

**LCB File No: R055-19**  
**Proposed Language Changes**

*The below provided draft is intended to reflect NAC 641B after its amendment pursuant to LCB File No. R110-17. This draft is for the internal use of the Board of Examiners for Social Workers. The official version of NAC 641B that the Legislative Counsel Bureau will publish may differ from this draft as to format as well as the language used for the section titles and the location of certain new sections. A copy of LCB File No. R110-17 is available on the Social Work Board website at [www.socwork.nv.gov](http://www.socwork.nv.gov).*

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## GENERAL PROVISIONS

**NAC 641B.005 Definitions.** ([NRS 641B.160](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 641B.010](#) to [641B.065](#), inclusive, and sections 2, 3 and 4 of LCB File No. R110-117 have the meanings ascribed to them in those sections.

**NAC 641B.010 "Applicant" defined.** ([NRS 641B.160](#)) "Applicant" means a person who applies for any privilege, license, approval or authority from the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R113-98, 1-13-99)

**NAC 641B.012 "Approved provider of continuing education" defined.** ([NRS 641B.160](#)) "Approved provider of continuing education" means a provider that the Board has approved to provide programs of continuing education without submitting the contents of each individual program for the review process set forth in subsection 1 of [NAC 641B.191](#).

(Added to NAC by Bd. of Exam'rs for Social Workers by R112-00, 1-17-2001)

**NAC 641B.015 "Board" defined.** ([NRS 641B.160](#)) "Board" means the Board of Examiners for Social Workers.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.017 "Client" defined.** ([NRS 641B.160](#)) "Client" means a natural person, couple, family, group, organization, governmental agency or political subdivision of this State that receives services from a social worker, regardless of whether the social worker charges a fee or receives any compensation for the services.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003; R142-08, 2-11-2009)

**NAC 641B.022 "Colleague" defined.** ([NRS 641B.160](#)) "Colleague" means any provider of services directly to a client, including, without limitation, professionals, paraprofessionals and team members.

(Added to NAC by Bd. of Exam'rs for Social Workers by R079-02, eff. 1-9-2003)

**NAC 641B.025 "Complainant" defined.** ([NRS 641B.160](#)) "Complainant" means any person who complains to the Board of any act of any *person practicing as a social worker*.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.027 "Continuing education hour" defined.** ([NRS 641B.160](#)) "Continuing education hour" means 60 minutes of instruction devoted to a program of continuing education.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 5-15-92; 11-8-95; R113-98, 1-13-99)

**NAC 641B.028 "Degree in a related field" defined.** ([NRS 641B.160](#)) "Degree in a related field" means a degree that includes a curriculum in:

1. Theories or concepts of human behavior and the social environment;
2. Methods used in the practice of social work for intervention and delivery of services;
3. Research concerning social work, including, without limitation, the evaluation of programs or practices;
4. Management, administration or social policy; and
5. Ethics in the practice of social work.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R112-00, 1-17-2001) — (Substituted in revision for NAC 641B.058)

**Sec. 2 of LCB File No. R110-17 ["Dual Relationship" defined.]** ([NRS 641B.160](#)) "Dual relationship" means a relationship between a licensee and a client to whom the licensee provides professional services or an

intern or person who is supervised by the licensee that includes another professional, social or business relationship with the client, intern or other person.

**NAC 641B.035 "Intern" defined. (NRS 641B.160)** "Intern" means an applicant for licensure as a licensed independent social worker or as a licensed clinical social worker who has not yet completed 3,000 hours of supervised postgraduate training, but is in the process of doing so under a program of internship approved by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R079-02, 1-9-2003)

**NAC 641B.040 "Intervener" defined. (NRS 641B.160)** "Intervener" means any person who is not an original party to a proceeding but who may be directly and substantially affected by it and who secures an order from the Board or presiding officer granting him or her leave to intervene.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.041 "Licensed associate in social work" defined. (NRS 641B.160)** "Licensed associate in social work" means a person licensed by the Board pursuant to [NRS 641B.210](#) to engage in the practice of social work ~~under the supervision of an agency~~ *as an associate in social work*.

**NAC 641B.042 "Licensed clinical social worker" defined. (NRS 641B.160)** "Licensed clinical social worker" means a person licensed by the Board pursuant to [NRS 641B.240](#) to engage in the practice of social work as a clinical social worker.

(Added to NAC by Bd. of Exam'rs for Social Workers by R079-02, eff. 1-9-2003)

**NAC 641B.043 "Licensed independent social worker" defined. (NRS 641B.160)** "Licensed independent social worker" means a person licensed by the Board pursuant to [NRS 641B.230](#) to engage in the *independent* practice of social work as an independent social worker.

(Added to NAC by Bd. of Exam'rs for Social Workers by R079-02, eff. 1-9-2003)

**NAC 641B.044 "Licensed social worker" defined. (NRS 641B.160)** "Licensed social worker" means a person licensed by the Board pursuant to [NRS 641B.220](#) to engage in the practice of social work as a social worker ~~under the supervision of an agency~~.

(Added to NAC by Bd. of Exam'rs for Social Workers by R079-02, eff. 1-9-2003)

**NAC 641B.045 "Licensee" defined. (NRS 641B.160)** "Licensee" means a person holding a license or provisional license pursuant to this chapter as a licensed associate in social work, licensed social worker, licensed independent social worker or licensed clinical social worker.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R113-98, 1-13-99; R079-02, 1-9-2003)

**NAC 641B.047 "Licensing period" defined. (NRS 641B.160)** "Licensing period" means the period in which a license is valid as prescribed in [NAC 641B.110](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89)

**NAC 641B.050 "Petitioner" defined. (NRS 641B.160)** "Petitioner" means any person, except a complainant, who petitions for any affirmative relief, including a person who requests an advisory opinion or declaratory order or requests the adoption, amendment or repeal of a regulation.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.052 "Program of continuing education" defined. (NRS 641B.160)** "Program of continuing education" means a course or program of education and training that:

1. Is designed to maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work; and
2. Has been approved by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R112-00, 1-17-2001; R079-02, 1-9-2003; R142-08, 2-11-2009)

**NAC 641B.055 "Protestant" defined. (NRS 641B.160)** "Protestant" means any person who enters a proceeding to protest against an application or petition.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.056 "Provider" defined. (NRS 641B.160)** "Provider" means a person or entity who offers programs of continuing education that must be approved pursuant to the review process set forth in subsection 1 of [NAC 641B.191](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R112-00, 1-17-2001)

**NAC 641B.057 "Psychotherapeutic methods and techniques" defined. (NRS 641B.160)** "Psychotherapeutic methods and techniques" means the methods of treatment, including, without limitation, the use of individual, couples, family and group therapy, that use a specialized, formal interaction between a licensed clinical social worker and a client in which a therapeutic relationship is established and maintained to:

1. Understand unconscious processes and intrapersonal, interpersonal and psychosocial dynamics; and
2. Diagnose and treat mental, emotional and behavioral disorders, conditions and addictions.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003; R142-08, 2-11-2009)

**Sec. 3 of LCB File No. R110-17 ["Reporting Period" defined.] (NRS 641B.160)** "Reporting period" means the period during which a licensee must obtain the hours of continuing education required pursuant to [NAC 641B.187](#).

**NAC 641B.060 "Respondent" defined. (NRS 641B.160)** "Respondent" means a person against whom any complaint is filed or investigation is initiated.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.062 "Services that are culturally and linguistically appropriate" defined. (NRS 641B.160)** "Services that are culturally and linguistically appropriate" means any care or services provided by a licensee that:

1. Are effective, understandable and respectful; and
2. Within the limitations of any available resources, are compatible with the client's:
  - (a) Cultural beliefs and practices; and
  - (b) Preferred language of communication.

(Added to NAC by Bd. of Exam'rs for Social Workers by R122-06, eff. 7-14-2006)

**NAC 641B.063 "Social work services" defined. (NRS 641B.160)** "Social work services" means the application of skills, knowledge, methods, principles and techniques relating to social work in the licensed practice of social work.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003)

**NAC 641B.065 "Social worker" defined. (NRS 641B.160)** "Social worker" means a licensed associate in social work or a person holding a license or provisional license as a licensed social worker, a licensed independent social worker or a licensed clinical social worker unless the context specifically refers solely to a person licensed as a licensed social worker pursuant to [NRS 641B.220](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R112-00, 1-17-2001; R079-02, 1-9-2003)

**Sec. 4 of LCB File No. R110-17** [**“Telehealth” defined**]. (NRS 641B.160) “Telehealth” means use of various technologies to remotely deliver services to clients. It includes the delivery of services from a social worker to a client at a different location using electronic information and telecommunication technologies.

**NAC 641B.068 Interpretation of term “all costs incurred by the Board relating to the discipline of the person.”** (NRS 641B.160, 641B.430) As used in NRS 641B.430, the Board will interpret the term “all costs incurred by the Board relating to the discipline of the person” to include, without limitation:

1. Attorney’s fees *and costs*;
2. Hearing *fees and* costs; and
3. Investigative fees and costs.

(Added to NAC by Bd. of Exam’rs for Social Workers by R079-02, eff. 1-9-2003)

**NAC 641B.069 Interpretation of terms used in NRS 641B.030.** (NRS 641B.160) As used in NRS 641B.030, the Board interprets:

1. “Administration” to mean one or more methods used by those persons with administrative responsibility to plan and achieve organizational goals that will enhance the ability of a client to function physically, socially and economically.

2. “Case work” to mean a method to advocate, plan, provide, evaluate, coordinate and monitor services from a variety of resources on behalf of and in collaboration with a client.

3. “Community organization” to mean a process of intervention to deal with social problems and to enhance the public safety and welfare through planned collective action.

4. “Consultation” to mean a problem-solving process in which expertise is offered to a client or colleague to assist in learning how to solve problems and make decisions to enhance or restore the ability of a client to function physically, socially and economically. The term includes counseling and may be on a continuous, temporary or ad hoc basis.

5. “Group work” to mean an orientation and method of social work intervention in which a small number of persons who share similar problems convene and engage in activities designed to achieve certain objectives.

6. “Planning” to mean the process of specifying future objectives for a client, evaluating the means for achieving those objectives and making deliberate choices with or for the client about the appropriate course of action to achieve the objectives.

