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Administrative Regulations

LCB File No. R055-19

Agency: State of Nevada Board of  
Examiners for Social Workers

FOR EMERGENCY  
REGULATIONS ONLY

Effective date \_\_\_\_\_

Expiration date \_\_\_\_\_

\_\_\_\_\_  
Governor's signature

Classification:  PROPOSED

ADOPTED BY AGENCY

EMERGENCY

**Brief description of action:**

Regulation changes were submitted to the Legislative Counsel Bureau (LCB) on 08/06/2019 and assigned **File No. R055-19**.

These regulation changes are designed to clarify for the public, individuals and licensees 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.

The Board believes it has properly notified any and all interested parties, posted all information pertaining to the proposed regulation, including the small business impact statement, requested solicitation of comments from interested members of the public and properly posted its findings, pursuant to Nevada Revised Statute and the Nevada Administrative Code. This information is provided in further detail in the Legislative Review of Adopted Regulations.

**Authority citation other than 233B:**

NRS 641B.160, NRS 641B.280, NRS 641B.290 and NRS 641B.300.

Notice date: November 12, 2019

Date of Adoption by Agency: December 13, 2019

Hearing date: December 13, 2019



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 16<sup>th</sup> 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

<b>Fee</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>
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 1<sup>st</sup> 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 & 4<sup>th</sup> 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



State of Nevada

**Board of Examiners for Social Workers**

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

(775) 688-2555

**NOTICE OF ADOPTION OF REGULATION**

The Board of Examiners for Social Workers adopted regulations assigned **LCB File No. R055-1917** which pertains to chapter 641B of the Nevada Administrative Code on December 13, 2019. A copy of the adopted regulation is attached hereto.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
NRS 233B.066**

**LCB FILE NO. R055-19**

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
401 S. CARSON STREET  
CARSON CITY, NEVADA 89701-4747  
Fax No.: (775) 684-6600



LEGISLATIVE COMMISSION (775) 684-6800  
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Rick Combs, *Director, Secretary*

INTERIM FINANCE COMMITTEE (775) 684-6821  
MAGGIE CARLTON, *Assemblywoman, Chair*  
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DANIEL L. CROSSMAN, *Legislative Auditor* (775) 684-6815  
MICHAEL J. STEWART, *Research Director* (775) 684-6825

RECEIVED

SEP 23 2019

NV BOARD OF EXAMINERS  
FOR SOCIAL WORKERS

September 19, 2019

Sandy Lowery  
Deputy Director  
Board of Examiners for Social Workers  
4600 Kietzke Lane, C121  
Reno, Nevada 89502

Re: LCB File No. R055-19

Dear Ms. Lowery:

A proposed regulation, R055-19, of the Board of Examiners for Social Workers, has been examined pursuant to NRS 233B.063 and is returned in revised form.

We invite you to discuss with us any questions which you may have concerning this review. Please make reference to our file number in all further correspondence relating to this regulation.

Sincerely,

A handwritten signature in blue ink that reads "Rene Yeckley".

R. Rene Yeckley  
Senate Legal Counsel and Bill Drafting Adviser

Brenda J. Erdoes  
Legislative Counsel

RRY/ah  
Enclosure



**PROPOSED REGULATION OF  
THE BOARD OF EXAMINERS FOR SOCIAL WORKERS**

**LCB File No. R055-19**

September 19, 2019

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

AUTHORITY: §§1-5, 13, 17-19 and 22, NRS 641B.160; §6, NRS 641B.160 and 641B.202; §7, NRS 641B.160 and 641B.200; §8, NRS 641B.160 and 641B.250; §§9 and 10, NRS 641B.160, 641B.280 and 641B.290; §11, NRS 641B.160 and 641B.275; §12, NRS 641B.160 and 641B.300; §14, NRS 641B.160, 641B.270 and 641B.271; §15, NRS 641B.160 and 641B.230; §16, NRS 641B.160 and 641B.240; §§20 and 21, NRS 641B.160 and 641B.280; §23, NRS 641B.160 and 641B.400.

A REGULATION relating to social workers; revising certain definitions; revising provisions governing the required display of a license or copy of a license; revising certain provisions regarding applications for initial licensure and applications for licensure by endorsement; removing requirements for an applicant for licensure to prove his or her citizenship or right to remain and work in the United States; revising how often certain applicants for licensure who have failed the required examination may retake the examination; revising the time period during which a person may apply for the restoration of an expired license; revising certain provisions governing provisional licenses; revising various fees imposed by the Board of Examiners for Social Workers; revising the types of payments that will be accepted by the Board; providing that payments regarding certain applications that have expired are nonrefundable; revising certain provisions relating to licensure by endorsement; revising certain provisions governing internship programs; increasing the number of interns who may be supervised by a supervisor without prior approval from the Board; revising provisions regarding continuing education requirements; revising provisions regarding certain responsibilities of a licensee to a client; revising provisions regarding unprofessional conduct; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Board of Examiners for Social Workers to establish regulations governing the practice of social work. (NRS 641B.160) **Sections 1-4** of this

regulation revise the definitions of certain terms used in chapter 641B of NAC. Specifically, existing regulation defines the term “complainant” to mean a person who complains to the Board of any act of another person. (NAC 641B.025) **Section 1** of this regulation revises this definition to specify that the complaint must concern a person practicing as a social worker. Existing regulations also define the terms “licensed associate in social work” and “licensed social worker,” respectively, to include the requirement that such licensees must practice under the supervision of an agency. (NAC 641B.041, 641B.044) **Sections 2 and 4** of this regulation revise those definitions to eliminate the requirement that such licensees must practice under the supervision of an agency. Further, existing regulation defines the term “licensed independent social worker.” (NAC 641.043) **Section 3** of this regulation revises this definition to specify that a licensed independent social worker engages in the independent practice of social work.

Existing regulation requires each licensee to display his or her license at the licensee’s primary place of employment or practice and to display at all other places of employment or practice of the licensee a copy of the license issued by the Board and certified by a notary public. (NAC 641B.080) **Section 5** of this regulation eliminates the requirement that copies of the license must be issued by the Board and certified by a notary public. Instead, **section 5** requires each licensee to display his or her license or a copy of the license at each place of employment or practice of the licensee.

Existing regulation sets forth the requirements for an application for licensure or renewal of a license to practice social work. (NAC 641B.090) **Section 6** of this regulation: (1) requires an applicant for initial licensure to obtain approval from the Board to take the examination required for licensure; (2) provides that an application for initial licensure expires 9 months after the date the Board grants approval to take the examination; (3) provides that an application for licensure by endorsement expires 6 months after the date the Board receives the application; and (4) requires each applicant for initial licensure and each applicant for licensure by endorsement to complete the application before the application expires.

Prior to July 1, 2019, state law required an applicant for licensure to practice social work to provide evidence to the Board that the person is at least 21 years of age and a citizen of the United States, or lawfully entitled to remain and work in the United States. (NRS 641B.200) During the 2019 Legislative Session, the Legislature enacted Assembly Bill No. 275, which, beginning on July 1, 2019: (1) prohibits a regulatory body from denying licensure of an applicant based on his or her immigration or citizenship status; and (2) deletes statutory provisions governing certain regulatory bodies which specifically require an applicant to be a citizen of the United States or otherwise authorized to work in the United States. (Chapter 627, Statutes of Nevada 2019, at page 4255) **Section 7** of this regulation similarly deletes regulatory provisions in chapter 641B of NAC which specifically require an applicant to provide evidence that the applicant is a citizen of the United States or otherwise authorized to work in the United States. (NAC 641B.095) **Section 7** also revises the type of evidence an applicant for licensure may provide to prove his or her age.

Existing regulation requires an applicant for licensure to practice social work to pass a specific examination. (NAC 641B.105) **Section 8** of this regulation: (1) revises the name of the examination that an applicant for a license as an independent social worker must pass; (2) revises how many times an applicant who failed an examination for initial licensure as a licensed social worker may retake the examination; and (3) revises how often a licensee in an internship program who failed an examination for licensure may retake the examination.

Existing regulation provides that a license to practice social work becomes delinquent if the application for renewal of the license and the required fee are not postmarked on or before the last day of the month of the licensee's birth date. (NAC 641B.110) **Section 9** of this regulation provides that such a license becomes delinquent if the application for renewal and the required fee are not postmarked or received by that date. Existing regulation also authorizes a person whose license has expired to apply within 3 years after the date on which the license expired to regain the right to practice social work at the same level of licensure by applying for restoration of the license. **Section 9** reduces this period from 3 years to 2 years after the date the license expired. **Section 10** of this regulation makes a conforming change. (NAC 641B.111)

Existing regulation provides that a provisional license to engage in social work as a social worker issued pursuant to paragraph (a) of subsection 1 of NRS 641B.275 is no longer valid if the licensee fails the prescribed examination or the licensing period of 9 months expires, whichever occurs first. (NAC 641B.112) **Section 11** of this regulation reduces the licensing period from 9 months to 90 days.

Existing regulation sets forth the application and licensing fees that are imposed by the Board. (NAC 641B.115) During the 2019 Legislative Session, the Legislature enacted Senate Bill No. 502 which increased the maximum application and licensing fees that may be imposed by the Board. (Chapter 300, Statutes of Nevada 2019, at page 1780) **Section 12** of this regulation increases the existing application and licensing fees in accordance with the provisions of S.B. 502.

Existing regulation provides that fees and remittances to the Board must be made by certain forms of payments, such as by money order or check, and that remittances in currency or coin are made wholly at the risk of the remitter. (NAC 641B.120) **Section 13** of this regulation authorizes a person to also use a credit card or debit card to pay fees and remittances to the Board and provides that the Board will not accept currency or coin as payment. **Section 13** also provides that the Board will not refund any money related to an application for initial licensure that has expired or an application for a license by endorsement that has expired.

Existing regulation requires an applicant for licensure by endorsement to meet certain requirements including the requirement to submit proof to the Board that the applicant is of good moral character as it relates to social work. (NAC 641B.126) **Section 14** of this regulation eliminates the requirement for applicants for licensure by endorsement to submit such proof to the Board.

Existing regulation requires an applicant for licensure as a licensed independent social worker or as a licensed clinical social worker to complete an internship consisting of 3,000 hours of supervised, postgraduate social work or clinical social work, as applicable, in a program which is approved by the Board and that meets certain requirements. (NAC 641B.140, 641B.150) Existing regulation provides that, as a general rule, the Board will withdraw its approval for a program if the program is unable to sustain, after 2 full consecutive calendar quarters, the minimum hours necessary for the applicant to complete the program within the period required by the Board. Existing regulation also provides that, in such cases, the Board may require a program to include additional settings. **Sections 15 and 16** of this regulation remove these provisions which specifically authorize the Board to require a program to include additional settings under such circumstances. **Section 16** of this regulation also revises certain requirements for an applicant for a license as a clinical social worker who would like the Board to consider the supervised, postgraduate clinical social work that the applicant performed in the District of Columbia or another state or territory of the United States.

Existing regulation currently prohibits a supervisor from supervising more than 3 interns at one time without prior approval from the Board. (NAC 641B.155) **Section 17** of this regulation increases from 3 to 4 the number of interns that a supervisor may supervise at one time without prior approval from the Board. Existing regulation also provides that the Board will provide, upon request, a copy of its list of approved supervisors to a person applying to become an intern. **Section 17** revises this provision to provide that the Board will make the list of approved supervisors available to a person applying to become an intern rather than making the list available only upon request.

Existing regulation generally requires supervisors of interns to submit quarterly reports to the Board concerning the progress of the intern. (NAC 641B.160) **Section 18** of this regulation replaces these quarterly reports with progress reports which must be submitted every 6 months, unless the Board directs a different schedule or frequency.

Existing regulation authorizes a supervisor to supervise an intern if the supervisor believes that the intern, if licensed, will uphold the professional and ethical standards of the practice of social work. (NAC 641B.165) **Section 19** of this regulation revises this requirement to remove the condition that this belief applies only if the intern is licensed.

Existing regulation generally requires each licensee to complete 4 hours of continuing education relating to ethics in the practice of social work during each reporting period. (NAC 641B.187) Existing regulation also includes a list of examples of the topics that may be included in the 4 hours of continuing education. **Section 20** of this regulation clarifies that the continuing education may include any one of the topics listed or any combination of the topics listed. **Section 20** also removes a provision that authorizes the Board to require a licensee to complete additional continuing education in certain cases in which the Board waived a continuing education requirement for good cause.

Existing regulation provides that before the Board approves a course or program of continuing education, the Board must be satisfied that the course or program meets certain requirements including, without limitation, that the course or program “[c]ontains current and relevant educational material concerning social work” and “is applicable to the practice of social work.” Existing regulation also provides a list of the subject matter that the Board has determined satisfactory to meet these particular requirements. (NAC 641B.190) **Section 21** of this regulation expands the list of the subject matter to include professional behavior in social work, as well as advanced human rights and social, economic and environmental justice.

Existing regulation requires a licensed independent social worker or licensed clinical social worker who is in the independent practice of social work to establish and maintain a professional will. (NAC 641B.205) **Section 22** of this regulation revises this provision to clarify that the requirement applies in the same manner to both licensed independent social workers and licensed clinical social workers who are in the independent practice of social work.

Existing regulation sets forth certain acts that constitute unprofessional conduct by a licensee. (NAC 641B.220) **Section 23** of this regulation provides that a violation of Nevada law or federal law, other than minor traffic violations, may also constitute unprofessional conduct for purposes of disciplinary action by the Board.

**Section 1.** NAC 641B.025 is hereby amended to read as follows:

641B.025 “Complainant” means any person who complains to the Board of any act of another person ~~+~~ *practicing as a social worker.*

**Sec. 2.** NAC 641B.041 is hereby amended to read as follows:

641B.041 “Licensed associate in social work” means a person licensed by the Board pursuant to NRS 641B.210 to engage in the practice of social work as an associate in social work ~~. [under the supervision of an agency.]~~

**Sec. 3.** NAC 641B.043 is hereby amended to read as follows:

641B.043 “Licensed independent social worker” means a person licensed by the Board pursuant to NRS 641B.230 to engage in the *independent* practice of social work as an independent social worker.

**Sec. 4.** NAC 641B.044 is hereby amended to read as follows:

641B.044 “Licensed social worker” means a person licensed by the Board pursuant to NRS 641B.220 to engage in the practice of social work as a social worker. ~~under the supervision of an agency.~~

**Sec. 5.** NAC 641B.080 is hereby amended to read as follows:

641B.080 A licensee shall display prominently ~~at~~

~~1. At the primary~~ **at each** place of employment or practice of the licensee, the license issued to him or her by the Board ~~at~~

~~2. At all other places of employment or practice of the licensee,~~ **or** a copy of the license. ~~issued to him or her by the Board that has been certified as a true copy by a notary public.~~

**Sec. 6.** NAC 641B.090 is hereby amended to read as follows:

641B.090 1. An application for licensure or renewal must be complete before the Board will process the application. ***An applicant for initial licensure or licensure by endorsement must complete the application before the application expires pursuant to subsection 9 or 10, as applicable.*** The Board will consider such an application to be complete if:

- (a) The application is submitted on a form provided by the Board;
- (b) All the information requested has been provided in accordance with the instructions on the form;
- (c) All payments and fees required by the Board for licensure or renewal have been received by the Board; and
- (d) All documents required by the Board for licensure or renewal have been received by the Board.

2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he or she has previously submitted to the Board.

3. By submitting an application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within the application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.

4. An applicant for initial licensure must submit to the Board to satisfy the requirements of NRS 641B.202:

(a) Two sets of completed fingerprint cards;

(b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.

5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.

6. If deemed necessary, the Board will require the personal appearance of the applicant.

7. For each application, the Board will:

(a) Approve the application;

(b) Defer action on the application pending the receipt by the Board of additional information concerning the application; or

(c) Deny the application.

8. The Board may waive the required examination for an applicant if the applicant passed an examination that is at least equivalent to the examination that the applicant would otherwise be required to take pursuant to NAC 641B.105.

***9. Before an applicant for initial licensure may take the examination required pursuant to NAC 641B.105, the applicant must obtain approval from the Board to take the examination. An application for initial licensure expires 9 months after the date the initial approval to take the examination is granted by the Board.***

***10. An application for a license by endorsement expires 6 months after the date the application is received by the Board.***

Sec. 7. NAC 641B.095 is hereby amended to read as follows:

641B.095 ***1.*** For the purposes of NRS 641B.200, the Board will accept as satisfactory evidence of ~~1.~~

~~1. The] *the*~~ age of the applicant:

(a) A certified copy of his or her birth certificate;

(b) A ***copy of a current*** passport;

(c) ~~[A baptismal certificate;~~

~~—(d)]~~ A ***copy of a current*** driver's license; or

~~[(e)]~~ ***(d)*** Any other such documentation regarding age that is satisfactory to the Board.



~~{↔}~~ 2. If the evidence submitted pursuant to this ~~[subsection]~~ *section* includes any order of a court or other legal document specifying a change of name of the applicant or any form of identification that includes a photograph of the applicant, a copy of the document or identification must also be submitted to the Board.

~~{2. The citizenship of the applicant:~~

~~—(a) A certified copy of his or her birth certificate;~~

~~—(b) A passport;~~

~~—(c) Naturalization papers; or~~

~~—(d) Any other such documentation regarding citizenship that is satisfactory to the Board.~~

~~—3. The lawful entitlement of the applicant to remain and work in the United States, a copy of documentation from the United States Citizenship and Immigration Services of the Department of Homeland Security evidencing the lawful entitlement of the applicant to remain and work in the United States.]~~

**Sec. 8.** NAC 641B.105 is hereby amended to read as follows:

641B.105 1. Except as otherwise provided in NAC 641B.090 and 641B.126, an applicant for licensure as a licensed social worker, licensed independent social worker or licensed clinical social worker must pass the appropriate examination, as described in subsection 2, given by the Association of Social Work Boards or another testing administrator that has been approved by the Board.

2. An applicant for licensure as:

(a) A licensed social worker must pass the Bachelors Examination of the Association of Social Work Boards if the applicant holds a baccalaureate degree in social work as described in

NRS 641B.220. If the applicant holds a master's degree in social work as described in NRS 641B.220, the applicant must pass the Bachelors Examination or Masters Examination of the Association of Social Work Boards.

(b) A licensed independent social worker must pass the Advanced *Generalist* Examination of the Association of Social Work Boards.

(c) A licensed clinical social worker must pass the Clinical Examination of the Association of Social Work Boards.

3. Except as otherwise provided in this section, an applicant who is required to pass an examination pursuant to this section must satisfy the Board that he or she possesses the necessary requirements regarding age, ~~citizenship,~~ character, education and, if applicable for the relevant license, supervisory experience before taking the examination. A student of social work currently enrolled in his or her last semester may take the examination before the award of his or her degree. For the purposes of this subsection, "student of social work" means a person enrolled in an undergraduate or graduate program of study leading to a degree in social work from a college or university accredited by the Council on Social Work Education or which is a candidate for such accreditation.

4. An applicant for initial licensure as a licensed social worker who is required to pass an examination pursuant to this section must do so within 6 months after satisfying the requirements set forth in subsection 3.

5. In addition to the requirements for offering examinations set forth in NRS 641B.250, examinations will be offered as deemed appropriate by the Board and as scheduled by the

Association of Social Work Boards or another testing administrator that has been approved by the Board.

6. A failed examination:

(a) For initial licensure as a licensed social worker may be retaken ~~{once,}~~ **every** 90 days after the failed examination ~~{}~~ ***until the application expires pursuant to NAC 641B.090.***

(b) By a licensee in an internship undertaken pursuant to NAC 641B.140 or 641B.150 may be retaken **every** 90 days after the failed examination and thereafter. ~~{, one examination may be taken every 6 months.}~~

**Sec. 9.** NAC 641B.110 is hereby amended to read as follows:

641B.110 1. Except for a provisional license issued pursuant to NRS 641B.275:

(a) An initial license will not become delinquent less than 1 year after the date of issuance.

(b) Except as otherwise provided in subsection 4, after initial licensure, each license will become delinquent annually on the last day of the month of birth of the licensee and will expire 60 days thereafter.

2. Except as otherwise provided in this subsection, an application for the renewal of a license must be completed on forms supplied by the Board and submitted to the Board on or before the last day of the month of birth of the licensee. An application for the renewal of a provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 must be submitted to the Board annually on or before the last day of the 12th month after the month in which the license was initially issued, until the expiration of the 3-year period of licensure set forth in NAC 641B.112 or until the license is no longer valid pursuant to NAC 641B.112.

3. If an application for renewal and the required fee are not postmarked *or received* on or before the last day of the month of birth of the licensee, the license becomes delinquent. A licensee whose license becomes delinquent or expires may not engage in the practice of social work until the license has been renewed or restored, as applicable.

4. Except as otherwise provided in this subsection, an application for renewal on which action is deferred pending the receipt by the Board of additional information concerning the application will expire if the additional information is not received by the Board within 21 days after the Board requests the additional information. The application will not expire if the Board, upon written request by an applicant, allows additional time as the Board deems reasonable and necessary to allow the applicant to gather the requested information. The license to which such an application pertains will not become delinquent or expire before the Board approves or denies the application.

5. A person whose license has expired may, within ~~3~~ 2 years after the date on which the license expired, regain the right to practice social work at the same level of licensure by applying for restoration pursuant to NAC 641B.111. A person whose license has expired and who, more than ~~3~~ 2 years after the date on which it expired, wishes to regain the right to practice social work at the same level of licensure must apply for a license pursuant to NAC 641B.090 to 641B.105, inclusive.

6. If a licensee notifies the Board in writing that the licensee will not renew his or her license and allows the license to expire, the Board will not consider the license to be delinquent for the purposes of NRS 641B.290.

**Sec. 10.** NAC 641B.111 is hereby amended to read as follows:

641B.111 1. An application for restoration of an expired license must be completed on a form supplied by the Board and submitted to the Board within ~~{3}~~ 2 years after the date on which the license expired.

2. In addition to the requirements set forth in NRS 641B.290 and except as otherwise provided in subsection 4, an application for restoration of an expired license must be accompanied by:

(a) Two sets of completed fingerprint cards;

(b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

(c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the report of criminal history;

(d) Evidence of the completion of all past continuing education hours; and

(e) Evidence that:

(1) The appropriate examination for licensure was passed by the applicant; or

(2) The licensee has maintained an equivalent license from another state in good standing.

