



State of Nevada

Board of Examiners for Social Workers

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

(775) 688-2555

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of **LCB Number R055-19** of the **Board of Examiners for Social Workers**

The Board of Examiners for Social Workers will hold a Public Hearing at 9:00 a.m. on Friday, December 13, 2019 at University of Nevada, Reno, System Computing Services (SCS) Building 133 off 16th Street Entrance to UNR campus, Reno, NV 89557 and Mojave Mental Health, Las Vegas, 6375 West Charleston Blvd, A100, Las Vegas, NV 89104.

The purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to R055-19, Chapter 641B of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

LCB File Number. R055-19

1. Need and purpose of the proposed regulations or amendments

The need for the proposed regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent social workers are licensed in the state.

The purpose of the proposed regulations is to provide clarity for the public, individuals and licensees through regulations regarding the following areas – (a) Clarification of definitions of the scope of practice for LASW and LSW licenses; (b) Licensing and supervision to include the length of time an application will be open; changing timeframes for when a failed exam may be retaken; and reducing the period of restoration of an expired license from three to two years; clarification of the length of time for exam and expiration of a Provisional "A" license; (c) Fee increases for applications; initial licensure, endorsement and renewals; (d) Disallowing payments by cash; (e) Post-Graduate Internships including removal of "substantially equivalent" language on hours from another state; increasing the number of interns a supervisor can have from 3 to 4; and reducing the frequency of post-graduate internship progress reports from quarterly to two times per year; (f) Specifying that a retired licensee must still complete the legislatively mandated suicide prevention CEUs for renewal of a license; and (g) Adding information regarding what is considered unprofessional conduct.

2. How to obtain the approved or revised text of regulations prepared by LCB

You may obtain a copy of the proposed regulations by writing to the Board of Examiners for Social Workers, 4600 Kietzke Lane, C121, Reno, NV 89502, or by calling the Board office at (775)688-2555. The proposed regulations are also available for review and download on the Board website <http://socwork.nv.gov/>

3. Methods used in determining the impact on a small business

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. Surveys

were sent electronically to 360 social work licensees that identified themselves as being a small business owner; paper surveys were sent out to 342 businesses that met the Small Business criteria and employ social workers; a number of large employers of social workers were individually contacted and asked to provide us with information; and a parallel survey was sent electronically to 3279 licensed social workers in our state. The data gathered from these efforts was evaluated and is included in our Impact on Small Business Statement.

4. Estimated economic effect of regulations on business and the public

a. Adverse and beneficial effects

Based on the information received from the surveys, adoption of these regulations will have minimal economic effect on small businesses, the public or practitioners of social work. The benefits of these regulations will include compliance with Legislative mandates regarding online licensing, development of fiscal reserves as recommended by the Executive Branch and Legislative Counsel Bureau to provide for future stability of the Board; and resources to address the backlog of Compliance Unit cases. Each of these areas contribute to more effective social work practice in Nevada.

b. Immediate and long-term effects

The immediate effects of approval of R055-19 will provide fee increases that will allow the Board to become fully compliant with 2015 Legislative mandates for online applications; development of fiscal reserves as recommended by the Executive Branch and Legislative Counsel Bureau; and resources to address the backlog of Compliance Unit cases. The long-term benefits of the proposed regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent social workers are licensed in the state.

5. Cost for enforcement of the regulations

There are no additional costs involved in enforcing the proposed regulations.

6. Overlap or duplication of other state or local governmental agencies

The proposed regulations do not overlap or duplicate any regulation of other state or local governmental entities.

7. Regulation required by federal law

Not applicable

8. More stringent than federal regulations

The Board is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

9. New or increases in existing fees

The proposed regulations include fee increases. Fees for the initial application fees, initial licensing fees, endorsement fees and annual renewal fees have been increased by 25% for each licensure category. This results in the following changes.

Fee	Current	Proposed	Increase
Initial application	40.00	50.00	10.00
Initial application for licensure	100.00	125.00	25.00

Fee	Current	Proposed	Increase
Initial and renewal of a provisional license	75.00	93.75	18.75
Endorsement	100.00	125.00	25.00
Annual Renewal for LASW / LSW	100.00	125.00	25.00
Annual Renewal for LCSW / LISW	150.00	187.50	27.50

The Board conducted Public Workshops, inviting licensees on September 11, 2019 in Reno, NV and September 12, 2019 in Las Vegas, NV. Licensees were invited to complete a survey regarding their opinions on the fee increases. Licensees were invited to contact the Executive Director via e-mail or in writing regarding opinions regarding the proposed fee increases.

Persons wishing to comment on the proposed action of the Board of Examiners for Social Workers may appear at the scheduled public hearing or address their comments, data, views or arguments in written form to the Board of Examiners for Social Workers, 4600 Kietzke Lane, C121, Reno, NV, 89502. The Board of Examiners for Social Workers must receive all written submissions on or before **December 12, 2019**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Examiners for Social Workers may proceed immediately to action upon any written submissions.

A copy of this notice and the regulations to be adopted, R055-19 was distributed to all Nevada County Public Libraries and is on file at the Nevada State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted, R055-19, will be available from the Board of Examiners for Social Workers, 4600 Kietzke Lane, C121, Reno, NV, 89502, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request.

Upon adoption of any regulations, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This **Notice of Hearing** has been posted on the Board's website <http://socwork.nv.gov/>; and was distributed to all of the Nevada County Libraries the following locations:

Carson City Library
900 North Roop Street
Carson City, NV 8701

Lincoln County Library
63 Main Street
Pioche, NV 89043

Churchill County Library
553 South Main Street
Fallon, NV 89406

Lyon County Library System
20 Nevin Way
Yerington, NV 89447

Las Vegas-Clark County Library District
Headquarters
833 Las Vegas Blvd. North
Las Vegas, NV 89101

Mineral County Public Library
110 1st Street
Hawthorne, NV 89415

Douglas County Public Library
1625 Library Lane
Minden, NV 89423

Pershing County Library
P.O. Box 781
1125 Central Avenue
Lovelock, NV 89419

Elko County Library
720 Court Street
Elko, NV 89801

Esmeralda County Library
Corner of Crook & 4th Street
PO Box 430
Goldfield, NV 89013

Eureka County Library
10190 Monroe Street
Eureka, NV 89316

Storey County Public Library
P.O. Box 980
Virginia City, NV 89440

Tonopah Public Library
167 South Central Street
Tonopah, NV 89049

Washoe County Library System
301 South Center Street
Reno, Nevada 89049

Dated: December 5, 2019