7. “Research” to mean systematic procedures used in seeking facts or principles to assist clients in their ability to enhance or restore their ability to function physically, socially and economically.

(Added to NAC by Bd. of Exam’rs for Social Workers by R142-08, eff. 2-11-2009)

**NAC 641B.070 Severability.** (NRS 641B.160) If any provision of this chapter or any application thereof to any person, thing or circumstance is held invalid, the Board intends that such invalidity not affect the provisions or applications to the extent that they can be given effect.

(Added to NAC by Bd. of Exam’rs for Social Workers, eff. 9-20-88)



## LICENSING AND SUPERVISION

**NAC 641B.075 Evidence of license.** ([NRS 641B.160](#)) Any time a person engages in the practice of social work, the person shall carry evidence that is satisfactory to the Board that he or she holds a license issued by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003)

**NAC 641B.080 Display of license.** ([NRS 641B.160](#)) A licensee shall display prominently:

1. At ~~the primary~~ **all** places of employment or practice of the licensee, the license issued to him or her by the Board.
2. ~~At all other places of employment or practice of the licensee, a copy of the license issued to him or her by the Board that has been certified as a true copy by a notary public.~~

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R113-98, 1-13-99; R112-00, 1-17-2001)

**NAC 641B.082 Display of internship certificate.** ([NRS 641B.160](#)) An internship certificate issued by the Board must be prominently displayed at all times at each location approved by the Board for the internship.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99)

**NAC 641B.085 List of licensed persons; notice of change of address.** ([NRS 641B.130](#), [641B.160](#))

1. A copy of the list of names and professional addresses of each person licensed pursuant to this chapter may be obtained from the Board upon written request and payment of the cost of reproduction.
2. Each licensee shall furnish the Board with written notice of his or her home and professional address within 30 days after moving.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89; R112-00, 1-17-2001)

**NAC 641B.090 Application for licensure or renewal; conditions for waiver of examination.** ([NRS 641B.160](#), [641B.202](#))

1. An application for licensure or renewal must be complete before the Board will process the application. The Board will consider such an application to be complete if:
  - (a) The application is submitted ~~on~~ **in** a form provided by the Board;
  - (b) All the information requested has been provided in accordance with the instructions on the form;
  - (c) All payments and fees required by the Board for licensure or renewal have been received by the Board; and
  - (d) All documents required by the Board for licensure or renewal have been received by the Board.
2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he or she has previously submitted to the Board.
3. By submitting an application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within the application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.
4. An applicant for initial licensure must submit to the Board to satisfy the requirements of [NRS 641B.202](#):
  - (a) Two sets of completed fingerprint cards;
  - (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.

5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.

6. If deemed necessary, the Board will require the personal appearance of the applicant.

7. For each application, the Board will:

(a) Approve the application;

(b) Defer action on the application pending the receipt by the Board of additional information concerning the application; or

(c) Deny the application.

8. The Board may waive the required examination for an applicant if the applicant passed an examination that is at least equivalent to the examination that the applicant would otherwise be required to take pursuant to NAC 641B.105.

***9. An application for initial licensure shall remain open for a period of 9 months after the initial exam approval is granted. The Board will not refund any monies related to an application.***

***10. An application for endorsement shall remain open for a period of 6 months from the date the application is received by the Board. The Board will not refund any monies related to an application.***

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-8-95; R112-00, 1-17-2001; R079-02, 1-9-2003; R048-04, 5-25-2004; R142-08, 2-11-2009)

**Sec. 6 of LCB File No. R110-17 Application for authorization to make certifications concerning emergency admissions or involuntary court-ordered admissions**

1. A licensed clinical social worker must apply to the Board for authorization make the certifications for an emergency admission, release from an emergency admission involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, 3004.

2. The application required pursuant to subsection 1 must be submitted to the Board ***on the*** form approved by the Board and must include, without limitation, evidence which is satisfactory to the Board that the applicant:

(a) Has not had a lapse in his or her license as a clinical social worker or his or her practice of social work as a clinical social worker for a minimum of 5 years;

(b) Does not have a professional license or credential that is currently revoked or suspended by an agency of another state and is not currently subject to other disciplinary action by the Board or with regard to a professional license or registration that was issued by another state; and

(c) Has at least 3 years' experience in a mental health setting in the practice of clinical social work or the supervision of clinical social work. The experience in a mental health setting must have been obtained after the applicant was licensed as a clinical social worker.

3. A licensed clinical social worker who is authorized by the Board to make the certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, and who is not otherwise covered under a policy of professional liability insurance shall maintain a policy of professional liability insurance.

**NAC 641B.095 Evidence of age, citizenship and entitlement to remain and work in United States. (NRS 641B.160, 641B.200)**

1. For the purposes of [NRS 641B.200](#), the Board will accept as satisfactory evidence of the age of the applicant:

- (a) A certified copy of a birth certificate;
- (b) A *copy of a current* passport;
- ~~(c) A baptismal certificate;~~
- (d) A *copy of a current* driver's license; or
- (e) Any other such documentation regarding age that is satisfactory to the Board.

↳ If the evidence submitted pursuant to this subsection includes any order of a court or other legal document specifying a change of name of the applicant or any form of identification that includes a photograph of the applicant, a copy of the document or identification must also be submitted to the Board.

2. The citizenship of the applicant:

- (a) A certified copy of his or her birth certificate;
- (b) A *copy of a current* passport;
- (c) *A copy of* Naturalization papers; or
- (d) Any other such documentation regarding age that is satisfactory to the Board.

3. The lawful entitlement of the applicant to remain and work in the United States, a copy of documentation from the United States Citizenship and Immigration Services of the Department of Homeland Security evidencing the lawful entitlement of the applicant to remain and work in the United States.

**NAC 641B.100 Evidence of education. (NRS 641B.160)**

1. An applicant for licensure or provisional licensure as:

- (a) A licensed social worker;
- (b) A licensed independent social worker; or
- (c) A licensed clinical social worker, must cause the college or university from which he or she graduated to forward directly to the Board a certified transcript of his or her educational course work which sets forth the degree awarded.

2. A graduate of a foreign social work program must:

- (a) Submit the appropriate forms and documentation to the Council on Social Work Education for evaluation of foreign credentials; and
- (b) If the Council on Social Work Education determines that his or her foreign program was equivalent to a program that it would accredit in the United States, submit to the Board a copy of his or her transcript and cause the documentation from the Council on Social Work Education to be submitted to the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89; 11-8-95; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003)

**NAC 641B.105 Examinations. (NRS 641B.160, 641B.250)**

1. Except as otherwise provided in NAC 641B.090 and 641B.126, an applicant for licensure as a licensed social worker, licensed independent social worker or licensed clinical social worker must pass the appropriate examination as described in subsection 2, given by the Association of Social Work Boards or other testing administrator that has been approved by the board.

2. An applicant for licensure as:

(a) A licensed social worker must pass the Bachelors Examination of the Association of Social Work Boards if the applicant holds a baccalaureate degree in social work as described in [NRS 641B.220](#). If the applicant holds a master's degree in social work as described in [NRS 641B.220](#), the applicant must pass ~~the Bachelors Examination or~~ Masters Examination of the Association of Social Work Boards.

(b) A licensed independent social worker must pass the Advanced *Generalist* Examination of the Association of Social Work Boards.

(c) A licensed clinical social worker must pass the Clinical Examination of the Association of Social Work Boards.

3. Except as otherwise provided in this section, an applicant who is required to pass an examination pursuant to this section must satisfy the Board that he or she possesses the necessary requirements regarding age, citizenship, character, education and, if applicable for the relevant license, supervisory experience before taking the examination. A student of social work currently enrolled in his or her last semester may take the examination before the award of his or her degree. For the purposes of this subsection, "student of social work" means a person enrolled in an undergraduate or graduate program of study leading to a degree in social work from a college or university accredited by the Council on Social Work Education or which is a candidate for such accreditation.

4. An applicant for initial licensure as a Licensed Social Worker, who is required to pass an examination pursuant to this section must do so within 6 months after satisfying the requirements set forth in subsection 3.

5. In addition to the requirements for offering examinations set forth in [NRS 641B.250](#), examinations will be offered as deemed appropriate by the Board and as scheduled by the Association of Social Work Boards or another testing administrator that has been approved by the Board.

6. A failed examination:

(a) For initial licensure as a licensed social worker may be retaken **once every**, 90 days after the failed examination *until the application closes*.

(b) By a licensee in an internship pursuant to NAC 641B.140 or 641B.150 may be retaken every 90 days after the failed examination **and thereafter, one examination may be taken every 6 months**.

**NAC 641B.110 Expiration and renewal of license and provisional license.** ([NRS 641B.160](#), [641B.280](#), [641B.290](#))

1. Except for a provisional license issued pursuant to [NRS 641B.275](#):

(a) An initial license will not become delinquent less than 1 year after the date of issuance.

(b) Except as otherwise provided in subsection 4, after initial licensure, each license will become delinquent annually on the last day of the month of birth of the licensee and will expire 60 days thereafter.

2. Except as otherwise provided in this subsection, an application for the renewal of a license must be completed ~~in on~~ a form supplied by the Board and submitted to the Board on or before the last day of the month of birth of the licensee. An application for the renewal of a provisional license issued pursuant to paragraph (b) of subsection 1 of [NRS 641B.275](#) must be submitted to the Board annually on or before the last day of the 12th month after the month in which the license was initially issued, until the expiration of the 3-year period of licensure set forth in [NAC 641B.112](#) or until the license is no longer valid pursuant to [NAC 641B.112](#).

3. If an application for renewal and the required fee are not postmarked *or received* on or before the last day of the month of birth of the licensee, the license becomes delinquent. A licensee whose license becomes delinquent or expires may not engage in the practice of social work until the license has been renewed or restored, as applicable.

4. Except as otherwise provided in this subsection, an application for renewal on which action is deferred pending the receipt by the Board of additional information concerning the application will expire if the additional information is not received by the Board within 21 days after the Board requests the additional information. The application will not expire if the Board, upon written request by an applicant, allows additional time as the Board deems reasonable and necessary to allow the applicant to gather the requested information. The license to

which such an application pertains will not become delinquent or expire before the Board approves or denies the application.