3. If the State Controller has notified the Board pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency which has been assigned to the State Controller for collection pursuant to NRS 353C.195, the Board will not restore the applicant's expired license unless the Board receives notification from the State Controller that the applicant has:

(a) Satisfied the debt;

(b) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(c) Demonstrated that the debt is not valid.

4. After receiving an application for restoration of an expired license, the Board may:

(a) Grant an extension of not more than 6 months for the completion of past continuing education hours; and

(b) For good cause, waive the requirements of subsection 2 regarding the continuing education hours required pursuant to NAC 641B.187.

5. If the applicant has been the subject of a disciplinary action by the Board or any other licensing agency in this State or any other jurisdiction, the Board may hold a hearing on an application for the restoration of an expired license to consider, without limitation:

(a) The possible refusal to restore the expired license; and

(b) The restoration of the expired license and the imposition of disciplinary action.

**Sec. 11.** NAC 641B.112 is hereby amended to read as follows:

641B.112 1. For purposes of paragraph (b) of subsection 1 of NRS 641B.275:

(a) An applicant must cause the college or university to forward directly to the Board the evidence of enrollment.

(b) The evidence of enrollment must include evidence, that is satisfactory to the Board, of formal admission to the program of study and of satisfactory progress toward the degree, indicating that the applicant will be able to obtain the degree in social work within 3 years.

2. A provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 is no longer valid:

(a) If, upon request of the Board, the licensee fails to cause the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(b) If the licensee fails to renew his or her provisional license by:

(1) Submitting to the Board the application for renewal on a form supplied by the Board and the appropriate fee; and

(2) Causing the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(c) Three years after:

(1) The initial issuance of the license; or

(2) The licensee graduates from a program of study leading to a degree in social work,  
→ whichever occurs first.

3. A person is not eligible for the issuance of a provisional license pursuant to paragraph (a) of subsection 1 of NRS 641B.275 if he or she has failed the prescribed examination within 5 years immediately preceding the date on which he or she submits his or her application.

4. A provisional license issued pursuant to paragraph (a) of subsection 1 of NRS 641B.275 is no longer valid if:

(a) The licensee fails the prescribed examination; or

(b) The provisional licensing period of ~~9 months~~ **90 days** expires,

→ whichever occurs first.

5. The holder of a provisional license may be subject to disciplinary action pursuant to NRS 641B.400, including, without limitation, the revocation of his or her license.

6. A provisional license that has been invalidated or revoked may not be reinstated or restored. A person who has obtained a provisional license is not eligible for a second provisional license.

7. The holder of a provisional license to engage in social work, to engage in social work as a licensed independent social worker or to engage in social work as a licensed clinical social worker shall practice under the supervision of a licensed social worker who is:

(a) Licensed pursuant to chapter 641B of NRS; and

(b) Authorized pursuant to the provisions of chapter 641B of NRS to practice in the setting in which the holder of the provisional license intends to practice.

**Sec. 12.** NAC 641B.115 is hereby amended to read as follows:

641B.115 An applicant must pay the following fees for licensure:

1. Licensed associate in social work:

- (a) Annual renewal of license ..... ~~[\$100]~~ **\$125**
- (b) Restoration of revoked license ..... 150
- (c) Restoration of expired license ..... 200
- (d) Renewal of delinquent license ..... 100

2. Licensed social worker:

- (a) Initial application ..... ~~[\$40]~~ **\$50**
- (b) Initial issuance of license *other than license by endorsement* ..... ~~[\$100]~~ **125**
- (c) Annual renewal of license ..... ~~[\$100]~~ **125**
- (d) Restoration of revoked license ..... 150



(e) Restoration of expired license .....	200
(f) Renewal of delinquent license .....	100
(g) <del>[Endorsement license without examination]</del> <b>Initial issuance of license by</b> <b>endorsement pursuant to NRS 641B.271</b> .....	<del>[100]</del> <b>125</b>
(h) <b>Initial issuance of license by endorsement pursuant to NRS 641B.272</b> .....	<b>62.50</b>
(i) Initial issuance of provisional license .....	<del>[75]</del> <b>93.75</b>
<del>[(i)]</del> (j) Annual renewal of provisional license.....	<del>[75]</del> <b>93.75</b>
3. Licensed independent social worker and licensed clinical social worker:	
(a) Initial application.....	<del>[\$40]</del> <b>\$50</b>
(b) Initial issuance of license <b>other than license by endorsement</b> .....	<del>[100]</del> <b>125</b>
(c) Annual renewal of license .....	<del>[150]</del> <b>187.50</b>
(d) Restoration of revoked license .....	150
(e) Restoration of expired license .....	200
(f) Renewal of delinquent license .....	100
(g) <del>[Endorsement license without examination]</del> <b>Initial issuance of license by</b> <b>endorsement pursuant to NRS 641B.271</b> .....	<del>[100]</del> <b>125</b>
(h) <b>Initial issuance of license by endorsement pursuant to NRS 641B.272</b> .....	<b>62.50</b>
(i) Initial issuance of provisional license .....	<del>[75]</del> <b>93.75</b>

⇒ If an applicant applies for more than one type of license at one time, he or she will be required to pay only one application fee.

~~[4.—In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.271, the Board will charge and collect the fees set forth in subsection 2 or 3, as applicable, for the initial application for and initial issuance of a license.~~

~~—5.—In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.272, the Board will charge and collect one half of the fee set forth in subsection 2 or 3, as applicable, for the initial issuance of a license.]~~

Sec. 13. NAC 641B.120 is hereby amended to read as follows:

641B.120 1. Fees and remittances to the Board must be made by *using a credit card, debit card*, money order, bank draft or check payable to the Board. ~~[Remittances in]~~ *The Board will not accept* currency or coin ~~[are made wholly at the risk of the remitter, and the Board assumes no responsibility for a loss thereof.]~~ *as payment.*

2. Payment in full of all required fees must accompany each application for licensure or renewal.

3. The Board will establish bank accounts necessary for handling of fees and remittances. The accounts will require for the transaction of business the signature of:

- (a) Two members of the Board; or
- (b) Any member of the Board and the Executive Director of the Board.

4. ~~[An application for licensure on which no action has been taken by the applicant for 6 months after its receipt by the Board will be considered by the Board to have lapsed.]~~ The Board will not refund any ~~[fee]~~ *money* related to an application which has ~~[lapsed.]~~ *expired pursuant to subsection 9 or 10 of NAC 641B.090.*

Sec. 14. 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 the District of Columbia or any state or territory of the United States, a corresponding and valid 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.

2. An applicant for licensure by endorsement pursuant to this section must submit to the Board:

(a) ~~[A-written]~~ **An** application on a form prescribed by the Board;

(b) The applicable fee; **and**

(c) Except as otherwise provided in subsection 3, 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.]~~

3. 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. 15.** NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except for an applicant for licensure by endorsement, 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 subsection 3, 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]~~ *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 social worker or 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;

(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. The Board will approve 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 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 **approved by the Board**. 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. 16.** NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except for an applicant for licensure by endorsement, 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 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, without limitation:

(1) ~~[Except as otherwise provided in subsection 2, the]~~ *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 32 hours per week, not to exceed 416



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 ~~[ ]~~ *approved by the Board*. 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 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.

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) Practice which is not under the supervision of an agency ~~H~~ *approved by the Board*. 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.

**Sec. 17.** 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, a licensed independent 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.

(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.

(e) Successfully complete training as specified by the Board. Such training must be repeated every 5 years after the initial approval of the person as a supervisor of an intern.

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~~ *four* 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~~ *make* the list *available* 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. 18.** NAC 641B.160 is hereby amended to read as follows:

641B.160 1. A supervisor of an intern is responsible for the practice of social work by the intern.

2. A supervisor of an intern shall ensure that:

(a) The work of the intern is conducted in an appropriate professional setting;

- (b) The work of the intern is consistent with the standards of the profession;
- (c) The intern is assisted with the development of his or her professional identity;
- (d) The intern has gained the skills required to manage his or her practice;
- (e) The intern has gained the skills required for continuing competency;
- (f) The intern has gained knowledge of the laws and regulations applicable to the practice of social work;
- (g) The intern is familiar with the current literature concerning those areas of social work relevant to his or her area of practice; and

(h) The intern provides services that are culturally and linguistically appropriate.

3. A supervisor of an intern shall:

(a) Except as otherwise provided in subsection 4, meet in person with the intern on an individual basis for at least 1 hour every week, unless the Board specifically directs a different schedule or frequency for the meetings, to discuss and evaluate the performance of the intern in his or her practice;

(b) Unless waived by the Board for good cause, if the intern practices social work at a site at which the supervisor does not practice social work, visit the site at least once every month and as necessary consult with the on-site supervisor regarding the practice of social work by the intern;

(c) Prepare and submit to the Board ~~quarterly~~ *progress* reports *every 6 months* and a final report, unless the Board specifically directs a different schedule or frequency for the reports, on forms provided by the Board, concerning the progress of the intern in his or her practice; and

(d) Be available to consult with the Board concerning the record, competence in practice, emotional and mental stability or professional and ethical conduct of the intern.

4. A supervisor of an intern may use telecommunication technologies to supervise an intern remotely, but the supervisor must meet in person with the intern at the site at which the intern practices social work at least once every month.

5. Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.

6. A supervisor of an intern shall analyze the performance of an intern through information obtained from:

- (a) Observation or participation in the practice of the intern;
- (b) The notes of the intern; and
- (c) Process recordings prepared by the intern.

7. The Board may refuse to accept a **{quarterly} progress report** or final report submitted by a supervisor of an intern as required pursuant to paragraph (c) of subsection 3 if the report:

- (a) Does not satisfy the reporting requirements for the forms provided by the Board;
- (b) Does not include such additional information concerning the internship as requested by the Board; or
- (c) Is received by the Board after the date on which the report is due.

8. If the Board refuses to accept a **{quarterly} progress report** or final report pursuant to subsection 7, the Board will disallow credit for all hours of internship as reported on the report.

9. The Board will, if it deems appropriate, require additional hours of internship and supervision for an intern who fails to demonstrate the degree of competency expected at the end of an internship.

10. The Board will, if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:

(a) Fails to supervise an intern adequately;

(b) Fails to comply with each applicable provision of a statute or regulation;

(c) Fails to submit acceptable reports as required in paragraph (c) of subsection 3 regarding the progress of each intern under his or her supervision;

(d) Without good cause or approval by the Board, fails to submit two consecutive reports as required pursuant to paragraph (c) of subsection 3;

(e) Fails to complete the training required by the Board pursuant to subsection 1 of NAC 641B.155; or

(f) Becomes subject to an order issued by the Board for disciplinary action.

11. A person whose approval to supervise an intern has been withdrawn by the Board because he or she is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after satisfactorily completing the requirements of the order.

12. If the Board withdraws its approval of the person supervising an intern:

(a) The Board may disallow credit for all hours of internship as reported on ~~{quarterly}~~ *progress reports* and final reports submitted by the supervisor pursuant to paragraph (c) of subsection 3; and

(b) The intern may apply to the Board for the:

(1) Assignment of another approved supervisor; and

(2) Approval of a new internship agreement and plan of supervision.



13. As used in this section, “process recording” means a written record of an interaction with a client.

**Sec. 19.** NAC 641B.165 is hereby amended to read as follows:

641B.165 A supervisor of an intern may agree to provide or continue the supervision of an intern only if he or she believes that the intern:

1. Will qualify for licensure pursuant to chapter 641B of NRS;
  2. Is achieving the competence necessary to practice in social work or clinical social work;
- and
3. ~~If licensed, will~~ **Will** uphold the professional and ethical standards of the practice of social work.

**Sec. 20.** NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsection 3, during each reporting period:

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

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, scope of practice, professional conduct, standards of care ~~and~~ **or** impaired professionals ~~and~~ **, or any combination thereof;**

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; 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, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, scope of practice, professional conduct, standards of care ~~and~~ *or* impaired professionals ~~;~~, *or any combination thereof*;

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; 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:~~ 6:

(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 65 years of age and is retired from the practice of social work.

(b) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period if it finds good cause to do so.

(c) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which a licensee is enrolled in a program leading to:

(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

(2) A doctoral degree in social work.

⇒ If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of such enrollment during the reporting period for which the continuing education requirements are waived.

4. ~~If the Board waives the continuing education requirements for a reporting period pursuant to paragraph (b) of subsection 3, it may require the licensee to complete, during the reporting period immediately following that reporting period, additional continuing education hours not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the reporting 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 immediately preceding reporting period.

~~[6.]~~ 5. 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.]~~ 6. The Board will not:

(a) Waive the continuing education *concerning suicide prevention and awareness which is* required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable; or

(b) Renew the license of a licensee who has not completed such continuing education.

**Sec. 21.** 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;

(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 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, online 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 ~~{;}~~ **and professional behavior;**

(f) Services that are culturally and linguistically appropriate;

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

(h) Evidence-based suicide prevention and awareness; ~~{or}~~

(i) **Advanced human rights and social, economic and environmental justice; or**

(j) 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. 22.** 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. A licensed independent social worker or licensed clinical social worker who is in the independent practice of social work shall establish and maintain a professional will which must specify the person who will serve as a professional executor for the licensed independent social worker ~~or~~ ***or licensed clinical social worker***. The executor must oversee the client records, billing and financial records, appointment book and client contact information, passwords and access codes and notify the clients of the licensed independent social worker ***or licensed clinical social worker*** in the event that he or she becomes incapacitated or unable to provide social work services, or upon his or her unexpected death.

**Sec. 23.** NAC 641B.220 is hereby amended to read as follows:

641B.220 1. A licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, or commits any act that constitutes a basis for refusal by the Board to issue a license pursuant to subsection 2 of NRS 641B.260 is guilty of unprofessional conduct.

2. ***If the Board determines during an investigation of a violation of this chapter or chapter 641B of NRS that a licensee has violated the laws of Nevada or the United States, except minor traffic violations, the violation of the laws of Nevada or the United States may be grounds for disciplinary action against the licensee by the Board for unprofessional conduct.***



*The Board may impose discipline upon the licensee whether or not the licensee has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, such a violation.*

3. If a violation or other unprofessional conduct occurs:

(a) While the license of a licensee is in effect; or

(b) Between the time when the license of a licensee expires and the time when the license has been restored pursuant to NAC 641B.111,

↳ the Board will take disciplinary action, as appropriate, against the licensee even if the license thereafter has expired or been suspended.

~~[3.]~~ 4. The revocation, suspension or other disciplinary action taken by any state on a professional license or certificate or registration that was issued by that state is grounds for disciplinary action against the licensee by the Board for unprofessional conduct.

~~[4.]~~ 5. The failure of a licensee to comply with a stipulation, agreement, advisory opinion or order issued by the Board constitutes unprofessional conduct.



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.**

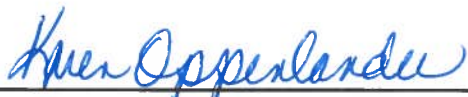
Based on our survey results of both businesses and licensees, we discovered that 85% of **all social workers** who responded reported that they are expected to pay for their own licensing and renewals. Sixty-two percent of small businesses require their employees to manage their own licensing fees so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



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



State of Nevada  
**Board of Examiners for Social Workers**  
4600 Kietzke Lane, #C-121, Reno, NV 89502  
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**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS  
AS REQUIRED BY NRS 233B.066**

**LCB FILE NO. R055-19**

**1. A clear and concise explanation of the need for the adopted regulation(s).**

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:

**Sections 1 through 4** of this regulation revise the definitions of certain terms used in chapter 641B of NAC. NAC 641B.025 clarifies that a complainant must concern a person practicing as a social worker. NAC 641B.041 removes the requirement that a "licensed associate in social work" must practice under the supervision of an agency. NAC 641B.043 clarifies that a licensed independent social worker engages in the independent practice of social work. NAC 641B.044 removes the requirement that a "licensed social work" must practice under the supervision of an agency.

- The first change ensure that complaints received by the Board of Examiners for Social Workers, "Board" are related to the practice of social work.
- The next three changes clarify and more effectively define scopes of practice for social workers.

**Section 5** of this regulation eliminates the requirement that copies of the license must be issued by the Board and certified by a notary public. Instead, it requires each licensee to display his or her license or a copy of the license at each place of employment or practice of the licensee. NRS 641B.080.

- This change allows for easier practice for social workers practicing in more than one location.

**Section 6** of this regulation makes changes to NRS 641B.090: (1) requires an applicant for initial licensure to obtain approval from the Board to take the examination required for licensure; (2) extends the amount of time that an application for initial licensure expires from 6 months to 9 months after the date the Board grants approval to take the examination; (3) distinguishes that an application for licensure by endorsement expires 6 months after the date the Board receives the application; and (4) requires each applicant for initial licensure and each applicant for licensure by endorsement to complete the application before the application expires.

- These changes allow for initial applicants to have additional time to pass the appropriate licensing exam before their application closes. It also clarifies the amount of time each type of application remains open.

**Section 7** of this regulation similarly deletes regulatory provisions in NAC 641B.095 which specifically require an applicant to provide evidence that the applicant is a citizen of the United States or otherwise authorized to work in the United States. It also revises the type of evidence an applicant for licensure may provide to prove his or her age.

**Section 8** of this regulation makes changes to NRS 641B.105: (1) revises the name of the examination that an applicant for a license as an independent social worker must pass; (2) revises how many times an applicant who failed an examination for initial licensure as a licensed social worker may retake the examination; and (3) revises how often a licensee in an internship program who failed an examination for licensure may retake the examination.

**Section 9** of this regulation makes changes to 641B.110: (1) clarifies that applications for renewal will be considered delinquent if the application and payment are not received on or before the last day of the month of the licensee's birth date; (2) it also changed the amount of time an individual has to restore an expired license from 3 to 2 years.

- Our renewals are online now, the original language of "postmarked by" was no longer accurate.
- The reduction of the restoration period will provide a cost savings for individuals who wish to return to social work by allowing them to apply for an initial license a year earlier.

**Section 10** of this regulation makes conforming changes to NAC 641B.111.

**Section 11** of this regulation makes a correction to language in 641B.112 reducing the licensing period for a "Provisional A" temporary license from 9 months to 90 days.

- It has been the practice of the Board to issue the "Provisional A" temporary license for a period of 90 days since its inception. This change corrects NAC language and is in line with other licensing Boards who also issue temporary licenses.

**Section 12** of this regulation makes changes to NAC 641B.115 and increases the existing application, renewal, endorsement and licensing fees in accordance with the provisions of S.B. 502, based on recommendations from both Executive Branch Audit and Legislative Counsel Bureau Audit. Please see **Attachment "A"** for a review of the history of fee changes for this Board.

Fee	Current	Proposed	Increase	Last Increase
Initial application	40.00	50.00	10.00	1993
Initial application for licensure	100.00	125.00	25.00	1987 for LCSW 2015 for LSW
Endorsement	100.00	125.00	25.00	1987
Issuance and renewal of a provisional license	75.00	93.75	18.75	2003
Annual Renewal for LASW / LSW	100.00	125.00	25.00	2015
Annual Renewal for LCSW / LISW	150.00	187.50	27.50	2003

**Section 13** of this regulation makes changes to NAC 641B.120: (a) authorizes a person to also use a credit card or debit card to pay fees and remittances to the Board and provides that the Board will no longer accept currency or coin as payment; (2) provides that the Board will not refund any money related to an application for initial licensure that has expired or an application for a license by endorsement that has expired.

- It is the practice of most licensing Boards to not accept cash due to risk management issues.
- Second item clarifies what money is eligible for a refund should an application expire.

**Section 14** of this regulation removes the requirement for "proof" that the applicant is of good moral character as it relates to the practice of social work in application for licensure via endorsement as stipulated in NAC 641B.126.

- NRS 641B.271 does not specify proof of good moral character, therefore NAC 641B.126 is requiring information in excess of legislative authority.

**Sections 15 through 18** of this regulation make changes to NACs that are related to post-graduate internships. They include changes to NAC 641B.140, NAC 641B.150, NAC 641B.155: (1) removes language that limits opportunities for post-graduate internships; (2) removes the "substantially equivalent" requirements for hours being considered from another state; (3) increases the number of post-graduate interns a supervisor can carry from 3 to 4; (4) decreases the frequency of post-graduate internship progress reports from quarterly to twice a year.

- These changes allow for greater flexibility for interns in post-graduate internships and allow supervisors to oversee more interns with a decrease in required paperwork.

**Section 19** of this regulation clarifies that post-graduate interns will uphold professional and ethical standards of social work.

**Section 20** and **Section 21** of this change address continuing education requirements for social workers. It includes changes to NAC 641B.187 and NAC 641.190: (a) clarifying the list of topics that can be utilized for the required four continuing education units relating to ethics in the practice of social work during each reporting period; (b) removing a provision that authorizes the Board to require a licensee to complete additional continuing education in certain cases in which the Board waived a continuing education requirement for good cause; (c) expands language around what is considered current and relevant educational material concerning social work; (d) disallows the Board from waiving continuing education units concerning suicide prevention and awareness for any licensees, active or retired.

- These changes address some confusing language around allowable content for ethics related continuing education units.
- It removes the ability for the Board to require a licensee to complete additional continuing education units if a waiver has been granted.
- Suicide prevention continuing education units are mandated in NRS 641.280 in language that does not allow for any waiving of these requirements.

**Section 22** of this regulation revises NAC 641.201 to clarify that the requirement for a professional applies in the same manner to both licensed independent social workers and licensed clinical social workers who are in the independent practice of social work.

**Section 23** of this regulation revises NAC 641B.220 to include that a violation of Nevada law or federal law, other than minor traffic violations, may also constitute unprofessional conduct for purposes of disciplinary action by the Board.

## **2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

The conversation about the proposed NAC changes began during the 2019 Legislative Session as the Board's Executive Director, Board President and Lobbyist discussed the rationale for SB 502, which increased the maximum amounts that could be charged by the Board for applications, initial licenses, renewals and endorsement. Discussions were held with licensees and other interested parties face-to-face, by telephone and by email as the legislative session progressed. SB 502 was passed and went into effect on July 1, 2019.

