are waiting for BACB certification for final approval.
- License/registrations issued March and April, to-date:

RBT's	88/March	40/April	2379 total	
LaBA	0	0	33	
LBA	9	2	637	3050 total for the state

- RBT's requiring Background clearance reports for the 2027-28 renewal cycle.

Statue requires RBTs: *"For the third renewal of the registration and every third renewal thereafter, at least 90 days before the expiration of the registration, proof that the registrant has complied with the requirements set forth in subsection 2 of NRS 641D.360."*

### **No new agenda items recommended**

**Public Comment** – Julie Ostrovsky stated that all of the board members if employed by organizations impacted by decisions made by this board more than likely have conflict of interests. She added that the amendment to SB174 defined the collaborative efforts that would address some of the issues raised during the discussion; and assured the board that the amendment to SB380 was intended to enhance the background clearance process and not change anything the board does currently.

Meeting was adjourned at 11:59 a.m.