5. A person whose license has expired may, within **3 2** years after the date on which the license expired, regain the right to practice social work at the same level of licensure by applying for restoration pursuant to [NAC 641B.111](#). A person whose license has expired and who, more than **3 2** years after the date on which it expired, wishes to regain the right to practice social work at the same level of licensure must apply for a license pursuant to [NAC 641B.090](#) to [641B.105](#), inclusive.

6. If a licensee notifies the Board in writing that the licensee will not renew his or her license and allows the license to expire, the Board will not consider the license to be delinquent for the purposes of [NRS 641B.290](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 10-25-93; 11-8-95; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R142-08, 2-11-2009)

**NAC 641B.111 Restoration of expired license: Required submissions; notification of owed debt; extension for completion of continuing education; hearing for restoration under certain circumstances. ([NRS 641B.160](#), [641B.280](#), [641B.290](#))**

1. An application for restoration of an expired license must be completed on a form supplied by the Board and submitted to the Board within **3 2** years after the date on which the license expired.

2. In addition to the requirements set forth in [NRS 641B.290](#) and except as otherwise provided in subsection 4, an application for restoration of an expired license must be accompanied by:

- (a) Two sets of completed fingerprint cards;
- (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;
- (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the report of criminal history;
- (d) Evidence of the completion of all past continuing education hours; and
- (e) Evidence that:
  - (1) The appropriate examination for licensure was passed by the applicant; or
  - (2) The licensee has maintained an equivalent license from another state in good standing.

3. If the State Controller has notified the Board pursuant to subsection 5 of [NRS 353C.1965](#) that the applicant owes a debt to an agency which has been assigned to the State Controller for collection pursuant to [NRS 353C.195](#), the Board will not restore the applicant's expired license unless the Board receives notification from the State Controller that the applicant has:

- (a) Satisfied the debt;
- (b) Entered into an agreement for the payment of the debt pursuant to [NRS 353C.130](#); or
- (c) Demonstrated that the debt is not valid.

4. After receiving an application for restoration of an expired license, the Board may:

- (a) Grant an extension of not more than 6 months for the completion of past continuing education hours; and
- (b) For good cause, waive the requirements of subsection 2 regarding the continuing education hours required pursuant to [NAC641B.187](#).

5. If the applicant has been the subject of a disciplinary action by the Board or any other licensing agency in this State or any other jurisdiction, the Board may hold a hearing on an application for the restoration of an expired license to consider, without limitation:

- (a) The possible refusal to restore the expired license; and
- (b) The restoration of the expired license and the imposition of disciplinary action.

**NAC 641B.112 Provisional license: Eligibility; validity; disciplinary action; reinstatement or restoration; supervision of holder. (NRS 641B.160, 641B.275)**

1. For purposes of paragraph (b) of subsection 1 of [NRS 641B.275](#):
    - (a) An applicant must cause the college or university to forward directly to the Board the evidence of enrollment.
    - (b) The evidence of enrollment must include evidence, that is satisfactory to the Board, of formal admission to the program of study and of satisfactory **completion of 30 units toward their master's degree** ~~progress toward the degree, indicating~~ **and indication from the college or university** that the applicant will be able to obtain the **master's** degree in social work within 3 years.
  2. A provisional license issued pursuant to paragraph (b) of subsection 1 of [NRS 641B.275](#) is no longer valid:
    - (a) If, upon request of the Board, the licensee fails to cause the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.
    - (b) If the licensee fails to renew his or her provisional license by:
      - (1) Submitting to the Board the application for renewal on a form supplied by the Board and the appropriate fee; and
      - (2) Causing the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.
    - (c) Three years after:
      - (1) The initial issuance of the license; or
      - (2) The licensee graduates from a program of study leading to a degree in social work, whichever occurs first.
  3. A person is not eligible for the issuance of a provisional license pursuant to paragraph (a) of subsection 1 of [NRS 641B.275](#) if he or she has failed the prescribed examination within 5 years immediately preceding the date on which he or she submits his or her application.
  4. A provisional license issued pursuant to paragraph (a) of subsection 1 of [NRS 641B.275](#) is no longer valid if:
    - (a) The licensee fails the prescribed examination **within 75 days of exam approval**; or
    - (b) The provisional licensing period of **9-months 90 days** expires, whichever occurs first.
  5. The holder of a provisional license may be subject to disciplinary action pursuant to [NRS 641B.400](#), including, without limitation, the revocation of his or her license.
  6. A provisional license that has been invalidated or revoked may not be reinstated or restored. A person who has obtained a provisional license is not eligible for a second provisional license.
  7. The holder of a provisional license to engage in social work, ~~to engage in social work as a licensed independent social worker or to engage in social work as a licensed clinical social worker~~ shall practice under the supervision of a licensed social worker who is:
    - (a) Licensed pursuant to [chapter 641B](#) of NRS; and
    - (b) Authorized pursuant to the provisions of [chapter 641B](#) of NRS to practice in the setting in which the holder of the provisional license intends to practice.
- (Added to NAC by Bd. of Exam'rs for Social Workers, eff. 10-25-93; A by R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R122-06, 7-14-2006)

**NAC 641B.115 Fees.** ([NRS 641B.160](#), [641B.300](#)) An applicant must pay the following fees for licensure:

1. Licensed associate in social work:		
(a) Annual renewal of license . . . . .	<del>\$100</del>	<b>\$125</b>
(b) Restoration of revoked license . . . . .		150
(c) Restoration of expired license . . . . .		200
(d) Renewal of delinquent license . . . . .		100
2. Licensed social worker:		
(a) Initial application . . . . .	<del>\$40</del>	<b>\$50</b>
(b) Initial issuance of license . . . . .	<del>100</del>	<b>\$125</b>
(c) Annual renewal of license . . . . .	<del>100</del>	<b>\$125</b>
(d) Restoration of revoked license . . . . .		150
(e) Restoration of expired license . . . . .		200
(f) Renewal of delinquent license . . . . .		100
(g) Endorsement license without examination . . . . .	<del>100</del>	<b>\$125</b>
(h) Initial issuance of provisional license . . . . .	<del>75</del>	<b>\$87.50</b>
(i) Annual renewal of provisional license . . . . .		75
3. Licensed independent social worker and licensed clinical social worker:		
(a) Initial application . . . . .	<del>\$40</del>	<b>\$50</b>
(b) Initial issuance of license . . . . .	<del>100</del>	<b>\$125</b>
(c) Annual renewal of license . . . . .	<del>150</del>	<b>\$187.50</b>
(d) Restoration of revoked license . . . . .		150
(e) Restoration of expired license . . . . .		200
(f) Renewal of delinquent license . . . . .	<del>100</del>	<b>\$125</b>
(g) Endorsement license without examination . . . . .	<del>100</del>	<b>\$125</b>
<del>(h) Initial issuance of provisional license . . . . .</del>	<del>75</del>	<del>75</del>

↳ If an applicant applies for more than one type of license at one time, he or she will be required to pay only one application fee.

4. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.271, the Board will charge and collect the fees set forth in subsection 2 or 3, as applicable, for the initial application for and initial issuance of a license.

5. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.272, the Board will charge and collect one-half of the ~~fees~~ **fee** set forth in subsection 2 or 3, as applicable, for the initial application for and initial issuance of a license.

(Added to NAC by Bd. of Exam’rs for Social Workers, eff. 9-20-88; A 11-28-89; 10-25-93; 11-8-95; R113-98, 1-13-99; R079-02, 1-9-2003; R142-08, 2-11-2009; R025-14, 10-24-2014, eff. 1-1-2015)

**NAC 641B.120 Payment and handling of fees and remittances; lapse of applications.** ([NRS 641B.160](#))

1. Fees and remittances to the Board must be made by a *credit or debit card*, money order, bank draft or check payable to the Board. *The Board does not accept currency or coin as payment. Remittances in currency or coin are made wholly at the risk of the remitter, and the Board assumes no responsibility for a loss thereof.*

2. Payment in full of all required fees must accompany each application for licensure or renewal.

3. The Board will establish bank accounts necessary for handling of fees and remittances. The accounts will require for the transaction of business the signature of:

(a) Two members of the Board; or

(b) Any member of the Board and the Executive Director of the Board.

4. ~~An application for licensure on which no action has been taken by the applicant for 6 months after its receipt by the Board will be considered by the Board to have lapsed. The Board will not refund any fee related to an application which has lapsed. The Board will not refund any monies related to an application that has closed.~~

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; R113-98, 1-13-99)

**NAC 641B.124** The provision of social work services remotely to a client within this State through any means, including, without limitation, electronic means or telecommunication technologies, regardless of the location of the social worker, constitutes the practice of social work and is subject to the provisions of chapter 641B of NRS and any regulations adopted pursuant to that chapter.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99)

**NAC 641B.126 Licensure by endorsement. (NRS 641B.160, 641B.270)**

1. An applicant for licensure as a social worker, independent social worker or clinical social worker who holds, in the District of Columbia or any state or territory of the United States, *a corresponding and valid* license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board to engage in the practice of social work as a social worker, independent social worker or clinical social worker in this State by the Board.

2. An applicant for licensure by endorsement pursuant to this section must submit to the Board:

(a) ~~A written~~ *An* application ~~on~~ *in* a form prescribed the Board;

(b) The applicable fee;

(c) Except as otherwise provided in subsection 3, proof that the license issued by the District of Columbia or the other state or territory or or any other license or credential issued to the applicant by the District of Columbia or another state:

(1) Is currently valid and in good standing; and

(2) Has never been suspended, revoked or otherwise restricted for any reason; and

~~(d) Proof that the applicant is of good moral character as it relates to the practice of social work.~~

3. If an applicant has had a license or credential that was issued by the District of Columbia or another state or territory suspended, revoked or otherwise restricted for any reason, the Board will review and consider the specific facts and circumstances surrounding the suspension, revocation or restriction and may issue or decline to issue a license to an applicant based upon its review.

**NAC 641B.131 "Degree in a related field" defined for purposes of qualifying for license or provisional license. (NRS 641B.160, 641B.220, 641B.275)** As used in NRS 641B.220 and 641B.275, "degree in a related field" has the meaning ascribed to it in NAC 641B.028.