On **July 30, 2019** and **July 31, 2019**, the Board held its first **Public Workshops** in Reno, NV, to develop amended language to NAC 641B. This would be foundation of R055-19. Notification of the July workshops was placed on the Board's website, and on the Nevada Public Notice Website. Additionally, notification of the Public Workshops was sent via email to the Board's listserv, reaching over 3000 licensees and other interested parties were invited on an individual basis.

The two-day Workshop / Board Meeting netted the language changes that were the basis of the information submitted to the Legislative Counsel Bureau for review.

- Copies of all documents related to the proposed regulation changes were placed on the Board's website at <http://socwork.nv.gov>.
- Notice of the second set of public workshops was posted on the Board's website, sent via email to the Board's listserv, and postcards were mailed by US mail to all individuals licensed as social workers.



- Notice of the Public Hearings and Intent to Act upon a Regulation was posted on the Board's website, was sent via email to the Board's listserv, and postcards were mailed by US mail to all individuals licensed as social workers.
- Notice for the Public Workshops and Public Hearing the Nevada Public Notice Website, <https://notice.nv.gov/Notice>, on the Nevada State Legislative Administrative Regulations website, <https://www.leg.state.nv.us/App/Notice/A/> and sent to all county libraries in Nevada and posted at the following locations:

Nevada Board of Examiners for Social Workers 4600 Kietzke Lane, Suite C-121 Reno, Nevada 89502	University of Nevada, Reno School of Social Work Ansari Business Building Reno, Nevada 89557
Nevada State Library 100 North Stewart Street Carson City, Nevada 89701	Mojave Mental Health Clinic 6375 West Charleston Blvd., Suite A100 Las Vegas, Nevada 89146
University of Nevada, Las Vegas School of Social Work 4505 S. Maryland Parkway Las Vegas, Nevada 89154	University of Nevada, Reno System Computing Services Reno, Nevada 89557
South Valley's Library (September 11 <sup>th</sup> meeting) 15650 Wedge Parkway Reno, NV 89511	United Way (September 12 <sup>th</sup> meeting) 5830 West Flaming Road Las Vegas, NV 89103

**Public Workshops** to solicit comments pertaining to the proposed regulation change in R055-19 were conducted on September 11, 2019 in Reno, NV (address above) and again on September 12, 2019 in Las Vegas, NV (address above).

The transcripts of both meetings, attached hereto (**Attachment "B"**), and a summary of the public's response to the proposed regulation changes at both of the above noted locations (**Attachment "C"**) are available on the Board's website.

Interested persons may obtain a copy of the transcript of the Public Workshops and summary of public comments 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).

### 3. The Number of Individuals Who:

#### a. Attended each hearing.

Public workshops/hearing to solicit comments on the proposed regulation changes contained in LCB File No. R055-19 were conducted on:

- Public Workshop: July 30, 2019 in Reno – 12 attendees
- Public Workshop: July 31, 2019 in Reno – 13 attendees
- Public Workshop: September 11, 2019 in Reno, NV – 22 attendees
- Public Workshop: September 12, 2019 in Las Vegas – 9 attendees
- Public Hearing: December 13, 2019 in Reno (video conferenced to Las Vegas) – 16 attendees

#### b. Testified at each hearing.

The Public Workshops held on **July 30, 2019** and **July 31, 2019** were working groups to develop the language that would ultimately become R055-19. The attendees were a mix of Board staff, Board members, licensees and public (see below) and each individual both attended and testified at the Public

Workshops. During the **September 11, 2019** and **September 12, 2019** Public Workshops, the attendees were a mix of Board staff, Board members, licensees and public (see below) and each individual both attended and testified at the Public Workshops. Meeting minutes and / or meeting transcripts are available on the Board's website, <http://socwork.nv.gov>

On **December 13, 2019**, the Board conducted a **Public Hearing for the Adoption of a Regulations**. The attendees were a mix of Board staff, Board members, licensees and public and each individual both attended and testified at the Public Hearing. The transcript from the December 13, 2019 Public Hearing is available on the Board's website, <http://socwork.nv.gov>.

**c. Submitted to the agency written statements.**

The Board did receive one emailed statements pertaining to LCB File No. R055-19. It suggested leaving the fees for retired licensees at the current rates. The Board reviewed this comment and agreed on a plan to propose a new licensure level – "inactive" that would address this in the 2021 Legislative Session.

**4. For Each Person Identified in Section Number Three Above, the Following Information Provided to the Board During the Public Workshop/Hearing on July 30, 2019, July 31, 2019, September 11, 2019, September 12, 2019 and December 13, 2019 are as follows:**

Attendance was as follows for **July 30, 2019 – 12 individuals attended – 12 testified**

Name	Entity or Organization	Misc. Information	Testified
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowery, LCSW, LCADC	Social Work Board staff	Deputy Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member – Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member – Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member – Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member – Reno	Yes
Michael Detmer. Esq.	Attorney General's Office	Deputy Attorney General – Las Vegas	Yes
Kathleen Bergquist, LCSW	University of Nevada, Las Vegas	Licensee - Las Vegas	Yes
Shadi Martin	University of Nevada, Reno	Public – Reno	Yes
Rota Rosaschi	Nevada Public Health Foundation	Licensee – Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist – Reno	Yes
Mendy Elliott	Capital Partners	Lobbyist - Reno	Yes

Attendance was as follows for **July 31, 2019 – 13 individuals attended – 13 testified**

Name	Entity or Organization	Misc. Information	Testified
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowery, LCSW, LCADC	Social Work Board staff	Deputy Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member – Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member – Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member – Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member – Reno	Yes
Michael Detmer	Attorney General's Office	Deputy Attorney General – Las Vegas	Yes

Kathleen Bergquist, LCSW	University of Nevada, Las Vegas	Licensee - Las Vegas	Yes
Shadi Martin	University of Nevada, Reno	Public – Reno	Yes
Rota Rosaschi, LSW	Nevada Public Health Foundation	Licensee – Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist – Reno	Yes
Mendy Elliott	Capital Partners	Lobbyist - Reno	Yes
Megan Jones	University of Nevada, Reno, Student	Student - Reno	Yes

Attendance was as follows for **September 11, 2019** in Reno – **22 individuals attended – 22 testified**

<b>Name</b>	<b>Entity or Organization</b>	<b>Misc. Information</b>	<b>Testified</b>
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member – Reno	Yes
Lisa DeHart, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Bertha Carter, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Donna Bartell, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Kathleen Fanelli, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Slara Lazaro, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Jaymee Oxborrow, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Sophie Walker, LSW	Liberty Dialysis	Licensee – Reno	Yes
Alanna Fitzgerald, LSW	University of Nevada, Reno	Licensee – Reno	Yes
Rota Rosaschi, LSW	NV Public Health Foundation	Licensee – Reno	Yes
Tess Peterson	University of Nevada, Reno, Student	Public – Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist	Yes
Monique Normand, LSW	Health Psychology Associates	Licensee – Reno	Yes
Corinne Taylor, LCSW	Renown Behavioral Health	Licensee – Reno	Yes
Paula Bosler, LCSW	Retired	Licensee – Reno	Yes
Marciana Brown-Deaderick, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Daxea DeWeese, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Tara Endsley, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Carmen Cortez, LSW	NV State Division of Welfare	Licensee – Reno	Yes
Tara Van Patten	University of Nevada, Reno, Student	Public – Reno	Yes
Michael McMahon, LASW	Alpha Productions Technologies	Licensee – Reno	Yes

Attendance was as follows for **September 12, 2019** meeting in Las Vegas – **9 individuals attended – 9 testified**

<b>Name</b>	<b>Entity or Organization</b>	<b>Misc. Information</b>	<b>Testified</b>
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member – Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member – Las Vegas	Yes
Vaniqua Jones, LSW	Clark County School District	Licensee – Las Vegas	Yes
Deborah Romes, LCSW	Private Practice	Licensee – Las Vegas	Yes
Lucas Hatch, LCSW	KW Legacy Ranch	Licensee – Las Vegas	Yes
Elsi Carrera	University of Nevada Cooperative Extension Service	Public – Las Vegas	Yes
Samantha Martines	University of Nevada, Las Vegas, student	Public – Las Vegas	Yes
Vena Wilson, LCSW	Private Practice	Licensee – Las Vegas	Yes

Attendance was as follows for **December 13, 2019** meeting in Reno – **16 individuals attended – 16 testified**

<b>NAME</b>	<b>Entity or Organization</b>	<b>Misc. Information</b>	<b>Testified</b>
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowery, LCSW, LCADC	Social Work Board staff	Deputy Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member – Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member – Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member – Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member – Reno	Yes
Asheesh Bhalla, Esq.	Attorney General’s Office	Deputy Attorney General – Las Vegas	Yes
Jenna Grant, LSW	Division of Child and Family Services	Licensee – Las Vegas	Yes
Tara Baker, LSW	University Medical Center	Licensee – Las Vegas	Yes
Devorah Romes, LCSW	Private Practice	Licensee – Las Vegas	Yes
Robyn Isaacson	Public	Public – Las Vegas	Yes
MaryAnn Derienzo, LSW	Canyon Hospice and Mercury Home Health	Licensee – Las Vegas	Yes
Rota Rosaschi, LSW	Nevada Public Health Foundation	Licensee – Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist	Yes
Monique Normand, LSW	Health Psychology Associates	Licensee – Reno	Yes
Diana Ramirez	Public	Public	Yes

**5. A Description of How Comment was Solicited from Affected Businesses, a Summary of Their Response and an Explanation of How Other Interested Persons 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. Our survey distribution was as follows -

- 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 also 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.**

As one of the proposed regulation change is dealing with **fee increases**, we were most interested in data regarding the fiscal impact on small businesses and licensees –

- 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 these 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 offer’s 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.

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. Additionally, 85% of the 745 social workers who responded are required to manage their own licensing fees.

- **Staff analysis:** The impact on small businesses appears minor.

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%).

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.

Interested persons may obtain a copy of the Small Business Impact Report 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).

## **6. If the Regulation was Adopted Without Changing Any Part of the Proposed Regulation, a Summary of the Reasons for Adopting the Regulation Without Change.**

Since the 2017 Legislative Session, the Board of Examiners has participated in several mandated audits. The first was a Legislative Counsel Bureau fiscal audit, which was reviewed by the Sunset Committee. The second was an Executive Branch audit. In both audits, it was noted that the Board did not have the fiscal reserves required by the Legislature. Since the Board does not receive any funds from the General Fund, the Board was told that there was a need for fee increases. With those recommendations, SB 502 was drafted and was submitted in the 2019 Legislative Session. This bill was passed into law on July 1, 2019. 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 the following 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.

It became clear, as the Board went through the Administrative Rulemaking Process that the only controversial areas in our proposed changes were the fee increases. Licensee and interested parties were in support of the remainder of the proposed changes. The proposed regulation changes in LCB File R055-19 did not receive any substantive recommendations for changes from licensees, the public or from the Board during the Public Workshops or Public Hearing. Accordingly, the regulations in LCB File R055-19 were adopted without any changes.

## **7. The Estimated Economic Effect of the Regulation on the Business Which it is to Regulate and on the Public. These Must be Stated Separately, and in Each Case Must Include: (a) Both Adverse and Beneficial Effects; and (b) Both Immediate and Long-Term Effects.**

### **a. Both Adverse and Beneficial Effects:**

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.

**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

**Public:** The **beneficial effects** of the proposed changes will provide for more clarity as the role and scope of practice of licensing categories of Social Workers. It will also allow for greater access to mental health treatment as barriers to post-graduate internship sites are removed and supervisors can take additional interns.

**Small Business:** The **adverse effects** of the proposed changes are the perceived impact of fee increases.

**Public:** The **adverse effects** include delays in initial licensing as the Board continues to use a manual / paper initial licensing process. If the Board is not be able to create the fiscal reserves as required by the Legislative Council Bureau, the Board's financial solvency is at risk and therefore the oversight of social work practice in the State of Nevada is at risk.

**b. Both Immediate and Long-Term Effects.**

**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 reserve funds.

**Public:** 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 allows for more access to mental health treatment in Nevada.

**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.

**Public:** The **long-term effects** will allow the Compliance Unit to address the backlog of cases, bringing to Board function to oversee the practice of social work services in Nevada to a current status.

**8. The Estimated Cost to the Agency for 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.

**9. A Description of Any Regulation of Other State or Governmental Agencies Which the Proposed Regulation Overlaps or Duplicates and a Statement Explaining Why the Duplication or Overlapping is Necessary. If the Regulation Overlaps or Duplicates a Federal Regulation, the Name of the Regulating Federal Agency.**

The proposed regulation changes in LCB File R055-19 do not overlap or duplicate any regulation of any other State or governmental agencies.

**10. If the Regulation Includes Provisions Which are More Stringent Than a Federal Regulation Which Regulates the Same Activity, a Summary of Such Provisions.**

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.

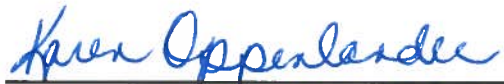
**11. If the Regulation Provides a New Fee or Increases an Existing Fee, the Total Annual Amount the Agency Expects to Collect and the Manner in Which the Money Will be Used.**

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 the following 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.

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,



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



**Attachment "A"**

History of Fee Ceilings and Actual Fees  
Board of Examiners for Social Workers

Attachment "A"

History of Fee Ceilings

	Fee Ceilings – Legislature (NRS)			
	1987	1993	1995	2019
<b>LASW / LSW</b>				
1. Application fee	25.00		40.00	200.00
2. Initial issuance of license	100.00			250.00
3. Renewal	150.00			175.00
4. Restoration of revoked license	100.00		150.00	
5. Endorsement	100.00			200.00
6. Initial issuance of provisional license	NA	75.00		150.00
7. Renewal of a provisional license				
8. Restoration of expired license	NA	NA	200.00	
9. Renewal of delinquent license	NA	NA	100.00	
<b>LCSW / LISW</b>				
1. Application fee	25.00		40.00	200.00
2. Initial issuance of license	100.00			350.00
3. Renewal	150.00			225.00
4. Restoration of revoked license	100.00		150.00	
5. Endorsement	100.00			200.00
6. Initial issuance of provisional license	NA	75.00		N / A
7. Renewal of a provisional license				
8. Restoration of expired license	NA	NA	200.00	
9. Renewal of delinquent license	NA	NA	100.00	

	Fee Implementation – Board (NAC)				
	1987	1993	1999	2003	2015
	25.00	40.00			
	50.00		60.00	75.00	100.00
	50.00		60.00	75.00	100.00
	100.00		150.00		
	100.00				
	50.00		60.00	75.00	
			60.00	75.00	
			150.00		200.00
	25.00		30.00	40.00	100.00
	25.00	40.00			
	100.00				
	100.00		125.00	150.00	
	100.00		150.00		
	100.00				
	50.00	75.00			
			75.00		
			150.00		200.00
	50.00		60.00	75.00	100.00

Proposed	2019
	50.00
	125.00
	125.00
	125.00
	93.75
	93.75
	50.00
	125.00
	187.50
	125.00

## **Attachment "B"**

Public Workshop Transcripts for September 11, 2019

Reno, NV

Public Workshop Transcripts for September 12, 2019

Las Vegas, NV

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STATE OF NEVADA  
BOARD OF EXAMINERS FOR SOCIAL WORKERS

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TRANSCRIPT OF PROCEEDINGS  
PUBLIC WORKSHOP  
Regarding Proposed Regulation Changes

LCB File No. R055-19

Wednesday, September 11, 2019

12:30 p.m. to 2:30 p.m.

South Valley's Library

15650 Wedge Parkway

Reno, Nevada, 89511

24 Reported by: Brandi Ann Vianney Smith  
25 Job Number: 570819

TRANSCRIPT OF PROCEEDINGS - 09/11/2019

Page 2

1 RENO, NEVADA, WEDNESDAY, SEPTEMBER 11, 2019, 12:30 P.M.  
2 -COO-  
3  
4 MS. OPPENLANDER: In the agenda in either  
5 number 2 or 4, if you have public comment around the  
6 Nevada Administrative Code changes that you're here to  
7 meet about today, I would probably do those in the  
8 section A, which is all the way from here to here. I  
9 don't know if that make sense, but I'm just trying to  
10 distinguish --  
11 Did that say it well enough, Rota? You know  
12 all about this stuff.  
13 Before we get going, I'm just trying to give  
14 you -- because this is a kind of a weird agenda in that  
15 way, and I just didn't want you to not see what I saw,  
16 and I can't really do much about it.  
17 MS. ROSACHI: Most of them have never been to  
18 an open meeting, so they don't know how the open  
19 meetings work. They don't know how to do the public  
20 comment. So you might guide them and say, now is the  
21 time to speak. So when you want them to speak, you  
22 might tell them this the time to speak.  
23 So you just did that in the beginning, but  
24 after you go through some of the actual NACs, that's  
25 probably when they'll want to speak.

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1 everything. And the agendas have managed to fly the  
2 coop, so I'm going to ask you to share agendas. And if  
3 you want me -- these are online on our website, so you  
4 can go to our website and print them off later.  
5 Everybody feeling kind of comfortable with  
6 our set-up?  
7 Okay, Vikki.  
8 MS. ERICKSON: Guide me along on this. Okay?  
9 Because I -- the last time we did this, there wasn't so  
10 many folks. So I'm not quite sure how this will go.  
11 All right. So let's call to order. And it  
12 is sometime, 12:41 on September 11, 2019. This is a  
13 public workshop regarding the proposed regulation  
14 changes. So let's do a roll call.  
15 I'm Vikki Erickson, Board chair.  
16 MS. OPPENLANDER: I'm Karen Oppenlander,  
17 Executive Director for the Board of Examiners of Social  
18 Workers.  
19 MS. AXLEROE: Jamie Axelroe, social worker at  
20 the Fallon District Office for Division of Welfare and  
21 Supportive Services.  
22 MS. HOOVER: Miranda Hoover, Capital Partners  
23 representing the Board of Social Work.  
24 MS. DeHART: Lisa DeHart with the State of  
25 Nevada, the program.

Page 3

1 MS. OPPENLANDER: Right. We haven't called  
2 to order or roll yet. So I am just kind of, you know,  
3 Karen, this is who I am. Kind of guide people who  
4 maybe haven't been in this situation like this before  
5 to a State of Nevada agenda. So, generally speaking, a  
6 State of Nevada agenda for the Board of Examiners and  
7 Social Workers starts off with a call to order and  
8 roll, and then public comment where anybody can say  
9 whatever they need to say.  
10 And then lastly, as we close out before  
11 adjournment, there's public comment at the end of the  
12 state meeting, and then adjournment. So it's a  
13 standard format. What's different about what we're  
14 doing today is the whole body of the agenda is about  
15 public comment. It's for you to tell us what you think  
16 about the changes. So we'll go with that flow, and,  
17 hopefully, it will make sense if it doesn't make  
18 perfect sense right now.  
19 I think somebody just came in, so I'm going  
20 to make sure that -- I have two more only, so from here  
21 on out there is going to be sharing happening, and I  
22 have two more of the NAC changes for \$10 at Office Depo  
23 with our two-thirds off discount. This is all printed,  
24 and nobody told me they were coming today. I had  
25 notice from four people, so I brought 20 copies of

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1 MS. FITZGERALD: Alanna Fitzgerald, MSW, now  
2 teaching at UNR.  
3 MS. ROSACHI: Rota Rosachi, Nevada Health  
4 Foundation.  
5 MS. CARTER: Linda Carter, supervisor of  
6 social work, welfare office in Reno.  
7 MS. BARTELL: Dawn Bartell, social work  
8 supervisor, Carson City District Office, Division of  
9 Welfare and Social Services.  
10 MS. BROWN: Marcina Brown, with DWSS.  
11 MS. BOSLER: Paula Bosler, retired and also  
12 contract work at Healing Mind.  
13 MS. TAYLOR: Corinne Taylor, working with  
14 Renown outpatient behavioral.  
15 MS. NORMAND: Monique Normand, candidate for  
16 clinical social work exam.  
17 MS. PINELLI: Kathleen Pinelli, social worker  
18 at the Division of Welfare and Supportive Services.  
19 MS. LAZARO: Siara Lazaro, social worker,  
20 Division of Welfare and Supportive Services.  
21 MS. ENSLEY: Karen Ensley, social worker,  
22 Division of Welfare and Supportive Services.  
23 MS. DeWEESE: Daxia DeWeese, social worker at  
24 the Division of Welfare and Supportive Services.  
25 MS. CORTEZ: Carmen Cortez, social worker at

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1 the Division of Welfare office.  
2 MS. WALKER: Sophie Walker, social worker at  
3 Liberty Dialysis.  
4 MR. McMAHON: Michael McMahon, with Alpha  
5 Productions Technologies.  
6 MS. PETERSON: Tess Peterson with Nevada  
7 Public Health Foundation, and I am currently an MSPW  
8 student at UNR.  
9 MS. VAN PATTEN: Cara Van Patten, I am a  
10 student of social work at UNR, and I am an intern.  
11 MS. ERICKSON: Nice. Okay. Do we do agenda  
12 item number 2?  
13 MS. OPPENLANDER: (Indicated affirmatively.)  
14 MS. ERICKSON: Okay. Public comment?  
15 Okay. So hearing none, so let's move to  
16 agenda item number 3.  
17 Karen, do you want to start this one off?  
18 MS. OPPENLANDER: I do. Thank you.  
19 We're on item 3, introduction to an open  
20 workshop. So I'm going to just briefly go over this  
21 whole section before it gets to number 4. And there's  
22 plenty of places that I could stop and item by item,  
23 but rather than do that, I think it might be better for  
24 me -- before we come back and get into stuff -- to give  
25 you an overview.

