



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS (BESW)
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
775-688-2555

PUBLIC NOTICE OF BOARD MEETING

9:00 am on Wednesday, December 21, 2022

BESW strives to maintain government transparency and protect public safety. We are offering a virtual option for attendance via Zoom conference. Cameras will be on for the duration of the meeting. Supporting materials will be available electronically at the BESW website: <http://socwork.nv.gov/board/Mtgs/>.

The Nevada Board of Examiners for Social Workers is inviting you to a scheduled Zoom meeting.

BESW Board Meeting on Dec 21, 2022, 09:00 AM Pacific Time (US and Canada)

Please Join Zoom Meeting: <https://us02web.zoom.us/j/84769451001>

Meeting ID: 847 6945 1001

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Please Note: The Board of Examiners for Social Workers may address agenda items out of sequence, combine the agenda items, pull, or remove the agenda items, to aid the efficiency or effectiveness of the meeting or to accommodate persons appearing before the Board. The Board may continue agenda items to the next meeting as needed. (NRS 241.020)

Public comment is welcomed by the Board and will be heard at the beginning of the Board meeting following the Call to Order and Roll and at the end of the agenda prior to the adjournment of the Board meeting. Public comment may be limited to three (3) minutes per person. The Board meeting Chair may allow additional time to be given a speaker as time allows and at his/ her sole discretion. Once all items on the agenda are completed the meeting will adjourn. *Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.*

AGENDA

Items may be taken out of order; Items may be combined for consideration by the public body; Items may be pulled or removed from the agenda at any time; the public body may place reasonable restrictions on the time, place, and manner of public comments, but may not restrict comments based upon viewpoint. ***NOTE: Per Open Meeting Law, before speaking, please state your full name for the record.**

Pursuant to NRS 241.030 the Board may conduct a closed session to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.

1. Call to Order, Roll Call.

2. Public Comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020). Public comment may be limited to three (3) minutes.

3. Board Operations:

A. Review and Discuss October 19th, 2022, Board Minutes. (For Possible Action).

B. Review and Discuss November 16, 2022, Board Minutes. (For Possible Action).

C. Review and Discuss BESW Audit for Year Ending June 30, 2022. (For Possible Action).

D. Review and Discuss “Understanding Challenges and Opportunities in Light of the 2022 Release of Association of Social Work Boards Demographic Data” – Kyle Hillman, Executive Director, National Association of Social Workers – Nevada. (For Discussion Only).

E. Review and Discussion of the 2023 Legislative Session. Flynn Giudici Government Affairs Advocates. (For Discussion Only).

F. Board Review of Hearing for Virgilio DeSio, License No. 6200-C. (For Possible Action).

G. Board Review of LCSW Application for Bertrand Ithurralde, LMSW. (For Possible Action).

H. Review and Discuss 2023 Board Meeting Dates Tentatively Scheduled February – June 2023, Third Wednesday, 9 a.m. (For Possible Action).

I. Review and Discuss BESW Licensure Processes and Other Items Regarding Workforce Shortages in Mental Health Professions. (For Discussion Only).

i. Understanding the Challenge Report (Updated).

J. Association of Social Work Boards Updates (Discussion Only).

i. ASWB Toolkit.

ii. Update from ASWB Annual Meeting, November 19th, Scottsdale, Arizona by Jaqueline Sanders.

K. Executive Director's Report (Informational).

- i. Future Agenda Items: 1) NRS and NAC changes.
- ii. Next: Board Workshops/ Meetings are scheduled for 9 a.m., Monday, January 23, 2023, and 9 a.m., Monday, January 30, 2023.

4. Public Comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020). Public comment will be limited to three (3) minutes.

5. Adjournment.

Please contact Karen Oppenlander, LISW at (775) 688-2555 for information regarding the meeting. Supporting materials can be accessed electronically at the BESW website: <http://socwork.nv.gov/board/Mtgs/>.

This notice has been posted at the office of the Board of Examiners for Social Workers; the Board's Web Site www.socwork.nv.gov; and the State of Nevada's Public Notice Website <http://notice.nv.gov>.

3A

Review and Discuss October 19th, 2022, Board Minutes. (For Possible Action).



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
(BESW)

4600 Kietzke Lane, Suite C121, Reno,
Nevada 89502 775-688-2555

Board Meeting Minutes, Wednesday, October 19, 2022

The October 19, 2022, Board Meeting was called to order by Dr. Esther **Langston** at 9:05 a.m. A **Roll Call** was taken. Board members in attendance: Linda **Holland Browne**, Esther **Langston**, Susan **Nielson**, and Jacqueline **Sanders**. BESW Staff in attendance were Sandra **Lowery** and Karen **Oppenlander**. In attendance was Harry B. **Ward**, Deputy Attorney General and Board Counsel. Consultants in attendance: Nick **Vander Poel** and Omar **DeLaRosa** from Flynn Giudici; Cara **Sanner** and Jennifer **Henkel** from Association of Social Work Boards. Board member Abigail **Klimas** had an excused absence.

Public Comment: There was no public comment in person or online.

Langston moved to **Agenda Item 3A – Review, Discussion of September 21, 2022, Board Meeting Minutes (For Possible Action)** and asked for a motion to approve.

Motion was made by Linda Holland Browne to approve September 21, 2022, Minutes as presented, Seconded by Susan Nielsen. Minutes were approved unanimously.

Next, **Langston** moved to **Agenda Item 3B – Review, Discussion of Preferred Style for Presentation of Board Minutes (For Possible Action)**. After a brief discussion about abbreviating the format for board minutes vs keeping a format with more specificity, a motion was submitted.

Motion was made by Linda Holland Browne to Continue the Board Minute Presentation in the Current Format, Seconded by Jacqueline Sanders. Motion was Approved Unanimously.

Following, **Langston** moved forward to **Agenda Item 3C, Review and Discuss BESW Q1 Financials July 1, 2022 — September 30, 2022. (For Possible Action)**. **Lowery** presented the financials starting with a graphic representation of how we are doing with income to budget and expenses to budget. Income numbers have been above budgetary expectations and actual expenses have been below. After the first quarter, we are at 25% of the year based on 12-month budget for income and income is better at 29%. As we look at line item 62450 – Internet is at 416% of projected expense. **Lowery** committed to analyzing this item further. Other than that, BESW is at 15% for the quarter, 19% total overall with salaries. **Langston** asked for a motion to approve.

Motion was made by Jacqueline Sanders to approve the BESW Q1 Financials July 1, 2022 — September 30, 2022; seconded by Susan Nielsen. Roll Call Vote: Langston – Aye, Nielsen – Aye, Holland Browne – Aye, Sanders – Aye. Motion was approved unanimously.

Next, **Langston** moved to **Agenda Item 3D - Review Litigation Matter - United States District Court for the District of Nevada - Case No. 3:20-cv-571-MMD-WG from Director Asheesh S. Bhalla (Bhalla previously served as BESW Deputy Attorney General and Board Counsel). (Information Only)**. **Oppenlander** read the following information provided by Bhalla into the record: On August 29, 2022, the District Court ordered that Defendant Karen **Oppenlander's** motion to dismiss be granted. Defendants Kathryn Beatty, Leslie Reyes, Senon Rubio, and Kelli Weishaupt's motion to dismiss is also granted. The Plaintiffs' Amended Complaint is dismissed, in its entirety, with prejudice and without leave to amend. This case is administratively closed. Signed by District Judge Anne R. Traum on 8/29/2022. Pursuant to Rule 4 of the Federal Rules of Civil Procedure the Plaintiffs' have 30 days from the notice of entry of judgement to file an appeal with the Ninth Circuit Court of Appeals.

Langston asked for discussion. **Ward** recommended that BESW take this item off the agenda now. He added that it is not uncommon for Board Members and the Executive Director to be named in a federal lawsuit, as well as the whole board, whether it's the current board or former board, and then also the Attorney General's office. And by statute, we will be representing you. If you do leave the Board and you are sued in the future, our office will be representing you. And hopefully that in cases like this one, it will be expedited and dismissed similar to this case. **Langston** thanked **Ward** and stated that based on the recommendation of our DAG, this matter will be removed from future agendas.

Ward requested that **Agenda Item 3E - Board Review of Hearing for Virgilio DeSio, License No. 6200-C. (For Possible Action)** be continued on the agenda and recommends that the item be kept on the agenda until it is resolved. **Langston** stated that this matter will be on future agendas until it is resolved.

Next, **Langston** moved to **Agenda Item 3F – Review and Discussion of the 2023 Legislative Session. Flynn Giudici Government Affairs Advocates. (For Discussion Only)**. **Oppenlander** introduced Nick **Vander Poel**, Principal and Omar **DeLaRosa**, Vice President from Flynn Giudici. **Vander Poel** explained that the points of contact will be **Vander Poel**, **DeLaRosa**, and Mendy **Elliott** who was unable to join the meeting today. Currently as of October 14th, 2022, there's been 466 bill draft requests. We've identified nine BDRs that could have potential impact to the social worker's statute. For example, we are aware of one BDR through the Joint Interim Standing Committee on Commerce and Labor that will provide the issuance of temporary licenses for certain occupational licensing boards to members of the military and their spouses. Social workers are included in that BDR. BDRs that are on our radar will get drafted by the Legislative Council Bureau. And when they are released, we'll review the language and see if there is any impact to BESW. Next, we will bring these BDRs to the Board's attention. Right now, we're 20 days until the election.

The Interim Finance Committee has three items that we believe will have direct or indirect impact to BESW. The first is the transfer of \$14.5 million for loss of revenue category for Health and Human Services to fund a consultant to assist with development of requests for proposals and intensive behavioral support homes to provide services to individuals with dual diagnosis of intellectual and developmental disabilities and behavioral health disorders. Second, is \$2.6 million for Health and Human Services, Child and Family Services to community based, youth focused behavioral healthcare services statewide. And the third item that we've identified is through from the Office of the Governor and it is a transfer of \$4 million to the Nevada Department of Education to provide supplemental funding for school based mental health providers.

Of the 63 legislative seats for both the Assembly and the Senate in 2023, there will be a minimum of 15 freshmen legislators i.e., almost 25% of the legislature will be freshmen. So, there's the opportunity to bring awareness and education to them about BESW. We will meet

with them individually once they get to Carson City. We've already had meetings with them as they are on the campaign trail but not in the deep context as relates to policy and what their focus would be if they get to Carson City.

I brought up the bill draft requests that were at 466. Those are from various legislators, local governments, etcetera. BESW does not have a bill draft request this legislative session but with the nine BDRs we will be busy watching what comes out. Of those freshmen that we identify, I think it's an important to bring to the Board's attention that each freshman in the Senate receives 12 bill draft requests, and the in the Assembly each freshman receives six bill draft requests. And those need to be submitted by December 7th, 2022.

DeLaRosa spoke next. As he was a caucus policy director, he's had experience in the legislative building working with members. He is looking forward to working with Board Members and will apprise you of new BDRs if they relate to the Board.

Vander Poel added that Senator Pete Goicoechea will continue to be on the Rural Regional Behavioral Health Policy Board and will be advocating for a bill that the Board is watching. This will be his last legislative session due to term limits.

Langston thanked Flynn Giudici for their presentation this morning and moved to **Agenda Item 3G – Understanding the Challenges and Opportunities in Light of the 2022 Release of the Association of Social Work Boards Demographic Data**. **Oppenlander** stated that Kyle Hillman will not be with us today to present as he is out sick; but we discussed rescheduling his presentation in December. We do have two representatives here from ASWB and a logical place for them to speak due to the changes in this agenda will be in Agenda Item 3H or perhaps they will prefer to stay until there is Public Comment at the end of the agenda.

