



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**NOTICE OF PUBLIC MEETING**

**NAME OF ORGANIZATION:** NEVADA COMMISSION ON ETHICS  
**DATE & TIME OF MEETING:** Wednesday, August 19, 2020 at 9:30 a.m.  
**PLACE OF MEETING:** This meeting will be held at the following location:

**State of Nevada  
Commission on Ethics Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

**Commissioners may appear telephonically.**

**EMERGENCY COVID-19 NOTICE:**

**COMMISSION MEETING WILL BE CANCELLED AND RESCHEDULED IF TOO MANY MEMBERS OF THE PUBLIC ATTEND IN PERSON AND THE COMMISSION IS UNABLE TO ENSURE PROPER COVID-19 PROTOCOLS INCLUDING SOCIAL DISTANCING REQUIREMENTS (6 FEET DISTANCE) IMPOSED BY NEVADA GOVERNOR.**

**MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT WRITTEN PUBLIC COMMENT WHICH WILL BE SUBMITTED INTO THE RECORD OF THE PUBLIC MEETING.**

**AGENDA**

**NOTES:**

- Two or more agenda items may be combined for consideration.
- At any time, an agenda item may be taken out of order, removed, or delayed.
- Public comment will be accepted at the beginning of the open session and again before the conclusion of the open session of the meeting. Comment and/or testimony by the public may be limited to three (3) minutes. No action may be taken on any matter referred to in remarks made as public comment. Members of the public may also submit written public comment to the Commission at [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov).

	1. Call to Order, Roll Call, and Pledge of Allegiance to the Flag.
	2. Public Comment. Comment and/or testimony by any member of the public will be limited to three (3) minutes. No action will be taken under this agenda item.
<b>For Possible Action</b>	3. Discussion and approval of Commission Proclamation honoring Chair Cheryl Lau's years of service to the Commission.

<b>For Possible Action</b>	4. Election of Commission Chair and Vice Chair for Fiscal Year 2020-2021, pursuant to NAC 281A.150.
<b>For Possible Action</b>	5. Approval of Minutes of the May 13, 2020 BDR Subcommittee Meeting.
<b>For Possible Action</b>	6. Approval of Minutes of the May 20, 2020 Commission Meeting.
<b>For Possible Action</b>	7. Authorization for Commission Counsel to defend and represent the interests of the Nevada Commission on Ethics in pending legal proceedings entitled "Gypsum Resources Materials, LLC vs. Clark County, et. al.," Case No. BK-S-19-14796-mkn, filed in the United States Bankruptcy Court, District Court of Nevada, including responding to any issued subpoenas seeking records of the Commission and related legal proceedings, appeals, writs or any other matters instituted in any court of competent jurisdiction applicable to the Commission, including any Federal courts or State Courts of Nevada.
<b>For Possible Action</b>	8. Delegation of authority pursuant to NRS 241.0357 and NAC 281A.155 to the Chair, Vice Chair, and/or any other designated Commissioner of the Nevada Commission on Ethics to direct or authorize any litigation decision in consultation with Commission Counsel, including, without limitation, decisions related to acceptance of service of subpoenas and filing of documents, notices, motions to quash or other pleadings, stipulations or other matters, appeals and negotiations of settlements in pending legal proceedings entitled Gypsum Resources Materials, LLC vs. Clark County, et. al.," Case No. BK-S-19-14796-mkn, filed in the United States Bankruptcy Court, District Court of Nevada, and any related legal proceedings, appeals, writs or other related matters instituted in any court of competent jurisdiction, including Federal courts or State Courts of Nevada.
<b>For Possible Action</b>	9. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint Nos. 18-061C and 18-139C regarding Rossi Ralenkotter, Chief Executive Officer, Las Vegas Convention and Visitors Authority, State of Nevada.
<b>For Possible Action</b>	10. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint Nos. 19-081C, 19-082C and 19-105C regarding Donald Smith, Clinical Social Worker II, Southern Nevada Adult Mental Health Services, Nevada Division of Public and Behavioral Health, Department of Health and Human Services, State of Nevada.
<b>For Possible Action</b>	11. Consideration and approval of the Executive Director's proposed Budget for the 2021-2023 Biennium.
<b>For Possible Action</b>	12. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation: <ul style="list-style-type: none"> <li>• FY21 Budget Status</li> <li>• FY20 Case Statistics</li> <li>• Quarterly Case Status Update</li> <li>• 2021 BDR Status</li> <li>• Update on Coronavirus Protocols</li> <li>• Education and Outreach</li> </ul>

	13. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.
	14. Public Comment. Comment and/or testimony by any member of the public may be limited to three (3) minutes. No action will be taken under this agenda item.
<b>For Possible Action</b>	15. Adjournment.

**NOTES:**

- ❖ The Commission is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada Commission on Ethics, in writing at 704 W. Nye Lane, Ste. 204, Carson City, Nevada 89703; via email at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469 as far in advance as possible.
- ❖ To request an advance copy of the supporting materials for any open session of this meeting, contact Executive Director Yvonne M. Nevarez-Goodson, Esq. at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469.
- ❖ This Agenda and supporting materials are posted and are available not later than the 3<sup>rd</sup> working day before the meeting at the Commission's office, 704 W. Nye Lane, Ste. 204, Carson City, Nevada, or on the Commission's website at [www.ethics.nv.gov](http://www.ethics.nv.gov). A copy also will be available at the meeting location on the meeting day.
- ❖ Any meeting or hearing held by the Commission pursuant to NRS 281A.760 to receive information or evidence regarding the conduct of a public officer or employee and deliberations of the Commission concerning an ethics complaint are exempt from the provisions of NRS Chapter 241, Nevada's Open Meeting Law. As a result, these agenda items, or any portion of them, may be heard in closed session.

**This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020, as amended by the Governor's COVID-19 Declaration of Emergency, Directive 006<sup>1</sup>, before 9:00 a.m. on the third working day before the meeting at the following locations:**

- Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City
- Nevada Commission on Ethics' website: <http://ethics.nv.gov>
- Nevada Public Notice Website: <http://notice.nv.gov>

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<sup>1</sup> Sections 4 and 5 of Directive 006 of the Governor's COVID-19 Declaration of Emergency suspends the requirements of NRS 241.020(4)(a) requiring a public notice to be posted at physical locations within the State of Nevada and maintains continued compliance with NRS 241.020(4)(b) and 241.020(4)(c) for public notices and agendas to be posted to Nevada's notice website and the public body's website, along with providing a copy to any person who has requested one via U.S. mail or electronic mail.

# **Agenda Item 3**



# Proclamation

**WHEREAS**, Cheryl A. Lau, Esq. was appointed to the Nevada Commission on Ethics by the Governor and has served with great distinction as a valued member from January 2013 to August 2020, including 5 continuous years as the Commission Chair by unanimous election; and

**WHEREAS**, Cheryl was born in Hawaii, receiving a Bachelor of Arts in English from Indiana University, a Master of Arts from Smith College and a Juris Doctorate from the University of San Francisco; and

**WHEREAS**, a public servant through and through, Cheryl served as a Deputy Attorney General until her election as Nevada's Secretary of State in 1990. Cheryl chaired various committees including the Nevada Commission for Women and the National Association of Secretaries of State (NASS). Among her many career accomplishments, Cheryl served as the General Counsel to the United States House of Representatives, Harvard University Teaching Fellow, John F. Kennedy School of Government, Institute of Politics; and Judge Pro Tempore for the Carson City Justice and Municipal Courts. In 1992, Cheryl was the Vice Chair of the Republican National Platform Committee, Secretary of the Republican National Convention, and Chair of the National Commission for the Renewal of American Democracy; and

**WHEREAS**, Cheryl's community service endeavors are recently exemplified by her membership on the Nevada Commission on Professional Standards in Education, the Nevada Secretary of State 2016 Election Task Force and her service as Chair of the Patriot Service Group, a non-profit assisting America's veterans, while she continued to maintain her private endeavors as Vice President and General Counsel for Transportation, Inc., a Nevada transportation consulting firm; and

**WHEREAS**, Cheryl served two, four-year terms on the Commission during a time of momentous growth wherein the Commission fulfilled its mission to ensure the public's trust in government through outreach and education, including State-wide training presentations, issuance of detailed opinions in contested cases and advisory matters, and through the development of substantive statutory provisions and procedural regulations to enhance ethical responsibilities of public officers and employees while ensuring fairness and due process; and

**WHEREAS**, as the Chair, Cheryl's leadership, tremendous legal acumen and passion for proper government accountability empowered the Commission and was instrumental in steering litigation and the issuance of thoughtful, well-reasoned opinions. Cheryl ruled from the dais with utmost compassion combined with a demand for timely, steady and respectful dialogue, and her lasting imprint on the State of Nevada, and in particular the Nevada Commission on Ethics, will forever showcase her honesty and integrity with her most memorable attributes being her inspiration, leadership, and interminable grace under pressure, which always recognized the public, Nevada's public officers and employees and contributions of colleagues and staff; and

**THEREFORE**, be it resolved that the Members and Staff of the Nevada Commission on Ethics hereby commend Cheryl for her leadership and express their extensive gratitude and respect to Cheryl for her dedicated service to the State of Nevada and the Constitution of the United States.

Resolved this \_\_\_\_ day of \_\_\_\_\_, 2020.

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**XXX, Chair**

**NEVADA COMMISSION ON ETHICS**

# **Agenda Item 5**



**STATE OF NEVADA  
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES  
of the meeting of the  
NEVADA COMMISSION ON ETHICS'  
BILL DRAFT REQUEST (BDR) SUBCOMMITTEE**

The Commission on Ethics' Bill Draft Request (BDR) Subcommittee held a public meeting on Wednesday, May 13, 2020, at 2:00 p.m. at the following location:

**Ethics Commission Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics' Bill Draft Request (BDR) Subcommittee. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Vice-Chair Wallin, CPA, CMA, CFM appeared telephonically and called the meeting to order at 2:08 p.m. Also appearing telephonically were Commissioners Brian Duffrin and Barbara Gruenewald, Esq. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq. and Executive Assistant Kari Pedroza. Commission Counsel Tracy L. Chase, Esq., Associate Counsel Casey Gilham, Esq., and Senior Legal Researcher Darci Hayden appeared telephonically.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the April 15, 2020 BDR Subcommittee Meeting.

Commissioner Gruenewald moved to approve the April 15, 2020 BDR Subcommittee Minutes as presented. Commissioner Duffrin seconded the motion. The Motion was put to a vote and carried unanimously.

4. Consideration and approval of the Executive Director's recommendations for Nevada Commission on Ethics' Bill Draft Request (BDR) for the 2021 Nevada Legislative Session.

Executive Director Nevarez-Goodson directed the Subcommittee to the proposed BDR language revisions provided in the Subcommittee meeting materials. She explained the formatting of the proposed BDR language was done in a manner familiar to the LCB drafters for amendments to bills during the legislative session, and she explained the different colored, highlighted, strike-

through and underlined text. Executive Director Nevarez-Goodson further explained that the BDR encompassed various provisions from all versions of Senate Bill (SB 129) and updated them based on the direction of the BDR Subcommittee at its last meeting.

Executive Director Nevarez-Goodson directed the Subcommittee members to the BDR's proposed Digest which reflects the changes for the BDR from SB 129, including various reprints of the bill. She explained that the highlighted text in the Digest represents feedback from the BDR Subcommittee meeting on April 15, 2020. Executive Director Nevarez-Goodson presented the proposed changes to the BDR Subcommittee members as follows:

#### Request for Confidential Personnel Records:

Section 30 of the BDR authorizes the Executive Director to request a subpoena for certain personnel records from public agencies relating to ethics allegations against public employees in an ethics complaint investigation. Such records would be maintained as confidential under the Commission's protected investigatory file.

Commissioner Gruenewald inquired whether the Commission should anticipate any pushback about the proposed addition from the public labor organizations, and Executive Director Nevarez-Goodson responded that the provision mirrored an existing State regulation which allows the state to provide these types of records to entities such as Nevada Equal Rights Commission. Executive Director Nevarez-Goodson reiterated that the Commission will have additional protections given that its investigatory files are already maintained as confidential. She added that it would be fair to anticipate questions or concerns and she would reach out to stakeholders prior to the Legislative Session to explain the Commission's intent regarding this section.

Vice-Chair Wallin asked Executive Director Nevarez-Goodson to share an example of a situation when receipt of a personnel record benefited an Ethics Complaint investigation. Executive Director Nevarez-Goodson provided a scenario wherein the Commission recently investigated a public employee alleged to have misused government resources, including staff time, who was also the subject of an internal disciplinary investigation by the agency alleging the same conduct. The Executive Director's efforts to obtain information from the agency regarding its internal disciplinary investigation were denied due to confidentiality rules. Vice-Chair Wallin inquired about adding language to this section excluding records pertaining to criminal records. Executive Director Nevarez-Goodson deferred to Commission Counsel Tracy Chase who explained that if law enforcement were investigating conduct of its own officer, the subject of an internal affairs investigation, that file would remain confidential. She added further that if law enforcement were investigating a public officer or employee in regard to a criminal matter which also violates the Ethics Law and had an Ethics Complaint filed against the public officer or employee, the law enforcement agency might refrain from providing investigatory materials to a civil matter until such time that the criminal investigation was concluded. Commission Counsel stated most personnel records would include information relating to civil matters and usually not criminal matters. Executive Director Nevarez-Goodson confirmed that she and Commission Counsel Chase would draft language excluding concurrent or pending criminal investigation material to avoid opposition to this proposal.

#### Request for Public Officer/Employee Cooperation:

Executive Director Nevarez-Goodson explained this section pertains to receiving the cooperation of public officers and employees in Ethics complaint case investigations. She informed the Commission that the section was modeled after the process in place for the Commission on Judicial Discipline and the direction previously provided by the BDR Subcommittee. Executive Director Nevarez-Goodson further disclosed that public officers and employees who participated in complaint cases as witnesses have provided feedback that it would be beneficial to have statutory protections.

Upon an inquiry from Commissioner Gruenewald, Executive Director Nevarez-Goodson explained that the language in Section 7 was originally included in SB 129 and it was supported



by various state and local government stakeholders with the language that protected employees' rights, privileges and immunities for providing this information to the Commission.

#### Open Meeting Law:

Executive Director Nevarez-Goodson reminded the Subcommittee of the *Hansen* decision requiring public agencies to meet publicly to direct litigation decisions. The original version of SB 129 included various sections to grant permission to the Commission Counsel to represent the Commission in litigation, to delegate authority to the Chair or the Executive Director, or both, depending on the circumstances, regarding litigation decisions, and to exempt confidential advisory and complaint proceedings from the Open Meeting Law. She informed the Subcommittee that the Commission collaborated with the Attorney General's task force last session to add similar language to the Open Meeting Law stating that all public agencies could at a public meeting delegate litigation decisions to the Chair or Executive Director or other person as appropriate and that amendment passed. However, there continues to be a loophole for the Commission in that the delegation must take place in an open meeting and the Commission has confidential advisory and complaint cases that may not be addressed in an open meeting. Upon the direction of the BDR Subcommittee at its last meeting, the language was revised to ensure the Commission may delegate those decisions in a confidential setting where appropriate.

Commissioner Duffrin asked whether the Commission's proposed provisions related to the Open Meeting Law would result in the need for a specific carve out or amendment of the Open Meeting Law. Executive Director Nevarez-Goodson clarified that the Commission would be requesting a specific carve out for confidential proceedings and as such only the Commission's statute would be affected and not the entirety of the Open Meeting Law.

#### Training Materials:

Executive Director Nevarez-Goodson summarized changes in Section 29 for the Subcommittee, including a proposal to amend the requirement for a manual to the Commission's training materials, which are constantly updated. Commissioner Duffrin offered that his prior employer, the Nevada Gaming Control Board published a board information packet and he suggested the Commission publish a similar document that can be easily updated. Executive Director Nevarez-Goodson confirmed Commissioner Duffrin's intent that the language in statute be changed from training materials to a broader informational publication related to the Ethics in Government Law for use by public officers and employees. The Subcommittee members agreed and asked that the materials be intuitive and easy to understand for the public.

#### Referral of Ethics Complaints:

Executive Director Nevarez-Goodson explained the language authorizes the Commission to refer Ethics Complaints to other appropriate state and local government agencies when the Commission does not have jurisdiction over the alleged conduct. Commissioner Duffrin shared his support of the addition and agreed that language protecting the Commission from possible liability resulting from referring complaints should be incorporated. Commission Counsel Chase referenced the existing immunity provision included in the Ethics statute which provides protection for the Commission. She further stated that she assisted the Executive Director in formulating the referral provision language and believes it is sufficient to achieve the Commission's intended purpose. Executive Director Nevarez-Goodson added that the proposed language provided that the Commission could refer all or a portion of the information, communications, records, etc. to the appropriate agency and not necessarily the whole original complaint to allow for confidentiality of the requester.

#### Statutory Deadline Extensions:

Executive Director Nevarez-Goodson explained the new provisions permitting the Commission to authorize extensions of certain statutory deadlines for good cause shown if there is a specific and reasonable time period for the extension. The Executive Director noted the fiscal

limitations confronting the Commission, the lack of potential resources, the increased case load and the backlog of investigations as reasonable support for appropriate extensions. The Subcommittee supported each of the proposed statutory extensions.

#### Advisory Opinions:

Executive Director Nevarez-Goodson outlined new proposed language pertaining to the advisory opinion process. Specifically, she clarified a new process whereby the Commission would determine which issued opinions would be binding and constitute an administrative precedent for future advisory opinions or ethics complaints. She further emphasized the new process which would authorize the Executive Director and Commission Counsel to provide informal, non-binding advice to public officers and employees on behalf of the Commission with various limitations and conditions. Specifically, the advice may not be contrary to a published opinion of the Commission or otherwise expand its precedential interpretations. Such advice would not be subject to judicial review, but it would be subject to review by the Commission through a formal advisory request, the results of which could be subject to judicial review under existing law. Although not binding, the public officer or employee could rely upon the advice and have safe harbor protections for good faith reliance. The goal of this new process would be to provide expedited advisory services to the public officers and employees. Commissioner Gruenewald voiced her approval of this language and offered that this would be similar to the process in place at the Nevada State Bar.

#### Provisions Deleted from SB 129:

Executive Director Nevarez-Goodson summarized the various provisions from SB 129 that would be deleted in this BDR as no longer necessary or priorities for the Commission.

#### Procedural Questions from BDR Subcommittee Members:

Commissioner Gruenewald asked Executive Director Nevarez-Goodson about the BDR drafting process and Executive Director Nevarez-Goodson explained that the BDR would be submitted to the Governor's office for review and approval. If approved, the language would be submitted to LCB for formal drafting and pre-filing before the Legislative Session. The language, as presented in the BDR proposal are currently in a format familiar to the LCB drafters, and as such will not require a lot of revisions by the LCB drafters prior to submission.

Vice-Chair Wallin requested that Executive Director Nevarez-Goodson provide a BDR summary recommendation memorandum to the full Commission at its meeting the following week. Executive Director Nevarez-Goodson agreed she would provide such a memorandum and explain the BDR Subcommittee's recommendations to the full Commission.

Commissioner Gruenewald moved to accept the Executive Director's recommendations to the Nevada Commission on Ethics' Bill Draft Request (BDR) for the 2021 Nevada Legislative Session, including the language proposed relating to the training/informational materials. Commissioner Duffrin seconded the motion. The Motion was put to a vote and carried unanimously.

5. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Commissioner Duffrin thanked Executive Director Nevarez-Goodson and Commission Counsel Chase for their time and hard work and offered his opinion that the proposal will be helpful in meeting with Legislators in the future.

Vice-Chair Wallin thanked her fellow Subcommittee members.

6. Public Comment.

No public comment.

7. Adjournment.

Commissioner Duffrin made a motion to adjourn the public meeting. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 3:30 p.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

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Kari Pedroza  
Executive Assistant

[/s/ Yvonne M. Nevarez-Goodson](#)

\_\_\_\_\_  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Minutes approved August 19, 2020:

\_\_\_\_\_  
Kim Wallin, CPA, CMA, CFM  
Vice-Chair

\_\_\_\_\_  
Brian Duffrin  
Commissioner

\_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner

# **Agenda Item 6**



**STATE OF NEVADA  
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES  
of the meeting of the  
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on  
Wednesday, May 20, 2020, at 9:30 a.m.  
at the following location:

**Ethics Commission Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Cheryl A. Lau, Esq. appeared via videoconference and called the meeting to order at 9:30 a.m. Also appearing via videoconference were Vice-Chair Kim Wallin, CPA, CMA, CFM and Commissioners Brian Duffrin, Barbara Gruenewald, Esq., Teresa Lowry, Esq., Philip K. (P.K.) O'Neill, Damian R. Sheets, Esq. and Amanda Yen, Esq. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq. and Executive Assistant Kari Pedroza. Commission Counsel Tracy L. Chase, Esq., Associate Counsel Casey Gilham, Esq., Investigator Erron Terry and Senior Legal Researcher Darci Hayden appeared via videoconference.

The pledge of allegiance was conducted.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the April 15, 2020 Commission Meeting.

Chair Lau stated that all Commissioners were present for the April meeting.

Commissioner Gruenewald moved to approve the April 15, 2020 Minutes as presented. Commissioner Yen seconded the motion. The Motion was put to a vote and carried unanimously.

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4. Consideration and approval of Bill Draft Request Concepts prior to submission to the Office of the Governor based upon recommendations of the Executive Director and the Commission on Ethics' BDR Subcommittee pursuant to NRS 281A.240(1)(d).

Chair Lau introduced the Item and thanked the BDR Subcommittee members for their time and hard work.

Executive Director Nevarez-Goodson also commended the Subcommittee members and provided the Commission information regarding the BDR Subcommittee meetings.

Executive Director Nevarez-Goodson directed the Commission to the proposed BDR language revisions provided in the meeting materials. She explained the formatting of the proposed BDR language was done in a manner familiar to the LCB drafters and offered insight to the different colored, highlighted, strike-through and underlined text.

Executive Director Nevarez-Goodson summarized the formulation of the proposed BDR language utilizing provisions from various versions of Senate Bill (SB 129), and updated the language based on the direction of the BDR Subcommittee.

Executive Director Nevarez-Goodson provided an overview of the proposed BDR revisions distinguishing between substantive changes, administrative changes and house-keeping changes. She informed the Commission that with the economic impact of COVID-19 and budgetary restrictions resulting there from, streamlining processes are critical at this time.

Executive Director Nevarez-Goodson went over changes to the Advisory Opinion and Complaint processes including timeline extensions, the ability for the Executive Director and Commission Counsel to provide informal advisory opinion advise based solely on Commission precedent as well as new notice of investigation procedures, cooling-off provision, abuse of power, disclosure and abstention, open meeting law and open meeting law delegation revisions.

Commissioner O'Neill asked about the process of maintaining confidentiality for personnel records obtained by the Commission in the investigatory process. Executive Director Nevarez-Goodson provided that the Commission has an added protection in that the Commission's investigatory file is deemed statutorily confidential and records obtained would remain statutorily protected. However, she reminded the Commission of the one limitation for evidence the Executive Director presents at an adjudicatory hearing would become a public record and would be made available to the subject of the complaint but was otherwise currently exempt from the Open Meeting Law.

Commissioner O'Neill shared his support for the addition of the provision authorizing the Commission to refer complaint allegations to appropriate agencies when they are outside of the Commission's jurisdiction.

Commissioner O'Neill asked about legal representation of the Executive Director in the event the Associate Counsel position is vacant, and Executive Director Nevarez-Goodson responded that under the current circumstances, the Executive Director is a licensed attorney and may represent herself. Otherwise, the Executive Director would have to retain outside counsel or perhaps retain the Attorney General's office in limited circumstances. She further added that retaining counsel through the Attorney General's office might be inappropriate as the Ethics Commission has jurisdiction over employees of the Attorney General's office and the Attorney General's Office statutorily represents public officers, employees and agencies of the State.

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Commissioner O'Neill moved to approve the Bill Draft Request Concepts as presented including the confidentiality provisions, as discussed. Vice-Chair Wallin seconded the Motion. The Motion was put to a vote and carried as follows:

Chair Lau:	Aye.
Vice-Chair Wallin:	Aye.
Commissioner Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.
Commissioner Sheets:	Aye.
Commissioner Yen:	Aye.

5. Report by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:
- FY20 Budget Status
  - Budget and Legislative (BDR) Deadlines and Planning for 2021 Legislative Session
  - Quarterly Case Status Update
  - Update on Coronavirus Protocols
  - Education and Outreach

FY20 Budget Status: Executive Director Nevarez-Goodson reiterated that Governor Sisolak requested that all State Executive Branch Agencies submit a 4% budget cut for the existing fiscal year budgets, which the Commission was able to accommodate due to savings in the travel and operational funds resulting from the travel restrictions directed by the Governor as a result of the COVID-19 Pandemic along with remote working conditions

Budget and Legislative (BDR) Deadlines and Planning for 2021 Legislative Session: Executive Director Nevarez-Goodson informed the Commission that the BDR submission deadline was extended to June 3. She assured the Commission that she would take their direction regarding changes to the BDR proposal and submit it by the deadline.

Executive Director Nevarez-Goodson confirmed that the Budget submittal deadline is September 1, 2020. She commented that she anticipated further instructions coming from the Budget Office any day for cost saving strategies in the next budget cycle. At this time, the plan is to submit a budget request for the next biennium that includes 2 times Fiscal Year 2019 budget cap.

Executive Director Nevarez-Goodson shared that the upcoming Council on Government Ethics Law (COGEL) training would be provided via a virtual platform, and the Commission would realize cost savings as a result of that change.

Quarterly Case Status Update: Executive Director Nevarez-Goodson referenced the quarterly case log spreadsheet included in the meeting materials illustrating an overview of the current pending cases. She noted that the current log includes more detail identifying what compliance was pending for each deferral case as requested at the last meeting by Commissioner O'Neill. Executive Director Nevarez-Goodson indicated that the log does not show all of the cases received this Fiscal Year as the resolved cases have been removed, but it does show the cases still outstanding. She shared that the number of Complaints received has slightly decreased from the previous quarter which she attributes, in part, to the COVID-19 pandemic. Executive Director Nevarez-Goodson stated that the Commission is still accessible during this time through its website and electronic mailbox which is reflected by online case submittals and emails from the public.

Update on Coronavirus Protocols: Executive Director Nevarez-Goodson stated that there has been no further direction provided regarding when offices will be reopened to the public or when state employees will be asked to come back to the physical workplace. She allowed that there is no prohibition against employees working in the office while adhering to social distancing protocols but disclosed her intention to stagger staff office time to allow for less exposure once the re-opening direction has been received from the Governor. Executive Director Nevarez-Goodson shared her confidence regarding Commission staff's ability to accomplish tasks remotely.

Education and Outreach: Executive Director Nevarez-Goodson reiterated the decrease in Ethics Trainings held due to travel restrictions. She shared that requests have come into the office for virtual training opportunities and she looks forward to providing those in the near future. Executive Director Nevarez-Goodson informed the Commission that the Department of Taxation has asked for virtual training for its employees in June.

Vice-Chair Wallin suggested that Commissioners and/or staff meet with legislators before the upcoming session to explain the bill and budgetary issues.

Vice-Chair Wallin moved to accept the Executive Director's agency status report as presented. Commission O'Neill seconded the motion. The Motion was put to a vote and carried as follows:

Chair Lau:	Aye.
Vice-Chair Wallin:	Aye.
Commissioner Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.
Commissioner Sheets:	Aye.
Commissioner Yen:	Aye.

6. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Commissioner Gruenewald thanked Executive Assistant Pedroza for coordinating the video-conference meeting and Vice-Chair Wallin for allowing the Commission to use her Zoom account for the meeting.

Vice-Chair Wallin thanked her fellow BDR Subcommittee members, as well as the Executive Director and Commission Counsel for their hard work and cooperation in reviewing the BDR proposals and believes it is a good product.

Commissioner Duffrin thanked the Commission staff recognizing the difficulties during this time.

7. Public Comment.

No public comment.

8. Adjournment.

Commissioner Duffrin made a motion to adjourn the public meeting. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 10:51 a.m.



Minutes prepared by:

[/s/ Kari Pedroza](#)

\_\_\_\_\_  
Kari Pedroza  
Executive Assistant

[/s/ Yvonne M. Nevarez-Goodson](#)

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Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Minutes approved August 19, 2020:

\_\_\_\_\_  
Cheryl A. Lau, Esq.  
Chair

\_\_\_\_\_  
Kim Wallin, CPA, CMA, CFM  
Vice-Chair

# **Agenda Item 7**

# UNITED STATES BANKRUPTCY COURT

District of Nevada

In re GYPSUM RESOURCES MATERIALS, LLC

Debtor

*(Complete if issued in an adversary proceeding)*

GYPSUM RESOURCES, LLC

Plaintiff

v.

CLARK COUNTY, et al .

Defendant

Case No. BK-S-19-14796-mkn

Chapter 11

Adv. Proc. No. 19-01105-mkn

## SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: State of Nevada, Commission On Ethics, 704 W. Nye, Suite 204, Carson City, NV 89703

*(Name of person to whom the subpoena is directed)*

**Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Exhibit A, attached hereto.

PLACE	DATE AND TIME
Sunshine Litigation Services, 151 Country Estates Circle, Reno, NV 89511	08/28/20                      10:00 am

**Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 08/03/20

CLERK OF COURT

OR

/s/ Debra L. Spinelli

*Signature of Clerk or Deputy Clerk*

*Attorney's signature*

The name, address, email address, and telephone number of the attorney representing (*name of party*)

GYPSUM RESOURCES, LLC , who issues or requests this subpoena, are:

DEBRA L. SPINELLI, ESQ., PISANELLI BICE, PLLC, 400 S. 7TH ST., STE. 300, LAS VEGAS, NV 89101 (702) 214-2100

### Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**PROOF OF SERVICE**

**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)**

I received this subpoena for (*name of individual and title, if any*): \_\_\_\_\_  
on (*date*) \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ .

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) *Contempt.* The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **EXHIBIT "A"**

### **DEFINITIONS**

1. "Action" refers to this Adversary Proceeding, bearing Case No. 19-01105-mkn and includes the predecessor action originally filed in the United States District Court for the District of Nevada as Case No. 2:19-cv-00850-GMN-EJY, and subsequently referred to this Court on November 13, 2019.

2. "All/Each" The terms "all" and "each" shall be construed conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside of its scope.

3. "And/Or" The connectives "and/or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside of its scope.

4. "Board of Commissioners" refers to the Defendant Clark County Board of Commissioners, as well as its current and former members, partners, agents, employees, officers, owners, consultants, managers, and administrators as well as anyone else acting or purporting to act on its behalf.

5. "Clark County," refers to Defendant Clark County located in the State of Nevada, as well as its current and former members, partners, agents, employees, officers, owners, consultants, and administrators as well as anyone else acting or purporting to act on its behalf.

6. "Communication" shall mean any contact, oral or written, formal or informal, at any time or place, and under any circumstance whatsoever, in which information of any nature was transmitted or received and includes, but is not limited to, any and all documents related thereto, email, text message, instant message, faxes, letters, and notes of oral communications.

7. "Document" has a broad meaning. It shall mean and includes "duplicate" as defined in Nevada Revised Statute ("NRS") 52.195; "original" as defined in NRS 52.205; "photographs" as defined in NRS 52.215; "writings" and "recordings" as defined in NRS 52.225 and/or Rule 34 of the Federal Rules of Civil Procedure; and shall also mean all written or graphic matter or any other means of preserving thought or expression of every type and description

including, but not limited to, electronically stored information, originals, drafts, signed or unsigned documents regardless of whether approved, sent, received, redrafted, or executed, computer-sorted and computer retrieved information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, emails, text messages, instant messages, audio or video records, memoranda, reports, hand-written or typed notes, minutes, agendas, contracts, agreements, books, analyses, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks and programs, records, card files, press clippings, manuals, lists, audit paperwork, financial analyses, tables, advertisements or other promotional material, audited or unaudited financial statements, newspapers or newsletters, diagrams, photographs, telegrams, statements recorded in any way, drawings, specifications, property surveys, summaries, inter-office or intra-office communications, notations of any sort of conversations, and other writings or recordings. A draft or non-identical copy is a separate document within the meaning of this term. "Document" also includes any removable "Post-it" notes or other attachments affixed to any of the foregoing.

8. "Gypsum Property" refers to the approximately 2,464 acres of real property encompassing Blue Diamond Hill and the Hardie Gypsum Mine, located in Clark County, Nevada and at issue in this Action.

9. "Gypsum Resources" refers to Plaintiff, Gypsum Resources, LLC, as well as its current and former members, partners, agents, employees, officers, owners, consultants, and administrators as well as anyone else acting or purporting to act on its behalf.

10. "Gypsum Resources Materials" refers to Gypsum Resources Materials, LLC, as well as its current and former members, partners, agents, employees, officers, owners, consultants, and administrators as well as anyone else acting or purporting to act on its behalf.

11. "Justin Jones " refers to Justin Jones, prior litigant involved in the subject property with respect to prospective development, along with his agent, attorney, representative, or anyone else acting on his behalf.

12. "Number" The use of the singular form of any word includes the plural and vice versa.

