



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

MINUTES OF BOARD MEETING
November 18, 2011 at 10:00 a.m.

The meeting of the Board of Examiners for Social Workers was called to order by Randy Reinoso, LSW, Board President at 10:10 a.m. This was a teleconference meeting. Anyone from the public could participate or attend the teleconference at the following locations: Clark County Social Services, 1600 Pinto Lane, 3rd Floor, Administrative Conference Room, Las Vegas, Nevada; or Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada. President Reinoso noted that the meeting had been noticed properly and the Board members present constituted a quorum for the purposes of the Board meeting.

Roll call was initiated by President Reinoso, with the following individuals present:

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
(Sarah Bradley, Deputy Attorney General, Board Counsel, Reno, was not present but agreed to be available by telephone, should the need arise).

Public Attendees

None

A motion was made by Tracy Cassity and seconded by James Bertone to approve the agenda as submitted.

CONSENT AGENDA

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

REGULAR AGENDA

DISCIPLINARY MATTERS

Redacted Disciplinary Report (Non-Action)

Kim Frakes presented this agenda item to the Board. The Board reviewed the redacted Disciplinary Report in their Board packets. Ms. Frakes indicated that the number of incoming accusations for 2011 were not as voluminous as the previous years, 2009 and 2010. She indicated that six cases appear to be moving to either consent decrees or hearings scheduled for December 16, 2011. Ms. Frakes reminded the Board that during the July 15, 2011 Board meeting, she had reviewed NAC 641B.305(5) which allows the appointment of Board members to assist in the investigation process and in determining whether substantial evidence exists to sustain alleged violation of NRS and NAC 641B by the licensee under investigation. The Board had taken action to have President Reinoso, during his next visit to the Board office, along with James Bertone

and the Executive Director, review the Board's prosecuted cases in order to learn how the disciplinary investigative process occurs. Following this review, Mr. Bertone would meet Ms. Frakes at appointed times and review cases which she believed should be dismissed. If Mr. Bertone agreed that a case(s) should be dismissed, he would then submit to Board Counsel a case summary that included his recommendations and rationale for dismissing this case. To date, President Reinoso had not been able to visit the Board office in order to conduct the review. She added that arrangements were being made to bring President Reinoso to the Board office in December 2011 and that he should be able to conduct the review along with James Bertone and Ms. Frakes at this time. Once this collective review was completed, Mr. Bertone would then be able to assist Ms. Frakes in accordance with the action taken by the Board during the July 15, 2011 Board meeting.

Pursuant to NRS 241.020, in order to aid in the efficacy of this meeting, a motion was made by Tracy Cassity and seconded by James Bertone to pull the agenda items listed below since Mr. Cassity was participating in the meeting via mobile telephone while he was traveling en route to his destination:

- **(Agenda Item 6A) Review, Discussion and for Possible Action Regarding Provider Status Granted to Certain Continuing Education Providers.**
- **(Agenda Item 7A) Review, Discussion and for Possible Action, Report Provided by the Board Executive Director Regarding the 2011 ASWB Annual Meeting, November 3-5, 2011.**
- **(Agenda Item 8) Deputy Attorney General Report**

This motion was carried.

PRESIDING OFFICER'S COMMENTS

President Reinoso indicated that he did not have anything further to add to today's Board meeting. President Reinoso stated that following review of his schedule for the remainder of the year, he would be scheduling his on-site visit to the Board office in December. During his visit he and James Bertone would review the closed disciplinary cases that had received Board action as discussed in Agenda Item 5A, and proceed in having James Bertone assist Kim Frakes in reviewing and recommending disciplinary cases for Board dismissal.

BOARD OPERATIONS

Review, Discussion and for Possible Action, Cash Flow Statement, July 1, 2011 to October 31, 2011, Comparison to Fiscal year 2011/2012 budget.