Langston moved to **Agenda Item 3H - Review and Discuss BESW Licensure Processes and Other Items Regarding Workforce Shortages in Mental Health Professions. (For Discussion Only)**. **Oppenlander** referred to a report that is updated monthly as listed in the Board Packet under Understanding the Challenge. The updates for September included: the Rural Regional Behavioral Health Policy Board (RRBHPB) submitted a concept paper using the mental health workforce development model as previously presented to BESW; and BDR # 351 was submitted by State of Nevada Committee on Commerce and Labor to provide for the issuance of temporary licenses by certain occupational licensing boards to members of the military and their spouses. Also, in September the Board went through the first phase of its new July 1, 2023 – June 30, 2026, BESW Strategic Plan. And under "Deploying the 'Solution'(s)", BESW made several changes to its Internship Policy.

Next, **Oppenlander** read a letter into the record, dated October 3, 2022, that had been sent to the BESW Board from the Council on Social Work Education, dated October 3, 2022:

Dear Social Work Licensing Examiners,

As president and chief executive officer of the Council on Social Work Education (CSWE), I write to you on behalf of social work education programs across the country. As you are likely aware, the Association of Social Work Boards (ASWB) recently released a report documenting examination pass rates across different levels of the social work profession. Although the data needs further analysis, the descriptive statistics suggest alarming disparities for exam-takers in several categories. The most egregious disparity impacts Black test takers. In addition, Indigenous, and other People of Color also pass at lower rates than White test-takers; those that speak English as a second language pass at lower rates than native English speakers; and older test-takers pass at lower rates than younger ones. Given that the ASWB exam is the only national

licensing examination available, these data raise grave concern that the need for a diverse health, behavioral health, and social service workforce (of which social workers are a considerable portion of providers) is being significantly impeded.

As the national body for social work education in the United States, Puerto Rico, and Guam, the CSWE urges you to:

- a. Suspend the use of the ASWB exam -until a thorough analysis has been completed which will suggest evidenced-based recommendations to correct for inequities.
- b. Consider graduation from a CSWE-Accredited social work education program evidence of beginning competence to practice social work as a professional social worker (granting all graduates licensure or pre-licensure status).
 - i. The only exception to the above involves the license to practice clinical social work. CSWE supports the need for a post-graduate process to license practice at this level, however the ASWB exam remains central to this process, further analysis of the descriptive data must also occur for this category to identify possible issues
- c. Consider the action taken by the state of Illinois (January 1, 2022) through the Public Act 102-0326, whereby a licensing examination is no longer required for licensure as an Illinois Licensed Social Worker (LSW).
- d. Consider decoupling the Interstate Compact, currently in development, from the ASWB licensure exam.

Thank you for your consideration. I would be happy to engage with you further about the concerns and/or recommendations I offer.

Sincerely,

Darla Spence Coffey, PhD, MSW President and Chief Executive Officer

Langston asked for discussion. **Sanders** commented that it seems appropriate for ASWB to address the letter for her to have clarity. She understands that it looks like there are racial disparities and the numbers are telling, but it's not always because of the education. There are barriers outside of educational system that could cause someone to have a lower score. But I also know that when we start taking away licensure in general, it lowers the standards. I'm in support of the ASWB testing overall. I would like to hear what their thoughts are. Thank you.

Jennifer **Henkel**, Senior Director of Member Engagement and Regulatory Services at the Association of Social Work Boards thanked **Langston** and the Board Members for the opportunity to address them today, especially in light of reading the CSWE letter into the record. We understand that there are a lot of questions about the exam data that was shared this August. We also understand that ASWB'S member boards are under pressure because of the data. So, we're happy to be here today, and we look forward to a more robust conversation in November when our CEO, Dr. Stacy Hardy Chandler, and our attorney Dale Atkinson, will be joining you all for that presentation. I do want to take a moment to highlight several pieces from ASWB'S official position statement, and I want to encourage you all to review information on ASWB.org, specifically on the Contributing to the conversation page. If you want to dig into the data on your own, ASWB acknowledges and calls out systemic and institutional racism as being core to the racial disparities evidenced by the licensing exam pass rate data. While other pass rate data disparities exist, the most jarring and disappointing gap was those rates reported for Black candidates. However, ASWB stands firm that this revelation does not in any way reflect on the ability of Black candidates to demonstrate competence. Rather, it illuminates the

historical burdens of racial trauma, marginalization, and social injustice to which Black candidates have been disproportionately subjected along their journey to licensure. So, in November 2021, the ASWB board of directors made this groundbreaking decision to invest in the compilation and reporting of the disaggregated pass rate data.

The board acted knowing that they were venturing into territory unprecedented in health and human service professions, and that given the oppressive histories in both the US and Canada, that disparities would most certainly be reflected in the results. ASWB took the steps to make the pass rate data reports public because this decision serves a greater good. Sharing the data provides a pivotal opportunity for the profession of social work to advance upstream solutions that may mitigate the ravages of systemic and institutional racism. It is dangerous to draw conclusions based on limited information, misinformation, or disinformation. The Association shared descriptive data knowing that it was only a first step. There's now an opportunity to learn more and we plan to lead those efforts in collaboration with researchers and educators. Similarly committed to informed substantive change, ASWB contends that failing to honor people's histories and experiences prior to exam candidacy not only does a disservice to the profession, but it also dishonors the candidates themselves.

So we're calling for all relevant communities to collaborate toward meaningful change. Shining a light on the disparities reveals that many more questions need to be asked through future research. This is a historic opportunity for social work to address the systemic and institutional factors that disproportionately affect Black licensure candidates and those of other historically marginalized groups. ASWB is seeking both short-term and long-term solutions by taking concerted actions such as exploring how the professional standard of competency is defined and measured, researching and understanding upstream factors, accounting for differences in pass rates, revisiting the exam structure to increase equitable access, including possible alternative assessment formats, and providing multiple avenues for engagement and respectful collaboration with the diverse voices of individuals and organizations, including educators, practitioners, and regulators. Thank you for your time.

Next from ASWB was Cara **Sanner**, the Regulatory Support Services Program Manager who prepared some brief remarks while knowing that Dr. Stacy Hardy Chandler has a robust presentation around the data publication that will be shared with the Board in November. ASWB is comprised of government boards that regulate the practice of social work, including the Nevada Board, by carrying out the intent of legislation that establishes their regulatory authority. That legislation requires among other prerequisites successful completion of both an education program, and an examination validated to assess entry level competence. ASWB adheres to industry standards and the development, administration, scoring and maintenance of the social work licensing examinations. Many professions from medicine to accounting rely upon entry level competence examinations and adhere to these encompassing income standards to maintain examination validity. ASWB undertakes a rigorous process of surveying the profession and updating the content areas covered by the examinations every five to seven years. ASWB is currently preparing to undertake the process to inform the next iteration of the social work licensing exams. In addition to periodic surveys of the profession, each examination question is continuously statistically analyzed. Questions that do not perform within the standards are removed. ASWB licensing examination outcomes highlight the need to address the larger societal issues that can impact candidates long before they take a social work licensing exam. Prerequisites to licensure are set in law, serve an essential component of public protection, and cannot simply be ignored or waived.

The ASWB examination program, due to its rigorous standards, is defensible. As a defensible measure of competency, it can be relied upon by government, and is one requirement for licensure as a social worker. ASWB, along with its membership, asks that all social work

organizations assess and reveal their own relevant data. In the spirit of ASWB's recent examination data publication to address the effects of racism on marginalized populations, ASWB looks forward to collaborating with all social work organizations as they assess and understand their respective roles in social work, in social work regulation. ASWB welcomes inquiries about the examination program and the data, and we are taking action to advance diversity, equity, and inclusion in numerous ways. The publication of the data is groundbreaking, and we look forward to engaging with the Board more fully in November when our CEO can present on the data publication.

In addition, I will follow up with a number of links to resources around the data publication, and especially highlighting some of the initiatives that we have launched in tandem with the publication of the data as short term efforts to try to address these troubling outcomes that we're seeing. (See links below).

*Following are Web URLs of interest to the data release provided by **Sanner** after the close of BESW Board Meeting:*

- *Official statement on behalf of the ASWB Board of Directors and Dr. Hardy-Chandler <https://www.aswb.org/beyond-data-a-call-to-action/>*
- *The "home page" for the data release <https://www.aswb.org/exam/contributing-to-the-conversation/>*
- *The full report "2022 ASWB Exam Pass Rate Analysis" <https://www.aswb.org/wp-content/uploads/2022/07/2022-ASWB-Exam-Pass-Rate-Analysis.pdf>*
- *Exam pass rates by state/province <https://www.aswb.org/exam/contributing-to-the-conversation/aswb-exam-pass-rates-by-state-province/>*
- *Exam performance reports for social work schools and programs <https://www.aswb.org/exam/contributing-to-the-conversation/exam-performance-reports-for-social-work-schools-and-programs/>*
- *Free resources for educators <https://www.aswb.org/exam/getting-ready-for-the-exam/exam-materials-for-faculty/>*
- *Future exam initiatives related to the practice analysis <https://www.aswb.org/exam/exams-for-the-future-of-social-work/>*

Sanner concluded: We really are working and hope to work with all the communities within the social work profession to make a difference in the outcomes that we're seeing over the long term. And we're committed to continuing to publish this data so that we can track our progress towards closing those gaps and outcomes. Thank you for your time.

Langston asked for discussion. **Holland Browne** commented that one of her concerns is that we – licensed clinical social workers and licensed independent social workers– are considered the experts in our field. Some of us work very hard at being supervisors. I have had 18 interns in my career of which I'm very proud. Part of my responsibility (I felt at as a supervisor) was to assist my interns in preparing for that exam.

The masters level folks who opt to not follow the LISW or LCSW path, generally come out fairly well prepared to jump into their professional role. It seems to me that the issue for bachelor's level is that it seems to me to be more of an accreditation issue; and it is more about being sure that students are getting what they need than it is anything else. That seems to be where our breakdown comes, at least based on the material that I've read, because there seems to be greater difficulty getting past that first LSW level exam than the others that come after. Granted, there are advantages and disadvantages. There are good and better and excellent schools

along the way. But so much of getting through that exam to me is about assisting people in preparing. And I don't mean, here's a DVD, here's a video, here's a notebook, and study. I'm talking about the reality of taking the exam. When I took my LCSW exam, I ordered all the material available at that time. I didn't study the materials at all. The material still sits in a box in my garage because I was prepared by my supervisor. And maybe that's where we need to put our energies for assisting folks through the exam process.

Langston commented about a meeting she was at this past weekend in Washington, DC with the CEOs of these agencies present. And of course, we all engaged in a discussion about this. My remark to CSWE and to ASWB is that CSWE should have sent this letter to ASWB directly and not to the boards of social work examiners without having some input from ASWB.

Langston continued and thought that CSWE is changing their accreditation standards and that CSWE has a right to do that. And in our discussion, we all agreed that further discussion is needed, and analysis is needed, to come up with something that may impact how this is done. We all know that individual's study and retain information at individual rates. CSWE requires that all schools of social work teach the same content. We all know that all teaching is not equal. We all know that all the textbooks that are out there are not equal. So that the whole notion of pass rates, of standardized etcetera has some flaws. And I think this needs to be addressed.

And, as we go down the road to address interstate compact agreements, there's a lot of things in this process that needs to be fleshed out. We are just at the beginning of this process and how it's going to play out because as we all know that most states will need legislative changes to do some of the things that they may propose. And we know for the State of Nevada, we will not have any legislative changes until 2025 because of timing.