13. "Person" The term "Person," and in the plural "People," shall mean any natural person, any firm, association, organization, partnership, business, trust, corporation, joint venture or any type of entity, including but not limited to any public or governmental entity.

14. "You," or "Your" refers to The Nevada Commission, Ethics Board, located in the State of Nevada, as well as its current and former members, partners, agents, employees, officers, consultants, and administrators as well as anyone else acting or purporting to act on its behalf.

15. Additionally, the terms "concerning," "related to," and "relating to" include "refer to," "summarize," "reflect," "constitute," "contain," "embody," "mention," "show," "comprise," "discuss," "describe," "pertaining to," or "comment upon" have the meanings ordinarily ascribed to them.

16. When referring to documents, "identify" shall mean to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; (iv) author(s), addressee(s) and recipient(s); (v) its current location; and (vi) identification of the current custodian.

17. When referring to people, "identify" shall mean to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

18. The use of the singular form of any word includes the plural and vice versa.

19. Unless otherwise stated, the time period for these requests is from January 1, 2010 to the Present.



## INSTRUCTIONS

1. This subpoena seeks documents in existence as of the date of service hereof and to the full extent permitted by the Federal Rules of Civil Procedure.

2. This subpoena shall apply to all documents in your possession, custody, or control as of the date of service hereof or coming into your possession, custody, or control before the date of the production.

3. If copies of the documents are produced, they shall be produced together with a photocopy of the file name, title, or label in which the original documents were found.

4. If the attorney-client privilege, work-product doctrine, or other privilege is asserted as a ground for withholding production of any document, in whole or in part, the response hereto shall identify each document as to which such privilege is asserted and provide the following information: (i) the type of document (*e.g.*, letter, memo, handwritten notes); (ii) the date of the document; (iii) the number of pages; (iv) the name and title of the author and of each addressee or recipient of the document, including, where not apparent, the relationship of the author, addressee and any other recipient to each other; (v) the general subject matter of the document; (vi) a statement of the basis on which privilege is claimed; and (vii) such other information as is necessary to identify the document.

5. If any requested document was, but no longer is, in your possession, subject to your control, or no longer exists, please state whether it (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others, and state the identity of those persons to whom it has been transferred; or (d) has been otherwise disposed of. In each instance, explain the circumstances surrounding the disposition, state the date or approximate date thereof, and identify the persons with knowledge of such circumstances.

6. Electronic records and computerized information must be produced in an intelligible format or together with a description of the system from which it was derived sufficient to permit rendering the material intelligible.

7. In lieu of appearance, you may comply with this subpoena by delivering or mailing copies of the above documents or objects to the party issuing this subpoena at the

following address: Pisanelli Bice, PLLC, 400 South 7th Street, Suite 300, Las Vegas, Nevada 89101 on or before the date noted for appearance.

8. Unless otherwise stated, the time period for these requests is January 1, 2010 to the present. The Requests seek all documents and information concerning this period, regardless of when any materials reflecting such information were prepared or published.

### **DOCUMENTS REQUESTED**

1. Please identify and produce any and all Documents and/or Communications related to the State of Nevada, Commission on Ethics ("Ethics Commission"), Advisory Opinion No. 19-003A, dated January 22, 2019, including, but not limited to, (a) all communications exchanged between the Ethics Commission and Justin Jones, the Clark County Commission, and/or anyone acting on his/its behalf; (b) all documents submitted to the Ethics Commission for consideration related to the Advisory Opinion; (c) communications regarding documents requested but not provided to the Ethics Commission related to the Advisory Opinion; (d) documents considered by the Ethics Commission in rendering the Advisory Opinion; (e) communications with any third party related to the Advisory Opinion, the request therefore, and/or the effect thereof; and (f) all documents and communications related to any request to Justin Jones regarding or related to waiver of confidentiality.

2. Please identify and produce any and all Documents and/or Communications exchanged with any elected representative, staff member, employee, or agent of the United States Congress, the State of Nevada, and/or Clark County, Nevada related to Gypsum Material Resources, LLC, Gypsum Resources, LLC, the Gypsum Property, or James Rhodes from January 1, 2010 to the present.

# **Agenda Item 9**



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Rossi Ralenkotter**, (Former)  
Chief Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaints  
Case Nos:  
**18-061C and 18-139C**

\_\_\_\_\_  
Subject. /

### **PROPOSED** **STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaints, Case Nos. 18-061C and 18-139C (“Complaints”) before the Nevada Commission on Ethics (“Commission”) concerning Rossi Ralenkotter (“Ralenkotter”), (former) Chief Executive Officer of the Las Vegas Convention and Visitors Authority (“LVCVA”) in Nevada.

2. **JURISDICTION:** At all material times, Ralenkotter was a public officer as defined in NRS 281A.160. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Ralenkotter in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

a. On August 20, 2018, the Commission issued its *Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation* in Ethics Complaint No. 18-061C, alleging that Ralenkotter influenced a subordinate to use tax-payer funded airline gift cards to pay for his personal travel and the personal travel of his spouse, as well as accepted other improper gifts from the LVCVA, in violation of the following provisions of the Ethics Law:

- 1) NRS 281A.400(1) – Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties;

- 2) NRS 281A.400(2) - Using his public position to secure or grant an unwarranted advantage for himself or any person to whom he has a commitment in a private capacity;
  - 3) NRS 281A.400(5) - Acquiring through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further a pecuniary interest of himself or any other person or business entity;
  - 4) NRS 281A.400(7) - Using governmental resources to benefit a significant personal or pecuniary interest; and
  - 5) NRS 281A.400(9) - Attempting to benefit his personal or financial interest through the influence of a subordinate.
- b. On August 20, 2018, staff of the Commission issued a *Notice of Complaint and Investigation* in Ethics Complaint No. 18-061C pursuant to NRS 281A.720, and Ralenkotter was provided an opportunity to provide a written response to the Complaint. In lieu of a written response, Ralenkotter provided his response to this Complaint in the form of an interview with the Executive Director, which is maintained as part of the confidential investigatory file.
- c. On or about December 6, 2018, the Commission issued its *Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation* in Ethics Complaint No. 18-139C, alleging that while he was still employed as the CEO, Ralenkotter negotiated and entered into a lucrative, post-employment contract to provide consulting services to the LVCVA upon his retirement, in violation of the following provisions of the Ethics Law:
- 1) NRS 281A.400(1) – Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties;
  - 2) NRS 281A.400(2) - Using his public position to secure or grant an unwarranted advantage for himself or any person to whom he has a commitment in a private capacity;

- 3) NRS 281A.400(3) – Using his position as an agent of government in the negotiation or execution of a contract between the government and a business entity in which he had a significant pecuniary interest;
  - 4) NRS 281A.400(7) - Using governmental resources to benefit a significant personal or pecuniary interest;
  - 5) NRS 281A.400(10) – Using his position to seek other contracts;
  - 6) NRS 281A.420(1) and (3) – Failing to disclose his pecuniary interests in a contract and failing to abstain from acting in matters related to the contract; and
  - 7) NRS 281A.430(1) – Entering into a contract with a governmental entity and a business entity in which he had a significant pecuniary interest.
- b. On January 8, 2019, Ralenkotter filed a written response to the allegations in Ethics Complaint No. 18-139C through his attorney, which is maintained as part of the confidential investigatory file.
  - c. Pursuant to NRS 281A.730, Ralenkotter waived his right to review panel proceedings of these Complaints and accepted the Commission’s jurisdiction to render an opinion in these matters. Ralenkotter’s waiver of the review panel proceedings also waives the confidentiality of these matters, except that the Commission’s investigatory file remains confidential pursuant to NRS 281A.755.

**4. STIPULATED FACTS:** At all material times relevant to the allegations in this matter, the Commission and Ralenkotter agree to the following facts:<sup>1</sup>

- a. Ralenkotter was the LVCVA President and Chief Executive Officer (“CEO”).
- b. The CEO is appointed by and responsible for carrying out all policy directives of the LVCVA Board, including marketing, operation of facilities, human resources, finance and public affairs.
- c. The LVCVA is a statutorily created public entity responsible as the destination marketing organization for Las Vegas to promote tourism, conventions, meetings and special events throughout Southern Nevada. It operates one of

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<sup>1</sup> Stipulated Facts do not constitute part of the “Investigative File” as that term is defined by NRS 281A.755. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

- the largest convention facilities in the world and competes for visitors with the largest visitor destinations in the world.
- d. The LVCVA is a governmental entity subject to Nevada's Open Meeting Law (NRS Chapter 241), Public Records Law (NRS Chapter 239) and Ethics Law.
  - e. The LVCVA obtains its funding, in part, from a percentage of hotel taxes and fees in Southern Nevada. Its primary goal is to increase tourism in the region for economic development purposes.
  - f. The LVCVA is governed by a 14-member Board comprised of 8 elected officials representing the municipalities and counties in Southern Nevada and 6 representatives from the private sector.
  - g. The LVCVA maintained Board Policies, which included Policy 8.01 - Code of Conduct and Conflicts of Interest Policy (the "Policy"). The Policy in effect during the relevant time period required compliance with the Ethics Law and states that LVCVA's directors, officers and employees shall work for the common good of the public that LVCVA serves and not for any private or personal interest. The Policy also prohibited LVCVA's directors, officers and employees from using their office or position for unlawful purposes or personal gain, including seeking or accepting gifts, services, favors, employments, engagements, emoluments or economic opportunities that would improperly influence their public duties; using their position in government to secure unwarranted privileges for themselves or persons to whom they have commitments in a private capacity; or using governmental property to benefit their personal or financial interests.
  - h. Part of the LVCVA's mission is to develop and maintain relationships with airlines to expand and improve air service to Las Vegas and to increase visitation and hotel occupancy. To support that mission, the LVCVA purchased and received promotional gift cards and certificates annually to be used for business purposes from several airlines, including Southwest Airlines.
  - i. The LVCVA had an in-house travel agency operated by LVCVA staff that booked all business travel for LVCVA employees and Board Members, and

- also booked personal travel for certain LVCVA executives and family members.
- j. In early 2017, the LVCVA's Finance Department became aware that the LVCVA was receiving and in possession of Southwest Airline gift cards.
  - k. After the Southwest Airline gift cards were discovered, the Finance Department took possession of approximately \$14,000 of Southwest Airline gift cards into its custody and thereafter maintained custody of the gift cards.
  - l. When the Southwest Airline gift cards were discovered, the Finance Department learned there was no system for tracking and recording the distribution or usage of the Southwest Airline gift cards.
  - m. In late 2017, LVCVA's General Counsel learned that certain personal travel for Ralenkotter and his spouse had been purchased with the LVCVA's Southwest Airline gift cards.
  - n. In February 2018, LVCVA's General Counsel informed the Chair of the Audit Committee of the LVCVA Board of the discovery of the personal travel purchases for Ralenkotter and his spouse with LVCVA-funded Southwest Airline gift cards.
  - o. The Audit Committee retained Todd Bice, Esq. ("Bice") to investigate the matter and Bice retained Eide Bailly to perform forensic accounting services regarding any personal use of LVCVA's Southwest Airline gift cards by LVCVA personnel. Ralenkotter fully cooperated with this forensic accounting investigation.
  - p. Eide Bailly prepared a June 8, 2018 Forensic Accounting Report ("Report"), which was presented to the LVCVA Board of Directors during a June 12, 2018 meeting.
  - q. The Report revealed that the LVCVA purchased a total of 612 Southwest Airline gift cards totaling \$90,000 with LVCVA funds between 2012 and 2017. The documentation and invoices regarding LVCVA's purchases of the Southwest Airline gift cards did not identify the purchases as gift cards and, instead, designated the purchases as related to promotional activities/events



- such as “Summer Travel Programs,” “Deck Parties,” and “Sponsorship and Planning Summits.”
- r. Ralenkotter knew that the LVCVA possessed the Southwest Airline gift cards. Ralenkotter believed the gift cards were part of the negotiated package of assets the LVCVA received for providing sponsorship funds to Southwest Airlines.
  - s. The Audit Report revealed that personal/non-business travel totaling approximately \$17,000 was booked through the in house LVCVA travel office for Ralenkotter and his family members and paid for with Southwest Airline gift cards.
  - t. The Report also revealed that gift cards were redeemed for appropriate business-related travel totaling \$19,979.81. The Report did not make any findings whether Ralenkotter knew about or directed the use of LVCVA funds to purchase the Southwest gift cards.
  - u. The Report acknowledged that approximately 200 Southwest Airline gift cards (worth \$50,000) could not be accounted, and the Report provided no explanation for how the missing gift cards might have been used. Pursuant to records provided by Southwest Airlines, the LVCVA purchased 480 Southwest gift cards between 2014 and 2017, totaling \$68,000. Southwest did not retain records related to approximately 132 gift cards purchased by LVCVA between 2012 and 2014.
  - v. The records provided by Southwest Airlines revealed that at least seven of the Southwest Airline gift cards purchased with LVCVA funds were used for personal travel by other LVCVA employees not identified in the Audit Report, including members of the LVCVA executive team. Ralenkotter gave these gift cards (each valued at \$200) to the employees as gifts.
  - w. The LVCVA maintained an Employee Handbook that summarized the policies and programs of the agency applicable to its employees. The August 2012 and December 2015 versions of the Employee Handbook included a “Business Ethics” section that contained the following language, in relevant part:

“Employees may not use, divert, or appropriate Authority property, equipment, services, or assets for personal use or benefit.”

- x. The September 2016 version of the LVCVA Employee Handbook included an expanded “Business Ethics” section that contained the following language, in relevant part:

Employees are prohibited from taking personal opportunities that are discovered through the use of corporate property, information or position without approval. Employees may not use corporate property, information or position for personal gain.

1. Employees should protect the LVCVA’s assets and ensure their efficient use. Theft, carelessness and waste have a direct impact on the LVCVA’s profitability. All LVCVA assets should be used for legitimate business purposes.
2. LVCVA resources may be used for minor personal uses, as long as such use is reasonable, does not interfere with duties, is not done for pecuniary gain, does not conflict with the LVCVA’s business, and does not violate any LVCVA policy.

- y. The LVCVA maintained Board Policies, which included Policy 2.02 – Responsibilities of President and CEO. One responsibility of the President/CEO listed in Policy 2.02 was to “[e]nsure that LVCVA policies are uniformly understood and administered by his/her subordinates.”
- z. In response to the audit findings, Ralenkotter reimbursed the LVCVA for the total value of the Southwest gift cards he used for his private use.
  - aa. Also, in response to the audit findings, the LVCVA implemented new policies to clarify the procedure for using travel gift cards provided to the LVCVA, and to prevent use of gift cards for personal travel in the future.
  - bb. During an LVCVA Audit Committee Meeting on April 25, 2018, Ralenkotter acknowledged his unintentional misuse of the Southwest gift cards, recognized that LVCVA lacked proper procedure regarding these assets, and assured the Audit Committee that policies had been implemented to ensure the proper use of such assets in the future.
  - cc. Later, during a Board of Directors Meeting on June 12, 2018, Secretary Bill Noonan thanked the Audit Committee and independent counsel for their work,

recognized Ralenkotter for accepting responsibility for his unintentional misuse of the gift cards, and noted that Ralenkotter lacked awareness regarding the purchase of the gift cards.

- dd. Between approximately April 2018 and August 31, 2018, LVCVA and Ralenkotter publicly discussed Ralenkotter's intentions to resign from the LCVA after more than 45 years with the agency and develop a succession plan with a new CEO. LVCVA and Ralenkotter were publicly transparent about intentions to seek a separation agreement with Ralenkotter which would include an on-going consulting agreement with LVCVA to transition to the new CEO.
- ee. Both the LVCVA and Ralenkotter retained independent counsel to handle the consulting agreement negotiations.
- ff. LVCVA posted a public meeting agenda with backup staff materials and recommendations for its anticipated August 14, 2018 Board Meeting, which included a purported separation agreement and future consulting agreement between LVCVA and Ralenkotter. The proposed separation agreement included his anticipated PERS pension.
- gg. During the August 14, 2018 Board Meeting, the LVCVA Board approved the recommended separation agreement and future consulting agreement with Ralenkotter, through his private limited liability company, GoGaels, LLC. As part of the consulting agreement, LVCVA agreed to pay Ralenkotter a flat rate of \$15,000 per month for 18 months for Ralenkotter's services consulting on various projects and issues affecting LVCVA during the transition to the new CEO. The separation agreement and future consulting agreement were approved by the Board.
- hh. Ralenkotter was still employed as the CEO of LVCVA during the time the consulting agreement was negotiated and executed, to be effective the day after his retirement on September 1, 2018.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Ralenkotter and the Commission agree as follows:

- a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement is agreed to by the parties.
- b. Ralenkotter was a public officer, which constituted a public trust to be held for the sole benefit of the people of the State of Nevada (in particular, the citizens of Las Vegas).
- c. As a public officer, Ralenkotter was prohibited from: 1) seeking or accepting any gift, service, favor, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties (NRS 281A.400(1)); 2) using his public position to secure unwarranted privileges, preferences, exemptions or advantages for himself (NRS 281A.400(2)); 3) using government resources to benefit a significant personal or financial interest (NRS 281A.400 (7)); 4) using his position to influence subordinates for a significant pecuniary interest (NRS 281A.400(9)); and 5) using his position to negotiate or enter into contracts or employment opportunities with the LVCVA and a business entity in which he had a significant pecuniary interest without disclosing his pecuniary interests (NRS 281A.400(1), (2), (3), (7) and (10), 281A.420 and 281A.430).
- d. The Commission considers whether an action is improper or unwarranted if the action was against written policies that are applicable to the public officer.
- e. Ralenkotter did not adequately avoid the conflict of interest between his public duties and private interests when he accepted free travel for himself and his spouse paid for with LVCVA airline gift cards.
- f. Ralenkotter violated NRS 281A.400(1), (2), (7) and (9) by his acceptance of personal travel purchased with Southwest Airline gift cards that were held by the LVCVA.<sup>2</sup>
- g. Additionally, Ralenkotter used his position to negotiate and enter into a post-employment consulting contract with the LVCVA without proper disclosures in violation of NRS 281A.400(1), (2), (3) and (10), 281A.420 and 281A.430.

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<sup>2</sup> Allegations regarding NRS 281A.400(5) are dismissed in this Stipulation for lack of a preponderance of evidence in support of a violation.

- h. As interpreted and applied in accordance with the provisions of NRS 281A.020, Ralenkotter's actions related to his acceptance of Southwest Airline gift cards for personal travel constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.400(1), (2), (7) and (9), and his actions related to the negotiation of a post-employment contract with LVCVA while he was the CEO without proper disclosures constitutes a separate course of conduct resulting in another violation of the Ethics Law, implicating the provisions of NRS 281A.400(1), (2), (3), (7) and (10), NRS 281A.420 and NRS 281A.430.
- i. Ralenkotter's violations were willful pursuant to NRS 281A.170. A willful violation does not require that Ralenkotter acted in bad faith, or with ill will, evil intent or malice. However, Ralenkotter acted voluntarily or deliberately when he accepted the free travel and negotiated and entered into a post-employment contract. See *In re McNair*, Comm'n Op. Nos. 10-105C, 10-106C, 10-108C, 10-109C and 10-110C (2011) ("the relevant inquiry regarding willful misconduct is an inquiry into the intentional nature of the actor's conduct . . . The fact that an actor may have acted with the best of intentions does not relieve the actor of liability.") (citation omitted).
- j. Pursuant to the factors set forth in NRS 281A.775 in determining whether the violations are willful and the penalties to be imposed, the Commission has considered the following factors:
  - 1) Ralenkotter has not previously violated the Ethics Law during his 45 years of service with the LVCVA.
  - 2) Ralenkotter has been diligent to cooperate with and participate in the Commission's investigation and resolution of this matter.
  - 3) Ralenkotter fully cooperated in the forensic accounting audit that resulted in the discovery of other instances of personal travel purchased with Southwest gift cards owned by the LVCVA.
  - 4) During an open public meeting of the Board's Audit Committee, Ralenkotter acknowledged his use of the gift cards and accepted full

responsibility for his failure to reconcile the amount at the time of his travel, but also maintained that any misconduct was not intentional.

- 5) Ralenkotter reimbursed the amount of his personal travel in the amount of \$16,906.38 to the LVCVA.
  - 6) At the time of the contract negotiations, Ralenkotter and the LVCVA were each being represented by separate legal counsel. LVCVA's counsel reported to four LVCVA board members who were solely in charge of making recommendations to the Board regarding the consulting contract. Ralenkotter did not direct LVCVA's counsel nor the four board members regarding the consulting contract negotiations.
  - 7) Ralenkotter relied in good faith upon the representations of LVCVA's legal counsel regarding the appropriateness of such a contract and LVCVA's interest in negotiating the contract while Ralenkotter was still employed by the LVCVA.
  - 8) The separation agreement and future consulting agreement were noticed, discussed, and voted on at the August 14, 2018 Board meeting, which was open to the public.
  - 9) The Board unanimously voted to approve the separation agreement and future consulting agreement. Ralenkotter did not participate in that vote.
- k. However, these mitigating factors are offset by the seriousness of the conduct when measured against the public's trust that public officers will not use their public position or influence to acquire economic opportunities or advantages for themselves that are not available to the general public.
- l. For the first willful violation, Ralenkotter agrees to pay \$5,000.00 pursuant to NRS 281A.790(1)(a) for the improper use of LVCVA property for a personal purpose. Pursuant to NRS 281A.790(3), Ralenkotter will also pay \$16,906.38. For the second willful violation, Ralenkotter agrees to pay \$2,500.00 pursuant to NRS 281A.790(1)(a) for negotiating and entering into a post-employment contract with the LVCVA while he was still employed as the CEO. The total amount of \$24,406.38 may be paid in one lump sum due on or before December 31, 2020, or in equal monthly installment payments, as arranged

with the Commission's Executive Director, with final payment due not later than December 31, 2021. If any installment payment is missed, the lump sum will become due on or before December 31, 2020, or within 90 days after the missed payment, if the missed payment occurs after December 31, 2020.

- m. This Stipulated Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaints now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.
- n. This Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal, regarding Ralenkotter. If the Commission rejects this Stipulated Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

**6. WAIVER**

- a. Ralenkotter knowingly and voluntarily waives his right to a panel determination or adjudicatory proceedings/hearing before the full Commission on the allegations in Ethics Complaints, Case Nos. 18-061C and 18-139C and all rights he may be accorded with regard to these matters pursuant to the Ethics Law (NRS Chapter 281A), the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.
- b. Ralenkotter knowingly and voluntarily waives his right to any judicial review of these matters, as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

**7. ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby.

The parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on August 19, 2020.<sup>3</sup>

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
Rossi Ralenkotter

FOR ROSSI RALENKOTTER, Subject

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
Terry A. Coffing, Esq.  
Counsel for Subject

FOR THE EXECUTIVE DIRECTOR

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Nevada Commission on Ethics

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<sup>3</sup> Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider his character, alleged misconduct, professional competence, or physical or mental health.



Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the majority of the Commission.

DATED \_\_\_\_\_.

By: \_\_\_\_\_  
Cheryl A. Lau, Esq.  
Chair

By: \_\_\_\_\_  
Teresa Lowry, Esq.  
Commissioner

By: \_\_\_\_\_  
Kim Wallin, CPA, CMA, CFM  
Vice-Chair

By: \_\_\_\_\_  
Philip K. O'Neill  
Commissioner

By: \_\_\_\_\_  
Brian Duffrin  
Commissioner

By: \_\_\_\_\_  
Damian Sheets, Esq.  
Commissioner

By: \_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner

By: \_\_\_\_\_  
Amanda Yen, Esq.  
Commissioner



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Rossi Ralenkotter**, (Former)  
Chief Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case Nos.  
18-061C and 18-139C

\_\_\_\_\_  
Subject. /

**NOTICE OF HEARING TO CONSIDER STIPULATED AGREEMENT**  
NRS 281A.745

**PLEASE TAKE NOTICE**, the Nevada Commission on Ethics ("Commission") will hold a public meeting to consider a **Proposed Stipulated Agreement** regarding the allegations submitted in Ethics Complaint Nos. 18-061C and 18-139C at the following time and location:

When: Wednesday, **August 19, 2019** at **10:15 a.m.**

Where: Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703  
as permitted by COVID-19 Protocols

Attorneys representing the parties and the Executive Director have jointly requested the proposed stipulated agreement be considered by the Commission at this noticed meeting and the Parties, through their representative counsel, may participate remotely by teleconference. Subject has waived the personal notice requirements of NRS 241.033 (Nevada's Open Meeting Law) for each complaint case to permit the Commission to consider his character, misconduct or competence related to Ethics Complaint Nos. 18-061C and 18-139C.

Certain Nevada Open Meeting Law Requirements set forth in NRS Chapter 241 may be excused or altered including participation by teleconference or remote attendance based upon Governor Sisolak declaration of a state of emergency in response to the outbreak of the Coronavirus Disease ("COVID-19") on March 12, 2020 and other issued Emergency Directives including, without limitation, Emergency Directive 006 relating to NRS Chapter 241 and related extensions of Emergency Directive 006, as set forth in Emergency Directives 016, 018, 021 and any other issued directives (collectively referred to as "COVID-19 Protocols").

If the Proposed Stipulated Agreement is approved, it will serve as the final written opinion in this matter pursuant to NRS 281A.135.

DATED: August 12, 2020

/s/ Tracy L. Chase  
Tracy L. Chase, Esq.  
Commission Counsel

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **Notice of Hearing to Consider Stipulated Agreement** via electronic mail to the Parties as follows:

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Ann Wilkinson, Esq.  
Associate Counsel  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

Email: [awilkinson@ethics.nv.gov](mailto:awilkinson@ethics.nv.gov)

Rossi Ralenkotter  
c/o Terry A. Coffing, Esq.  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

Email: [tcoffing@maclaw.com](mailto:tcoffing@maclaw.com)

DATED: August 12, 2020

\_\_\_\_\_  
Employee of the Nevada Commission on Ethics



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Rossi Ralenkotter**, Chief  
Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No. 18-061C  
**Confidential**

\_\_\_\_\_  
Subject. /

**ORDER INITIATING AN ETHICS COMPLAINT,  
ACCEPTING JURISDICTION AND DIRECTING AN INVESTIGATION**

Pursuant to NRS 281A.280 and NRS 281A.715

The Commission has jurisdiction to investigate and take appropriate action regarding an alleged violation of NRS Chapter 281A, the Ethics in Government Law ("Ethics Law") by a public officer or employee or former public officer or employee in any proceeding commenced by an ethics complaint, which is filed with the Commission or initiated by the Commission on its own motion, within 2 years after the alleged violation or reasonable discovery of the alleged violation.

**IT IS ORDERED:**

The Commission hereby initiates an Ethics Complaint against Rossi Ralenkotter, Chief Executive Officer of the Las Vegas Convention and Visitors Authority, and directs the Executive Director to investigate potential violations of the following statutes:

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(5)** Acquiring through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further a pecuniary interest of himself or any other person or business entity.

**NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest or that of a person to whom he is a commitment in a private capacity.

**NRS 281A.400(9)** Using official position to attempt to benefit a significant personal or pecuniary interest of his or any person to whom he has a commitment in a private capacity through the influence of a subordinate.

Further, the Commission directs the Executive Director to serve this order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 20<sup>th</sup> day of August, 2018.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

## CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation**, addressed as follows:

Rossi Ralenkotter  
Chief Executive Officer  
Las Vegas Convention and  
Visitors Authority  
3150 Paradise Road  
Las Vegas, NV 89109

Cert. Mail No.: 9171 9690 0935 0037 6398 50

Dated: 8/20/18

  
\_\_\_\_\_  
Employee, Nevada Commission on Ethics



**NEVADA COMMISSION ON ETHICS  
ETHICS COMPLAINT**

NRS 281A.700 to 281A.790 inclusive

1. **SUBJECT OF THE COMPLAINT** (you allege violated provisions of NRS Chapter 281A, the Nevada Ethics in Government Law. *(Please use a separate form for each individual.)*)

<b>NAME:</b> <small>(Last, First)</small>	Ralenkotter, Rossi	<b>TITLE OF PUBLIC OFFICE:</b> <small>(Position)</small>	Chief Executive Officer
<b>PUBLIC ENTITY:</b> <small>(Name of the entity employing this position)</small>	Las Vegas Convention and Visitors Authority ("LVCVA")		
<b>ADDRESS:</b>	3150 Paradise Road	<b>CITY, STATE, ZIP CODE</b>	Las Vegas, NV 89109
<b>TELEPHONE:</b>	<b>Work:</b>	<b>Other: (Home, cell)</b> (702)892-0711	<b>E-MAIL:</b>

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 281A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

Check here  if additional pages are attached.

It is alleged that Ralenkotter used approximately \$17,000 of Southwest Airlines gift cards purchased by LVCVA for his and his spouse's personal travel through the direction of a subordinate, Travel Coordinator Burdett. It is further alleged that Ralenkotter accepted gifts of LVCVA property along with other directors and employees causing the Board to amend its policies regarding gifts. A large portion of the LVCVA property used as marketing gifts was left unaccounted and reportedly was provided, in part, to LVCVA directors and employees, including Ralenkotter, as acknowledged by the Board.

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative, law enforcement or judicial body? If yes, describe:

Yes. The Las Vegas Metropolitan Police Department ("Metro") has initiated a criminal investigation to determine whether members or employees of the LVCVA committed theft or embezzlement of public funds through the use of tax-payer funded gift cards for personal purposes.



4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

	Statute	Statutory Summary:
<input checked="" type="checkbox"/>	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/>	NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input checked="" type="checkbox"/>	NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/>	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/>	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or pecuniary interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input checked="" type="checkbox"/>	NRS 281A.400(9)	Attempting to benefit his personal or pecuniary interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/>	NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/>	NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input type="checkbox"/>	NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceeding year that is reasonably affected by an official matter.
<input type="checkbox"/>	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/>	NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest. (some exceptions apply).
<input type="checkbox"/>	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
<input type="checkbox"/>	NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/>	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/>	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity/affinity
4. Employer or spouse/domestic partner/household member's employer
5. Substantial and continuing business relationship, i.e. partner or associate
6. Substantially similar relationships to those listed above

5. **YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** (NRS 281A.710 through 281A.715.) Attach all documents or items you believe support your allegations, including witness statements, public or private records, audio or visual recordings, documents, exhibits, concrete objects, or other forms of proof.

State the total number of additional pages attached (including evidence) 104.

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide. Check here  if additional pages are attached.

<b>NAME and TITLE:</b> (Person #1)	Ed Finger, CFO of the LVCVA		
<b>ADDRESS:</b>	3150 Paradise Road	<b>CITY, STATE, ZIP</b>	Las Vegas, NV 89109
<b>TELEPHONE:</b>	<b>Work:</b> (702)892-0711	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>	Was informed in 2018 by LVCVA's General Counsel, Luke Puschnig, about the personal Southwest Airlines gift card use according to the forensic accounting report published June 8, 2018.		
<b>NAME and TITLE:</b> (Person #2)	Luke Puschnig, General Counsel of LVCVA		
<b>ADDRESS:</b>	3150 Paradise Road	<b>CITY, STATE, ZIP</b>	Las Vegas, NV 89109
<b>TELEPHONE:</b>	<b>Work:</b> (702)892-0711	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>	In his role as LVCVA's General Counsel, Puschnig reviewed LVCVA emails in late 2017 concluding that Southwest Airlines gift cards were potentially being used to pay for personal travel. Discussed the usage with CEO Rossi Ralenkotter and CFO Ed Finger.		

**7. REQUESTER INFORMATION:**

<b>YOUR NAME:</b>	Nevada Commission on Ethics c/o Executive Director Yvonne M. Nevarez-Goodson, Esq.		
<b>YOUR ADDRESS:</b>	704 W. Nye Lane, Suite 204	<b>CITY, STATE, ZIP:</b>	Carson City, NV 89703
<b>YOUR TELEPHONE:</b>	<b>Day:</b> (775)687-5469	<b>Evening:</b>	<b>E-MAIL:</b> ynevarez@ethics.nv.gov

**NOTE\*: Your identity as the Requester will be provided to the Subject if the Commission accepts jurisdiction of this matter, unless:**

Pursuant to NRS 281A.750, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box):

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

**OR**

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Please describe in the text box below the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

**A copy of this Complaint will be provided to the Subject.** If the request for confidentiality is approved by the Commission, the Complaint will be redacted to protect the identity of the Requester.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

**If the Commission declines to maintain my confidentiality, I wish to:**

Withdraw my Complaint OR

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission’s investigation are confidential unless and until the Commission’s Review Panel renders a determination. Certain Commission proceedings and materials, including the Investigatory File remain confidential pursuant to NRS 281A.750 through 281A.760.**

/s/ Cheryl A. Lau

August 16, 2018

Signature:

Date:

Chair Cheryl A. Lau, Esq. on behalf of NCOE

Print Name:

You may file a Complaint using the Commission’s **online form** submission at [ethics.nv.gov](http://ethics.nv.gov) (Preferred) or You must submit this form bearing your signature to the Executive Director via:  
**postal mail** to Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City, Nevada, 89703,  
**email** to [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov), or **fax** to (775) 687-1279



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
 704 W. Nye Lane, Suite 204  
 Carson City, Nevada 89703  
 (775) 687-5469 • Fax (775) 687-1279  
 ethics.nv.gov

In re **Rossi Ralenkotter**, Chief  
 Executive Officer, Las Vegas  
 Convention and Visitors Authority,  
 State of Nevada,

Ethics Complaint  
 Case No. 18-061C  
**Confidential**

Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS:**  
**INVESTIGATION & REVIEW PANEL**

Please initial any that apply:

INITIAL  
 HERE  
 RR

I, Rossi Ralenkotter, the above Subject, affirm that I have read the provisions of NRS 281A.725, and hereby freely and voluntarily waive the statutory time limit therein, which requires the Executive Director to complete the investigation required by NRS 281A.720 and present a recommendation to a review panel within 70 days after the Nevada Commission on Ethics ("Commission") directed the Executive Director to investigate this Ethics Complaint.