(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001)

**NAC 641B.140 Licensed independent social worker: Internship required for licensure; ~~requirement may include additional settings under certain circumstances~~; approval of postgraduate hours completed in agency; approval of postgraduate hours in different state. (NRS [641B.160](#), [641B.230](#))**

1. Except for an application for licensure by endorsement, an applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in subsection 3, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

- (1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);
- (2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or [chapter 641B](#) of NRS; or
- (3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or [chapter 641B](#) of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

**~~2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1.~~** The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. Upon application to the Board by an applicant who is currently a social worker or an associate in social work licensed in this State, the District of Columbia or any other state or territory of the United States, the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:

- (a) Has been continually licensed as a social worker for the immediately preceding 10 years;
- (b) Provides evidence satisfactory to the Board of continuous supervision by a licensed master's level social worker for at least 5 of the immediately preceding 10 years; and
- (c) Has passed an examination recognized and approved by the Board.

4. The Board will approve work submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3 and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if the Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

5. The following activities do not qualify as supervised, postgraduate social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 10-25-93; R113-98, 1-13-99; R079-02, 1-9-2003; R142-08, 2-11-2009; R025-14, 10-24-2014, eff. 1-1-2015)

**NAC 641B.150 Licensed clinical social worker: Internship required for licensure; ~~requirement may include additional settings under certain circumstances~~; approval of postgraduate hours completed in agency; approval of postgraduate hours in different state. (NRS 641B.160, 641B.240)**

1. Except for an application for licensure by endorsement, an applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection 5, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

(1) An examination, if deemed necessary by the Board;

(2) An appropriate setting, as determined by the Board;

(3) Supervision of the applicant by a supervisor who has been approved by the Board; and

(4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, without limitation:

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or [chapter 641B](#) of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or [chapter 641B](#) of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

**2. ~~The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1.~~** The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional conditions. Unless otherwise approved by the Board, an average of 32 hours per week, not to exceed 416 hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

4. At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 may be supervised by a **Board approved** licensed clinical social worker. The remaining hours required in subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

5. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in the District of Columbia or another state or territory of the United States within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work **~~and documentation that his or her supervisor was a clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association and was qualified to supervise in the District of Columbia or the other state or territory. After the applicant has completed not less than 1,000 hours of supervised, postgraduate clinical social work and has passed an examination required, if applicable, pursuant to subparagraph (1) of paragraph (a) of subsection 1 pursuant to a program approved by the Board, the Board will approve that work and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1~~** if:

(a) A licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and

(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.

6. The following activities do not qualify as supervised, postgraduate clinical social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Role-playing as a substitute for actual social work.

- (d) Psychotherapy of the intern himself or herself.
- (e) Practice which is not under the supervision of an agency *approved by the Board*. The Board will consider a person to be under the supervision of an agency if:
  - (1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;
  - (2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;
  - (3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;
  - (4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;
  - (5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and
  - (6) Any compensation for the services of the intern is provided directly by the agency.
- (f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 10-25-93; R113-98, 1-13-99; R079-02, 1-9-2003; R048-04, 5-25-2004; R142-08, 2-11-2009; R025-14, 10-24-2014, eff. 1-1-2015)

**NAC 641B.155 Supervisors of interns: Generally. (NRS 641B.160)**

1. To become a supervisor of an intern, a person must:
  - (a) Be approved by the Board to serve as the supervisor of an intern.
  - (b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, if supervising an intern who is seeking a license as a licensed clinical social worker.
  - (c) Have at least 3 years of experience, after obtaining all applicable licenses and certifications, as a licensed clinical social worker, a licensed independent social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board or have equivalent experience acceptable to the Board.
  - (d) Demonstrate to the Board that his or her current practice:
    - (1) If he or she is supervising an intern who is seeking a license as a licensed independent social worker, consists of not less than 15 hours per month of independent practice.
    - (2) If he or she is supervising an intern who is seeking a license as a licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques.

The Board may waive the requirements of this paragraph if the Board determines that there is good cause.

- (e) Successfully complete training as specified by the Board. Such training must be repeated every 5 years after the initial approval of the person as a supervisor of an intern.

2. A person will not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board or any other professional licensing board in this State, the District of Columbia or any other state or territory of the United States for disciplinary action.

3. A supervisor shall not:

- (a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;
- (b) Have had the intern as a client;
- (c) Have had the intern as a supervisor; or
- (d) Supervise more than ~~three~~ *four* interns at one time without prior approval from the Board.

4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will ~~provide, upon request, a copy of the list~~ *make this list available* to any person who is applying to become an intern.

5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of [NAC 641B.160](#) must be submitted to the Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.

6. A supervisor shall keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:

- (a) Under the supervision of a person who has not been approved by the Board to supervise interns; or
- (b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89; 5-15-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R142-08, 2-11-2009)

**NAC 641B.160 Supervisors of interns: Duties; additional internship hours if required; withdrawal of approval to supervise; disallowance of credit; reapplication for approval. ([NRS 641B.160](#))**

1. A supervisor of an intern is responsible for the practice of social work by the intern.

2. A supervisor of an intern shall ensure that:

- (a) The work of the intern is conducted in an appropriate professional setting;
- (b) The work of the intern is consistent with the standards of the profession;
- (c) The intern is assisted with the development of his or her professional identity;
- (d) The intern has gained the skills required to manage his or her practice;
- (e) The intern has gained the skills required for continuing competency;
- (f) The intern has gained knowledge of the laws and regulations applicable to the practice of social work;
- (g) The intern is familiar with the current literature concerning those areas of social work relevant to his or her area of practice; and
- (h) The intern provides services that are culturally and linguistically appropriate.

3. A supervisor of an intern shall:

- (a) Except as otherwise provided in subsection 4, meet in person with the intern on an individual basis for at least 1 hour every week, unless the Board specifically directs a different schedule or frequency for the meetings, to discuss and evaluate the performance of the intern in his or her practice;
- (b) Unless waived by the Board for good cause, if the intern practices social work at a site at which the supervisor does not practice social work, visit the site at least once every month and as necessary consult with the on-site supervisor regarding the practice of social work by the intern;
- (c) Prepare and submit to the Board ~~quarterly~~ **every six months, progress** reports and a final report, unless the Board specifically directs a different schedule or frequency for the reports, on forms provided by the Board, concerning the progress of the intern in his or her practice; and
- (d) Be available to consult with the Board concerning the record, competence in practice, emotional and mental stability or professional and ethical conduct of the intern.

4. A supervisor of an intern may use telecommunication technologies to supervise an intern remotely, but the supervisor must meet in person with the intern at the site at which the intern practices social work at least once every month.

- 5. Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.
- 6. A supervisor of an intern shall analyze the performance of an intern through information obtained from:
  - (a) Observation or participation in the practice of the intern;
  - (b) The notes of the intern; and
  - (c) Process recordings prepared by the intern.

7. The Board may refuse to accept a ~~quarterly~~ **progress report** or final report submitted by a supervisor of an intern as required pursuant to paragraph (c) of subsection 3 if the report:

- (a) Does not satisfy the reporting requirements for the forms provided by the Board;
- (b) Does not include such additional information concerning the internship as requested by the Board; or
- (c) Is received by the Board after the date on which the report is due.

8. If the Board refuses to accept a ~~quarterly~~ **progress report** or final report pursuant to subsection 7, the Board will disallow credit for all hours of internship as reported on the report.

9. The Board will, if it deems appropriate, require additional hours of internship and supervision for an intern who fails to demonstrate the degree of competency expected at the end of an internship.

10. The Board will, if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:

- (a) Fails to supervise an intern adequately;
- (b) Fails to comply with each applicable provision of a statute or regulation;
- (c) Fails to submit acceptable reports as required in paragraph (c) of subsection 3 regarding the progress of each intern under his or her supervision;
- (d) Without good cause or approval by the Board, fails to submit two consecutive reports as required pursuant to paragraph (c) of subsection 3;
- (e) Fails to complete the training required by the Board pursuant to subsection 1 of [NAC 641B.155](#); or
- (f) Becomes subject to an order issued by the Board for disciplinary action.

11. A person whose approval to supervise an intern has been withdrawn by the Board because he or she is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after satisfactorily completing the requirements of the order.

12. If the Board withdraws its approval of the person supervising an intern:

(a) The Board may disallow credit for all hours of internship as reported on quarterly and final reports submitted by the supervisor pursuant to paragraph (c) of subsection 3; and

(b) The intern may apply to the Board for the:

(1) Assignment of another approved supervisor; and

(2) Approval of a new internship agreement and plan of supervision.

13. As used in this section, "process recording" means a written record of an interaction with a client.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89; 5-15-92; 10-25-93; 4-27-94; R113-98, 1-13-99; R112-00, 1-17-2001; R122-06, 7-14-2006; R142-08, 2-11-2009; R025-14, 10-24-2014, eff. 1-1-2015)

**NAC 641B.165 Supervisors of interns: Requirements for provision or continuation of supervision. (NRS 641B.160)** A supervisor of an intern may agree to provide or continue the supervision of an intern only if he or she believes that the intern:

1. Will qualify for licensure pursuant to [chapter 641B](#) of NRS;

2. Is achieving the competence necessary to practice in social work or clinical social work; and

3. ~~If licensed,~~ will uphold the professional and ethical standards of the practice of social work.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R142-08, 2-11-2009)

**NAC 641B.170 Supervisors of interns: Agreement for fee. (NRS 641B.160)** A supervisor of an intern and his or her intern may, by agreement, establish a fee, if any, to be paid by the intern to the supervisor for supervising the intern's practice.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

## CONTINUING EDUCATION

### **NAC 641B.187 Prerequisites and requirements for renewal of license; grounds for disciplinary action. (NRS 641B.160, 641B.280)**

1. Except as otherwise provided in subsection 3, during each reporting period:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care and */ or* impaired professionals;

(2) Four hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946,;

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or a licensed independent social worker must complete at least 36 continuing education hours every 2 years, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200 as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care, *and / or* impaired professionals;

(2) Two hours must relate to evidence-based suicide prevention and awareness, or another course of instruction on suicide prevention and awareness that has been approved by the Board, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946; and

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee; and

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. Except as otherwise provided in subsection 7:

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section, *except those related to suicide prevention*, for a licensee who is at least 65 years of age and is retired from the practice of social work.

