



State of Nevada

Board of Examiners for Social Workers

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Board Meeting Minutes, Wednesday, June 21, 2023

The Board meeting for June 21, 2023, was called to order by Dr. Esther **Langston** at 9:01 a.m. **Roll Call** was taken. Board members in attendance: Esther **Langston**, Abigail **Klimas**, Jacqueline **Sanders**. BESW Staff in attendance: Vikki **Erickson** and Sandra **Lowery**. In attendance was Board Counsel/Deputy Attorney General Harry **Ward**. Guest in attendance: Nick **Vanderpoel** from Flynn Guidici Government Affairs, and Kelly **Marschall** from Social Entrepreneurs, Inc.

Public Comment: There was no public comment in person and **Erickson** stated that there was no public comment in writing or online.

Erickson requested to take agenda items out of order due to scheduling conflicts for the presenters. **Langston** agreed to move agenda item **3D. Review and Discuss Strategic Plan in front of item 3B. Review and Discuss 2023 Legislative Session – Flynn Guidici Government Affairs Advocates Report.**

Langston moved to **Board Operations, Item 3A, Review and Discuss April 19, 2023 Board Meeting Minutes (For Possible Action).**

Motion was made by Jacqueline Sanders to approve the April 19, 2023 Board Meeting Minutes; Seconded by Abiligail Klimas. The Motion was approved unanimously.

Langston moved to agenda item **3D. Review and Discuss Strategic Plan (For Possible Action) with Kelly Marschall from Social Entrepreneurs.**

Marschall shared her screen with the Board. **Marschall** reminded the board that the strategic plan is scheduled to start July 1, 2023. She reminded the board that they reviewed the 2022 and 2023 plan and identified critical issues to address moving forward, and that shaped their time the board spent in the January two board retreat strategic planning sessions. **Marschall** indicated that what they tried to do was integrate their learning and some situational awareness of the developments at the national, state and legislative level. This is summarized in the strategic plan. **Marschall** reminded the board that they prioritized critical issues and established goals and determined strategies or action steps and accountability factors, including who would be the lead, what the timing would be and what measures would be there for action steps. One of the framing pieces that was used was "smartie" goals that were specific, measurable, achievable, realistic

time-bound, inclusive and equitable. The document was to be used as an accountability tool, so for tracking purposes, for communication purposes and to manage the work of both the board and the board members as we move forward.

Marschall identified the critical issues in the 2023/2026 strategic plan. There were four (4) main critical issues.

1. Regulatory changes that we're trying to respond to, both at the national and the state level.
2. A desire to focus on communication, education and partnership, specifically to let the public know our job protecting the public, educating partners on and highlighting the role and importance of social work and social work practice.
3. Both board design and staff structure. That was to ensure that we have the administrative design and sufficient resources and an approach to achieving our mission.
4. Financial strengthening. This came out of our review and work with the auditor and with our previous executive director – to strengthen accounting practices and ensure financial sustainability.

Marschall indicated that the goal has not changed, which was to 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. The previous Executive Director of the BESW, before she left, added in the following sentence. "This must include a focus on diversity, equity, and inclusion in all the board's deliberations and practices moving forward as aligned with approved content for diversity CEU's."

Langston inquired if the board had any comments or discussion of the changes. Hearing none, **Langston** accepted the change.

Langston inquired to **Sandy Lowery** if the July 1st 2023 start date can be met for the financials and the audit.

Sandy Lowery responded that the BESW engaged an accountant who is going to oversee our financials on a monthly basis and will also work the auditor. **Lowery** discussed that she and the accountant and the auditor have met so that the BESW can have a smooth audit starting July 1st.

Langston asked for discussion or comments, and there was none.

Langston asked for a motion to accept or reject the strategic plan.

Motion was made by Abigail Klimas to approve the 2023/2026 Strategic plan as presented; Seconded by Jacqueline Sanders. The Motion was approved unanimously.

Langston thanked **Marschall** for her due diligence.