Langston thanked both **Henkel** and **Sanner** for coming and sharing information with us at today's Board Meeting. We are looking forward to more discussions. She then moved to **Agenda Item 3-I – Executive Directors Report (For Information Only)**. **Oppenlander** reiterated that the Association of Social Work Boards CEO will be on the agenda in November. And as discussed, the Board has been preparing for the 2023 legislative session for Nevada; And we are considering other things that are happening on a national level so that the Board Members can make educated decisions; and some of these decisions will result in NAC and NRS changes that will show up on future agendas; And also in November, we will continue working on our 2023 - 2026 Strategic Plan and this will lead to a strategic planning workshop early in 2023. And an Audit presentation is scheduled. Next Board Meeting is scheduled for Wednesday, November 16th, 2022, at 9 a.m. and will be a Zoom meeting.

Langston moved to **Agenda Item 4 – Public Comment**. There was no in-person or online public comment.

Langston moved to **Agenda Item 5 – Adjournment** at 10:15 a.m.

Minutes Respectfully Submitted by **Karen Oppenlander**.

3B

Review and Discuss November 16, 2022, Board Minutes. (For Possible Action).



STATE OF NEVADA
**BOARD OF EXAMINERS FOR SOCIAL WORKERS
(BESW)**

4600 Kietzke Lane, Suite C121, Reno,
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Board Meeting Minutes, Wednesday, November 16, 2022

The November 16, 2022, Board Meeting was called to order by Dr. Esther **Langston** at 9:08 a.m. A **Roll Call** was taken. Board members in attendance: Linda **Holland Browne** (late arrival due to technology difficulty), Abigail **Klimas**, Esther **Langston**, and Jacqueline **Sanders**. BESW Staff in attendance were Sandra **Lowery** and Karen **Oppenlander**. In attendance was Homa S. **Woodrum**, Senior Deputy Attorney General. Consultants in attendance: Suzanne **Olsen**, Casey Neilon; Kelly **Marschall** and Margaret **Del Giudice**, Social Entrepreneurs; Nick **Vander Poel** and Omar **DeLaRosa**, Flynn Giudici. Guests: Stacey Hardy-Chandler, Dale Atkinson, Cara Sanner and Jennifer Henkel, Association of Social Work Boards; Lisa DeHart, DWSS, and Shelby Riley, DCFS, State of Nevada. Board Counsel/ Deputy Attorney General **Ward** had a scheduling conflict; and Board member Susan **Nielson** had an excused absence.

Public Comment: There was no public comment in person or online.

Langston moved to **Agenda Item 3A - Association of Social Work Boards Updates (Discussion Only)**. After an introduction of Dr. Stacey Hardy-Chandler, CEO, Dale J. Atkinson, Esq., Jennifer Henkel, and Cara Sanner, there was a presentation on ASWB Examination Development Process and Release of 2022 ASWB Exam Pass Rate Analysis.

Dr. Stacey Hardy-Chandler started the ASWB presentation by going over the mission describing it as 'living', and that the mission is at the forefront of ASWB discussions on an ongoing basis. The mission of ASWB involves providing support and services to the social work regulatory community for the Nevada Board and all the other 63 jurisdictions that make up ASWB member boards and the Canadian colleges. Other parts of the mission are to advance safe, competent, and ethical practices to strengthen public protection. And when we're talking about regulation, public protection is at the forefront. When we are talking about the exams, she emphasized accountability. Accountability to the public is part of what the exams provide. ASWB oversees the examination program and provides other services to support and supplement what government entities do.

There are two things that Hardy-Chandler wanted to accomplish during the BESW meeting. The first is that there have been a lot of conversations without ASWB present in the conversations, in the absence of accurate information about exam development, including the very extensive and robust anti-biased measures that are incorporated into the exam. As this is complex, and Hardy-Chandler would give an overview.

The second thing she wanted to accomplish was to talk about ASWB'S upstream solution-focused approach to address disparate outcomes. There are gaps in how people are performing in terms of pass rates. There's a distinction between the message and the messenger. And that there has historically been some conflation with the test sort of serving as the messenger, and the message that is coming out of that. So, we really want to separate those out and really

highlight how we can use the test for accountability to change what those outcomes look like in the future. Licensure decisions include various factors. One critical factor is education that comes from an accredited school. Another factor is the exam, and in the case of the clinical exam there is supervised experience. She would argue that in the case of exams, that the practicum is part of the experience too. And another factor is moral character. So, all these factors add up to licensure and the exam is not in isolation, and the exams are one important part of that whole equation.

Hardy-Chandler said that historically, social work has grown. ASWB stands by the position that social work is undoubtedly a profession. Social work requires a high degree of training, experience, and competence. ASWB believes that professionals should be compensated commensurate with their training, education, and competence. And therefore, our role includes verifying minimum competency, investigating complaints, and all the other things that boards do.

She continued stating that it's essential to a board's regulatory duty to verify the minimum competence for a profession. It's an objective component of licensing decisions and competency and is the threshold for entry into practice that demonstrates that first day knowledge that people need for each of the bachelor's, master's, or clinical levels. At this point, she turned the presentation over to Dale Atkinson, general counsel to ASWB.

Atkinson spoke about ensuring that examinations are valid, reliable, and legally defensible. He began with validity measures saying that validity assures that you are assessing what the exam is intended to assess. Validity is that it tests what it's intended to. To test reliability is that those with similar knowledge, skills and ability will receive similar scores. And so, to use an example, if *'I am unsuccessful on the exam and I do nothing to enhance my knowledge within the areas where I was weakest and I take the exam again, I will likely receive a very similar score'*. That is a reliable factor, which is also used to determine the legal defensibility of an exam program. The result of validity and reliability is that the exam can be defended for the purpose for which it is used in the event of a challenge. This protects all the ASWB member boards. He emphasized that ASWB is made up of member boards like Nevada and its colleagues from around North America, both U.S. and Canada. This is your program, this is your examination, and it is driven by formal standards i.e., ASWB follows rigorous standards. In addition to legal defensibility Atkinson mentioned other benefits e.g., portability, mobility that can be used within multiple jurisdictions, or all jurisdictions that recognize the exam for purposes of licensure, transfer endorsement, reciprocity, and the movement of practitioner.

Next, Hardy-Chandler spoke about the process by which the examination is developed. Basically, the exam comes from practitioners out in the field who say what someone coming into the field needs to know. She shared who is involved in the exam development because there's misinformation about that. ASWB has about 20 personnel devoted to exam development and exam administration and their work is logistical. There is no one at ASWB who is writing the exam; and that is something that some people misunderstand. Part of the exam process is also working with external vendors like Pearson Vue Test Centers, the development consultants that oversee the item writing process, and the 65 volunteers (your colleagues from across the U.S. and Canada) who make up the various committees for each of the exam levels. In addition, there are almost 90 item writers; and they are not ASWB employees, but again, people out in the field. So almost 200 people are involved, of whom only about 20 are ASWB staff and they are doing the administrative components of the work.

Our colleagues that work as social workers are making the content contributions. They are selected for all kinds of demographics, diversity, geography, and are at different stages of their careers with some a bit earlier, and so forth up to those heading toward retirement. We want private practitioners, school social workers, medical social workers, social workers from every realm. We also want faculty members to be a part of the item writer pool. While Atkinson talked to us about legal defensibility, she believes that it is the work of item writers to make this exam morally defensible. She gave an overview of the exam. There are 170 items, 150 are scored, 20 are pretested, and they are not scored. The exam is a four-option multiple choice exam, which will change to a three-option multiple choice exam. And that is because data has shown us that the *'fourth wrong answer'* doesn't help or hurt candidates. We're removing it, but keeping the four hour timeframe. There's a universal passing score. If I take the test in Nevada or take the test in British Columbia, or take the test in Virginia, the passing score is the same. There are multiple forms of the tests that are rotated quarterly. It's not just a single version. There are equivalent versions of the test, and it's delivered at Pearson Vue Test Centers. That's so that even the environment is consistent for everyone who's taking the test.

Let's go into what I think is probably the most important. This is the reason why we're here and sharing this information, and that is to enlighten people about the exam development process. And again, to bust some myths about how that happens. It really begins with the recruitment process. We recruit from across the profession for item writers, and then when they're selected, they're trained in how to write tests that avoid microaggressions, that contain the clearest possible language. Moving to item creation, those 90 writers are continuously submitting exam items.

The first line of defense are those consultants we discussed. All the items go to them, they look at them, and either the item is sent back, or it may go on to be reviewed by the exam committee. Again, it is not immediately put on the test after that it goes to the exam committee. I've had the opportunity in my four short months with ASWB to watch the exam committee at work; and it is, in my opinion, one of the most productive, healthiest processes. Ego is left at the door and the sole focus is to examine each item individually and to make them the strongest possible items. They can either reject the item or they can return the item for revision or the item can be accepted. Here's the key point. Once it's accepted, it still doesn't go into the scored part of the test. It goes into pre-testing. This is where the psychometrics kick in. Those items are mixed in with all the other items, and they need to show good statistics before they make it onto the scored portion of the test. If they show poorer statistics, then it's flagged for differential item functioning. If it's flagged then it's re-looked at, it can be reworked, it goes back up to the exam committee for them to go through that same decision-making process. And even if it's accepted, it again goes back into pre-testing. So, only the items that show good statistics, meaning no difference across self-identified demographics, make it onto the scored portion of the test. It's a very complicated process. We've seen questions about whether this meets the industry standard. This is the industry standard.

Then the question is raised, "With all of that going on, why then are there disparate outcomes?" Giving a personal example, Hardy-Chandler referred to a picture of Misty Copeland. She is a black ballerina, and Copeland was asked, why aren't there more ballerinas of color? You know, we try to let them know about the auditions and make those auditions open and accessible. And she has a response that I think some in our community are still grappling with. But what she understands is that you must start earlier. She said, *'Don't ask at the audition. Get them in the schools, get them early on, go up the pipeline and recognize that there are impacts there that affect whether people even come to an audition'*. Hardy-Chandler continued. Personally, I know

that there are factors that are a part of people's experience, and they are different for historically marginalized groups and people of color leading up to the exam in the years and the months, and even sometimes the generations, even before they register for the exam. And that is an important point. So, the burdens that I think that people bring into the exam, those are the things that we want to look at. We want to partner with other parts of the profession to see how we can make some of those upstream changes.

Education is important, but those of you who are in education know that there is a great deal of diversity and what happens in the educational experience, academic freedom allows people to have a very different experience. At UNLV where I was on faculty versus George Mason where I was also on faculty on the other side of the country, were very different experiences even though both are accredited institutions. There can be great diversity in the experiences that people have in preparation for the clinical exam. I had the great fortune of having an excellent supervisor who challenged me, who wanted me to be a critical thinker, who helped me see things 360 degrees. But if we're honest, we know of people having experiences where some are merely signing off on hours, unfortunately. So, the exam offers that consistent objective part of this entire equation that speaks to the licensing process. That's why we believe it's a critical part of the formula, and that's why we continuously analyze the exam and really want to look at some of these impacts earlier on.

