



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

MINUTES OF BOARD MEETING
March 18, 2011 at 9:00 a.m.

The meeting of the Board of Examiners for Social Workers was called to order by the Board Vice President, Sandy Lowery at 9:05 a.m. The meeting was held at Mojave Adult, Child and Family Services, 4000 E. Charleston Blvd., Suite B-230 in Las Vegas, Nevada. There was a simultaneous video conference conducted at Mojave Adult, Child and Family Services, 745 W. Moana Lane, Suite 100, Reno, Nevada. Both meetings were also available to any public member who wished to observe or participate. President Reinoso noted that the meeting had been noticed properly and the members present constituted a quorum for the purposes of the Board meeting.

Roll call was initiated by Vice President Lowery. Shortly after initiating roll call, President Reinoso arrived and assumed the responsibilities as Chair. The following Board members and Board staff present via videoconference:

Members Present:

Randy Reinoso, LSW, President, Las Vegas
Sandy Lowery, LCSW Vice President, Reno
James Bertone, LCSW, Secretary-Treasurer, Reno
Tracy Cassity, LCSW, Board Member, Reno

Staff Present

Kim Frakes, LCSW, Executive Director, Reno
Henna Rasul, Deputy Attorney General, Reno

Public Attendees

Mark Nichols, Executive Director, NASW, Nevada Chapter

A motion was made by James Bertone and seconded by Sandy Lowery to approve the Agenda as presented. This motion was carried.

CONSENT AGENDA

A motion was made by Sandy Lowery and seconded by James Bertone to approve the Consent Agenda as presented. This motion was carried.

REGULAR AGENDA

DISCIPLINARY MATTERS

Recommendation to Close Files: G10-14 and G10-27

Kim Frakes presented this agenda item to the Board. Using redacted information she offered her recommendations, following review of the cases listed above with Board Counsel, to dismiss these two cases. Following review and discussion, a motion was made by Sandy Lowery and seconded by Tracy Cassity to dismiss cases G10-14 and G10-27 as presented. This motion was carried.

2010 Disciplinary Report

Kim Frakes presented this agenda item via oral report to the Board. Ms. Frakes indicated that 2010 had been a very active year for the Board office with regards to disciplinary cases. She noted that 2010 had broken another record for received cases. In 2010 the Board received "47" accusations. Ms. Frakes also indicated that 2009 was also a very active year and that the Board had received an unusually high volume of accusations and that an increase in accusations being filed with licensing boards in general appears to be a growing trend not only for this Board but other boards as well. President Reinoso noted that this Legislative session had required much of Ms. Frakes's attention and that he has been in communication with her weekly during their teleconference meetings regarding numerous aspects of the Board's daily operations, including the disciplinary cases. Sandy Lowery noted that disciplinary case G10-44 should be noticed with an accusation letter as soon as possible. Ms. Frakes indicated that she would send an accusation letter as soon as possible.

LEGISLATIVE AND REGULATORY ISSUES

Review, Discussion and Action regarding SB61 as Presented to the 76th (2011) Legislative Session, including strategic planning regarding this senate bill

Kim Frakes presented this agenda item to the Board. The Board's proposed bill for the LMSW license, originally submitted to the Legislative Counsel Bureau (LCB) as Bill Draft Request (BDR) 506 has been pre-filed as SB61. The bill has been assigned to the Legislative Committee on Commerce, Labor and Energy (Committee). SB61 had been presented, to date, before the Committee on February 18, 2011 and March 4, 2011. This agenda item served to update the Board about the role certain Board members and the Board Executive Director have played in the process of presenting this bill before the Committee and the overall response and receptivity of this bill by the Committee. Ms. Frakes suggested that in the course of discussing this agenda item, the Board may wish to take action on any recommended strategic planning in order to move this bill forward through the 2011 Legislative session.