Kim Frakes and the Board's Program Assistant (PA) presented this agenda item to the Board. This agenda item served to update the Board regarding the Board's cash flow and expenditures for the first four (4) months of fiscal year 2011/2012 (i.e. July 1, 2011 through October 31, 2011), in comparison to the actual budgeted cash flow and expenditures for the 2011/2012 fiscal year. As indicated on the cash flow statement, budgeted cash flow and expenditures at or near **33.32%** were considered to be "on target" for the year-to-date budget projections. A copy of this cash flow statement was included in each Board member's packet. The PA noted that overall, the Board appeared to be on target for incoming income that is mostly generated by licensing and renewal fees. Initial licensing fees were at 23.46% and provisional licensing fees were at 21.00%. This is anticipated to increase as this fiscal year draws closer to the May and June 2012 graduation of individuals from state and nationwide social work programs. Employers Insurance was at 42.83% due to the fact that payments were billed in ten-month increments versus twelve. Operating supplies was at 48.31% due to the re-ordering of blank wallet cards, which is an occasional versus monthly expense.

Overall, it was noted that the Board appeared to be on-target with its cash flow and expenditures. It was also noted that the summary of the Board's fiscal audit submitted annually to the State Legislature should be available to the Board by the end of December 2012. Following review and discussion of this agenda item, a motion was made by Sandy Lowery and seconded by James Bertone to accept the July 1, 2011 to October 31, 2011 Cash Flow Statement as submitted. This motion was carried.

Review, Discussion and for Possible Action, Proposed 2012 Board Meeting and Board Hearing Schedule.

Kim Frakes presented this agenda item to the Board. Pursuant to NRS 641B.120(3), the Board is required to meet a minimum of at least once in each quarter of the year and may meet at other times at the call of the President or a majority of its members. In general, the Board usually meets on the third (3rd) Friday of the month with "odd" numbered months reserved for "regularly scheduled" Board meetings and "even" numbered months reserved for "Board hearings" and other matters requiring the Board's attention. A 2012 calendar, with the 3rd Fridays of each month highlighted in "yellow" was enclosed in each Board member's meeting packet. Ms. Frakes indicated that this agenda item served to remind each Board member to reserve these Fridays "in advance" for possible Board meetings in 2012. She indicated that unless the Board deemed it necessary to take action on this agenda item, this would serve as an "information only" agenda item. Following review of the 2012 calendar and highlighted "3rd Fridays" of each month, the Board did not take any action on this item but acknowledged that it was helpful to have an overview of the potential Board meeting dates for the 2012 calendar year.

Review, Discussion and for Possible Action, Approval of September 16, 2011, Board meeting minutes.

Kim Frakes presented this agenda item to the Board. Pursuant to the State's Open Meeting Law, the minutes from the September 16, 2011 Board meeting minutes were posted in "DRAFT" form on the Board's website. A copy of the Board meeting minutes was included in each Board member's meeting packet. Following review and discussion, a motion was made by Sandy Lowery and seconded by James Bertone to accept the September 16, 2011 Board meeting minutes as submitted. This motion was carried.

Executive Director Report

Kim Frakes presented this agenda item to the Board. She indicated that she did not have anything further to add to this Board meeting. She thanked everyone for their attendance and reminded them that the next scheduled Board meeting would be on Friday, December 16, 2011. As discussed under agenda item 5A, Ms. Frakes indicated that the December 16th meeting would be a disciplinary meeting containing the presentation of two (2) consent decrees and two (2) hearings. Of the two (2) hearings, one of the cases is anticipated to be uncontested. In total, this would involve six (6) disciplinary cases. She acknowledged that this would be a full day and that the meeting would begin promptly at 9:00 a.m.

Public Comment

Pursuant to NRS 241.020, the notice of meeting must include: *A period devoted to comment by the general public, if any, and discussion of those comments. No action 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....* It was noted that there was not any individuals from the general public at either the Las Vegas or Reno locations.

ADJOURNMENT

A motion was made by James Bertone and seconded by Sandy Lowery to adjourn this meeting. This motion was carried with the meeting adjourning at 10:23 a.m.

Respectfully Submitted,

Kim Frakes, LCSW
Executive Director

DRAFT