Langston moved to **Item 3B. Review and Discuss 2023 Legislative Session – Flynn Guidici Government Affairs Advocates Report. (For Possible Action).**

- i. Interstate compact (BDR54-1218)**
- ii. Implementation of salary increases in FY2023/2024 budget**

Nick Vanderpoel from **Flynn Guidici Government Affairs** presented an update from the Nevada Legislative Session. **Vanderpoel** indicated that there were 2 special sessions and a total of 1219 bill draft requests. He said there were 513 Senate bills and 531 assembly bills and 478 bills signed by the governor. **Vanderpoel** indicated that they were still waiting for 57 bills as of 9:00AM this morning. He described that they were going through the process of going to the Secretary of State's office and then the legislative council bureau. He indicated AB503 is still pending and they were waiting for an action on that one.

Erickson inquired what AB503 was.

Vanderpoel indicated that it had to do with Psychology, inner jurisdictional compact and also includes social workers in that chapter with background checks. He wanted to make sure what was going to happen with AB503 before finalizing it in his report. He indicates Senate Bill 431 is Governor Lombardo's Modernization Bill which includes making changes in the structure for boards and commissions. **Vanderpoel** indicated that he met with the Governor's Deputy Chief of Staff to try to understand exactly how this is going to work, and described it as a work in progress. "Basically they're gonna create an office of Boards and Commissions within the Department of Business and Industry". **Vanderpoel** indicates this will be another layer of government. He indicated that before adopting regulations and taking it to Nevada Legislation, it would need to go through Boards and Commissions for review and basically articulate why it's needed. He also indicates that there are over 200 boards and commissions that exist in the state and operate independently, which will be monitored. **Vanderpoel** indicates this would create an independent person to review grievances. He reiterates it's a work in progress.

Vanderpoel discussed the attempt of entering the Social Workers Interstate Compact and the difficulty with that. He indicates that on May 9th he was able to get a bill draft request through the minority leader, but in conversation with both the Senate Majority Leader's Office as well as the Assembly Majority Leader's Office, (BDR 54-1218), all options were exhausted. The difficulty was the Dobbs decision from the US Supreme Court and with the Compact is that there could be an extreme case with a social worker who comes over to Nevada and potentially works with Planned Parenthood that may conflict with practicing in another state that may not allow this. **Vanderpoel** indicates this was not anticipated.

Vanderpoel states that the Public Defender's Office and Nevada Legal Aid agreed to work with him and the Council of State Governments in the interim to try to find a remedy

to this issue. He articulated with the Council of State Governments that this is part of the learning curve when Nevada is one of the first states to try do the compact and started to run in to barriers you didn't anticipate. He indicates the Council of State Governments took this concern seriously and didn't want to let it go. **Vanderpoel** states he is committed to the board as well as the individuals and will continue to try to find a solution that protects the social worker that is falling in to the category of interstate compact licensure.

Erickson made a request to discuss another bill, however could not recall the bill number, but indicated it was the bill for the 12% increase for state employees for July 1st 2023 and 4% for July 1st 2024.

Klimas returned to the compact conversation inquiring if we would wait for 2 more years or if there was a potential special session?

Vanderpoel indicated that there is consideration of a special session but they were trying to work out the details on that since there is a lot of money involved. He indicated he thought they were considering a special session in August or September. **Vanderpoel** indicates he will continue to work with the Counsel on State Governments and the ASWB. He feels that will have to wait for 2 years, but can work through what was just experienced in Nevada.

Langston indicates that it will be interesting as we go forward with this interstate compact, not only in Nevada, but across all states so she is hopeful they'll work it out.

Lowery mentions AB267 has passed which pertains to the continuing education. She discussed that first there were mandated CEUs for suicide prevention and then they added cultural competency. They have increased CEU requirements for cultural competency from two to six CEUs. She discussed that even retired individuals will now have to do eight CEUs, two for suicide prevention and six for diversity. We will put this in effect.

Langston asked for clarification.

Lowery clarified two in suicide and six in cultural diversity. "So we went from having four mandated CEUs to now eight mandated CEUs, two and six". She indicated we could put them in effect with January renewals.

Langston inquired if somebody is teaching cultural competency, do they still need six CEUs?

Lowery indicates "yes, you do". She recommended that the course taught is approved s an individual for CEUs.

Langston says "I think everybody taking this course, especially the ones who are getting licensed would tell me 'please get this approved'".

Lowery indicates that when the CEUs are mandated by legislation, that requires 100% audit, so we will officially go into the increase from two to six in the January renewals.

Langston inquired if there was further discussion on the legislative process for the 2023 sessions? She thanks Mr. **Vanderpoel** for his due diligence for the board during this session.