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1 General speaking, the summary of the changes  
2 are as follows: In general position -- general  
3 provision -- excuse me -- small letter i, the  
4 definition of LASW and LSW are reversing back to what  
5 they were before. So I'll come back to that, but this  
6 little statement I just made matches 641B.41 and the  
7 641B.44. So it's like cross-walking stuff.  
8 Number 2, in summary, under licensing and  
9 supervision -- I should probably stop for a minute.  
10 NACs are divided into five sections. What  
11 you see in Nevada Administrative Code -- I'm 17 months  
12 on the job, so I have spent a lot of time with our  
13 attorney being able to say this to you.  
14 So we have five sections. The first section  
15 is General Provisions. The second section is Licensing  
16 and Supervision. The third section is about  
17 post-graduate internships. The fourth section is about  
18 continuing education. And the fifth section in this  
19 packet -- the thick packet -- is around standards of  
20 practice. So this is all the law. And we're making  
21 some recommendations about changing some of the  
22 language in the law. That's why you're here, because  
23 you care. Thank you.  
24 So, anyway, resuming where I was at, on your  
25 agenda, small letters ii, length of time and

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1 So the overview is section 3. So right now  
2 we have submitted these NAC changes, or Nevada  
3 Administrative Code changes, to the Legislative Council  
4 Bureau. And it has been assigned -- this whole thing  
5 has been assigned a number. So the number is R055-19.  
6 So in 3A, it's right there, and it's also up  
7 at the top right in your heading. So, right now, we  
8 have an attorney from the Legislative Council Bureau  
9 who's working through these NAC changes, as we refer to  
10 them -- shorter than saying Nevada Administrative Code  
11 every time. And they're working on it, our staff, to  
12 make sure that we do it accurately, because LCB, the  
13 Legislative Council Bureau, has to make sure that we do  
14 it accurately. So that's why they have an attorney  
15 working with our staff.  
16 There's Board intent about what the changes  
17 are, and then we're going to make sure that the Board  
18 have -- or the group that met -- intent matches the  
19 legal side of it. So that's what's going on right now  
20 in our 55-19.  
21 The changes, when you get into them with us,  
22 are inside of here and are color-coded. So as you  
23 thumb through this document, when you see red line,  
24 blue line, yellow, or fuchsia, that means there was  
25 some little change. Or a big change.

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1 application of licensure will stay open. That's being  
2 changed.  
3 And so if you're tying it to this, that's on  
4 page 10. It's 441B.090, and it has to do with two  
5 areas. One is that the initial exam approval, once you  
6 receive exam approval, your application can stay open  
7 for nine months and then it closes. Or if you're  
8 getting endorsed and your endorsement is received in a  
9 completed fashion, your application can stay open for  
10 six months.  
11 In number iii, removing the option for NSW  
12 graduates to take the bachelor's exam. That's renewing  
13 the option that's been there for somebody who's  
14 graduated with an MSW to take the bachelor's exam. And  
15 that's because that testing group, the Association of  
16 Social Work Boards who provides the examination, will  
17 no longer support master's candidates taking the  
18 bachelor's-level exam.  
19 They said they were looking for test  
20 integrity. So to make the test integrity be there,  
21 master's candidates take -- or master's graduates take  
22 the master's exam; bachelor's graduates take the  
23 bachelor's exam. So what we're doing is we're syncing  
24 up our NACs with the Association of Social Work Boards  
25 nationally -- or actually, North America for United

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1 States and Canada.  
2 In number -- little numbers iv or four, we're  
3 changing the timeframes for when a failed exam may be  
4 retaken. And we're allowing the exams to be retaken  
5 every 90 days. So anybody that got caught in the deal  
6 where you were retaking the exam in 90 days, and then  
7 all of a sudden you wait six months, we're going to  
8 allow you to do it every 90 days now.  
9 In the next one, that's stipulating  
10 educational requirements for provisional "B," that's  
11 tying on page 14 to 641B.112. And it talks about that  
12 you have to be 30 units into your MSW program before  
13 you can do a provisional "B" license.  
14 The next one down -- I skipped 5. Sorry. I  
15 didn't mean to. Well, it's self-explanatory. We're  
16 not going to force you to restore a license past two  
17 years. So it's a cost savings to people that are in  
18 that area.  
19 So we determined with the people that were  
20 part of this process to make the changes that two years  
21 was plenty to force you into restoration, and we didn't  
22 have to keep trying to force you into restoration at  
23 three years. It's a fee decrease, if you're in that  
24 boat. Not many people end up in that boat, so if they  
25 are in it, it's good for them.

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1 problem for some people.  
2 So I'm not trying to do it for that reason.  
3 What I am trying to do is not having a 10-dollar bill  
4 floating around over here and a hundred-dollar bill and  
5 walking through an office that's stopped up with  
6 paperwork with paperclips attached to it with money.  
7 So just trying to move to a cleaned-up environment  
8 where fraud and embezzlement is less likely to happen.  
9 That's all this is about.  
10 I would imagine that if you came flying in at  
11 4:30 when we're closing with \$25 to pay something, we  
12 probably will take it, you know, because we're not that  
13 weird. But just trying to reduce that. Because we're  
14 online now, and online we actually have credit cards  
15 this year for the first time. So, yay us. This is  
16 modernization in action. So we felt like maybe it was  
17 time to dispose with the whole storyline.  
18 The next one down is the section on  
19 post-graduate internships. Summarizing, once again,  
20 removing "substantially equivalent" language on hours  
21 being counted from an internship in another state.  
22 What's happened is if you were an intern in  
23 Utah and you came over and you had already done a  
24 thousand hours and jumped over to Nevada where we need  
25 3,000, we would examine your thousand hours from Utah.

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1 Down to provisional vii, length of time for  
2 exam and expiration for a Provisional "A" license.  
3 That was that typo. And it had said nine months and it  
4 was supposed to say 90 days and we're fixing that.  
5 We have a lot of typos in the NAC changes.  
6 Really, I'm only summarizing major changes. When we  
7 went through the NACs to try to clean them up, if there  
8 were "charges" where the word "change" was supposed to  
9 be there, or the word "change" was in there and the  
10 word "charge" was supposed to be there, we're -- I'm  
11 not talking about that stuff today.  
12 Housekeeping where we had an inaccurate word,  
13 we're just cleaning that up. So you'll see more little  
14 marks in this packet that I will talk about today for  
15 that reason.  
16 The next one down is ix or nine, disallowing  
17 payments by cash. Most of the Boards and commissions  
18 don't take cash anymore. There's been, over the years,  
19 fraud and embezzlement when you walk into a cash-based  
20 office where cash is floating around.  
21 I'm not saying we've ever had that problem,  
22 but we're going to move away from cash. I can imagine  
23 there might be some comments about that because there's  
24 a nationally -- including USA Today, there was an  
25 article this week about how moving away from cash is a

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1 We're saying we're not going to examine those hours.  
2 If they were approved in Utah, they're good enough for  
3 us. But we're just going to count on, and then you're  
4 going to get your other 2,000 hours so you can get  
5 3,000 over here, and, you know, we trust Utah. This is  
6 a trust matter. So it's not any more exciting than  
7 that. It's just making it easier on everybody.  
8 If you're an intern supervisor -- is anybody  
9 here an intern supervisor? Anybody? Anybody?  
10 Anybody? Okay. So intern supervisors are  
11 post-graduate. So field practicum is when you're a  
12 student, when you're post-graduate, and you're getting  
13 either hours for clinical social work internship or,  
14 like I am, a licensed independent social worker, those  
15 intern hours, if you're a supervisor, you can now  
16 accept four interns.  
17 The xii, reducing frequency of post-graduate  
18 internship progress reports from quarterly to every six  
19 months. We did a study nationally. There are six  
20 states in the United States that don't ask for  
21 quarterly reports at all, and about seven states that  
22 do. I might have gotten those numbers wrong, but you  
23 get the point.  
24 We're one of the ones that ask for quarterly  
25 reports. So we're going to take a middle-range

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1 position on that and move to twice a year. So for  
2 interns, twice a year, if you've been through the  
3 process, probably feels like plenty. It certainly  
4 would have to me. I did the four quarters a year plan.  
5 I wish I had done two.

6 Continuing education, cross-walking that it's  
7 on page 24. It's 641B.187(a). And it's specifying for  
8 those of you who are retired licensees, that if you  
9 want to stay in the retired licensee thing where you  
10 don't have to get CEUs anymore, you still have to get  
11 them for suicide prevention. Not because we need that  
12 in the social work world, 641B, but because the State  
13 of Nevada requires it. So we can't ditch that. So you  
14 get to get two CEUs in suicide prevention even as a  
15 retired social worker.

16 MS. ROSACHI: Doesn't that expire, though,  
17 after a period of time?

18 MS. OPPENLANDER: You know, that's a  
19 perfectly good question that maybe when we cross-walk  
20 this together and we look at the small print, we can  
21 see if it's written in there or if I have to go back  
22 and find out the answer, or maybe you already know and  
23 can teach us all.

24 And then in -- that last thing in section 3  
25 that I am summarizing right now is xiv or 14, adding

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1 university, including Shawdee from the north, Kathleen  
2 from UNLV, public members like Rota and Miranda, and  
3 others that were -- we had a student -- MSW concentrate  
4 student there. All four Board members were in  
5 attendance, two staff members were in attendance. In  
6 general, we had 12 to 13 people come up with these NAC  
7 changes.

8 And it was an interesting process because the  
9 first part of it was reviewing where the Board was at  
10 strategically and why it wanted to tackle some things  
11 now and maybe some other things, perhaps, in the next  
12 legislative session and some other things in future  
13 years.

14 They also were looking at some suggestions  
15 that are being made by business and industry about  
16 where 34 unregulated regulatory Boards might end up in  
17 January of 2022.

18 And that's not a topic of today's meeting,  
19 but these are things that we're and the other public  
20 members were contemplating and seating their NAC  
21 changes in the middle of these other issues that are  
22 controversial. They were looking at senate current  
23 resolution number 6, which has about 12 "whereases" in  
24 it that will be studied by the sunset committee during  
25 the interim session.

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1 information regarding what is considered unprofessional  
2 conduct. This is cross-walked on page 34, 641B.220.

3 So that's my presentation. I know that this  
4 is not probably state language, but this is the  
5 language that comes from my background. This, to me,  
6 is a community conversation. So me being up here being  
7 a talking head any further than right now is silly.

8 This is really what do you have to say about the NACs.

9 Because we have a court reporter, as required  
10 in public hearings, when you decide you want to talk,  
11 please introduce yourself and enunciate loudly. Many  
12 of you are soft-spoken, and she couldn't hear you when  
13 you did roll call. So enunciate clearly, perhaps even  
14 spelling your name. For example, Alanna is with two  
15 "Ns" at the end of it. That kind of thing. Although,  
16 I think she probably figured out Fitzgerald. So just,  
17 you know, just think it through for her sake. And so  
18 that's that stage where --

19 There's only one other thing I'd like to  
20 explain in terms of what's attached to the agenda, and  
21 that's the process that we're in right now. This is  
22 the shorthand of this process.

23 On July 30th and 31st, Vikki held a meeting  
24 with -- depending on which day it was -- 12 people on  
25 the 30th and 13 people on the 31st that were from the

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1 They looked at the process this outlines so  
2 that they understood it fully and understand why a  
3 process like what we're in today takes somewhere  
4 between six to nine months before a NAC change actually  
5 goes into effect. So we are at a stage in that process  
6 right now which is taking all of your comments into  
7 understanding for the Board so that they can filter  
8 those in the other comments that we have been issuing  
9 since January. So that's going on.

10 One of the things I was cross-walking you  
11 over to is fee changes. This is a more simpler way to  
12 look at it for me. Even until the day before  
13 yesterday, I was having this reworked so that I can see  
14 it better because I had cataract surgery last week and  
15 I was having trouble reading across the lines because  
16 this eye and that eye aren't quite jibing, so I had  
17 broken up the boxes so that I can see better.

18 So just letting you know a little bit more  
19 about, you know, what we've prepared for you so that  
20 you are best able to make public comment. If, in your  
21 public comment, it's beyond a comment, and you would  
22 like to talk with some of the people here that could  
23 possibly answer some questions. So if it is a public  
24 comment that is a comment, that's one thing. But if  
25 it's a public comment that has a question that goes



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<p style="text-align: right;">Page 18</p> <p>1 with it, then there are several people here that can 2 answer those questions, including one of the public 3 members that was in this process. 4 Rota Rosachi, can you raise your hand? 5 MS. ROSACHI: (Participant complied.) 6 MS. OPPENLANDER: Including Vikki Erickson, 7 the president of the Board. Including myself, who gets 8 hired to answer questions like this. And including 9 Miranda Hoover, who represented our Board here in this 10 session. And so she was down in Carson City every day 11 because I couldn't be. And so she's really schooled in 12 how the whole legislative process works. 13 So there's a couple of people here who can 14 answer questions, but right now we're in the community 15 conversation part where you tell us what you're 16 thinking. 17 Thank you. 18 MS. ERICKSON: Should we just -- should we go 19 one by one? Would that be best, do you believe? 20 MS. OPPENLANDER: (Indicated affirmatively.) 21 MS. ERICKSON: Okay. So let's just go step 22 by step then, unless somebody opposes that. 23 To general provisions, I guess, agenda item 24 3A little i. Definition of LASW and LSW, reversing the 25 changes made in 2017. So going to open it up and just</p>	<p style="text-align: right;">Page 19</p> <p>1 go down agenda item by agenda item. We'll look at 2 agenda item 3A little i, definition of LASW and LSW 3 (reversing changes made in 2017). Somebody said it was 4 on page 6. 5 MS. WALKER: I have a questions on this. Is 6 there a difference with baccalaureate and masters, 7 like, in some states you do the IMSW versus LBSW? 8 MS. OPPENLANDER: Or an LBSW. Those aren't 9 designations in the State of Nevada. 10 MS. WALKER: So we write LSW for either? 11 Unless you have your LCSW. 12 MS. OPPENLANDER: Or LISW. 13 MS. WALKER: Right. Is that something 14 that -- I'm not sure. I apologize. This is my first 15 time here. Is that something that's been brought up in 16 the past or something that's a consideration or -- 17 MS. OPPENLANDER: I'm going to think that 18 your question is -- because I've heard this question 19 before. So 17 months on the job, I hear certain 20 questions by picking up the phone all the time. Are we 21 going to be moving into having LMSWs? And that was 22 brought up at a Board -- at the May 2018 Board meeting. 23 And it is parking -- it's on a parking lot for now. 24 So there are a couple of states that use the 25 LMSW category. I'm favorable to it personally and</p>
<p style="text-align: right;">Page 20</p> <p>1 professionally, but there's more considerations that 2 need to be made. And so the timing of making one more 3 shift right now is probably why it's parking lot'd. 4 So. 5 I would think that if the Board takes that 6 up, it will probably be in the 2021 session. Or the 7 2023 session because it's a -- we'd have to go to the 8 legislators again. And so part of it is the appetite 9 for working with the legislators again right now. 10 Because there's a couple of other changes we must go 11 through in order to be successful. So it's a real 12 time-taker-upper to add that category at the moment. 13 But I think it might actually end up in the 2023 14 session. 15 MS. WALKER: Thank you. 16 MS. ERICKSON: So the 641B.041 and 641B.044, 17 the changes of -- reversing the changes made in 2017, 18 the discussion specifically was for these two that are 19 highlighted under the supervision of an agency, you see 20 is lined-out in red -- that became an issue of 21 discussion and some controversy as to what does that 22 really mean. 23 So we took -- we proposed taking that out and 24 putting in "as an associate in social work" to not 25 confine the definition of associate and social work and</p>	<p style="text-align: right;">Page 21</p> <p>1 social -- licensed social worker as confined under the 2 supervision of an agency, because that led to a lot of 3 confusion. 4 MS. ROSACHI: I spoke for all of you. And I 5 truly tried to convince them to leave the language as 6 it was because it met the definition of everything that 7 we are doing, and I was very comfortable just leaving 8 it the way it was. And so they agreed that they would 9 just take it, associated with an agency, away. And so 10 it goes back to the original language that was passed 11 in the law, and actually passed in law in 1987. So 12 it's all good language for us. 13 MS. ERICKSON: We are ready to move on to 14 number 2? Okay. 15 So Licensing and Supervision, item ii is 16 length of time an application for licensure will stay 17 open. 18 MS. OPPENLANDER: So if you're cross-walking 19 this, this is page 10, and you'll see it in blue ink. 20 MS. ROSACHI: The discussion had to do a lot 21 with some people, once they make an application, they 22 sometimes have other issues that pop up, so it takes 23 them some time to actually complete the application. 24 So what this does is gives them more time, so 25 that you don't lose the application and have to pay</p>

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<p style="text-align: right;">Page 22</p> <p>1 again for another application fee. So it's actually                  2 giving you more time to actually follow through once                  3 the application is made. It's a good thing.                  4 MS. ERICKSON: Any further comment on that?                  5 Okay.                  6 So we'll go on to item iii, removing option                  7 for MSW graduate to take bachelor exam. I think you                  8 just covered that as well. So this, again, aligns with                  9 what Karen indicated. It aligns with what they,                  10 Association of Social Work Boards, requires for --                  11 well, we're aligning with what a majority of the states                  12 in the country do under the Association of Social Work                  13 Boards, since they are our test creator and                  14 administrator.                  15 MS. ROSACHI: If I recall correctly, the                  16 conversation, though, we need to have everybody                  17 understand, so you guys correct me if I'm wrong. But                  18 when you get your bachelor's degree in social work, you                  19 can take your test to become a licensed social worker.                  20 If you don't take the test and wait until your master's                  21 degree and then you have to take the advanced test, and                  22 if you fail the advanced test, they won't let you go                  23 back and take the bachelor's test. So you have to                  24 understand that.                  25 So if you want to be licensed, you want to</p>	<p style="text-align: right;">Page 23</p> <p>1 make sure as soon as you get your bachelor's degree,                  2 you take the test for licensure. That way if you fail                  3 the advanced one, you still are a licensed social                  4 worker.                  5 UNIDENTIFIED SPEAKER: Little bit tougher                  6 than --                  7 MS. ROSACHI: No, it's actually okay, as long                  8 as you understand don't wait to take your test until                  9 you have your master's degree. Take your test when you                  10 have your bachelor's degree, because then you could be                  11 a licensed social worker. Then if you fail it, you're                  12 still a licensed social worker and you can continue on.                  13 MS. ERICKSON: Further comment? Okay.                  14 Hearing none, we'll move to iv, changing                  15 timeframes for when a failed exam may be retaken. So                  16 that was a change, I believe, that's on page 12. That                  17 was, like Karen indicated, changed to may be retaken                  18 every 90 days to give more of an opportunity to pass                  19 this exam.                  20 Any comments? Okay.                  21 Hearing none. Moving on to v, reducing                  22 period for restoration of an expired license from three                  23 to two years. That is on 13.                  24 MS. ROSACHI: That's also a good thing                  25 because what it does is, if for some reason you lose</p>
<p style="text-align: right;">Page 24</p> <p>1 your license, you don't have to wait three years to get                  2 it restored. You only have to wait two.                  3 So, so far all changes they've been proposing                  4 have been to our advantage because they're giving us                  5 better options.                  6 MS. ERICKSON: Any further comment? Okay.                  7 Vi, stipulating education requirements for a                  8 Provisional "B" license.                  9 MS. ROSACHI: Can you maybe explain what a                  10 Provisional "B" license is?                  11 MS. ERICKSON: Karen, what page are we on?                  12 MS. OPPENLANDER: We're on page 14, 641B.112.                  13 Sometimes I think that somebody else ought to be here                  14 to discuss provisional licenses because when I'm in the                  15 office and somebody calls up about them, there's so few                  16 of them being utilized because they have tricky -- you                  17 know, to use a provisional license, somebody will see                  18 it there, and they think they ought to be getting one                  19 or something.                  20 They're really for specific circumstances,                  21 and I think, once again, if I remember correctly, there                  22 were only seven last year. So they don't come up very                  23 often. Although, we get calls about them pretty                  24 frequently.                  25 In my 17 months as Executive Director, I</p>	<p style="text-align: right;">Page 25</p> <p>1 haven't been responsible for answering the nitty-gritty                  2 questions on provisional licenses, but Caroline and                  3 Lonnie or Sandy in the office can answer these to Nth                  4 degree. And, if after today you want to understand a                  5 provisional license better, please write me a note by                  6 email, and I'll give you my business card right now,                  7 and I'll be happy to answer that question                  8 authoritatively as opposed to making up an answer right                  9 now.                  10 So I apologize, but I -- in the office, I                  11 turned to somebody that knows the answer rather than                  12 trying to make stuff up with anybody. I'm always                  13 going, "Hold on a minute, let me hand you off to                  14 Caroline," or whatever. Because I don't want people to                  15 have me confuse them. I am really afraid that if I say                  16 much more, it will be more confusing than helpful.                  17 They're just rarely used, and, for the most                  18 part, we try to talk people out of using the                  19 provisional options because they -- you can shoot                  20 yourself in the foot on some of these. So they can be                  21 a problem for you. And so we're always trying to make                  22 it easier for people. It's usually easier to just get                  23 a license the regular way.                  24 That's about all I know about it. And I'm                  25 trying to find my business card so I can give them to</p>

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1 anybody who might want to ask me -- send me an email  
 2 and ask me a question later, and I'm really happy to  
 3 answer those. And I'll get those, whatever you have to  
 4 say, in the public comment appropriately also.  
 5 MS. ERICKSON: Provisional licenses "A" and  
 6 "B" are both licenses that are temporary in nature and  
 7 we essentially indicated that it would be more  
 8 reciprocated across state lines.  
 9 And also, as Karen indicated, down on page 14  
 10 in 4.(b), there's a typo that provisional licensing  
 11 period of nine months was moved to 90 days expires, and  
 12 that's until exam -- taking the exam. It's a temporary  
 13 license until you can secure your full exam.  
 14 Further comments about provisional?  
 15 MS. PETERSON: So when it says you have to be  
 16 30 units into the master's degree program -- I'm in the  
 17 concentrate year, and so would mean I really wouldn't  
 18 be able to qualify for that because I'm only -- that  
 19 would be the last semester of my college degree, in  
 20 which I would probably already be applying for a  
 21 regular license?  
 22 Okay. Thank you.  
 23 MS. OPPENLANDER: Somehow 30 business cards  
 24 that I've brought in here have --  
 25 So if you see a rubber band with 30 business