(b) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period if it finds good cause to do so.

(c) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which a licensee is enrolled in a program leading to:



- (1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or
- (2) A doctoral degree in social work.

If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of such enrollment during the reporting period for which the continuing education requirements are waived.

~~—4.— If the Board waives the continuing education requirements for a reporting period pursuant to paragraph (b) of subsection 3, it may require the licensee to complete, during the reporting period immediately following that period renewal of the license, additional continuing education hours not exceeding the number of hours that reporting period, additional continuing education hours not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the reporting period for which continuing education requirements were waived.~~

5. A licensee may not take a program of continuing education which presents the same material he or she took during the immediately preceding reporting period.

6. A licensee is subject to disciplinary action if he or she:

- (a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or
- (b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

7. The Board will not:

- (a) Waive the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable; or
- (b) Renew the license of a licensee who has not completed such continuing education.

**NAC 641B.188 Affidavit of completion: Submission; verification of authenticity. ([NRS 641B.160](#), [641B.280](#))**

1. Except as otherwise provided in subsection 3 of [NAC 641B.187](#), beginning with a licensee's second application for renewal of his or her license, and every 2 years thereafter, the licensee's application for renewal must be accompanied by:

(a) An affidavit evidencing the completion of the continuing education hours required pursuant to NAC 641B.187 during the reporting period immediately preceding the date of the application;

(b) The certificate provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the 2 years immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.

2. The Board will randomly select affidavits and request proof from the affiant of the authenticity of the information contained therein.

3. Each licensee shall maintain sufficient documentation which verifies the information set forth in the affidavit for at least 3 years. Such documentation may be maintained electronically. The inability to provide evidence supporting the information in the affidavit subjects the licensee to disciplinary action.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 10-25-93; R142-08, 2-11-2009)

**Sec. 5 of LCB File No. R110-17 [Licensee reporting period, reporting deadlines.]**

For the purposes of NAC 641B.187 and 641B.188, a licensee's reporting period is:

1. For the licensee's first reporting period, the period that begins on the date when the licensee obtains his or her initial license and ends on the date that is the deadline for the licensee to renew his or her license for the second time.
2. For any subsequent reporting period, every 2 years thereafter.

**NAC 641B.189 Approval of program by Board; acceptable forms of program; unacceptable courses and programs. ([NRS 641B.160](#), [641B.280](#))**

1. Except as otherwise provided in subsection 3, a program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. Except as otherwise provided in this subsection, to obtain the approval of the Board, a continuing education program must provide independent verification that the licensee has successfully completed the program. A continuing education program may be in the form of:

- (a) Workshops or conferences, including, without limitation, live or recorded presentations delivered using electronic or telecommunication technologies;
- (b) Except as otherwise provided in paragraph (d) of subsection 4, online learning courses;
- (c) Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board, not to exceed 15 hours;
- (d) A one-time presentation, not to exceed 15 hours, of an academic course, in-service training workshop or seminar by the licensee;
- (e) Successful completion of an academic course of instruction at a regionally accredited college or university;
- (f) Attendance by the licensee at a meeting, workshop or public hearing conducted by the Board, not to exceed 4 hours towards the ethics requirements; or
- (g) Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.

2. A licensee may complete the required hours of continuing education with any combination of the actions set forth in paragraphs (a) to (g), inclusive, of subsection 1.

3. A course or program that has been approved by the National Association for Social Workers or the Association of Social Work Boards shall be deemed approved by the Board and is not required to be submitted to the Board by the provider or participant for approval pursuant to NAC 641B.190, 641B.191 or 641B.192.

4. The following courses and programs will be deemed unacceptable as a program of continuing education:

- (a) An orientation program for new employees.
- (b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.
- (c) A program for self-improvement.
- (d) An online learning course which does not require participants to complete an examination after completing the course and for which there is no independent verification of successful completion.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R079-02, 1-9-2003; R122-06, 7-14-2006; R142-08, 2-11-2009)

**NAC 641B.190 Approval: General requirements. ([NRS 641B.160](#), [641B.280](#))**

1. Before the Board approves a course or program, the Board must be satisfied that the course or program:

- (a) Will be taught by a competent instructor as demonstrated by his or her educational, professional and teaching experience;

- (b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;
- (c) Is of professional quality;
- (d) Is appropriately designed for instructional purposes;
- (e) Is supported by evidence that is based on research; and
- (f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.

2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, online learning courses through an accredited college or university which do not lead to a degree, and on-the-job training programs offered by an agency shall be deemed "appropriately designed for instructional purposes," as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.

3. The subject matter of a course or program which addresses one or more of the following areas:

- (a) Theories or concepts of human behavior and the social environment;
- (b) Social work methods of intervention and delivery of services;
- (c) Social work research, including, without limitation, the evaluation of programs or practices;
- (d) Management, administration or social policy;
- (e) Social work ethics *and professional behavior*;
- (f) Services that are culturally and linguistically appropriate;
- (g) Social work theories or concepts of addictions in the social environment;
- (h) Evidence-based suicide prevention and awareness; or
- (i) *Advanced human rights and social, economic, and environmental justice, or*
- (j) Other areas directly related to the field of practice of the licensee,

↳ shall be deemed to reflect "current and relevant educational material concerning social work" and be "applicable to the practice of social work," as those terms are used in subsection 1.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R122-06, 7-14-2006; R142-08, 2-11-2009)

**NAC 641B.191 Approval: Application by provider; action by Board; provider to submit quarterly reports; request for reconsideration of denial. ([NRS 641B.160](#), [641B.280](#))**

1. Unless a provider has achieved the status as an approved provider of continuing education pursuant to subsection 2, a provider requesting approval of a course or program must, for each course or program, submit to the Board an application containing the information required by the Board. The Board will notify the provider whether the course or program has been approved or denied within 30 days after receipt of the completed application for approval by the Board. If the Board approves the course or program, the notice of approval will state the number of continuing education hours for which the course or program is approved. Approval of the course or program will:

- (a) Be given for a particular presentation or series of presentations; or
- (b) Expire on a specific date set forth in the notice of approval.

2. A provider may apply to the Board for status as an approved provider of continuing education. Upon receipt of sufficient evidence that the provider possesses the consistent ability to provide professional-quality programs of continuing education and that it employs or consults with a social worker who is licensed in any jurisdiction and has at least 3 years' experience to review each course or program that will be provided by the

approved provider for its compliance with [NAC 641B.190](#), the Board will grant status as an approved provider of continuing education. The Board may withdraw the status of a provider as an approved provider of continuing education if the Board determines that the provider no longer possesses the qualifications of this subsection and gives the provider 30 days' notice. A provider may reapply for status as an approved provider of continuing education at any time.

3. If the Board denies approval of a course or program or denies or withdraws status as an approved provider of continuing education, the applicant may, within 30 days after receiving notice of the denial or withdrawal, request in writing that the Board reconsider its decision.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 5-15-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003)

**NAC 641B.192 Approval: Application by licensee ([NRS 641B.160](#), [641B.280](#))**

1. A licensee may request the approval of a course or program which has not been:

(a) Submitted for approval by a provider; or

(b) Approved by the National Association for Social Workers the Association of Social Work Boards,

↪ by submitting to the Board an application containing the information required by the Board for its review pursuant to [NAC 641B.190](#). The course or program is subject to the same criteria used to evaluate the course or program submitted by a provider seeking approval.

**NAC 641B.193 Complaint regarding program of continuing education or provider: Investigation by Board; denial or withdrawal of approval. ([NRS 641B.160](#), [641B.280](#))**

1. If the Board receives a complaint regarding a course or program of continuing education or a provider, the Board will investigate the complaint. The investigation may include, without limitation:

(a) Requesting a written response from the provider; and

(b) Reviewing all relevant documents.

2. If a provider does not submit a response to a request made pursuant to paragraph (a) of subsection 1, the Board may deny approval of any future programs submitted by the provider.

3. As a result of a complaint regarding a program of continuing education or a provider or on its own motion, the Board will deny or withdraw approval of the course or program if it finds that:

(a) The course or program of continuing education is not in the best interest of the licensee; or

(b) The provider of the course or program:

(1) Fails to furnish any material as advertised;

(2) Engages in any misleading, deceptive or unethical business or professional practice;

(3) Fails to furnish any material required by law; or

(4) Fails to comply with any provision of [chapter 641B](#) of NRS or any regulation adopted pursuant to that chapter.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 5-15-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R142-08, 2-11-2009)

**NAC 641B.194 Providers: Maintenance of records; issuance of certificates of completion. ([NRS 641B.160](#), [641B.280](#))** Each provider shall:

1. Keep records of:

(a) Each licensee who participates in the program;

(b) The program attended by each licensee; and

(c) The number of continuing education hours completed by each licensee.

2. Maintain the records for 3 years after completion of the program.
3. Furnish each licensee who completes a program of continuing education with a certificate that sets forth:
  - (a) The name of the licensee;
  - (b) The name of the provider of the program;
  - (c) The title of the program;
  - (d) The number of continuing education hours assigned to the program by the Board;
  - (e) The date and location of the program; and
  - (f) The original signature of the provider.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R112-00, 1-17-2001)

## STANDARDS OF PRACTICE

### **NAC 641B.200 Professional responsibility. (NRS 641B.160)**

1. The status of a licensee must not be used to support any claim, promise or guarantee of successful service, nor may the license be used to imply that the licensee has competence in another profession.

2. A licensee shall not misrepresent, directly or by implication, his or her own professional qualifications, competency, affiliations and licenses, or those of the institutions and organizations with which he or she is associated. A licensee shall provide accurate information concerning his or her credentials, education, training and experience upon request from a client or potential client.

3. If a licensee holds more than one occupational license, he or she shall disclose to his or her client orally and in writing the type of practice of social work in which the licensee is engaged and which of the licenses apply to the practice of social work the licensee is providing to that client. If a licensee is engaged in a practice that is not the practice of social work, the licensee shall disclose to the client orally and in writing the type of practice in which the licensee is engaged and that the practice is not within the scope of the practice of social work. If the licensee fails to disclose to the client that the practice in which the licensee is engaged is a practice other than the practice of social work, the Board, in evaluating whether the licensee is in compliance with the standards of professional responsibility, will presume that the practice in which the licensee was engaged was intended to be the practice of social work.

