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

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE ADOPTION OF

LCB File No. R018-16

BY

The State of Nevada Board of Examiners for Social Workers

The State of Nevada Board of Examiners for Social Workers (Board) will hold a Public Hearing on Friday, June 17, 2016, at 9:00 a.m., with videoconferencing between the following locations:

(Northern Nevada)

Mojave Mental Health: Reno
745 W. Moana Lane, Suite 100
Reno, Nevada 89509

AND

(Southern Nevada)

Mojave Adult Clinic (Las Vegas)
4000 E. Charleston Blvd., Suite B-230
Las Vegas, Nevada 89104

Some members of the Board may be attending the meeting and other persons may observe the meeting and provide testimony, through a simultaneous videoconference conducted between the two sites noted above.

The purpose of the hearing is to receive comments from all interested parties regarding the adoption of the regulations that pertain to R018-16, Chapter 641B of the Nevada Administrative Code.

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

LCB File No. R018-16

1. **Need and purpose of the proposed regulation or amendments (which includes the terms or substance of the regulations to be adopted, amended or repealed...)**

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 rationale for each proposed regulation change is noted below:

(Section 1) NAC 641B.126 Licensure by endorsement

The passage of Assembly Bill 89 (AB 89) and Senate Bill 68 (SB 68), during the 78th, 2015 Legislative Session, are reflected in the Board's proposed changes in this section. The proposed regulation changes also allows the Board to accept, as noted, postgraduate, supervised hours for applicants who would not necessarily be applicable under AB 89 and SB 68. The proposed changes in this section would allow for the acceptance of postgraduate supervised hours provided by licensed psychiatrists and licensed clinical psychologists for applicants seeking endorsement as clinical social workers and acceptance of postgraduate supervised hours for applicants seeking endorsement as an independent social worker by a licensed clinical or master's level social worker.

(Section 2) NAC 641B.140 Licensed independent social worker: Internship required for licensure

A Licensed Independent Social Worker (LISW), is an advanced, non-clinical, master's level of license offered by the Board, which requires Board approved, postgraduate supervised hours. The proposed regulation changes allows the Board to consider postgraduate, supervised practice under a licensed, master's level social worker, as specified, in lieu of an internship program. This section also proposes similar considerations for out-of-state applicants who may not be eligible under AB 89 or SB 68.

(Section 3) NAC 641B.150 Licensed clinical social worker: Internship required for licensure

A Licensed Clinical Social Worker (LCSW), is an advanced, clinical, master's level of license offered by the Board, which requires Board approved, postgraduate supervised hours. The postgraduate supervised hours includes the use of, "psychotherapeutic methods and techniques", as defined in NAC 641B.057. The proposed changes in this section would allow for the acceptance of postgraduate supervised hours provided by licensed psychiatrists and licensed clinical psychologists for those who are in a Board approved internship program. This consideration would also apply to out-of-state applicants who may not be eligible under AB 89 or SB 68.

(Section 4) NAC 641B.155 Supervisors of interns: Generally

The proposed regulation change is this section adds licensed clinical psychologists or licensed psychiatrists, who meet specified criteria, to provided postgraduate supervision for individuals seeking licensure as a clinical social worker. This section further specifies certification requirements for licensed psychiatrists and additionally prohibits supervision of interns by individuals who are the subjects of an order issued by any licensing board in this State, the District of Columbia or any other state or territory of the United States.

(Section 5) NAC 641B.187 Prerequisites and requirements for renewal of license; grounds for disciplinary action

Assembly Bill 93 (AB 93), passed during the 78th, 2015 Legislative Session requires at least 2 hours of continuing education instruction on evidence-based suicide prevention and awareness, as a condition for annual license renewal. The proposed regulation change supports this requirement. This regulation change also states that the required 2 hours of continuing education instruction will be considered towards the existing continuing education requirements for licensure and that there will not be any exceptions or exemptions to this requirement.

(Section 6) NAC 641B.188 Affidavit of completion: Submission; verification of authenticity

AB 93, passed during the 78th, 2015 Legislative Session requires at least 2 hours of continuing education instruction on evidence-based suicide prevention and awareness, as a condition for annual license renewal. The proposed regulation change supports this requirement by requiring every license renewal application to be accompanied by a certificate and an affidavit evidencing completion of this requirement as well as the random selection of affidavits as proof from the affiant of the authenticity of the information provided.