What are we doing? ASWB is looking at how we can engage other parts of social work. We're regulators. We know our lane as regulators. But we are not the whole and we want to partner, join with, work with, help educate other components of the social work profession so that we can have a systemic response to what we're seeing here. So, ASWB is hosting a social work workforce coalition. They've had a couple of meetings already with representatives from many organizations across the social work profession. And their role is to help guide and direct some things that we want to do innovatively with the next practice analysis. Remember the practice analysis, the thing that supports the validity of the exam? We really want to expand and magnify, and we want it to be the practice analysis on steroids, so to speak. We're calling it a social work census and that will be coming out in 2024. This will form the blueprint for the next version of the exam. Let me pause here and say that while we're continuously looking at how the exam should evolve, and how we should measure competence, ASWB is also looking at alternative ways of measuring competence too. So it isn't that we're locked into the exam as it is. The exam is the state of the art of as of today. But that doesn't mean that it is the only thing. We're wanting to be intentional about what alternatives might be out there. We don't believe in knee-jerk responses to getting rid of this or adding something that hasn't been thoughtfully examined. We don't want to, in five years, see the same disparities that we see today. We want this to be an intentional process.

We also have resources for educators. An expanded version of resources for educators was released in August 2022. The curriculum guide has been available before then but has been underutilized by educators. Again, if we're going to touch people and educate them about licensure earlier on, we certainly want to be providing educators with information that's useful. We're also going to be hosting community conversations. For those of you who are researchers, these are like focus groups, welcoming the voices from across the social work profession.

Next, Hardy-Chandler discussed the 2022 ASWB Exam Pass Rate Analysis Final Report. The whole report is 94 pages and has a lot of information in it. It's descriptive data at this point. You can see Nevada and how it has performed along some of the demographic categories. And there are reports for each of the 800 plus schools of social work, not only by pass rates and

demographics, but also by subject areas. She briefly covered Nevada's data for clinical, masters, and bachelors' exams. And additionally, Hardy-Chandler presented information specific to University of Nevada (Reno) and University of Nevada, Las Vegas.

Next, she turned to addressing some common questions that have been asked starting with: *Why is the disaggregated data being published now?* In November 2021, the ASWB board of directors voted to invest in releasing the data; and they voted to invest in the analysis and compilation of this data that consists of tens of thousands of test administrations over the course of a decade.

Another question that is asked: *What are the exam ramifications on the social work profession?* She said that she thinks that the exam is part of measuring up to professional standards and that maintaining the exam is a critical piece of how we meet professional standards. That is the importance of these conversations and why we really want to get accurate information out there.

A question that comes up is: *Will the test be translated into other languages?* Now that you've heard about how the test is developed, you know that there are multiple forms of the test. There are evolving test items. So, this is not something that you can just throw in Google Translate and get an equal version. Also, those of you who know multiple languages know that the translation of the words doesn't necessarily equate to the translation of the meaning. It's a very complex undertaking, and certainly a reasonable question in light of the fact that we know that those who have English as a first language do better on this test. What we're doing is starting to work with our Canadian members. As you know, in some parts of Canada, French is the legal language of the province. We're looking at what that might look like in terms of translation in French. And from those lessons, hopefully we will be informed about how we should proceed with other translations.

Another question: *What impact does all of this have on the multi-state compact efforts?* Hopefully minimal. ASWB is very active in promoting the compact which includes, for good reason, a national test component and supports mobility, which has been part of ASWB's history from the very beginning.

And "the" question: *What can the broader social work community do?* We encourage the broader social work community, including our members, to encourage all social workers to participate in ASWB initiatives. There are a number of things coming down the pike, as you've heard. The involvement of social workers is going to inform a lot of what happens next. We want to hear from the profession. We ask that everyone questions these quick soundbites. Nobody should develop a strategy based on Twitter. People will come up with so-called facts even in the absence of talking to regulators. We ask that you come with curiosity to those spaces and encourage others too as well. It's easy to lock on to some of the things that are being passed around, but what's being passed around is a lot of misinformation as well. We encourage you and everyone that you work with to support our future research effort aimed at answering questions raised by the descriptive data. The data gave us some answers, but it also gave us a lot of questions that we need to do more sophisticated analyses moving forward. And you may know that we have sent out an RFP for research to look at regional differences and more. With same exact tests, same exact pass rates, same exact process, we can see huge differences across schools. There are some schools where disparities don't exist or where people of color are doing better. We need to understand what's happening in these places. And wouldn't it be amazing if we as social workers got those answers? And when we found areas and strategies that mitigate the ravages of racism and oppression, we share that information with other areas,

and other schools. Imagine the impact of that. So, we will need to do more research that is not based on assumptions and is based on actual information. We encourage you to continue to use us as your member association. As I said in the very beginning, in our opening statement, ASWB does not exist without its boards and colleges. And we see you as vital to anything that happens moving forward. We believe that a lot of good things are going to happen. Thank you very much for your time and attention. I really appreciate the opportunity to share with you today.

Langston thanked ASWB for providing information to the Board. She then asked for questions. Not hearing questions, she commented that when we have conversations with our colleagues around the state (or wherever we are), that we now have information that we can share that maybe some of us did not know in advance. And as ASWB moves forward in this process, please encourage your colleagues to be a part of the solution, not part of the problem.

Moving to Agenda Item 3A, ii - Recipient of the 2022 Sunny Andrews Award at ASWB Annual Meeting, November 19th, Scottsdale, Arizona, **Oppenlander** shared that the recipient of the 2022 Sunny Andrews Award at the ASWB annual meeting will be Vikki Erickson, immediate past Board Chair of BESW. She was nominated by BESW, and Board member **Sanders** will be presenting the award to her. As you will recall, in a recent board meeting **Sanders** was selected by the Board to attend the ASWB meeting. As another one of her duties in attending, **Sanders** will be voting on the election slate at the 2022 annual meeting of the delegate assembly. **Langston** suggested that **Sanders** may want to consult with Vikki about the ballot as she was on the ASWB nominations committee. **Langston** congratulated Vikki Erickson for her hard work. The Board is very appreciative of what she did, and because of that, it resulted in her nomination.

Holland Browne joined the meeting after resolving technical difficulties. **Oppenlander** let her know that **Agenda Item 3B - Review and Discuss October 19th, 2022, Board Minutes. (For Possible Action)** was pushed forward to the December board meeting agenda.

Next Agenda Item is **3C - BESW Audit for Year Ending June 30, 2022, by Casey Neilon, Inc. (For Possible Action)**. The presentation will be made by Suzanne **Olsen**. It was suggested earlier that the possible Board Action will be to approve that a draft version goes forward to Board meeting in December 2022 for final Board approval. **Olsen** greeted Dr. **Langston**, the Board members, and all other attendees. In **Olsen's** self-introduction she stated that she was the managing shareholder of Casey Neilon for the audit for the Board of Examiners for Social Workers.

Olsen covered auditor responsibilities and BESW responsibilities and the audit report as well. Casey Neilon is required to communicate this information at the conclusion of every audit that is performed. She went over some of the significant audit matters that were encountered this year. The management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Board are described in note one of the financial statements. Another item that she brought forward was the implementation of GASB 87, which brings operating leases onto the statement of net position e.g., the operating lease for the office building that has been recognized as rent expense. Now, we have to present the value of the lease, the remaining lease on the balance sheet as an asset and amortize it. And then, we must report a corresponding liability. As the payments are made, that liability gets reduced. So that implementation was made effective in this fiscal year. **Olsen** will be showing disclosures related to this when she presents the financial statements.

The auditor noted no transactions entered by the Board during the year for which there was a lack of authoritative guidance or consensus. And all significant transactions have been recognized in the financial statements in the proper period based on testing.

Another area of the presentation is related to sensitive accounting estimates. The most sensitive accounting estimate that is reported on the financial statements is the management estimate of the liabilities for pension. These estimates are based on information provided by the State of Nevada. These liabilities were supported by actuarial opinions as required by generally accepted accounting standards. The auditor evaluated the key factors and assumptions used to develop the liabilities in determining that it is reasonable in relation to the financial statements taken as a whole. So, while it says management's estimate of liabilities, that information does come from the actuarial reports that are provided State of Nevada PERS. The calculation from the employee allocation from the actuary report and is disclosed in detail in the financial statements.

Of note, the financial statement disclosures are intended to be neutral, consistent, and clear. The auditor did identify some misstatements and journal entries were prepared and are being provided to management so that they can be entered into the book of record. One entry was above trivial (at \$1,800) but was below planning materiality; but since it was an error, we corrected it. Then, we had an adjustment that was identified for a transaction recorded in an improper period. We will plan to work with BESW to help create a better report so that it can record that activity as it's happening throughout the year and not something that's being recorded at the end of the year during the audit.

We encountered no difficulties during the audit and getting information that we needed; management was great. There were no disagreements with management during the performance of our audit. And we will provide a management representation letter to be signed prior to the issuance of the audit. We did not need to consult with any other independent accountants re: the actual operations of the current year that we were auditing. We did review predecessor auditor work papers during our engagement so that we could substantiate the beginning balances going into this year's audit. In the communication with governance letter, we identified that we did discuss audit findings and issues throughout our audit. We do have a couple of findings that we'll report on the internal control report that's included with the audit. There weren't any new findings; however, the findings that existed in the prior year still exist in the current year and will be discussed further.

To conclude the auditor's required communication with the Board, the matters identified where you are required to report supplementary information are management discussion and analysis, pension information, and then the budgetary information of current year to prior year. There are restrictions on the use of the report as this information is intended solely for the information and use of the Board, and management of the Board and is not intended to be and should not be used by anyone other than these specified parties. **Woodrum** spoke about the auditor's use of 'boiler plate' information but wanted to know that it is understood by the auditor's team that the Board's scope of use would include further disclosure to governing bodies that oversee the Board, posting for the Open Meeting Law, and would be subject to Public Records Act request(s), asking if this is "Correct?" **Olsen** agreed that this is "Correct". **Olsen** further reiterated that the auditors understand that the meeting minutes, this report and attachments to this report are in a public forum.

Olsen brought the audit report online to go over with the Board members. She pointed out the audit report opinion and stated that it is an unqualified opinion. There was nothing outside of the normal scope of the audit to report and that is the highest assurance that they can provide in an audit report. And the letter also provides the information referred to earlier: responsibilities of management for the financial statements, and then it provides the auditor's responsibilities to the financial statements as well. The letter discusses the required supplementary information, and they provide the pages that it's on, their responsibility to testing or how they verify the data associated with that required supplementary information. And then the auditors also provide the internal control report that will be reviewed and the management's discussion and analysis.

The changes made since sending forward the draft report for the Board meeting were pointed out on page seven of the pdf. The last sentence needed to be updated from the "deficit for 2022 was \$77,474" which was not accurate as the Board did not have a deficit in fiscal year 2022. You have positive net position of \$175,160 which shows that the net position has improved from fiscal year 2021 when there was a deficit of \$77,474. Another thing **Olsen** referred to was how GASB 87 is presented in the Notes to Financial Statements e.g., on page eight and then page nine you see that they added a line for right of use assets net. So that means that it's an asset minus accumulated amortization and we amortized what's remaining on the lease of building and a few other assets (postage machine, multifunction printer). In the prior year, we added the balance of \$94,047. In the current year, that balance drops to \$74,607. And then for lease liabilities, the lease liability is \$94,539 for the prior year. And then for fiscal year 2022, it drops down to \$75,613. And the difference between those numbers is the difference between the present value and the original value of the lease. And that is what is hitting your bottom line or changing that position for the year. As you see, it's a small number. The prior period adjustment, and the impact of GASB 87 on your bottom line was \$492 and the biggest change is not the impact to the bottom line, but the biggest change for GASB 87 is putting the asset and the liability on the statement. We are only required to report that change in that position in the current year. Going forward, we will be able to prepare that comparative view as you're used to seeing in your other audits because GASB 87 will already be implemented.