4. A licensee shall not engage in the practice of social work while:

- (a) The licensee is impaired by alcohol, drugs or any other chemical; or
- (b) The licensee is impaired by a mental or physical condition that prevents him or her from practicing safely.

5. A licensee shall not use his or her relationship with a:

- (a) Client;
- (b) Person with significant personal ties to a client, whether or not related by blood; or
- (c) Legal representative of the client, to further his or her own personal, religious, political or business interests.

6. A licensee is responsible for setting and maintaining professional boundaries with:

- (a) Each client;
- (b) Each person with significant personal ties to a client, whether or not related by blood;
- (c) The legal representative of the client;
- (d) Each intern; and
- (e) Persons who are supervised by the licensee.

7. Except as otherwise provided by law, a licensee shall not give or receive, directly or indirectly, a fee, commission, rebate or other compensation for professional services that the licensee has not actually and personally rendered. If a licensee is supervising the work of an intern or employee, any billing or documentation of the work must clearly show that the licensee supervised the work and did not personally render services.

8. A licensee shall not knowingly offer service to a client who is receiving treatment from another licensee without prior consultation between the client and the other licensee.

9. Except as otherwise provided in subsection 13, a licensee shall not disparage the qualifications of any colleague.

10. A licensee shall not attempt to diagnose, prescribe for, treat or advise on any problem outside his or her field of competence. Except as otherwise provided in this subsection, a licensee shall not assume duties and responsibilities within the practice of social work if he or she cannot perform the services competently. A licensee may assume duties and responsibilities within the practice of social work, **except for the duties and**

~~responsibilities described in section 6 of this regulation,~~ for which he or she cannot currently perform the services competently if he or she prepares a reasonable written plan demonstrating the manner in which he or she will acquire the competence necessary to perform the services competently. Such a plan must be completed under the supervision of or with the consultation of a professionally qualified person who can demonstrate competency in the area of study. A copy of a plan prepared pursuant to this subsection must be provided to the Board upon request by the Board.

11. A licensee shall base his or her practice upon recognized knowledge relevant to social work.
12. A licensee shall critically examine and keep current with emerging knowledge relevant to social work.
13. A licensee shall report to the Board any unlicensed, unauthorized, unqualified or unethical practice of social work.
14. Based upon recognized knowledge and standards of practice for social work, a licensee shall prepare and maintain in a timely manner a record regarding each of his or her clients which:
  - (a) Sets forth his or her assessment of the problems, issues or concerns of the client, the course of treatment or plan of care for the client and the scope of the licensee's services to that client, including, without limitation, any interventions, consultations or mandated reporting; and
  - (b) Includes, without limitation, copies of:
    - (1) All documents relating to the informed consent of the client;
    - (2) All documents relating to the release of information regarding the client;
    - (3) A record of each contact with the client which includes the date and time of the contact; and
    - (4) All other documents required by law or legal documents regarding the client.
15. A licensee shall not:
  - (a) Inaccurately record, falsify or otherwise alter or destroy any client's records unless specifically authorized by law.
  - (b) Falsify billing records.
  - (c) Bill for services not rendered or supported by documentation.
  - (d) Refuse to release a client's records upon request by the client unless otherwise specifically authorized by law.
16. A licensee shall maintain client's records in accordance with NRS 629.051, as amended by section 4 of Senate Bill No. 291, chapter 415, Statutes of Nevada 2017, at page 2757.
17. A licensee shall adequately complete and submit to the Board any reports required pursuant to [chapter 641B](#) of NRS, any regulations adopted pursuant to that chapter and any order, rule or instruction of a court of competent jurisdiction in a timely manner.
18. A licensee shall comply with all the provisions of the statutes and regulations governing the practice of social work that are set forth in this chapter and [chapter 641B](#) of NRS. A licensee shall comply with any state or federal law or regulation that is relevant to the practice of social work.
19. A licensee shall not authorize a person under the supervision of the licensee to perform services outside of the level of licensure, training or experience of the person who is supervised or allow that person to hold himself or herself out as having expertise in a field in which he or she is not qualified.
20. A licensee shall not order or knowingly allow a person under the supervision of the licensee to engage in any illegal or unethical act related to social work.
21. A licensee shall notify the Board in writing within 30 days after:
  - (a) An action is taken against a professional license, certification, registration or credential of the licensee issued by any state or territory of the United States;

- (b) A criminal charge is filed against the licensee;
- (c) The licensee is charged with or convicted of a criminal offense other than a misdemeanor traffic offense, including, without limitation, driving under the influence of alcohol or a controlled substance;
- (d) A civil action, including, without limitation, an action for malpractice, is filed against the licensee for any act relating to the practice of social work;
- (e) A settlement or judgment in a civil action, including, without limitation, an action for malpractice, is filed against the licensee for any act relating to the practice of social work; or
- (f) The licensee has entered into a program for the treatment of substance abuse or any other behavioral impairment that affects his or her ability to deliver essential social work services.

22. A licensee shall not supervise any person who engages in the practice of social work if that person has not satisfied the appropriate requirements for licensure pursuant to this chapter and [chapter 641B](#) of NRS.

23. A licensee shall not provide any services, including, without limitation, any diagnosis, therapeutic counseling, therapy or other clinical services, to an intern or other person over whom the licensee has administrative, educational or supervisory authority.

24. A licensee shall not knowingly obstruct an investigation conducted by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 11-9-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R048-04, 5-25-2004; R122-06, 7-14-2006; R142-08, 2-11-2009; R025-14, 10-24-2014, eff. 1-1-2015)

**NAC 641B.205 Responsibility to client. (NRS 641B.160)**

- 1. A licensee shall practice social work with professional skill and competence.
- 2. If a licensee must act on behalf of a client who has been declared incompetent or otherwise found by the Board to be incapable of acting in his or her own best interest, the licensee shall safeguard the interests and rights of that client.
- 3. If another person has been legally authorized to act on behalf of an incompetent client, a licensee shall deal with that person in accordance with the best interests of the client.
- 4. A licensee shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.
- 5. A licensee shall not misrepresent to a client the efficacy of his or her service or the results to be achieved.
- 6. A licensee shall apprise his or her clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.
- 7. A licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. A licensee shall collaborate with other colleagues as necessary to meet the needs or interests of the client.
- 8. A licensee shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs or interests of the client.
- 9. A licensee shall not withdraw his or her social work services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.
- 10. A licensee who anticipates the termination or interruption of service to a client shall notify the client promptly and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.
- 11. Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence a:



- (a) Client;
- (b) Person with significant personal ties to a client, whether or not related by blood; or
- (c) Legal representative of the client,

↳ in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

12. A licensee shall not engage in sexual activity with a client during the time that the client is receiving professional services and for 3 years after the termination of the professional relationship.

13. A licensee shall not solicit or enter into a dual relationship with a client, intern or person who is supervised by the licensee:

- (a) During the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and
- (b) For at least 2 years after the termination of the professional relationship, internship or period of supervision.

14. A licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

15. A licensed independent social worker or licensed clinical social worker who is in the independent practice of social work shall establish and maintain a professional will which must specify the person who will serve as a professional executor for the licensed independent social worker *or licensed clinical social worker*. The executor must oversee the client records, billing and financial records, appointment book and client contact information, passwords and access codes and notify the clients of the licensed independent social worker *or licensed clinical social worker* in the event that he or she becomes incapacitated and unable to provide social work services, or upon his or her unexpected death.

#### **NAC 641B.210 Confidentiality of records. ([NRS 641B.160](#))**

1. Records showing a client's problems and the scope of the licensee's services and information obtained from or about a client, including the licensee's personal knowledge of the client, must be maintained in a manner that ensures security and confidentiality. No confidential records or information contained therein or information obtained from or about a client, including the licensee's personal knowledge of the client, may be released except:

- (a) By written consent of the client;
- (b) In accordance with a subpoena issued by the Board;
- (c) Pursuant to an investigation by the Board; or
- (d) As otherwise provided by law.

2. A licensee is responsible for informing his or her client of the confidentiality policies of the licensee, applicable confidentiality and privacy laws and the limits of confidentiality.

3. Except as otherwise provided by law, information deemed to be confidential pursuant to subsection 1 must not be communicated to others without the client's consent unless there is clear and immediate danger to some person or to society, and then only to the appropriate family members, professional workers, public authorities or, if there is a clear and immediate danger to a specific person or persons, to that person or persons.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-8-95; R112-00, 1-17-2001; R142-08, 2-11-2009)

#### **NAC 641B.215 Research: Consent and protection of participants; credit for work. ([NRS 641B.160](#))**

1. Before engaging in research, a licensee shall obtain the voluntary and informed consent of participants in the research without any implied deprivation or penalty for refusal to participate.
2. A licensee engaging in research shall protect participants in the research from unwarranted physical or mental discomfort, distress, harm, danger or deprivation.
3. A licensee shall treat information obtained from or about participants through research as confidential.
4. A licensee shall only take credit for work actually done in connection with his or her research and shall give credit for contributions made by others.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.220 Unprofessional conduct. ([NRS 641B.160](#), [641B.400](#))**

1. A licensee who violates any of the provisions of [NAC 641B.200](#) to [641B.215](#), inclusive, or commits any act that constitutes a basis for refusal by the Board to issue a license pursuant to subsection 2 of [NRS 641B.260](#) is guilty of unprofessional conduct.

***2. If the Board ascertains during an investigation of a violation of this chapter or NRS chapter 641B that a licensee has violated the laws of Nevada or the United States, except minor traffic violations, such a violation may be grounds for disciplinary action against the licensee by the Board for unprofessional conduct. The Board may determine that a licensee has violated the laws of Nevada or the United States, whether or not the person has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to such a violation.***

2. If a violation or other unprofessional conduct occurs:

(a) While the license of a licensee is in effect; or

(b) Between the time when the license of a licensee expires and the time when the license has been restored pursuant to [NAC 641B.111](#), the Board will take disciplinary action, as appropriate, against the licensee even if the license thereafter has expired or been suspended.