(Section 7) NAC 641B.189 Approval of program by the Board; acceptable forms of program; unacceptable courses and programs

The proposed regulation change in this section attempts to address the various ways courses of continuing education may be presented. The proposed change removes the requirement that a continuing education program must be limited in time and interactive. It allows programs which are live presentations delivered electronically in real time to be included in the list of acceptable presentation formats. It removes antiquated language pertaining to delivery methods of distance learning courses and requires verification of a pre-test and post-test as part of the requirement of independent verification of successful completion.

(Section 8) NAC 641B.190 Approval: General requirements

AB 93, passed during the 78th, 2015 Legislative Session requires at least 2 hours of continuing education instruction on evidence-based suicide prevention and awareness, as a condition for annual license renewal. This proposed regulation change adds evidence-based suicide prevention and awareness to the list of acceptable subject matter for continuing education.

(Section 9) NAC 641B.205 Responsibility to client

The proposed regulation in this section provides clarification of what would be considered a, "dual relationship" between a licensee and a client.

(Section 10) This section and sections 1 to 4, inclusive, 8 and 9 of this regulation become effective upon filing with the Nevada Secretary of State. Sections 5 and 6 of this regulation become effective July 1, 2016. Section 7 of this regulation become effective on January 1, 2017.

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

Interested individuals may obtain a copy of the proposed regulations by writing to: **State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502.** A reasonable fee to copy the proposed regulations may be charged. The proposed regulations are also available for review and download on the Board's website, www.socwork.nv.gov.

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

Although the proposed regulations in R018-16 did not propose any increases in fees or the addition of fees, the Board sent out a survey to agencies which appeared to fit the definition of a "small business" as defined in NRS 233B.0382, and who were known by the Board to hire licensed social workers. Forty-five (45) surveys were mailed on March 22, 2016, with responses requested by April 8, 2016. The Board also posted the survey on its website, www.socwork.nv.gov. By April 14, 2016, the Board received two (2) responses by U.S. Mail. Both responses indicated that the proposed regulation changes contained in R018-16 did not appear to pose any fiscal impact upon their businesses. Accordingly, the Board further believes that it used informed, reasonable judgment in determining that there will not be an impact on small businesses due to the proposed regulation changes. **A copy of the Board's *Small Business Impact Statement* is attached to this Notification and may also be found on the Board's website, www.socwork.nv.gov.**

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

a. Adverse and beneficial effects

Overall, the adoption of these regulations should not have an adverse economic effect on business, the public or practitioners of social work. The Board expressed concerns regarding the 2.0 continuing education hours for suicide prevention and awareness training. These concerns were expressed by the Board's Executive Director during the 2015 Legislative public hearings for AB 93. If renewing licensees do not submit proof of required training upon licensure renewal, this would result in the non-renewal of license. If a license is not renewed, an adverse impact may result upon the licensee, the agency employing the licensee and clients served by the licensee. In order to address this concern, the Board has opted to notify all licensees with three (3) separate written notifications regarding this requirement. Furthermore, this requirement has been posted on the Board's website, www.socwork.nv.gov. Adverse implications may be avoided by licensees who review all written information mailed to them by the Board and by taking this required training timely. The benefit of this training as contained in R018-16, will be licensees who are better equipped to address suicide prevention and awareness when working with their clients. There is an additional monetary benefit to agencies who provide this training.

b. Immediate and long-term effects

The immediate and log-term effects of the regulations proposed in R018-16 will be an increase in public safety, clarity and consistency in regulation and licensing of social workers.

5. Estimated cost to the Board for enforcement of the regulations

There may be a modest financial cost to the Board in the enforcement of sections 5 and 6, which pertains to the suicide prevention and awareness and auditing renewal applications for compliance prior to license renewal. Testimony regarding these concerns were expressed by the Board's Executive Director during public hearings conducted during the 2015 Legislature on AB 93. In response to these concerns, the Legislature modified section 5 of AB 93 which allows for the Board to establish in regulation, evidence of completion of the required training.

6. Overlap or duplication of other state or local government 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 regulation changes in R018-16 do not pose any increases in existing fees, or the addition of fees for services routinely provided by the Board.