INITIAL  
 HERE  
 RR

I, Rossi Ralenkotter, the above Subject, affirm that I have read the provisions of NRS 281A.730 and hereby freely and voluntarily waive the statutory time limit therein, which requires the review panel to determine whether there is just and sufficient cause for the Commission to render an opinion in this matter within 15 days after the Executive Director provides the review panel with the recommendation required by NRS 281A.725.

Dated: 9/18/18

Rossi Ralenkotter  
 Rossi Ralenkotter

Date received: 9/19/18

K. Medina  
 Employee of the Commission



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
 704 W. Nye Lane, Suite 204  
 Carson City, Nevada 89703  
 (775) 687-5469 • Fax (775) 687-1279  
 ethics.nv.gov

In re **Rossi Ralenkotter**, Former  
 Chief Executive Officer, Las Vegas  
 Convention and Visitors Authority,  
 State of Nevada,

Ethics Complaint  
 Case No. 18-139C  
**Confidential**

\_\_\_\_\_  
 Subject. /

**WAIVER OF A DETERMINATION BY A REVIEW PANEL**

INITIAL  
 RR ✓

I, Rossi Ralenkotter, the Subject of the above-referenced Ethics Complaint, affirm that I have read the provisions of NRS 281A and hereby freely and voluntarily waive my rights to a review panel proceeding and/or a panel determination pursuant NRS 281A.730. I do not object, and hereby submit to the jurisdiction of the Nevada Commission on Ethics ("Commission") to render an opinion in this matter. I acknowledge that this waiver also waives my right to require the Commission to maintain confidentiality of the Ethics Complaint and all related information pursuant NRS 281A.750.

Dated: \_\_\_\_\_

1/23/19

  
 \_\_\_\_\_  
 Rossi Ralenkotter

Date received: \_\_\_\_\_

1/24/19

  
 \_\_\_\_\_  
 Employee of the Commission



**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Rossi Ralenkotter**, Former  
Chief Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No.18-139C

\_\_\_\_\_  
Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO  
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE  
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Rossi Ralenkotter, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 8<sup>th</sup> day of August, 2020.

By: Rossi Ralenkotter  
Rossi Ralenkotter



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Rossi Ralenkotter**, Former  
Chief Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No. 18-139C  
**Confidential**

\_\_\_\_\_  
Subject. /

**ORDER INITIATING AN ETHICS COMPLAINT,  
ACCEPTING JURISDICTION AND DIRECTING AN INVESTIGATION**  
Pursuant to NRS 281A.280 and NRS 281A.715

The Commission has jurisdiction to investigate and take appropriate action regarding an alleged violation of NRS Chapter 281A, the Ethics in Government Law ("Ethics Law") by a public officer or employee or former public officer or employee in any proceeding commenced by an ethics complaint, which is filed with the Commission or initiated by the Commission on its own motion, within 2 years after the alleged violation or reasonable discovery of the alleged violation.

**IT IS ORDERED:**

The Commission hereby initiates an Ethics Complaint against Rossi Ralenkotter, Former Chief Executive Officer of the Las Vegas Convention and Visitors Authority, for his alleged conduct in negotiating and entering into a consulting agreement with a government agency while serving as a public officer. The Commission further directs the Executive Director to investigate potential violations of the following statutes:

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(3)** A public officer or employee shall not participate as an agent of government in the negotiation or execution of a contract between the government and the public officer or employee, any business entity in which the public officer or employee has a significant pecuniary interest or any person to whom the public officer or employee has a commitment in a private capacity.



- NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest or that of a person to whom he is a commitment in a private capacity.
- NRS 281A.400(10)** A public officer or employee shall not seek other employment or contracts for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity through the use of the public officer's or employee's official position.
- NRS 281A.420(1)** Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
- NRS 281A.420(3)** Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
- NRS 281A.430(1)** A public officer or employee shall not bid on or enter into a contract between an agency and any business entity in which the public officer or employee has a significant pecuniary interest unless: (a) The contracting process is controlled by the rules of open competitive bidding or the rules of open competitive bidding are not employed as a result of the applicability of NRS 332.112 or 332.148; (b) The sources of supply are limited; (c) The public officer or employee has not taken part in developing the contract plans or specifications; and (d) The public officer or employee will not be personally involved in opening, considering or accepting offers.

Further, the Commission directs the Executive Director to serve this Order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 6<sup>th</sup> day of December, 2018.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau  
Cheryl A. Lau, Esq.  
Commission Chair



## CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation**, addressed as follows:

Rossi Ralenkotter  
9 Chinese Fir Drive  
Las Vegas, NV 89149

Cert. Mail No.: 9171 9690 0935 0037 6377 02

Dated: 12/6/18



Employee, Nevada Commission on Ethics



## NEVADA COMMISSION ON ETHICS ETHICS COMPLAINT

[NRS 281A.700 to 281A.790 inclusive](#)

1. **SUBJECT OF THE COMPLAINT** (you allege violated provisions of NRS Chapter 281A, the Nevada Ethics in Government Law. *(Please use a separate form for each individual.)*)

<b>NAME:</b> <small>(Last, First)</small>	Ralenkotter, Rossi	<b>TITLE OF PUBLIC OFFICE:</b> <small>(Position)</small>	Former Chief Executive Officer
<b>PUBLIC ENTITY:</b> <small>(Name of the entity employing this position)</small>	Las Vegas Convention and Visitors Authority ("LVCVA")		
<b>ADDRESS:</b>	9 Chinese Fir Drive	<b>CITY, STATE, ZIP CODE</b>	Las Vegas, NV 89149
<b>TELEPHONE:</b>	<b>Work:</b>	<b>Other: (Home, cell)</b> 702-892-0711	<b>E-MAIL:</b>

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 281A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

Check here  if additional pages are attached.

It is alleged that Ralenkotter used his position while still employed as the CEO to negotiate and enter into a consulting contract with a government agency, LVCVA, to become effective upon his retirement.

The complaint is supported by the following evidence:

- 1) LVCVA August 14 Meeting Agenda
- 2) LVCVA August 14 Meeting Materials:
  - a) Agenda Item 14: Separation Agreement
  - b) Agenda Item 15: Consulting Agreement
- 3) LVCVA August 14 Meeting Minutes

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative, law enforcement or judicial body? If yes, describe:

No.

4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

	Statute	Statutory Summary:
<input checked="" type="checkbox"/>	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/>	NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/>	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/>	NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/>	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/>	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or pecuniary interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(9)	Attempting to benefit his personal or pecuniary interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input checked="" type="checkbox"/>	NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/>	NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input checked="" type="checkbox"/>	NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceeding year that is reasonably affected by an official matter.
<input checked="" type="checkbox"/>	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input checked="" type="checkbox"/>	NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest. (some exceptions apply).
<input type="checkbox"/>	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
<input type="checkbox"/>	NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/>	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/>	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity/affinity
4. Employer or spouse/domestic partner/household member's employer
5. Substantial and continuing business relationship, i.e. partner or associate
6. Substantially similar relationships to those listed above

5. **YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** (NRS 281A.710 through 281A.715.) Attach all documents or items you believe support your allegations, including witness statements, public or private records, audio or visual recordings, documents, exhibits, concrete objects, or other forms of proof.

State the total number of additional pages attached (including evidence) 104.

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide. Check here  if additional pages are attached.

<b>NAME and TITLE:</b> (Person #1)	Luke Puschnig, General Counsel of LVCVA		
<b>ADDRESS:</b>	3150 Paradise Road	<b>CITY, STATE, ZIP</b>	Las Vegas, NV 89109
<b>TELEPHONE:</b>	<b>Work:</b> (702)892-0711	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>	In his role as LVCVA's General Counsel, Puschnig may have information related to Ralenkotter's role in negotiating the consulting agreement with LVCVA before his retirement.		
<b>NAME and TITLE:</b> (Person #2)			
<b>ADDRESS:</b>		<b>CITY, STATE, ZIP</b>	
<b>TELEPHONE:</b>	<b>Work:</b>	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>			

**7. REQUESTER INFORMATION:**

<b>YOUR NAME:</b>	Nevada Commission on Ethics c/o Executive Director Yvonne M. Nevarez-Goodson, Esq.		
<b>YOUR ADDRESS:</b>	704 W. Nye Lane, Suite 204	<b>CITY, STATE, ZIP:</b>	Carson City, NV 89703
<b>YOUR TELEPHONE:</b>	<b>Day:</b> (775)687-5469	<b>Evening:</b>	<b>E-MAIL:</b> ynevarez@ethics.nv.gov

**NOTE\*: Your identity as the Requester will be provided to the Subject if the Commission accepts jurisdiction of this matter, unless:**

Pursuant to NRS 281A.750, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box):

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

**OR**

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Please describe in the text box below the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

**A copy of this Complaint will be provided to the Subject.** If the request for confidentiality is approved by the Commission, the Complaint will be redacted to protect the identity of the Requester.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

**If the Commission declines to maintain my confidentiality, I wish to:**

Withdraw my Complaint OR

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's investigation are confidential unless and until the Commission's Review Panel renders a determination. Certain Commission proceedings and materials, including the Investigatory File remain confidential pursuant to NRS 281A.750 through 281A.760.**

/s/ Cheryl A. Lau

December 4, 2018

Signature:

Date:

Chair Cheryl A. Lau, Esq. on behalf of NCOE

Print Name:

You may file a Complaint using the Commission's **online form** submission at [ethics.nv.gov](http://ethics.nv.gov) (Preferred) or You must submit this form bearing your signature to the Executive Director via:  
**postal mail** to Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City, Nevada, 89703,  
**email** to [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov), or **fax** to (775) 687-1279



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
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In re **Rossi Ralenkotter**, Former  
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**Confidential**

\_\_\_\_\_ Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS:  
 INVESTIGATION & REVIEW PANEL**

If you have not waived the right to a determination by a review panel pursuant to NRS 281A.730, please initial the following if you would like to waive the time limits for completion of the investigation and/or the determination by a review panel:

INITIAL  
 RR ✓

I, Rossi Ralenkotter, the above Subject, affirm that I have read the provisions of NRS 281A.725, and hereby freely and voluntarily waive the statutory time limit therein, which requires the Executive Director to complete the investigation required by NRS 281A.720 and present a recommendation to a review panel within 70 days after the Nevada Commission on Ethics ("Commission") directed the Executive Director to investigate this Ethics Complaint.

INITIAL  
 RR ✓

I, Rossi Ralenkotter, the above Subject, affirm that I have read the provisions of NRS 281A.730 and hereby freely and voluntarily waive the statutory time limit therein, which requires the review panel to determine whether there is just and sufficient cause for the Commission to render an opinion in this matter within 15 days after the Executive Director provides the review panel with the recommendation required by NRS 281A.725.

Dated: 1/23/19

Rossi Ralenkotter  
 Rossi Ralenkotter

Date received: 1/24/19

[Signature]  
 Employee of the Commission



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
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Ethics Complaint  
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**Confidential**

\_\_\_\_\_  
 Subject. /

**WAIVER OF A DETERMINATION BY A REVIEW PANEL**

INITIAL  
 RR ✓

I, Rossi Ralenkotter, the Subject of the above-referenced Ethics Complaint, affirm that I have read the provisions of NRS 281A and hereby freely and voluntarily waive my rights to a review panel proceeding and/or a panel determination pursuant NRS 281A.730. I do not object, and hereby submit to the jurisdiction of the Nevada Commission on Ethics ("Commission") to render an opinion in this matter. I acknowledge that this waiver also waives my right to require the Commission to maintain confidentiality of the Ethics Complaint and all related information pursuant NRS 281A.750.

Dated: 1/23/19

Rossi Ralenkotter  
 Rossi Ralenkotter

Date received: 1/24/19

[Signature]  
 Employee of the Commission





**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Rossi Ralenkotter**, Former  
Chief Executive Officer, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

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\_\_\_\_\_  
Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO  
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE  
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Rossi Ralenkotter, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 8<sup>th</sup> day of August, 2020.

By: Rossi Ralenkotter  
Rossi Ralenkotter



# **Agenda Item 10**



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health and  
Human Services, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-081C, 19-082C and  
105C

\_\_\_\_\_  
Subject. /

### **Proposed** STIPULATED AGREEMENT

1. **PURPOSE:** This Stipulated Agreement resolves Consolidated Ethics Complaints, Case Nos. 19-081C, 19-082C and 19-105C (“Complaints”) before the Nevada Commission on Ethics (“Commission”) concerning Donald Smith (“Smith”), Clinical Social Worker II, Southern Nevada Adult Mental Health Services of the Division of Public and Behavioral Health of the Department of Health and Human Services in the State of Nevada.

2. **JURISDICTION:** At all material times, Smith served as a public employee as defined in NRS 281A.150. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.180 and 281A.280. Accordingly, the Commission has jurisdiction over Smith in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

- a. The Commission received Ethics Complaint Nos. 19-081C and 19-082C on September 3, 2019. On October 21, 2019, the Commission issued separate Orders in each case, accepting jurisdiction and directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(2), (4), and (7), and NRS 281A.420(1) and (3). The Commission also issued an *Order on Consolidation* on October 21, 2019, consolidating the investigations of these two complaints.

- b. On October 21, 2019, the Executive Director issued a *Notice of Consolidated Complaints and Investigation* for Complaint Nos. 19-081C and 19-082C pursuant to NRS 281A.720, and Smith was provided an opportunity to provide a written response to the Complaints.
- c. On October 28, 2019, the Commission received Ethics Complaint No. 19-105C. On December 12, 2019, the Commission issued an *Order on Jurisdiction and Investigation*, directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(1), (2), (3), (4) and (7), NRS 281A.420(1) and (3), and NRS 281A.430.
- d. On December 12, 2019, the Executive Director issued a *Notice of Complaint and Investigation* for Complaint No. 19-105C pursuant to NRS 281A.720, and Smith was provided an opportunity to provide a written response to the Complaint.
- e. On December 23, 2019, the Commission issued an *Order of Consolidation*, consolidating the investigation of Ethics Complaint Nos. 19-081C, 19-082C, and 19-105C.
- f. On January 14, 2020, Smith, through his legal counsel, Mark H. Hutchings, Esq. of Hutchings Law Group, submitted a written response to the Complaints.
- g. On February 12, 2020, the Executive Director presented a recommendation relating to just and sufficient cause to a three-member review panel pursuant to NRS 281A.720.
- h. In a Panel Determination issued on February 24, 2020, the Review Panel unanimously found and concluded that:
  - 1) Credible evidence supported just and sufficient cause for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2) and (7) related to Smith's work for a private employer during his SNAMHS shift;
  - 2) Credible evidence did not support just and sufficient cause for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.400(3) and (4), NRS 281.420(1) and (3), and NRS 281A.430, and those allegations were dismissed; and

3) The allegations related to NRS 281A.400(1), (2) and (7) should be referred to the Commission for adjudicatory proceedings.

i. In lieu of an adjudicatory hearing before the Commission, Smith now enters into this Stipulated Agreement.

**4. STIPULATED FACTS:** At all material times related to the allegations in the Complaints, the following facts were relevant to this matter:<sup>1</sup>

- a. Smith was employed at Southern Nevada Adult Mental Health Services (SNAMHS”), as a Clinical Social Worker II. Smith has been employed at SNAMHS for approximately 16 years.
- b. The Clinical Social Worker II position is a classified position with the State of Nevada.
- c. Smith was a public employee, as defined in NRS 281A.150.
- d. Smith was a member of the SNAMHS Mobile Crisis Team (“MCT”). As a member of the SNAMHS MCT, Smith’s duties included traveling to emergency rooms throughout the Las Vegas area and performing psychosocial assessments on indigent or otherwise uninsured patients who were placed on a 72-hour, involuntary, emergency hold pursuant to NRS 433A.150 (“Legal 2000”).
- e. After conducting an assessment for SNAMHS, Smith would make a recommendation to emergency room personnel as to whether the patient should be discharged, re-evaluated 24-hours later, or remain on the list for transportation to the Rawson-Neal Psychiatric Hospital for further treatment.
- f. While a member of the MCT, Smith worked Tuesday through Friday, from 7:00 am to 5:30 pm.
- g. In addition to his work with SNAMHS, Smith is also employed as an independent contractor with The Wellcare Group (“Wellcare”), a private mental health care services provider and pharmacy based in Las Vegas. The duties Smith performs for Wellcare mirror those he performed with the

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<sup>1</sup> Stipulated Facts do not constitute part of the “Investigative File” as that term is defined by NRS 281A.755. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

SNAMHS MCT, except that Smith travels to emergency rooms on behalf of Wellcare and assesses patients with Medicaid who have been placed on a Legal 2000. Smith then makes a recommendation as to whether the patient should be discharged, reevaluated, or sent to a privately owned Psychiatric Urgent Facility (“PUF”) for continued treatment. Smith is compensated \$115.00 for each assessment he completes for Wellcare. Smith also performs various administrative tasks for Wellcare.

- h. Smith is not involved in any of the other services Wellcare provides, such as housing or pharmacy services.
- i. Smith has been employed with Wellcare since 2017.
- j. At all times relevant to the Complaints, Smith was “on-call” for Wellcare Tuesday through Thursday, from 4:00 pm to 12:00 am.
- k. Smith executed a Declaration of Secondary Employment form for SNAMHS in 2018 and 2019 disclosing the details of his secondary employment, including his secondary work shift/schedule.
- l. Smith addressed the conflict in his SNAMHS and Wellcare work schedules in 2019, writing:

Calls are forwarded to me starting at 4 pm but I do not respond to calls until after 5:30. Wellcare allows for a 4-hour response time for incoming calls. Wellcare is aware of my employment and schedule with SNAMHS. Wellcare is per assessment pay and not hourly or salary so they do not mind regarding the delay in response time. I take calls until 12 am.

Accordingly, Smith’s supervisors at SNAMHS knew of his secondary employment with Wellcare, including his schedule.

- m. When a patient with Medicaid arrives at an emergency room requiring an assessment, emergency room personnel first contact Wellcare’s call center to alert Wellcare of the referral. Wellcare then communicates that it has received a referral to its mobile crisis assessment team via group email. The contractor on shift for Wellcare then has a window of time to respond

to the group email indicating that he or she has received the referral and will conduct the assessment.

- n. Smith has responded to referrals from Wellcare during his SNAMHS shift, but the majority of his emails to Wellcare typically consist of a single word - “received.”
- o. Smith sent more than 4,000 emails from his Wellcare email account between January 2017 and January 2020. Emails provided between the period of October 2018 and October 2019, show that Smith sent emails from his Wellcare account during his SNAMHS shift. The emails sent by Smith during his SNAMHS shift include replies to referrals, invoices to Wellcare for services provided, general discussions regarding Smith’s work for Wellcare, and several patient assessments.
- p. In October 2018, Wellcare began maintaining an assessment log for each of its contractors. Wellcare’s assessment log records the time Wellcare received a referral from an emergency room, as well as the specific time that the contractor self-reported that he or she arrived at the emergency room to conduct the assessment for Wellcare.
- q. Wellcare’s assessment log for Smith (“Assessment Log”) shows that, between October 25, 2018 and October 17, 2019, there were 77 instances in which Smith reported arriving at an emergency room to conduct an assessment for Wellcare during the hours of his SNAMHS shift.
- r. Wellcare holds bi-monthly staff meetings with members of its mobile crisis assessment team. These staff meetings are held every other Friday at 3:00 pm, which is during Smith’s SNAMHS shift. Smith often participates in these meetings via telephone, but there have been times when Smith has been required to attend these meetings in-person. Smith attends these staff meetings via telephone during his afternoon break with SNAMHS. In the instances in which Smith has attended these staff meetings in person, Smith combined his SNAMHS lunch and break times in order to do so. However, Smith never requested permission from a SNAMHS supervisor to combine his lunch and break times to attend staff meetings for Wellcare.

Smith was unaware of any requirement that he get permission from his SNAMHS supervisor to combine his lunch and regular breaks to attend staff meetings.

- s. Smith provided a Wellcare patient with a SNAMHS bus pass on one occasion. Smith states that he provided the Wellcare patient with the SNAMHS bus pass out of concern for the patient's safety.
- t. Smith used his SNAMHS laptop on one occasion to complete a Wellcare assessment because he forgot the power cord to his Wellcare laptop.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Smith and the Commission agree as follows:

- a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement is agreed to by the parties.
- b. Smith is a public employee, which constitutes a public trust to be held for the sole benefit of the people of the State of Nevada.
- c. As a public employee, Smith is prohibited from accepting any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties (NRS 281A.400(1)). Smith accepted a secondary private employment engagement with Wellcare and signed a Declaration of Secondary Employment form for SNAMHS that disclosed the scheduling conflict.
- d. Smith was compensated \$115.00 per assessment for Wellcare. By using portions of his SNAMHS shift to engage in Wellcare tasks on 77 occasions, Smith has not faithfully discharged his public duties.
- e. Smith is also prohibited from using his public position to secure unwarranted privileges, preferences, exemptions or advantages for himself (NRS 281A.400(2)). During his SNAMHS shift, Smith attended various hospitals in his capacity as a SNAMHS employee. When Smith used his time as a SNAMHS employee to do work on behalf of Wellcare, Smith used his public position to secure unwarranted privileges and advantages for his own pecuniary interest.

- f. Smith is prohibited from using *governmental time* . . . to benefit a significant personal or pecuniary interest[.]” Although NRS 281A.400(7)(a) allows a public employee to use governmental *property, equipment, or other facility* for personal purposes if: (1) there is an established policy allowing the use; (2) the use does not interfere with the performance of the public employee’s duties; (3) the cost or value related to the use is nominal; and (4) the use does not create the appearance of impropriety, the aforementioned exceptions do not apply to the use of *governmental time*. Smith’s work for Wellcare during SNAMHS time creates an appearance of impropriety, as it appears as though he has an incentive to disregard SNAMHS work to engage in other activities on behalf of Wellcare to secure additional income.
- g. Smith’s actions constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.400(1), (2) and (7) as interpreted and applied in accordance with the provisions of NRS 281A.020.
- h. Smith’s violation was not a product of bad faith, ill will, evil intent, or malice, and Smith did not knowingly violate the law. Smith’s conduct was however non-accidental, intentional, and knowing as defined by NRS 281A.105 and NRS 281A.115, respectively.
- i. Pursuant to the factors set forth in NRS 281A.775 in determining whether a violation is willful and the penalty to be imposed, the Commission has considered the following factors:
- 1) Smith has not previously violated the Ethics Law.
  - 2) Smith was entirely transparent and fully cooperated with the Commission’s investigation and resolution of this matter.
- j. However, these mitigating factors are offset by the seriousness of Smith’s conduct when measured against the public’s trust that public employees will not use their public position or government time to benefit a personal interest.
- k. For the willful violation, Smith will pay a civil penalty of \$5,000.00 pursuant to NRS 281A.790(1)(a). Pursuant to NRS 281A.790(3), Smith will pay an additional civil penalty in the amount of \$1,500.00, which penalty reflects a portion of the financial benefit realized by Smith through his use of his position



and government time to support his secondary employment. This additional penalty is offset because Smith followed what he understood to be the common practice of other LCSWs who would leave an emergency room where they were conducting an assessment before the end of their SNAMHS shift to return home and complete paperwork. Likewise, Smith would leave his SNAMHS shift early but instead of going home to complete his paperwork, he would complete his SNAMHS paperwork during his Wellcare shift.

- l. The total \$6,500.00 penalty may be paid in one lump sum due on or before December 31, 2020, or in monthly installment payments, as arranged with the Commission's Executive Director, with final payment due not later than August 31, 2021. If any installment payment is missed, the lump sum will become due on or before December 31, 2020, or within 90 days after the missed payment, if the missed payment occurs after December 31, 2020.
- m. In addition to the sanctions imposed pursuant to paragraph "k," this Stipulated Agreement serves as a public censure condemning Smith's conduct in this matter, and if Smith continues to serve in or accepts another public position with the State of Nevada or any local government within the State of Nevada, Smith agrees to the following additional conditions:
  - 1) Smith will comply with the requirements of the Ethics Law as outlined in this Agreement; and
  - 2) Smith will attend an Ethics training presented by the Executive Director or her designee within 6 months of the execution of the stipulated agreement or acceptance of any new public position, as applicable.
- n. This Stipulated Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.
- o. This Agreement is intended to apply to and resolve only these Ethics Complaints and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal

regarding Smith. If the Commission rejects this Stipulated Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

**6. WAIVER**

- a. Smith knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case Nos. 19-081C, 19-082C and 19-105C, and all rights he may be accorded with regard to this matter pursuant to the Ethics Law (NRS Chapter 281A), the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.
- b. Smith knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

**7. ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby. The parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on August 19, 2020.<sup>2</sup>

The above Stipulated Agreement is approved by:

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
Donald Smith

Approved as to form by:

FOR DONALD SMITH, Subject

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.. \_\_\_\_\_  
Mark H. Hutchings, Esq.  
Counsel for Subject

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<sup>2</sup> Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider his character, alleged misconduct, professional competence, or physical or mental health.

The above Stipulated Agreement is approved by:

FOR EXECUTIVE DIRECTOR  
NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

/s/ Tracy L. Chase  
\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the majority of the Commission.<sup>3</sup>

DATED **XXX**, 2020.

By: /s/ Kim Wallin  
Kim Wallin, CPA, CMA, CFM  
Vice-Chair

By: /s/ Brian Duffrin  
Brian Duffrin  
Commissioner

By: /s/ Barbara Gruenewald  
Barbara Gruenewald, Esq.  
Commissioner

By: /s/ Amanda Yen  
Amanda Yen, Esq.  
Commissioner

By: /s/ Teresa Lowry  
Teresa Lowry, Esq.  
Commissioner

<sup>3</sup> Chair Lau and Commissioners O'Neill and Sheets participated in the Review Panel hearing and are therefore precluded from participating in this Stipulated Agreement pursuant to NRS 281A.220(4).



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health Services,  
Nevada Division of Public and Behavioral  
Health, Department of Health and Human  
Services, State of Nevada,

Consolidated  
Ethics Complaint  
Case Nos.  
19-081C, 19-082C and 19-105C

\_\_\_\_\_  
Subject. /

**NOTICE OF HEARING TO CONSIDER STIPULATED AGREEMENT**

NRS 281A.745

**PLEASE TAKE NOTICE**, the Nevada Commission on Ethics ("Commission") will hold a public meeting to consider a **Proposed Stipulated Agreement** regarding the allegations submitted in Consolidated Ethics Complaint Nos. 19-081C, 19-082C and 19-105C at the following time and location:

When: Wednesday, **August 19, 2019** at **10:25 a.m.**

Where: Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703  
as permitted by COVID-19 Protocols

Attorneys representing the parties and the Executive Director have jointly requested the proposed stipulated agreement be considered by the Commission at this noticed meeting and the Parties, through their representative counsel, may participate remotely by teleconference. Subject has waived the personal notice requirements of NRS 241.033 (Nevada's Open Meeting Law) in these proceedings.

Certain Nevada Open Meeting Law Requirements set forth in NRS Chapter 241 may be excused or altered including participation by teleconference or remote attendance based upon Governor Sisolak declaration of a state of emergency in response to the outbreak of the Coronavirus Disease ("COVID-19") on March 12, 2020 and other issued Emergency Directives including, without limitation, Emergency Directive 006 relating to NRS Chapter 241 and related extensions of Emergency Directive 006, as set forth in Emergency Directives 016, 018, 021 and any other issued directives (collectively referred to as "COVID-19 Protocols").

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If the Proposed Stipulated Agreement is approved, it will serve as the final written opinion in this matter pursuant to NRS 281A.135.

DATED: August 12, 2020

/s/ Tracy L. Chase  
Tracy L. Chase, Esq.  
Commission Counsel

## CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **Notice of Hearing to Consider Stipulated Agreement** via electronic mail to the Parties as follows:

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Ann Wilkinson, Esq.  
Associate Counsel  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

Email: [awilkinson@ethics.nv.gov](mailto:awilkinson@ethics.nv.gov)

Donald Smith  
c/o Mark H. Hutchings, Esq.  
Helen Buenrostro, paralegal  
Hutchings Law Group  
552 E. Charleston Blvd.  
Las Vegas, NV 89104

Email: [mhutchings@hutchingslawgroup.com](mailto:mhutchings@hutchingslawgroup.com)

Email: [helen@hutchingslawgroup.com](mailto:helen@hutchingslawgroup.com)

DATED: August 12, 2020

\_\_\_\_\_  
Employee of the Nevada Commission on Ethics



# NEVADA COMMISSION ON ETHICS

## ETHICS COMPLAINT

[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. **(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)**

<b>Name:</b> <i>(Last, First)</i>	Smith, Donald		<b>Title of Public Office:</b> <i>(Position)</i>	CSW-II
<b>Public Entity:</b> <i>(Name of the entity employing this position)</i>	SNAMHS			
<b>Address:</b>	1650 Community College Drive		<b>City, State, Zip Code:</b>	Las Vegas, NV 89146
<b>Telephone:</b>	<i>Work:</i> 702-486-0498	<i>Other (home/cell):</i> 702-289-7064	<b>Email:</b>	donsmith@health.nv.gov

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. **(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)**

The public employee in question is Donald Smith. He is a Licensed Clinical Social worker (LCSW) employed with the state as a Mobile Crisis Team Assessor. He has been employed with the state for over ten years. His commitment to the state of Nevada is from 8:00 am-6:30 pm four days per week: Tuesday through Friday with three days off: Saturday, Sunday and Monday. The job description of a Mobile Assessor is one who provides a diagnostic assessment to patients who are on an L2K. Patients are usually placed on an L2K if they are believed to be a danger to themselves or a danger to others. After the L2K, the patient is moved to the psychiatric holding unit in the hospital waiting for a Mobile Crisis Assessor. After a thorough assessment by a Mobile Crisis Assessor, the patient is referred to the appropriate level of care. Either the patient will be admitted into the state psychiatric hospital or the patient is discharged from the emergency room. Local hospitals have an agreement with mobile assessors with other health care managers as well as with the state psychiatric hospital (Rawson-Neal). One agreement is with Wellcare. WellCare is an out-patient behavioral health clinic that services adults with Antham/Bluecross Medicaid. For several years, Don has used his state time for the private

benefit of himself. Concerently, he is employed as a state Mobile Crisis Assessor and at The Wellcare Group as a Mobile Crisis Assessor. Don assesses more WellCare patients on his state shift (8am-6pm) because it benefits his financial interest to do so. In addition, he uses the state computer and equipment while filing mileage with WellCare when he drives to the local emergency rooms. The staff in the emergency rooms are aware of Don's double employment and often ask him if he is in the hospital to assess a WellCare patient or an LVMH (Rawson-Neal) patient. Often times, the state patient is left in the hospital with no assessment because the choice is made to assess the WellCare patient. His salary is close to \$100,000 per year as a WellCare assessor and perhaps close to \$70,000 per year with the state of NV as an assessor. WellCare has a physical address of 5412 Boulder HWY Las Vegas 89122. WellCare has 3:00 pm meetings on Wednesdays. Don is employed with the state at this time but is always in attendance for these meetings. The state psychiatric patients are at a disadvantage when Don is scheduled to work due to his disregard to [REDACTED] patients [REDACTED] [REDACTED] [REDACTED] [REDACTED]

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

No

4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? **Please check all that apply.**

<input type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/> NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/> NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant person or financial interest, or any person to whom he has a commitment in a private capacity. <i>(Some exceptions apply)</i>



<input type="checkbox"/> NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. <i>(Some exceptions apply)</i>
<input type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/> NRS 281A.400(1)	Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
<input type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity
4. Employer or spouses/domestic partners employer
5. Substantial and continuing business partner/associate
6. Substantially similar relationships

**5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** Attach all documents or items you believe support your allegations. [NAC 281A.400\(6\)](#) defines evidence which supports the allegation as any reliable and competent form of proof provided by witnesses, public and private records, audio or visual recordings, documents, exhibits, concrete objects, and such forms of proof that support a reasonable belief in the truth of the allegation. A newspaper article or other media report will not support your allegations if it is offered by itself, but may be included with evidence that corroborates the article on report.

