

Board of Examiners for Social Workers Board of Directors Strategic Planning Meeting

January 23, 2023



Facilitated by: Margaret Del Giudice and Kelly Marschall
Social Entrepreneurs, Inc.

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. Context and Critical Issues for Consideration in the Plan

Context and Critical Issues for Consideration in 2023-2026 Strategic Plan

- A. Executive Director's Report
- B. State and National Landscape
- C. Current Issues
- D. Legislative Bill Tracking and Implications
- E. BESW Financial Position
- F. SWOT Analysis

A. Executive Director's Report (Informational) Communications, Public Relations

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- BESW is More Outward Facing than Before.
 - Legislator focused conversations, outreach, and testimony.
 - BESW Staff served on Advisory Committees at UNR and UNLV.
 - BESW response to consumer inquiries.
- Satisfaction Survey Goal Attained.
- In 2022, Board Welcomed Monthly Board Speakers and Introduced Organization Letters into Board Meetings.
 - As a result of the related conversations, the Board introduced solutions to improve its clinical internship process.

A. Executive Director's Report (Informational) Board Operations

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- BESW has Increased its Licensee Base.
 - In 2020, BESW surpassed 3000 licensees; and
 - In 2021, BESW surpassed 4000 licensees.
- BESW Has Moved from Paper to Computers to the Cloud Over the Past 4 $\frac{3}{4}$ Years.

A. Executive Director's Report (Informational) Disciplinary Function

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- The Board's Strategic Goal of Clearing 100% of Pre-2018 Cases Attained.
- Big Thank You Goes Out to Compliance Unit Investigators, BESW Staff, and Deputy Attorney General Harry Ward for Clearing 9 Years of Backlogged Cases.

A. Executive Director's Report (Informational) Financial Positioning

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- Organization's Finances are Stabilized 2020 – 2023.
- Legislation Passed in 2019 to Increase Fee Caps that were Not Raised Since 1995.
- In 2022, the Board Reestablished its Reserves Goal.
- Revised Audit - June 30, 2022, currently in process with New Recommendations from Auditor.

A. Executive Director's Report (Informational)

Other

- 35th Anniversary
- 2022 – New Board Members
- 2022 – Sunny Andrews Award from ASWB to Vikki Erickson
- Interstate Compact Development (in Process)
- Almost 5 Years since April 2018

B. State and National Landscape (Discussion Only)

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- The formation of a new Interstate Compact, an initiative to create a legal contract between states to allow for social works to practice across state lines.
- Implications of conflicts among ASWB, NASW, and CSWE.
- Merging of current BSW database with other behavioral boards.

C. Current Issues (Discussion Only)

- Staff structure
- Executive Order 2023-003
- Executive Order 2023-004

D. Legislative Bill Tracking and Implications (Discussion Only)

- AB 37
 - **Description:** Authorizes the establishment of the Behavioral Health Workforce Development Center of Nevada. (BDR 34-361)
- AB 45
 - **Description:** Creates a program to repay the student education loans of certain providers of health care. (BDR 18-359)
- AB 54
 - **Description:** Makes various changes relating to education. (BDR 34-283)
- AB 65
 - **Description:** Revises provisions relating to education. (BDR 34-275)
- AB 69
 - **Description:** Expands the loan repayment program administered by the Nevada Health Service Corps to include certain providers of behavioral health care. (BDR 34-399)

E. BESW Financial Position (Discussion Only)

- Potential to hire an accounting level vendor to assist the Board with compliance.
- Notes on the Audit:
 - Diversify where BESW funds are held
 - Resources to address Audit Management Letter recommendations

F. Strengths, Weakness, Opportunities, and Threats (SWOT) (Discussion Only)

Strengths

- Trust between board members and board staff
- Exceptional, dedicated, committed staff
- Fiscally responsible
- Membership of ED in Collaboration with other boards
- Institutionalization of procedures
- Culture of trust and courageous conversations between staff
- Executive Director leadership
- Board members competence and passion in promoting the purpose of the board
- Networking and partnerships
- Progress with investigations
- Technology updates
- Board current trial policy related to on-site and off-site supervision (SB44)

F. Strengths, Weakness, Opportunities, and Threats (SWOT) (Discussion Only)

Weaknesses

- Lack of sufficient FTEs
- Lack of known accounting expertise that can track and proactively respond to regulations and operationalize practices to comply with regulations such as GASB 96
- Changes in financial reporting related to OPEB and its impact on overall financial position
- Examine the amount of time (staff and board) currently required to determine whether a compliance issue can be managed in a more efficient and effective manner through revised processes or procedures