SMALL BUSINESS IMPACT STATEMENT

Although the proposed regulations in R018-16 did not propose any increases in fees or the addition of fees, the Board sent out a survey to agencies which appeared to fit the definition of a "small business" as defined in NRS 233B.0382, and who were known by the Board to hire licensed social workers. Forty-five (45) surveys were mailed on March 22, 2016, with responses requested by April 8, 2016. The Board also posted the survey on its website, www.socwork.nv.gov. By April 14, 2016, the Board received two (2) responses by U.S. Mail. Both responses indicated that the proposed regulation changes contained in R018-16 did not appear to pose any fiscal impact upon their businesses. Accordingly, the Board further believes that it used informed, reasonable judgment in determining that there will not be an impact on small businesses due to the proposed regulation changes. **A copy of the Board's *Small Business Impact Statement* is attached to this Notification and may also be found on the Board's website, www.socwork.nv.gov.** Interested individuals may also request a copy of this statement by submitting a written request to our office: **State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502.**

Kim Frakes

Kim Frakes
Executive Director
Board of Examiners for Social Workers

Persons wishing to comment on the proposed action of the State of Nevada Board of Examiners for Social Workers (Board) may appear at the scheduled public hearing or address their comments, data, views or arguments in written form to: **State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada, 89502.** The Board must receive all written submissions on or before the Public Hearing scheduled June 17, 2016. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, R018-16, will be on file at the Nevada State Library, 100 North Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, R018-16, will be available at the office of the **State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada, 89502,** and in all counties in which an office of the agency is not maintained, at the main public library, 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. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, 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 and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

NEVADA COUNTY PUBLIC LIBRARIES

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306

Las Vegas-Clark County Library District
Headquarters
833 Las Vegas Boulevard North
Las Vegas, Nevada 89101-2062

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Mineral County Public Library
P.O. Box 1390
Hawthorne, Nevada 89415

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library (Lander County)
625 South Broad Street
Battle Mountain, Nevada 89820

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Story County Public Library (CLOSED, instead, send to the Storey Co. Clerk's Office, see below)

Storey County Treasurer and
Clerk's Office, Drawer D
Virginia City, Nevada 89440

Tonopah Public Library (Nye Co.)
P.O. Box 449
Tonopah, Nevada 89049

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

White Pine County Library
950 Campton Street
Ely, Nevada 89301

REVISED PROPOSED REGULATION OF THE

BOARD OF EXAMINERS FOR SOCIAL WORKERS

LCB File No. R018-16

April 18, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 641B.160 and 641B.270 and section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; §2, NRS 641B.160 and 641B.230; §3, NRS 641B.160 and 641B.240; §§4, 9 and 10, NRS 641B.160; §§5-8, NRS 641B.160 and 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288.

A REGULATION relating to social workers; revising the requirements for licensure by endorsement; prescribing requirements relating to the supervised, postgraduate hours of social work that a person must complete to be licensed as a clinical or independent social worker; requiring a licensee as an associate in social work, social worker, clinical social worker or independent social worker to receive instruction each year on evidence-based suicide prevention and awareness; removing authorization for the delivery of continuing education in certain forms; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Examiners for Social Workers to issue a license by endorsement to engage in social work to an applicant who: (1) holds a corresponding and unrestricted license to engage in social work in the District of Columbia or any state or territory of the United States; (2) has been continuously and actively engaged in social work for the past 5 years; and (3) submits certain other proof to the Board. (Section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034) **Section 1** of this regulation revises existing regulations concerning licensure by endorsement to provide that the Board will grant a license by endorsement to a social worker, clinical social worker or independent social worker who: (1) meets those requirements; and (2) provides evidence to the Board that he or she has been continuously licensed for at least the 5 years immediately preceding the date of application.

Existing law authorizes the Board to grant a license without examination to a person who holds a current license to engage in the practice of social work in a state whose licensing

requirements are substantially equal to those in this State. (NRS 641B.270) Existing law also prescribes the requirements to obtain a license as an independent or clinical social worker, including a requirement that the applicant have completed 3,000 hours of supervised, postgraduate social work approved by the Board. (NRS 641B.230, 641B.240) **Section 1** provides that the Board will deem an applicant for licensure by endorsement as a clinical social worker who has been licensed in the District of Columbia or another state or territory of the United States for less than 5 years to have completed the required supervised, postgraduate social work if the applicant has completed at least: (1) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker; (2) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (3) 1,000 hours of additional supervised, postgraduate social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist. **Section 1** provides that the Board will deem an applicant for licensure by endorsement as an independent social worker who has been licensed in the District of Columbia or any state or territory of the United States for less than 5 years to have met the requirements for supervised, postgraduate social work if the applicant provides evidence that he or she has completed 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical or master's level social worker.

Existing regulations require an applicant for licensure as an independent social worker to have completed an internship consisting of at least 3,000 hours of supervised, postgraduate experience in a program approved by the Board. However, upon application, the Board may approve and accept supervised, postgraduate hours completed in an agency that provides social work services by an applicant who: (1) has been continually licensed as a social worker or an associate in social work for 10 years; and (2) has been continuously supervised by a licensed social worker for 5 of those 10 years. (NAC 641B.140) **Section 2** of this regulation provides that: (1) such an applicant may be licensed in this State, the District of Columbia or any other state or territory of the United States; and (2) the Board will only approve and accept such supervised, postgraduate hours if the hours were supervised by a master's level social worker and the applicant has passed an examination approved by the Board.

