



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

MINUTES OF BOARD MEETING  
February 17, 2012 at 12:00 p.m.

The meeting of the Board of Examiners for Social Workers was called to order by Randy Reinoso, LSW, Board President at 12:03 p.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. 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 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  
Rod Smith, Public Board Member, Reno

Staff Present

Kim Frakes, LCSW, Executive Director, Reno  
Henna Rasul, Senior Deputy Attorney General, Absent (Ms. Rasul agreed to be available, however, by telephone should the need arise).

Public Attendees

None

President Reinoso noted that no one was present from the public to offer public comment.

**REGULAR AGENDA**

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

A motion was made by Sandy Lowery and seconded by Rod Smith to approve the Consent Agenda as submitted.

**DISCIPLINARY MATTERS**

**Review and Discussion of Redacted Disciplinary Report.**

This agenda item was presented by Kim Frakes. Ms. Frakes reviewed the Redacted Disciplinary Report with the Board. A copy of the Redacted Disciplinary Report was in each Board member's meeting packet for their review. This offered the Board an opportunity to inquire about the status of certain cases as well as offer comments or input regarding the overall direction of the disciplinary cases under review by Ms. Frakes. It was noted that the number of open cases on the redacted disciplinary report remains at 72. Ms. Frakes explained that although 4 open cases were addressed during the December 16, 2011 Board meeting, additional cases were received and brought the total number of open cases to 72 cases. It was noted that G10-43 was being continued. Ms. Frakes indicated that she had written a number of accusation letters during the past few weeks.

and felt confident that she would be able to have the remaining open cases that had not received an accusation letter notified. Following completion of accusation letters, Ms. Frakes indicated that she would review the open 2009 cases and move forward in either prosecuting these cases or reviewing them with James Bertone and recommending dismissal. A motion was made by Sandy Lowery and seconded by Rod Smith. This motion was carried.

**Review, Discussion and for Possible Action, 2011 Disciplinary Summary Report**

Ms. Frakes presented this agenda item to the Board. A 2011 case review summary was included in each Board member's meeting packet for their review. A copy of the 2011 case review as submitted in the Board members meeting packet is also shown below. This agenda item served to update the Board about the overall status of disciplinary cases received in 2011 as well as the overall trends pertaining to the number of disciplinary cases that are dismissed or prosecuted by the Board. Ms. Frakes noted that the enclosed review also contained the number of disciplinary cases received for the past five (5) years, i.e. 2007 through 2011. Ms. Frakes noted that although 2009 and 2010 proved to be extraordinarily high in the number of cases received by the Board, 2011, in comparison, was fairly mild. Given this reprieve, Ms. Frakes indicated that she would be taking advantage of this down time to aggressively address the cases that were outstanding. President Reinoso noted that having this summary provided clarity to how disciplinary cases were being managed by Board staff. Following review and discussion, the Board did not take any action on this agenda item.

**Documents Included:** As submitted below:

<b>Total Number of Cases Received in 2011.....</b>	<b>34</b>
<b>Total Number of Cases Dismissed in 2011.....</b>	<b>14 (4—G11, 6—G10, 1—G09, 3—G08)</b>
<b>Total Number of Cases to Hearing in 2011.....</b>	<b>4 ( 2—G10, 1—cont. G10, 1—G09)</b>
<b>Total Number of Consent Decrees in 2011.....</b>	<b>2 ( 1—G11, 1—G10, denied by Board)</b>
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<b>TOTAL CASES IN 2011 (Dismissed + Action)</b>	<b>54</b>
(Total Cases Received in 2010 =	47)
(Total Cases Received in 2009 =	44)
(Total Cases Received in 2008 =	21)
(Total Cases Received in 2007 =	27)

**ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)**

**Review and Discussion Regarding the 2012 ASWB Spring Education Meeting, April 26-29, 2012, in Lexington, Kentucky**

Kim Frakes presented this agenda item to the Board. Annually, ASWB conducts a Spring Education Meeting. Individuals from member boards wishing to attend this meeting would be required to pay for travel and accommodations. The cost to attend the Spring Education Meeting itself, however, is free. A copy of the ASWB 2012 Spring Education Meeting announcement was included in each Board member's meeting packet for their review. As noted in the information

provided by ASWB, certain meals will also be included and provided by ASWB. The theme of this year's Spring Education Meeting is: *E-World Ethics: Issues and Implications for Regulatory Boards*. The guest speaker is Dr. Frederic Reamer who will speak on ethical issues regulatory boards face in our increasingly electronic world.

Ms. Frakes noted that there were five (5) sponsorships provided by ASWB for individuals belonging to member boards. The ASWB spring meeting is a unique experience that provides valuable continuing education pertaining to social work regulation. The deadline to submit an application for sponsorship is March 15, 2012. Interested members from the Board should contact Ms. Frakes if interested in applying for the scholarship.

### **DEPUTY ATTORNEY GENERAL REPORT**

Kim Frakes presented this agenda item on behalf of Henna Rasul who was not present for this meet. Typically, the Senior Deputy Attorney General uses this time to bring the Board up to-date on legal issues of concerns to the Board or make recommendations for future agenda items. This time may also be used to ask questions of counsel. Ms. Frakes indicated that Ms. Rasul did not indicated to her when they spoke before this Board meeting that she had any information to share at today's Board meeting.

### **PRESIDING OFFICER'S COMMENTS**

President Randy Reinoso inquired whether Kim Frakes had heard anything from the Governor's office pertaining to his reappointment to the Board. Ms. Frakes indicated that she had not received word from the Governor's office to date. She reiterated the information that she was given by the Governor's office a few months ago pertaining to State boards receiving appointments and reappointments if they are unable to function due to a lack of quorum and that the remaining State boards would then receive their appointments and reappointments. Sandy Lowery expressed concern about the length of time it has taken for the Governor's office to confirm President Reinoso. Ms. Lowery noted that in the near future, her term would also be expiring. Ms. Frakes assured the Board members that pursuant to NRS 641B.110(1), Board members were allowed to continue to serve until receiving word from the Governor's office pertaining to their re-appointments.

### **BOARD OPERATIONS**

#### **Review, Discussion and for Possible Action, the Approval of Minutes for the November 18, 2011 and December 16, 2011 Board Meetings**

Kim Frakes presented this agenda item to the Board. The meeting minutes for the November 18, 2011 and December 16, 2011 Board meetings were prepared by Ms. Frakes and included in each Board member's meeting packet. Pursuant to the State's Open Meeting Law, these minutes have been posted on the Board's website in "DRAFT" form. Following final approval by the Board, the final version of these minutes will be posted on the website. Following review and discussion, a motion was made by Sandy Lowery and seconded by James Bertone to approved the November 18, 2011 and the December 16, 2011 Board meeting minutes as submitted. This motion was carried.

#### **Review, Discussion and for Possible Action, the Year-To-Date Board Cash Flow Statement Covering July 1, 2011 Through January 31, 2012, in Comparison to the Fiscal 2011/2012 Budget**

Kim Frakes 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 six (6) months of fiscal year