F. Strengths, Weakness, Opportunities, and Threats (SWOT) (Discussion Only)

Opportunities

- Develop regulatory pathways and partnerships between schools and the board
- Address regulations around telehealth
- Examine licensing exemptions (e.g. for state and county employees)
- Provide education on licensing to the board to the two university social work program graduate and undergraduate graduating classes
- Leverage ASWB practice survey in planning to increase public protection and emerging trends
- Participate in discussion, development, and implementation of the Interstate Compact
- Explore development and communication of a matrix (see Florida) to outline policies related to Yes question to respond consistently to compliance issues
- Examine the amount of time (staff and board) currently required to determine whether a compliance issue can be managed in a more efficient and effective manner through revised processes or procedures
- Evaluation and creating provisions related to tele-supervision and supervision
- Telehealth regulations including a) provision of telehealth by licensed social workers in Nevada with clients within Nevada, b) provision of telehealth by licensed social workers in Nevada with clients outside of Nevada, c) provision of telehealth by licensed social workers outside of Nevada with clients in the state
- Opportunities to strengthen the administration of their licensing board through shared administrative functioning or through a combined board
- Opportunities to influence how the board operates and is recognized
- Recognize and respond to audit findings to strengthen the board
- Opportunities to educate and communicate about the role and scope of the board

F. Strengths, Weakness, Opportunities, and Threats (SWOT) (Discussion Only)

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Threats

- Shifts in political and cultural landscape
 - Potential for drastic regulation changes that could impact the field resulting in vast changes in scope at state levels
 - Trend data has indicated increases in the number of licenses until December 2022 which indicated 15 fewer licenses than the previous period
 - Push for deregulation may limit regulatory tools for the board to employ
- Potential transition to a combined behavioral health board
- Lack of public knowledge of social work field of practice
 - lack of understanding of what social workers can do (for example in the schools)
 - lack of understanding of what the board can and can't do, and
 - the implications of that lack of knowledge
- Workforce shortage and the policies that may be enacted to address workforce shortages without an understanding of the above bullet point
- Increased complexity in complaints with layers of potential violations of codes and statutes

Context and Critical Issues for Consideration in 2023-2026 Strategic Plan

- Discussion of Potential Critical Issues emerging from the
Context and Critical Issues for Consideration

4. Strategic Planning: Discussion and Proposed Critical Issues (Discussion Only)

Critical Issues Previously Identified and Discussed

Critical Issue 1: Communications and Public Relations

- BESW to improve its relationships with licensees, external partners, and other stakeholders, and be perceived as responsive, easy to work with, collaborative, and fair.

Critical Issue 2: Board Design and Staff Structure

- BESW will determine its optimal administrative design and structure

Critical Issue 3: Disciplinary Function of the Board

- BESW will ensure appropriate, timely processing of complaints against licensee(s).

Critical Issue 4: Financial Positioning

- BESW needs to strengthen accounting practices and ensure financial sustainability.

Other Critical Issues to Consider

- Board Design
- Staff Structure
- Regulatory and Licensing

Critical Issues and Concerns to Consider from Previous Discussions

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Community Engagement: Increasing education around the practice of social work within the state, developing a board social media presence, and improving partnerships with lawmakers and public officials to increase awareness and opportunities for social work practice.

Adapting Board Policies and Practices: Interstate Compacts and/or Composite Board, telehealth regulations, creating pathways for more licensed social workers within K-12 schools, formalizing job descriptions and evaluation processes.

Advance Internal Board Development: Performance evaluation process of the Executive Director and address the recommendations from most recent board audit.

Discussion of Potential Critical Issues 1/23/23

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Critical Issue 1: Regulatory Changes

- BESW will participate in discussion, development, and evaluation of the Interstate Compact and ensure that regulations promote the professionalization of the field while addressing compliance, supervision, and burdens and barriers to expanding the field of social work.

Critical Issue 2: Communication, Education, and Partnership

- BESW will adapt to the changing state and national landscape and engage with other boards to protect the public, educate partners on, and highlight the role and impact of social work practice.

Critical Issue 3: Board Design and Staff Structure

- BESW will determine its optimal administrative design, the board staffing structure including succession planning, with enhanced resources for accounting, and the approach to doing the Board's work.

Critical Issue 4: Financial Strengthening

- BESW will ensure it has sufficient resources and practices to implement appropriate accounting principles and ensure financial sustainability.

5. Summary Board Strategic Planning Day 1 and Preview Day 2 (Informational)

6. 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.