Existing regulations require an applicant for licensure as a clinical social worker to have completed an internship of not less than 3,000 hours of supervised, postgraduate social work under the supervision of a licensed clinical social worker. (NAC 641B.150, 641B.155) **Section 3** of this regulation: (1) requires at least 1,000 hours of such supervised, postgraduate social work to be supervised by a licensed clinical social worker and provides that the remaining hours may be supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (2) provides that an applicant who is not licensed as a clinical social worker but has performed postgraduate clinical social work supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist in another state within the immediately preceding 3 years may submit the hours for consideration as part of an internship approved by the Board. **Section 3** also removes a provision authorizing the Board to approve supervised, postgraduate clinical social work that was not supervised by an agency if the

social work was completed before January 1, 1990, by an applicant for licensure as a clinical social worker who holds a license in another state.

Section 4 of this regulation authorizes a licensed clinical psychologist or a licensed, certified psychiatrist who meets certain requirements to become a supervisor of an intern.

Existing regulations: (1) require a person who wishes to become a supervisor of an intern to demonstrate to the Board that his or her current practice includes at least 15 hours of independent practice or clinical practice in the area of psychotherapeutic methods and techniques; and (2) provide that the Board may waive that requirement for good cause. (NAC 641B.155) **Section 4** removes a provision stating that practice within the last 2 years which is equivalent to that requirement constitutes good cause for waiver of the requirement.

Existing regulations prohibit a person from supervising an intern if the person is subject to an order issued by the Board for disciplinary action. (NAC 641B.155) **Section 4** additionally prohibits a person from supervising an intern if the person is subject to an order issued by any other licensing board in this State, the District of Columbia or any other state or territory of the United States.

Existing law requires the Board to require an applicant for the renewal of a license to complete certain continuing education, including 2 hours of instruction each year on evidence-based suicide prevention and awareness. (NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288) **Section 5** of this regulation: (1) requires a licensee to complete 2 hours of continuing education each year on evidence-based suicide and prevention; (2) provides that such continuing education may be counted towards the 30 hours of continuing education that a licensee is required to complete every 2 years; and (3) provides that the Board will not waive the requirement to complete such continuing education under any circumstances. **Section 6** of this regulation requires every application for the renewal of a license to be accompanied by a certificate and an affidavit evidencing completion of the 2 hours of continuing education on evidence-based suicide and prevention. **Section 8** of this regulation adds evidence-based suicide prevention and awareness to the list of acceptable subject matter for continuing education.

Existing regulations prescribe acceptable delivery methods for a program of continuing education. (NAC 641B.189) **Section 7** of this regulation removes requirements that a continuing education program must be limited in time and be interactive. **Section 7** also removes authorization for the delivery of continuing education through: (1) a home study course; (2) a self-directed learning program; or (3) a distance learning course that does not require participants to complete an examination before beginning the course and after completing the course.

Existing regulations prohibit a licensee from soliciting or entering into a dual relationship with a client, intern or person who is supervised by the licensee: (1) during the time that the client is receiving professional services from, or the intern or person is being supervised by, the

licensee; and (2) for at least 2 years after the termination of the professional relationship, internship or period of supervision. (NAC 641B.205) **Section 9** of this regulation defines "dual relationship" as a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that also includes another professional, social or business relationship with the client, intern or other person.

Section 1. NAC 641B.126 is hereby amended to read as follows:

641B.126 1. An applicant for licensure as a social worker ***, independent social worker or clinical social worker*** who holds, in ~~[another]~~ ***the District of Columbia or any*** state ~~[,]~~ ***or territory of the United States,*** at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240 ***, as applicable,*** may be licensed by endorsement by the Board to engage in the practice of social work ***as a social worker, independent social worker or clinical social worker*** in this State by the Board without taking the examination prescribed by the Board if ~~[:~~

~~(a) The]~~ ***the*** applicant provides ~~[evidence satisfactory]~~ to the Board ***:***

(a) The information and documents required pursuant to section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; and

(b) Evidence satisfactory to the Board that the applicant has ~~[successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years; or~~

~~(b) The applicant:~~

~~(1) Has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 or a substantially equivalent examination in the state in which the applicant holds a license; and~~

