



State of Nevada

## **Board of Examiners for Social Workers**

4600 Kietzke Lane, #C-121, Reno, NV 89502

(775) 688-2555

### **Impact on Small Businesses – NRS 233B.0608 and NRS 233B.0609**

#### **1a. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested parties may obtain a copy of the summary.**

The Board of Examiners for Social Workers (Board) is required to consider the impact of proposed regulation changes on small businesses. Due to historically low response rates to the Small Business Impact Survey, the Board decided to send out surveys in several ways to capture the maximum amount of data required by the Legislative Council Bureau (LCB) and to gather data in areas of interest identified during the Legislative Session. Of note, we focused on the regulation changes around fee increases.

The Board identified several ways to potentially access information regarding the impact of the proposed changes in R055-19.

- September 17, 2019 a Small Business Survey was sent out **electronically** to 360 social work licensees who identified themselves as small business owners on their license renewals.
- September 17, 2019 a parallel survey was sent **electronically** to 3279 licensed social workers licensed in Nevada.
- October 9, 2019 a paper survey was **mailed** to 342 businesses in Nevada that employed social workers based on employers identified in the Board database.
- The Deputy Director contacted a number of large employers that had more than 150 employees (outside of the parameters of the legislative mandate) that hired social workers and asked that they provide us with information. The surveys were sent **electronically**. These agencies included the Veteran's Administration facilities in Northern and Southern Nevada; Clark County Department of Social Services; Clark County Department of Family Services; Washoe County Human Services Agency; Medical Surgical Hospitals throughout the state; and State of Nevada Department of Education.

In total 4,000 surveys were e-mailed or mailed out. Our **rate of return** was as follows –

- Small Business Impact Survey (1 to 150 employees) – 702 sent out, 28 returned – **4% return rate**
- Large Business Impact Survey (150+ employees ) – 19 sent out, 9 returned – **47% return rate**
- Parallel Licensee Survey – 3279 sent out, 745 returned – **22.7% return rate.**

#### **Summary of survey results**

- 74% of **all businesses** (small and large) that responded expect licensees to pay for their own licensing and renewals.
- 85% of **all social workers** who responded reported that they were expected to pay for their own licensing and renewals.
- Within the **29 surveys that met the "Small Business Survey" parameters**, 62% of small businesses require their employees to manage their own licensing fees. Ten small business employers report paying for the renewals of their employees. A majority (6 of

the 10) small businesses report zero, minimal or moderate impact. Four of the small businesses reported high impact and made the following comments (in italics):

- *"Negatively, and would impact our budget."*
  - **Staff analysis:** This small business reports 100 total employees of which our database shows 5 social workers (3 LSW and 2 LCSW) which is a net fiscal increase of \$150.00.
- *"We are a non-profit depending on private donations, therefore any increase affects us adversely."*
  - **Staff analysis:** This small business reports 38 total employees of which our database shows 2 social workers (1 LSW and 1 LCSW) which is a net fiscal increase of \$62.50.
- *"I am a one person agency that offers low cost counseling. This change could be a burden financially."*
  - **Staff analysis:** This small business reports 1 employee who is an LCSW, which is a net fiscal increase of \$37.50.
- *"It would increase benefit payout to the employee which impacts our annual budget."*
  - **Staff analysis:** This small business reports 3 total employees of which our database shows 3 social workers (1 LSW and 2 LCSW) which is a net fiscal increase of \$100.00.

Interested persons may obtain a copy of the Summary of the Response by -

- Visiting the Board's website, <http://socwork.nv.gov>.
- Submitting a written request to: State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502
- Emailing a request to the Board at [slowery@besw.nv.gov](mailto:slowery@besw.nv.gov).

#### **1b. The manner in which the analysis was conducted.**

Information from the electronic survey was collected in Survey Monkey and an analysis was made of the information provided by both licensees and business owners. The information from paper surveys returned to the Board was manually loaded into Survey Monkey so that it could also be analyzed. Additionally all the survey information was transferred to an Excel spreadsheet so that further analysis can be done in the future.

Staff reviewed and carefully considered the survey results and based on this analysis, small business impact is minimal.