**6. Witnesses:** Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	<b>Pamela Hollis</b>		
Address:		City, State, Zip:	, NV
Telephone:	<u>Work:</u> 702-712-6967	<u>Other (home/cell):</u>	Email:
Nature of Testimony:	Pamela Hollis is employed with The WellCare Group. [REDACTED]		

7. Requesters Information:

Your Name:	[REDACTED]		
Your Address:		City, State, Zip:	[REDACTED]
Your Telephone:	<i>Day:</i> [REDACTED]	<i>Evening:</i> [REDACTED]	Email: [REDACTED]

\* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

**OR**

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

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The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

Withdraw my Complaint, **OR**

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.**

Signature:

[REDACTED]

Date: 08-31-2019

Print Name:

[REDACTED]

**You must submit this form bearing your signature to:**

Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703

Or through the Commissions website: [www.ethics.nv.gov](http://www.ethics.nv.gov)



Submitted Electronically on 09-02-2019

# NEVADA COMMISSION ON ETHICS

## ETHICS COMPLAINT

[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. *(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)*

<b>Name:</b> <i>(Last, First)</i>	Smith, Donald		<b>Title of Public Office:</b> <i>(Position)</i>	Mobile Assessor
<b>Public Entity:</b> <i>(Name of the entity employing this position)</i>	Southern Nevada Adult Mental Health Services			
<b>Address:</b>	1650 Community College Drive		<b>City, State, Zip Code:</b>	Las Vegas, NV 89146
<b>Telephone:</b>	<i>Work:</i>	<i>Other (home/cell):</i>	<b>Email:</b>	
		702-289-7064		

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

I am making an ethical complaint against a state employee, Donald Smith, who is employed with Southern Nevada Adult Mental Health Services (SNAMHS,) at Rawson-Neal Psychiatric Hospital as a Mobile Assessor. Donald Smith is also an employee with Wellcare (Behavioral and Medical Outpatient Clinic) in Las Vegas, NV as a Mobile Assessor on the Mobile Crisis Assessment Team (MCAT.) The complaint that I am making is that Donald Smith is completing tasks for both of his employers simultaneously, utilizing SNAMHS resources for a Wellcare patient, and participates in Wellcare MCAT meetings at 3pm on Wednesday 2 times a month (1 conference call and face to face meetings at 5412 Boulder HWY, Las Vegas, NV, 89122.) These meetings varies in length, 10 minutes to over 1 hour, but conference calls average 10-15 minutes but has gone at times 30minutes and face to face average 30-40 minutes but has lasted over 1 hour. The tasks that are being done are completing assessments for and inquiring information from hospital staff about, Wellcare patients while on his shift for SNAMHS. Also, he requests hospital staff call Wellcare's patients in after 4pm (His shift at Wellcare is Tuesday-Thursday 4pm-12am.) Also, he used SNAMHS resources (Bus Pass) for a Wellcare patient. In

addition, Donald Smith designed both MCAT programs at Wellcare and SNAMHS. Both programs use the same Comprehensive Assessment tool and Assessment master logs created by Donald Smith. The program at Wellcare utilizes a call center to manage calls from hospitals requesting an assessment for a patient who has Anthem Blue Cross Blue Shield Medicaid and are placed on an involuntary Legal 2000 (L2K) or voluntary hold. The request for assessments calls are sent to all mobile assessors via email and whoever is "on call" must respond via email that they have received the call and up until July 2019, we use to receive a call from the call center as confirmation that the Mobile Assessor received the call (now we just receive emails.) Also, each mobile assessor has to call the requesting hospital to give an Estimated Time of Arrival (ETA) and if patient has any reason they can't be assessed we send updated information on a patient via email. Each Mobile Assessor is responsible for calls received on their shift, calls forwarded to their shift, and can pick up calls that are not called in but only during your shift time. Wellcare (14 hospitals) and SNAMHS patients are at some of the same hospitals. It is my understanding that Donald while on shift for SNAMHS will assess Wellcare's patients that have not been called in for Wellcare but will not get L2K decertified by the doctor until he comes on shift for Wellcare at 4pm or he will complete the entire process (which concludes with a patient being discharged or referred for inpatient treatment) or he asks about Wellcare patient, ask for face sheets (patient information) or retrieve chart himself (Mobile Assessors can retrieve charts) he will make a request that a PT is not called in until after 4pm. I have heard various hospital staff at various hospitals (Sunrise, North Vista, and Spring Valley) make various comments that Donald engage in the above activities regarding simultaneously while on shift for SNAMHS he assesses Wellcare's patients. On October 3, 2018, 3:45-3:50pm I was "on call" from 8am-4pm for Wellcare and I spoke to a nurse at Sunrise via telephone that stated Donald had assessed a Wellcare patient at 1:30pm but did not get the L2K decertified so the patient can't be discharged to her destination. I had to inform the nurse Donald comes on Shift at 4pm. (I updated the email regarding patient) On January 16, 2019, 7:42am Donald himself responded to an email stating he gave a Wellcare Patient a Bus pass to get to his discharged destination but Wellcare's Mobile Assessors for MCAT do not have bus passes.

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

UNKNOWN

4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged?  
**Please check all that apply.**

<input type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/> NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/> NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant person or financial interest, or any person to whom he has a commitment in a private capacity. <i>(Some exceptions apply)</i>
<input type="checkbox"/> NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. <i>(Some exceptions apply)</i>
<input type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/> NRS 281A.400(1)	Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
<input type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity



4. Employer or spouses/domestic partners employer
5. Substantial and continuing business partner/associate
6. Substantially similar relationships

**5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** Attach all documents or items you believe support your allegations. [NAC 281A.400\(6\)](#) defines evidence which supports the allegation as any reliable and competent form of proof provided by witnesses, public and private records, audio or visual recordings, documents, exhibits, concrete objects, and such forms of proof that support a reasonable belief in the truth of the allegation. A newspaper article or other media report will not support your allegations if it is offered by itself, but may be included with evidence that corroborates the article on report.

**6. Witnesses:** Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	<b>Lori Campbell</b>		
Address:		City, State, Zip:	, NV
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u> 443-449-9034	Email:
Nature of Testimony:	Simultaneously working SNAMHS and Wellcare		

Name and Title:	<b>Mageena Tom</b>		
Address:		City, State, Zip:	, NV
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u> 702-747-0956	Email:
Nature of Testimony:	Simultaneously working for SNAMHS and Wellcare		

Name and Title:	<b>Kellie Marsh</b>		
Address:		City, State, Zip:	, NV
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u> 702-521-3483	Email:
Nature of Testimony:	All		

**7. Requesters Information:**

Your Name:	<b>Pamela Hollis</b>		
Your Address:		City, State, Zip:	Las Vegas, NV 89128
Your Telephone:	<u>Day:</u> 702-712-6967	<u>Evening:</u>	Email: hollispam2013@gmail.com

\* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

OR

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

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The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

Withdraw my Complaint, **OR**

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.**



Date: 09-01-2019

Signature:

Print Name: Pamela Hollis

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**You must submit this form bearing your signature to:**

Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703

Or through the Commissions website: [www.ethics.nv.gov](http://www.ethics.nv.gov)



Submitted Electronically on 10-24-2019

# NEVADA COMMISSION ON ETHICS

## ETHICS COMPLAINT

[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. *(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)*

<b>Name:</b> <i>(Last, First)</i>	Smith, Donald		<b>Title of Public Office:</b> <i>(Position)</i>	Licensed Clinical Social Worker II
<b>Public Entity:</b> <i>(Name of the entity employing this position)</i>	State of Nevada			
<b>Address:</b>	1650 Community College Drive		<b>City, State, Zip Code:</b>	Las Vegas, NV 89146
<b>Telephone:</b>	<u>Work:</u> 702-486-4400	<u>Other (home/cell):</u> 702-289-7064	<b>Email:</b>	donsmith@health.nv.gov

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

The LCSW Don Smith has been seen by numerous people double billing and committing Medicaid Fraud in the Southern NV ERs where he works in a direct conflict of interest in which he works for the state of NV as a mobile assessor by day in the ERs and he also works as a private Anthem BCBS Medicaid mental health assessor for "The WellCare group" on the same days with crossover in shift time. His shift at WellCare starts at 4pm but he is still on the clock at SNAMHS at that time. He also has been witnessed to be stealing private assessments prior to 4pm and on state tax payer time by WellCare assessors [REDACTED] by numerous ER nurses. He bills for Medicaid pts on state time and works doing state pts on WellCare time. There have been many nurses, other evaluators, and pt's in the local ERs that have complained that they have observed Don double billing, not claiming his time, stealing assessments from other assessors, ignoring state pts to see Medicaid pts on his hours of his daytime position at the state of NV. People have seen him working at Harmony Health care around 4 years

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

if Don had a pt that was both Wellcare private bill pay and state of NV, that he should have excused himself from that case [REDACTED]

[REDACTED]

[REDACTED] This appears to not only be fraud but also pt neglect. [REDACTED] written proof [REDACTED] to [REDACTED] hospital administrator and [REDACTED] HR department [REDACTED]

[REDACTED] There are many other witnesses to Don "double billing" and working two jobs at the same time and stealing both Medicaid and other DPBH state tax payer funds. [REDACTED] the State of Nevada gave "The WellCare Group" a grant for housing around 2 years ago. I was also made aware that NNAMHS has inappropriate connections to "The WellCare group". [REDACTED]

[REDACTED]

the State of NV and WellCare have a relationship where there are conflicts of interest in regard to funds going back and forth between the two agencies inappropriately - outsourcing services etc. Numerous pts have reported [REDACTED] that Don came and said he assessed them [REDACTED] and there was no assessment. ER nurses have reported that Don will come during the day and only see WellCare pts and leave all of the state pts for the next day or just put their status as "Re-eval". Don proudly states that he helped develop the company "The WellCare group". Admits to being employed there and at the state. It is unclear if he ever filled out a declaration of secondary employment form with [REDACTED] HR department [REDACTED]

[REDACTED]

[REDACTED] If you compare a blank state adult mobile crisis assessment side by side with the WellCare Group's blank assessment

you will see striking similarities. This seems like it is not coincidence but likely purposeful since whoever created it can then make a master database for cutting, pasting, saving old evals to make assessments go faster and also so that after he assesses a state pt, once the pt gains health insurance he only has to make a few clicks and had another billable assessment made. Many nurses and other assessors in the ER state that they see Don only spend 10 to 15 mins with the pts at the most and this is not possible to do a detailed, clinically responsible eval in that amount of time. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] last October 2018, the ER physician asked Don [REDACTED] [REDACTED] "Is this a Wellcare pt or a state pt?" to which Don laughed and said "This one is a state pt, I'm not Wellcare for another couple of hours". [REDACTED] Donald Smith committing patient abuse, neglect, & abandonment to the often homeless, vulnerable, indigent population served by DPBH/SNAMHS and [REDACTED] commit Medicaid fraud in the private sector. He has been egregiously steeling from the state tax payers of Nevada and violating patient's human rights for years. This warrants serious, further investigation.

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

This is unknown

4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? **Please check all that apply.**

<input checked="" type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
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<input checked="" type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input checked="" type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
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2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity
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**6. Witnesses:** Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	<b>Lori Campbell</b>		
Address:		City, State, Zip:	Las Vegas, NV 64198
Telephone:	<i>Work:</i> 443-449-9034	<i>Other (home/cell):</i> 702-486-0498	<b>Email:</b> loricampbell@health.nv.gov

Nature of Testimony:	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]

7. Requesters Information:

Your Name:	[REDACTED]		
Your Address:		City, State, Zip:	[REDACTED]
Your Telephone:	<i>Day:</i> [REDACTED]	<i>Evening:</i> [REDACTED]	Email: [REDACTED]

\* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

**OR**

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

Withdraw my Complaint, **OR**

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.**

[REDACTED SIGNATURE]

Date: 10-24-2019

Signature:

Print Name: [REDACTED]

**You must submit this form bearing your signature to:**  
Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
Or through the Commissions website: [www.ethics.nv.gov](http://www.ethics.nv.gov)

A	B	C	D	E	F	G	H	I
Date	Initial or R	Name		Hospit	Disposition	RE-EVA	Insurance	CLINICIA
93	8/21/19	Initial		SH	Recommend discharge.		Medicare Out of Days	LC
94	8/21/19	Initial		SH	Recommend hold for RSU.		None	LC
95	8/21/19	Initial		SH	Recommend hold for RSU.		None	LC
96	8/21/19	Initial		SH	Recommend hold for RSU.		None	LC
97	8/21/19	Initial		DSH	Recommend discharge.		Private	LC
98	8/21/19	Initial		DSH	Recommend discharge.		None	LC
99	8/21/19	Initial		DSH	Recommend hold for RSU.		None	LC
00	8/21/19	Initial		DSH	Recommend discharge.		None	LC
01	8/22/19	MISSING						DS
02	8/22/19	ADMIN						JW
03	8/22/19	USL	N/A		N/A	RNH	None	MT
04	8/23/19	MISSING						DS
05	8/23/19	RDO						JW
06	8/23/19	RDO						MT
07	8/24/19	RDO						DS
08	8/24/19	RDO						JW
09	8/24/19	RDO						MT
10	8/25/19	RDO						DS
11	8/25/19	RDO						JW
12	8/26/19	ADMIN		RNH	N/A	RNH	None	MT
13	8/26/19	ADMIN		RNH	N/A	RNH	None	MT
14	8/26/19	Initial		NV	Recommend discharge.		OUT OF STATE Medicaid	MT
15	8/26/19	Initial		NV	Recommend discharge.		None	MT
16	8/26/19	Initial		NV	Recommend hold for RSU.		OUT OF STATE Medicaid	MT
17	8/26/19	Initial		NV	Recommend hold for RSU.		Medicaid/Medicare	MT
18	8/26/19	RDO						DS
19	8/26/19	ADMIN						JW
20	8/26/19	RDO						MT

Redacted Patient Names



### ABOUT US

- Our Story
- Our Team
- Testimonials

### Leadership

**MARCE CASAL**  
President  
Chief Executive Officer

**MAX CASAL**  
Chief Financial Officer  
Managing Director  
Northern Nevada

**KRISTINE YUMUL**  
Managing Director  
Clinic Operations  
Southern Nevada

**MELLONIE CASAL**  
Vice President

**ROB DRISCOLL**  
Managing Director  
Case Management / MCAT  
Southern Nevada

**CHRISTOPHER VITO**  
Managing Director  
Psychiatric Urgent Facility  
Southern Nevada

**MARIA PILAR FAYLONA MD**  
Medical Director

**MICHAEL CASAL MD**  
Chief Medical Officer  
Northern Nevada

### MEDICAL SERVICES

**DR MARIAN ORR DO**  
Psychiatrist

**DR RODRIGO FARRALES MD**

### CLINICAL SERVICES

**ANNETTE LOVE EDD LCPC**  
Clinical Supervisor

**ZANYAE ALLEN LPCPC**



Case Manager

**JUAN CUEVAS**  
Case Manager

**JOHN FERNANDEZ**  
Case Manager

**AMANDA HEDGES**  
Case Manager

**DEEANA HOPKINS**  
Case Manager

**SHARLENE LONG**  
Case Manager

**JOI MILLER**  
Case Manager

**ALESHIA STEPNEY**  
Case Manager

**SHAKONDA WALKER**  
Case Manager

**CHOVONEY WHITE**  
Case Manager

Therapy

**MCAT**

**LANECHA WILLIAMS EDD/LCPC**  
Director of MCAT

**SHANETTA PATTERSON**  
MCAT Admin

**EDINA BOROS RN**  
Mobile Assessor

**LASHANTE ELLISON -LCSW**  
Mobile Assessor

**PAMELA HOLLIS LCSW**  
Mobile Assessor

**ASHLEY MURRAY RN**  
Mobile Assessor

**KELLIE MARSH RN**  
Mobile Assessor

**LYDIA REED RN**  
Mobile Assessor

**DONALD SMITH LCSW**  
Mobile Assessor

DATE	INITIALS	POSITION	REASON	STATUS	REMARKS
14 8/18/19	RDO				
15 8/18/19	Initial	NV	Recommend hold for RSU.	Private	JW
16 8/18/19	Initial	NV	Recommend hold for RSU.	None	MT
17 8/18/19	Initial	NV	Recommend hold for RSU.	None	MT
18 8/18/19	Initial	NV	Recommend hold for RSU.	None	MT
19 8/18/19	Initial	NV	Recommend hold for RSU.	None	MT
20 8/18/19	Initial	NV	Recommend discharge.	Medicare	MT
21 8/18/19	Initial	NV	Recommend discharge.	OUT OF STATE Medicaid	MT
22 8/18/19	Initial	NV	Recommend discharge.	OUT OF STATE Medicaid	MT
23 8/18/19	Initial	NV	Recommend discharge.	Medicaid/Medicare	MT
24 8/19/19	RDO				DS
25 8/19/19	ADMIN				JW
26 8/19/19	RDO				MT
27 8/19/19	Initial	SPV	Recommend discharge.	None	LC
28 8/19/19	Initial	SPV	Recommend hold for RSU.	OUT OF STATE Medicaid	LC
29 8/19/19	Initial	VH	Recommend discharge.	Medicare Out of Days	LC
30 8/19/19	Initial	VH	Recommend discharge.	None	LC
31 8/19/19	Initial	VH	Recommend hold for RSU.	OUT OF STATE Medicaid	LC
32 8/19/19	Initial	VH	Recommend hold for RSU.	Medicare Out of Days	LC
33 8/19/19	Initial				
34 8/19/19	RDO				
35 8/19/19	ADMIN				
36 8/19/19	RDO				
37 8/19/19	Initial				
38 8/19/19	Initial				
39 8/19/19	Initial				
40 8/19/19	Initial				
41 8/19/19	Initial				
42 8/19/19	Initial				
43 8/19/19	Initial				
44 8/20/19	Initial	NV	Recommend discharge	None	DS
45 8/20/19	Initial	NV	Recommend possible re-eval in 24-48 hrs.	None	DS
46 8/20/19	Initial	NV	Recommend possible re-eval in 24-48 hrs.	None	DS
47 8/20/19	Initial	NV	Recommend hold for RSU.	None	DS
48 8/20/19	ADMIN				JW
49 8/20/19	Initial	CEN	Recommend hold for RSU.	OUT OF STATE Medicaid	MT
50 8/20/19	Initial	CEN	Recommend hold for RSU.	None	MT
51 8/20/19	Initial	CEN	Recommend hold for RSU.	None	MT

*Redacted Patient Names*

A	B	C	D	E	F	G	H	I
Date	Initial or R#	Name		Hosp/	Disposition	RE-EVA	Insurance	CLINICAL
8/21/19	MISSING							DS
8/21/19	ADMIN							JW
8/21/19	ADMIN		RNH	N/A		RNH	None	MT
8/21/19	ADMIN		RNH	N/A		RNH	None	MT
8/21/19	ADMIN		RNH	N/A		RNH	None	MT
8/21/19	ADMIN		RNH	N/A		RNH	None	MT
8/21/19	Initial		RNH	SMC	Recommend discharge.	RNH	None	MT
8/21/19	Initial			SMC	Recommend hold for RSU.		OUT OF STATE Medicaid	MT
8/21/19	Initial			SMC	Recommend hold for RSU.		None	MT
8/21/19	Initial			SMC	Recommend hold for RSU.		None	MT
8/21/19	Initial			SH	Recommend discharge.		Medicare Out of Days	LC
8/21/19	Initial			SH	Recommend hold for RSU.		None	LC
8/21/19	Initial			SH	Recommend hold for RSU.		None	LC
8/21/19	Initial			SH	Recommend hold for RSU.		None	LC
8/21/19	Initial			DSH	Recommend discharge.		Private	LC
8/21/19	Initial			DSH	Recommend discharge.		None	LC
8/21/19	Initial			DSH	Recommend hold for RSU.		None	LC
8/22/19	MISSING			DSH	Recommend discharge.		None	LC
8/22/19	ADMIN							DS
8/22/19	USL		N/A			RNH	None	JW
8/23/19	MISSING							MT
8/23/19	RDO							DS
8/23/19	RDO							JW
8/24/19	RDO							MT
8/24/19	RDO							DS
8/24/19	RDO							JW
8/24/19	RDO							MT

Redacted Patient Names

Clipboard: Cut, Copy, Paste, Format Painter

Font: Calibri, Size 12, Bold, Italic, Underline, Color, Background Color

Paragraph: Bullets, Numbering, Indentation, Alignment, Text Wrapping

Styles: Normal 2, Normal, Bad, Good

Cells: Insert, Delete, Format, Clear, Fill, AutoSum, Sort & Filter, Find & Select

A	B	C	D	E	F	G	H	I	J
Date	Initial or R#	Name	RSU Coverage	Hospit	Disposition	RE-EVA	Insurance	CLINICIA	
4/8/19/19	RDO							DS	
5/8/19/19	ADMIN							JW	
6/8/19/19	RDO							MT	
7/8/19/19	Initial			SPV	Recommend discharge.		None	LC	
8/8/19/19	Initial			SPV	Recommend hold for RSU.		OUT OF STATE Medicaid	LC	
9/8/19/19	Initial			VH	Recommend discharge.		Medicare Out of Days	LC	
0/8/19/19	Initial			VH	Recommend discharge.		None	LC	
1/8/19/19	Initial			VH	Recommend hold for RSU.		OUT OF STATE Medicaid	LC	
2/8/19/19	Initial			VH	Recommend hold for RSU.		Medicare Out of Days	LC	
3/8/19/19	ADMIN								
4/8/20/19	MISSIN								
5/8/20/19	ADMIN							DS	
6/8/20/19	Initial			CEN	Recommend hold for RSU.		OUT OF STATE Medicaid	JW	
7/8/20/19	Initial			CEN	Recommend hold for RSU.		None	MT	
8/8/20/19	Initial			CEN	Recommend hold for RSU.		None	MT	
9/8/20/19	Initial			SH	Recommend discharge.		OUT OF STATE Medicaid	MT	
10/8/20/19	Initial			SH	Recommend discharge.		Private	MT	
11/8/20/19	Initial			SH	Recommend discharge.		OUT OF STATE Medicaid	MT	
12/8/21/19	MISSIN							DS	
1/8/21/19	ADMIN							JW	
2/8/21/19	ADMIN			RNH	N/A	RHN	None	MT	
3/8/21/19	ADMIN			RNH	N/A	RHN	None	MT	
4/8/21/19	ADMIN			RNH	N/A	RNH	None	MT	
5/8/21/19	ADMIN			RNH	N/A	RNH	None	MT	
6/8/21/19	ADMIN			RNH	N/A	RNH	None	MT	
7/8/21/19	ADMIN			RNH	N/A	RNH	None	MT	
8/8/21/19	ADMIN			RNH	N/A	RNH	None	MT	
9/8/21/19	Initial			SMC	Recommend discharge.		None	MT	
10/8/21/19	Initial			SMC	Recommend hold for RSU.		OUT OF STATE Medicaid	MT	
11/8/21/19	Initial			SMC	Recommend hold for RSU.		None	MT	
12/8/21/19	Initial			SMC	Recommend hold for RSU.		None	MT	
MONTHLY TOTAL									DATA

*Redacted Patient Names*



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health and  
Human Services, State of Nevada,

Ethics Complaint  
Case No. 19-081C  
**Confidential**

Subject. /

**ORDER ON JURISDICTION AND INVESTIGATION**

Pursuant to NRS 281A.715

The Nevada Commission on Ethics ("Commission") received an Ethics Complaint on September 3, 2019 regarding Donald Smith ("Subject"), Clinical Social Worker II, Southern Nevada Adult Mental Health Services, Nevada Division of Public and Behavioral Health, Department of Health and Human Services, State of Nevada. On October 21, 2019, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission conducted its jurisdictional and evidentiary review of the record, including the Ethics Complaint, supporting evidence and the recommendation of the Executive Director.

**IT IS HEREBY ORDERED:**

Based upon sufficient evidence, the Commission directs that the identity of the Requester be maintained as confidential pursuant to NRS 281A.750. The Commission also accepts jurisdiction of this Ethics Complaint and directs the Executive Director to conduct an investigation regarding Subject's alleged violations of the following provisions of the Ethics Law:

- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(4)** Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
- NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest.
- NRS 281A.420(1)** Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.

**NRS 281A.420(3)** Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.

The Commission further directs the Executive Director to serve this order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 21<sup>st</sup> day of October, 2019.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

## CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order on Jurisdiction and Investigation**, addressed as follows:

Donald Smith  
Southern Nevada Adult Mental  
Health Services  
1650 Community College Dr.  
Las Vegas, NV 89146

Cert. Mail No.: 9171 9690 0935 0037 6384 40

Dated: 10/21/19



\_\_\_\_\_  
Employee, Nevada Commission on Ethics



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health and  
Human Services, State of Nevada,

Ethics Complaint  
Case No. 19-082C  
**Confidential**

Subject. /

**ORDER ON JURISDICTION AND INVESTIGATION**

Pursuant to NRS 281A.715

The Nevada Commission on Ethics ("Commission") received an Ethics Complaint on September 3, 2019 regarding Donald Smith ("Subject"), Clinical Social Worker II, Southern Nevada Adult Mental Health Services, Nevada Division of Public and Behavioral Health, Department of Health and Human Services, State of Nevada. On October 21, 2019, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission conducted its jurisdictional and evidentiary review of the record, including the Ethics Complaint, supporting evidence and the recommendation of the Executive Director.

**IT IS HEREBY ORDERED:**

Based upon sufficient evidence, the Commission directs that the identity of the Requester be maintained as confidential pursuant to NRS 281A.750. The Commission also accepts jurisdiction of this Ethics Complaint and directs the Executive Director to conduct an investigation regarding Subject's alleged violations of the following provisions of the Ethics Law:

- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(4)** Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
- NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest.
- NRS 281A.420(1)** Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.



**NRS 281A.420(3)** Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.

The Commission further directs the Executive Director to serve this order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 21<sup>st</sup> day of October, 2019.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order on Jurisdiction and Investigation**, addressed as follows:

Donald Smith  
Southern Nevada Adult Mental  
Health Services  
1650 Community College Dr.  
Las Vegas, NV 89146

Cert. Mail No.: 9171 9690 0935 0037 6384 40

Dated: 10/21/19



\_\_\_\_\_  
Employee, Nevada Commission on Ethics



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health and  
Human Services, State of Nevada,

Ethics Complaint  
Case No. 19-105C  
**Confidential**

Subject. /

**ORDER ON JURISDICTION AND INVESTIGATION**

Pursuant to NRS 281A.715

The Nevada Commission on Ethics ("Commission") received an Ethics Complaint on October 28, 2019 regarding Donald Smith ("Subject"), Clinical Social Worker II, Southern Nevada Adult Mental Health Services, Nevada Division of Public and Behavioral Health, Department of Health and Human Services, State of Nevada. On December 12, 2019, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission conducted its jurisdictional and evidentiary review of the record, including the Ethics Complaint, supporting evidence and the recommendation of the Executive Director.

**IT IS HEREBY ORDERED:**

Based upon sufficient evidence, the Commission directs that the identity of the Requester be maintained as confidential pursuant to NRS 281A.750. The Commission also accepts jurisdiction of this Ethics Complaint and directs the Executive Director to conduct an investigation regarding Subject's alleged violations of the following provisions of the Ethics Law:

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(3)** Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.

- NRS 281A.400(4)** Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
- NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest.
- NRS 281A.410** Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department.
- NRS 281A.420(1)** Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
- NRS 281A.420(3)** Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
- NRS 281A.430** Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.

The Commission further directs the Executive Director to serve this order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 12<sup>th</sup> day of December, 2019.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order on Jurisdiction and Investigation**, addressed as follows:

Donald Smith  
2068 Double Tree Way  
Cedar City, Utah 84721

Cert. Mail No.: 9171 9690 0935 0037 6385 32

Dated: 12/12/19

Employee, Nevada Commission on Ethics



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II,  
Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health and  
Human Services, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-081C, 19-082C and 19-105C  
**Confidential**

\_\_\_\_\_  
Subject. /

**ORDER ON CONSOLIDATION**

Pursuant to NRS 281A.260

The Nevada Commission on Ethics ("Commission") received Ethics Complaint Nos. 19-081C and 19-082C ("Complaints"), regarding Donald Smith ("Subject"), a Clinical Social Worker for the State of Nevada. On October 21, 2019, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission issued separate Orders in each case accepting jurisdiction and directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(2), (4), and (7), and NRS 281A.420(1) and (3). The Commission further issued an *Order on Consolidation* to consolidate the investigation in the cases.

On October 28, 2019, the Commission received Ethics Complaint No. 19-105C alleging violations of the Ethics Law by the Subject based upon similar facts and issues and issued an *Order on Jurisdiction and Investigation* on December 12, 2019 directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(1), (2), (3), (4) and (7), NRS 281A.410, NRS 281A.420(1) and (3) and NRS 281A.430.

Having determined that the matters in Ethics Complaint Consolidated Case Nos. 19-081C and 19-082C and Ethics Complaint Case No. 19-105C share common facts and issues, the Commission hereby consolidates these matters pursuant to NAC 281A.260 for all further proceedings.<sup>1</sup>

IT IS SO ORDERED.

DATED this 23<sup>rd</sup> day of December, 2019.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

<sup>1</sup> Pursuant to NAC 281A.260, the Commission or the Chair may consolidate, in whole or in part, two or more requests for an advisory opinion or two or more ethics complaints if the Commission or the Chair determines that the requests for an advisory opinion or the ethics complaints, as applicable, share common facts and issues.

## CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted via email a true and correct copy of the foregoing **Order on Consolidation**, addressed as follows:

Yvonne M. Nevarez-Goodson, Esq.    Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)  
Executive Director  
Casey A. Gillham, Esq.            Email: [cgillham@ethics.nv.gov](mailto:cgillham@ethics.nv.gov)  
Associate Counsel  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Donald Smith                            Email: [mhutchings@hutchingslawgroup.com](mailto:mhutchings@hutchingslawgroup.com)  
c/o Mark H. Hutchings, Esq.  
Hutchings Law Group, LLC 552 E.  
Charleston Blvd.  
Las Vegas, NV 89104

DATED: December 23, 2019

  
\_\_\_\_\_  
Employee of the Nevada Commission on Ethics



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
 704 W. Nye Lane, Suite 204  
 Carson City, Nevada 89703  
 (775) 687-5469 • Fax (775) 687-1279  
 ethics.nv.gov

In re **Donald Smith**, Clinical Social Worker  
 II, Southern Nevada Adult Mental Health  
 Services, Nevada Division of Public and  
 Behavioral Health, Department of Health  
 and Human Services, State of Nevada,

Ethics Complaints  
 Consolidated Case Nos.  
 19-081C and 19-082C  
**Confidential**

Subject. /

**LIMITED WAIVER OF STATUTORY TIME REQUIREMENTS,  
 INVESTIGATION & REVIEW PANEL**

Please initial any that apply:

INITIAL  
 DS

I, Donald Smith, the above Subject, agree to provide as stipulated, a response to Ethics Complaints Consolidated Case Nos. 19-081, 19-082 and Ethics Complaint Case No. 19-105C on or before January 14, 2020.

INITIAL  
 DS

I, Donald Smith, the above Subject, affirm that I have read the provisions of NRS 281A.725, and hereby freely and voluntarily waive the statutory time limit therein with regard to Ethics Complaints Consolidated Case Nos. 19-081C and 19-082C, only until such time as concludes the 70 days from the date of the *Order on Jurisdiction* in Ethics Complaint No. 19-105C, and for which time the Executive Director must complete the investigation in Ethics Complaint No. 19-105C and present a recommendation to a review panel.

INITIAL  
 DS

I further waive the time limit in Ethics Complaint Case Nos. 19-081C and 19-082C only until such time as concludes the 15 days for a review panel to determine whether there is just and sufficient cause for the Commission to render an opinion pursuant NRS 281A.730 in Ethics Complaint Case No. 19-105C.

Dated: 12/17/19

Donald Smith

Date received: 12/17/19

Employee of the Commission





**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker II, Southern Nevada Adult Mental Health Services, Nevada Division of Public and Behavioral Health, Department of Health and Human Services, State of Nevada,

Ethics Complaint  
Consolidated Case Nos.  
19-081C, 19-082C, 19-105C

Subject. /

**REVIEW PANEL DETERMINATION AND REFERRAL ORDER**

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received Ethics Complaint Nos. 19-081C and 19-082C on September 3, 2019, regarding the alleged conduct of Donald Smith ("Smith"), a Clinical Social Worker II with Southern Nevada Adult Mental Health Services ("SNAMHS"). The Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(2), (4), and (7), and NRS 281A.420(1) and (3).

On October 28, 2019, the Commission received Ethics Complaint No. 19-105C, regarding the alleged conduct of Smith. The Commission instructed the Executive Director to investigate the alleged violations implicating NRS 281A.400(1), (2), (3), (4) and (7), NRS 281.420(1) and (3), and NRS 281A.430. On December 23, 2019, the Commission issued an *Order of Consolidation*, consolidating the investigation of Ethics Complaint Nos. 19-081C, 19-082C, and 19-105C ("Complaints"). The Complaints allege that Smith used his public position to further his significant pecuniary interests.

Smith is a public employee as defined in NRS 281A.150, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaints relate to Smith's conduct as a public employee and have associated implications under the Ethics Law.