3. The revocation, suspension or other disciplinary action taken by any state on a professional license or certificate or registration that was issued by that state is grounds for disciplinary action against the licensee by the Board for unprofessional conduct.

4. The failure of a licensee to comply with a stipulation, agreement, advisory opinion or order issued by the Board constitutes unprofessional conduct.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; R113-98, 1-13-99; R112-00, 1-17-2001; R025-14, 10-24-2014)

**NAC 641B.225 "Professional incompetence" interpreted. ([NRS 641B.160](#), [641B.400](#))**

1. "Professional incompetence" as that term is used in [NRS 641B.400](#) will be interpreted by the Board to mean a lack of knowledge, skill or ability in discharging a professional obligation and includes malpractice and gross negligence.

2. For the purposes of this section, "malpractice" in the practice of social work means conduct which falls below the standard of care required of a licensee under the circumstances and which proximately causes damage to a client.

3. For the purposes of this section, "gross negligence" in the practice of social work means conduct which represents an extreme departure from the standard of care required of a licensee under the circumstances and which proximately causes damage to a client.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R079-02, 1-9-2003)

**NAC 641B.240 Use of title. ([NRS 641B.160](#))**

1. Each licensee shall use his or her title designated in this chapter in all communications with the Board.

2. An applicant for licensure as a licensed independent social worker or as a licensed clinical social worker who is in a program to complete the required hours of supervised, postgraduate training shall, during the course of the program of internship, use the title "intern" in all communications made within the scope of his or her practice, including, without limitation, all communications with the Board and with his or her respective clients.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; R113-98, 1-13-99; R079-02, 1-9-2003)

**NAC 641B.245 Appointment of hearing officer. ([NRS 641B.150](#), [641B.160](#))**

1. The Board may appoint an attorney who is licensed to practice law in this State or a licensee to serve as a hearing officer in a contested case. The hearing officer may, upon the request of the Board:

- (a) Conduct hearings;
- (b) Question witnesses;
- (c) Make rulings on motions and objections;
- (d) Submit suggested findings of fact or conclusions of law to the Board at the conclusion of the case; and
- (e) Take the actions assigned to the "presiding officer" or the "presiding member of the Board" pursuant to the provisions of this chapter.

↳ In the contested case in which a hearing officer is designated pursuant to the provisions of this section, the Board will make the final determination of all findings of fact and conclusions of law in the case.

2. If the Board does not appoint a hearing officer pursuant to subsection 1, the Board will designate the Executive Director, a presiding officer or any other member of the Board to serve as the hearing officer.

(Added to NAC by Bd. of Exam'rs for Social Workers by R112-00, 1-17-2001; A by R079-02, 1-9-2003)

# PRACTICE BEFORE THE BOARD OF EXAMINERS FOR SOCIAL WORKERS

## Parties and Representatives

**NAC 641B.250 Classification of parties. (NRS 641B.160)** Parties to proceedings before the Board must be styled "applicant," "complainant," "intervener," "petitioner," "protestant" or "respondent," according to the nature of the proceedings and the relationship of the parties thereto. In any proceeding which the Board initiates, the Board will be styled the "complainant."

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.255 Appearance by Board's staff. (NRS 641B.160)** Members of the Board's staff may appear at any proceeding and participate as a party.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.260 Entry of appearance. (NRS 641B.160)** A party shall enter his or her appearance at the beginning of a hearing or at any time designated by the presiding officer, by giving his or her name and address and stating his or her position or interest to the presiding officer. The information must be entered in the record of the hearing.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.265 Representation of parties. (NRS 641B.160)**

1. A party may appear in person or be represented by an attorney.

2. An attorney appearing as counsel in any proceeding must be an attorney at law, admitted to practice and in good standing before the highest court of any state. If the attorney is not admitted and entitled to practice before the Supreme Court of Nevada, he or she must be associated with an attorney so admitted and entitled to practice.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.270 Service upon attorney. (NRS 641B.160)** Following the entry of an appearance by an attorney for a party, all notices, pleadings and orders to be served thereafter upon the party must be served upon his or her attorney, and such service is, for all purposes, valid service upon the party represented.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.275 Withdrawal of attorney. (NRS 641B.160)** Any attorney of record wishing to withdraw from a proceeding before the Board must, in writing, immediately notify the Board or its presiding officer, the party whom he or she represented and any other parties to the proceeding.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

## Pleadings, Motions and Discovery

**NAC 641B.280 Captions. (NRS 641B.160)** Pleadings before the Board must be styled "applications," "petitions," "complaints" and "answers."

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.285 Execution. (NRS 641B.160)** Every pleading, except a petition, must be signed by the person who submits it.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)

**NAC 641B.290 Construction. (NRS 641B.160)** The Board will construe all pleadings so as to administer justice between the parties, and the Board will, or its presiding officer will, at every stage of any proceedings, disregard errors or defects in the pleadings or proceedings which do not affect the substantial rights of the parties.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.295 Applications. ([NRS 641B.160](#))** A pleading requesting a privilege, license or authority from the Board must be styled as an "application." It must set forth the full name and address of the applicant, and must contain such facts or exhibits as may be required by statute or these regulations.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.300 Petitions. ([NRS 641B.160](#))**

1. Each pleading in which a party prays for affirmative relief, excluding an application, complaint or answer but including a request for a declaratory order or an advisory opinion or for the adoption, amendment or repeal of any regulation, must be styled a "petition."

2. A petition must contain the petitioner's full name and mailing address and be signed by him or her.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.305 Procedure upon receipt of accusation. ([NRS 641B.160](#))**

1. The Board will initially consider any written accusation regarding a licensee as an informal complaint. Upon receipt of an informal complaint, the Board's staff shall examine the complaint to determine whether it:

(a) Has been properly verified; and

(b) Alleges sufficient facts to warrant further proceedings.

2. If the Board's staff determines that the informal complaint is properly verified and does allege sufficient facts, the Board will notify the respondent by certified mail of the allegations and potential violations of a provision of this chapter or [chapter 641B](#) of NRS arising in the informal complaint and request a response for the Board's review before a hearing is set. This notice shall be deemed a notice of intended action pursuant to subsection 3 of [NRS 233B.127](#).

3. The respondent may respond in writing to the office of the Board within 14 days after receiving notice from the Board pursuant to subsection 2. The written response must:

(a) Contain responses to all the allegations contained in the notice; and

(b) Be accompanied by all documentation that will be helpful to the Board's staff in reviewing the allegations.

4. The Board's staff and the legal counsel to the Board shall review the informal complaint and any response it receives from the respondent pursuant to subsection 3. The Board's staff and the legal counsel to the Board may:

(a) Investigate the allegations and may employ such persons or appoint such members of the Board as they deem necessary to further the investigation;

(b) Consult with experts in the appropriate field and may employ the experts for purposes of investigation or hearing;

(c) Investigate new leads or allegations that may come to their attention in the course of investigating the informal complaint; and

(d) Take any other reasonable action necessary to further the investigation.

5. When the investigation is completed, the Board's staff, legal counsel to the Board and persons employed by the Board, including any Board members appointed to assist in the investigation, shall determine whether substantial evidence exists to sustain the alleged violation of a provision of this chapter or [chapter 641B](#) of NRS. If it is determined that no violation of a statute or regulation can be sustained, the Board's staff shall notify the complainant and the respondent of this determination in writing. If new evidence is discovered, the matter may at any time be reopened and investigated by the Board, if circumstances warrant.

6. If it is determined that a violation of a statute or regulation can be sustained, the legal counsel to the Board shall prepare a notice of hearing and a formal complaint.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; R112-00, 1-17-2001; R079-02, 1-9-2003)

**NAC 641B.310 Formal complaints: Preparation and filing. ([NRS 641B.160](#))**

1. A formal complaint must contain a statement of facts showing that a provision of [chapter 641B](#) of NRS or of this chapter has been violated. The formal complaint must be sufficiently detailed to enable the respondent to prepare a defense. All applicable statutes, regulations and orders of the Board must be cited in the formal complaint, together with the date on which the act or omission is alleged to have occurred.

2. If more than one cause of action is alleged in a formal complaint, each cause of action must be stated and numbered separately. Two or more complainants may be joined in one formal complaint if their respective causes of action are against the same person and deal substantially with the same violation of law, or of a regulation or order of the Board.

3. A formal complaint must be filed with the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.315 Formal complaints: Service and response. ([NRS 641B.160](#))** If the Board determines that a complaint warrants administrative action, a copy of the formal complaint will be served upon each person against whom the formal complaint is made. Such a person may respond to the formal complaint by filing an answer within 20 days after receipt thereof. If he or she fails to answer within the time prescribed, he or she will be deemed to have denied generally the allegations of the formal complaint.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.320 Motions. ([NRS 641B.160](#))**

1. A motion must be made in writing, unless otherwise authorized by the Board or hearing officer during a hearing.

2. Each written motion must set forth the nature of the relief sought and the grounds for the motion.

3. A written motion must be served on the opposing party and the Board at least 15 days before the time set for the hearing on the disciplinary action.

4. Except as otherwise provided in this subsection, an opposing party may file a written response to a motion within 10 days after the receipt of the motion by serving the written response on all parties and the Board. The Board will not consider a written response filed less than 3 days before the time set for the hearing on the disciplinary action, unless the party, at the hearing, demonstrates good cause.

5. Except as otherwise provided in this subsection, the party who made the motion may serve and file a written reply to the response within 7 days after the receipt of the response by serving the written reply on all parties and the Board. The Board will not consider a written response less than 3 days before the time set for the hearing on the disciplinary action, unless the party, at the hearing, demonstrates good cause.

6. The presiding officer shall rule on all motions at or before the scheduled hearing. A decision on a motion may be made without oral argument unless oral argument is required. If oral argument is required, the presiding officer will set a date and time for hearing the argument.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R112-00, 1-17-2001)

**NAC 641B.325 Filing pleadings and motions. ([NRS 641B.160](#))** An original and two legible copies of each pleading, motion or other paper must be filed with the Board. The Board may direct that a copy of each pleading and motion be made available by the party filing it to any other person who the Board determines may be affected by the proceeding and who desires a copy.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.330 Method of service. ([NRS 641B.160](#))** Every notice, advisory opinion, declaratory order or other document to be served by the Board will be served by mail or delivered in person. Service thereof by mail will be deemed complete when a true copy of the document is deposited in the United States mail, postage

prepaid, and addressed to the last known address provided to the Board by the licensee pursuant to subsection 2 of [NAC 641B.085](#).

