



Nevada Governor's Office of the Western Regional Education Compact

for the

Nevada Western Interstate Commission for Higher Education (WICHE)

Commission Meeting Minutes
February 7, 2019
11:00 a.m. – 12:00 p.m.

In Attendance:

Fred Lokken: Executive Commissioner, State of Nevada WICHE

Dr. Gillian Barclay: WICHE Commissioner

Gregg Ott: Deputy Attorney General, Office of the Attorney General, attending for David Gardner, WICHE DAG

Colleen Lennox, WICHE Accountant Technician 1

Guests:

Arsenio Escudero: WICHE director beginning on February 11, 2019

Jennifer Ouellette, WICHE Legislative Counsel Bureau analyst, Legislative Counsel Bureau

Theodore Parento, WICHE, Health Care Access Program participant, Psychiatric Advanced Practice Registered Nurse, member of the public

- 1. Call to order.** The meeting was called to order by Commissioner Lokken at 11:01 a.m. This meeting was posted in accordance with the State of Nevada's Open Meeting Law (OML).
- 2. Public Comment.** There was no public comment.

- 3. Discussion, recommendations and action regarding the minutes from the December 6, 2018 Nevada WICHE Commission meeting.** Gillian motioned to approve the minutes and Fred seconded the motion. The vote is called, all voted aye. The motion carried unanimously.
- 4. Discussion regarding new publication from Regional WICHE “WICHE Student Access Programs: By the Numbers 2018-2019”. (Attachment B)** Fred points out that Nevada is more engaged in WICHE activities than many other states. It reports on the Western Undergraduate Exchange (WUE), the Western Regional Graduate Program (WRGP) and the Professional Student Exchange Program (PSEP). The report states that Nevada residents have saved 16.7 million dollars in 2018-2019 alone through the state’s collaboration with Regional WICHE. Fred wanted it on the record that Nevada has a 10,921% return on its investment on the annual membership dues paid to Regional WICHE. Gillian mentioned her excitement with high the number of PSEP graduates who returned home to practice and this statistic stood out to her. Fred mentioned Nevada’s spectacular 87% rate of retention. The program is great, because we get these professionals working in the state for an agreed amount of time, but large numbers of them stay. Fred stated he wants the people in the room to make a mental note to remember to talk about this with the Legislature this Session. Gillian noted that Nevada is in the top 3 states for retention in the compact. Discussion ensued regarding other statistics in the report.
- 5. Discussion, recommendations and action regarding participant request for consideration by the Commission. Closed session per Nevada Revised Statute 241. (Attachment C).** It was the opinion of DAG Ott that this item did not meet statutory requirements for a closed session and the item may be discussed in an open session. Colleen asked if there is a restriction on the information contained in the documents. DAG Ott replied that Nevada public records law states all records that are in the possession of the state are considered public unless otherwise declared confidential. There are some confidentiality provisions that could apply to the documents. It is likely some of the information in these documents is confidential, and recommends that if the public requests these, to discuss it with himself or with David Gardner. He would not make them public at this point. Fred inquired of DAG Ott whether the item is in compliance with the open meeting law regarding the agenda posting statement of closed session and information on the nature of the request was not provided. DAG Ott replied the meeting was still in compliance and the Commission may discuss this item in a public meeting as noticed.

Fred inquired of Colleen if there was a staff presentation. Colleen had some information and consulted with prior WICHE director, Jeannine Warner and prior WICHE Accountant Technician 1, Dana Westre to determine if there was relevant precedent for this item. Jeannine thought there was precedent for this type of Commission consideration within the past 5 years. Discussion ensued regarding Attachment C. Principal amount, interest accrual, grant service time served and the loan portion is paid in full. The only obligation remaining is the work obligation under NRS 397.0617, of which Ted has served 11

months of the two-year obligation. NRS 397.0685 refers to a potential reduction in the period required to practice at the Commission's discretion. Fred read the statute section mentioned for the benefit of the public and Gillian. Discussion ensued of the question to reduce Ted's work obligation to enable him to benefit from a Health Resources Services Administration (HRSA) program for graduate student loan forgiveness. The application was due on February 19, 2019 and the deadline to meet the WICHE 1 year work requirement will be met July 18, 2019. Since 2007 Ted has been employed by the State full-time as a Registered Nurse and continued that employment as a Psychiatric Mental Health Advanced Practice Registered Nurse (PMHAPRN). Colleen noticed that Ted mentioned he works more than full-time as the only PMHAPRN employed by the Department of Corrections in the state. He travels extensively and is on call, 24/7 for the entire state. He takes care of all mental health emergencies for the Department of Corrections for all of its prisons. Ted is in a salaried position and cannot provide timesheets documenting all of his work hours. He stated he plans to remain in his current State employment until retirement. Could the extra work hours be considered toward the work requirement of 4,160 hours to satisfy the work obligation requirement within two years? Because, the service requirement calculation is based upon the number of full-time work hours per year; is it possible for Ted to meet the hourly requirement for the 1 year mentioned in the statute if he worked more than 40 hours a week in the 11 months served mentioned in NRS 397.0685? Tracking the number of hours worked in the required period is how Nevada WICHE calculates the grant obligation completion. Ted has been licensed to work in the field WICHE funded for 11 months and the requirement is 12 months. Discussion of the specific requirements of NRS 397.0685 ensued. HRSA has the same work requirements as Nevada WICHE HCAP to obtain funding.