On February 19, 2020, a Review Panel ("Panel") consisting of Chair Cheryl Lau, Esq. (Presiding Officer) and Commissioners Philip K. O'Neil and Damian R. Sheets, Esq., reviewed the following: (1) Ethics Complaint Nos. 19-081C, 19-082C, and 19-105C; (2) Orders on Jurisdiction and Investigation in Ethics Complaint Nos. 19-081C, 19-082C, and 19-105C; (3) Order on Consolidation in Ethics Complaint Nos. 19-081C, 19-082C, and 19-105C; (4) Smith's Response to the Consolidated Complaints; and (5) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.<sup>1</sup>

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient

<sup>1</sup>All materials provided to the Panel, except the Ethics Complaints, the Orders on Jurisdiction and Investigation and the Order on Consolidation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2) and (7).

However, the Review Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.400(3) and (4), NRS 281.420(1) and (3), and NRS 281A.430.

IT IS HEREBY ORDERED:

Based upon the just and sufficient cause determination, the Review Panel refers Consolidated Ethics Complaints Nos. 19-081C, 19-082C, and 19-105C to the Commission to render an opinion regarding the alleged violations of NRS 281A.400(1), (2) and (7), regarding Smith's work for a private employer during his SNAMHS shift.

Dated this 24<sup>th</sup> day of February, 2020.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Cheryl A. Lau  
Cheryl A. Lau, Esq.  
Chair/Presiding Officer

By: /s/ Philip K. O'Neill  
Philip K. O'Neill  
Commissioner

By: /s/ Damian R. Sheets  
Damian R. Sheets, Esq.  
Commissioner

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Donald Smith  
c/o Mark H. Hutchings, Esq.  
Hutchings Law Group  
552 E. Charleston Blvd.  
Las Vegas, NV 89104

Certified Mail No.: 9171 9690 0935 0037 6386 55

Email: [mhutchings@hutchingslawgroup.com](mailto:mhutchings@hutchingslawgroup.com)

Dated: 2/24/20



\_\_\_\_\_  
Employee, Nevada Commission on Ethics



**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Donald Smith**, Clinical Social Worker  
II, Southern Nevada Adult Mental Health  
Services, Nevada Division of Public and  
Behavioral Health, Department of Health  
and Human Services, State of Nevada,

Ethics Complaint  
Consolidated Case Nos.  
19-081C, 19-082C, 19-105C

\_\_\_\_\_  
Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO  
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE  
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject Donald Smith's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Donald Smith, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 6 day of March, 2020.

By: \_\_\_\_\_

Donald Smith

# **Agenda Item 11**

Cheryl A. Lau, Esq.  
Chair

Kim Wallin, CPA, CMA, CFM  
Vice-Chair

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
(D) 775-687-4312  
[ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

**State of Nevada**  
**COMMISSION ON ETHICS**  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
<http://ethics.nv.gov>

August 13, 2020

### **2021-23 Biennial Budget Request**

Dear Commissioners,

The Nevada Commission on Ethics is responsible for advising and educating approximately 140,000 State and local government public officers and employees regarding the provisions of the Nevada Ethics in Government Law (NRS 281A). The Commission also serves as a quasi-judicial body responsible for interpreting and enforcing the Ethics Law, providing outreach and education, issuing advisory opinions, adjudicating complaints and defending its administrative decisions in various judicial forums. Each member of the Commission dedicates significant volunteer time to prepare for the magnitude of Commission business and hearings at monthly meetings and to review and approve all final orders and opinions.

The Commission's next biennial budget request is due on August 31, 2020, for review by the Governor for inclusion in the Governor's recommended budget to the Legislature. To date, the Commission has been asked to present a flat budget. However, the current budget instructions allow for the Commission to request items for special consideration and/or enhancements to its flat budget. As the Commission is aware, the State is confronting unprecedented fiscal shortfalls as a result of the COVID-19 pandemic. The Commission has already made significant cuts to its current fiscal year budget, and it is expected that the State will continue to confront fiscal shortfalls into the coming biennium. While the budget instructions haven't changed yet, it would be reasonable to assume that the Commission may eventually be asked to make budget cuts during the next biennium. In the meantime, the Executive Director anticipates requesting a flat budget without cuts unless and until directed otherwise.

During the last Legislative Session, the Commission requested a number of enhancements that were not granted, including additional funds for travel, investigations, trainings, positions and salaries. Upon declining to support these enhancements in the wake of a nearly doubled case load, the Governor's staff provided authorization to pursue these efforts, as needed, in the Interim and/or the upcoming Legislative Session. Certainly, nobody could have predicted the COVID-19 pandemic and its fiscal implications on the State's revenue. Accordingly, the Executive Director recommends that the Commission decline to pursue the majority of enhancements that were requested last Session. In part, the Executive Director anticipates that many of the proposed amendments to the Ethics

Law set forth in the Commission's BDR will provide some relief from various deadlines and otherwise streamline some case processing. Moreover, the Commission is attempting to get creative with its outreach through technology and webinar-based platforms. Finally, the Commission has noted a slight decrease in case filings as a result of COVID-19. The more responsible choice at this juncture will be to assess the Commission's case load and the fiscal circumstances as the pandemic continues. Nevertheless, the Commission has sought salary enhancements for the last 4 legislative sessions and this memorandum provides the background for these salary enhancement requests so that the Commission may provide direction whether it is prudent to request salary enhancements again this Session.

**NOTE:** After consultation with Commission Counsel, the Executive Director is disclosing and abstaining on any matters related to the Commission's decision whether to pursue salary enhancements for the Executive Director position. The following information includes an outline of existing and proposed data for various salaries in the Unclassified Service of the State, including the Executive Director Position. As the Executive Director, I am charged with preparing the Commission's biennial budget. If those budget decisions will implicate my own salary, it creates a potential pecuniary interest and requires a disclosure of the personal interest and abstention from any action related thereto. Consistent with the Commission's direction in years past and upon the direction of Vice-Chair Wallin in the Chair's absence, I am providing the factual background and data regarding salary issues for your consideration. As it relates to the Executive Director position, I am in no way advocating for or against the proposed salary enhancements and will take the direction of the Commission related thereto. The following information is provided for factual purposes only, and the Commission may determine whether any of the proposed salary enhancements are appropriate.

The Commission's mission is accomplished through its staff, consisting of six (6) unclassified employees. The salaries and titles of the Commission's staff are currently set by the Unclassified Pay Bill during each Legislative Session. Pursuant to NRS 281A.270, the Commission's overall budget is funded through a proportionate split between the State General Fund and Counties and Cities with certain threshold populations (currently 28% State, 72% Local Government). Accordingly, the requested salary enhancements will have a limited direct impact on the State General Fund.

The Commission has supported efforts during the last three Legislative Sessions to increase the salaries of certain staff positions to establish parity with our sister agency in the Judicial Branch, the Judicial Discipline Commission, as well as positions in many other comparable agencies in the State. In particular, two new Commissions were established during the 2019 Legislative Session which brought in higher salaries for certain similar positions/duties as those within the Ethics Commission, the Commission on Indigent Defense and the Sentencing Commission. The attached chart reflects the salary disparities for these agencies.

The Commission has an opportunity to determine whether it wishes to pursue these salary enhancements again this Session. Unfortunately, the current fiscal climate given the financial fall-out from COVID-19 makes requests for enhancements challenging and unpalatable. The Commission's Executive Director (ED), Commission Counsel (CC), Associate Counsel (AC) and Senior Legal Researcher (SLR), all have salaries which currently fall far short of the salaries and titles of their respective counterparts in other agencies with similar duties and responsibilities. The Commission is wholly reliant upon a qualified staff to achieve its mission, and the Executive Director respectfully requests your



consideration whether salary enhancements should be pursued in the upcoming Session. All said, the proposed salary enhancements, at the highest levels, would be for approximately \$69,689/year, with 28% State General Fund portion equating to \$19,513 and the 72% Local Government Portion of \$50,176, to be split proportionately among the local governments based upon population. These figures are based on salaries included in the 2019 State Compensation Schedule. This amount constitutes a limited fiscal impact to the State and reflects less money than the Commission has brought to the State General Fund in recent years through penalties imposed for Ethics violations.

During the 2017 Legislative Session, the Legislature provided a slight salary enhancement to the Executive Director and Commission Counsel positions, and simultaneously enacted SCR 6 requiring an Interim salary study of the unclassified and non-classified positions within the State, including specifically the positions within the Ethics Commission, Gaming Control Board and Public Utilities Commission. The Commission participated in this Interim study, the results of which, in part, are attached for your reference. The salary study confirmed the disparity in salaries for the Executive Director, Commission Counsel and Associate Counsel positions to similar positions in the State.

Notably, the Nevada Division of Human Resource Management (DHRM) provided the Interim Committee with a breakdown of the “tiers” within the Unclassified Pay System to show the nature/comparison of which positions fall within certain salary tiers. The Executive Director and Commission Counsel positions were upgraded in 2017 to the 7<sup>th</sup> tier from the lowest level tier for attorneys in prior years. However, in reviewing the 7<sup>th</sup> tier, the only Executive Director and General Counsel positions in the State within that tier are for the Ethics Commission. Furthermore, the Associate Counsel position was not expressly identified in any tier, but based upon the salary, it shows that the Associate Counsel remains comparable to the lowest tier for attorneys in the State.

The Commission may wish to seek the Governor’s reconsideration of the appropriate tiers within the Unclassified Pay Bill for these three positions. The Salary Study also included a salary survey conducted by DHRM of the 3 Commission positions to similarly situated positions in the private sector and/or comparable government agencies in other states and local jurisdictions. The results of this survey further revealed the disparity in salaries for these three positions to those markets.

These pay disparities have resulted in increased turnover, extended vacancies and a shortage of qualified candidates for an already limited number of staff. Notably, the Commission has suffered multiple vacancies at the hands of the Judicial Discipline Commission, which has already recruited three of the Commission’s 6 employees at significantly enhanced titles and higher salaries for the same duties and responsibilities. Most recently, the Commission lost its Associate Counsel position based upon a higher paying job opportunity.

The Commission has produced actual and meaningful reforms in the processing of matters before the Commission and production of quality and consistent opinions. In 2017, the Commission passed Senate Bill 84 which eliminated and streamlined cumbersome processes. With these amendments, the Commission staff has met increased challenges with a doubled case load and achieved revised performance measures. The Commission revamped its entire regulatory process, updated all of its forms and moved to an online case management system. In FY20, the Commission received the most requests for Advisory Opinions in its history and completed all matters and abstract opinions within



the same fiscal year. While the current staff is outstanding, the Commission may wish to approach this decision based upon the similarity of job duties and requirements of the various positions and associated efforts at recruitment and retention. The retention of quality staff is critical to produce consistent work product in an efficient and professional manner, including qualified responses to important legal and judicial matters. Institutional knowledge in a unique agency such as the Commission on Ethics is invaluable. Appropriate salaries will limit excessive turnover, low quality of applicants for vacant positions, and comparison of private sector pay.

Accordingly, the Commission is asked to consider whether requesting salary increases for certain positions is prudent in the coming biennium. To be sure, the salary enhancements are justified, however, the Commission is asked to deliberate and consider whether the request should be pursued for the Governor's consideration in light of the current fiscal climate. The following salary enhancements are suggestions for the Executive Director, Commission Counsel, Associate Counsel and Senior Legal Researcher. Each request is detailed below. Upon further review of the Commission's remaining positions for the Investigator and Executive Assistant, the salaries for these positions throughout the Unclassified Pay Bill are uniform and any change to the salaries of these positions would require a reclassification, a new title and/or a new position. In the Pay Bill, there are Investigators and Chief Investigators. However, the Chief Investigators are within larger departments that appear to supervise other investigators. Every Board/Commission has an Executive Assistant, all of whom are paid under the same scale.

#### **Executive Director and Commission Counsel:**

The Commission's Executive Director and Commission Counsel are currently paid at the lower end of the unclassified pay scale for agency directors and general counsel positions in the State. The Executive Director is statutorily appointed by the Commission and charged with administering the agency, appointing and supervising the staff, directing and approving all budgetary matters, training and educating public officers and employees, investigating complaints, presenting evidentiary and legal hearings, proposing and presenting regulations and legislation and serving as back-up legal support for the Commission Counsel. The Commission Counsel is statutorily appointed by the Commission to serve as the Commission's General Counsel and legal advisor in all matters. Commission Counsel is responsible for preparing the Commission for legal interpretation of all matters, including hearings, both advisory and adjudicatory, writing all final orders and opinions of the Commission and defending the Commission in any litigation. Given the small staff, these positions are not solely management/review positions, but are producing the work product as well.

Both positions operate with significant autonomy and offer the Commission licensed, legal professionals who also provide continuing legal education to the Bar. However, both positions are paid at the level of a senior deputy attorney general in the State rather than independent directors and attorneys.

For comparison, the Commission relies heavily on the salaries and titles of the Judicial Discipline Commission, as it is the only agency of government that operates in the same fashion as the Commission and imposes the same duties and responsibilities on staff. The salaries in that agency far exceed the salaries of the Commission's Executive Director and Commission Counsel. In contrast, the Judicial Branch also funds separate outside investigators and prosecuting attorneys to handle the same processes and legal work that is conducted in house by the Commission's Executive Director and Commission Counsel.

More recently, the Legislature approved of the creation of 2 new Commissions during the 2019 Legislative Session. The salaries proved to be significantly higher than those of certain Ethics Commission staff. A review of the Job Descriptions revealed substantially similar duties to those imposed on Commission Staff. See attached job comparisons.

### **Associate Counsel:**

In 2013, the Commission acquired its Associate Counsel Position, under the direction of the Executive Director. This position was a critical addition to the staff to ensure proper due process of ethics complaints and separation between the roles of the Executive Director related to investigations/prosecutions and the Commission Counsel in its advisory capacity to the Commission, and also to ensure that the Commission expedited and finalized its cases and resolved its backlog of written opinions. The Commission has not had a backlog of opinions or cases since 2013. The Associate Counsel is a supervised position but operates in a professional and independent legal position to advise and conduct investigations, negotiations and present evidence in adjudicatory proceedings of contested cases.

The Associate Counsel position is a unique title within the Unclassified Pay Bill, but the same title as that within the Judicial Discipline Commission for nonclassified service. The position was originally established at the same salary as the Executive Director and Commission Counsel, until 2017 when the Legislature provided a slight enhancement for the Executive Director and Commission Counsel. Currently, the Judicial Discipline Commission pays its Associate Counsel at the higher level of pay currently authorized for the Ethics Commission's Executive Director and Commission Counsel. The Associate Counsel position should be paid at the equivalent salary of a senior deputy attorney general level and in parity with the Judicial Discipline Commission's Associate Counsel, and the compensation of the ED and CC should be adjusted upward accordingly as identified above.

### **Senior Legal Researcher:**

The Commission's Senior Legal Researcher also holds a unique position within the Unclassified Pay Bill. The Senior Legal Researcher serves as the Commission's para-professional legal support staff, including substantive legal research, paralegal responsibilities, legal secretarial duties and case management of all legal matters.

The salary for this position has an unfortunate history. The position was originally created as the only classified position in the agency to accommodate a particular person. When that person left in 2010, the Commission moved this position to the unclassified service and an unfortunate salary disparity occurred in the approved salary in the unclassified pay bill. A senior level position was transferred to the lowest paid position within the agency, at a salary less than the Commission's Executive Assistant and less than a non-senior level legal researcher in other agencies represented in the Unclassified Pay Bill. The Commission has attempted to remedy this issue in each Session since 2011.

Notably, in 2015, the Nevada Legislature approved a compensation adjustment throughout the Unclassified Pay Bill for "Legal Researchers." However, the salary of the Commission's Senior Legal Researcher was not likewise adjusted. The consequence was higher salaries for legal researchers than the Commission's *Senior* Legal Researcher. At a very minimum this salary was adjusted in the 2017 Session to achieve the same increase for the Commission's SLR as was made for all non-senior level legal researchers. However,

the Commission's SLR position did not receive "senior" status with regard to salary and is currently paid at the same level as non-senior paralegals. Moreover, the responsibilities of this single position within the agency warrants a closer look at comparable positions in State Government. The Commission's Senior Legal Researcher is responsible for supporting 3 lawyers within the agency, each with unique and statutorily separated functions, substantive research and coordination, and overall case management. The position is responsible for significant research and analysis of legal issues and agency operations, legislative impacts and statistical information along with technology-based skills with web application and database management. Furthermore, the position is responsible for researching and writing agency policies, collecting and analyzing form submissions and making recommendations regarding agency programming. The equivalent position in the Judicial Discipline Commission is a Management Analyst IV. The Commission's SLR does not have supervisory responsibilities and therefore the Commission seeks a title and salary enhancement for this position to a Management Analyst III level equivalent or legal case manager.

Please feel free to contact me with any questions. Thank you for your time and consideration regarding these adjustments.

[/s/ Yvonne M. Nevarez-Goodson](#)  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Unclassified Service (Employee/Employer Retirement System) – Maximum Salary Ranges

<b><u>Position:</u></b>	<b><u>Current Salary (Maximum)</u></b>	<b><u>Requested Salary (Maximum)</u></b>
Executive Director	\$120,334 (2019 Unclassified Pay Bill)  Proposed Difference: = \$20,277	\$140,611 (2019 Unclassified Pay Bill)  Judicial: \$159,347 Indigent Def. Comm. Dir: \$140,611; Dep Dir: \$139,346 Sentencing Comm. Dir: \$140,611 PUC: \$131,743 PEBP: \$139,346 Sup. Ct. Administrator: \$139,346 Chief Clerk: \$158,347
Commission Counsel	\$120,334 (2019 Unclassified Pay Bill)  Proposed Difference: = \$20,277	\$140,611 (2019 Unclassified Pay Bill)  AG General Counsel/Solicitor General/special counsel: \$149,272 State Public Def: \$133,012 PUC Chief Attny: \$133,012 Sr. Appeals Officer: \$133,012 Chief Deputy AG: \$133,012 Sup Ct. Ass. Clerk: \$133,012

Associate Counsel:	\$107,676 (2019 Unclassified Pay Bill)  Difference: = \$12,668	\$120,344 (2019 Unclassified Pay Bill)  Supervising Public Def: \$120,344 Senior DAG: \$120,344 Senior Attorney: \$120,344 Sup. Ct. Supervising Attny: \$120,344 Judicial: \$120,000
Senior Legal Researcher	\$63,340 (2019 Unclassified Pay Bill) –  Same as Executive Assistant  Proposed Difference: = \$16,467	\$79,807 (2019 Unclassified Pay Bill)  Equivalent Management Analyst III – (Grade 37) – 2018 Salary: \$54,329 - \$80,972 PUC – Legal Case Mngr: \$79,807

Total Requested Enhancement: \$69,689

28% State = \$19,513

72% Local Government = \$50,176

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
1	Director	U4902	DIRECTOR, ADMINISTRATION	DEPARTMENT OF ADMINISTRATION	\$135,525
		U4100	DIRECTOR, BUSINESS & INDUSTRY	DEPARTMENT OF BUSINESS AND INDUSTRY	\$135,525
		U4930	DIRECTOR, GOVERNOR'S FINANCE OFFICE	GOVERNOR'S OFFICE OF FINANCE	\$135,525
		U4901	DIRECTOR, CONS/NAT RESOURCES	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$135,525
		U4704	DIRECTOR, CORRECTIONS	DEPARTMENT OF CORRECTIONS	\$135,525
		U4500	DIRECTOR, DETR	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$135,525
		U4900	DIRECTOR, HEALTH & HUMAN SVCS	DEPARTMENT OF HEALTH & HUMAN SVCS	\$135,525
		U4602	DIRECTOR, MOTOR VEHICLES	DEPARTMENT OF MOTOR VEHICLES	\$135,525
		U4130	DIRECTOR, PUBLIC SAFETY	DEPARTMENT OF PUBLIC SAFETY	\$135,525
		U4701	DIRECTOR, TAXATION	DEPARTMENT OF TAXATION	\$135,525
		U5000	DIRECTOR, TRANSPORTATION	DEPARTMENT OF TRANSPORTATION	\$135,525
		U4802	SUPT OF PUBLIC INSTRUCTION	DEPARTMENT OF EDUCATION	\$135,525
2	Deputy Director	U4702	CHAIR	PUBLIC UTILITIES COMMISSION OF NEVADA	\$132,540
	Director	U4705	DEP DIRECTOR, NDOT (EA)	DEPARTMENT OF TRANSPORTATION	\$132,540
3	Director	U0978	COURT ADMINISTRATOR	SUPREME COURT	\$131,347
		U2800	EXECUTIVE OFFICER	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$131,347
	Deputy Director	U4110	DEPUTY DIRECTOR, MOTOR VEHICLES	DEPARTMENT OF MOTOR VEHICLES	\$131,347
		U4109	DEP DIRECTOR, PUBLIC SAFETY	DEPARTMENT OF PUBLIC SAFETY	\$131,347
	Division Administrator	U4703	ADMR PUBLIC WORKS DIVISION	DEPARTMENT OF ADMINISTRATION	\$131,347
		U4708	DIV ADMNR, WATER RESOURCES	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$131,347
		U4509	DIV ADMNR, ENVIRON PROTECTION	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$131,347
		U5300	DIV ADMNR, PUBLIC & BEHAVIORAL HEALTH	DEPARTMENT OF HEALTH & HUMAN SVCS	\$131,347
		U4404	DIV ADMNR, PAROLE & PROBATION	DEPARTMENT OF PUBLIC SAFETY	\$131,347
		U9010	CHIEF, NEVADA HIGHWAY PATROL	DEPARTMENT OF PUBLIC SAFETY	\$131,347
		U9123	ASST DIRECTOR OPERATIONS	DEPARTMENT OF TRANSPORTATION	\$131,347
		U9036	ASST DIRECTOR ENGINEERING	DEPARTMENT OF TRANSPORTATION	\$131,347
4	Division Administrator	U4530	SR APPEALS OFFICER	DEPARTMENT OF ADMINISTRATION	\$125,377
		U4510	DIV ADMR, ATTY FOR INJURD WKRS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$125,377
		U4502	STATE PUBLIC DEFENDER	OFFICE OF THE STATE PUBLIC DEFENDER	\$125,377
	Managing Attorney (including ALJ's and Hearings Officers)	U9016	CHIEF ADM LAW JUDGE (LIC ATTY)	DEPARTMENT OF MOTOR VEHICLES	\$125,377
		U9108	CHIEF, ADM LAW JUDGE (LIC ATTY)	DEPARTMENT OF TAXATION	\$125,377
		U0920	CHIEF DEPUTY ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$125,377
		U3903	CHIEF ATTORNEY, PUC (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$125,377

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
5	Director	U4307	ADJUTANT GENERAL	OFFICE OF THE MILITARY	\$124,181
		U4700	DIRECTOR OF AGRICULTURE	DEPARTMENT OF AGRICULTURE	\$124,181
		U4407	EXECUTIVE DIRECTOR	PUBLIC UTILITIES COMMISSION OF NEVADA	\$124,181
		U4304	DIRECTOR, WILDLIFE	DEPARTMENT OF WILDLIFE	\$124,181
		U4611	EXECUTIVE DIR, SILVER STATE HEALTH INS EXC	SILVER STATE HEALTH INSURANCE EXCHANGE	\$124,181
		U4807	DIRECTOR, TOURISM AND CULTURAL AFFAIRS	COMMISSION ON TOURISM & CULTURAL AFFAIRS	\$124,181
	Deputy Director	U3701	CHIEF DEPUTY	OFFICE OF THE SECRETARY OF STATE	\$124,181
		U4107	CHIEF DEPUTY STATE TREASURER	OFFICE OF THE STATE TREASURER	\$124,181
		U4016	CHIEF OF STAFF	OFFICE OF THE STATE TREASURER	\$124,181
		U9201	CHIEF DEPUTY DIRECTOR	DEPARTMENT OF TAXATION	\$124,181
		U4709	DEP DIRECTOR, OPERATIONS NORTH	DEPARTMENT OF CORRECTIONS	\$124,181
		U9033	DEP DIRECTOR, INDUSTRIAL PGMS	DEPARTMENT OF CORRECTIONS	\$124,181
		U9034	DEP DIRECTOR, OPERATIONS SOUTH	DEPARTMENT OF CORRECTIONS	\$124,181
		U9035	DEP DIRECTOR, SUPPORT SERVICES	DEPARTMENT OF CORRECTIONS	\$124,181
		U4931	DEP DIRECTOR, GOVERNOR'S FINANCE OFFICE	GOVERNOR'S OFFICE OF FINANCE	\$124,181
		U4305	DEPUTY DIRECTOR, ADMIN	DEPARTMENT OF ADMINISTRATION	\$124,181
		U3705	DEPUTY DIRECTOR, DETR	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$124,181
	Division Administrator	U4804	DIRECTOR, REGULATORY OPERATIONS	PUBLIC UTILITIES COMMISSION OF NEVADA	\$124,181
		U4108	DIV ADMNR, CHILD & FAMILY SVCS	DEPARTMENT OF HEALTH & HUMAN SVCS	\$124,181
		U4600	DIV ADMNR, EMPLOYMENT SECURITY	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$124,181
		U4610	DIV ADMNR, HCFP	DEPARTMENT OF HEALTH & HUMAN SVCS	\$124,181
		U3704	DIV ADMNR, HOMELAND SECURITY	DEPARTMENT OF PUBLIC SAFETY	\$124,181
		U4925	DIVISION ADMNR EITS	DEPARTMENT OF ADMINISTRATION	\$124,181
		U4218	DIV ADMNR, AGING AND DISABILITY SERVICES	DEPARTMENT OF HEALTH & HUMAN SVCS	\$124,181
		U9002	DIV ADMNR, INVESTIGATIONS	DEPARTMENT OF PUBLIC SAFETY	\$124,181
		U4806	DIV ADMR, WELFARE & SUPPORT SVC	DEPARTMENT OF HEALTH & HUMAN SVCS	\$124,181
		U4303	DIVISION ADMINISTRATOR, INSURANCE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$124,181
U4501	PUBLIC UTILITIES COMMISNR (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$124,181		

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
6		U4729	DEPUTY DIRECTOR, AGRICULTURE	DEPARTMENT OF AGRICULTURE	\$114,032
		U9104	DEP DIRECTOR, FISCAL SVCS	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U4608	DEP DIRECTOR, PROGRAMS (HR)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
	Deputy Director	U4003	CHIEF DEPUTY CONTROLLER	OFFICE OF CONTROLLER	\$114,032
		U4506	DEP SUPT INSTRUCT/RSRCH/EVAL (EA)	DEPARTMENT OF EDUCATION	\$114,032
		U4111	DEPUTY DIRECTOR, PROGRAMS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$114,032
		U4300	DEPUTY DIRECTOR, TAXATION	DEPARTMENT OF TAXATION	\$114,032
		U9103	DEPUTY DIRECTOR, WILDLIFE	DEPARTMENT OF WILDLIFE	\$114,032
		U3402	ADMNR, VETERANS' HOME	VETERANS' SERVICES	\$114,032
		U3910	CHAIRMAN, BOARD OF PAROLE COMM	DEPARTMENT OF PUBLIC SAFETY	\$114,032
		U9027	DEP ADMR, B & G PUBLIC WORKS DIVISION	DEPARTMENT OF ADMINISTRATION	\$114,032
		U3611	DEP SEC OF STATE, ELECTIONS	OFFICE OF THE SECRETARY OF STATE	\$114,032
		U9102	ASST DIRECTOR ADMINISTRATIVE SVCS	DEPARTMENT OF TRANSPORTATION	\$114,032
		U4604	DIVISION ADMR HUMAN RESOURCE MGMT	DEPARTMENT OF ADMINISTRATION	\$114,032
		U9122	DIV ADMIN, ADMINISTRATIVE SERVICES	DEPARTMENT OF ADMINISTRATION	\$114,032
		U9021	DIV ADMNR, DMV COMPLIANCE/ENFORCE	DEPARTMENT OF MOTOR VEHICLES	\$114,032
	Division Administrator	U9018	DIV ADMNR, DMV FIELD SERVICES	DEPARTMENT OF MOTOR VEHICLES	\$114,032
		U4204	DIV ADMNR, FORESTRY	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$114,032
		U4516	DIV ADMNR, INDUSTRIAL RELATNS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$114,032
		U9119	DIV ADMNR, INFO DEVEL & PROCES	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$114,032
		U4209	DIV ADMNR, INTERNAL AUDITS	GOVERNOR'S OFFICE OF FINANCE	\$114,032
		U9032	ASST DIRECTOR PLANNING & PRG DEVEL	DEPARTMENT OF TRANSPORTATION	\$114,032
		U4511	DIV ADMNR, REHABILITATION	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$114,032
		U4202	DIV ADMNR, STATE PARKS	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$114,032
		U9012	DIV ADMNR, DMV AUTOMATION	DEPARTMENT OF MOTOR VEHICLES	\$114,032
		U4203	DIV ADMNR, STATE FIRE MARSHAL	DEPARTMENT OF PUBLIC SAFETY	\$114,032
		U4033	SR DEP STATE TREASURER (EA)	OFFICE OF THE STATE TREASURER	\$114,032



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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
7		U9993	DIRECTOR, ENERGY OFFICE	OFFICE OF ENERGY	\$113,436
		U4508	APPEALS OFFICER, HEARINGS (EA)	DEPARTMENT OF ADMINISTRATION	\$113,436
		U4518	SR ATTY INDUSTRIAL RELATIONS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$113,436
		U3709	SR DEP ATTY, INJURED WKRS (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$113,436
		U4521	SENIOR ATTORNEY	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$113,436
		U2901	EXECUTIVE DIRECTOR, ETHICS	COMMISSION ON ETHICS	\$113,436
	Supervising/Senior Attorney	U0974	SUPERVISORY STAFF ATTORNEY (EA)	SUPREME COURT	\$113,436
		U4006	SPVG PUB DEFENDR-APPEALS	OFFICE OF THE STATE PUBLIC DEFENDER	\$113,436
		U4004	SPVG PUB DEFENDR-OFFICE	OFFICE OF THE STATE PUBLIC DEFENDER	\$113,436
		U4005	SPVG PUB DEFENDR-TRIAL	OFFICE OF THE STATE PUBLIC DEFENDER	\$113,436
		U4140	ADMIN LAW JUDGE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$113,436
		U9207	ADMIN LAW JUDGE (LICENSED ATTY) EA	DEPARTMENT OF MOTOR VEHICLES	\$113,436
		U9208	ADMIN LAW JUDGE (LIC ATTY)	DEPARTMENT OF TAXATION	\$113,436
		U2902	COMMISSION COUNSEL	COMMISSION ON ETHICS	\$113,436
	Supervising ALJ (not attorney)	U0934	SR DEPUTY ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$113,436
		U3811	SR ATTORNEY, PUC (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$113,436
		U9206	CH ADM LAW JUDG (NOT LIC ATTY)	DEPARTMENT OF MOTOR VEHICLES	\$113,436

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
8	Director	U3404	DIRECTOR, POST	PEACE OFFICERS STANDARDS & TRAINING	\$103,884
		U4819	DIRECTOR STATE PUBLIC CHARTER SCH AUTH	STATE PUBLIC CHARTER SCHOOL AUTHORITY	\$103,884
		U9041	CHIEF GAME WARDEN	DEPARTMENT OF WILDLIFE	\$103,884
		U3608	DEP SEC OF STATE, COMM RECORD	OFFICE OF THE SECRETARY OF STATE	\$103,884
		U3612	DEP SEC OF STATE, OPERATIONS	OFFICE OF THE SECRETARY OF STATE	\$103,884
		U3610	DEP SEC OF STATE, SO NEVADA	OFFICE OF THE SECRETARY OF STATE	\$103,884
		U4032	DEP STATE TREASURER, UNC PROP	OFFICE OF THE STATE TREASURER	\$103,884
		U4000	DEP STATE TREASURER-CASH MGMT	OFFICE OF THE STATE TREASURER	\$103,884
		U4002	DEP STATE TREASURER-DEBT SVC	OFFICE OF THE STATE TREASURER	\$103,884
		U4850	CHIEF DEPUTY, ADMINISTRATION	DEPARTMENT OF TOURISM & CULTURAL AFFAIRS	\$103,884
		U9090	DIV ADMNR, STATE ARTS COUNCIL	DEPARTMENT OF TOURISM & CULTURAL AFFAIRS	\$103,884
		U3809	DIV ADMINISTRATOR, HOUSING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U4306	DIV ADMINISTRATOR, REAL ESTATE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U4718	DIV ADMNR, CONSUMER EQUITABILITY	DEPARTMENT OF AGRICULTURE	\$103,884
		U3502	DIV ADMNR, ATHLETIC COMMISSION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U9014	DIV ADMNR, CAPITOL POLICE	DEPARTMENT OF PUBLIC SAFETY	\$103,884
	Division Administrator	U9115	DIV ADMNR, DMV ADMIN SVCS	DEPARTMENT OF MOTOR VEHICLES	\$100,858
		U9020	DIV ADMNR, DMV CENTRAL SVCS	DEPARTMENT OF MOTOR VEHICLES	\$103,884
		U9022	DIV ADMNR, DMV MGMT SERVICES	DEPARTMENT OF MOTOR VEHICLES	\$103,884
		U9013	DIV ADMNR, DMV MOTOR CARRIER	DEPARTMENT OF MOTOR VEHICLES	\$103,884
		U4205	DIV ADMNR, LABOR COMMISSION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U4312	DIV ADMNR, MORTGAGE LENDING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U9078	DIV ADMNR, PURCHASING	DEPARTMENT OF ADMINISTRATION	\$103,884
		U4308	DEFERRED COMP EXEC OFFICER	DEPARTMENT OF ADMINISTRATION	\$103,884
		U5010	DIV ADMNR, PLANT INDUSTRY	DEPARTMENT OF AGRICULTURE	\$103,884
		U5014	FISCAL ADMINISTRATOR	DEPARTMENT OF AGRICULTURE	\$103,884
		U4206	DIV ADMNR, STATE LANDS	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$103,884
		U5011	DIV ADMNR, FOOD AND NUTRITION	DEPARTMENT OF AGRICULTURE	\$103,884
		U4311	DIV ADMR, FINANCIAL INSTITUTNS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U9071	DIV ADMR, HISTORIC PRESERVATN	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$103,884
		U4220	DIV ADMR, MUSEUMS & HISTORY	COMMISSION ON TOURISM & CULTURAL AFFAIRS	\$103,884
		U9092	DIV ADMR, ST LIBRARY/ARCHIVES	DEPARTMENT OF ADMINISTRATION	\$103,884
		U4015	EXEC DIR, MILLENNIUM SCHOLARSH	OFFICE OF THE STATE TREASURER	\$103,884
		U9072	INSUR COUNSEL/HEARING OFR (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U4104	DEP DIRECTOR, ADMINISTRATION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884