#### **1c. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation, both adverse and beneficial effects; and both direct and indirect effects.**

The Social Work Board does not have a role in regulation of small businesses themselves; rather the Board oversees the practice of social workers throughout the state.

##### **Adverse and Beneficial Effects**

**Small Business:** The **beneficial effects** of the proposed changes included greater clarity regarding scope of practice for licensing categories; improved opportunities for individuals who fail their required licensing exam; removal of certain barriers for post-graduate internships and reduces reporting requirements

**Small Business:** The **adverse effects** of the proposed changes are the perceived impact of fee increases even though the analysis done does not support an adverse impact.

## **Immediate and Long-Term Effects.**

**Small Business:** The **immediate effects** will allow for more efficient reporting for post-graduate internships and will allow existing supervisors to accept additional interns. This creates more post-graduate internship opportunities, which supports current workforce development efforts. Fiscally, the fee increases will allow for the development of the online portal for initial applications for licensure and will allow formal designation of Board reserve funds.

**Small Business:** The **long-term effects** will include more efficient licensing and a greater pool of qualified social workers to employers. Increasing the efficiency of the post-graduate internship program will also allow for greater numbers of social workers seeking to work in mental health.

### **1d. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.**

As part of the bigger workforce development picture in Nevada, the Board evaluated ways to reduce the impact of proposed regulations on small businesses. The Board gathered baseline information about employee incentives being utilized in order to attract and keep social workers. Through our survey distribution, we learned that 58% of businesses who responded reported that they pay for continuing education units for licensees. This trend was validated as 32% of social workers responded that their employers paid for continuing education; and 26% considered this an incentive to stay with their employer. Furthermore, social workers identified a number of other incentives as important including competitive salary (21%); PTO / sick time (63%); and medical benefits (61%).

The Board has not yet provided the additional information gathered from licensees to small businesses. It plans to provide this information in the Spring 2020 after further data analysis is done. As a result of the information gathered, the Board intends to educate small business employers in Nevada about the importance of incentivizing social workers in our highly competitive workforce to assist in attracting and retaining social workers.

### **1e. The estimated cost to the agency for the enforcement of the proposed regulation.**

It is anticipated that the estimated cost to the Board's daily operations will be negligible. Once the online portal for initial licensure is developed, it will allow for a redirection of office staff to address the backlog of cases in the Compliance Unit.

### **1f. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

In the course of a fiscal year, the total increase in income from fee increases will be approximately \$72,000.00. This money will be used in several ways.

- Becoming fully compliant with the 2015 legislative mandate to have all licensing applications online. Thus far, we have met the first phase of the requirement by moving licensing renewals to an online platform. These additional fees will allow the second phase, moving initial applications to the online platform.
- Following Executive Branch and Legislative Counsel Bureau recommendations, the Board will begin to set aside reserves in 2020.
- Addressing Compliance Unit backlog by hiring a full-time investigator along with increased attorney fees that are associated with analyzing and prosecuting disciplinary cases.

**1g. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicate or more stringent provisions are necessary.**

There are no federal regulations related to licensure of social work, therefore, the proposed regulation changes in LCB File R055-19 are not more stringent than any federal legislation. The proposed regulation changes do not duplicate any regulation of any other State or local governmental agencies.

**1h. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.**

Based on our survey results of both businesses and licensees, we discovered that 85% of **all social workers** who responded reported that they are expected to pay for their own licensing and renewals. Sixty-two percent of small businesses require their employees to manage their own licensing fees so this suggests that the impact on small businesses is minimal.

In analyzing the four businesses that self-identified as experiencing a "high impact" from the proposed fee increases, the total net increase for these businesses was \$350.00 per year, impacting 11 social workers out of a total of 142 employees reported. In contrast, the survey results show 74% of the 47 businesses that responded require the licensee to manage their own licensing fees.

Based on the information gathered it does not appear that the increases in fees will have an impact on small businesses. In conclusion, the Board believes that the benefits of the proposed changes in our NACs outweigh the costs.

I certifying that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in the statement was prepared properly and is accurate.

Respectfully Submitted by,

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Karen Oppenlander, LISW, Executive Director  
Board of Examiners for Social Workers