~~(2) Provides evidence satisfactory to the Board that the applicant has held the license for at least 20 years and that at least 50 percent of the practice of the applicant for the immediately preceding 10 years has been in the practice of social work.~~

~~2. An applicant for licensure as a clinical social worker or an independent social worker who holds, in another state, at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board if the applicant provides evidence satisfactory to the Board that the applicant has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years or a substantially equivalent examination in the state in which the applicant holds the license and:~~

~~(a) If the applicant is applying for licensure by endorsement to engage in social work as a clinical social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as a clinical social worker for at least 10 years and that at least 50 percent of the practice of the applicant for the immediately preceding 7 years has been in the practice of clinical social work or the supervision of clinical social work; or~~

~~(b) If the applicant is applying for licensure by endorsement to engage in social work as an independent social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as an independent social worker for at least 10 years and that at least 50 percent of the practice of the applicant has been in the independent practice of social work or the supervision of the independent practice of social work.~~

~~3. If~~ *been continuously licensed to engage in the practice of social work as a social worker, independent social worker or clinical social worker, as applicable, in the District of Columbia or any state or territory of the United States for at least the 5 years immediately preceding the date on which the applicant submits his or her application to the Board.*

2. The Board will deem an applicant for licensure by endorsement as a clinical social worker or an independent social worker ~~[does not satisfy the requirements of subsection 1 or 2, the Board will approve the applicant's]~~ *who has been licensed as a clinical social worker or independent social worker, as applicable, for less than 5 years in the District of Columbia or any state or territory of the United States and satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, to have fulfilled the requirements for* supervised, postgraduate social work ~~[and accept it towards the hours of supervision]~~ that are required for licensure if:

(a) The applicant provides evidence satisfactory to the Board that the applicant completed at least ~~[3000]~~ *:*

(1) If the applicant is applying for licensure by endorsement as a clinical social worker:

(I) 1,000 hours of supervised, postgraduate *clinical* social work *supervised by a licensed clinical social worker, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker;*

(II) 1,000 hours of supervised, postgraduate clinical social work supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or

that is approved by the Board, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker; and

(III) 1,000 hours of supervised, postgraduate social work, which can be clinical or nonclinical, supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, that has been accepted by the ***District of Columbia or the*** state ***or territory*** which licensed the applicant as a clinical social worker ***;*** or

(2) If the applicant is applying for licensure by endorsement as an independent social worker ~~[;]~~ ***, 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical social worker or a licensed master's level social worker that has been accepted by the District of Columbia or the state or territory which licensed the applicant as an independent social worker;***

(b) ~~[Except as otherwise provided in subsection 6 of NAC 641B.150, a]~~ ***The*** licensing board that accepted the supervised, postgraduate ***clinical*** social work submits verification of the hours of work ***and that each social worker, psychologist or psychiatrist who supervised the supervised, postgraduate clinical social work is licensed in and practices in the District of Columbia or the state or territory which licensed the applicant*** directly to the Board in a manner that is approved by the Board; and

(c) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

~~[4.]~~ *3.* An applicant for licensure by endorsement pursuant to this section must submit to the Board:

(a) A written application on a form prescribed by the Board;

(b) The applicable fee;

(c) Except as otherwise provided in subsection ~~[5.]~~ *4*, proof that the license issued by the *District of Columbia or the* other state or *territory or* any other license or credential issued to the applicant by *the District of Columbia or* another state ~~[;]~~ *or territory:*

(1) Is currently valid and in good standing; and

(2) Has never been suspended, revoked or otherwise restricted for any reason; and

(d) Proof that the applicant is of good moral character as it relates to the practice of social work.

~~[5.]~~ *4.* If an applicant has had a license or credential that was issued by *the District of Columbia or* another state *or territory* suspended, revoked or otherwise restricted for any reason, the Board will review and consider the specific facts and circumstances surrounding the suspension, revocation or restriction and may issue or decline to issue a license to an applicant based upon its review.

Sec. 2. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except as otherwise provided in ~~[subsection]~~ *subsections 1 and* 2 of NAC 641B.126, an applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in ~~[subsections]~~ *subsection* 3 , ~~[and 4,]~~ the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

(1) An examination, if deemed necessary by the Board;

(2) An appropriate setting, as determined by the Board;

(3) Supervision of the applicant by a supervisor who has been approved by the Board; and

(4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an

intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. Upon application to the Board by an applicant who is currently a ~~[licensed]~~ social worker or ~~[a licensed]~~ ***an*** associate in social work ~~[.]~~ ***licensed in this State, the District of Columbia or any other state or territory of the United States,*** the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:

(a) Has been continually licensed as a social worker for the immediately preceding 10 years; ~~[and]~~

(b) Provides evidence satisfactory to the Board of continuous supervision by a licensed ***master's level*** social worker for at least 5 of the immediately preceding 10 years ~~[.]~~ ***; and***

(c) Has passed an examination recognized and approved by the Board.