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**Sorted by Tier and Description**

TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
	Director	U3400	DIRECTOR, VETERANS' SERVICES	VETERANS' SERVICES	\$101,495
<b>9</b>	Attorney	U4537	ATTORNEY, PURCHASING	DEPARTMENT OF ADMINISTRATION	\$101,495
		U9015	ADMIN LAW JUDGE (NOT LIC ATTY)EA	DEPARTMENT OF MOTOR VEHICLES	\$101,495
		U4517	ATTORNEY, INDUS RELATIONS (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U9069	ATTORNEY, TAXICAB AUTHORITY	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U0977	STAFF ATTORNEY (EA)	SUPREME COURT	\$101,495
		U3816	ATTORNEY, TSA AUTHORITY	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U0963	DEP ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$101,495
		U3912	DEP ATTY, INJURED WRKRS (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U3907	DEP PUBLIC DEFENDER (EA)	OFFICE OF THE STATE PUBLIC DEFENDER	\$101,495
		U4824	STAFF ATTORNEY	STATE PUBLIC CHARTER SCHOOL AUTHORITY	\$101,495
		U3922	DEP PUBLIC DEFENDER-APPELL (EA)	OFFICE OF THE STATE PUBLIC DEFENDER	\$101,495
<b>10</b>	Deputy Director	U4821	DEP DIR, STATE PUBLIC CHARTER SCHOOL AUTH	STATE PUBLIC CHARTER SCHOOL AUTHORITY	\$93,137
		U4822	DIR, SAFE AND REPECT LEARNING OFFICE	DEPARTMENT OF EDUCATION	\$93,137
		U9054	DEPUTY DIRECTOR, POST	PEACE OFFICERS STANDARDS & TRAINING	\$93,137
		U9039	DIV ADMNR, CONSERVATION EDU	DEPARTMENT OF WILDLIFE	\$93,137
	Division	U4904	DIV ADMNR, EMPL-MGMT RELATIONS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$93,137
	Administrator	U5017	DIV ADMNR, ANIMAL INDUSTRY	DEPARTMENT OF AGRICULTURE	\$93,137
		U9098	DIV ADMNR, FISH MANAGEMENT	DEPARTMENT OF WILDLIFE	\$93,137
		U9116	DIV ADMNR, GAME MANAGEMENT	DEPARTMENT OF WILDLIFE	\$93,137
		U4735	COMMUNICATIONS DIRECTOR	DEPARTMENT OF TRANSPORTATION	\$93,137
		U9117	DIV ADMNR, HABITAT	DEPARTMENT OF WILDLIFE	\$93,137
		U3803	DIV ADMNR, NERC	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$93,137
		U9042	DIV DEP ADMR HUMAN RESOURCE MGMT	DEPARTMENT OF ADMINISTRATION	\$93,137
		U0931	CHIEF PERSONNEL MANAGER	OFFICE OF THE ATTORNEY GENERAL	\$93,137
		U9080	DIV ADMNR, RISK MANAGEMENT	DEPARTMENT OF ADMINISTRATION	\$93,137
		U9121	DIV ADMNR, WILDLIFE ADMIN	DEPARTMENT OF WILDLIFE	\$93,137
		U9124	DIV ADMNR, WILDLIFE DIVERSITY	DEPARTMENT OF WILDLIFE	\$93,137
		U3911	PAROLE BOARD MEMBER (EA)	DEPARTMENT OF PUBLIC SAFETY	\$93,137
<b>11</b>	Deputy Director	U3200	DEP DIRECTOR, PROGRAMS & SVCS	VETERANS' SERVICES	\$86,569
		U3201	DEP DIRECTOR, HEALTH AND WELLNESS	VETERANS' SERVICES	\$86,569
		U9118	DIV ADMNR, HWY SAFETY PLAN/ADMIN	DEPARTMENT OF PUBLIC SAFETY	\$86,569
		U4607	ADMR,EQUAL EMPLOYMNT OPPORTUNTY	DEPARTMENT OF ADMINISTRATION	\$86,569
		U3814	DIV ADMNR, FLEET SERVICES	DEPARTMENT OF ADMINISTRATION	\$86,569
		U9077	DIV ADMNR, NATURAL HERITAGE	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$86,569
		U3706	CHF, DISABILITY EMPLOY POLICY	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$86,569

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
12	Division Administrator	U3808	EXEC DIR, NV INDIAN COMMISSION	COMMISSION ON TOURISM & CULTURAL AFFAIRS	\$75,226
		U3702	DIST SUPV, WATER COMMISSIONER	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$75,226
		U3810	ADMINISTRATIVE ATTORNEY (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$75,226
		U4707	HEARING OFFICER	DEPARTMENT OF TRANSPORTATION	\$75,226
	Director	U4512	HEARING OFFICER (EA)	DEPARTMENT OF ADMINISTRATION	\$75,226
		U9070	HEARING OFFICER (EA)	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$75,226
	Hearing Officer (not attorney)				

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U3750	EXECUTIVE ASSISTANT	OFFICE OF CONTROLLER	\$59,704
13	Executive Assistan	U0904	EXECUTIVE ASSISTANT	OFFICE OF THE ATTORNEY GENERAL	\$59,704
	Assistant and	U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF BUSINESS AND INDUSTRY	\$59,704
	support staff for a	U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF EDUCATION	\$59,704
	board or	U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$59,704
	commission	U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF ADMINISTRATION	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF HEALTH & HUMAN SVCS	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF MOTOR VEHICLES	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF PUBLIC SAFETY	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF CORRECTIONS	\$59,704
		U9009	EXECUTIVE ASSISTANT	PUBLIC UTILITIES COMMISSION OF NEVADA	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF TAXATION	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF TRANSPORTATION	\$59,704
		U9009	EXECUTIVE ASSISTANT	GOVERNOR'S OFFICE OF FINANCE	\$59,704
		U9009	EXECUTIVE ASSISTANT	COMMISSION ON ETHICS	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF AGRICULTURE	\$59,704
		U9009	EXECUTIVE ASSISTANT	HIGH LEVEL NUCLEAR PROJECTS OFFICE	\$59,704
		U9009	EXECUTIVE ASSISTANT	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$59,704
		U9009	EXECUTIVE ASSISTANT	PEACE OFFICERS STANDARDS & TRAINING	\$59,704
		U3506	EXECUTIVE ASSISTANT, PAROLE BOARD	DEPARTMENT OF PUBLIC SAFETY	\$59,704
		U9009	EXECUTIVE ASSISTANT	SILVER STATE HEALTH INSURANCE EXCHANGE	\$59,704
		U9009	EXECUTIVE ASSISTANT	VETERANS' SERVICES	\$59,704
		U9009	EXECUTIVE ASSISTANT	DEPARTMENT OF WILDLIFE	\$59,704
		U2701	EXEC ASST, EMPLOY-MGMT RELATNS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$59,704
		U3613	EXECUTIVE ASSISTANT	OFFICE OF THE SECRETARY OF STATE	\$59,704
		U4011	EXECUTIVE ASSISTANT	OFFICE OF THE STATE TREASURER	\$59,704
	Professionals with Specialized Skills or Currently Unclassified and Do Not Meet One of The Other Tier Criteria	U5306	CHIEF MEDICAL OFFICER	DEPARTMENT OF HEALTH & HUMAN SVCS	\$228,996
		U4645	STATEWIDE PSYCHIATRIC MEDICAL DIRECTOR	DEPARTMENT OF HEALTH & HUMAN SVCS	\$219,649
		U4717	MEDICAL DIRECTOR	DEPARTMENT OF CORRECTIONS	\$203,074
		U5301	MEDICAL PGM COORD, MH (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$201,187
		U9088	SR PSYCHIATRIST (RANGE C) (EA)	MEDICAL AND RELATED POSITIONS	\$187,711
		U5307	MEDICAL EPIDEMIOLOGIST	DEPARTMENT OF HEALTH & HUMAN SVCS	\$165,134
		U9087	SR PHYSICIAN (RANGE C) (EA)	MEDICAL AND RELATED POSITIONS	\$165,134

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U4120	STATE DENTAL HEALTH OFFICER	DEPARTMENT OF HEALTH & HUMAN SVCS	\$165,134
		U4801	CHAIRMAN, GAMING CONTROL BOARD	GAMING CONTROL BOARD	\$158,879
			NV NATIONAL GRD OFCR-SAD (EA)	OFFICE OF THE MILITARY	\$151,979
		U9082	CHIEF CLERK	SUPREME COURT	\$149,257
		U0919	GENERAL COUNSEL	COMMISSION ON JUDICIAL DISCIPLINE	\$149,257
		U0927	ASST ATTORNEY GENERAL	OFFICE OF THE ATTORNEY GENERAL	\$149,257
		U0910	CHIEF OF STAFF	OFFICE OF THE ATTORNEY GENERAL	\$149,257
		U4503	MEMBER, GAMING CONTROL BD (EA)	GAMING CONTROL BOARD	\$147,729
		U9086	SR INSTITUTIONAL DENTIST (B) EA	MEDICAL AND RELATED POSITIONS	\$146,916
		U0937	GENERAL COUNSEL	OFFICE OF THE ATTORNEY GENERAL	\$140,703
		U0936	SPECIAL COUNSEL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$140,703
		U0930	CONSTRUCTION LAW COUNSEL	OFFICE OF THE ATTORNEY GENERAL	\$140,703
		U0926	SOLICITOR GENERAL	OFFICE OF THE ATTORNEY GENERAL	\$140,703
		U4803	DIRECTOR, COLORADO RIVER COMM	COLORADO RIVER COMMISSION	\$139,881
		U0968	BUREAU CHIEF	OFFICE OF THE ATTORNEY GENERAL	\$135,525
		U4317	LEAD ACTUARY, INSURANCE (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$133,786
		U4001	DEP DIRECTOR	COLORADO RIVER COMMISSION	\$132,999
	Professionals with Specialized Skills or Currently Unclassified and Do Not Meet One of The Other Tier Criteria	U4037	ENERGY SERVICES MANAGER	COLORADO RIVER COMMISSION	\$132,999
		U9011	LIEUTENANT COLONEL, NHP	DEPARTMENT OF PUBLIC SAFETY	\$131,347
		U9076	PHARMACIST 3 (EA)	MEDICAL AND RELATED POSITIONS	\$127,832
		U4014	ADMIN SERVICES OFFICER	COLORADO RIVER COMMISSION	\$126,744
		U4013	DIVISION HEAD, WATER	COLORADO RIVER COMMISSION	\$126,744
		U4023	ASST DIRECTOR ENGR & OPS	COLORADO RIVER COMMISSION	\$126,666
		U0982	CHIEF ASSISTANT CLERK	SUPREME COURT	\$125,377
		U0920	CHIEF DEPUTY ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$125,377
		U4504	DEP ADMR, PROF SVCS PUBLIC WORKS DIVISION	DEPARTMENT OF ADMINISTRATION	\$124,181
		U4720	DEP ADMR, CODE COMP & ENF PUBLIC WORKS	DEPARTMENT OF ADMINISTRATION	\$124,181
		U4009	DEP STATE TREASURER-INVESTMENT	OFFICE OF THE STATE TREASURER	\$124,181
		U4905	EXECUTIVE DIRECTOR	NUCLEAR PROJECTS OFFICE	\$122,330
		U4012	DIVISION HEAD, POWER	COLORADO RIVER COMMISSION	\$121,834
		U1062	CHIEF, TECHNOLOGY	GAMING CONTROL BOARD	\$121,749
		U4711	DIV ADMINISTRATOR, TSA	DEPARTMENT OF BUSINESS AND INDUSTRY	\$121,230
		U4103	DIV ADMNR, TAXICAB AUTHORITY	DEPARTMENT OF BUSINESS AND INDUSTRY	\$121,230
		U4029	HYDROPOWER PROGRAM MGR	COLORADO RIVER COMMISSION	\$120,334
		U3720	DIV ADMNR, GENERAL SERVICES	DEPARTMENT OF PUBLIC SAFETY	\$119,137
		U4022	POWER SUPPLY MANAGER	COLORADO RIVER COMMISSION	\$116,921
		U4719	STATE VETERINARIAN	DEPARTMENT OF AGRICULTURE	\$116,383
	U9075	PHARMACIST 2 (EA)	MEDICAL AND RELATED POSITIONS	\$116,210	
	U4302	DEP SUPT ADMIN/FISCAL SVCS	DEPARTMENT OF EDUCATION	\$114,032	
	U9100	POWER SUPPLY PLANNER	COLORADO RIVER COMMISSION	\$114,032	

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		U4728	DEP ADMNR EITS	DEPARTMENT OF ADMINISTRATION	\$114,032
		U4920	DEPT DIRECTOR, CNR (EA)	DEPARTMENT OF CONSERVATION & NATURAL RESOURCES	\$114,032
		U4117	DEP DIVISION ADMNR, CHILD & FAMILY (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U4612	DEP DIVISION ADMNR, HCFP (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U4907	DEP DIVISION ADMNR, PUBLIC AND BEH HEALTH	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U4115	DEP DIVISION ADMNR, AGING SVCS (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U4116	DEP DIVISION ADMNR, WELFARE (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$114,032
		U0924	AG COUNSEL FOR PROSECUTG ATTYS	OFFICE OF THE ATTORNEY GENERAL	\$114,032
		U0970	SPECIAL ASST AG, MILITARY	OFFICE OF THE ATTORNEY GENERAL	\$114,032
		U0969	SPECIAL ASST AG, NEIGHBORHOOD	OFFICE OF THE ATTORNEY GENERAL	\$114,032
		U9037	MENTAL HEALTH DIRECTOR	DEPARTMENT OF CORRECTIONS	\$114,032
		U4020	ENVIRONMENTAL PROGRAM MGR	COLORADO RIVER COMMISSION	\$113,998
		U4024	POWER FACILITIES MANAGER	COLORADO RIVER COMMISSION	\$113,998
		U4513	COMMISSIONER-TSA (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$113,673
		U5304	AGENCY MANAGER (EA)	DEPARTMENT OF HEALTH & HUMAN SVCS	\$113,436
		U5305	HOSPITAL ADMINISTRATOR	DEPARTMENT OF HEALTH & HUMAN SVCS	\$113,436
		U9991	MANAGER, POWER ACCOUNTING	COLORADO RIVER COMMISSION	\$113,436
		U9989	MANAGER, POWER PLANNER	COLORADO RIVER COMMISSION	\$113,436
		U0979	DEPUTY COURT ADMINISTRATOR (EA)	SUPREME COURT	\$113,436
		U9073	LEAD INSURANCE COUNSEL/HEARING OFFICER	DEPARTMENT OF BUSINESS AND INDUSTRY	\$113,436
		U4722	PUBLIC WORKS DIV PROJECT MANAGER 3 (EA)	DEPARTMENT OF ADMINISTRATION	\$113,436
		U0934	SR DEPUTY ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$113,436
		U1007	CHIEF, ADMINISTRATION	GAMING CONTROL BOARD	\$113,406
		U1019	CHIEF, AUDIT	GAMING CONTROL BOARD	\$113,406
		U1014	CHIEF, ENFORCEMENT	GAMING CONTROL BOARD	\$113,406
		U1008	CHIEF, INVESTIGATION	GAMING CONTROL BOARD	\$113,406
		U1005	CHIEF, TAX AND LICENSE	GAMING CONTROL BOARD	\$113,406
		U4613	OPERATIONS MGR SILVER ST HEALTH INS EXCH	SILVER STATE HEALTH INSURANCE EXCHANGE	\$111,645
		U2803	OPERATIONS OFFICER	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$111,645
		U4706	ADMINR, MINERALS	COMMISSION OF MINERALS	\$111,371
		U5015	TECHNICAL DIVISION ADMINISTRATOR	HIGH LEVEL NUCLEAR PROJECTS OFFICE	\$111,358
		U1061	MANAGER, ELECTRONICS LAB	GAMING CONTROL BOARD	\$110,749
		U4223	DIVIONS ADMIR, CYBER SECURITY	DEPARTMENT OF PUBLIC SAFETY	\$110,689
		U4034	ASST DIRECTOR ENERGY INFO SYS	COLORADO RIVER COMMISSION	\$110,678
		U1075	INFORMATION TECHNOLOGY MANAGER	GAMING CONTROL BOARD	\$110,491
		U4018	NATURAL RESOURCE SPEC (EA)	COLORADO RIVER COMMISSION	\$110,200
		U4035	SR PWR FACILITIES ENGINEER	COLORADO RIVER COMMISSION	\$109,615
		U9200	DEP DIVISION ADMNR, ADMIN SVS, DCFS	DEPARTMENT OF HEALTH & HUMAN SVCS	\$109,614
		U4126	SUPERINTENDENT, SUMMIT VIEW YOUTH CORR C	DEPARTMENT OF HEALTH & HUMAN SVCS	\$109,077
		U3617	BUSINESS PORTAL ADMINISTRATOR	OFFICE OF THE SECRETARY OF STATE	\$108,825
		U1081	SENIOR ECONOMIST	OFFICE OF THE ATTORNEY GENERAL	\$108,509

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U1084	CHIEF FINANCIAL OFFICER	OFFICE OF THE ATTORNEY GENERAL	\$108,489
		U3614	SECURITIES ADMINISTRATOR	OFFICE OF THE SECRETARY OF STATE	\$108,489
		U4030	ASST HYDROPOWER PROGRAM MGR	COLORADO RIVER COMMISSION	\$107,667
		U0980	LAW LIBRARIAN	SUPREME COURT	\$107,465
		U0966	INFORMATION TECHNOLOGY CHIEF	OFFICE OF THE ATTORNEY GENERAL	\$106,323
		U2805	CHIEF INFORMATION OFFICER	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$106,323
		U9074	PHARMACIST 1 (EA)	MEDICAL AND RELATED POSITIONS	\$105,647
		U1070	SR LAB ENGINEER (EA)	GAMING CONTROL BOARD	\$105,474
		U1065	PROGRAMMING MANAGER	GAMING CONTROL BOARD	\$103,961
		U1058	SYSTEM MANAGER	GAMING CONTROL BOARD	\$103,961
		U9083	NVNGUARD WARRANT OFCR-SAD (EA)	OFFICE OF THE MILITARY	\$103,886
		U4125	STATE PUBLIC HEALTH DENTAL HYGIENIST	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U9091	STATE EPIDEMIOLOGIST	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4520	COMMISSION SECRETARY	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U4921	GOVERNOR'S CONSUMER HEALTH ADVOCATE	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4730	ADMINISTRATOR OF EXTERNAL CIVIL RIGHTS	DEPARTMENT OF TRANSPORTATION	\$103,884
		U4724	SPECIAL ADVR, EITS	DEPARTMENT OF ADMINISTRATION	\$103,884
		U4721	PUBLIC WORKS DIV PROJECT MANAGER 2 (EA)	DEPARTMENT OF ADMINISTRATION	\$103,884
		U9003	DEP ADMNR DMV FIELD SVCS	DEPARTMENT OF MOTOR VEHICLES	\$103,884
		U9005	DEP ADMNR COMPLIANCE ENF (EA)	DEPARTMENT OF MOTOR VEHICLES	\$103,884
		U4315	DEP DIVISION ADMNR, INSURANCE (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$103,884
		U4102	BUREAU CHIEF, YOUTH PAROLE	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U9038	CHIEF BIOSTATISTICIAN	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4105	SUPT, CALIENTE YOUTH CENTER	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4106	SUPT, NV YOUTH TRAINING CENTER	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4606	ACTUARY, HEALTH CARE FIN & POL	DEPARTMENT OF HEALTH & HUMAN SVCS	\$103,884
		U4605	MANAGER, POLICY ANALYSIS	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U4310	MGR, CONSUMER COMPLAINT RES	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U4919	MGR, RESOURCE/MARKET ANALYSIS	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U3908	MGR, SAFETY & QUALITY ASSURANC	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U3925	MGR, TARIFFS & COMPLIANCE	PUBLIC UTILITIES COMMISSION OF NEVADA	\$103,884
		U3616	CHIEF, ENFORCEMENT	OFFICE OF THE SECRETARY OF STATE	\$103,553
		U4620	INFORMATION SYSTEMS MANAGER	SILVER STATE HEALTH INSURANCE EXCHANGE	\$103,538
		U1055	CHIEF DEP, TAX & LICENSE	GAMING CONTROL BOARD	\$103,097
		U1024	CHIEF DEPUTY, ADMINISTRATION	GAMING CONTROL BOARD	\$103,097
		U1020	CHIEF DEPUTY, AUDIT	GAMING CONTROL BOARD	\$103,097
		U1015	CHIEF DEPUTY, ENFORCEMENT (EA)	GAMING CONTROL BOARD	\$103,097
		U1009	CHIEF DEPUTY, INVESTIGATNS -EA	GAMING CONTROL BOARD	\$103,097
		U4507	EXEC SECRETARY, GCB	GAMING CONTROL BOARD	\$103,097
		U9093	SPVR, ANIMAL DISEASE LAB	DEPARTMENT OF AGRICULTURE	\$102,941
		U3916	PROGRAM MGR, OIL/GAS/GEOTHERML	COMMISSION OF MINERALS	\$102,547



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		U9203	STATE DEMOGRAPHER	DEPARTMENT OF TAXATION	\$101,495
		U4309	DEP DIVISION ADMINISTRATOR, TSA	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U3905	DEP ADMNR, INSURANCE/CAPTIVE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U3513	CHIEF FINANCIAL OFCR, HOUSING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$101,495
		U2904	ASSOCIATE COUNSEL	OFFICE OF THE ATTORNEY GENERAL	\$101,495
		U0963	DEP ATTY GENERAL (EA)	OFFICE OF THE ATTORNEY GENERAL	\$101,495
		U2804	CHIEF FINANCIAL OFFICER	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$101,495
		U2802	QUALITY CONTROL OFFICER	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$101,495
		U4731	CHIEF PILOT	DEPARTMENT OF TRANSPORTATION	\$101,495
		U1026	ELECTRONIC LAB ENGINEER (EA)	GAMING CONTROL BOARD	\$100,452
		U1010	COORDINATOR, APPLICANT SVCS	GAMING CONTROL BOARD	\$100,286
		U1051	HUMAN RESOURCES MANAGER	GAMING CONTROL BOARD	\$100,286
		U1031	HEARINGS OFFICER (EA)	GAMING CONTROL BOARD	\$99,312
		U1067	SR RESEARCH SPECIALIST (EA)	GAMING CONTROL BOARD	\$99,276
		U4532	CHIEF TRANSPORTATION INSPECTOR	DEPARTMENT OF BUSINESS AND INDUSTRY	\$98,881
		U3927	COMMISSION POLICY ADVISRY (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$98,881
		U4401	SR GAS PIPELINE ENGINEER	PUBLIC UTILITIES COMMISSION OF NEVADA	\$98,881
		U4409	ENGINEER, WATER	PUBLIC UTILITIES COMMISSION OF NEVADA	\$98,881
		U9101	ASST POWER SUPPLY PLANNER	COLORADO RIVER COMMISSION	\$98,880
		U1063	PROGRAMMING SUPERVISOR	GAMING CONTROL BOARD	\$97,963
		U4760	SR REGULATORY ECONOMIST	PUBLIC UTILITIES COMMISSION OF NEVADA	\$97,675
		U3921	MANAGER, SYSTEMS OPERATION	PUBLIC UTILITIES COMMISSION OF NEVADA	\$97,572
		U4416	REGULATORY MANAGER	OFFICE OF THE ATTORNEY GENERAL	\$96,984
		U4825	TECHNICAL STAFF MANAGER	OFFICE OF THE ATTORNEY GENERAL	\$96,984
		U4422	SR ENGINEER	OFFICE OF THE ATTORNEY GENERAL	\$96,900
		U4410	ENGINEER, ELECTRIC (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$96,900
		U4544	CHIEF AUDITOR	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$95,523
		U9099	VETERINARY DIAGNOSTICIAN	DEPARTMENT OF AGRICULTURE	\$95,377
		U9089	SR VETERINARY DIAGNOSTICIAN (EA)	DEPARTMENT OF AGRICULTURE	\$95,223
		U4017	SR ENERGY ACCOUNTANT (EA)	COLORADO RIVER COMMISSION	\$94,998
		U1080	SR NETWORK SPECIALIST	GAMING CONTROL BOARD	\$94,709
		U4215	CHIEF, PLANNING, RESEARCH & GRANT MGMT	DEPARTMENT OF ADMINISTRATION	\$94,388
		U4212	CHIEF ASSISTANT, BUDGET ADMINISTRATOR	GOVERNOR'S FINANCE OFFICE	\$94,388
		U4522	ASSISTANT TO THE DIRECTOR	DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION	\$94,384
		U4314	MANAGER, TRANSPORTATION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$93,906
		U1025	SUPERVISOR	GAMING CONTROL BOARD	\$93,723
		U1029	SUPVR, AUDIT (EA)	GAMING CONTROL BOARD	\$93,723
		U1001	SUPVR, ENFORCEMENT (EA)	GAMING CONTROL BOARD	\$93,723
		U1004	SUPVR, INVESTIGATIONS (EA)	GAMING CONTROL BOARD	\$93,723
		U1047	SUPVR, TAX & LICENSE (EA)	GAMING CONTROL BOARD	\$93,723
		U4403	EDITOR PUBLISHER, NV MAGAZINE	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$93,553

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U1039	SYSTEMS ADMINISTRATOR	GAMING CONTROL BOARD	\$93,398
		U4405	DEP DIVISION ADMNR, INDUSTRIAL RELATIONS (E	DEPARTMENT OF BUSINESS AND INDUSTRY	\$93,137
		U3917	DEP ADMR, HOUSING INS & COMPL	DEPARTMENT OF BUSINESS AND INDUSTRY	\$93,137
		U4118	CHIEF, ELDER RIGHTS	DEPARTMENT OF HEALTH & HUMAN SVCS	\$93,137
		U5009	DEP DIV ADMR, PLANT INDUSTRY	DEPARTMENT OF AGRICULTURE	\$93,137
		U5012	DEP DIV ADMR, FOOD AND NUTRITION	DEPARTMENT OF AGRICULTURE	\$93,137
		U0903	CHIEF INVESTIGATOR	OFFICE OF THE ATTORNEY GENERAL	\$93,137
		U4750	ASST COMMISSION SECRETARY	PUBLIC UTILITIES COMMISSION OF NEVADA	\$93,137
		U4823	DIR, RESEARCH & EVALUATION SVC	DEPARTMENT OF EDUCATION	\$93,137
		U4732	PILOT III (EA)	DEPARTMENT OF TRANSPORTATION	\$93,137
		U4515	REGULATORY ECONOMIST (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$93,024
		U9084	NV N GUARD ENLISTED-SAD (EA)	OFFICE OF THE MILITARY	\$92,336
		U4212	CHIEF ASSISTANT, BUDGET ADMINR	GOVERNOR'S OFFICE OF FINANCE	\$91,639
		U4430	SENIOR FINANCIAL ANALYST	GAMING CONTROL BOARD	\$91,005
		U4430	SENIOR FINANCIAL ANALYST	PUBLIC UTILITIES COMMISSION OF NEVADA	\$91,005
		U4414	SR REGULATORY ANALYST (EA)	OFFICE OF THE ATTORNEY GENERAL	\$90,551
		U4411	ENGINEER, GAS PIPELINE (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$90,174
		U4526	RESOURCE PLANNING ENGINEER	PUBLIC UTILITIES COMMISSION OF NEVADA	\$90,174
		U4417	SR ENGINEERING ANALYST	PUBLIC UTILITIES COMMISSION OF NEVADA	\$90,174
		U9210	OPERATIONS AND FINANCE MANAGER	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$90,056
		U1064	INFO MANGEMENT COORDINATOR	GAMING CONTROL BOARD	\$89,228
		U1090	FINANCIAL OFFICER	GAMING CONTROL BOARD	\$89,228
		U3918	DEP ADMINR, MINERALS	COMMISSION OF MINERALS	\$89,095
		U4025	POWER FACILITIES COMM TECH (EA)	COLORADO RIVER COMMISSION	\$88,667
		U4026	SR PWR FAC ELECTRICIAN-EA	COLORADO RIVER COMMISSION	\$88,667
		U4623	QUALITY ASSURANCE OFFICER	SILVER STATE HEALTH INSURANCE EXCHANGE	\$88,306
		U5016	PLANNER/RESEARCHER	HIGH LEVEL NUCLEAR PROJECTS OFFICE	\$88,281
		U1095	SR APPLICATION DEVELOPER (EA)	GAMING CONTROL BOARD	\$87,949
		U4418	ENGINEER	OFFICE OF THE ATTORNEY GENERAL	\$87,370
		U1018	NETWORK SPECIALIST 2	GAMING CONTROL BOARD	\$87,234
		U4419	FINANCIAL ANALYST (EA)	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,671
		U4406	FINANCIAL ANALYST (EA)	GAMING CONTROL BOARD	\$86,671
		U3710	DEP DIVISION ADMNR, HOUSING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U3914	DEP DIVISION ADMNR, REAL ESTATE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U3503	DEP DIV ADMNR, OFFICE OF LABOR COMMISSION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U4143	DEP DIV ADMNR, MECHANICAL UNIT	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U4007	DEP DIVISION ADMNR, MINE SAFETY	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U9204	DEP DIVISION ADMNR, MORTGAGE LENDING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U4505	DEP DIVISION ADMNR, SAFETY CONSULTATION	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U4210	DEP DIVISION ADMR, FINANCIAL INSTITUTIONS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$86,569
		U0967	FINANCIAL ANALYST	OFFICE OF THE ATTORNEY GENERAL	\$86,569