Discussion ensued regarding the dollar amounts of Ted's WICHE obligations and various scenarios for Commission consideration of this request (Attachment C). Discussion ensued to table this discussion until a meeting next week to allow time for staff to research past minutes for the precedent mentioned by previous director Warner and Dana Westre. Gillian wanted to document for the record Ted's explanation of how the job responsibilities changed between his previous PMHRN practice and his WICHE funded practice. Ted explained that he is in the role of a psychiatric provider now, making diagnoses and prescribing medications. Previously he served psychiatric patients, but not to the same scope. His higher skills meet a need, especially in the Department of Corrections.

Commission tabled the discussion until a meeting next week to allow staff time to research precedent and plans to decide next week.

6. **Discussion, recommendations, and action regarding Discussion regarding status of Nevada WICHE office audit by the Governor's Finance Office. (Attachment D)** Discussion ensued regarding Attachment D as the most recent communication on this issue. Prior director Frias left employment before Corrective Action Plan could be written and submitted. Status is that Governor's Finance Office (GFO) is waiting for the plan. WICHE was lacking in structure, tracking and gaps in training. GFO was pleased with Prior director Frias' response and work submitted.

WICHE needs to stabilize use of its 2 loan tracking software systems. Commission is pleased with agency's progress.

Discussion ensued regarding improvements and automation of loan and programs management of loan and programs improvement with implementation of Margill Loan Manger as planned. Fred and Colleen discussed the expected end-use of Margill Loan Manager as a new way to integrate the programs and fiscal tracking with automated forms for the first time in NV WICHE operations and the anticipated time saved by staff in the future.

Fred mentioned turnover in WICHE positions and related training lag. Colleen mentioned that in her interview, one of Brian's questions to her was; how she would approach a job where she had no background, no training manual and nobody else knew what training was needed. She answered she was a good researcher and this is the State. Somebody, somewhere knows how to do this and she would search until she found what was needed. She stated she had to build the training from the ground up and then schedule it for Jeannine and herself. She stated she knew enough now to realize how much is still needed. Fred mentioned that is extremely helpful to know. Colleen stated that a path of training for the Accountant Technician 1 was started and it had direction and Arsenio's first week was scheduled. The WICHE jobs had many details to wrap up.

Fred mentioned he is grateful for the audits, because they identified areas where more information was needed, training issues and issues related to turnover. The audits were helpful, because WICHE is a unique entity in State government. The notion of managing and tracking student loans for a period up to twenty years is unheard of anywhere else in the State. Fred knew from his experience with the State, that normally, there is somewhere else to turn to ask questions or to help when an agency is short-staffed. However, with WICHE there is not and the agency hit a wall with that. Because of this, we need to find a way to re-establish that keep stability moving forward.

- 7. Discussion regarding status of Nevada WICHE office audit by Legislative Counsel Bureau. (Attachment E)** Fred asked Jennifer if she had any comments. Jennifer was no longer on the line. It was surmised she likely had another meeting to attend requiring her to leave the WICHE meeting. See attachment E. Discussion ensued regarding the Corrective Action Plan and the holistic approach taken by the LCB auditors and the positive response from the auditors to the previous director.
- 8. Discussion, recommendation, and action regarding agenda and organization of agency report due to the Legislature in upcoming legislative Session.** Fred stated Lena started this before she left. It is expected the audits will be subject of conversation and need to prepare for that. Preparation of all materials to share with the Committee regarding agency accomplishments. He expects there to be a sit-down meeting with Brian and Arsenio, Fred is willing to join the meeting to organize. Fred does not know when WICHE will be scheduled for Committee meeting. It may be late in the Session. Fred went on to discuss the reversion BDR and stated he wants to review the status by checking his email. Because, the approach was possibly through a way other than a BDR he wanted

to research that issue. Colleen suggested that a copy could be found from Interim Finance Committee or Senate Finance Committee, because there would have been a fiscal note.

It is Fred's goal to stabilize WICHE operations then discuss a larger role for WICHE in Nevada with funding from other sources starting in 2021.

- 9. Introduction of new WICHE director, Arsenio Escudero. (Attachment F)** Attachment F read verbatim. Discussion of the hiring process ensued. Fred participated in the interview process. Fred mentioned he talked to Brian about Gillian's role and does not know what he did and is concerned about that.
- 10. New Business: Proposed future meeting dates.** Schedule a meeting next week based upon the research discussed. Include time at next meeting to discuss future agenda items.
- 11. Public comment:*** No public comment was received.
- 12. Adjournment.** Having no further business and receiving no public comment the meeting adjourned at 12:04 p.m.