Olsen further showed the Board how the details of the leases or subleases are detailed in the audit. Then showed the disclosure for pensions. The wording and structure have not changed from prior year audit.

The auditor did not become aware of any litigation that required disclosure or adjustment. The auditor will need to have a legal representation letter from the AG'S office that gets the auditor through approximately the date of their issuance report that identifies whether there's anything that's reportable. **Woodrum** clarified that **Olsen** will need a letter stating that there is nothing pending at this time that also has something specifically addressing a resolution of previously pending matter and that she will pass this through to DAG **Ward**.

Olsen continued with the audit distinguishing between general fund and government wide financial changes that were reported on the statement of net position and the statement of activities in governmental fund revenue expenditures and changes in fund balances. Those things include the pension information, compensated absences, the lease liability for GASB 87 and then fixed assets and depreciation. All of those are adjustments get us from the general fund to the government-wide financial statements. She also went over Notes to Financial Statements including the final note on page 21, Note 10 - Risks and Uncertainties that is required and identifies COVID and that we still don't have the full impact of what that means to the Board.

Olsen then went into the required supplementary information that has the final budget information. Revenue was in excess over expenditures, based on budget to actual by \$199,598, and then there are the next set of required disclosures. This includes the required pension information that comes directly from a calculation of the Board's proportionate share of PERS pension information. This audited information comes from the employer allocation actuary report for pension information and indicates the Board's proportionate share.

Next, **Olsen** explained the compliance section that is titled Independent Auditors Report on Internal Control over Financial Reporting and on Compliance and other matters based on an Audit of Financial Statements performed in accordance with Government Auditing Standards. This report identifies whether there are compliance issues or other matters that raised to the level of a deficiency, a material weakness, or a significant deficiency. A deficiency in internal control exists from the design or operation of a control, does not allow management or employees in the normal course of performing their assigned functions to prevent or detect and correct misstatements on a timely basis. A material weakness is the deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. In the prior year, there were two items that were considered deficiencies and they were material weaknesses. A significant deficiency is a deficiency or a combination of deficiencies and internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. And there was one finding that was determined to be a significant deficiency. We did not find any internal controls related to compliance and they were just related to misstatement. So, the auditor left the prior year schedule of findings and responses. **Oppenlander** did confirm that there was no change from prior year to current year, but it is something that we will be discussing as the Board moves forward with strategic planning later today.

Olsen continued by explaining the criteria for the first financial reporting material weakness. The criteria are that management is responsible for establishing and maintaining an effective system of internal control over financial reporting. One of the key components of an effective system of internal control over financial reporting is having the capability to prepare full disclosure financial statements in accordance with generally accepted accounting principles. The condition was that the auditors assisted in the preparation of the financial statements, including posting government wide journal entries. The Board does not have the experience to prepare full disclosure financial statements in accordance with generally accepted accounting principles and procedures have not been implemented to ensure that Board personnel possess the experience. In effect, financial information prepared by the Board may not comply with generally accepted accounting principles. The recommendation is that the Board implements procedures to provide training in the preparation of governmental full disclosure financial statements in accordance with generally accepted accounting principles. The Board agreed with this finding in fiscal year 2021 and as stated, **Oppenlander** indicated that there were no updates to staff preparation of financial statements during the 2022 fiscal year.

Oppenlander commented about the fiscal year 2021 findings that Board members **Klimas**, **Sanders**, and **Nielsen** were aware of. That audit was approved in January 2022 shortly before the Board had changes in Board composition for two of the membership. While the Board had determined that it would like to strategically plan how to move forward with the findings, the first matter that the Board delved into after the last audit was to focus on the Board Reserves. **Olsen** located the area of the audit where the five different types of reserves that Boards can have, are called out: non-spendable, restricted, committed, assigned, and unassigned. Earlier in 2022,

the Board invited Loretta Ponton from the Administrative Collaborative to explain how other small boards deal with these categories and how other boards determine how to structure their reserves. At a sidenote: If we back up to 2018, when **Oppenlander** first started, BESW was close to bankruptcy and did not have significant money to manage. Therefore, there was no real understanding of what having reserves was about when legislative committees queried the Board on the status of its reserves. First in 2022, the Board went through a process of learning about and then setting a reserves policy. The newest Board membership helped with those decisions. Later, during the September 2022 Board meeting **Oppenlander** stated that the Board would need to strategically plan to address the items from the 2021 audit and embed them into the newest strategic plan. In this way, the Board would be able to 'own' the weaknesses and figure out how to handle them. **Oppenlander** asked **Olsen** to go back to the portion of the 2022 audit that deals with deposits with financial institutions. This note came after the September Board meeting where I read into the minutes that now that the Board has monies, this Board must and is obligated through their fiduciary responsibility to figure out how to manage the money. When we didn't have enough money to make ends meet, that was a different day. Because we had fee increases approved by the legislature in 2019, now we're starting to see the benefit of it. For the first time, we have enough money to maintain reserves, but we haven't figured out how we want to do that. For example, the monies could be in laddered CDs at various banks so that BESW wouldn't have all the money at Bank of America. We could choose to put some of the monies in Wells Fargo for example. She stated that she was just suggesting banks to get the ball rolling on how the Board could move forward successfully. She wanted to be certain that the audit statements flow right into the next agenda item because we strategically placed the strategic plan agenda item to come right after this presentation.

Olsen moved Material Adjustments. Material weakness is the second finding. The criteria: Management is responsible for establishing and maintaining an effective system of internal control or financial reports. Financial statement reporting: One of the components of an effective system of internal control over financial reporting is oversight of account reconciliations and using reliable correct supporting evidence and calculations of balances. We propose material adjustments to capitalize capital assets, correct beginning and ending unearned revenue balances, and to correct the compensated absences liability. The overall review and oversight of these balances did not occur after all yearend adjustments were complete. The conditions indicate that errors in the year end closeout process are not detected and corrected in the normal course of business. The cause of this: Procedures have not been put into place to review and approve these account balances. The effect: Data used by the Board to prepare financial information may not be reliable. Earlier when I showed you the adjustments that we want the Board to input, those work for the general fund. And the reason why we're only proposing those for the general fund is because none of the government-wide adjustments have ever been recorded on the general fund. And if it is your policy, if you decide that it is your policy to only operate the general fund throughout the year and just to have those adjustments recorded at the end of the year, there just needs to be an understanding with management as to what those are, how they're calculated, and how they're reported. That's the difference between the entries you saw earlier, is that this material weakness is addressing the effect data used by the Board to prepare financial information and may not be reliable. We recommend the Board implement procedures to provide training and management review and approval over account balances and to retain such supporting documents. This finding was agreed to in fiscal year 2021, and there was no change to the views of the responsible official in fiscal year 2022.

The final finding is a review of the actuary reports and significant deficiency. The criteria: Management is responsible for establishing and maintaining an effective system of internal

control over financial reporting properly. Reviewing the actuary report on the pension: There is a key component to effective internal control over financial reporting. The condition during our testing over occurs. We noted the actuary reports were not adequately reviewed by management to ensure the consistency with current information and reasonableness over the assumptions used by actuaries. And because the Board did not have adequate controls to provide for the review of the PERS account balances. The effect: PERS obligation balances at year end may be misstated in contributions paid into these plans are not appropriate. The recommendation, we recommend the Board implement internal controls to provide for the review of the actuarial reports and retain evidence of such a review. The views of the responsible officials: The Board did agree with this finding during fiscal year 2021 and there were no changes during fiscal year 2022. At that time, **Olsen** concluded the audit report.

Motion was made by Linda Holland Browne to approve the June 30, 2022, Audit Draft with the caveat that the Audit Draft would be submitted to the State of Nevada before the deadline of December 1, 2022; and that the Final Audit would be submitted to the State of Nevada after the Final Audit is presented at a future Board meeting for approval; seconded by Jacqueline Sanders. The June 30, 2022, Audit Draft was approved unanimously.

Oppenlander thanked **Suzanne Olsen** from Casey Neilon for stepping as BESW's new audit firm. And, fortunately there will be continuity as they will return for the June 30, 2023, audit.

Langston moved to **Agenda Item 3D, Review and Discussion of the Strategic Plan from July 1st, 2023 – June 30th, 2026, with Social Entrepreneurs. (For discussion only).** **Kelly Marschall** made a self-introduction and then introduced colleague **Margaret Del Giudice** who will be working with the Board. **Marschall** began by letting the Board know that she has several items that they will need feedback on today. As we are revising the current strategic plan, we have considered the previous presentations and also considered new developments i.e. we have situational awareness of what is the current position for the Board so that we can integrate that into the strategic plan. Therefore, she would want to differentiate, with slides specifically about what's in your 2023 plan. And they've collected a significant amount of information from the Board and some guidance from you related to critical issues to address moving forward.

And that's always a moving target as you get more information and things emerge in the environment. We want to integrate that learning like the learning from **Ms. Olsen's** audit presentation today. This may inform some potential goals and action steps that you have in your upcoming strategic plan. We also want to have that same situational awareness of developments at the national, state, and legislative level. Our plan is to meet in January to begin to frame out, really in depth, what will be in the strategic plan. And then you will have opportunities to maybe augment before adoption prior to June 30th. And so, we always start with prioritizing those critical issues and then establishing goals to address those critical issues. Then we basically build out the scaffolding of the strategic plan. So those goals and critical issues are the framework, and then we want to put in strategies and then accountability factors, including who is the lead for this, what is the ideal timing, and how will we know it happened? What is the measurement for action? That's the frame or lens to use as we discuss some kickoff items. First -- What kind of strategic plan do you want? **Del Giudice** put together a slide that depicts what SEI thinks are the three ideal options to choose from: (Option 1) Table with Narrative; (2) Table; (3) Infographic. After some discussion, the Board gave some direction that Option 1 – The Table with Narrative would perhaps work the best for most people.

people who process differently an opportunity to reflect overnight. And you're doing all this preparation up to this point, but not to meet in just one day and say, okay, here's our critical issues, here's our goals, here's our strategies, here's our accountability items, and then not have that thought that hits you in the middle of the night that says, oh wait, what about this? We hope to have a draft on one day and reflect and refine on the second day.

The basic temperature check is if there is any concern about moving from an in-person meeting to a virtual meeting? **Langston** prefers virtual meetings. **Holland Browne** looks forward to eventually be in person with everyone but right now a virtual meeting would probably be easier. **Oppenlander** added that the Board has not met in person since 2019. **Holland Browne** indicated that Thursdays and Fridays are more difficult days for her to schedule meetings.

Marschall refreshed everyone about Strategic Plan Goals to consider based on the SWOT analysis and previous discussions. A reminder of some of the things that came up include lack of dedicated personnel and staff capacity, lack of formal job descriptions and evaluation processes, process to track provisional licenses issued during the pandemic, developing regulatory pathways and partnerships between schools and boards, addressing regulations around telehealth, examining licensing exemptions, providing education on the Board to the two Nevada university social work program graduates, potential transition to a combined behavioral health board, and then a lack of public knowledge of social work as a field of practice. Those three pieces of partnerships, and pathways between schools and the Board providing education on the board to the two university social work program graduates and then the lack of public knowledge of the social work field actually fit very nicely with what is a critical issue for you to consider based on a previous discussion about community engagement. Also, it could be community engagement for equity and inclusion. There was an earlier reference today about the need to create pathways for more licensees (the Misty Copeland ballet dancer reference made by Stacey Hardy-Chandler, ASWB CEO) by starting earlier and reaching out to schools, including K through 12, also creating linkages with the universities. **Marschall** thought that the idea of promoting equity and inclusion, or broader community engagement, is one of the takeaways from the ASWB presentation.