2011/2012 (i.e. July 1, 2011 through January 31, 2012), in comparison to the actual budgeted cash flow and expenditures for the 2011/2012 fiscal year. A copy of the 2011/2012 Cash Flow Statement with a comparison to the 2011/2012 Board budget was included in each Board member's meeting packet for review. As indicated on the cash flow statement, budgeted cash flow and expenditures at or near **58.33%** were considered to be "on target" for the year-to-date budget projections. Ms. Frakes noted that all categories of applications were lower than target amount given the fact that this area normally increases around May, June and July annually following graduations during these months. Staff salaries were below the targeted amount by approximately 2%. In State travel was high as President Reinoso was flown up to Reno in December to attend Board hearings. With a particular disciplinary case being continued in March, this cost will continue to go up. The cost of licensing certificates should decrease as Board member Sandy Lowery has finished designing these certificates to print on computer. Ms. Frakes and the Board indicated their appreciation and thanks to Ms. Lowery for her continued involvement in this project. A trial run will begin soon to run several licensing certificates on the computer. At an approximate cost of \$4.00 per certificate, running the license certificates on computer should assist the Board by decreasing overall costs. Ms. Frakes also noted that in the area of legal pertaining to the Attorney General's Office, the amount appears to be somewhat below the target percentage. However, this is not entirely accurate. The Board is budgeted for approximately \$3,000 monthly for services from the Attorney General's Office. Given the increase in cases being prosecuted over the past few months, this figure is anticipated to increase significantly. Ms. Frakes indicated that she would be following up with the State Controller's Office to see how the Board can refer uncollected costs pertaining to sanctioned licensees. Following review and discussion of this agenda item, a motion was made by Tracy Cassity and seconded by James Bertone to accept the year-to-date Board Cash Flow Statement, covering July 1, 2011 through January 31, 2012, in comparison to the fiscal 2011/2012 budget. This motion was carried.

**Review, Discussion and for Possible Action, the Board's Fiscal Year Ending 06/30/11 Audit**

Kim Frakes presented this agenda item to the Board. Pursuant to State Legislative requirements, an audit must be completed annually by December 1<sup>st</sup> of each calendar year. The Board's approved CPA has completed the audit of the Board's financial audit for the 2010-2011 fiscal year. This audit includes the Board's Financial Statements, Notes to Financial Statements and the Auditor's Comments. A copy of the State of Nevada Board of Examiners for Social Workers Financial Statements, June 30, 2011, prepared by Charles A. Morrison, CPA, Coulson and Associates, Ltd., was included in each Board member's meeting packet for their review. As noted in the Auditor's Comments, there did not appear to be any potential violations of statutes reported in the audit. Furthermore, the Auditor did not note any financial weaknesses of a magnitude to justify inclusion with his audit report. James Bertone inquired whether the Auditor is a State approved contractor for audits and whether he would remain the auditor for the next fiscal year audit. Ms. Frakes indicated that the Auditor is a State approved contractor and that he appears interested in remaining the auditor for the Board. She indicated, however, that she was signed up to take a course in negotiating contracts for State agencies in May of this year. This would enable Ms. Frakes to either negotiate a contract with this auditor should his fees increase beyond the amount presently allowed to be exempted from a State contract (i.e. \$2,000) or in the event that the present auditor no longer wishes to continue to provide services with the Board. Following review and discussion of this agenda item, a motion was made by Tracy Cassity and seconded by Rod Smith to accept the Board's Fiscal Year Ending 06/30/11 Audit as submitted. This motion was carried.

### **EXECUTIVE DIRECTOR'S REPORT**

Kim Frakes presented this agenda item to the Board. She reminded the Board that to date, it appeared that the continued disciplinary hearing was scheduled for Friday, March 30, 2012. She noted that the probability of needing an additional day beyond this was likely. There was discussion on whether the addition of a possible third day for this hearing could occur on the following Saturday, March 31, 2012. Ms. Frakes indicated that this was unlikely given Tracy Cassity's schedule. Mr. Cassity inquired whether having him drop out of the hearing would benefit the Board given his inability to meet on Saturdays. Ms. Frakes and the Board agreed that since Mr. Cassity had started the process on hearing this particular case that he should continue. Ms. Frakes thanked the Board member's for their attendance and participation at today's Board meeting.

### **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.* It was noted that there was no one from the general public attending this meeting.

### **ADJOURNEMENT**

A motion was made by Tracy Cassity and seconded by James Bertone to adjourn the Board meeting at 1:00 p.m. This motion was carried unanimously.

Respectfully Submitted,

Kim Frakes, LCSW  
Executive Director