4. ~~[An applicant who is not licensed as an independent social worker in another state but has completed 3,000 hours of supervised, postgraduate social work in another state within the immediately preceding 10 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work and documentation that his or her supervisor was either a clinical social worker or a master's level~~

~~social worker and was also qualified to supervise in that state. After 2 full, consecutive calendar quarters of a program, the~~] *The* Board will approve [~~that~~] work ***submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3*** and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if [~~:~~

~~(a) A licensing board that accepted the supervised, postgraduate social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and~~

~~(b) The~~] *the* Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

5. The following activities do not qualify as supervised, postgraduate social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

Sec. 3. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except as otherwise provided in ~~[subsection]~~ ***subsections 1 and*** 2 of NAC 641B.126, an applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection ~~[1.]~~ *5*, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

(1) An examination, if deemed necessary by the Board;

(2) An appropriate setting, as determined by the Board;

(3) Supervision of the applicant by a supervisor who has been approved by the Board; and

(4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, ~~[but is not limited to:]~~ ***without limitation:***

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required

by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional conditions. Unless otherwise approved by the Board, an average of 25 hours per week, not to exceed 325 hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

4. ***At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be supervised by a licensed clinical social worker. The remaining hours required by subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.***

5. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in ***the District of Columbia or*** another state ***or territory of the United States*** within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work and documentation that his or her supervisor was a clinical social worker , ***a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or***

the American Osteopathic Association, or a successor organization, or that is approved by the Board, and was qualified to supervise in ~~[that]~~ ***the District of Columbia or the other*** state ~~[.]~~ ***or territory.*** After the applicant has completed not less than 1,000 hours of supervised, postgraduate clinical social work and has passed an examination required, if applicable, pursuant to subparagraph (1) of paragraph (a) of subsection 1 pursuant to a program approved by the Board, the Board will approve that work and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if:

(a) A licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and

(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.

~~[5.]~~ ***6.*** The following activities do not qualify as supervised, postgraduate clinical social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Role-playing as a substitute for actual social work.

(d) Psychotherapy of the intern himself or herself.

(e) ~~[Except as otherwise provided in subsection 6, practice]~~ ***Practice*** which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.

~~[6. Any supervised, postgraduate clinical social work completed before January 1, 1990, by an applicant who holds an equivalent license from another state that is in good standing to engage in the practice of clinical social work as described in this chapter and chapter 641B of NRS is not required to be completed under the supervision of an agency if the Board determines that:~~

~~(a) There is good cause for waiving the requirement that the practice be under the supervision of an agency; and~~

~~(b) The experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board.]~~

Sec. 4. NAC 641B.155 is hereby amended to read as follows:

641B.155 1. To become a supervisor of an intern, a person must:

(a) Be approved by the Board to serve as the supervisor of an intern.

(b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker ***, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board,*** if supervising an intern who is seeking a license as a licensed clinical social worker.

(c) Have at least 3 years of experience ***, after obtaining all applicable licenses and certifications,*** as a licensed clinical social worker ~~[or]~~ ***, a*** licensed independent social worker ~~[or have equivalent experience acceptable to the Board.]~~ ***, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.***

(d) Demonstrate to the Board that his or her current practice:

(1) If he or she is supervising an intern who is seeking a license as a licensed independent social worker, consists of not less than 15 hours per month of independent practice.

(2) If he or she is supervising an intern who is seeking a license as a licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques.

➥ The Board may waive the requirements of this paragraph if the Board determines that there is good cause . ~~[, including, without limitation, practice within the last 2 years which is equivalent to the requirements of this paragraph.]~~

(e) If deemed necessary by the Board, successfully complete a written examination.

(f) If deemed necessary by the Board, successfully complete any training specified by the Board.

2. A person will not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board ***or any other professional licensing board in this State, the District of Columbia or any other state or territory of the United States*** for disciplinary action.

3. A supervisor shall not:

(a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;

(b) Have had the intern as a client;

(c) Have had the intern as a supervisor; or

(d) Supervise more than three interns at one time without prior approval from the Board.

4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will provide, upon request, a copy of the list to any person who is applying to become an intern.

