

State of Nevada  
**BOARD OF EXAMINERS FOR SOCIAL WORKERS**

**ADVISORY OPINION NO. 8**

January 12, 2001

**INTRODUCTION**

The Division of Mental Health and Developmental Services has revised the “Legal 97” form and created a new “Legal 2000” form to be used for emergency admissions to mental health facilities pursuant to NRS 433A.120 to 433A.330, inclusive. These changes have prompted the Board of Examiners for Social Workers (Board) to examine the new “Legal 2000” form and reconsider the question analyzed in Advisory Opinion 7.

**QUESTION**

What level of licensure is required for a social worker to complete an “Application, Certification and Medical Clearance for Emergency Admission of an Allegedly Mentally Ill Person to a Mental Health Facility (also known as Legal 2000)?

**ANALYSIS**

When the Board approved Advisory Opinion 7, the role of the social worker was not clear in the “Application, Certification and Medical Clearance for Emergency Admission of an Allegedly Mentally Ill Person to a Mental Health Facility” (formally known as “Legal 97” form). It appeared to the Board that the social worker who completed the “Legal 97” form was required to perform an assessment and diagnosis of a mental health condition, a function that falls within the scope of a practice of a licensed clinical social worker (LCSW). However, the new “Legal 2000” form clearly provides that the social worker is not performing an assessment and diagnosis of a mental health condition, rather he is initiating a process in which another qualified person will make the necessary assessment and diagnosis of a mental health condition. Specifically, the social worker completes the application section of the form and is required to describe behaviors that he has observed and instructed not to diagnose. “Social Work” as defined in NRS 641B.030(2) contemplates that a social worker will refer his client to other professionals and/or agencies to provide services that fall outside the scope of his practice. A physician completes the medical clearance section and the certification section is completed by a psychiatrist, psychologist or a physician, if a psychiatrist or psychologist is not available.

However, in completing the applicable section in the “Legal 2000” form, the social worker must be in compliance with all regulations concerning his professional responsibility to the client in NAC 641B.200 and 641B.205. If the social worker utilizes a mini-mental status examination or similar screening tool, he must have received the appropriate training and demonstrated competency in the use of these tools. Unless the

social worker is licensed as a clinical social worker (LCSW), the tools may not be used to assess/diagnose or treat mental or emotional disorders. However, the results of such tools may be used to refer the client to appropriate professionals, i.e. psychiatrists or Licensed Clinical Social Workers.

### CONCLUSION

Any level of licensed social worker may complete the applicable section of the “Application, Certification and Medical Clearance for Emergency Admission of an Allegedly Mentally Ill Person to a Mental Health Facility” (“Legal 2000” form) as long as the functions he is performing falls within the scope of his practice.

STATE OF NEVADA BOARD OF  
EXAMINERS FOR SOCIAL WORKERS

By: \_\_\_\_\_  
Mary Ann Salmon  
President