And as a reflection back to you in terms of financial positioning and policy, you do have a piece in your strategic planning specifically around financial positioning. So, we may expand that to financial positioning and policy. And that could include the goals around financial training, policies and procedures, policies to manage financial resources and deposits with financial institutions. That reflection is all based on the audit presentation earlier about implementing internal controls. So, these are the crosswalk between those previous presentations today and how the Board could potentially utilize the critical issues we've been talking about or start brand new with other critical issues.

Currently, the critical issues discussed include Communications and Public Relations with Community Engagement as an issue that the Board wanted to tackle. The second critical issue is Board Operations, and noted were the Structure, the Function and Training for the Board. The third critical issue was the Disciplinary Function of the board. That's really part of your mission. And then the fourth was your Financial Positioning. And I will note that you've made considerable progress on your strategic plan related to financial positioning because when I last met with you for strategic planning prior to the update, BESW was in a deficit. And you know, now you have some assets, right? The issues have changed according to your audit, which is how do we ensure that we're depositing our dollars in a strategic way so that they're protected? How do we ensure that we have internal controls, and etcetera. It seems like that one is still valid. Other critical

issues, that we have not made decisions about, but you have elevated as things for discussion include the board design, staff structure, and then regulatory and licensing.

Oppenlander talked about 'other critical issues' to consider e.g., ideas shared during the Interim Session and previously in the last Legislative Session e.g., merging our database with other behavioral boards, and merging our behavioral board with other behavioral boards, and there's been a discussion again about bringing forward a bill for a mega board, and the formation of a social work interstate compact. These are potential staff structural changes and felt obligated to share this. If we just look at her position, the Board will need a succession plan for her retirement to then hire a new Executive Director (if the structure remains relatively the same). If it doesn't stay the same, two of the pathways that have been noted is that we would move into a behavioral board merger or a mega board merger. In those two cases, her position is eliminated in favor of an entirely different board structure. These are issues to consider, and they will all play out in this next session between February and June.

Marschall thought that one of the opportunities that we have prior to the adoption of the strategic plan is to potentially use the narrative with a table to include some of the unknowns or activities in progress that could impact the strategic plan. That way, there's kind of a caveat with some assumptions. For example, an assumption would be that the Board would retain its current structure as an independent operating board. And if that should no longer be the case, that you would then determine: Does that mean the strategic plan is null and void? So, I think that's just a note that as we think about the narrative and create a template for you to approve during our retreat as an action item, that we would add a section that would include the current situation and assumptions under which this strategic plan that is being developed to account for.

Next, **Marschall** stated that an intention would be to expand the table so that there would an accountability piece. We'd decide: Who is the lead? What is the timing? Are there resources attached to this? Is there a cost for implementing a particular strategy? Using the example of training the Board on financial policies, procedures, and practices in accordance with generally accepted accounting principles, there may be a cost associated with that. We will want to make those things knowable, visible. She also showed the Board the color coding for the Table. For example, your focus has been on moving things from paper to digital to having online licensing and renewals and then to have policies and procedures in place. And you've been focused on processing new complaints against licensees per NRS 641B, clearing 100% percent of the backlog disciplinary cases prior to 2018 by the target of December 31st, 2022. We'll do a temperature reading again on that in January to see if there is more that needs to happen there. And then we have the financial positioning piece. You can see Goal Five says address audit recommendations based on the management letter by June 30th, 2023. There may be some pieces you can address e.g., you can respond to a letter, you can agree with the letter, but, where the rubber hits the road is that you're taking action, right? To respond to the corrections and address the root causes. So, that may be built out in more detail should you retain this piece. And then you had a goal to set a number of months of financial reserves in accordance with recommendations for other similar small board organizations.

So, she wanted to give the Board a foundation as a launching pad or start afresh depending on what the priorities are. And to close out, some of the potential critical issues you would discuss for a new strategic plan have included that community engagement piece. There were some things around increasing the pipeline such as education around the practice of social work, and partnerships to increase awareness about opportunities for social work practice. But, developing a board social media presence, that is a standalone. I would also note that policies and practices

could be impacted by the interstate compacts or the mega board or behavioral health composite board. Also tracking telehealth regulations, and how that may impact social work. And then potentially creating pathways for more licensed social workers within K12 schools. If you were to retain that, it potentially is policy and practice, or it may be under community engagement. And internal board development, performance evaluation process for the executive director position, and then also addressing the recommendations for the most recent board audit. Those came up already, so that's clearly on your radar. Those are reminders of the kinds of things that we'll talk about using a facilitated process that is properly put on the agenda for when you have the two-day retreat/ workshop. There were no questions and **Marschall** concluded the strategic planning presentation.

Langston moved to **Agenda Item 3F – Review, Discussion of BESW License Processes and other items on Workforce Shortages in the Mental Health Profession in Nevada. (For Discussion Only)**. **Oppenlander** discussed the ongoing process of gathering information together to prepare ourselves for the upcoming legislative session. She updated the “Understanding the Challenge Report” by adding the things that were part of the October 2022 meeting. When the Board has ‘incoming’ during session, you’ll be aware and understanding the challenges that the state and that BESW are facing in order to make educated, informed choices. Therefore, we are continuing to update that report every month as new information is available.

Langston moved to **Agenda Item 3G – Executive Director’s Report. (Informational)**. **Oppenlander** mentioned that future agenda items include the 2023 Strategic Planning Workshop, a presentation by Kyle Hillman, Executive Director, National Association of Social Workers–Nevada; and there may be agenda items for NRS and NAC changes. Also, ASWB did not mention this today, but we wanted to mention that there is a free webinar being offered by ASWB on December 7th at 10 a.m. Pacific especially for educators, to give insights and resources that can be used to help students demonstrate their competence on licensing exams. If you have any problems finding that link, please let me know and I will send it to you. And last, the next Board meeting is scheduled for 9:00 AM Wednesday, December 21st, 2022.

Langston moved to **Agenda Item 4 -- Public Comment**. There was not online or in person public comment.

Langston moved to **Agenda Item 5 – Adjournment** at 11:34 a.m.

Minutes Respectfully Submitted by Karen **Oppenlander**.

3C

Review and Discuss BESW Audit for Year Ending June 30, 2022. (For Possible Action).

3D

Review and Discuss “Understanding Challenges and Opportunities in Light of the 2022 Release of Association of Social Work Boards Demographic Data” – Kyle Hillman, Executive Director, National Association of Social Workers – Nevada. (For Discussion Only).

3E

Review and Discussion of the 2023 Legislative Session. Flynn Giudici Government Affairs Advocates. (For Discussion Only).

3F

Board Review of Hearing for Virgilio DeSio, License No. 6200-C. (For Possible Action).

3G

Board Review of LCSW Application for Bertrand Ithurralde, LMSW. (For Possible Action).

3H

Review and Discuss 2023 Board Meeting Dates Tentatively Scheduled February – June 2023, Third Wednesday, 9 a.m. (For Possible Action).

2023 Strategic Plan Meetings January / Board Meetings February-June

- Monday, January 23, 2023, Strategic Plan 9 a.m. – 3 p.m.
- Monday, January 30, 2023, Strategic Plan 9 a.m. – 3 p.m.
- Wednesday, February 15, 2023, 9 a.m.
- Wednesday, March 14, 2023, 9 a.m.
- Wednesday, April 19, 2023, 9 a.m.
- Wednesday, May 17, 2023, 9 a.m.
- Wednesday, June 21, 2023, 9 a.m.

31

Review and Discuss BESW Licensure Processes and Other Items Regarding Workforce Shortages in Mental Health Professions. (For Discussion Only).

- i. Understanding the Challenge Report (Updated).

- I. Understanding the Challenge: There are significant shortages in all mental health professions across the State of Nevada.**
- a. Mental Health Providers Ratios
 - i. Overall: Mental Health Workforce Availability in Nevada is 420:1 (professionals per population)
 - ii. Top US Performers 250:1 (90th percentile).
 - iii. 95% of Nevadans live in a mental health professional shortage area.

II. Brainstorming Solutions to Challenge

- a. **Mental Health Workforce Development in the State of Nevada**
 - i. On June 15, 2022, a presentation was made to BESW by Dr. Sarah Hunt from UNLV, Assistant Dean of Behavioral Health Sciences at the Kerkorian School of Medicine, Director of UNLV Mental and Behavioral Health Training Coalition.
 - ii. Presentation focused on how Nevada can grow its own mental health workforce. Focus was on expanding opportunities for mental health students to have practicum sites or internship sites in integrated healthcare settings; development of a mentor/ ambassador process (proven to work in Nebraska) to attract and then help interested students from K-12 through college; intent is to increase the mental health workforce in Nevada; Encourage graduating students to be licensed in Nevada and work in primary care settings, providing mental health services especially in the rural/ frontier areas and underserved urban areas.
 - iii. In July, the Board read a letter from SAPTA (Substance Abuse Prevention and Treatment Agency) Advisory Board into the Minutes.
 - iv. In July, Board Staff presented an updated PowerPoint that was originally delivered March 2022 as requested by Rural Regional Behavioral Health Policy Board.
 - v. Reviewed Nevada Current Report re: optimal School Social Worker Guidelines.
 - vi. In September, the Rural Regional Behavioral Health Policy Board (RRBHPB) submitted a concept paper using the mental health workforce development model briefly described above.
 - vii. In September, BDR # 351 was submitted by State of Nevada Committee on Commerce and Labor provides for the issuance of temporary licenses by certain occupational licensing boards to members of the military and their spouses.
 - viii. BESW received a letter dated October 3, 2022, that was sent by the Council on Social Work Education. This letter was read into the October Board record and included recommendations re: use of ASWB exams, accreditation, and etcetera.
 - ix. The Association of Social Work Boards presented information to the At the November 16, 2022, Board meeting. The goal was to give an overview of accurate information about the exam development process including anti-bias measures, and ASWB's upstream, solutionfocused approach to collaborating across the profession on addressing disparate outcomes. The presentation is available in Board minutes that are posted on the Board's website.

b. Interstate Compact

- i. The Council of State Governments (CSG) is partnering with Department of Defense (DoD) and the Association of Social Work Boards (ASWB) to support the mobility of licensed social workers through the development of a new interstate compact. Current Status is that an initial draft of the social work compact is under development. CSG anticipates that a preliminary draft of the compact will be available for public comment and review in July of 2022.
- ii. An interstate compact is an initiative to create a legal contract among states / territories enabling social workers to practice in each other's jurisdiction, once practitioners demonstrate that they meet the compact requirements.
- iii. CSG is hosting regular webinars and other public review sessions to provide information, review the draft and solicit feedback. BESW staff is attending.
- iv. Goal is to complete the editing process in fall of 2022 to make the finalized model legislation available to states for their 2023 legislative sessions. Typically, seven to 10 states, must pass the enabling legislation. State legislatures must enact compact legislation to become a member state of a compact.
- v. RRBHPB has indicated that the Interstate Compact is the gold standard for making sure that we have high quality providers that can either be in Nevada or may also practice in other states. This is ideal due to the rural region they serve and represent. RRBHPB has offered to lend BESW any support necessary in entering interstate compacts for licensure.
- vi. In July, the Board was updated on the Social Work Interstate Compact by CSG via ASWB. The 2-page national announcement makes interstate compacts easy to understand.
- vii. In reviewing the draft legislation (23 pages), BESW learned that the language in Chapter 641B that may be materially different and will have to be reviewed and we will have to change 641B to participate. However, we do not know certain things about the final version yet. **Ward** has helped in understanding a concept that he referred to as a "conflict of laws". BESW staff also called on the Majority Leader of the Nevada Assembly (and Nevada social worker) for analytic assistance.
- viii. Ultimately, BESW may be able to work through the interstate compact language successfully, but that doesn't mean that we will be able to get it done immediately and be able to be one of the initial states that launches the compact for the nation in 2023. After the conversation, it seemed that perhaps it might be better for our Board to not go too fast. It may be better to take time to do it right. Ultimately, BESW may be able to be part of the social work interstate compact, but we will want to make sure that the way it's written after it comes out of the draft is going to be beneficial for our licensees. And that can't be determined at this time.
- ix. We know that ultimately that federal government (especially the Department of Defense and the Council of State Governments) do want this to happen. It is probable that we will receive some pressure to move in this direction. In consideration, we are going to be able to show good effort with an intent to be able to dovetail into the social work interstate compact down the road as: (1) the information is forthcoming, and (2) as Nevada's biennial legislative sessions give us opportunities to move forward.