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1 just curious as to why the increase, and how you guys  
 2 came up with that proposed number as opposed to, you  
 3 know, because it was such a wide range that it could  
 4 have been.  
 5 MS. ERICKSON: Do you want to discuss?  
 6 MS. OPPENLANDER: There are three people in  
 7 the room that walked through that process I'm going to  
 8 describe to you during the legislative session: Our  
 9 president, Vikki Erickson; our Capital Partner in every  
 10 way, Miranda Hoover; and myself. So we have been  
 11 walking this walk since January 1st.  
 12 So if I ever jump to some conclusion that  
 13 you're not going to with me, know that I got here in a  
 14 really long, hard way. Because before January started,  
 15 I had been on the job since April 2nd the prior year.  
 16 I'm a cynical and skeptical person, as people who have  
 17 known me for a long time would tell you.  
 18 When I started at the Board of Examiners for  
 19 Social Workers, when somebody told me we needed fee  
 20 increases, I said, "really?" It wasn't my first bite.  
 21 But for the longest process, we clawed back through our  
 22 work. And it turns out that the Board of Examiners for  
 23 Social Workers, about 20 years ago, we started running  
 24 behind. Not with the public part, but with the --  
 25 well, it is the public part, but not with the

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1 cards around.  
 2 MS. ERICKSON: So we covered vi and vii,  
 3 unless there's further comment or question about  
 4 provisional? Which, again, we don't have --  
 5 MS. CORTEZ: Yes. The same question. So  
 6 that means you have to complete your master's degree  
 7 within three years that you graduated to obtain your  
 8 bachelor's degree? Or am I confusing that?  
 9 MS. FITZGERALD: May I? On page 14, if you  
 10 look at item 6, it gives you a pretty decent  
 11 explanation of what a provisional license holder would  
 12 do. And that it's just getting them provisional, or  
 13 short-term license to engage in social work, under the  
 14 supervision of a licensed social worker, points (a) and  
 15 points (b) there.  
 16 So it's kind of like you're allowed to start  
 17 being -- working as a social worker prior to actually  
 18 having your degree. Short term. Provisional. And  
 19 I -- forgive me if I'm out of line explaining that, but  
 20 that seems to answer it to me.  
 21 MS. CORTEZ: Thank you.  
 22 MS. ERICKSON: Moving to viii, increasing  
 23 fees for applications, initial licensure, endorsement,  
 24 and renewals.  
 25 MS. VAN PATTEN: I have a question. I was

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1 outward-facing part, but the inward-facing part.  
 2 So when it came time to get licenses out the  
 3 door, getting CEUs approved, doing a number of things,  
 4 we could keep things moving along. But on the back  
 5 end, we have a very large backlog of disciplinary cases  
 6 in our compliance unit. We have a backlog to 2009.  
 7 And we don't have investigative staff, and we don't  
 8 have enough attorney fees to pay for the cases.  
 9 So somebody will make a complaint against a  
 10 social worker, and we're a regulatory Board. We need  
 11 to deal with those complaints, and we don't have enough  
 12 whatever to get that done.  
 13 The backlog started when the first executive  
 14 director left. She handed the backlog off to --  
 15 essentially, I'll just say there's basically been  
 16 three. There's been a few fits and starts in between,  
 17 but basically there's been three, except for folks like  
 18 me that have been through all of that. The first gal,  
 19 Rose, had to hand off the backlog. Not because she  
 20 wanted to, but because she couldn't get it all done.  
 21 She gave it off to Kim, who wanted to get it all done  
 22 but didn't have enough hours in the day and handed it  
 23 off to me.  
 24 So I went back to see -- we never, on a sweet  
 25 spot, were collecting enough fees to pay for what we

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1 needed to get our work done. So let's just set that  
2 aside. So that's not a big enough problem.  
3 The next thing that came along in 2015 is  
4 that we received -- have you ever heard of unfunded  
5 mandates?  
6 UNIDENTIFIED SPEAKER: Um-hum.  
7 MS. OPPENLANDER: I know you have. It's been  
8 your work for decades -- right? -- dealing with  
9 unfunded mandates.  
10 So this Board, as many Boards in  
11 commission -- of the Boards in commission, in general,  
12 there's about 300 in the State of Nevada -- or a couple  
13 of hundred, whatever there is -- about a third of  
14 Nevadans are licensees. But our Board didn't charge  
15 enough in fees. This is going way back.  
16 So when the unfunded mandates came down  
17 saying that we had to have reserves in the bank in case  
18 there was an emergency or whatever, we're supposed to  
19 -- depending on who's telling us -- we're supposed to  
20 have five to six months of reserves, if you're  
21 listening to the legislative branch of government, or  
22 eight to 12 months of reserves if you're listening to  
23 the executive branch of government. You know, I might  
24 have that wrong depending on who's speaking, but we've  
25 heard various things.

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1 talking about. And so she's at the point now where  
2 she's got to come to us and ask us for some help.  
3 That's what she's attempting to describe right now.  
4 MS. OPPENLANDER: So what are some other  
5 unfunded mandates that we're looking at right now?  
6 MS. HOOVER: One thing that we all know is we  
7 just got online renewals. That was part of the  
8 discussion from the legislature last summer. Have any  
9 of you ever testified at the legislature? Awesome.  
10 Thank you. That's a huge part.  
11 So in between our legislature, which you are  
12 only 120 days every other year, they have committees  
13 that happen during what's called the interim year  
14 period. Last summer, during the interim period, the  
15 committee met and the Board of Social Work was a huge,  
16 hot topic. And, as Karen described, we are required to  
17 have a cash accrual system, which is essentially a  
18 checking account and savings account. Right now, we do  
19 not have a savings account as Karen described.  
20 Two, as a licensing Board, we have to get  
21 online renewals, which if any of you renewed in the  
22 last few months, you'll know that we have online  
23 renewals. Yay. And, hopefully, if so, you've taken  
24 our online renewal survey. If you haven't, please take  
25 that.

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1 We have zero dollars in reserves. We have  
2 been on a razor's edge of bankruptcy this year.  
3 Insolvency. So I'm just trying to be clear. This is  
4 not a big secret. This has been in public meetings.  
5 It's part of minutes. It's part of Board minutes.  
6 It's part of minutes in front of the legislators, et  
7 cetera. This is not like quiet talk down the road  
8 here.  
9 We also have to have things like Windows  
10 compatible computers. I'll just make that up. That's  
11 kind of an easier one to solve; right? But we don't  
12 have money for that, and the State of Nevada expects  
13 that.  
14 MS. ROSACHI: I was going to say, maybe I can  
15 help you. What probably most of you don't know is that  
16 the Board itself has to be self-funded. In other  
17 words, most state agencies have the opportunity to go  
18 to legislature, and when they're running short, ask for  
19 some general funds or some other funds to cover their  
20 expenses.  
21 But licensing Boards do not have that  
22 opportunity. So they have to -- they get all their  
23 funds from the licensees themselves. So they have to  
24 look at their own organization to figure out how they  
25 can go ahead and fund the necessary expenses that she's

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1 We have everything from cash accruals,  
2 getting online, and really trying to work on our  
3 licensing numbers overall. And we have a very short  
4 window to get this done. They gave us until 2023 to  
5 get this done.  
6 And with, as Karen described, our backlog of  
7 cases right now, we're trying to figure out an increase  
8 in staff, potentially, and we're just trying to figure  
9 out how to continue online licensing; how to ensure the  
10 website stays maintained, stays posted. It all costs  
11 money.  
12 So I know that, looking at these numbers,  
13 it's very scary, and I know looking at fee ceiling  
14 versus what is proposed -- our number one goal, and  
15 what I told Karen and Vikki when I first started was  
16 let's go high on the fee ceiling so that I don't have  
17 to come back next legislative session and explain to  
18 legislators why we need another fee increase.  
19 I would rather go a little bit higher than  
20 what everyone's comfortable with during this  
21 administrative process that you all are here to take  
22 part in today. We will decide on a good number for  
23 today.  
24 This Board is not looking to increase your  
25 fees every six months. We're hoping that this increase

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1 is going to be the fix we need to get us to the next  
 2 legislative session, and when the legislators call us,  
 3 call me, call Karen, call Vikki, and they say what  
 4 progress have you made over the last two years, we can  
 5 show them not only on paper the facts and the data, but  
 6 we can also show them our bank account and say, hey, we  
 7 do have some money in reserves.  
 8         So I hope that helps.  
 9         MS. OPPENLANDER: So I'm still answering this  
 10 question, and I'll -- if you're asking me questions,  
 11 I'll --  
 12         MS. BARTELL: No. It was about what she  
 13 said.  
 14         MS. OPPENLANDER: Then why don't you --  
 15 (Inaudible commentary amongst  
 16 participants.)  
 17         MS. OPPENLANDER: Crosstalk right now.  
 18         MS. BARTELL: So this fight for getting  
 19 funded, is there anything to do with raising the pay  
 20 for the workers also? Does that correlate at all?  
 21         MS. OPPENLANDER: It's --  
 22         MS. BARTELL: Rasing the license without  
 23 trying to raise the pay to pay for the license.  
 24         MS. OPPENLANDER: So I'm going to parking-lot  
 25 that. So pretend that I brought a -- which I forgot to

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1 the last session was as for fee ceiling increases. So  
 2 we jumped up a big number in here with no intent to  
 3 move to this big number anytime soon.  
 4         This was -- this created a lot of fear out  
 5 there that the Board would jump to the big number if we  
 6 got this embedded here. This is just this Board's  
 7 intent not to have to go back to the legislation --  
 8 legislators again and ask for a fee ceiling increase.  
 9         Before you can ever ask for an increase, you  
 10 have to have room within your ceiling to work with.  
 11 Historically, in 1987, in each of these categories,  
 12 these were where we were at. And so these were when  
 13 they got jumped up.  
 14         So in '87 we took a fee increase; '93 we took  
 15 a fee increase; '99 we took a lot of fee increases.  
 16 You can see they're incremental. There's never any  
 17 big, huge jump in any particular year. In 2003, there  
 18 were some increases, in the 2015, and then we hit our  
 19 caps. And then we couldn't keep working. We couldn't  
 20 make ends meet. We were on -- into insolvency, which  
 21 led us to asking for these big numbers here.  
 22         But your question more specifically is why in  
 23 the heck did we choose this set of numbers. And that's  
 24 the interesting discussion. So we've been receiving  
 25 feedback since January. And I have it all captured. I

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1 do. I was so good at this at our last meeting, that  
 2 easel right here, and it's got a flow chart on it.  
 3         MS. BARTELL: Um-hum.  
 4         MS. OPPENLANDER: And I'm going to  
 5 parking-lot that discussion because it's a side  
 6 discussion. And I want to get back to answering your  
 7 question before we come to you, Mike.  
 8         So the -- so how did we come about with  
 9 things? So I tried to lay some background so this  
 10 starts to make sense. So what you're cross-walking for  
 11 me right now, if you will, is on page 15. This is what  
 12 got written into legislation by the legislators. This  
 13 is a proposed -- I'm sorry.  
 14         This discusses what the legislature does.  
 15 This discusses what the legislature does. This  
 16 discusses what's happened historically. And here's the  
 17 proposals.  
 18         So this blue column is lining up with the NAC  
 19 changes. This light blue column should be matching  
 20 page 15. But let me explain how you're getting to the  
 21 light blue column, which is your specific question.  
 22 I'm not forgetting that.  
 23         So fee ceilings were instituted by the  
 24 legislation in 1987, in 1993, and 1995. We have not  
 25 had a fee ceiling increase since 1995. What we did in

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1 capture every piece of feedback from anybody, any way.  
 2 Any type of media that you want to contact the Board,  
 3 we capture all of it and we feed it back to the Board.  
 4 So in -- on July 30th, 31st, the Board listened to the  
 5 summary of all the feedback.  
 6         This particular recommendation is the most  
 7 interesting to me about how it came about, so I love  
 8 telling this story. When we were looking at how can we  
 9 make ends meet on the budget, and, of course, we tried  
 10 to look at a 10 percent budget increase, but that  
 11 doesn't help us.  
 12         If we asked for a 50 percent increase over  
 13 what we're charged right now, I could hit our  
 14 legislative mandates next year. But I am a kind of a  
 15 gutsy person, and I'm okay with going back to  
 16 legislators and saying we're not going to hit your  
 17 legislative mandates until 2023. I know you wanted  
 18 them in 2015 and you wanted them again in 2017 and you  
 19 wanted them again 2018, during the sunset committee  
 20 last hour, and you wanted them during when we were in  
 21 session in 2019. But given our budget projections,  
 22 we're going to tell you we'll hit your unfunded  
 23 mandates that you tell us we must do by 2023, if we do  
 24 a 25 percent increase.  
 25         I didn't come up with this number by myself.

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1 A student group at the University of Nevada, Reno,  
2 undergraduate students, bachelor students who are just  
3 getting ready to graduate -- are any of you in that  
4 policy class that came up with this 25 percent number  
5 by chance?  
6 This group of policy students, who are  
7 members of FUSED as well as some other policy groups at  
8 UNR, studied our minutes, studied our situation, so  
9 forth and so on, and worked with Senator Woodhouse and  
10 talked to her at length and said, we think a 25 percent  
11 increase is palatable.  
12 I went back and plucked in the numbers into  
13 our budget and projected numbers, like when can we get  
14 our backlog reduced if we had attorney fees and  
15 investigators to actually investigate our cases; when  
16 could we get our applications online; when could we get  
17 our disciplinary compliance unit stuff online. So  
18 there's a whole bunch of stuff we're supposed to be  
19 doing. If we got all that done at 25 percent increase,  
20 it would hit 2023.  
21 So I went, I'll stand that up in front of the  
22 legislator that wants to take me down. Because I  
23 thought it was a good understanding of what all the  
24 summary statements had been coming into our office and  
25 all the fear and all the different positions that

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1 me independently; Vikki independently; Miranda  
2 independently; senators independently; so forth and so  
3 on. And they came up with 25 percent. They thought it  
4 was a palatable fix because they understood the Board's  
5 position. And they went through the trouble to  
6 actually go back to the Board minutes and understand  
7 what the Board was suggesting with trying to stay  
8 viable.  
9 That's the A to Z answer.  
10 MS. BARTELL: Thank you.  
11 MS. OPPENLANDER: You're welcome.  
12 So before I get to do my -- and I'm so sorry,  
13 I forgot your name.  
14 MS. BARTELL: Donna Bartell.  
15 MS. OPPENLANDER: So, Ms. Bartell, you were  
16 wondering about raising --  
17 MS. BARTELL: The income. I mean, because  
18 the Board is for the -- it's a state Board; right?  
19 It's State of Nevada jobs. Everybody wouldn't know  
20 this. I was looking at your letterhead.  
21 So this is not a state employment site that  
22 I -- state employees at all? That's why I thought they  
23 were. I thought it was people that worked for state  
24 employees.  
25 MS. ERICKSON: It's a regulatory Board

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1 people took.  
2 What was really interesting to me about the  
3 25 percent as opposed to the \$25 increase per category,  
4 which was also looked at, was a \$25 increase per  
5 category was disproportionate to the newly graduated.  
6 So an application that would be increased from \$40 by  
7 \$25 would be \$65. A \$40 application for somebody newly  
8 graduated at a 25 percent increase brings it to \$50.  
9 So it was a lower hit on a new graduate. So that was  
10 why it was 25 percent instead of \$25.  
11 Let's take that to the most highest-paid  
12 social workers, the LCSWs. If they get a \$25 increase  
13 to 150, it's 175. If they get a 25 percent increase,  
14 it's 187.50.  
15 So the group on July 30th and 31st, after  
16 much discussion, decided that it was proportionately  
17 more fair to hit the highest-paid social workers with  
18 the 25 percent increase, the 187.50.  
19 And I'll tell you, I couldn't have made these  
20 numbers up if I tried. What was so fascinated is it  
21 came straight out of this group of students who  
22 testified in the legislature several times, who banded  
23 together as a group, a forcefield, if you will, who  
24 came in public situations, and not only spent publicly  
25 in big groups, if you saw them there, but also tackled

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1 that --  
2 MS. BARTELL: So if you -- you couldn't have  
3 a position at this agency on the Board of Examiners as  
4 a state employee?  
5 MS. ERICKSON: Well it's -- the folks that  
6 work at the Board are state employees of the Board, but  
7 the Board's role is regulation of the licensure.  
8 MS. BARTELL: Everybody's elected on that  
9 Board?  
10 MS. ERICKSON: Not elected. Their appointed  
11 by Boards and commissions of the governor's office.  
12 And then there's staff that work at the Board, that do  
13 the daily tasks of the Board.  
14 MS. BARTELL: And the support of the social  
15 workers that are licensed.  
16 MS. ERICKSON: Well, it's a -- the Social  
17 Work Board regulates licensure. So complaints would  
18 come in, hypothetically, or people apply for licensure  
19 or questions about maintaining licensure or  
20 transitioning licensure from another state would come  
21 in. So they regulate that. Kind of like the DMV would  
22 regulate a driver's license. We regulate the social  
23 work license.  
24 UNIDENTIFIED SPEAKER: So it is self-funded.  
25 MS. ERICKSON: Self-funded.

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<p style="text-align: right;">Page 42</p> <p>1 UNIDENTIFIED SPEAKER: By the fees.</p> <p>2 MS. ERICKSON: By the fees.</p> <p>3 MS. OPPENLANDER: Just in order -- because</p> <p>4 he's behind you. I don't want to tell you what to do,</p> <p>5 Vikki, but Mike had his hand up for a question next.</p> <p>6 Mike McMann.</p> <p>7 MR. McMAHON: It's all right. Finish up with</p> <p>8 the conversation. I can come back.</p> <p>9 MS. ERICKSON: Does that answer the question?</p> <p>10 MS. BARTELL: Oh, no, I just thought since</p> <p>11 they're fighting to raise our fees, they were going to</p> <p>12 fight to raise our pay. But that's probably --</p> <p>13 MS. ROSACHI: That'd be like an NASW.</p> <p>14 MS. BARTELL: NASW. Yeah.</p> <p>15 MS. ROSACHI: Different group.</p> <p>16 MS. ERICKSON: Although, many of us are</p> <p>17 social workers on the Board.</p> <p>18 MS. BARTELL: Right. Yeah. And were a --</p> <p>19 those on the Board are fighting to raise the fees.</p> <p>20 Because it's unfunded, you have to fund your own -- and</p> <p>21 a lot of people -- there are more violations -- did</p> <p>22 they find there is more violations versus people</p> <p>23 following the code of ethics? Have they done a type of</p> <p>24 study on that?</p> <p>25 MS. OPPENLANDER: Um-hum.</p>	<p style="text-align: right;">Page 43</p> <p>1 MS. BARTELL: Because if you followed the</p> <p>2 code of ethics, you'd have less violations. I was just</p> <p>3 wondering what kind of studies that the Board was</p> <p>4 doing. That way you wouldn't have to have as much</p> <p>5 fees, as much -- another position to, you know, pay for</p> <p>6 another position to get investigations done.</p> <p>7 MS. OPPENLANDER: So in a 10-year period</p> <p>8 ending in 2018, the calendar year 2018, I've been -- I</p> <p>9 hope I quote this correctly -- there were 224 cases</p> <p>10 brought to the Board of complaints asking for sanctions</p> <p>11 against licensees. And of those 224 complaints, 20 of</p> <p>12 them were brought to conclusion with sanctions against</p> <p>13 licensees. The remaining 204 cases were either</p> <p>14 dismissed or discharged.</p> <p>15 So a complaint, in and of itself, we have to</p> <p>16 follow through on. But not all complaints are verified</p> <p>17 or warranted for investigation, and so they're not</p> <p>18 necessarily something we would follow through on.</p> <p>19 MS. BARTELL: Um-hum.</p> <p>20 MS. OPPENLANDER: If a complaint is verified</p> <p>21 and worthy of continuing with an investigation, in</p> <p>22 order words, somebody is violating either the Nevada</p> <p>23 revised statute, which we're not -- we don't have a</p> <p>24 copy of in front of us today -- but they're violating</p> <p>25 NRS 641B or they're violating NAC641B, then the Board</p>
<p style="text-align: right;">Page 44</p> <p>1 will conduct an investigation to try to find out an</p> <p>2 abundance of evidence.</p> <p>3 So this isn't like a crime case on NCIS where</p> <p>4 it's a crime beyond a shadow of a doubt. We're not in</p> <p>5 criminal law here, generally speaking. We're,</p> <p>6 generally speaking, in administrative law.</p> <p>7 Administrative law is an abundance of evidence, and</p> <p>8 that's 50 percent of evidence plus the other. We have</p> <p>9 to have that much evidence before we can do a sanction</p> <p>10 against a social worker.</p> <p>11 So it's a process, and I think that gives you</p> <p>12 a sense, of all the many cases we might receive, how</p> <p>13 many actually are brought to conclusion.</p> <p>14 MS. BARTELL: Um-hum.</p> <p>15 MS. OPPENLANDER: Twenty cases over a 10-year</p> <p>16 period when you have over -- during that year, we had</p> <p>17 3,000 social workers in -- or in 2018, we had 3,000</p> <p>18 social workers -- is not a heck of a lot of people that</p> <p>19 actually have sanctions against them.</p> <p>20 MS. BARTELL: Um-hum.</p> <p>21 MS. OPPENLANDER: However, the public expects</p> <p>22 that if somebody's not following NRS 641B or NAC 641B,</p> <p>23 that we will follow through on a complaint to find out</p> <p>24 what's up there and get it remedied.</p> <p>25 Some other remedies are more education to the</p>	<p style="text-align: right;">Page 45</p> <p>1 person. Some remedies are more extreme and they lose</p> <p>2 their license. So there's a whole range of sanctions</p> <p>3 that take place, and there's a whole other discussion</p> <p>4 that takes place in NACs in part in the fifth section,</p> <p>5 and in the NRS, the Nevada revised statute.</p> <p>6 MS. BARTELL: Um-hum.</p> <p>7 MS. OPPENLANDER: Did that answer your</p> <p>8 question?</p> <p>9 MS. BARTELL: Oh, yeah. Um-hum.</p> <p>10 MS. DeHART: I was just kind of Googling</p> <p>11 here. For the record, I think that it's important to</p> <p>12 keep the Board intact with the money that it needs in</p> <p>13 order to continue with our profession in the community,</p> <p>14 and I know there was a push to try to put us all under</p> <p>15 one Board, LADCs and psychologists.</p> <p>16 I was just looking at their fees, and the</p> <p>17 LADCs are 495, and then the psychologists are 965, so I</p> <p>18 don't really feel this is out of line at all. I feel</p> <p>19 like you guys probably definitely need that money.</p> <p>20 That's just my -- looking at the other Boards, that</p> <p>21 money doesn't seem to be out of line to them.</p> <p>22 MS. BOSLER: I totally agree a hundred</p> <p>23 percent. I would like to stay independent, and I don't</p> <p>24 think it's out of line at all.</p> <p>25 MS. ERICKSON: I really like that. I was</p>