7. Adjournment



EXECUTIVE ORDER 2023-003

Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

WHEREAS, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

WHEREAS, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

WHEREAS, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

WHEREAS, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

SECTION 5:

The following regulations are not subject to the suspension set forth in Section 4:

- (a) Regulations that affect public health;

- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.


Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.





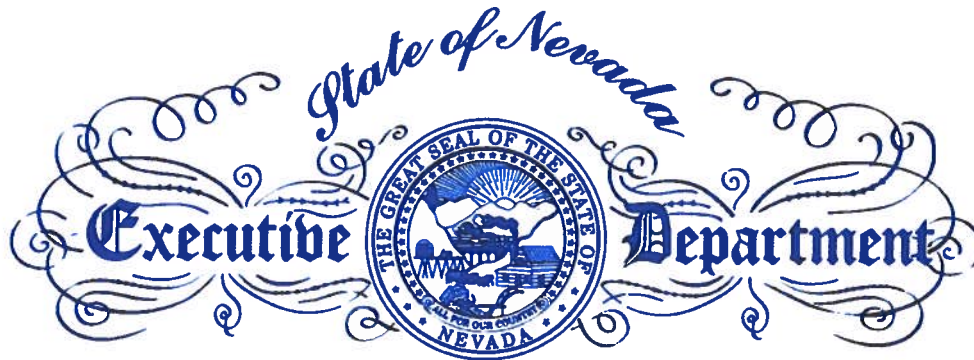
Governor



Secretary of State



Deputy



EXECUTIVE ORDER 2023-004

Order Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity

WHEREAS, Nevada's economic growth and vitality is dependent upon the depth and quality of the State's workforce; and

WHEREAS, Nevada currently has 1.7 job openings for every unemployed person actively looking for work and there are acute shortages of employees in core sectors of the economy, including, without limitation, education, health care and technology; and

WHEREAS, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

WHEREAS, the Sunset Subcommittee of the Nevada State Legislature identified financial disparities and expressed concerns with practices of Nevada's occupational and professional licensing boards including, without limitation, those involving hearing officers, training, operating reserves, fines and fee structures, electronic access and payments, use of outside counsel and lobbyists and centralized coordination of expenditures; and

WHEREAS, The State Division of Internal Audits concluded that the current composition and actions of Nevada occupational and professional licensing Boards may expose the State to anti-trust liability; and

WHEREAS, it is in the best interest of Nevada that its occupational and professional licensing boards are seeking opportunities to attract and retain qualified workers to the State and not create unnecessary barriers to entry; and

WHEREAS, Nevada's occupational and professional licensing boards are subject to oversight by both the legislative and executive branch of government; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW, THEREFORE by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

SECTION 1:

Effective immediately and until the suspension of this order, all Nevada occupational and professional licensing boards shall suspend the creation of any new regulations that limit or otherwise impact the ability persons to enter any occupation or profession in Nevada.

SECTION 2:

Before April 1, 2023, all Nevada occupational and professional licensing boards shall provide a report to the Office of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the board. Section 1 of the report shall include, at a minimum, all pertinent regulations, fees and other costs, examinations and any other requirements for entry into any occupation or profession regulated by the board. Section 2 of the report shall include, at a minimum, the board's justification for the regulations, fees and other costs, examinations and other requirements set forth in Section 1 of the report. Section 2 shall also include an analysis of the number of states that currently license

each profession or occupation regulated by the board. Section 3 of the report shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers. Finally, Section 4 of the report shall identify state compacts or any other pathways to professional licensure reciprocity that exist regionally, nationally or internationally. Section 4 shall also include a summary of states currently providing reciprocity for each profession or occupation regulated by the board to include those states that do not license the profession or occupation, and therefore, do not require reciprocity. To the extent Nevada does not currently participate in any identified reciprocity opportunity, the board's report shall provide a justification as to why Nevada does not currently participate and shall set forth an action plan should the state decide it should participate in such a reciprocity program.

SECTION 3:

To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023.

SECTION 4:


To the extent an occupation or profession that is currently licensed in Nevada allows for licensing reciprocity in the majority of states (26 or more), reciprocity shall be presumed to be possible and appropriate, and the board shall provide a recommendation for implementing a program for reciprocity participation by July 1, 2023.

SECTION 5:


Failure for any board to fully comply with the provisions of this order shall trigger an immediate operational and financial audit of the board by the Division of Internal Audits as well as recommendation to the Legislature that the board be subject to sanctions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twentythree.






Governor



Secretary of State



Deputy