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U9994	DEPUTY DIRECTOR, ENERGY OFFICE	STATE ENERGY OFFICE	\$86,569
		U4733	PILOT II	DEPARTMENT OF TRANSPORTATION	\$86,569
		U4214	CHIEF ASSISTANT, PLANNING	DEPARTMENT OF ADMINISTRATION	\$86,552
		U4617	FINANCE & RESEARCH OFFICER	SILVER STATE HEALTH INSURANCE EXCHANGE	\$86,100
		U4813	CHIEF, OFFICE OF GRANTS PROCUREMENT	DEPARTMENT OF ADMINISTRATION	\$86,097
		U4142	CHIEF INVESTIGATOR	DEPARTMENT OF BUSINESS AND INDUSTRY	\$85,569
		U3904	SPVR, CONSUMER COMPLAINT RESOLUTION	PUBLIC UTILITIES COMMISSION OF NEVADA	\$85,569
		U2806	FINANCIAL ANALYST	PUBLIC EMPLOYEES BENEFITS PROGRAM	\$85,376
		U1069	SPECIAL AGENT (EA)	GAMING CONTROL BOARD	\$85,204
		U1068	SPECIAL AGENT, AUDIT (EA)	GAMING CONTROL BOARD	\$85,204
		U4227	PUBLIC INFORMATION OFFICER	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$84,863
		U4406	FINANCIAL ANALYST (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$84,147
		U9987	ENERGY ACCOUNTANT (EA)	COLORADO RIVER COMMISSION	\$83,585
		U4922	OMBUDSMAN-CONSUMR HEALTH (EA)	GOVERNOR'S OFFICE OF CONSUMER HEALTH ASSISTANCE	\$82,841
		U9019	INDUSTRY & GLOBAL TRADE COORD	DEPARTMENT OF AGRICULTURE	\$82,342
		U4239	DEP DIRECTOR, MKTG & ADVERTISING	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$82,342
		U4238	DEP DIRECTOR, SALES & INDUS PARTNERS	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$82,342
		U4232	DEVELPMNT SPEC 2-TOURISM (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$82,342
		U4021	NETWORK ADMINISTRATOR (EA)	COLORADO RIVER COMMISSION	\$82,332
		U4028	POWER FACILITIES ELECTRICIAN	COLORADO RIVER COMMISSION	\$82,332
		U3405	BUREAU CHIEF (EA)	PEACE OFFICER'S STANDARDS AND TRAINING COMM	\$81,994
		U1021	SR AGENT, AUDIT (EA)	GAMING CONTROL BOARD	\$81,148
		U1016	SR AGENT, ENFORCEMENT (EA)	GAMING CONTROL BOARD	\$81,148
		U1052	SR AGENT, TECHNOLOGY (EA)	GAMING CONTROL BOARD	\$81,148
		U1011	SR AGENT, INVESTIGATIONS (EA)	GAMING CONTROL BOARD	\$81,148
		U1066	SR AGENT, TAX & LICENSE (EA)	GAMING CONTROL BOARD	\$81,148
		U3930	CHIEF FOR MINE REGULATION	COMMISSION OF MINERALS	\$80,132
		U3919	CHIEF FOR DANGEROUS MINES	COMMISSION OF MINERALS	\$80,132
		U1071	NETWORK SPECIALIST 1 (EA)	GAMING CONTROL BOARD	\$78,991
		U4219	OMBUDSMAN OF CONSUMER AFFAIRS FOR MINO	DEPARTMENT OF BUSINESS AND INDUSTRY	\$78,911
		U4915	CHIEF OF STAFF	OFFICE OF THE LIEUTENANT GOVERNOR	\$78,911
		U3711	ANALYST SUPERVISOR/NAIC MANAGER	DEPARTMENT OF PUBLIC SAFETY	\$78,621
		U4412	ADMIN SERVICES OFFICER	OFFICE OF THE ATTORNEY GENERAL	\$78,619
		U4814	SENIOR EXECUTIVE GRANTS ANALYST	DEPARTMENT OF ADMINISTRATION	\$78,609
		U4619	COMMUNICATIONS OFFICER	SILVER STATE HEALTH INSURANCE EXCHANGE	\$78,601
		U4228	DEVELPMNT SPEC-TOURISM (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$77,713
		U4226	SR ANALYST	PUBLIC UTILITIES COMMISSION OF NEVADA	\$77,667
		U3929	SR UTILITY ANALYST (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$77,667
		U4230	PUBLIC RELATIONS SPECIALIST	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$77,314
		U3714	CHIEF DEPUTY CLERK	SUPREME COURT	\$77,016
		U3920	DIRECTOR, WICHE	OFFICE OF THE GOVERNOR	\$76,609

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U3618	PUBLIC INFORMATION OFFICER	OFFICE OF THE SECRETARY OF STATE	\$75,226
		U3913	OMBUDSMAN/REAL ESTATE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$75,226
		U3715	AFFORDABLE HOUSING ADVOCATE	DEPARTMENT OF BUSINESS AND INDUSTRY	\$75,226
		U4650	SUICIDE PREVENTION COORD-SW	DEPARTMENT OF HEALTH & HUMAN SVCS	\$75,226
		U9079	MGR, OFFICE OF MINORITY H & EQ	DEPARTMENT OF HEALTH & HUMAN SVCS	\$75,226
		U9007	PUBLIC INFORMATION OFFICER	OFFICE OF THE ATTORNEY GENERAL	\$75,226
		U4524	LEGAL CASE MANAGER	PUBLIC UTILITIES COMMISSION OF NEVADA	\$75,226
		U2706	ASST TO LIEUTENANT GOV (EA)	OFFICE OF THE LIEUTENANT GOVERNOR	\$75,154
		U3406	TRAINING SPECIALIST (EA)	PEACE OFFICER'S STANDARDS AND TRAINING COMM	\$74,843
		U1022	AGENT, AUDIT (EA)	GAMING CONTROL BOARD	\$73,771
		U1017	AGENT, ENFORCEMENT (EA)	GAMING CONTROL BOARD	\$73,771
		U1012	AGENT, INVESTIGATIONS (EA)	GAMING CONTROL BOARD	\$73,771
		U1050	AGENT, TAX & LICENSE (EA)	GAMING CONTROL BOARD	\$73,771
		U4624	INFORMATION TECH ANALYST	SILVER STATE HEALTH INSURANCE EXCHANGE	\$73,691
		U0923	EXEC DIR, TECHNOLOGICAL CRIMES	OFFICE OF THE ATTORNEY GENERAL	\$72,312
		U3708	MANAGING EDITOR, PUBLICATIONS	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$71,914
		U4211	CPA, FINANCIAL INSTITUTIONS	DEPARTMENT OF BUSINESS AND INDUSTRY	\$71,841
		U9205	CPA, MORTGAGE LENDING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$71,841
		U4221	CHF ASST, ATHLETIC COMM	DEPARTMENT OF BUSINESS AND INDUSTRY	\$71,644
		U4660	SUICIDE PREVENTION TRAINER/NETWORKING FA	DEPARTMENT OF HEALTH & HUMAN SVCS	\$71,644
		U3902	PUBLIC EDUC AND STATISTICAL ANALYSIS OFFR (	GAMING CONTROL BOARD	\$71,644
		U3713	RURAL CONSUMER REP	PUBLIC UTILITIES COMMISSION OF NEVADA	\$70,074
		U9305	INVESTIGATOR	COMMISSION ON ETHICS	\$69,981
		U0900	INVESTIGATOR	OFFICE OF THE ATTORNEY GENERAL	\$69,981
		U3607	INVESTIGATOR (EA)	OFFICE OF THE PUBLIC DEFENDER	\$69,981
		U4031	OFFICE MANAGER	COLORADO RIVER COMMISSION	\$69,666
		U3512	CHIEF ASSISTANT, HOUSING	DEPARTMENT OF BUSINESS AND INDUSTRY	\$69,557
		U3902	PUB EDU/STAT ANALYS OFCR (EA)	PUBLIC UTILITIES COMMISSION OF NEVADA	\$69,557
		U9998	PROJECT ANALYST 2 (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$69,154
		U4540	DEVELPMNT SPEC-NEVADA MAGAZINE (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$68,487
		U3932	FIELD SPECIALIST/MINERALS (EA)	COMMISSION OF MINERALS	\$67,839
		U4625	TRAINING SPECIALIST	SILVER STATE HEALTH INSURANCE EXCHANGE	\$66,899
		U0987	SENIOR LAW CLERK (EA)	SUPREME COURT	\$65,986
		U4320	INFORMATION SYSTEMS SPECIALIST	DEPARTMENT OF ADMINISTRATION	\$65,787
		U1028	ELECTRONICS TECHNICIAN (EA)	GAMING CONTROL BOARD	\$65,739
		U4815	EXECUTIVE GRANTS ANALYST	DEPARTMENT OF ADMINISTRATION	\$65,737
		U4601	BENEFITS MANAGER	SILVER STATE HEALTH INSURANCE EXCHANGE	\$64,422
		U0932	OMBUDSMAN, DOMESTIC VIOLENCE	OFFICE OF THE ATTORNEY GENERAL	\$63,278
		U4240	ADVERTISING SALES REP	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$62,830
		U0906	SPVG LEGAL RESEARCHER (EA)	OFFICE OF THE ATTORNEY GENERAL	\$62,688
		U1030	EXECUTIVE ASSISTANT	GAMING CONTROL BOARD	\$62,628

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TIER LEVEL	TITLE DESCRIPTION	TITLE CODE	TITLE	DEPARTMENT/AGENCY	SALARY
		U3210	ART DIRECTOR (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$61,250
		U4423	SR LEGAL RESEARCHER	OFFICE OF THE ATTORNEY GENERAL	\$59,704
		U0911	LEGAL RESEARCHER (EA)	OFFICE OF THE ATTORNEY GENERAL	\$59,704
		U0929	PROGRAM SPECIALIST, TECH CRIMES	OFFICE OF THE ATTORNEY GENERAL	\$59,704
		U4234	PROJECT ANALYST (EA)	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$59,309
		U4614	GRANTS & PROJECTS ANALYST	SILVER STATE HEALTH INSURANCE EXCHANGE	\$59,309
		U4810	PRODUCTION MANAGER	DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS	\$57,968
		U2900	CHIEF ASSISTANT, LABOR COMM	DEPARTMENT OF BUSINESS AND INDUSTRY	\$55,713
		U2711	ADMINISTRATIVE SECRETARY (EA)	OFFICE OF THE LIEUTENANT GOVERNOR	\$50,729
		U4618	ADMINISTRATIVE ASSISTANT (EA)	SILVER STATE HEALTH INSURANCE EXCHANGE	\$50,515
		U4424	LEGAL RESEARCHER	OFFICE OF THE ATTORNEY GENERAL	\$47,024

2018 UNCLASSIFIED SALARY SURVEY

CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>CHIEF, ADMINISTRATION (GAMING CONTROL BOARD)</i>			
	8		
AVERAGE AUTHORIZED MINIMUM SALARY		113,406	166,165
% Difference			-46.52%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,406	252,490
% Difference			-122.64%
AVERAGE ACTUAL MINIMUM SALARY		113,406	205,320
% Difference			-81.05%
AVERAGE ACTUAL MAXIMUM SALARY		113,406	248,304
% Difference			-118.95%
<i>NETWORK SPECIALIST 2 (GAMING CONTROL BOARD)</i>			
	13		
AVERAGE AUTHORIZED MINIMUM SALARY		94,709	66,389
% Difference			29.90%
AVERAGE AUTHORIZED MAXIMUM SALARY		94,709	111,118
% Difference			-17.33%
AVERAGE ACTUAL MINIMUM SALARY		94,709	77,567
% Difference			18.10%
AVERAGE ACTUAL MAXIMUM SALARY		94,709	91,535
% Difference			3.35%
<i>SENIOR APPLICATIONS DEVELOPER (GAMING CONTROL BOARD)</i>			
	12		
AVERAGE AUTHORIZED MINIMUM SALARY		87,949	68,253
% Difference			22.39%
AVERAGE AUTHORIZED MAXIMUM SALARY		87,949	117,682
% Difference			-33.81%
AVERAGE ACTUAL MINIMUM SALARY		87,949	87,097
% Difference			0.97%
AVERAGE ACTUAL MAXIMUM SALARY		87,949	109,769
% Difference			-24.81%
<i>SUPERVISOR (GAMING CONTROL BOARD)</i>			
	13		
AVERAGE AUTHORIZED MINIMUM SALARY		93,723	70,971
% Difference			24.28%
AVERAGE AUTHORIZED MAXIMUM SALARY		93,723	112,274
% Difference			-19.79%
AVERAGE ACTUAL MINIMUM SALARY		93,723	83,822
% Difference			10.56%
AVERAGE ACTUAL MAXIMUM SALARY		93,723	98,236
% Difference			-4.82%
<i>AGENT, AUDIT (GAMING CONTROL BOARD)</i>			
	12		
AVERAGE AUTHORIZED MINIMUM SALARY		73,771	56,124
% Difference			23.92%
AVERAGE AUTHORIZED MAXIMUM SALARY		73,771	95,587
% Difference			-29.57%
AVERAGE ACTUAL MINIMUM SALARY		73,771	71,313
% Difference			3.33%
AVERAGE ACTUAL MAXIMUM SALARY		73,771	87,122
% Difference			-18.10%
<i>AGENT, ENFORCEMENT (GAMING CONTROL BOARD)</i>			
	6		
AVERAGE AUTHORIZED MINIMUM SALARY		73,771	44,037
% Difference			40.31%
AVERAGE AUTHORIZED MAXIMUM SALARY		73,771	86,931
% Difference			-17.84%
AVERAGE ACTUAL MINIMUM SALARY		73,771	55,690
% Difference			24.51%
AVERAGE ACTUAL MAXIMUM SALARY		73,771	69,771
% Difference			5.42%

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CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>AGENT, TAX &amp; LICENSE (GAMING CONTROL BOARD)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		73,771	49,432
% Difference			32.99%
AVERAGE AUTHORIZED MAXIMUM SALARY		73,771	82,901
% Difference			-12.38%
AVERAGE ACTUAL MINIMUM SALARY		73,771	58,413
% Difference			20.82%
AVERAGE ACTUAL MAXIMUM SALARY		73,771	72,316
% Difference			1.97%
<i>AGENT, INVESTIGATIONS (GAMING CONTROL BOARD)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		73,771	50,071
% Difference			32.13%
AVERAGE AUTHORIZED MAXIMUM SALARY		73,771	76,857
% Difference			-4.18%
AVERAGE ACTUAL MINIMUM SALARY		73,771	56,188
% Difference			23.83%
AVERAGE ACTUAL MAXIMUM SALARY		73,771	65,441
% Difference			11.29%
<i>CHIEF, ENFORCEMENT (GAMING CONTROL BOARD)</i>			
	8		
AVERAGE AUTHORIZED MINIMUM SALARY		113,406	86,421
% Difference			23.80%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,406	128,540
% Difference			-13.34%
AVERAGE ACTUAL MINIMUM SALARY		113,406	78,460
% Difference			30.81%
AVERAGE ACTUAL MAXIMUM SALARY		113,406	110,799
% Difference			2.30%
<i>ELECTRONIC LAB ENGINEER (GAMING CONTROL BOARD)</i>			
	3		
AVERAGE AUTHORIZED MINIMUM SALARY		100,452	58,518
% Difference			41.75%
AVERAGE AUTHORIZED MAXIMUM SALARY		100,452	87,948
% Difference			12.45%
AVERAGE ACTUAL MINIMUM SALARY		100,452	72,264
% Difference			28.06%
AVERAGE ACTUAL MAXIMUM SALARY		100,452	85,327
% Difference			15.06%
<i>SENIOR LAB ENGINEER (GAMING CONTROL BOARD)</i>			
	4		
AVERAGE AUTHORIZED MINIMUM SALARY		105,474	70,144
% Difference			33.50%
AVERAGE AUTHORIZED MAXIMUM SALARY		105,474	124,750
% Difference			-18.28%
AVERAGE ACTUAL MINIMUM SALARY		105,474	97,030
% Difference			8.01%
AVERAGE ACTUAL MAXIMUM SALARY		105,474	113,844
% Difference			-7.94%
<i>SENIOR RESEARCH SPECIALIST (GAMING CONTROL BOARD)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		99,726	64,512
% Difference			35.31%
AVERAGE AUTHORIZED MAXIMUM SALARY		99,726	97,103
% Difference			2.63%
AVERAGE ACTUAL MINIMUM SALARY		99,726	77,588
% Difference			22.20%
AVERAGE ACTUAL MAXIMUM SALARY		99,726	92,485
% Difference			7.26%

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CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>CHAIR (PUBLIC UTILITIES COMMISSION)</i>			
	9		
AVERAGE AUTHORIZED MINIMUM SALARY		132,540	111,405
% Difference			15.95%
AVERAGE AUTHORIZED MAXIMUM SALARY		132,540	154,855
% Difference			-16.84%
AVERAGE ACTUAL MINIMUM SALARY		132,540	133,215
% Difference			-0.51%
AVERAGE ACTUAL MAXIMUM SALARY		132,540	154,883
% Difference			-16.86%
<i>EXECUTIVE DIRECTOR (PUBLIC UTILITIES COMMISSION)</i>			
	11		
AVERAGE AUTHORIZED MINIMUM SALARY		124,181	123,230
% Difference			0.77%
AVERAGE AUTHORIZED MAXIMUM SALARY		124,181	190,029
% Difference			-53.03%
AVERAGE ACTUAL MINIMUM SALARY		124,181	156,651
% Difference			-26.15%
AVERAGE ACTUAL MAXIMUM SALARY		124,181	167,352
% Difference			-34.76%
<i>PUBLIC UTILITIES COMMISSIONER (PUBLIC UTILITIES COMMISSION)</i>			
	6		
AVERAGE AUTHORIZED MINIMUM SALARY		124,181	103,899
% Difference			16.33%
AVERAGE AUTHORIZED MAXIMUM SALARY		124,181	154,525
% Difference			-24.44%
AVERAGE ACTUAL MINIMUM SALARY		124,181	118,194
% Difference			4.82%
AVERAGE ACTUAL MAXIMUM SALARY		124,181	136,512
% Difference			-9.93%
<i>CHIEF ATTORNEY (GEN COUNSEL - PUBLIC UTILITIES COMMISSION)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		125,377	153,513
% Difference			-22.44%
AVERAGE AUTHORIZED MAXIMUM SALARY		125,377	251,657
% Difference			-100.72%
AVERAGE ACTUAL MINIMUM SALARY		125,377	211,033
% Difference			-68.32%
AVERAGE ACTUAL MAXIMUM SALARY		125,377	230,706
% Difference			-84.01%
<i>CHIEF ATTORNEY (STAFF COUNSEL - PUBLIC UTILITIES COMMISSION)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		125,377	121,585
% Difference			3.02%
AVERAGE AUTHORIZED MAXIMUM SALARY		125,377	190,448
% Difference			-51.90%
AVERAGE ACTUAL MINIMUM SALARY		125,377	158,587
% Difference			-26.49%
AVERAGE ACTUAL MAXIMUM SALARY		125,377	187,885
% Difference			-49.86%
<i>CHIEF ATTORNEY (HEARING OFFICER - PUBLIC UTILITIES COMMISSION)</i>			
	6		
AVERAGE AUTHORIZED MINIMUM SALARY		125,377	92,593
% Difference			26.15%
AVERAGE AUTHORIZED MAXIMUM SALARY		125,377	142,457
% Difference			-13.62%
AVERAGE ACTUAL MINIMUM SALARY		125,377	149,457
% Difference			-19.21%
AVERAGE ACTUAL MAXIMUM SALARY		125,377	186,146
% Difference			-48.47%



2018 UNCLASSIFIED SALARY SURVEY

CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>SNR ATTORNEY, PUBLIC UTILITIES COMMISSION, POSITION A</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		113,436	100,980
% Difference			10.98%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,436	168,071
% Difference			-48.16%
AVERAGE ACTUAL MINIMUM SALARY		113,436	113,784
% Difference			-0.31%
AVERAGE ACTUAL MAXIMUM SALARY		113,436	158,669
% Difference			-39.88%
<i>SNR ATTORNEY, PUBLIC UTILITIES COMMISSION, POSITION B</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		113,436	112,374
% Difference			0.94%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,436	180,628
% Difference			-59.23%
AVERAGE ACTUAL MINIMUM SALARY		113,436	145,014
% Difference			-27.84%
AVERAGE ACTUAL MAXIMUM SALARY		113,436	173,498
% Difference			-52.95%
<i>ADMINISTRATIVE ATTORNEY (PUBLIC UTILITIES COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		75,226	88,357
% Difference			-17.46%
AVERAGE AUTHORIZED MAXIMUM SALARY		75,226	143,261
% Difference			-90.44%
AVERAGE ACTUAL MINIMUM SALARY		75,226	101,841
% Difference			-35.38%
AVERAGE ACTUAL MAXIMUM SALARY		75,226	133,672
% Difference			-77.69%
<i>COMMISSION POLICY ADVISOR (PUBLIC UTILITIES COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		96,881	90,073
% Difference			7.03%
AVERAGE AUTHORIZED MAXIMUM SALARY		96,881	157,357
% Difference			-62.42%
AVERAGE ACTUAL MINIMUM SALARY		96,881	117,349
% Difference			-21.13%
AVERAGE ACTUAL MAXIMUM SALARY		96,881	132,195
% Difference			-36.45%
<i>MANAGER, SYSTEMS OPERATION (PUBLIC UTILITIES COMMISSION)</i>			
	14		
AVERAGE AUTHORIZED MINIMUM SALARY		97,572	83,058
% Difference			14.88%
AVERAGE AUTHORIZED MAXIMUM SALARY		97,572	134,605
% Difference			-37.95%
AVERAGE ACTUAL MINIMUM SALARY		97,572	96,351
% Difference			1.25%
AVERAGE ACTUAL MAXIMUM SALARY		97,572	120,781
% Difference			-23.79%
<i>DIRECTOR, REGULATORY OPERATIONS (PUBLIC UTILITIES COMMISSION)</i>			
	8		
AVERAGE AUTHORIZED MINIMUM SALARY		124,181	106,046
% Difference			14.60%
AVERAGE AUTHORIZED MAXIMUM SALARY		124,181	175,926
% Difference			-41.67%
AVERAGE ACTUAL MINIMUM SALARY		124,181	128,662
% Difference			-3.61%
AVERAGE ACTUAL MAXIMUM SALARY		124,181	151,988
% Difference			-22.39%

2018 UNCLASSIFIED SALARY SURVEY

CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>MANAGER, RESOURCE/MARKET ANALYSIS (PUBLIC UTILITIES COMMISSION)</i>			
	6		
AVERAGE AUTHORIZED MINIMUM SALARY		103,884	80,451
% Difference			22.56%
AVERAGE AUTHORIZED MAXIMUM SALARY		103,884	137,088
% Difference			-31.96%
AVERAGE ACTUAL MINIMUM SALARY		103,884	102,139
% Difference			1.68%
AVERAGE ACTUAL MAXIMUM SALARY		103,884	110,265
% Difference			-6.14%
<i>REGULATORY ECONOMIST (PUBLIC UTILITIES COMMISSION)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		96,900	63,693
% Difference			34.27%
AVERAGE AUTHORIZED MAXIMUM SALARY		96,900	119,888
% Difference			-23.72%
AVERAGE ACTUAL MINIMUM SALARY		96,900	82,609
% Difference			14.75%
AVERAGE ACTUAL MAXIMUM SALARY		96,900	101,091
% Difference			-4.33%
<i>MANAGER, SAFETY &amp; QUALITY ASSURANCE (PUBLIC UTILITIES COMMISSION)</i>			
	10		
AVERAGE AUTHORIZED MINIMUM SALARY		98,881	81,965
% Difference			17.11%
AVERAGE AUTHORIZED MAXIMUM SALARY		98,881	136,444
% Difference			-37.99%
AVERAGE ACTUAL MINIMUM SALARY		98,881	96,101
% Difference			2.81%
AVERAGE ACTUAL MAXIMUM SALARY		98,881	120,265
% Difference			-21.63%
<i>ENGINEER, ELECTRIC (PUBLIC UTILITIES COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		96,900	63,600
% Difference			34.37%
AVERAGE AUTHORIZED MAXIMUM SALARY		96,900	97,952
% Difference			-1.09%
AVERAGE ACTUAL MINIMUM SALARY		96,900	80,547
% Difference			16.88%
AVERAGE ACTUAL MAXIMUM SALARY		96,900	93,624
% Difference			3.38%
<i>ENGINEER, GAS PIPELINE (PUBLIC UTILITIES COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		90,174	59,021
% Difference			34.55%
AVERAGE AUTHORIZED MAXIMUM SALARY		90,174	105,986
% Difference			-17.53%
AVERAGE ACTUAL MINIMUM SALARY		90,174	69,552
% Difference			22.87%
AVERAGE ACTUAL MAXIMUM SALARY		90,174	85,912
% Difference			4.73%
<i>ENGINEER, WATER (PUBLIC UTILITIES COMMISSION)</i>			
	6		
AVERAGE AUTHORIZED MINIMUM SALARY		98,881	64,086
% Difference			35.19%
AVERAGE AUTHORIZED MAXIMUM SALARY		98,881	98,809
% Difference			0.07%
AVERAGE ACTUAL MINIMUM SALARY		98,881	68,938
% Difference			30.28%
AVERAGE ACTUAL MAXIMUM SALARY		98,881	94,429
% Difference			4.50%

2018 UNCLASSIFIED SALARY SURVEY

CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>RESOURCE PLANNING ENGINEER (PUBLIC UTILITIES COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		90,174	74,838
% Difference			17.01%
AVERAGE AUTHORIZED MAXIMUM SALARY		90,174	123,619
% Difference			-37.09%
AVERAGE ACTUAL MINIMUM SALARY		90,174	89,125
% Difference			1.16%
AVERAGE ACTUAL MAXIMUM SALARY		90,174	104,842
% Difference			-16.27%
<i>EXECUTIVE DIRECTOR, ETHICS (ETHICS COMMISSION)</i>			
	7		
AVERAGE AUTHORIZED MINIMUM SALARY		113,436	133,940
% Difference			-18.08%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,436	233,037
% Difference			-18.08%
AVERAGE ACTUAL MINIMUM SALARY		113,436	148,394
% Difference			-30.82%
AVERAGE ACTUAL MAXIMUM SALARY		113,436	166,711
% Difference			-30.82%
<i>COMMISSION COUNSEL (ETHICS COMMISSION)</i>			
	3		
AVERAGE AUTHORIZED MINIMUM SALARY		113,436	102,822
% Difference			9.36%
AVERAGE AUTHORIZED MAXIMUM SALARY		113,436	174,194
% Difference			-53.56%
AVERAGE ACTUAL MINIMUM SALARY		113,436	136,720
% Difference			-20.53%
AVERAGE ACTUAL MAXIMUM SALARY		113,436	159,970
% Difference			-41.02%
<i>ASSOCIATE COUNSEL (ETHICS COMMISSION)</i>			
	4		
AVERAGE AUTHORIZED MINIMUM SALARY		101,495	95,068
% Difference			6.33%
AVERAGE AUTHORIZED MAXIMUM SALARY		101,495	154,110
% Difference			-51.84%
AVERAGE ACTUAL MINIMUM SALARY		101,495	121,995
% Difference			-20.20%
AVERAGE ACTUAL MAXIMUM SALARY		101,495	166,009
% Difference			-63.56%
<i>SENIOR PSYCHIATRIST (RANGE C)(HHS AND CORRECTIONS)</i>			
	5		
AVERAGE AUTHORIZED MINIMUM SALARY		187,711	124,369
% Difference			33.74%
AVERAGE AUTHORIZED MAXIMUM SALARY		187,711	227,263
% Difference			-21.07%
AVERAGE ACTUAL MINIMUM SALARY		187,711	198,463
% Difference			-5.73%
AVERAGE ACTUAL MAXIMUM SALARY		187,711	233,541
% Difference			-24.42%
<i>SENIOR INSTITUTIONAL DENTIST (B)(CORRECTIONS)</i>			
	4		
AVERAGE AUTHORIZED MINIMUM SALARY		146,916	93,143
% Difference			36.60%
AVERAGE AUTHORIZED MAXIMUM SALARY		146,916	183,089
% Difference			-24.62%
AVERAGE ACTUAL MINIMUM SALARY		146,916	122,136
% Difference			16.87%
AVERAGE ACTUAL MAXIMUM SALARY		146,916	162,301
% Difference			-10.47%

2018 UNCLASSIFIED SALARY SURVEY

CLASS/TITLE	# OF RESPONDENTS	STATE OF NEVADA	ALL RESPONDENTS
<i>SENIOR PHYSICIAN (RANGE C)(HHS, CORRECTIONS AND DETR)</i>			
	6		
<b>AVERAGE AUTHORIZED MINIMUM SALARY</b>		<b>165,134</b>	144,264
% Difference			12.64%
<b>AVERAGE AUTHORIZED MAXIMUM SALARY</b>		<b>165,134</b>	276,482
% Difference			-67.43%
<b>AVERAGE ACTUAL MINIMUM SALARY</b>		<b>165,134</b>	180,824
% Difference			-9.50%
<b>AVERAGE ACTUAL MAXIMUM SALARY</b>		<b>165,134</b>	224,711
% Difference			-36.08%
<i>PHARMACIST 1 (HHS AND CORRECTIONS )</i>			
	6		
<b>AVERAGE AUTHORIZED MINIMUM SALARY</b>		<b>105,647</b>	72,282
% Difference			31.58%
<b>AVERAGE AUTHORIZED MAXIMUM SALARY</b>		<b>105,647</b>	132,041
% Difference			-24.98%
<b>AVERAGE ACTUAL MINIMUM SALARY</b>		<b>105,647</b>	96,584
% Difference			8.58%
<b>AVERAGE ACTUAL MAXIMUM SALARY</b>		<b>105,647</b>	108,871
% Difference			-3.05%

**Nevada Commission on Ethics**  
**August 19, 2020 Meeting**

**Commission Counsel's Disclosure re: Agenda Item No. 11: Report and recommendations by Executive Director on agency status and operations and possible direction thereon.**

Dear Madam Chair and Commissioners,

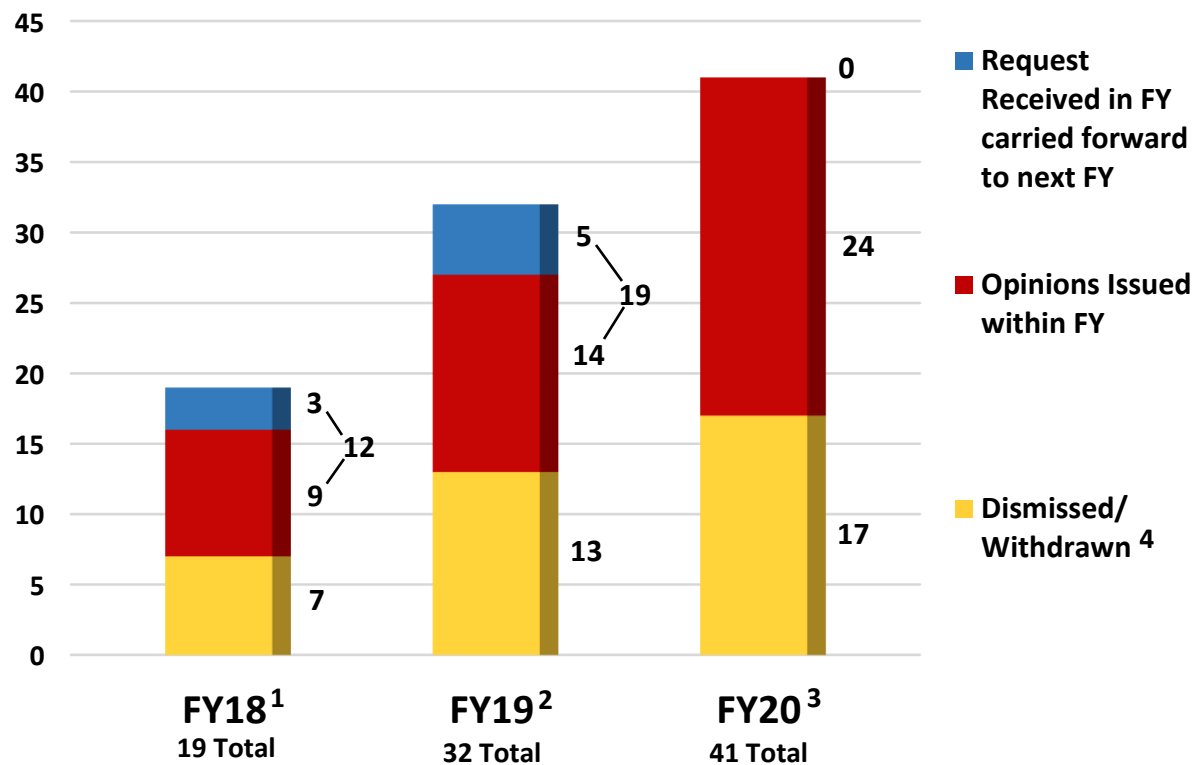
I want to make a disclosure relating to Item 11, the Executive Director's report and presentation on agency status, because the report implicates my own salary and creates a potential pecuniary interest requiring disclosure. Within the Executive Director's report, she outlines the Commission's next biennial budget, which includes potential salary enhancements for certain staff positions including the position of Commission Counsel based upon specific directives previously issued by the Commission in prior budgetary years and pursuant to the direction of Vice-Chair Wallin, in the Chair's absence.

I am disclosing that this agenda item could affect my personal interests and confirm for the record that I did not participate on budgetary matters related to the salary enhancements for the position of Commission Counsel; however, I did review the agenda for compliance with Nevada's Open Meeting Law requirements. As the agenda item relates to the Commission Counsel position, I am in no way advocating for or against the proposed salary enhancements and will take the direction of the Commission related thereto. The Commission specifically directed it be provided information relating to seek salary enhancements for its staff and budget direction and recommendations are within its sole authority of the Commission to determine.

Therefore, I am providing this disclosure for the record and will continue to abstain from participating on budgetary matters that relate to salary enhancements for the position of Commission Counsel. Thank you.

# **Agenda Item 12**

## Advisory Opinion Requested by Fiscal Year (FY)



### <sup>1</sup> FY18

The Commission received 19 Advisory Opinion Requests in FY18, 7 of which were dismissed or withdrawn. In the 12 remaining cases, the Commission issued 9 Opinions in FY18 and 3 in FY19.

Abstract Opinions: Of the 12 cases, 11 remained confidential and required 11 additional Abstract Opinions. The Commission completed 6 of the 11 Abstract Opinions in FY18 and 5 Abstract Opinions in FY19.

### <sup>2</sup> FY19

The Commission received 32 Advisory Opinion Requests in FY19, 13 of which were dismissed or withdrawn. In the 19 remaining cases, the Commission issued 14 Opinions in FY19 and 5 Opinions in FY20.

Abstract Opinions: Of the 19 cases, 12 remained confidential and required an additional 12 Abstract Opinions. The Commission completed 8 Abstract Opinions in FY19, and 4 Abstract Opinions in FY20.