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1 Googling, for the record.  
2 (Laughter.)  
3 MR. McMANN: First of all, I'd like to thank  
4 you for the background as far as the thought process  
5 behind the rate increases and also your continuation in  
6 terms of looking ahead for the rates. That's good  
7 information to have moving forward. It is very  
8 logical. So your logic is not flawed as far as being  
9 able to move forward and being able to cover the  
10 operational costs.  
11 Rota and I are probably the only two in the  
12 room who have a background -- that can remember back  
13 when a person by the name of Dr. Jane Lamb stepped  
14 forward to the Nevada legislature with a bill draft to  
15 create the Board of Examiners for Social Workers.  
16 At that time, economically, things were very  
17 lean in the state. And one of the concessions that was  
18 made in order to get the Board created was to make the  
19 Board independent and self-sufficient.  
20 The legislature nor any of the people who  
21 were involved in the actual creation of the Board of  
22 Examiners had any understanding in terms of what the  
23 cost for operation would actually be. It was figured  
24 that using an adjustment for rates for fees would be  
25 able to accommodate that similar in the way it does in

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1 stopgap measure to be able to address the financial  
2 needs to be able to keep ourselves solvent. But, at  
3 the same time, I also think we need to look beyond  
4 that.  
5 It seems to me that Senator Woodhouse would  
6 be a supporter for social workers. It seems to me that  
7 Theresa would be a good supporter for social workers  
8 and would be willing to help sponsor or craft a bill  
9 that would give, possibly, a one-time allocation to the  
10 Board of Examiners, possibly a multi-year for included  
11 a certain dollar amount with dollar amount within a  
12 budget that would be considered a contribution.  
13 Because, in my mind, if the State of Nevada truly does  
14 value the work of social workers, they can damn well  
15 stand behind it.  
16 Thank you.  
17 MS. ROSACHI: Left us speechless.  
18 MS. DeHART: And possibly if this comes to  
19 where, you know, there's some negotiation on it, and  
20 rather than, you know, taking a lower fee of 125, we  
21 could keep it at 175, and then maybe have a program  
22 where people could apply for a hardship or a  
23 scholarship, and that way you're only going to take  
24 that individual once that, you know, would need the  
25 assistance instead of lowering the fee for everybody,

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1 other professions.  
2 The problem is, today -- the problem is, is  
3 that social workers are a finite group of people. We  
4 also are in a different economic level than other  
5 licensed professionals. We don't have the ability to  
6 generate the revenue those types of professionals  
7 would -- those other public Boards that can afford  
8 those fees to be self-sufficient.  
9 It seems to be that right now in the State of  
10 Nevada, the state is struggling with being able to try  
11 and fill the need for licensed social workers within  
12 state, and it's having a hard time doing that. We've  
13 gone to an exercise a couple of years ago where we're  
14 trying to soften reciprocity issues for licensing and  
15 that type of thing, but it still doesn't fill the need  
16 we have within the state and the growing need we have  
17 for social workers.  
18 So I don't think we've ever really had an  
19 opportunity to compare the finances of operating this  
20 organization with meeting the needs and expanding the  
21 capacity for additional social workers within the  
22 state.  
23 So it seems to me -- and I'll circle back  
24 with you, ma'am -- that we need to have a real hard  
25 look at where we're at, and this obviously is one

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1 you know? That way we keep the revenue higher than  
2 way, if you have a negotiating chip maybe.  
3 Just an idea.  
4 MS. BOSLER: I don't think that people who  
5 are licensed in this state understand that the Board is  
6 self-supporting. And I would appreciate it if, you  
7 know, we can send something with the license renewal  
8 just to explain that.  
9 I'm licensed in California as well, and I  
10 pay -- think I pay \$120 every two years. But the Board  
11 is completely supported. So it's -- it's what it is.  
12 It is what it is.  
13 So maybe some education around the fee  
14 structures and the needs would be really important.  
15 MS. PETERSON: I have some additional  
16 comments on that. I received my undergraduate degree  
17 in social work from Arizona State University, and since  
18 then I moved here. I am not licensed yet, but I need  
19 to develop my understudy concentrate program. So I'm  
20 not totally aware if this already existed or not. I  
21 know that somebody already came and presented to our  
22 social work students at the beginning of the year and  
23 kind of gave a brief overview of the Board.  
24 Something that might be helpful is creating a  
25 video that could be shared on your website and shared



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1 in schools of social work that's easily accessible and  
2 explains this, so you don't have to explain this time  
3 and time again through phone calls and other things  
4 like that. That would give people a really solid  
5 understanding of what the Board is. Because, as a  
6 young person, not having an idea of any of that, it's  
7 very easy to see this and be very critical. My opinion  
8 has definitely changed in this conversation and hearing  
9 you remind that.

10 MS. ERICKSON: Any further comments,  
11 conversations? Okay.

12 Number ix, disallowing payments by cash.  
13 Karen discussed that as well, about our  
14 online process now accepting debit or credit card. So  
15 that's a change so cash isn't floating around the  
16 office. And what page is this on?

17 MS. OPPENLANDER: Page 16, at the top.

18 MS. ERICKSON: Okay. So 16, item 1.

19 MS. OPPENLANDER: It starts at the very  
20 bottom of 15, and then it goes to 16.

21 MS. ERICKSON: Oh, okay. Any comments about  
22 that? Let's save up all your pennies and bring all  
23 your pennies all in a penny jar.

24 MS. PETERSON: I have not looked at our  
25 website, but is it clearly stated about credit card

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1 MS. PETERSON: Um-hum.

2 MS. OPPENLANDER: On the other hand, when we  
3 were processing cash, it costs money. You know, people  
4 were having to enter something and deal with the cash  
5 and make a bank deposit and go to the bank or other  
6 more modern merking methods of running the cash through  
7 the machine really fast. But then you have to deal  
8 with the machine. It's a whole story. So any way  
9 you're going to process money costs money to do it.

10 MS. PETERSON: Um-hum.

11 MS. OPPENLANDER: But we're not charging fees  
12 over and above the fee.

13 MS. PETERSON: Thank you.

14 MS. ERICKSON: Any more comments about that?  
15 Questions? Okay.

16 So it looks like we're on post-graduate  
17 internships, x, removing "substantially equivalent"  
18 language on hours being counted from an internship in  
19 another state.

20 Where are we at on that one?

21 MS. OPPENLANDER: Eighteen. Page 18,  
22 641B.150. So might be one of them, yeah. Nevermind.

23 MS. ERICKSON: So it looks like this -- it  
24 makes it easier to -- in reciprocity for licensure?  
25 MS. OPPENLANDER: (Indicated affirmatively.)

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1 fees on the website as well? Or do you charge credit  
2 card fees, or does the Board eat that cost?

3 MS. OPPENLANDER: The fee structure itself is  
4 eating the cost of the credit card fees.

5 MS. PETERSON: Okay.

6 MS. OPPENLANDER: So it's costing money to  
7 process the credit cards.

8 MS. PETERSON: Um-hum.

9 MS. OPPENLANDER: And it, you know, when I  
10 get the statements that say that Discover costs this  
11 much or American Express costs that much or whatever,  
12 whatever, whatever. They are changing rapidly. Not  
13 always upwards. They're just the little .00 whatever,  
14 you know, that little number is changing all the time,  
15 so it's not like -- I could never keep up with it on  
16 the website. I can't even keep up with in it the mail.  
17 It's like, really, okay, fine. So we're trying to sort  
18 that all the time.

19 So, yes, it does cost. It goes against fees.

20 MS. PETERSON: Okay.

21 MS. OPPENLANDER: It's not in addition to the  
22 fees.

23 MS. PETERSON: Um-hum.

24 MS. OPPENLANDER: So, I guess, in a way,  
25 using credit cards costs money.

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1 MS. ERICKSON: It seems to be a trend  
2 throughout the country according to the ASWB. Makes it  
3 easier to make the move to another state without  
4 worrying about having to take additional internship  
5 hours, being respectful of the other licensing Boards  
6 in the other states, and the work that they've done in  
7 licensing.

8 Any comments about that one? Okay.

9 So going on to xi, increasing number of  
10 interns a supervisor can have to 3 to 4.

11 MS. OPPENLANDER: That's on page 21.

12 MS. ERICKSON: We're just trying to stress  
13 out the internship supervisor a little bit more. This  
14 is also in an effort to make it a little easier for an  
15 intern to find an internship supervisor, since there  
16 was that cap.

17 MS. ROSACHI: Actually, it's also because  
18 there's a lack of so many supervisors. And so if any  
19 of you are in the position to supervise, they are  
20 looking for people that would be willing to take on  
21 students to keep the internships too.

22 MS. BOSLER: I got trained as a supervisor.  
23 Corrine got trained as a supervisor. But the minutia  
24 around it, both of us decided not to. It's too  
25 complex. It's too convoluted.

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1 MS. ROSACHI: From the social work --  
2 internship side or the --  
3 MS. BOSLER: From the supervisor side.  
4 MS. ROSACHI: From the internship side.  
5 MS. BOSLER: Yeah. Yeah. I mean, those of  
6 us who supervised over the years, this seemed to be  
7 over the top, you know? So if that could be  
8 streamlined in some way or --  
9 MS. ROSACHI: It's a different opportunity,  
10 but Karen and I sit on an advisory Board that we might  
11 be able to bring this discussion up.  
12 MS. BOSLER: Yeah. That would be fantastic.  
13 UNIDENTIFIED SPEAKER: Even if they made it a  
14 little bit less. Every six months instead of --  
15 MS. ROSACHI: We still need to look at the  
16 criteria.  
17 MS. BOSLER: If even the training was just  
18 free. Because it was just -- I didn't get it and I've  
19 been a 30-year social worker. And I thought, I don't  
20 know what you're talking about. And when I went  
21 through the documents, I thought, yeah, there's a  
22 liability here that I'm not willing to take on, so --  
23 Honestly, that's my honest opinion.  
24 MS. ERICKSON: Further comments about that?  
25 Xii, reducing the frequency of post-graduate

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1 be templates that are filled out, more clearly defined.  
2 But it doesn't have to be reinventing the wheel for  
3 each new person that steps in, or each agency that  
4 agrees to take this on if it had been really well  
5 formatted.  
6 MS. ERICKSON: Okay. Further comments on  
7 that?  
8 MS. BOSLER: I'm totally against students  
9 paying for their clinical time being supervised. I  
10 think that's shocking.  
11 MS. OPPENLANDER: I think one of the most  
12 exciting conversations that I've listened to in a long  
13 time was the Board retreat on June 30th -- sorry, July  
14 30th and 31st -- and the Board retreat had 70 people  
15 from the community there. And, if you think of this a  
16 little differently about what was going on in this  
17 conversation, there was a lot of creativity being  
18 expressed among Board members, among people who are  
19 supervising clinical social work interns, among people  
20 who were from the University of Nevada in Las Vegas, as  
21 well as the University of Nevada, et cetera. There's  
22 just a lot of conversation about this, and it got  
23 delved into for probably an hour and a half about how  
24 to change it.  
25 How we could, collegially, start to get on

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1 internship progress reports from quarterly to every six  
2 months. So that will make the minutia a little bit  
3 easier, I think. Hopefully. That was the goal in  
4 that.  
5 MS. BOSLER: Oh, yeah. I think that's  
6 probably true.  
7 MS. ERICKSON: And I think on both sides too.  
8 It decreases the work for the Board to review those.  
9 MS. DeHART: A comment. You know, with the  
10 push to de-professionalize us in the state agencies and  
11 not let -- you know, you don't have to be a social  
12 worker anymore, so those locations used to have more  
13 internships. So you've lost a lot of places where you  
14 can have them, you know, too.  
15 MS. BOSLER: A comment on that. I think  
16 that's a crisis. And I think that's a pity and a  
17 shame. Historically, institutions would step up, and  
18 there was a lot of opportunity for students to get  
19 their hours. And now, it's -- I feel like it's sort of  
20 abusive to the students who are working for low pay or  
21 begging for time or whatever. It's just not right.  
22 MS. TAYLOR: Just reporting that, I think so  
23 much of this is pretty straightforward, and, really,  
24 from a -- agencies that provide that to students, to  
25 those of us who could supervise, so much of this could

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1 better with the Board and the universities and the  
2 associations and the -- whoever wants to have a  
3 discussion with us to change this. And so there was a  
4 lot of proclamations made.  
5 For example, there's a Board member who said,  
6 I refuse to supervise anybody unless it's written into  
7 the contract that the agency that they're working for  
8 is paying me. I will not charge a student for my time.  
9 And I learned it that way. And I'm paying it forward  
10 that way.  
11 So she spoke up about this at length. And  
12 then somebody else said, I, too, pay it forward, and I  
13 refuse to supervise a student who's having to pay me  
14 for their hours. If it's not the agency that's paying,  
15 then I have nothing to do with it.  
16 So there was a lot of proclamation going on.  
17 It was a real interesting conversation going on about  
18 how to change this whole mindset, and why it needs to  
19 be changed.  
20 There's a lot of understanding, a lot of  
21 agreement with your statement, and I just wanted to put  
22 it out there that I thought it was a very  
23 well-considered conversation during the Board retreat,  
24 because there's a great deal of concern that the  
25 clinical social worker intern particularly is

<p style="text-align: right;">Page 58</p> <p>1 suffering -- still suffering from debt for their                  2 student loans, in a low-paying profession, typically a                  3 woman, sometimes a woman of color, so forth and so on.                  4         So if you take our profession against                  5 nursing, against teachers, we're the lowest-paid                  6 profession. And you start taking out all of the other                  7 categories in there, you're the lowest paid of the                  8 lowest paid. And then you're going to pay your                  9 supervisor on top of it? Really?                  10         Now, on the other hand, I hear that the                  11 supervisor has a lot of risk involved. This is under                  12 their licensure. This clinical social work internship                  13 hours, that's under the supervisor's licensure. You're                  14 not licensed yet, they are. So, you know, it's like                  15 they're putting a lot of risk out there. So they                  16 deserve to be paid, but who should be doing the paying?                  17         And so very, very good conversation. Very                  18 robust and very future-thinking about how to change the                  19 world we're in and the worldview.                  20         So just letting you know that I got to listen                  21 to that, and I'm grateful. I see change afoot.                  22         MS. ERICKSON: All right. So moving                  23 continuing education, specifying that a retired                  24 licensee must still complete suicide prevention CEUs                  25 for renewal of a license.</p>	<p style="text-align: right;">Page 59</p> <p>1         So, Karen, you mentioned that that was in                  2 statute?                  3         MS. OPPENLANDER: Um-hum.                  4         MS. ROSACHI: I think it is time limited. I                  5 think there is a sunset. I couldn't find it, so I                  6 couldn't pull it up on my phone. You might want to                  7 look at it and see if it is sunset. I want to say it                  8 is 2024 or something like that.                  9         MS. HOOVER: I believe it is 2026.                  10         MS. ROSACHI: 2026.                  11         MS. HOOVER: Yes. And it is in statute.                  12         MS. BARTELL: I just have a question. How                  13 did it come up with the age of 65? And also what is                  14 the definition of "retired"? Getting a pension or                  15 just -- you just say, I'm done. I'm retired from                  16 working and then it has to correlate with the age that                  17 you both be retired and 65?                  18         MS. BOSLER: I have a license. I'm retired,                  19 but I still work 10 hours contract. I'm not exactly                  20 sure, but I think it's, like, it's, I'm going to say 70                  21 and you park your license and then it sort of sits                  22 there.                  23         And I'm assuming that these suicide                  24 prevention CEUs, you can park your license so you can                  25 resurrect it if you need some time -- I'm assuming you</p>
<p style="text-align: right;">Page 60</p> <p>1 have to do your suicide prevention CEUs. Is that --                  2 it's not active. You have an inactive license is the                  3 idea; is that correct?                  4         MS. ERICKSON: I guess that makes sense.                  5         MS. BOSLER: And in California, it's 70.                  6         MS. BARTELL: Wow.                  7         MS. OPPENLANDER: We're referring to the                  8 language that's under 641B.187, at the bottom of page                  9 24. Most of this pre-dates me. I don't know about why                  10 they picked 65 as opposed to 95 or whatever, but                  11 somebody did.                  12         What I do know about this is when I was 65,                  13 if I had said I wanted to retire my social work                  14 license, and I wasn't practicing at the time, I could                  15 have done so and not had to go out and get 36 CEUs all                  16 the time. I could have just bypassed all that and just                  17 got the suicide prevention CEU. Just paid for those                  18 and moved on.                  19         The realty is, I came out of retirement. I                  20 never had gotten rid of my license. I never had to do                  21 any of that. And I've been getting 36 CEUs constantly                  22 since 19 -- I don't know when we went to CEUs, but I've                  23 been getting CEUs since I was first licensed. In '94,                  24 when I got the higher level of licensure and had to get                  25 the higher CEUs, so what's cool about CEUs now, is you</p>	<p style="text-align: right;">Page 61</p> <p>1 can get them online now. A hundred percent. Yay.                  2         (Applause.)                  3         MS. BOSLER: I was under the assumption that                  4 if you parked your license or retired your license,                  5 you're not going to be working, even if you get --                  6         MS. OPPENLANDER: You're not practicing.                  7         MS. BOSLER: Yeah. You're done.                  8         MS. OPPENLANDER: Just sitting around the                  9 office all the time with all the people that park their                  10 license, and they'll pull it back out and regen it up                  11 again. You know, if I parked mine, I came out of                  12 retirement and kept going.                  13         A lot of people don't retire, retire these                  14 days. So, anyway, just saying. Don't just toss your                  15 license, you know. Keep it in the background would be                  16 my suggestion because somebody's got to go through the                  17 application process all over again. Really?                  18         MS. ERICKSON: Go through that internship.                  19         Any other questions about this? Comments?                  20 Okay.                  21         So going to standards of practice. Item vix,                  22 adding information regarding what is considered                  23 unprofessional conduct.                  24         MS. OPPENLANDER: And it's the blue language                  25 on page 34.</p>

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1 MS. ERICKSON: Any conversation about that?  
2 Okay.  
3 All right. So, I guess, moving on to agenda  
4 item 4, public comment.  
5 MS. WALKER: I want to thank you for  
6 everybody here because I've been -- I have PTSD from  
7 previous experiences with the Board. So thank you.  
8 I think you're doing real good because the  
9 new information of what's going on and why it's being  
10 done is very, very helpful, and I see an alignment that  
11 feels very nice.  
12 MS. OPPENLANDER: Thank you.  
13 MS. ERICKSON: Thank you.  
14 MS. HOOVER: I want to echo what she said.  
15 It's so important to have public involvement and,  
16 especially at the legislature, if we don't hear from  
17 you, we get the impression you don't care. And so we  
18 move forward with language that we might not be experts  
19 in, but move forward because no one is coming to the  
20 table.  
21 And, as Karen explained earlier, we had so  
22 much public comment and so much public involvement while  
23 we were working on this fee bill during the legislative  
24 session.  
25 If there's anything that I can do for any of

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1 MS. NORMAND: My question is how do we know  
2 when the Board meets if it's on the website?  
3 MS. HOOVER: Yes, it is on the website. And  
4 hopefully it's convenient for everyone. We meet up at  
5 the university in one of the offices just north of  
6 campus. And we would love to have all of you come.  
7 MS. DeHART: I was just curious. I had an  
8 incident where I was trying to find out, it was, like,  
9 my duty to report -- what's it called? -- duty to  
10 report harm, like, what somebody had told me. And I  
11 went all through the statutes and I couldn't find  
12 anything to protect us. There is for reporting child  
13 neglect and elder abuse, but not for threat to do harm.  
14 So the first guy told me all this information  
15 and specifics about hurting people, and I felt like I  
16 had a duty to tell the other professional, which was  
17 about a mental health person, about it. And then he  
18 said they were going to let the people know I told  
19 them. And I said, you know, professionally and  
20 confidentiality, you know.  
21 So I don't know if we need to look into that  
22 with the wake of these new red lighting laws about some  
23 kind of a thing, kind of like CP has had where they  
24 keep it confidential. That might be something we need  
25 to look into. I don't really know. It's not a very

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1 you, if any of you have a legislative question, please  
2 feel free to reach out, and I look forward to seeing  
3 all of your beautiful faces at the legislature next  
4 year when, hopefully, we can all work together.  
5 And lastly, yes, we are a state agency, but  
6 again, yes, we are self-funded. So we have to work  
7 like a business model. You are the customers. If  
8 you're unhappy, please reach out and talk with us about  
9 it. We are here to support your profession, and we are  
10 here to work with you.  
11 So please never feel isolated or that we're  
12 not taking into consideration your thoughts or your  
13 feelings or what you're doing. Because we all know how  
14 important each and every one of you is, not only to the  
15 social work professional, but also to the state. So  
16 thank you all for being here today.  
17 I just want to make a quick plug that if any  
18 of you would like to attend our Board meetings going  
19 forward, you can receive CEUs. So just keep that in  
20 the back of your mind.  
21 (Inaudible commentary amongst  
22 participants.)  
23 MS. OPPENLANDER: Excuse me. Because we're  
24 still on the record, there needs to be identifications  
25 in this conversation. Sorry.

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1 nice climate that we're in lately. I really, really  
2 looked.  
3 And, I think, Bertha, you looked and you  
4 couldn't find anything to protect us, could we?  
5 MR. McMANN: This has been a long, ongoing  
6 issue for social workers. If you file a report with  
7 local law enforcement on an abuse and neglect issue,  
8 which we're required to do by law, you cannot get any  
9 type of documentation or comments back from law  
10 enforcement that would confirm that you actually made a  
11 report. That has existed for forever.  
12 I know agencies and services are in the  
13 process of revamping a lot of their referral processes,  
14 but, to date, there is no formal policy or procedure  
15 that has been developed. There is nothing I've ever  
16 seen in writing that protects social workers or, at  
17 least, gives you a confirmation of the fact that you  
18 filed a report.  
19 MS. WALKER: In California there is a  
20 Tarasoff law. I was told that in Nevada there is no  
21 Tarasoff law. And I think that's what you are  
22 referring to.  
23 MS. BOSLER: Yeah. She is referring to  
24 Tarasoff law, but how could you not have a Tarasoff law  
25 here?