Langston moves to Item 3C. Review and Discuss the “Screening Question”/ “Yes Policy” Matrix (For Possible Action).

Langston refers to Jacqueline **Sanders** to review and discuss the screening question, yes policy matrix. **Langston** requests this to be put on the screen. **Lowery** assisted with that. **Erickson** states recently coming on to the board, “I had not participated in previous meetings about this, however as a previous board member I am aware of the YES policy that Sandy is putting up on the screen”.

Erickson described that Ms. **Sanders** and DAG **Ward** worked together on this and that **Sanders** had reached out to other boards in other states to inquire how they do this. **Erickson** indicated that reaching through this, it is very detailed and could help with decision making. She turned the conversation over to **Sanders**.

Sanders discussed the background in creating the matrix and discussed the to make it easier to review the applicants to have a history of legal issues. She discussed whether the legal case is still open or if it’s closed. Then identified that the board staff could approve the licensee if the appropriate paperwork was sent in from the court on certain charges. She reiterated that the board duty is the protect the public. **Sanders** discussed that she would like to simplify the approval process. “The matrix can make it simpler and expedite”. She inquired if there were any questions. **Langston** asked that if things have happened in the last seven years, then the matrix would apply to these cases? **Sanders** confirms this. She also indicates it covers 10 years’ worth of legal issues. **Klimas** inquired where the seven and 10 years came in. **Sanders** indicated it’s listed in the previous policy. **Lowery** requested DAG **Ward** to jump in as this is fairly standard among boards and commissions or boards in Nevada in terms of legal history. **Ward** indicates, “yes, each board has it’s own policies but seven years is about average”. **Langston** asks for further questions or discussion. **Lowery** states that she understood that they discussed piloting this to see how it works. **Langston** inquired about the time frame requested for a pilot. **Lowery** indicated three to six months.

Langston requested a motion to pilot this for the next six months and review and edit at the January Board Meeting. Klimas makes the motion, Sanders seconds the motion. Unanimous agreement.

Langston moves to agenda item 3E. ASWB Conference Report Update (informational).

Erickson discussed her role on the ASWB Nominating Committee as the chair, and the role of the committee to find individuals who will be slated for leadership roles with the ASWB during the Delegate Assembly in November. She discussed meeting several board member and administrators from various parts of the country and Canada during the Education meeting in Louisiana in April, and meeting **Klimas** in person for the first time. **Klimas** discussed the ability to network with other board members from boards across the country and talk about test validity and streamlining data.

Langston asked if there was further discussion. **Langston** moved to Agenda Item 3F. **Board Review of Hearing for Virgilio DeSio, License No. 6200-C (For Possible Action)**. **DAG Ward** stated that we are progressing on this matter and provided some background on the allegations in this matter that are dealing with alleged unprofessional conduct. He indicated that the licensee failed to notify the board within 30 days in writing of an arrest for domestic violence in Las Vegas, but has gone through classes as required by the court and pursuant to that, these charges probably or have been dismissed. However, there is the alleged violation of failing to notify the board anytime that you're arrested within 20 days. All those will be the substance of the consent decree in the event this matter is resolved in that matter. **DAG Ward** inquired if there were any questions.

Sanders requested a brief closed session. **Ward** asked if it was in reference to the licensee who is on the agenda? No, because he has to be placed on notice that his character was being discussed by the board. **Sanders** indicated that was the topic and thanked him.

Langston moved to item 3G, **Executive Director's Report (Informational)**. **Erickson** made reference to Item Gi. On the agenda regarding Strategic Plan Approval, but this has already been approved. There was a discussion of the next board meeting, and thanked the board for allowing possible for possible mistakes during her first board meeting. Proposed next board meeting for July 19th 2023 at 9:00 a.m. **Sanders** indicates she is not able to attend that day. She indicates she won't be available until August, however her term on the board ends July 31, 2023 and she does not plan to extend. **Ward** discussed a change in the quorum per AB52 changing the definition of quorum to exclude vacancies. **Erickson** proposed August 16th at 1:00 p.m. because of scheduling difficulties in July. Board agrees to that time. **Erickson** thanks **Sanders** for her work on the board.

Langston requests a motion to adjourn. **Sanders** makes the motion, **Klimas** seconds the motion. Meeting is adjourned at 10:28 a.m.

Minutes submitted by Vikki Erickson.