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89)

**NAC 641B.335 Proof of service. ([NRS 641B.160](#))** Each document to be served by the Board or any party to a proceeding before the Board must include an acknowledgment of service or proof of service.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)

**NAC 641B.340 Discovery of witnesses and evidence. ([NRS 641B.160](#))**

1. No less than 10 days before a matter is scheduled for a disciplinary hearing, any party may serve upon any other party a written demand for:

(a) Copies of all documents reasonably available to the other party which are anticipated to be used in support of that party's position.

(b) A written list of persons whom the other party reasonably anticipates will testify at the disciplinary hearing. Each person must be identified by name and location, along with a general description of the subject matter of his or her testimony.

2. The party to whom such a request is made must respond within 5 days of receiving the request.

3. The party to whom such a request is made is under a continuing duty to supplement promptly his or her response to the request.

4. Failure to comply with this section may result in the exclusion of the undisclosed documents or witnesses at the time of hearing.

5. The procedure set forth in this section is the only method of discovery allowed pursuant to this chapter.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.342 Continuance. ([NRS 641B.160](#))** The Board will grant a continuance upon a joint stipulation of the parties or the existence of emergency conditions or for good cause shown upon a written request filed with the Board and physically served upon the opposing party not later than 10 days before the hearing. The term "good cause shown" will be narrowly construed. Any party requesting a continuance for good cause shown shall appear on the date set for the hearing and be prepared to proceed.

(Added to NAC by Bd. of Exam'rs for Social Workers by R112-00, 1-17-2001)

## Hearings

### **NAC 641B.345 Notice of hearing. ([NRS 641B.160](#))**

1. The Board will serve notice of a hearing at least 10 days before the date set for the hearing. A hearing which has been previously continued may be reset on advance notice of at least 3 days.

2. If a notice of hearing and formal complaint are served at the same time, they may be considered together to satisfy the requirements of [chapter 233B](#) of NRS.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)

### **NAC 641B.350 Failure to appear. ([NRS 641B.160](#))**

1. If a party fails to appear at a hearing scheduled by the Board and no continuance has been requested or granted, the Board may hear testimony of witnesses who have appeared and proceed to consider the matter and dispose of it on the basis of the evidence before it.

2. Where, because of accident, sickness or other reasonable cause, a person fails to appear for a hearing or request a continuance thereof, he or she may, within a reasonable time but not more than 30 days after the date originally set for the hearing, apply to the Board to reopen the proceedings. Upon finding the cause sufficient and reasonable, the Board will set a new time and place for hearing and give the person notice thereof. Witnesses who have previously testified may not be required to appear at the second hearing unless so directed by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R142-08, 2-11-2009)

**NAC 641B.355 Preliminary procedure. ([NRS 641B.160](#))** The presiding member of the Board will call the proceeding to order, proceed to take the appearances and act upon any pending motions or petitions. The parties may then make opening statements.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.360 Conduct. ([NRS 641B.160](#))** At a hearing before the Board, all parties and their counsel and the spectators shall conduct themselves in a respectful manner.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.365 Testimony under oath. ([NRS 641B.160](#))** All testimony to be considered by the Board in any hearing, except matters noticed officially or entered by stipulation, will be sworn testimony. Before taking the witness stand, each person must swear or affirm that the testimony he or she is about to give in the hearing before the Board will be the truth, the whole truth and nothing but the truth.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

### **NAC 641B.370 Order of presentation. ([NRS 641B.160](#))**

1. Each applicant, petitioner or complainant may present his or her evidence, and then such parties as may be opposing the application, petition or complaint may submit their evidence. The presiding member of the Board will determine the order in which any intervener may introduce his or her evidence.

2. Evidence will ordinarily be received from the parties in the following order:

(a) Upon an application or petition:

- (1) Applicant or petitioner.
- (2) Board's staff.
- (3) Protestant.
- (4) Rebuttal by applicant or petitioner.

(b) Upon a complaint:

- (1) Complainant.



- (2) Respondent.
- (3) Rebuttal by complainant.
- (4) Surrebuttal by respondent.

3. The Board or its presiding member may modify the order of presentation and may allow the parties to make closing statements.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.375 Consolidation of proceedings. (NRS 641B.160)** The presiding member of the Board may consolidate two or more proceedings for one hearing whenever it appears that the issues are substantially the same and the interests of the parties will not be prejudiced by a consolidation.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.380 Stipulations. (NRS 641B.160)** With the approval of the presiding member of the Board, the parties may stipulate as to any fact at issue, either by a written stipulation introduced in evidence as an exhibit or by an oral statement shown upon the record. Any such stipulation is binding upon all parties to the stipulation, and it may be treated as evidence at the hearing. The presiding member may require evidential proof of the facts stipulated to, notwithstanding the stipulation.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.385 Briefs. (NRS 641B.160)** The Board may request briefs to be filed within a specified time. Briefs must be accompanied by proof of service.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.390 Official notice. (NRS 641B.160)** In addition to the facts mentioned in subsection 5 of [NRS 233B.123](#), the Board may take official notice of regulations, official reports, decisions, orders, standards or records of the Board, of any other regulatory agency of the State of Nevada, or of any court of record.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.395 Informal hearings. (NRS 641B.160)** The Board may hold an informal hearing to:

1. Mediate problems;
2. Discuss factual or legal questions relating to the propriety of certain conduct;
3. Discuss certain conduct and warn holders of licenses that engaging in the conduct will be a violation of law or of the Board's regulations; or
4. Determine the appropriateness of holding a formal hearing on any matter.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.400 Submission for decision. (NRS 641B.160)** A proceeding stands submitted for decision by the Board after:

1. The taking of evidence;
2. The filing of briefs; or
3. The presentation of such oral arguments as may have been permitted by the Board,

↳ whichever occurs last.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.405 Petition for rehearing. (NRS 641B.160)**

1. Within 30 days after the Board has made a decision or issued an order, the aggrieved party may apply for a rehearing by filing a written petition setting forth the grounds for the rehearing. The only grounds for rehearing which will be considered by the Board are:

- (a) Material mistake or fraud affecting the decision; or
- (b) The discovery of previously unavailable material evidence.

2. The Board will act upon a petition for rehearing within 30 days after receiving it. If no action is taken by the Board within the 30-day period, the petition is deemed denied.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; R142-08, 2-11-2009)

**NAC 641B.410 Rehearing on motion of Board. (NRS 641B.160)** The Board, on its own motion, may order a rehearing of its decision if mistake, fraud or misconception of facts existed in the forming of its original decision.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.415 Effect of filing petition for rehearing. (NRS 641B.160)** The filing of a petition for a rehearing does not excuse compliance with an order or decision of the Board, nor suspend its effectiveness, unless the Board, by order, allows the excuse or declares the suspension.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

### Miscellaneous Petitions

**NAC 641B.420 Petition for declaratory order or advisory opinion: Scope of consideration. (NRS 641B.160)** The Board will consider petitions for declaratory orders or advisory opinions as to the applicability of any statutory provisions or any regulation or decision of the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.425 Petition for declaratory order or advisory opinion: Action by Board. (NRS 641B.160)**

1. Upon receiving a petition for a declaratory order or an advisory opinion, the Board will place the matter on the agenda for discussion at its next regularly scheduled meeting. If the petition is received within 10 days before the next regularly scheduled meeting, the petition may be placed on the agenda for discussion at the following meeting.

2. At the appropriate meeting, the Board will consider the matter and grant or deny the petition.

3. If the Board denies the petition, no further action will be taken.

4. If the Board grants the petition, the Board will issue its declaratory order or advisory opinion within 90 days after granting the petition, or within 120 days if good cause exists for an extended period of consideration. The Board may schedule a hearing on the issue raised in the petition before issuing its decision. Such a hearing constitutes sufficient cause to warrant the extension.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)

**NAC 641B.430 Petition for declaratory order or advisory opinion: Preparation of order or opinion. (NRS 641B.160)** After the Board determines that an issue concerning the applicability of a provision of a statute, regulation or decision should be addressed, the president or other presiding officer will assign one member of the Board to write an order or opinion. Within 60 days thereafter, the member so assigned will:

1. Review comments by all members of the Board on the issue;

2. Research the issue and, if necessary, seek the assistance of the Attorney General; and

3. Submit a draft of the order or opinion to the Board for its approval.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)

**NAC 641B.435 Petition for declaratory order or advisory opinion: Notice of order or opinion.** ([NRS 641B.160](#)) After the Board renders its declaratory order or advisory opinion, the Executive Director will give notice of it to the petitioner.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R113-98, 1-13-99)

**NAC 641B.440 Petition for declaratory order or advisory opinion: Violation of order or opinion.** ([NRS 641B.160](#)) Any violation of a declaratory order or advisory opinion rendered by the Board will be considered unprofessional conduct.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

**NAC 641B.445 Petition for adoption, amendment or repeal of regulation.** ([NRS 641B.160](#))

1. A petition for adoption, amendment or repeal of a regulation must be in writing and be prepared in a form approved by the Board.

2. If the Board receives a petition within 30 days before its next regular meeting, the petition will be placed on the agenda for discussion to determine whether the petition should be denied or procedures for adoption of a regulation should be commenced.

3. If a petition is received by the Board during any period in which a regular meeting is not scheduled within 30 days, the Executive Director will place the petition on the agenda of the next regularly scheduled meeting.

4. The Board may call a special meeting to consider a petition.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A by R113-98, 1-13-99)

**NAC 641B.450 Petition to appear before Board.** ([NRS 641B.160](#)) Any person may petition the Board to appear and be heard on any matter within the jurisdiction of the Board, as follows:

1. The petition must be in writing and contain a brief summary of the subject matter and the reasons for bringing the matter before the Board.

2. The petition must be received by the Board at least 15 days before the meeting at which the petitioner wishes to be heard, but the Board may waive this requirement.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)