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1 MS. TAYLOR: It is an NAC, and I don't know  
 2 the number, but there is -- it's not called Tarasoff,  
 3 but there is a statute.  
 4 (Inaudible commentary amongst  
 5 participants.)  
 6 MS. DEHART: The only thing I could find was  
 7 NRS 629550, the duty to warn. And it just covers,  
 8 pretty much, people in the Division of Public and  
 9 Behavioral Health, of Health and Human Services, and  
 10 it's mental health professionals. So it doesn't  
 11 necessarily cover social workers. It does say that  
 12 social workers who hold a master's degree in social  
 13 work.  
 14 But it's only to -- it only protects you if  
 15 you -- so you have to -- what it does is it requires  
 16 that you call the authorities if you're afraid somebody  
 17 is going to hurt somebody else. But it doesn't protect  
 18 the person that makes the call. Confidentiality part.  
 19 UNIDENTIFIED SPEAKER: No protection.  
 20 MS. DEHART: Yeah.  
 21 Is that the type of thing you do at the  
 22 Board?  
 23 MS. HOOVER: So what we would do is go back  
 24 through the NRS and change the law. So that is  
 25 something that we'll be looking into over the next year

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1 STATE OF NEVADA )  
 ) ss.  
 2 COUNTY OF WASHOE )  
 3  
 4 I, BRANDI ANN VIANNEY SMITH, court reporter,  
 5 do hereby certify:  
 6 That I was present on September 11, 2019, at  
 7 the Board of Examiner's for Social Workers Public  
 8 Workshop at South Valley's Library, 15650 Wedge  
 9 Parkway, Reno, Nevada, and took stenotype notes of the  
 10 proceedings entitled herein, and thereafter transcribed  
 11 the same into typewriting as herein appears.  
 12 That the foregoing transcript is a full,  
 13 true, and correct transcription of my stenotype notes  
 14 of said proceedings.  
 15 DATED: At Gardnerville, Nevada, this 23rd  
 16 day of September, 2019.  
 17  
 18   
 19 \_\_\_\_\_  
 BRANDI ANN VIANNEY SMITH  
 20  
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 22  
 23  
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 25

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1 as we gear up for the next session.  
 2 Also as well, your comments, I've been  
 3 writing down so that when the Board gets back together,  
 4 we can start looking at strategies and potential  
 5 changes for the next session.  
 6 MS. ERICKSON: Okay. So, I guess -- sorry.  
 7 I can't understand what you're saying to me.  
 8 MS. OPPENLANDER: Number five.  
 9 MS. ERICKSON: Oh, there's a number five.  
 10 Agenda item number 5. We are adjourning.  
 11 MS. OPPENLANDER: Thank you very much.  
 12 (Applause.)  
 13 (Workshop concluded at 2:22 p.m.)  
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**Attachment "C"**

Public Workshop Transcripts for September 12, 2019

Las Vegas, NV

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NEVADA BOARD OF EXAMINERS FOR SOCIAL WORK  
PUBLIC WORKSHOP

In re: )  
 )  
PROPOSED REGULATION CHANGES - )  
LCB FILE #R055-19 )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LAS VEGAS, NEVADA

THURSDAY, SEPTEMBER 12, 2019

Reported By Kele R. Smith, NV CCR No. 672, CA CSR No.  
13405

Job No. 570820

REPORTER'S TRANSCRIPT OF PROCEEDINGS - 09/12/2019

<p style="text-align: right;">Page 2</p> <p>1 PUBLIC WORKSHOP,  2 taken at 5830 West Flamingo Road, Las Vegas, Nevada, on  3 Thursday, September 12, 2019, at 9:19 a.m., before Kele  4 R. Smith, Certified Court Reporter, in and for the State  5 of Nevada.  6  7 APPEARANCES:  8 For the Board:  9 MONIQUE HARRIS, LCSW, Vice President  10 STEFAINE MAPLETHORPE, LCSW  11 KAREN OPPENLANDER, Executive Director  12 Public Attendees:  13 ELSIE CARRERA, MSW  14 RHIANNON FOREMAN, LSW, Division of Welfare  15 LUKE HATCH, LCSW  16 VANIQUE JONES, LSW, CCSD  17 SAMANTHA MARTINES, Student  18 DEBORAH ROMES, LCSW  19 VENA WILSON, LCSW  20  21  22  23  24  25</p>	<p style="text-align: right;">Page 3</p> <p>1 LAS VEGAS, NEVADA; THURSDAY, SEPTEMBER 12, 2019  2 9:19 A.M.  3 -oOo-  4 MS. HARRIS: Okay. So we're going to call  5 the meeting to order at 9:20 a.m. Can we start with  6 roll call? Do you mind?  7 MS. FOREMAN: Rhiannon Foreman, Licensed  8 Social Worker.  9 MS. WILSON: Vena Wilson, licensed clinical  10 social worker within private practice.  11 MS. OPPENLANDER: This is our court  12 reporter, which is a piece of the process that we have  13 to have this on record. I'm Karen Oppenlander. I'm the  14 executive director for the Board of Examiners For Social  15 Workers, and I'm day-tripping out of Reno, Nevada for  16 this meeting.  17 MS. HARRIS: Monique Harris, vice president  18 of the board.  19 MS. MARTINES: Samantha Martines. I'm a  20 graduate student with UNR.  21 MS. JONES: Vaniqua Jones. I'm a licensed  22 social worker with CCSD.  23 MS. ROMES: Deborah Romes, LCSW in private  24 practice.  25 MS. MAPLETHORPE: Stefaine Maplethorpe,</p>
<p style="text-align: right;">Page 4</p> <p>1 Licensed Clinical Social Worker, Board member.  2 MS. CARRERA: Elsie Carrera recent graduate  3 of the University of Nevada Corporate Extension.  4 MS. HARRIS: Thank you all for coming today  5 and sharing with us. We're interested in you partaking.  6 Are there any public comments? No comments,  7 so we're going to pass it over to Karen.  8 MS. OPPENLANDER: Thank you. I'm going to  9 take you through a summary of Section 3 on this agenda,  10 so I'm going to introduce you to the open workshop where  11 our bent is to listen to you about your public comments,  12 but I want to familiarize folks with what they're about.  13 So if you downloaded them ahead of time and  14 you've already been through them and you already know  15 what you want to talk to us about, that's great. But  16 some people come here in part to understand what  17 occurred. So before I get into the section in 3 about  18 the public comments, it was preceded by a Board retreat,  19 and the Board had a retreat on July 30th and 31st. All  20 four Board members were in attendance. There were on  21 one day 12 people and the next day 13 people. There  22 were students and a master's concentration practicum  23 person there. There was the head of the University of  24 Nevada Reno School of Social Work. One of the -- I  25 believe Dr. Bergquist from UNLV. There was public</p>	<p style="text-align: right;">Page 5</p> <p>1 participation -- significant public participation in the  2 process, and two staff members, myself and the deputy  3 director. So it was a well-attended and  4 well-thought-through experience.  5 The Board got to review its strategic plan  6 and see where it stands in its own planning process and  7 how that fits in with things that are happening in the  8 state that happen to the Board. So one of the things  9 that's happening to the Board is recommendation coming  10 from the executive branch of government to subsume the  11 Board by January '22 underneath Business and Industry as  12 a guiding umbrella organization. I don't know if that's  13 going to happen or not. If that happens, it will be  14 legislated in the next session, and the Governor is  15 favorable, as well as the Attorney General. The Board  16 got to hear about that. So these are unknowns.  17 So when you're a board and you're trying to  18 strategically plan for the future and you're trying to  19 rewrite Nevada Administrative Code, you kind of want to  20 know what's coming down the pike, if anything that's  21 coming down the pike. Once again, we have no idea if  22 those legislative changes will occur. They've been  23 suggested.  24 Another area of interest to the Board was  25 SCR 6, Senate Concurrent Resolution Bill 6. That's a</p>



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1 bill that's looked at by the legislative branch of  
 2 government. The sunset committee that works during the  
 3 interim between sessions, because we're in legislative  
 4 sessions every other year, the sunset committee will be  
 5 looking at the SCR 6 legislative -- SCR Senate  
 6 Concurrent Bill 6. That has about 12 "whereases" in it.  
 7 All of which were being examined very closely.

8       So these types of things legislatively can  
 9 change how we operate. Legislative changes that happen  
 10 that way are usually handled through NRS. That's the  
 11 Nevada Revised Statute. So as licensees, you're subject  
 12 to the state law, should you become a licensee. For  
 13 those of you who are working towards becoming a licensee  
 14 or already licensed, you fall under 641B. 641B is in  
 15 two parts. It's the Nevada Revised Statute, which is  
 16 legislated in sessions, or the Nevada Administrative  
 17 Code. And simply put, the Administrative Code means the  
 18 lawmakers make the law and we have to administer the  
 19 law, so we have to figure out the code of how we're  
 20 going to administrate the law.

21       There's been NACs in place since 1987, 1988,  
 22 when we first started. They get revised iteratively.  
 23 That's what we're about today.

24       So in the very first thing there -- and I'm  
 25 going to summarize briefly -- in Section 3 under General

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1 months.

2       Under number -- Licensing and Supervision  
 3 iii, No. 3, removing the option for MSW graduates to  
 4 take the bachelor's exam. We're doing this in  
 5 compliance with our examination body that's the  
 6 Association of Social Worker Boards, and they're in  
 7 charge of examinations for North America in both the  
 8 United States and Canada, and they are no longer going  
 9 to support somebody at a master's level taking a  
 10 bachelor's exam. So we are changing our NACs to match  
 11 the examination board's requirements.

12       Under iv under Licensing and Supervision,  
 13 we're reducing -- I'm sorry -- changing the time frames  
 14 when a failed exam may be retaken. Right now you can  
 15 fail the first time and take one 90 days later, and if  
 16 you fail again, you have to wait six months. Something  
 17 like that. We're changing it so you can take an exam  
 18 every 90 days.

19       MS. WILSON: Good.

20       MS. OPPENLANDER: Or we're recommending the  
 21 change, I should say.

22       The next one down is No. 5 under Licensing  
 23 and Supervision, reducing the period for restoration of  
 24 an expired license from three to two years. This is  
 25 less expensive for people. It's one of the main

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1 Provisions -- so I should first say that if you've got a  
 2 copy of the NACs, they're there in five parts.

3       Part 1 is general provisions.  
 4       Part 2 is Licensing and Supervision.  
 5       Part 3 is Postgraduate Internships.  
 6       Part 4 is Continuing Education.  
 7       And Part 5 is Standards of Practice.

8       Those five parts are how you see the NACs  
 9 broken out. There's been a change recommended under i  
 10 on your agenda, which is changing the definition of LASW  
 11 and LSW, which is essentially, if you're going to  
 12 crosswalk this, on 641B.41 and 641B.44, and that would  
 13 be on Page 6 of your handout. I'm not going to talk  
 14 about these right now. I'm just trying to get you in  
 15 the frame of mind where you can crosswalk it for when we  
 16 talk through this you know where everything is.

17       The second item under is little ii under  
 18 Licensing and Supervision is the length of time an  
 19 application for licensure will stay open. That's on  
 20 Page 10, and it crosswalks over to 641B.090, and it has  
 21 to do with initial exam approval for your application  
 22 for licensure. Goes from when you get your initial exam  
 23 approval plus nine months. The other part of it is if  
 24 you have an endorsement application, that when we  
 25 receive the complete application, then it's open for six

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1 reasons, so it's a good deal all the way around, and so  
 2 the Board looked at it and said, Yeah, that's fine.  
 3 Simply put, that's why that recommendation is coming to  
 4 you.

5       Under Licensing and Supervision No. 6,  
 6 that's crosswalking over to Page 14 under 641B.112.  
 7 Before you can go after a Provisional B license, you  
 8 have to be 30 units into your MSW.

9       Under 7 under Licensing and Supervision, the  
 10 length of time for exam and expiration for a Provisional  
 11 A license, that was a typo that said nine months and it  
 12 wasn't supposed to. It was supposed to say 90 days.  
 13 We're doing housekeeping there.

14       No. 8, a lot of people that are coming to  
 15 this meeting are interested in increasing of -- the item  
 16 of increasing fees, which in your packet is on Page 15  
 17 but also in your handout on the flip side of -- there's  
 18 a page attached to your agenda. So that page on one  
 19 side shows this process that we're going through.

20       So this is like a flowchart of the process  
 21 we're in right now. We're about here in the process.  
 22 This is an administrative rulemaking guide. Tells us  
 23 what the process is when we're going to make NAC  
 24 changes. So we're about here in this flowchart. The  
 25 flip side are the fee changes so that I can answer

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<p style="text-align: right;">Page 10</p> <p>1 questions, so that the Board members can answer  2 questions about that.</p> <p>3           No. 9, that crosswalks over to Page 16.  4 We're now in the new section on Postgraduate  5 Internships, and under No. 10 we're removing the term  6 "substantially equivalent language," and shorthand is if  7 you're coming, let's say, from Utah and you've already  8 done 1,000 hours and you're coming to Nevada and need to  9 have 3,000 hours for your internship, those 1,000 hours  10 in Utah just count. We're not going to go and figure  11 out what you did or try to examine real quick. We're  12 not going to dig into the weeds. We're just going to  13 take that 1,000 hours straight and trust that Utah did a  14 really good job with you before you crossed state lines.  15 It's just simplifying the process for everybody. We  16 used to dig in and look at everybody. We don't want to  17 do that anymore.</p> <p>18           Under No. 11, increasing the number of  19 interns a supervisor can have. How many people here  20 qualify as a supervisor? For those of us that are  21 supervisors, we can move from three to four. By the  22 way, I qualify as one. I wouldn't be a supervisor and  23 the executive director in a million years, but were I to  24 change what I'm doing, we could take four interns.  25           Are you a social worker?</p>	<p style="text-align: right;">Page 11</p> <p>1           MR. HATCH: Yes. Sorry. I'm so late.  2           MS. OPPENLANDER: You're fine. We're going  3 over what we're going to go over.  4           MR. HATCH: Thank you so much.  5           MS. OPPENLANDER: I should have given you  6 this. Can you sign in for me? Thank you so much.  7           Under 12 on the summary of this agenda,  8 reducing frequency or postgraduate internship progress  9 reports from quarterly to every six months. That says  10 it all right there. There are, I think, six states in  11 the country that have no quarterly reports. There are  12 seven states -- I might have the numbers wrong or it's  13 something like this -- seven states that have quarterly  14 and the rest have one or two. We're choosing to go from  15 four to two.  16           Unfortunately -- I should have said that  17 when I'm qualifying -- when you stand up and start  18 talking for the court reporter and for public meetings  19 in Nevada, you stand up and you say something like  20 "Karen Oppenlander for the record."  21           The other thing I could tell you, I'm also a  22 licensee. I was an LSW first in 1990. Okay. I'm old.  23 I get that. And in '94 I became an LISW. I'm a  24 community worker and an organizer developer kind as  25 opposed to a clinician. I like to work with</p>
<p style="text-align: right;">Page 12</p> <p>1 communities, not with individuals and families.  2 Although I'm really glad y'all do that. It's just not  3 my thing.  4           Under Continuing Education, No. 13,  5 specifying that a retired licensee must still complete a  6 suicide prevention CEU. We had to spell that out  7 because there was some confusion. Our retirees or  8 anybody at 65 or older who is no longer practicing can  9 still be licensed and not have to take CEUs anymore for  10 us, but we can't write out the suicide prevention CEUs  11 because it's state required. It's not Board required.  12 So we had to leave those in there. We had to spell that  13 out. It's more of a housekeeping.  14           Last on the agenda is No. 14, adding  15 information regarding what is considered unprofessional  16 conduct, and that crosswalks over in your other packet  17 to Page 34, and it's 641B.220, Paragraph 2.  18           So the rest of the markups in the middle of  19 your packet, when you're going through them, these are  20 the major summary items. There's a lot of little marks  21 here and there that are simply housekeeping, like where  22 the word "change" should have been the word "charge" or  23 the word "charge" should have been the word "change."  24 Those kind of things. We're not taking those up for  25 comment today unless you need to talk about them.</p>	<p style="text-align: right;">Page 13</p> <p>1           With that, I'm done with the summary. We  2 consider these to be community conversations and that  3 you are here to comment and we're here to hear what you  4 have to say. If you have questions, you have two Board  5 members here that can answer them as well as myself.  6 Thank you for coming today.  7           MS. HARRIS: Thank you.  8           MS. OPPENLANDER: I'll give it back to  9 Monique.  10           MS. HARRIS: Any questions? Comments?  11           MS. CARRERA: Yes.  12           MS. OPPENLANDER: First, for the court  13 reporter, your name and loud for the record so she can  14 type it in.  15           MS. CARRERA: Elsie Carrera. When will  16 these fees go into effect, the updated fees?  17           MS. MAPLETHORPE: The updated fees -- it's a  18 process that we have to go through, and there isn't a  19 necessary date and time in which it will take effect.  20 It's a process that we have to go through where we do  21 open forums, and, Karen, correct me if I'm wrong, what  22 that process looks like and the timeline for it.  23           MS. OPPENLANDER: So if you flip this sheet  24 over -- Oppenlander, for the record. If you flip this  25 sheet over to the back, there's a logic model on what we</p>

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<p style="text-align: right;">Page 14</p> <p>1 go through for -- the State of Nevada has an                  2 administrative rulemaking guide that we follow. We've                  3 been going through process on this since January, and                  4 we've been soliciting and collecting comments since                  5 January, so we have quite a bit of information on what                  6 people have to say about fee ceilings and fees and so                  7 forth and so on. But having said that, once the fee                  8 ceilings get signed into law and the Board determines                  9 what fee they want to actually increase, then we have to                  10 go out publicly, and that's about a six-to-nine-month                  11 process.</p> <p>12           So we're here in the process and we're                  13 moving on down. For example, tomorrow morning in Reno                  14 I'll be -- or Sparks, Nevada, I'll be at the Governor's                  15 Behavioral Committee on something something something                  16 talking about this because in addition to the State's                  17 process, our Board also has to meet other requirements                  18 for AB457. So we have additional meetings that we have                  19 to talk to people about anything that we propose to do.                  20 In this process, all these comments come back to the                  21 Board meetings, and the Board members consider all the                  22 comments and look at everything again. So what you're                  23 seeing is in process and could change.</p> <p>24           Ultimately, what will happen farther down                  25 the process is we'll have a final public hearing to hear</p>	<p style="text-align: right;">Page 15</p> <p>1 final comments, and that will go back and we'll take                  2 those forward ultimately. This is the stage                  3 everything's at right now.</p> <p>4           MS. MAPLETHORPE: Maplethorpe, for the                  5 record. So it's a rough, rough, rough draft. We're                  6 opening it to the public. You guys, you're the social                  7 workers, so we're hearing from you and want that                  8 feedback. Not any time soon.</p> <p>9           MS. HARRIS: Monique Harris for the record.                  10 I wanted to highlight that these are our fee ceilings,                  11 so the term "ceilings" doesn't mean that this is what                  12 the changes are going to be. That just means the State                  13 will give us permission that for the next umpteen years,                  14 this is as high as we can possibly go. We're not                  15 talking or even thinking about increasing fees to this                  16 number here. It will be incremental changes. Does that                  17 clarify anything?</p> <p>18           Okay. So just as we move forward, I want to                  19 make sure that I pointed out those nuances that that                  20 isn't the fee we're talking about increasing it to as                  21 soon as we come out the gate. That is the changes                  22 within the NACs --</p> <p>23           MS. OPPENLANDER: We're doing NAC.                  24           MS. HARRIS: -- before we can even consider                  25 increasing anything.</p>
<p style="text-align: right;">Page 16</p> <p>1           MS. OPPENLANDER: Those are the NRSs.                  2 Sorry.</p> <p>3           MS. MAPLETHORPE: Maplethorpe, for the                  4 record. So we don't have to keep continuing to go back,                  5 it's a ceiling and that's as far as we can -- as the                  6 Board can go, and Board members change. We volunteer.                  7 And so but this is the ceiling. So that is really, you                  8 know, very -- it's open and reasonable.</p> <p>9           MS. OPPENLANDER: While we're answering your                  10 question, before we go on to a different question or                  11 maybe a different topic -- this is Oppenlander, for the                  12 record -- I'm wondering since fees got on the table                  13 first off and I don't know what your preference was                  14 going to be in running the meeting, whether we were                  15 going to popcorn it like that, which is fine, or if                  16 we're going to go straight down 1, 2, 3, 4, 5, 6, 7, 8,                  17 like that. I don't know what the preference is. We can                  18 take them in order or not take them in order. If we're                  19 going to take them out of order, then I probably ought                  20 to explain this form right now. So I'd like for you to                  21 tell me how to proceed.</p> <p>22           MS. HARRIS: I think we should talk about                  23 the pricing issues. We can go down, and if there's a                  24 comment, we can make a comment and scratch it off. If                  25 we can answer or allow her to speak and go back into the</p>	<p style="text-align: right;">Page 17</p> <p>1 sequence of the agenda and then you can clarify that                  2 once we get to that part.</p> <p>3           MS. OPPENLANDER: Okay.</p> <p>4           MS. FOREMAN: Rhiannon Foreman. I was                  5 actually looking at this and based on my understanding,                  6 the last time this was written -- the last time fee                  7 ceilings were changed were 1995. That sounds like a                  8 long time. Of course I wouldn't want to pay more fees,                  9 but considering, I think it's long overdue. Also for                  10 the last fee changes, the last occurred in 2015.</p> <p>11           MS. HARRIS: I don't mean to be rude, but if                  12 we're going to go in sequence I don't want to this to                  13 snowball. Can we hold your comment until we get back to                  14 that place? I just want to make sure we touch bases on                  15 all the agenda items, but I like where you're going.</p> <p>16           When we talk about the definitions, are                  17 there any comments in regards to that? The definition                  18 changes of LASW and LSW? No? I'm going to take that as                  19 a no.</p> <p>20           How about the Licensing and Supervision, the                  21 length of time an application stays open? Is there any                  22 questions or comments in regard to that? You guys are a                  23 quiet bunch today.</p> <p>24           How about removing options for MSW graduates                  25 to take the bachelor's exam? Are there any questions?</p>

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1 Do you guys need us to clarify any of that? No?