c. Other Ideas to Address Challenge

- i. RRBHPB concerns were shared with BESW after its presentation to the Commission on Behavioral Health as they make recommendations for the Commission's letter to the Governor so that he can take this into consideration when building out his budget; And information on this topic was presented to the Joint Interim Committee on Health and Human Services regarding workforce development and professional licensure. A similar letter went out to the other behavioral Boards e.g., MFT/ CPC Board, the Board of Psych Examiners and the Drug and Alcohol Board.
 1. Licensure by endorsement: RRBHPB intent to make permanent the licensure by endorsement processes from Governor's emergency declaration.
 2. Improve ability of interns in rural, frontier communities to find supervision.
 - a. Simplify e.g., with the Governor's emergency declaration, as all interns could work with completely remote supervision.
 3. BESW was thanked for the presentation to the Rural RBHPB during its March 2022 meeting finding it helpful to hear about the "ins and outs" of current licensure processes.
 4. RRBHPB indicates that further work remains to be done to align with both the spirit and the letter of SB 44, as well as other areas outside of the bill to ensure that all possible efforts are being made to remediate Nevada's chronic shortage of treatment providers (in this case, primarily focusing on LCSWs).
 5. RRBHPB wanted to use SB 44 to ensure that the components of the Governor's emergency directive that allowed for remote supervision and expedited licensure for endorsement were made permanent to improve paths to licensure for both experienced and potential professionals. RRBHPB does not believe this was accomplished.
 - a. They have heard stories from both individuals who have attempted to complete their clinical hours, as well as treatment organizations which choose to host interns, that the requirements for clinical supervisors are very difficult to meet.
 - b. With few clinicians in the region, and even fewer of them willing to take on the responsibilities of supervision, the number of available supervisors does not meet the volume of potential interns.
 - c. Furthermore, the requirements for administrative supervisors for interns that can connect with a clinical professional to offer remote supervision are equally challenging, as the region is not just at a loss for enough LCSWs, but also for all other mental and physical health care provider types.
 - d. The RRBHPB perspective was that the spirit of the remote supervision component of SB 44 was to allow interns to work in a setting where they would have access to their clinical supervisor by phone or other electronic means, but an administrative supervisor would be just that; someone who

facilitates human resources activities and administrative tasks, for which professional licensure as a treatment provider is not necessary.

- e. RRBHPB is under the impression that the purpose of having the role of administrative supervisor filled by a licensed provider is likely related to many concerns, including safety of the intern and/ or the patient during crisis; liability; and enrichment of the clinical internship experience. However, there are other solutions that should be considered in place of requiring another clinician on-site. These solutions might include:
 - i. Requiring that the intern and at least one staff member on the premises have sufficient training in crisis de-escalation.
 - ii. Other licensing boards have been clear that the administrative or secondary supervisor for clinical interns needs only to be available by phone. (Perhaps RRBHPB has misunderstood the BESW terminology in 641B that is different than other boards).
 - iii. Requests for BESW to participate in a collaborative being developed between NSHE institutions and licensing Boards to build a stronger network of approved clinical supervisors and clinical supervision sites.
 - 6. Allow for a provisional, "temporary" licensure type for applicants for licensure by endorsement whose applications are currently being processed by BESW. While RRBHPB recognized that this step has not been taken by BESW and the other three licensing Boards affected by SB4 due to patient safety concerns, it must also be understood that the Nevada State Board of Nursing allows for provisional licensure.
 - 7. Recommends the streamlining of all licensure processes through the implementation of a one-stop portal for all of Nevada's occupational licensure. And later Haskins added: An online portal could have a checklist when the paperwork is uploaded, then applicants could see where they are at in their process to help improve communications.
- ii. Substance Abuse Prevention and Treatment Agency (SAPTA) Advisory Board concerns (under authority of Administrator Whitley):
 - 1. Understanding that workforce development is not inherently in the purview of regulatory boards, and we also know that work around licensure, policy, and regulation are multifaceted.
 - 2. Nevada continues to rank 51st in the nation for Mental Health, according to Mental Health America.
 - 3. This cannot be a problem we collectively continue to neglect. We all should require action in the areas we have oversight or influence on. The areas of concern generally fall into one of five categories, listed below:
 - a. A better workforce pipeline from high school and higher education, through job placement

- b. Increased availability of Internships and practicums
 - c. Supervision tailored toward workforce development
 - d. More efficiency and smoother transitions in certifications
 - e. Increased exposure to the field of behavioral health to increase interest in the field across the lifespan.
4. SAPTA requests for BESW to lean on the expertise of the stakeholders assembled at the SAPTA Advisory Board to help systemically address the gaps and shortages in our behavioral health workforce to create a safer and healthier Nevada.

iii. Linda Holland Browne (BESW Board member)

1. Stated that one process that worked successfully was to provide supervision by going to the rural community and spending four hours or a day with a clinician with some prearrangements. For example, she'd sit in on a session with a client that had signed a release or participated in a group review of records. She would do this in chunks of time and then was available by phone to intermittently answer questions.
2. She also discussed that rural providers are often in a peculiar position ethically as they must contend with dual relationships in small communities; and she doesn't think that people are prepared for that.
3. Also, she hears complaints about how long it takes to get things done at the Board, to get paperwork pushed through, to get approval for licensure. She doesn't think anybody has any idea how sophisticated the process is and that the Board is frequently at the mercy of other agencies and institutions submitting things in a timely fashion.

iv. Jamie Ross suggested using CERTEMYs online portal. This is based on her being on the executive committee of the Nevada certification Board for peer recovery support specialists that uses this online portal.

v. Karen Oppenlander outlined how the use of a 'portal'/ database may be influenced in the future and that the Board will need to discuss this further.

1. BESW will need to release a new RFP for software provision soon creating an opportune time to look at all software providers including the current company (Albertsons/ Big Picture Software) that BESW has invested time and money with that has helped BESW to digitize its process (moving from paper to the computer to the clouds). And the current company has helped BESW to already establish a licensee checklist on the online portal.
2. Another BDR may be introduced for a Composite Board again. An 'online portal' may be influenced by another entity e.g., Business and Industry (as was presented during the 2021 legislative session).
3. Nevada may move forward as part of the Interstate Compact for Social Workers, and this may influence the 'portal' / database discussion.
4. The State of Nevada is aware of these bigger issues and has put into effect a new review process for future software vendor selections requiring an extra level of review by EITS (Nevada's Enterprise IT System).

5. Sanders brought up another national option vs moving to a composite type of Board. BESW may want to look to ASWB to see how they may be able to help address BESW needs and be a resource to minimize unnecessary expense.
 6. In August, BESW Staff went through several demos from Thentia (database software) for upcoming competitive RFP process.
 7. In October, BESW is working to extend its current licensing database software contract. This will allow it to be flexible during next RFP process and improve its ability to respond to 2023 legislative session.
- vi. Jacqueline Sanders (BESW Board member)
1. Sanders suggested revisiting provisional licensing to take a closer look at it so that we better address people's needs.
 2. Sanders shared that BESW is already in a new environment in remote supervision. She realized that Reno had it in place for someone that she had trained a few weeks ago; and that sort of thing is new and may help to expand the number of LMSW or LCSW licenses that we offer.
 3. Sanders added that it may be good to see if we can send out additional notices automatically via the database (if affordable) to reduce incoming phone calls by letting individuals know that information has been received by the Board.
 4. Sanders spoke in favor of enhancements so that others would not issue statements that could justify a composite board at this point. While BESW can look at a composite board later, right now we want to look at how we can get people to pay to be licensed in the State of Nevada, and to be able to work from outside of the state.
 5. She emphasized that BESW has removed quite a few restrictions already as we were compliant with the Governor's mandate throughout the COVID epidemic. She added that the Board is aware that some did not renew after the directive was lifted. We can research this to better understand how to reduce concerns using simple measures to remove barriers (e.g., reviewing provisional license option).

III. Picking the Best Strategy for BESW Support

- a. Nevada's 2022 County Health Rankings and Roadmaps: To learn more about what works to improve the ratio of population to mental health providers, please link to: <https://www.countyhealthrankings.org/app/nevada/2022/measure/factors/62/policies>
 - i. Some of the 34 suggested strategies include topics referred to in previous Board meetings and during recent conversations with Board staff:
 1. Higher education financial incentives for health professionals serving underserved areas
 2. Rural training in medical education
 3. Support of Federally qualified health centers (FQHCs)
 4. Support of Medical homes
 5. Tele-mental health services.
- b. And please see Roman Numeral "II" above.

- c. In July, Social Entrepreneurs presented an overview of the strategic planning process for July 1, 2023 – June 30, 2026, BESW Strategic Plan.
- d. In September, the Board went through the first phase of its new July 1, 2023 – June 30, 2026, BESW Strategic Plan.

IV. Deploying the 'Solution'(s).

- a. In September 2022, the Board made changes to its Internship Policy:
 - i. Revise the Supervised Internship Policy on a one year trial basis that would require Onsite Supervision for the first 1000 hours of Clinical and 500 hours of Non-clinical until the intern is essentially exam eligible; and after that point, if the Clinical Supervisor is comfortable, that BESW would ease the requirement to having offsite supervision via a hybrid model for emergency access by other form of communication e.g. video conference, telephone and etcetera; or the Supervisor could decide to continue in the current manner of having Onsite Supervision for the entire 3000-hour internship.
 - ii. Close an internship site when the site appears on a Medicaid sanction exclusion list; also, close an internship site when sanctions are made by other regulatory agencies; and reopen a site as a teaching location for postgraduate interns when the sanction is lifted.
 - iii. Accept a fully in-person internship or an internship that is part in-person, part telehealth.

3J

Association of Social Work Boards Updates (Discussion Only).

- ii. ASWB Toolkit.
- iii. Update from ASWB Annual Meeting, November 19th, Scottsdale, Arizona by Jaqueline Sanders.



A regulator's tool kit: ASWB resources

PROTECTING THE PUBLIC

Licensing, regulation
and exams

CONTRIBUTING TO THE CONVERSATION

A call to collaborate

EXAMS FOR THE FUTURE
OF SOCIAL WORK

ASWB initiatives

INSIGHTS IN ACTION

Questions and answers

Protecting the public: Licensing, regulation, and the exams

Why licensing matters

... provides the consumer with an assurance of qualifications of licensees along with a means of enforcement for the benefit of the public with the ultimate goal of public protection.

Why an exam?