In discussing this agenda item, Ms. Frakes noted that it appeared, in her opinion, that the mood with the Legislature was "lukewarm" in response to SB61. James Bertone noted that there appeared to be confusion by the Legislature about how this bill would benefit the public and attributed this to how the confusing language in the bill. President Reinoso indicated that since the bill also included housekeeping language, this appeared to further confuse the presentation of SB61 with the Legislators, who often appeared to get distracted by the housekeeping aspects of this bill versus the substantive changes. Both President Reinoso and Mark Nichols, Executive Director, NASW, Nevada Chapter, had contacted one of the members of the Legislative Committee. Mr. Nichols had discussion with the Legislative Committee member that he had been contacted by certain licensees who expressed concerns that the LMSW could become a means of obtaining clinical licensure by the Board and eliminate the internship process. The Board recognized that these licensees were limited in number and that the language of the bill did not support this. Mr. Nichols suggested that if the language regarding "limited clinical" practice was removed from SB61 and that the LMSW became (1) a way to distinguish a higher level of licensee education; and (2) a licensure requirement for those wishing to go into a Board approved internship program, that SB61 may have a better chance of being passed in the Legislative Committee. Following discussion of this agenda item, Sandy Lowery motioned to have the Board President, the Board's Executive Director, and any interested Board members and individuals ("interested parties") to continue to collaborate to create a proposed revision of SB61 to the Legislative Committee which would remove contentious language in the present bill. This revision would include removing the language regarding "limited clinical practice" and to have these interested parties establish a lobbying team who would work collaborative to work with Legislators in order to move SB61 forward during this Legislative session. Tracy Cassidy seconded this motion. This motion was carried.

Review, Discussion and Action regarding proposals to eliminate both of the State universities' School of Social Work programs in anticipation of proposed budget cuts and possible responses from the Board regarding this situation.

Kim Frakes presented this agenda item to the Board. The University of Nevada administrators at the University of Nevada, Reno (UNR) and the University of Nevada, Las Vegas (UNLV), have indicated that if the Governor's proposed State budget cuts are passed, cuts and/or elimination of certain programs at both universities could follow. In anticipation of these proposed budget cuts, both of the School of Social Work programs have been identified as programs that could be eliminated. At the time of the Board meeting, it appeared that only the School of Social Work program at UNLV would be eliminated and that the School of Social Work program at UNR would be spared, leaving at least one School of Social Work program in the State. Both School of Social Work Program, however, play an integral part within the communities they serve as well as a vital role in the State. This agenda item served to provide the Board an opportunity to discuss this situation and discuss how the Board, as part of the Executive Branch of State Government, can address this situation.

In discussing this agenda item, it was determined that this issue should not be a Northern Nevada versus Southern Nevada issue. It was agreed that the pro bono services provided by both programs to various agencies throughout the State would be an unthinkable loss to the State and community if either or both programs were eliminated or reduced. Sandy Lowery agreed that this a passionate issue, but as part of the Executive Branch of State Government, the Board must remain neutral. A statement posted on the Board's website that served to educate the public regarding the Board's mission to protect the public via licensure and how a degree in social work from a program accredited by the Council on Social Work Education is an integral part by providing appropriate education to potential licensees, was discussed. Following discussion, a motion was made by Sandy Lowery and seconded by Tracy Cassity to continue to develop a proposed mission statement that would be posted on the Board's website, using the statement included in the Board packet (Attachment C) as a template for this statement. This motion was carried.

Review, Discussion and Action regarding additional Legislative matters of interest to Board members.

Kim Frakes introduced this agenda item to the Board. Following review, discussion and action on agenda items 4A and 4B, additional items of interest to the Board may arise. The Board may wish to discuss, or place on the next Board meeting agenda any items brought forward for discussion.

During discussion of this agenda item, Tracy Cassity discussed his concerns regarding proposed requirements to certify Behavioral Analysts and that this could pose an issue for individuals licensed by the Board. Ms. Frakes noted that certification of Behavioral Analysts occurred during the 2009 Legislative session. Any items being proposed during this Legislative session appeared to be housekeeping items. Ms. Frakes indicated that she would follow up after the Board meeting to assist Mr. Cassity in locating additional information regarding Behavioral Analysts. The Board did not take any action on this agenda item.

(Following presentation of this agenda item, Mark Nichols left the meeting around 10:55 a.m.)

DEPUTY ATTORNEY GENERAL REPORT

This agenda item was taken out of sequence in order to accommodate Henna Rasul's schedule. Ms. Rasul indicated that she did not have anything further to discuss at the meeting. Ms. Rasul agreed to be available to the Board for the remainder of the meeting by telephone if a need arose. She excused herself from the remainder of the meeting at 10:55 a.m.

(Following Ms. Rasul's report, the Board took a brief break from 10:55 a.m. until 11:10 a.m.)