5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of NAC 641B.160 must be submitted to the Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.

6. A supervisor shall keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:

(a) Under the supervision of a person who has not been approved by the Board to supervise interns; or

(b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

Sec. 5. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in ~~[subsections 4 and 5,]~~ ***subsection 3,*** to renew his or her license:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours every 2 years, of which:

(1) Two hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within that practice; ~~[and]~~

(2) ***Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; and***

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education every 2 years, of which:

(1) Three hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within that practice; ~~[and]~~

(2) ***Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; and***

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. ***Except as otherwise provided in subsection 7:***

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least ~~[70]~~ *65* years of age and is retired from the practice of social work.

~~[4.]~~ *(b)* The Board may renew the license of a licensee who fails to complete ~~[30]~~ *the* continuing education hours *required pursuant to subsection 1* during a 2-year period if it finds good cause to do so.

~~[5.]~~ *(c)* The Board will renew the license of a licensee during the period in which he or she is enrolled in a program leading to:

~~[(a)]~~ *(1)* A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

~~[(b)]~~ *(2)* A doctoral degree in social work,

➥ and for one renewal period after graduation from the program. Before renewing the license, proof of enrollment or graduation within the past 2 years must be submitted to the Board by the licensee.

~~[6.]~~ *4.* If the Board renews the license of a licensee pursuant to *paragraph (b) of* subsection ~~[4,]~~ *3,* it may require the licensee to complete ~~[not more than 30]~~ *, during the 2-year period immediately following the renewal of the license,* additional continuing education hours ~~[during the next 2-year period.~~

~~7.]~~ ***not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the period for which continuing education requirements were waived.***

5. A licensee may not take a program of continuing education which presents the same material he or she took during the previous 2-year period.

~~[8.]~~ *6.* A licensee is subject to disciplinary action if he or she:

(a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or

(b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

7. The Board will not renew the license of a licensee who has not completed the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable.

Sec. 6. NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided in ~~[subsections 4 and 5]~~ *subsection 2 and in subsection 3* of NAC 641B.187, every other application for renewal of a license must be accompanied by an affidavit evidencing the completion of ~~[at least 30]~~ *the* continuing education hours *required pursuant to NAC 641B.187* during the 2 years immediately preceding the date of the application.

2. *Every application for the renewal of a license must be accompanied by the certificate provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the year immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.*

3. The Board will randomly select affidavits ~~[to verify]~~ ***and request proof from the affiant of*** the authenticity of the information contained therein.

~~[3.]~~ *4.* Each licensee shall maintain sufficient documentation which verifies the information set forth in the affidavit for at least 3 years. The inability to provide evidence supporting the information in the affidavit subjects the licensee to disciplinary action.

Sec. 7. NAC 641B.189 is hereby amended to read as follows:

641B.189 1. A program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. Except as otherwise provided in this subsection, to obtain the approval of the Board, a continuing education program must ~~[be limited in time, be interactive and]~~ provide independent verification that the licensee has successfully completed the program. ~~[A continuing education program that is not limited in time or interactive may be approved by the Board if the program meets specific criteria set forth by the Board.]~~ A continuing education program may be in the form of:

(a) Workshops or conferences, including, without limitation, ~~[teleconferences:]~~ ***live presentations delivered using videoconferencing or the Internet that allow participants to interact with the presenter in real time;***

(b) ~~[Distance]~~ ***Except as otherwise provided in paragraph (d) of subsection 4, distance*** learning courses;

(c) ~~[Home study courses:~~

~~(d) A self-directed learning program which has been approved by the Board before the licensee begins the program:~~

~~(e)]~~ Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board;

~~[(f)]~~ *(d)* A one-time presentation, not to exceed 15 hours, of an academic course, in-service training workshop or seminar by the licensee;

~~[(g)]~~ *(e)* Successful completion of an academic course of instruction at a regionally accredited college or university;

~~[(h)]~~ *(f)* Attendance by the licensee at a workshop or public hearing conducted by the Board; or

~~[(i)]~~ *(g)* Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.

2. A licensee may apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 15 hours of continuing education credit or, if licensed as a licensed independent social worker or a licensed clinical social worker, for not more than 18 hours of continuing education credit for distance learning courses ~~[, home study courses and self-directed learning programs]~~ during a 2-year period, except that the Board may approve additional hours of such continuing education if the licensee can demonstrate good cause for the approval of the additional hours.

3. A licensee may apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 2 hours of continuing education credit or, if licensed as a licensed independent social worker or a licensed clinical social worker, for not more than 4 hours

of continuing education credit relating to ethics for any period in which the licensee serves as a member of a committee or board of review that:

(a) Considers issues or applies any policy, law or regulation relating to ethics; and

(b) Is approved by the Board.