Necessary for
public protection

Essential component
of licensing decisions

Legally defensible threshold
of minimum competence

Resources

- *The New Social Worker* article: [I have my social work degree—Why do I have to take an exam to get a license?](#)
- Social Work Today article: [How to Ace a Licensing Examination](#)
- *Counsel's Column*: [Regulation is regulation, and deregulation is deregulation](#)

Protecting the public: Regulatory initiatives

Spotlight on Regulation

ASWB has developed this report to provide a detailed view of social work regulation in the United States and Canada.

Moving Social Work

Keep up to date on efforts to improve practice mobility and license portability.

Social Work Compact

The Council of State Governments, in partnership with the Department of Defense, has chosen ASWB to lead the effort to create a social work licensing compact.

Regulatory research

ASWB is taking action to fund research that can inform regulatory administration and deepen understanding of how to ensure greater equity within the profession's systems.

Resources

- [Spotlight on Regulation](#)
- [Government regulation: The three E's](#)
- [A robust licensure system benefits the social work profession—and the public](#), Commentary by Stan Weinstein, Ph.D., LCSWC, in ASWB's **Views from the field** series
- [MovingSocialWork.org](#)
- [Across state lines](#), *Social Work Today* article by Brian Carnahan, executive director of the State of Ohio Counselor, Social Worker, & Marriage and Family Therapist Board:
- [Draft social work compact is ready for review](#)
- [ASWB's commitment to investing in research as a means of contributing to the future of the social work](#)

Contributing to the conversation: A call to collaborate

A call to collaborate



Resources

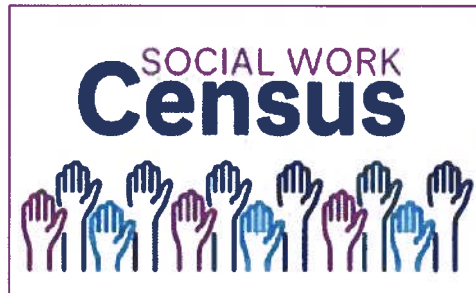
- [Contributing to the conversation: 2022 Analysis of ASWB Examination Pass Rates](#)
- [Measuring competence fairly](#)
- *The New Social Worker* article: [How does ASWB guard against bias on the licensing exams](#)
- *Social Work Today* article: [Putting social work values to the test](#)
- [ASWB Examination Program Yearbook](#)
- [ASWB releases data analysis on social work licensing exam](#)
- [Beyond data: A call to action](#)

Exams for the future of social work: ASWB initiatives



The **Social Work Workforce Coalition** includes a range of U.S. and Canadian social work organizations that represent diverse perspectives.

This coalition will provide input on emerging trends in social work practice, help structure new community conversations, and contribute questions to the **Social Work Census**.



The **Social Work Census** will be the largest survey of social workers ever undertaken.

The **Social Work Workforce Coalition** wants to learn as much as possible about who social workers are and what they do.

Resources

- [Social Work Workforce Coalition](#)
- *The New Social Worker* article: [What does the practice analysis have to do with questions on the ASWB exam?](#)
- [Courageous conversations: Social Work Workforce Coalition's first meeting brings leaders together](#)
- [Listening and learning: Two meetings deepen the conversation about exams for the future of social work](#)

Exams for the future of social work: ASWB initiatives



ASWB is inviting social workers to volunteer to participate in **community conversations** on developing licensing exams for the future of social work.



ASWB is taking action to fund additional **research** that can inform regulatory administration and deepen understanding of how to ensure greater equity within the profession's systems. To do this, ASWB invites the social work community to participate in these research initiatives and be part of advancing public protection and professional accountability.

Resource

- Volunteer to participate in [Community conversations](#)
- [Learn about ASWB's commitment to investing in research as a means of contributing to the future of the social work profession.](#)

Exams for the future of social work: ASWB initiatives

Exam resources for educators

Data release
to schools



free digital download

ASWB Exam
Guidebook



Educator Guide to the
Social Work Exams
with group practice
questions

Educator
training



FREE WEBINAR

Helping students be prepared to show competence on the social work licensing exams:
Free exam resources for educators from ASWB

Wednesday, December 7, 2022

1:00 pm EST

Resources

- [Exam resources for educators](#)
- [Exam performance reports for social work schools and programs](#)
- [ASWB Examination Guidebook](#)
- [Educator Guide to the Social Work Exams with group review practice questions](#)
- [Educator training](#)

Exams for the future of social work: ASWB initiatives

Beginning in 2023

Three-option multiple-choice questions to be phased in



- Exam questions with fewer options will offer test-takers a better experience by reducing time pressure and ensuring a focus on a test-taker's social work knowledge.
- This change follows psychometric expertise that confirms the validity of three-option multiple-choice questions.
- Exam forms will contain a mix of three- and four-option questions beginning in January 2023. The exam will gradually include more three-option questions going forward, with the goal of completing the transition by 2025.
- We have also worked toward revising our other products, including the *ASWB Exam Guidebook* and the online practice tests, to reflect this change.

Exams for the future of social work: ASWB initiatives

The **Examination Administration** department continues to focus on **supporting candidates** and regularly looks for ways to improve the testing experience and reduce barriers. ASWB is **listening to and learning from test-taker feedback** and is implementing changes to reduce stress and smooth processes on exam day.



Palm-vein biometric screening discontinued

- Candidate concerns around biometric data collection have strengthened, and we have seen an increase in requests for exemption from palm-vein screening.
- To date, no incidents involving proxy test-takers taking ASWB exams have been identified by biometric authentication.
- Beginning in 2023, test-takers will be permitted to opt out of the palm vein scan on exam day.

Cell phone bags no longer required

- The requirement to lock up electronic devices in a cell phone bag has contributed to negative test-taker feelings.
- Beginning in 2023, test-takers will no longer be required to lock up electronics in a cellphone bag before testing. They will still be required to shut down all electronic devices and store them in the locker.

Access to food permitted

- While test-takers are currently permitted to access their locker for a beverage during their examination, many have asked to access food for reasons including disabilities and other health conditions.
- Security risks are minimal because the locker area is monitored by test center staff and is under camera surveillance.
- Beginning in 2023, test-takers will be permitted to retrieve and consume a snack from their locker during the examination.

Resource

- [ASWB Examination Guidebook](#)

Insights in action



Listen and
ask questions

Refer to the
questions and answers
on the next page



Encourage
feedback via
Exams for the
Future of Social Work



Send your questions to
exam@aswb.org

Suggest requesting
updates at
[Contributing to the
Conversation](#)



Invite ASWB staff to
a board meeting at
exam@aswb.org

Questions and answers

Why is an exam needed?

The social work licensing exams are an important element of public protection because they assess whether an applicant for a social work license has the minimum competence to practice safely and ethically. The exams ensure that minimum standards are met across jurisdictions.

How does ASWB protect against bias?

The current exams follow nationally recognized test development standards to ensure validity, reliability, and fairness. ASWB's commitment to inclusion is evident in the exam development process, which is continual and includes many checks and balances along the way.

It begins with a major survey of thousands of social workers to ensure representation from various backgrounds and geographic areas. The results of this survey, called a practice analysis, give ASWB a clear sense of what entry-level social workers do, helping to establish the content for measured competencies.

Every question on an ASWB examination is reviewed for signs of potential bias at each step in the process. Questions identified as failing to accurately test candidates' knowledge, as well as those with potential bias, are not included on the exams.

What was the purpose of publishing the pass rate analysis?

In 2021, the ASWB Board of Directors approved the investment in a new data analysis to capture self-reported demographic data as an important starting point in a collective process. The publication of this data is a first step toward a bigger goal of looking behind the numbers and providing a pivotal opportunity for the profession to advance upstream solutions that may mitigate the effects of systemic racism. ASWB is in the pursuit of fairness for the long haul.

What were the major findings of the pass rate analysis?

The analysis found that:

- Most test-takers passed the social work licensing exams on their first attempt.
- The number of test-takers steadily increased over time, and the proportion of test-takers from historically underrepresented groups also grew.
- The highest pass rates were observed among women, younger test-takers, individuals whose first language is English, and white test-takers.

The lowest pass rates were observed among men, older test-takers, individuals whose first language is not English, and Black test-takers.

How is ASWB increasing access to resources that help social work educators ensure their students are equally prepared for the licensing exams?

ASWB's free exam resources for educators include:

- Detailed reports on accredited social work degree programs that include performance data on major exam content areas
- The *ASWB Examination Guidebook*, a free downloadable source of information about the steps for taking the exam, exam creation, exam and question structure, and exam study resources
- The Educator Guide to the Social Work Exams with group review practice questions for use by instructors in accredited social work programs
- A free, on-demand training for educators in writing multiple-choice questions according to ASWB standards

What are the next steps in ensuring that the testing process is equitable?

ASWB is actively listening to the community and gathering input on short- and long-term solutions. We are already taking actions to enhance our exam development process by including additional voices in the process. ASWB has committed to:

- Explore how the professional standard of competency is defined and measured
- Research and understand upstream factors accounting for differences in pass rates
- Revisit the exam structure to increase equitable access, including possible additional assessment formats
- Provide multiple avenues for engagement and respectful collaboration with the diverse voices of individuals and organizations, including educators, practitioners, and regulators.

What steps can I take now?

We are encouraging everyone to get involved and work toward solutions on a larger scale. There are many ways to share your voice and contribute to this process. You can volunteer to participate in a community conversation; send a question or share your thoughts via exam@aswb.org; and learn more about the exams for the future of social work at ASWB's website, aswb.org.

And, if you have questions about our development process, you can ask us. We have a wonderful group of social workers who help us to continually create these exams.

How do you think the broader social work community can be most helpful in working on the issues that have been revealed?

Sharing these data was a first step in better understanding the causes of the differences in pass rates. These data will help get from where we are now to where we want to be, holding ourselves and others accountable. These data reflect a multitude of factors that can affect performance on a licensing exam, such as educational background, preparation, and length of time between graduation and testing. The differences in pass rates also reflect societal opportunity gaps for members of historically underrepresented groups.

ASWB is committed to looking behind the numbers and taking a deeper dive into the questions raised by the data. Together, we can work to make social work more equitable and to ensure the profession reflects values of antiracism, diversity, equity, and inclusion.

We encourage everyone to get involved by visiting [aswb.org](https://www.aswb.org).

What's the connection between the compact and the exam data?

The licensing exam requirement in the proposed compact legislation is a critical component of the uniform standards necessary for broad state participation. The exam is the only objective measure available to regulators that offers assurance that social workers licensed elsewhere are competent to practice in their jurisdiction. Because of this consideration, compact legislation for all professions typically requires an exam as a key feature. Jurisdictions that do not require an exam for a specific category of license may be ineligible to participate in the compact for that category of license. This may cause social workers licensed in that jurisdiction to have a limited ability for cross-jurisdictional practice. Get compact updates at [MovingSocialWork.org](https://www.moving-social-work.org).



Vikki Erickson of Nevada received the Sunny Andrews Award for Outstanding Commitment to Regulatory Board Service. The award, named for a former president of the association, is presented annually to an exceptional volunteer member of a social work regulatory board.

Erickson served as a member of the Nevada Board of Examiners for Social Workers for seven years, from 2015 to March 2022. She was recognized for serving the board with integrity and grace and being a role model for other board members and social work stakeholders.

Jacqueline Sanders, who serves on the Nevada board with Erickson, presented the award.

3K

Executive Director's Report (Informational).

- i. Future Agenda Items: 1) NRS and NAC changes.
- ii. Next: Board Workshops/ Meetings are scheduled for 9 a.m., Monday, January 23, 2023, and 9 a.m., Monday, January 30, 2023.