ASSOCIATION OF SOCIAL WORK BOARD (ASWB); NATIONAL ASSOCIATION OF SOCIAL WORKERS (NASW)

Review, Discussion and Action regarding the ASWB Spring Education Meeting, May 12-15, 2011, in Vancouver, BC, and five available sponsorships for members of boards of member boards to attend this meeting

Kim Frakes presented this agenda item to the Board. The ASWB Spring Education Meeting will be held in Vancouver, BC, May 12-15, 2011. The ASWB Board of Directors decided to offer five (5) sponsorships for board members of member boards to attend this year's Spring Education Meeting (Meeting). The Meeting is a unique opportunity that provides valuable continuing education regarding social work regulation. ASWB wanted to support attendance of this important event in the face of funding cuts and challenges being experienced by ASWB members by offering these scholarships. Selection of scholarship applicants by ASWB will be based upon the following criteria: A request from a member board/staff; A member board that has not been necessarily active with ASWB; A board member that has not attended a Spring Education meeting; A newly appointed regulatory board member, and; A board that is under financial or policy restrictions on travel (this does not include jurisdictions that prohibit travel even when paid for by another entity). The application deadline is Friday, April 1, 2011, with notification of applicants from ASWB by April 6, 2011.

Following discussion of this agenda item, President Reinoso expressed an interest in applying to ASWB for the sponsorship. Ms. Frakes indicated that she would forward him all of the applicable information. Following discussion of this agenda item, the Board did not take any action.

Review, Discussion and Action regarding NASW'S ongoing efforts with the 76th (2011) Legislative Session, including SB61, the proposed elimination of the State's School of Social Work programs proposed by the universities' administration in anticipation of proposed cuts to the universities' State funding and other proposed bills introduced during the 76th Legislative Session which may impact the social work profession and/or the Board

(This particular agenda item was combined with Agenda item 4 in order to aid in the effectiveness and efficiency of this meeting and to accommodate Mark Nichols, Executive Director, NASW, Nevada Chapter, who was appearing before the Board as a member of the public).

PRESIDING OFFICER'S COMMENTS

President Reinoso used this portion of the meeting to reiterate that he has been focusing on SB61 and assisting Kim Frakes in presenting this matter to the Legislature. He further added that he has remained in contact with Ms. Frakes on a weekly basis regarding SB61, additional Legislative matters and disciplinary matters. He reminded the Board, that presently his term would be expiring June 30, 2011 and that he planned to reapply for nomination to the Board for another term.

BOARD OPERATIONS

Approval of Minutes for the January 21, 2011, Board Meeting

Following review of the January 21, 2011 Board meeting, a motion was made by James Bertone and seconded by Sandy Lowery to approve the minutes as submitted. This motion was carried.

Review, Discussion and Action regarding February 28, 2011 Board year to date cash flow statement

Kim Frakes presented this agenda item to the Board. A year to date Board cash flow statement had been included in the Board member's Board meeting packet. This Statement served to inform the Board regarding the Board's revenue versus expenses through February 28, 2011. Following review and discussion of this Statement, the Board may offer recommendations to the Executive Director and vote to take action to approve the year to date Statement and action on any recommendations made to the Executive Director regarding this Statement. Following discussion of this agenda item, the Board used the Statement as "information only" and did not take action on this agenda item.

EXECUTIVE DIRECTOR'S REPORT

Kim Frakes presented this agenda item to the Board. She indicated that one individual from Northern Nevada had expressed interest in the public member position. It was her understanding that this individual would be applying to the Governor's office in the near future. Ms. Frakes acknowledged that this would create a situation of there being more Board members from Northern Nevada than Southern Nevada. She encouraged the Board, especially President Reinoso to encourage any individuals from Southern Nevada who may be interested in serving as a public member to contact either the Governor's office or herself. Ms. Frakes thanked the Board members for attending today's Board meeting. Aside from this, she indicated that she did not have anything further to add to the meeting.

PUBLIC COMMENT

There was no public comment offered at the end of this Board meeting.

ADJOURNEMENT

A motion was made by Sandy Lowery and seconded by James Bertone to adjourn the Board meeting at 11:20 a.m. This motion was carried unanimously.

Respectfully Submitted,

Kim Frakes, LCSW
Executive Director