4. The following courses and programs will be deemed unacceptable as a program of continuing education:

(a) An orientation program for new employees.

(b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.

(c) ~~[A home study course that includes audio or video tapes which is not interactive, which is not limited by time and for which there is no independent verification of successful completion.~~

~~(d)]~~ A program for self-improvement.

~~[(e)]~~ *(d)* A distance learning course which ~~[is]~~ *does* not ~~[interactive, which is not limited by time]~~ ***require participants to complete an examination before beginning the course and after completing the course*** and for which there is no independent verification of successful completion.

~~[(f) A self-directed learning program:~~

~~(1) Which is not interactive, which is not limited by time and for which there is no independent verification of successful completion; or~~

~~(2) Which covers the same material as a previous program approved for the licensee for self-directed learning or which is not preapproved by the Board.~~

~~5. As used in this section, "interactive" means any two-way communication in which each participant in the communication is able to interact in a manner which elicits or may elicit a response from a provider or any other participant in that communication. The term includes, without limitation, any discussion or homework. The term does not include any test that is conducted before or after a program of continuing education.]~~

Sec. 8. NAC 641B.190 is hereby amended to read as follows:

641B.190 1. Before the Board approves a course or program, the Board must be satisfied that the course or program:

(a) Will be taught by a competent instructor as demonstrated by his or her educational, professional and teaching experience, unless the course or program is proposed by a licensee pursuant to subsection 2 of NAC 641B.192 and does not include the use of an instructor;

(b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;

(c) Is of professional quality;

(d) Is appropriately designed for instructional purposes;

(e) Is supported ~~[entirely or partially]~~ by evidence that is based on research; and

(f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.

2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, ~~[correspondence]~~ ***distance learning*** courses through an accredited college or university which do not lead to a degree, and on-the-job training

programs offered by an agency shall be deemed "appropriately designed for instructional purposes," as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.

3. The subject matter of a course or program which addresses one or more of the following areas:

(a) Theories or concepts of human behavior and the social environment;

(b) Social work methods of intervention and delivery of services;

(c) Social work research, including, without limitation, the evaluation of programs or practices;

(d) Management, administration or social policy;

(e) Social work ethics;

(f) Services that are culturally and linguistically appropriate;

(g) Social work theories or concepts of addictions in the social environment; ~~[or]~~

(h) ***Evidence-based suicide prevention and awareness; or***

(i) Other areas directly related to the field of practice of the licensee,

➥ shall be deemed to reflect "current and relevant educational material concerning social work" and be "applicable to the practice of social work," as those terms are used in subsection 1.

Sec. 9. NAC 641B.205 is hereby amended to read as follows:

641B.205 1. A licensee shall practice social work with professional skill and competence.

2. If a licensee must act on behalf of a client who has been declared incompetent or otherwise found by the Board to be incapable of acting in his or her own best interest, the licensee shall safeguard the interests and rights of that client.

3. If another person has been legally authorized to act on behalf of an incompetent client, a licensee shall deal with that person in accordance with the best interests of the client.

4. A licensee shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.

5. A licensee shall not misrepresent to a client the efficacy of his or her service or the results to be achieved.

6. A licensee shall apprise his or her clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.

7. A licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. A licensee shall collaborate with other colleagues as necessary to meet the needs or interests of the client.

8. A licensee shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs or interests of the client.

9. A licensee shall not withdraw his or her social work services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.

10. A licensee who anticipates the termination or interruption of service to a client shall notify the client promptly and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.

11. Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence a:

(a) Client;

(b) Person with significant personal ties to a client, whether or not related by blood; or

(c) Legal representative of the client,

➥ in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

12. A licensee shall not engage in sexual activity with a client during the time that the client is receiving professional services and for 3 years after the termination of the professional relationship.

13. A licensee shall not solicit or enter into a dual relationship with a client, intern or person who is supervised by the licensee:

(a) During the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and

(b) For at least 2 years after the termination of the professional relationship, internship or period of supervision.

14. A licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

15. As used in this section, "dual relationship" means a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that also includes another professional, social or business relationship with the client, intern or other person.

Sec. 10. 1. This section and sections 1 to 4, inclusive, 8 and 9 of this regulation become effective upon filing with the Secretary of State.

2. Sections 5 and 6 of this regulation become effective on July 1, 2016.

3. Section 7 of this regulation becomes effective on January 1, 2017.