### <sup>3</sup> FY20

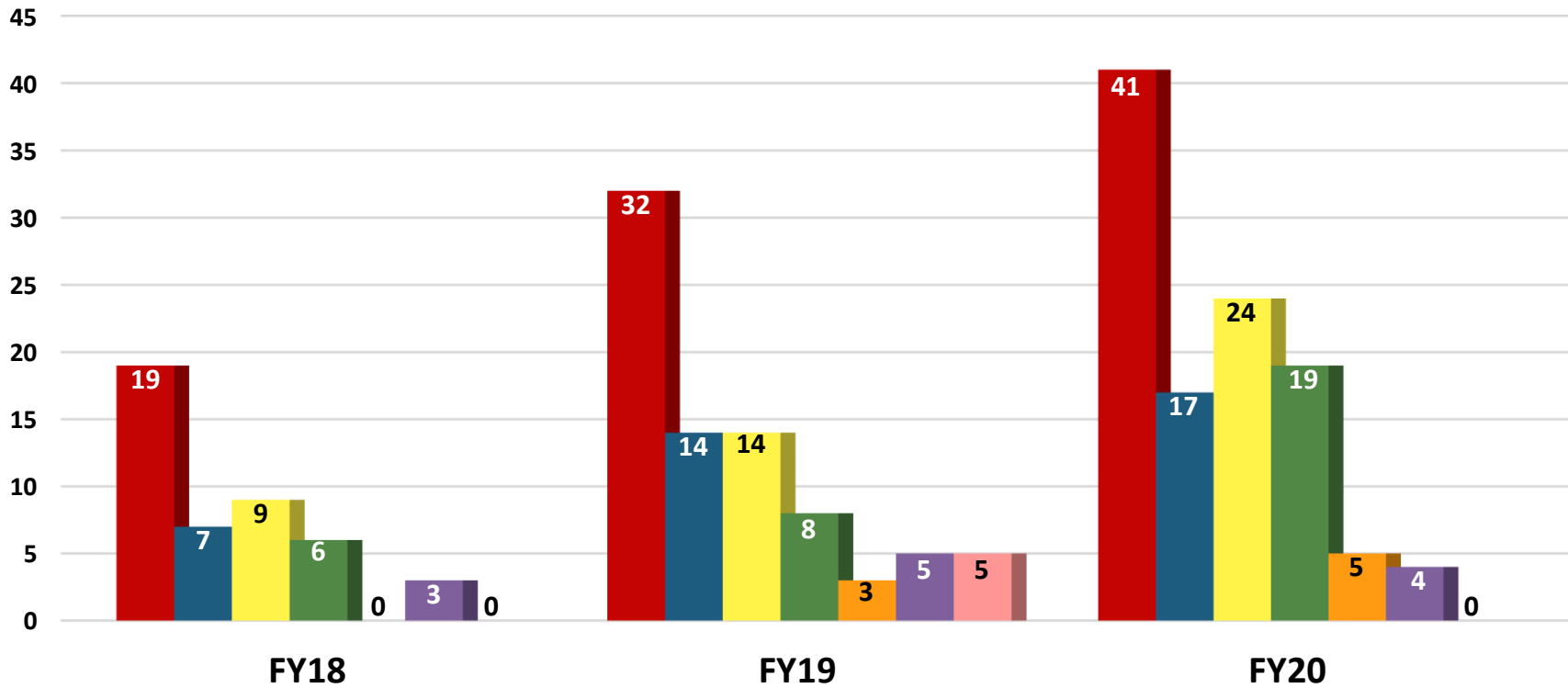
The Commission received 41 Advisory Opinion Requests in FY20, 17 of which were dismissed or withdrawn. In the remaining 24 Requests, the Commission issued 24 Opinions in FY20. 5 additional Opinions were issued in FY20 for requests received in FY19.

Abstract Opinions: Of the 24 cases, 19 remained confidential and required an additional 19 Abstract Opinions, all of which were completed within the FY.

<sup>4</sup> A Dismissed or Withdrawn case occurs prior to submission to the Commission for deliberation and does not take into account the many staff hours expended on jurisdictional analysis, factual development, legal analysis and communications with the Requester.

## Advisory Opinion Requests by Fiscal Year (FY)

NOTE: Many Advisory Opinion Requests Received during a FY are Not Resolved in the same FY through the issuance of Advisory Opinions and/or Abstract Opinions.



- Requests for Advisory Opinions Received
- Advisory Opinions Withdrawn/ Dismissed
- Advisory Opinions Issued
- Abstract Opinions Issued
- Advisory Opinions Issued for Request Received in Prev. FY
- Abstract Opinions Issued for Request Received in Prev. FY
- Abstract Opinions Received in FY carried forward to next FY



## Advisory Requests by Location

FY 2020		
RFO No.	Date Filed	Location
19-055A	7/3/19	City of Las Vegas - Op Iss'd 8/13/19; No Ab
19-059A	7/15/19	City of Henderson - Op Iss'd 9/3/19; No Ab
19-066A	8/7/19	Lander County
19-068A	8/12/19	City of Las Vegas - Op Iss'd 10/8/19; Ab Iss'd 12/11/19
19-073A	8/22/19	State
19-076A	8/26/19	State
19-077A	8/29/19	State - Op Iss'd 10/15/19; No Ab
19-078A	8/29/19	City of Ely
19-080A	8/30/19	State - Op Iss'd 10/8/19; No Ab
19-083A	9/4/19	State - Op Iss'd 10/2/19; Ab Iss'd 12/11/19
19-092A	9/30/19	City of Carson - Op Iss'd 11/26/19; Ab Iss'd 1/23/20
19-096A	10/1/19	State - Op Iss'd 12/2/19; Ab Iss'd 2/6/20
19-097A	10/2/19	Nye County
19-098A	10/3/19	State - Op Iss'd 11/25/19; Ab Iss'd 1/23/20
19-100A	10/18/19	State - Op Iss'd 11/25/19; Ab Iss'd 1/29/20
19-114A	11/12/19	State
19-115A	11/14/19	Lander County
19-117A	11/26/19	State
19-120A	12/5/19	State - Op Iss'd 1/16/20; Ab Iss'd 6/1/20
19-121A	12/9/19	City of Carlin - Op Iss'd 1/22/20; No Ab
19-124A	12/24/19	Clark County - Op Iss'd 2/10/20; Ab Iss'd 6/1/20
20-003A	1/15/20	State - Op Iss'd 3/25/20; Ab Iss'd 6/8/20
20-004A	1/16/20	State - Op Iss'd 2/10/20; Revised Op Iss'd 6/8/20
20-006A	1/21/20	Storey County - Op Iss'd 3/9/20; Ab Iss'd 6/18/20
20-008A	1/24/20	Lander County - Op Iss'd 3/9/20; Ab Iss'd 4/16/20
20-011A	2/12/20	State - Op Iss'd 3/30/20; Ab Iss'd 6/22/20
20-012A	2/12/20	State
20-013A	2/12/20	Clark County
20-014A	2/18/20	State
20-017A	3/2/20	Clark County
20-020A	3/4/20	State - Op Iss'd 4/20/20; Ab Iss'd 6/24/20
20-021A	3/4/20	State - Op Iss'd 4/7/20; Ab Iss'd 6/25/20
20-022A	3/11/20	Clark County - Op Iss'd 4/21/20; Ab Iss'd 6/25/20
20-024A	3/17/20	City of Las Vegas
20-025A	3/17/20	City of Las Vegas - Op Iss'd 4/23/20; Ab Iss'd 6/25/20
20-036A	4/2/20	State - Op Iss'd 5/28/20; Ab Iss'd 6/25/20
20-038A	4/19/20	State - Op Iss'd 5/28/20; Amend'd Ab Iss'd 7/9/20
20-039A	4/19/20	State
20-042A	5/4/20	State
20-046A	5/12/20	City of Ely
20-047A	5/12/20	City of Ely

Duplicate Request/ Improper Filing  
Request Withdrawn/ Dismissed

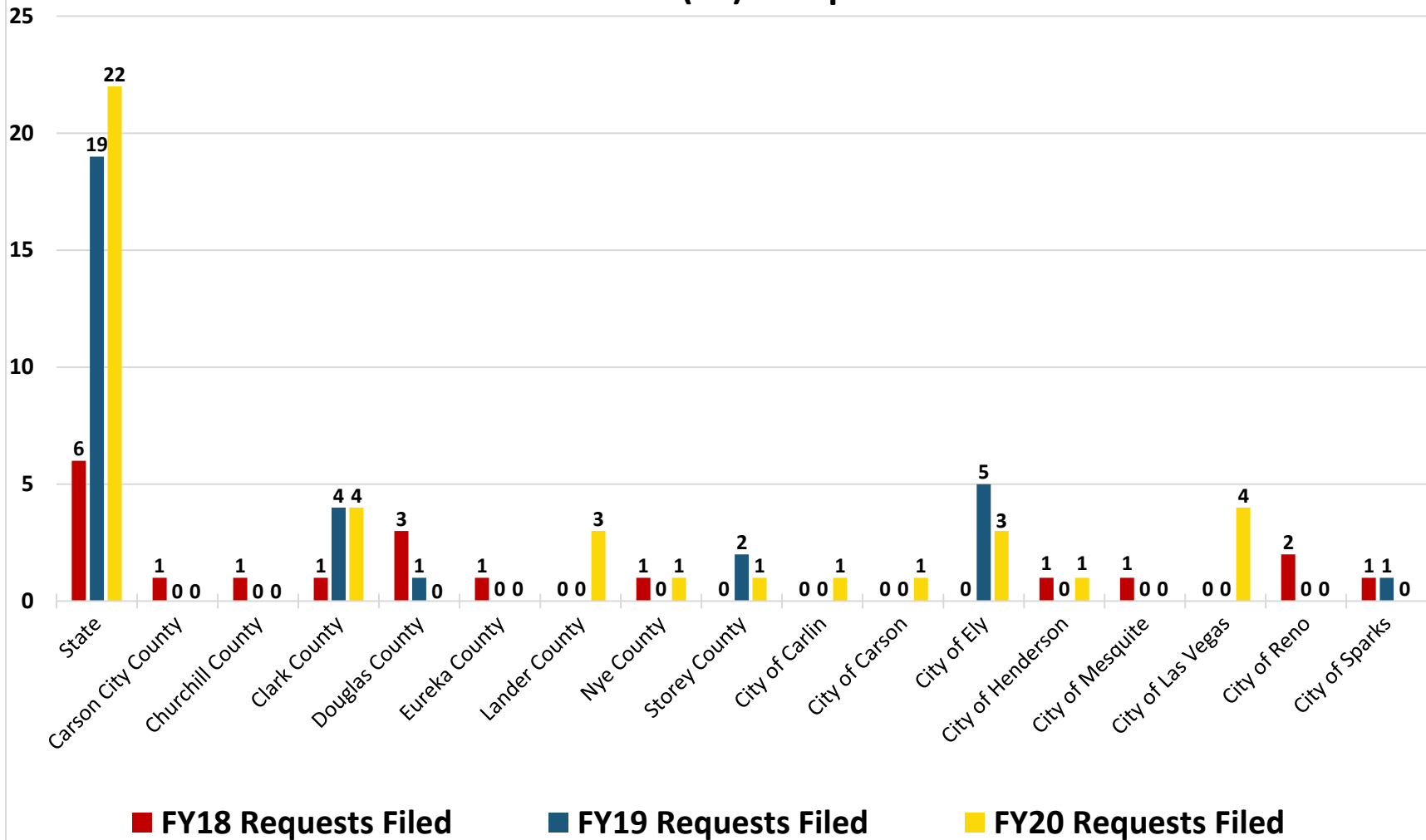
FY 2020		
	Requests Received	Opinions Issued**
<b>State</b>	<b>22</b>	<b>14</b>
<b>County</b>		
Clark	4	2
Lander	3	1
Nye	1	
Storey	1	1
<b>City</b>		
Carlin	1	1
Carson	1	1
Ely	3	
Henderson	1	1
Las Vegas	4	3
<b>Total County/ City</b>	<b>19</b>	<b>10</b>
<b>Total Rec'd</b>	<b>41</b>	
<b>No Jurisdiction</b>	<b>0</b>	
<b>Duplicate/ Improper</b>	<b>5</b>	
<b>Withdrawn/ Dismissed ***</b>	<b>12</b>	
<b>Processed by Commission*</b>	<b>24</b>	<b>24</b>

\* Total Received minus No Jurisdiction, Withdrawn/ Dismissed & Duplicate/ Improper

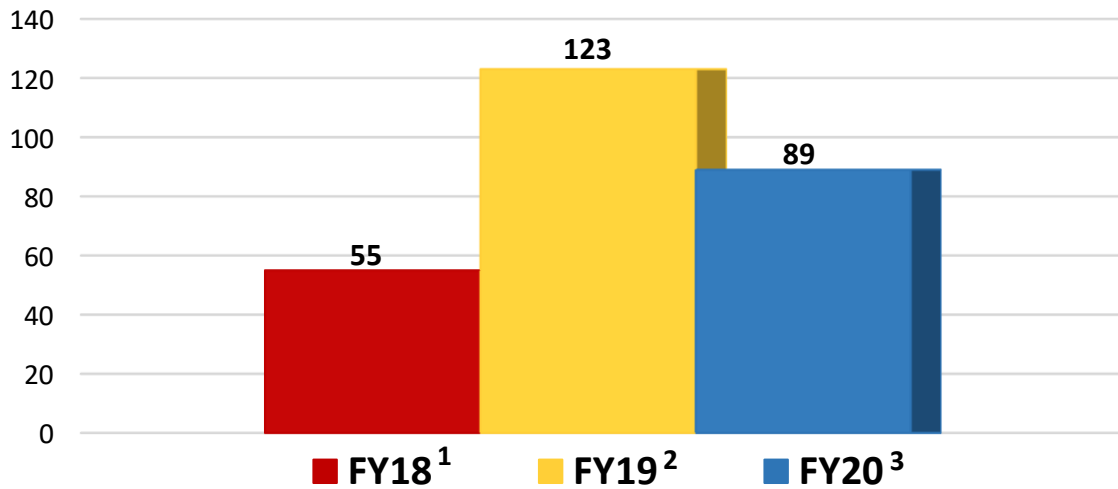
\*\*19 Additional Abstract Opinions Issued  
(5 of 24 waived confidentiality)

\*\*\*Withdrawn cases often involve staff processing prior to Submission/ Hearing

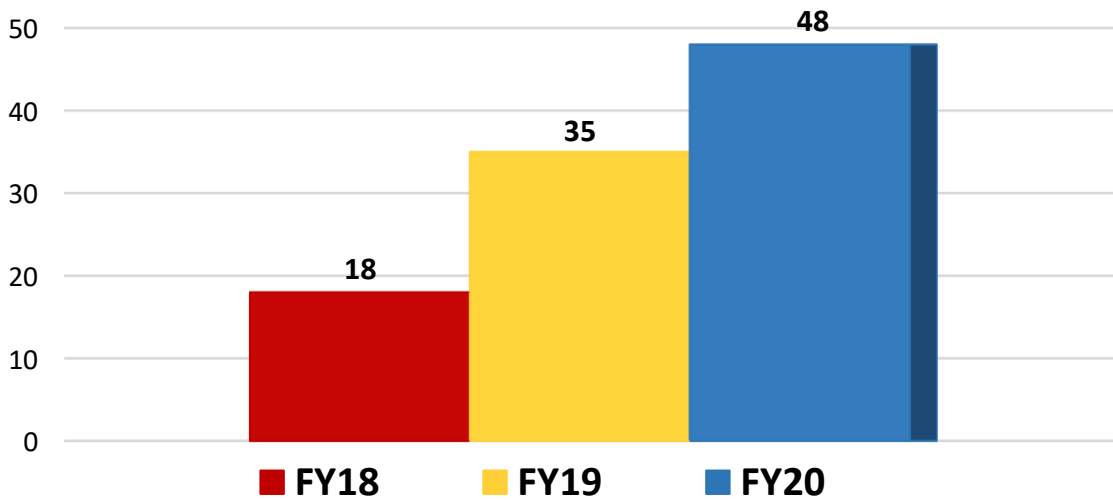
## Advisory Opinion Requests Filed by Jurisdiction of Subject Fiscal Year (FY) Comparison



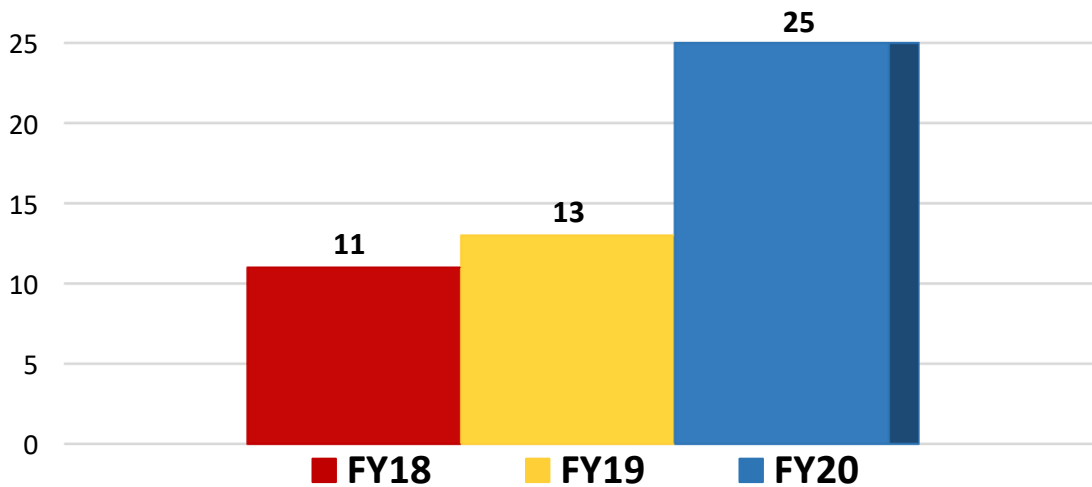
### Complaints Received by Fiscal Year (FY)



### Total Active Investigations/ Adjudications in Fiscal Year



### Case Resolved in Fiscal Year



## Complaint Case Statistics by Fiscal Year (FY) Footnotes

### <sup>1</sup> **FY18**

13 Active Investigations of Complaints received in FY18; 5 additional Active Investigations from prior Fiscal Years.

- Total Active Investigations = 18
- Total Cases Resolved in FY18 = 11
- Total Investigations Remaining Pending for FY19 = 7

### <sup>2</sup> **FY19**

28 Active Investigations of Complaints received in FY19; 7 additional Active Investigations from prior Fiscal Years.

- Total Active Investigations = 35
- Total Cases Resolved in FY19 = 13
- Total Investigations Remaining Pending for FY20 = 22

### <sup>3</sup> **FY20**

25 Active Investigations of Complaints received in FY20; 23 additional Active Investigations from prior Fiscal Years (including 1 from FY18).

- Total Active Investigations = 48
- Total Investigations Resolved = 25
- Total Investigations Remaining Pending for FY21 = 23

### **Dismissed/ Withdrawn Cases – No Investigation**

In FY18, 25 of the 39 Complaints were dismissed/ withdrawn.

In FY19, 81 of the 123 Complaints were dismissed/ withdrawn.

In FY20, 64 of the 89 Complaints were dismissed/ withdrawn.

The Commission reviews every Complaint and issues a Formal Order in each case regarding its jurisdiction and determination whether to formally investigate the allegations. Staff prepare a written recommendation in every case regarding whether the Commission has jurisdiction in the matter and whether the Complaint is filed with sufficient evidence in support of the allegations to warrant an investigation. The recommendation includes preliminary investigation, legal research and legal analysis with 4-5 staff members working on each case. Many cases are dismissed with a separate Letter of Caution or Instruction.

# Ethics Complaint Cases by Location

## FY 2020




RFO No.	Date Filed	Location
19-053C	7/2/19	Nye County
19-054C	7/3/19	City of Las Vegas
19-056C	7/8/19	State
19-057C	7/8/19	State
19-058C	7/10/19	Nye County
19-060C	7/16/19	State
19-061C	7/19/19	Clark County
19-062C	7/22/19	State
19-063C	7/22/19	State
19-064C	7/22/19	State
19-065C	8/1/19	Washoe County
19-067C	8/7/19	Clark County
19-069C	8/12/19	City of Las Vegas
19-070C	8/16/19	State
19-071C	8/16/19	Clark County
19-072C	8/19/19	Clark County
19-074C	8/21/19	State
19-075C	8/21/19	State
19-079C	8/29/19	State
19-081C	8/31/19	State
19-082C	9/2/19	State
19-084C	9/16/19	State
19-085C	9/16/19	Lyon County
19-086C	9/18/19	State
19-087C	9/18/19	State
19-088C	9/21/19	Lander County
19-089C	9/23/19	Mainor Wirth Injury Lawyers
19-090C	9/25/19	Bellagio Hotel & Casino
19-091C	9/26/19	Neeman & Mills PLLC
19-093C	9/30/19	Lander County
19-094C	10/1/19	Clark County
19-095C	10/1/19	City of Ely - Alworth
19-099C	10/8/19	State
19-101C	10/21/19	Clark County
19-102C	10/22/19	State
19-103C	10/23/19	Washoe County
19-104C	10/23/19	Washoe County
19-105C	10/24/19	State
19-106C	10/23/19	State
19-107C	10/28/19	State
19-108C	10/29/19	State
19-109C	10/29/19	State
19-110C	10/30/19	State
19-111C	11/5/19	City of Boulder
19-112C	11/6/19	Clark County

## FY 2020

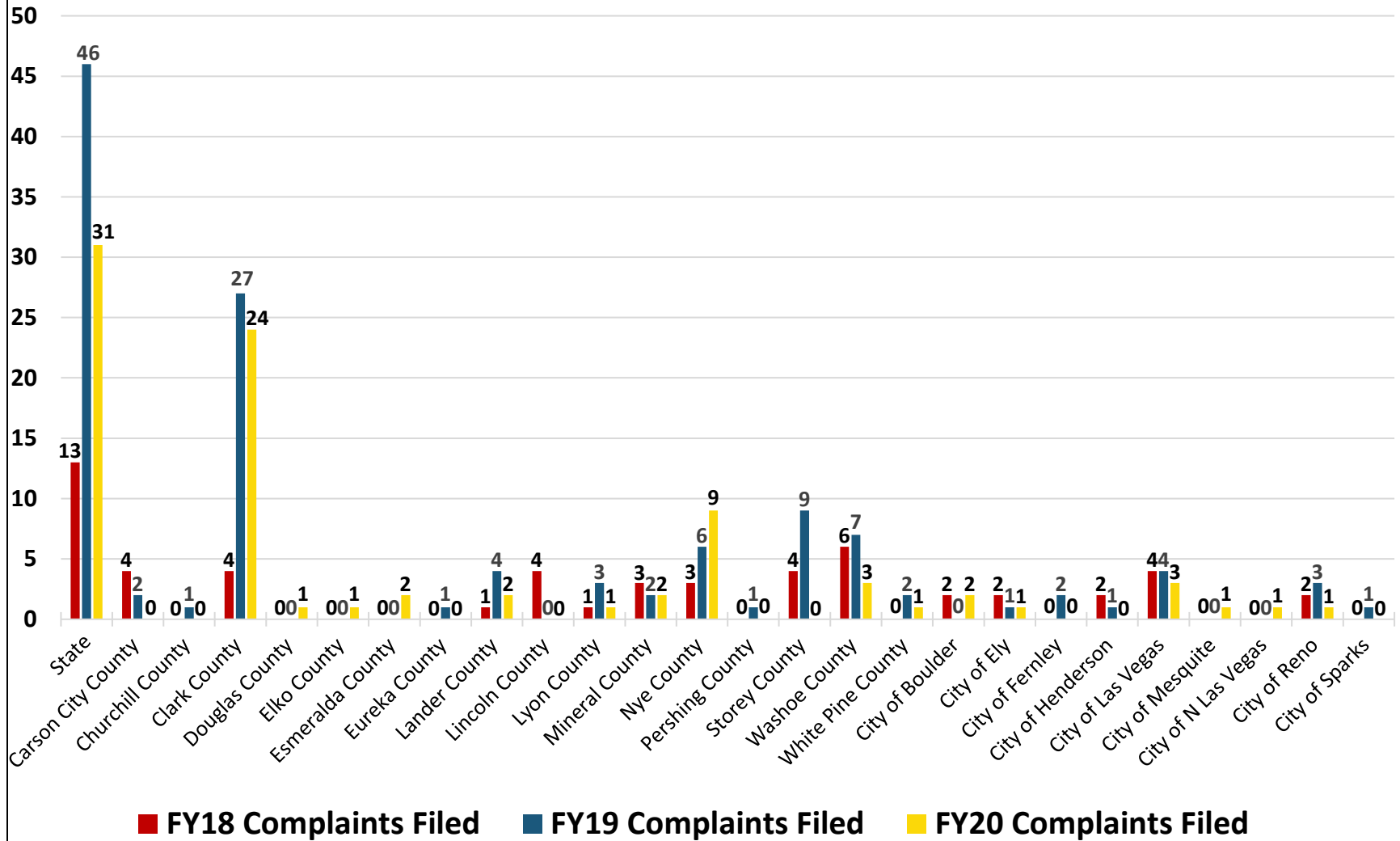
	Complaints Filed	Jurisdiction Accepted for Investigation
<b>State</b>	<b>31</b>	<b>8</b>
<b>County</b>		
Clark	24	3
Douglas	1	
Elko	1	
Esmeralda	2	2
Lander	2	2
Lyon	1	
Mineral	2	
Nye	9	3
Washoe	3	1
White Pine	1	
<b>City</b>		
Boulder	2	2
Ely	1	1
Las Vegas	3	
Mesquite	1	1
N Las Vegas	1	1
Reno	1	1
<b>Total County/ City</b>	<b>55</b>	<b>17</b>
<b>Total State &amp; Local</b>	<b>86</b>	<b>25</b>

-3 complaints received against private citizens, no jurisdiction

46	19-113C	11/6/19	Clark County - Jara
47	19-116C	11/25/19	Douglas County
48	19-118C	11/27/19	Nye County
49	19-119C	12/2/19	Nye County
50	19-122C	12/12/19	Elko County
51	19-123C	12/16/19	Nye County
52	19-125C	12/27/19	Clark County
53	19-126C	12/27/19	City of N Las Vegas
54	19-127C	12/30/19	State
55	19-128C	12/30/19	Esmeralda Co
56	19-129C	12/30/19	Esmeralda Co
57	19-130C	12/31/19	Nye County
58	20-001C	1/6/20	State
59	20-002C	1/13/20	Clark County
60	20-005C	1/21/20	Clark County
61	20-007C	1/23/20	City of Boulder
62	20-009C	2/9/20	State
63	20-010C	2/10/20	City of Reno
64	20-015C	2/25/20	Clark County
65	20-016C	3/2/20	Nye County
66	20-018C	3/4/20	Nye County
67	20-019C	3/4/20	Clark County
68	20-023C	3/17/20	Nye County
69	20-026C	3/24/20	State
70	20-027C	3/30/20	State
71	20-028C	3/31/20	Clark County
72	20-029C	3/31/20	Clark County
73	20-030C	3/31/20	Clark County
74	20-031C	3/31/20	Clark County
75	20-032C	3/31/20	Clark County
76	20-033C	3/31/20	Clark County
77	20-034C	3/31/20	Clark County
78	20-035C	3/31/20	Clark County
79	20-037C	4/6/20	Clark County
80	20-040C	4/23/20	City of Las Vegas
81	20-041C	4/20/20	Mineral County
82	20-043C	5/4/20	Clark County
83	20-044C	5/4/20	Mineral County
84	20-045C	5/11/20	White Pine County
85	20-048C	5/18/20	City of Mesquite
86	20-049C	5/26/20	Clark County
87	20-050C	6/8/20	State
88	20-051C	6/10/20	State
89	20-052C	6/11/20	State

 Case Withdrawn - Duplicate Submission  
 Case Dismissed - With or without a Letter  
 Case Investigated or Pending Investigation

## Ethics Complaints Filed by Jurisdiction of Subject Fiscal Year (FY) Comparison



RFO No.	Date Filed	Jurisdiction	Local or State	Subject	Requester	Status
20-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-059C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-058A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
20-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-056C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-055C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Dismissal
20-053A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
↑ FISCAL YEAR 2021 ↑						
20-048C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-027C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-023C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-010C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-007C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Adjudicatory Hearing 2/17/21
20-001C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-129C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-128C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-126C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-113C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-111C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-105C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-081 & 19-082C
19-102C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-095C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-093C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-088C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-082C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-081 & 19-105C



19-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-082 & 19-105C
19-067C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 9/16/20
19-065C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 9/16/20
↑ FISCAL YEAR 2020 ↑						
19-044C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 2/20/20; Compliance Period expires 2/20/25 (5 years)
19-039C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 10/14/19; Compliance Period expires 10/14/21
19-035C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 8/19/20
19-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 6/17/19 Compliance Pending - \$8,700 Civil Penalty due 7/31/21 (\$6,430.44 Remaining)
19-004C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 6/4/20; Compliance Pending - Compliance Period expires 6/4/22, Must Attend Ethics Training
18-139C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulation Pending - 8/19/20
18-072C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 1/15/19; Compliance Pending - Compliance Period expires 1/15/21
18-061C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulation Pending - 8/19/20
18-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 8/19/20
18-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 3/11/19; Compliance Pending - Compliance Period expires 3/11/21
18-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed in Part by Panel 2/20/19 w/Ltr of Caution; Deferral Agreement 3/14/19; Compliance Pending - Compliance Period expires 3/14/21
↑ FISCAL YEAR 2019 ↑						

RFO No.	Date Filed	Jurisdiction	Local or State	Subject	Requester	Status
20-052C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-051C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-050C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-049C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-048C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-047A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-046A Duplicate)
20-046A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
20-045C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn - Confidentiality denied
20-044C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-042A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Incorrect Filing; Advisory Opinion filed re alleged conduct of Senator
20-041C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-040C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-039A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-038A Duplicate)
20-038A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 5/28/20; Amended Abstract Opinion issued 7/9/20
20-037C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction - 2 yr statute of limitations)
20-036A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 5/27/20; Abstract Opinion issued 6/25/20
20-035C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

20-034C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-033C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-032C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-031C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-030C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-029C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-028C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-027C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-026C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-025A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 4/23/20; Abstract Opinion issued 6/25/20
20-024A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-025A Duplicate)
20-023C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-022A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 4/21/20; Abstract Opinion issued 6/25/20
20-021A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 4/7/20; Abstract Opinion issued 6/25/20
20-020A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 4/20/20; Abstract Opinion issued 6/24/20
20-019C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
20-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-017A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction)
20-016C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)

20-015C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
20-014A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
20-013A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction)
20-012A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-011A Duplicate)
20-011A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/30/20; Abstract Opinion issued 6/22/20
20-010C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-009C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
20-008A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/9/20; Abstract Opinion issued 6/1/20
20-007C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Adjudicatory Hearing 2/17/21
20-006A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/9/20; Abstract Opinion issued 6/18/20
20-005C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-004A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 2/10/20; Revised Opinion issued 6/24/20
20-003A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/25/20; Abstract Opinion issued 6/8/20
20-002C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-001C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-130C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 5/13/20
19-129C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-128C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-127C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-126C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-125C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction 2/13/20 (No Jurisdiction; No Investigation)

19-124A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 2/10/20; Abstract Opinon 6/1/20
19-123C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-122C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-121A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 1/23/20; Confidentiality Waived
19-120A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 1/16/20; Abstract Opinion 6/1/20
19-119C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-118C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-117A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-116C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-115A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Jurisdictional Deficiency
19-114A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-113C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-112C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 19-113C Duplicate)
19-111C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-110C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-109C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-108C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-107C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-106C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-105C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-081 & 19-082C

19-104C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-103C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-102C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-101C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-100A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/25/19; Abstract Opinion issued 1/29/20
19-099C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-098A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/25/19; Abstract Opinion issued 1/23/20
19-097A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-096A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 12/2/19; Abstract Opinion issued 2/6/20
19-095C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-094C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-093C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-092A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/26/19; Abstract Opinion issued 1/23/20
19-091C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-090C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-089C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-088C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-087C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction 11/4/19 (Jurisdiction; No Investigaton)
19-086C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-085C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-084C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

19-083A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/2/19; Abstract Opinion issued 12/11/19
19-082C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-081 & 19-105C
19-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement Pending 8/19/20; Consolidated with 19-082 & 19-105C
19-080A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/8/19; Confidentiality waived
19-079C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-078A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-077A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/15/19; Confidentiality waived
19-076A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed No Response Rec'd from Subject
19-075C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 11/14/19
19-074C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 11/14/19
19-073A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-072C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-071C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-070C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-069C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-068A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/8/19; Abstract Opinion issued 12/11/19
19-067C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 9/16/20
19-066A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-065C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - 9/16/20

19-064C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-063C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-062C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-061C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-059A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 9/3/19; Confidentiality waived
19-058C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Caution 8/15/19 (Jurisdiction; No Investigaton)
19-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel (Jurisdiction; No Investigation)
19-056C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel (Jurisdiction; No Investigation)
19-055A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 8/13/19; Confidentiality waived
19-054C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-053C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)