2 Changing time frames for when a failed exam

3 may be taken?

4 MS. WILSON: Vena Wilson, for the record. I

5 just want to acknowledge that I can appreciate this new

6 position or new direction. I've found in my limited

7 experience of being a clinical supervisor that the

8 longer an intern -- after they failed a test, the longer

9 they have to wait to retake the test, the more anxiety

10 it builds and the likelihood of them avoiding it longer.

11 So I think with interns having the availability of

12 retesting every 90 days, that will keep the momentum

13 going for studying and increasing the likelihood of them

14 passing the test the next time they take it.

15 MS. HARRIS: Thank you.

16 MS. MAPLETHORPE: Thank you.

17 MS. HARRIS: Then we move to reducing

18 periods for restoration of expired license from three

19 years to two years. There is no comment.

20 Stipulating education requirements for

21 Provisional B license?

22 Length of time for exam and expiration for a

23 Provisional A license? Okay.

24 How about increasing fees for applications,

25 initial licensing endorsements and renewals, and

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1 document to show the history of the Board. What was

2 interesting going through the legislative process was

3 that people thought when we were trying to increase fee

4 ceilings that the Board was going to go to the fee

5 ceiling as to the amount. Gosh. That caused all kinds

6 of heart pitter-patter, and so all of us -- everybody on

7 the Board and anybody that worked for the Board was

8 constantly responding to this fear that the Board was

9 going to jump to this large number here.

10 That's not what this is about. This number

11 is so that they don't have to go back to the legislators

12 again and go through that whole process. That process

13 in and of itself is a real time taker-upper. We don't

14 have many staff on board, and we don't have time to

15 spend all our time in the legislation walking from

16 legislator to legislator telling them why we need to

17 change our caps. We went for a big number so that over

18 the next 12 years or so we could move up to this number

19 ultimately if we have to. We may never have to. I

20 don't know.

21 The rest of the story is the part that

22 interests me the most. We had some students -- how many

23 people here are representing UNR folks at some level or

24 another? The three of us. So we had some students

25 during the legislature who really looked at the Board

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1 postgraduate internships? This is the hot topic. I'm

2 going to give Karen the floor so that she can explain

3 the documents attached to your packets.

4 MS. OPPENLANDER: If you want to crosswalk

5 to the big packet, for fees, it's on Page 15. And it

6 looks like this where it's blue- and redlined. The

7 compatible document that we created for you today to try

8 to understand what we went through to get here as you

9 were calling out, Rhiannon, was this document.

10 So this column here on Page 15 matches the

11 light blue column here. These are the recommendations

12 for fee increases in the light blue column, so they

13 should be corresponding like that. Now, how did the

14 Board get here? This is the most interesting part. So

15 as was discussed already this morning, this column right

16 here where there's a -- it goes 1987 -- it's in the

17 middle -- 1993, 1995, 2019. We haven't had fee ceiling

18 increases since, as you said, 1995. So what the

19 legislators do is they give us room to move, and what

20 the Board historically has done is iteratively make

21 small fee increases within that capped amount. They're

22 given an amount that they can make incremental changes

23 in. Our Board has always made very low incremental

24 changes.

25 Historically, this is an interesting

Page 21

1 Minutes over the year and looked at our finances and

2 looked at what our situation was, and we were on --

3 we've been nearly insolvent. We were proclaimed

4 bankrupt by several. And what had happened over the

5 years, me going back through the numbers because when I

6 came on as the executive director 17 months ago, the

7 very first thing somebody told me is we're going to need

8 fee increases. I'm a licensee. I was, "Oh, really?"

9 Huh." I'm a skeptical person and I didn't buy that. I

10 have a lot of experience, and I came out of retirement

11 to figure out what was going on with the Board. I was

12 looking at the numbers and I wasn't real excited, and I

13 realized we were never making ends meet 20 years ago.

14 We had a backlog of cases, disciplinary cases, 20 years

15 ago.

16 Our first executive director, when she

17 retired, handed off a backlog to the second executive

18 director. Not just going to say there were three.

19 There were more. There were three, me being the third.

20 The first one handed off a backlog of disciplinary

21 cases, and the gal that came in next couldn't catch up,

22 and then I took it over. I've got backlogged cases to

23 2009. That is not okay. So that's an example of where

24 we're not making ends meet and haven't been making ends

25 meet.

Page 22

1           The fee structure was never correct, at  
 2     least for 20 years. I come in with my nonprofit  
 3     business background and I said, "Let's look at this  
 4     differently." We've been working on that this last  
 5     17 months so that we could go into session in January  
 6     and talk about getting our caps raised, and then we  
 7     needed to get the fee ceilings raised. We looked over  
 8     budget. What would it take us to meet our unfunded  
 9     mandates? One of our unfunded mandates is we're  
 10    supposed to have a low caseload, not a high one.  
 11    Another one is we're supposed to have reserves in the  
 12    bank. We have zero reserves in the bank today. We  
 13    don't have any money for an emergency. Anything. There  
 14    we sit.  
 15           According to one branch of government, we're  
 16    supposed to have five to six months. According to  
 17    another branch of government, we're supposed to have 8  
 18    to 12 months of reserves. That's not okay. And that's  
 19    mandated. You've heard of unfunded mandated somewhere  
 20    in your work life or your student life. That's where we  
 21    live. Simply stated, if you're working on a computer in  
 22    the state of Nevada on December 31st, it must be Windows  
 23    10-compatible. We have no money to buy computers. That  
 24    kind of you stuff. On it goes.  
 25           We were mandated to go online with our

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1     place to hit our unfunded mandates by 2023 if we make a  
 2     25 percent increase.  
 3           But even so, I didn't come up with that  
 4     number myself. Who came up with it were the students  
 5     from UNR in the policy class. They banded together and  
 6     they started going to the session and started  
 7     testifying, and every time we'd show up for anything,  
 8     they'd be there with us hand in hand. They'd be  
 9     marching into Senator Woodhouse's office saying we want  
 10    to change it and we want it written into the NRS that  
 11    the Board can only do a 25 percent increase every year.  
 12           And I went back to some Board members and  
 13    said "They want us to do a 25 percent increase every  
 14    year." We wouldn't do a 25 percent increase for like  
 15    maybe every five years, but whatever. So I thought it  
 16    was interesting. But I liked their number because we  
 17    plugged in the 25 percent, and that's how I figured out  
 18    we could hit the unfunded mandates by '23. I used their  
 19    number.  
 20           Then the conversation went back and forth  
 21    should it be \$25 or 25 percent? There was a lot of  
 22    haggling in the Board meeting about that, and I'll just  
 23    shorthand it: From my doorway is there's a lot of  
 24    caring expressed. It was several hours on the taped  
 25    thing I'm trying to transcribe about what it's like to

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1     renewals and applications. We put our renewals online  
 2     and spent ourselves down to zero. So we tested it in  
 3     January and went online with renewals in February. Very  
 4     successful. We wish for y'all that are coming in that  
 5     we had online applications. We don't because we can't  
 6     afford the software module.  
 7           We have to -- we're mandated to do that. I  
 8     started figuring out how much money it would take to  
 9     hire an investigator, how much money it would take to  
 10    pay the attorney fees to settle the cases that we have  
 11    against social workers who may or may not be practicing  
 12    appropriately according to 641B and so forth, how much  
 13    money it would take to get the online software, how much  
 14    money it would take to get the reserves and all those  
 15    things we must do.  
 16           If we did a 10 percent budget increase, we  
 17    wouldn't get there. If we did a 50 percent budget  
 18    increase, I could get there by late '21. If we did a 25  
 19    percent budget increase, we could get there by '23.  
 20           I know that the legislators wanted us to do  
 21    this back in 2015 when they told us we had to. I'm  
 22    willing because I've got the strength of will and I  
 23    believe we're going in the right and positive direction,  
 24    I'm willing to stand up to any legislator that wants to  
 25    call us down right now and say that we have a plan in

Page 25

1     graduate right now when you're coming with debt load,  
 2     and I remember my debt load, and it just about broke me.  
 3     And I understand back then it was nothing compared to  
 4     what it is today. And you're coming into a field of  
 5     social work where we're lower paid than nurses and  
 6     teachers and you're typically a woman and so you're  
 7     lower paid than men, generally speaking, in the social  
 8     work profession, and if you're a woman of color, you're  
 9     paid even less. I'm sorry. It's just wrong. And our  
 10    Board members and our public that were at this Board  
 11    retreat care so much.  
 12           So in this trying to keep the Board viable  
 13    and make ends meet and trying to pay attention to  
 14    where -- what it would do to people, they said "Okay.  
 15    Let's do 25 percent instead of \$25." We are at 40 right  
 16    now for an application. So if you're a new applicant  
 17    coming in, if you get a 25 percent increase, it would go  
 18    up to \$50. If you get a \$25 increase, it would go to  
 19    65. So the Board said, "We don't want to hit the new  
 20    graduates that way."  
 21           The other thing that was stated was that if  
 22    we were going to do the 25 percent, then it would affect  
 23    the LCSWs more heavily than it would affect the LSWs.  
 24    They preferred that because an LSW is coming in at a  
 25    lower rate of pay, generally speaking, than an LCSW and

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1 LISW. There's consciousness in the decision the Board  
 2 made, and the public comments that were made during the  
 3 Board retreat led the Board to make this recommendation.  
 4 So this was intentional and thought through in every  
 5 single way, but it came initially through a group of  
 6 students at UNR who were in a policy class. Most of  
 7 them were in a FUZE club, if I remember correctly, and  
 8 another club. Another policy club at UNR. That's how  
 9 it was generated.

10 So that's the background in the fee  
 11 increases. If they weren't necessary, nobody would be  
 12 talking about them today because none of us had the time  
 13 to go through this process just for the heck of it.

14 With that, I ask the Board members to  
 15 perhaps express themselves because you were -- these  
 16 were your decisions, not mine. I was feeding the  
 17 information to the group, but these are not my decisions  
 18 to make. I work for the Board. Thank you.

19 MS. HARRIS: Do you have any comment?  
 20 MS. MAPLETHORPE: Maplethorpe for the  
 21 record. It's very interesting that we call it a  
 22 retreat, these meetings, because they are not. They are  
 23 long and they are very -- you know, just very specific  
 24 and strategic and we take everything -- and we're social  
 25 workers. We're in the field. We supervise. We

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1 I'm so sorry.

2 MS. FOREMAN: Rhiannon Foreman. I am still  
 3 adamant that it's time. We have to do that. I think  
 4 it's hard on a single mom of four, and no, I don't want  
 5 to pay more fees, but when I actually think about how  
 6 important it is to continue on, it's long overdue.

7 MS. WILSON: Vena Wilson for the record.  
 8 I'm curious to know, because I've not been on the  
 9 website since I had to update my address, to your point,  
 10 Karen, there is some misinformation about the projected  
 11 fees and the ceiling because I know when I read the  
 12 letter, I was in shock. I thought "Oh, my goodness. I  
 13 have to pay that to renew my license?" And I'm also  
 14 mindful that we have a fairly good turnout. This is my  
 15 first one; I have nothing to compare to.

16 Because there's a history of misinformation  
 17 about what the intention is with the ceiling, is it  
 18 something on the website or is it a possibility to  
 19 create a video so social workers can click on and in two  
 20 minutes or three minutes or less learn exactly what this  
 21 is so the phones aren't blowing up and rumors aren't  
 22 being spread? Because not everyone can take off work to  
 23 be here. I'm just putting that out there as a  
 24 possibility.

25 MS. MAPLETHORPE: Karen, video. I can see

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1 represent the south. And, you know, it was just lovely  
 2 to get all of that comment and just to really put time  
 3 and effort into this. There's only five people on the  
 4 Board and we only have four right now. We have four  
 5 Board members for the state of Nevada. It was very  
 6 intentional and well thought out, and I'm really  
 7 grateful to be part of a Board that took everything  
 8 into -- all the concerns. And you know, it's a process.  
 9 You know, it's a definite process. And so like you  
 10 said, it's time. We're going to go bankrupt. I don't  
 11 want to be part of -- my credentialing, I spent all of  
 12 this time and effort to build my Board -- for the Board  
 13 to go bankrupt. And we've come so far in the last few  
 14 years with renewals and really coming into the 21st  
 15 century. We weren't even in the 21st century. It was  
 16 strange for me being a new member of the Board, being on  
 17 this side of it. We weren't. We were really -- it was  
 18 old school, like most boards in Nevada and a lot of  
 19 boards across the nation.

20 This isn't -- we're not different. The  
 21 boards all over -- because we go to the ASWB, we're  
 22 speaking the same thing across, all the way to Canada.  
 23 We're on top of it. Again, love your guys' comments.

24 MS. HARRIS: Are there any comments?  
 25 MS. WILSON: Vena Wilson for the record.

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1 her on YouTube.

2 MS. HARRIS: Are there any other comments?  
 3 MS. CARRERA: Elsie Carrera for the record.  
 4 So I see that there are fees for, like, the initial  
 5 license. But what if you want to become a clinical  
 6 intern? Are there additional fees? Because I'm not  
 7 sure how the process works.

8 MS. MAPLETHORPE: Quarterly reports. We pay  
 9 no fees ever when you do a quarterly report. So with  
 10 your other licensing report, the intern has to pay every  
 11 time you do a quarterly report. We don't need to do  
 12 that; we're not going to do that. So that's -- for your  
 13 application when you want to become a CSW, clinical  
 14 social worker intern, that initial part, yes. We're not  
 15 changing any fees. It stays the same. So that's not  
 16 being increased at all.

17 MS. HARRIS: Did that answer your question?  
 18 MS. CARRERA: Yes. I believe so.  
 19 MS. HARRIS: Okay. Are there any other  
 20 comments?  
 21 MS. MARTINES: Samantha Martines for the  
 22 record. You may have already talked about this, but how  
 23 will the procedure go for getting to the ceiling of the  
 24 fees? Will that be something that will come back to the  
 25 Board yearly or...

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1 MS. HARRIS: This is the process for that.  
 2 Right? Or this is the just the NRS.  
 3 MS. OPPENLANDER: Oppenlander for the  
 4 record. This process that we're going through right now  
 5 that takes six to nine months after you go through the  
 6 legislative process, you're about here. So the  
 7 legislators sign these numbers into law for us to work  
 8 with. Then the Board on July 31st came up with a  
 9 recommendation for NAC changes, including fee increases.  
 10 That was up here. The Board came up with a  
 11 recommendation.  
 12 So if we were going to do another fee  
 13 increase another time, we'd have to go right through the  
 14 administrative rulemaking thing, which is a  
 15 six-to-nine-month process. This Board isn't going to  
 16 iteratively change fees and go through the  
 17 six-to-nine-month process. We're pretty confident that  
 18 this fee increase should last for years to come. I  
 19 don't know how many years because I can't crystal ball  
 20 this at the moment. The world we're in right now is a  
 21 little goofy. I could just as well imagine with  
 22 economies of scale in technology that the Board could  
 23 maybe come back and actually do a fee decrease. So I'm  
 24 not expecting fee increases or that we'll ever  
 25 necessarily hit these caps. I don't know that.

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1 for us to maintain the Board, it has to happen. So we  
 2 encourage your participation throughout the process. We  
 3 encourage you as other people ask questions or as you  
 4 hear things going out that aren't 100 percent accurate  
 5 or that you can chime into that, you do that or refer  
 6 them to one of the Board members or to -- I don't want  
 7 to say to the Board. Refer them to the Board so they  
 8 can get those questions answered and clarified. I'm  
 9 happy that you all are part of the process. Sounds like  
 10 you are in agreement in understanding that this is  
 11 something that has to happen in order for us to maintain  
 12 a Board.  
 13 So with that being said, if there aren't any  
 14 other comments on this particular agenda item, I'm going  
 15 to move forward to the next one, which is disallowing  
 16 payments by cash. Did anybody have questions in regard  
 17 to that?  
 18 Then moving to Postgraduate Internships,  
 19 this -- again, like Karen was explaining earlier, some  
 20 of this is just tweaking of the language, but we have to  
 21 highlight all of the changes. So with that being said,  
 22 removing subsequently equivalent language on hours being  
 23 counted from an internship to another state, we're  
 24 trying to help with mobilization of licensing. Did I  
 25 say that right? Okay. And so we're changing that and

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1 But we just didn't want to have to go back  
 2 through legislation again, because it's too expensive to  
 3 deal with them. They don't charge you to talk to them.  
 4 I don't know that the legislators are like that. The  
 5 actual time that you have to take to do it and stop  
 6 everything you're doing and devote your day to talking  
 7 to a legislator, etcetera, is hard and time-taking and  
 8 we just don't have enough people to do that.  
 9 So I don't see this process happening over  
 10 and over and over just randomly. It would be another  
 11 process like we're going through right now where the  
 12 Board could foresee they needed to do it for a specific  
 13 reason. They didn't have enough money. There was a new  
 14 unfunded mandate that I don't know about yet coming down  
 15 the pike that they had to fulfill on behalf of the  
 16 federal or the state government that I can't even  
 17 foresee yet and that we would have to have more money to  
 18 do that. I don't even know what those things are.  
 19 MS. HARRIS: Did that answer your question?  
 20 MS. MARTINES: It did. Thank you very much.  
 21 MS. HARRIS: Any other comments? Questions?  
 22 Monique Harris for the record. I just  
 23 wanted to -- before we go to the next agenda item, I  
 24 wanted to make sure to kind of nail in the coffin this  
 25 process or the fee increases is something that in order

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1 increasing the number of interns as supervisors. I know  
 2 there's been questions "Can we get more? Can we get  
 3 more?" So we are proposed to increase it from three to  
 4 four.  
 5 Reducing frequency of postgraduate  
 6 internship progress reports from quarterly to every six  
 7 months, did anyone want to chime in on that or is that  
 8 okay? Self-explanatory?  
 9 Continuing Education, specifying that a  
 10 retired licensee must still complete suicide prevention  
 11 CEUs for renewal of a license, does everyone understand  
 12 that and how that's State and not Board?  
 13 Okay. No comments?  
 14 Standards of Practice, so adding information  
 15 regarding what is considered unprofessional conduct,  
 16 there was some changes and discussion around that. Did  
 17 anyone want to chime in or have questions in regard to  
 18 it?  
 19 MR. HATCH: I didn't have any questions.  
 20 This goes back to the -- Luke Hatch for the record.  
 21 Yeah, anything that would make it easier to help people  
 22 get licensed in a quicker fashion sometimes I think  
 23 would be nice, but -- and I understand everything needs  
 24 to be in place. Like possibly -- and just a suggestion  
 25 because it was in a state that I came from -- that you

<p style="text-align: right;">Page 34</p> <p>1 could take the licensing exam at the beginning of your                  2 hours instead of wait and take them halfway through. I                  3 know there's reasons for everything, but it makes it a                  4 little easier to take the licensing exam at the                  5 beginning, and if someone is struggling to pass that                  6 exam, they've got their whole time to take it. Just a                  7 thought.</p> <p>8 MS. HARRIS: Are you talking about the post                  9 exam for your internship?</p> <p>10 MR. HATCH: The full licensing exam for                  11 clinical social workers.</p> <p>12 MS. MAPLETHORPE: That's not even on the                  13 table. But that's great information. Exactly.                  14 Absolutely. So you have to have so many hours up front                  15 before you can even take that exam and you have to kind                  16 of gauge it. Like if you have anxiety and you're not --                  17 you can really kind of screw yourself because you have                  18 to stop practicing as a social worker if you do not                  19 pass -- if you don't get that done. You could really                  20 hurt yourself. You have to have good supervision so                  21 that doesn't happen because you're part of an agency and                  22 everybody is working together. It can become                  23 problematic.</p> <p>24 MS. HARRIS: Harris, for the record. We try                  25 to help with that process by the timeline for allowing</p>	<p style="text-align: right;">Page 35</p> <p>1 to take the test; whereas, before it was only twice and                  2 then you had to wait, whereas now you can do it every                  3 90 days.</p> <p>4 MR. HATCH: Which is great. I think that's                  5 a good change for sure. I think sometimes like even                  6 being able to take it earlier in the process instead of                  7 waiting 1,500 hours could be helpful. Just a                  8 suggestion.</p> <p>9 MS. HARRIS: Thank you.                  10 Any other comments? Questions? Concerns?                  11 No.</p> <p>12 I'm going to move to public comments. Is                  13 there any public comments?</p> <p>14 MS. MAPLETHORPE: Maplethorpe for the                  15 record. When we do the quarterly reports, there will be                  16 a function in to alert. We haven't figured that out or                  17 vetted that out because that is something that we're                  18 going to have -- the intern won't need to police it.                  19 The supervisor -- that doesn't need to be the                  20 supervisor's sole responsibility, so we'll figure that                  21 out. We do it on your birthday when we do the renewals.                  22 With the quarterly report everybody starts differently.                  23 There's other boards that do it certain time periods,                  24 the end of June 30th and again in December, so they have                  25 specific dates. But we have to figure that out.</p>
<p style="text-align: right;">Page 36</p> <p>1 So that will be something that will have a                  2 prompt or an Email can be sent within the system, and                  3 we're trying to figure that out. That definitely was                  4 something we thought about and how are we going to                  5 alert. That's money, too, sending out postcards through                  6 the mail. That's a heavy expense too. Different things                  7 that we can do more 21st century electronically.</p> <p>8 MR. HATCH: It was really nice to have the                  9 online renewal. It was great.</p> <p>10 MS. HARRIS: Karen, did you want to add                  11 anything before we adjourn?</p> <p>12 MS. OPPENLANDER: Karen Oppenlander for the                  13 record. This is my first 17 months on this job and I                  14 didn't know what I was walking into, and what I walked                  15 into was a Board who was ready to modernize and                  16 streamline processes. With my background, it's a really                  17 good fit because I was able to do that in another                  18 sector, and so I have experience doing that. So it's                  19 been really nice to see the changes, and as expressed                  20 here, this Board was United States Post Office-based.                  21 The staff did not have Email two years ago. So I'm                  22 quite serious about the lack of modernization, so I                  23 appreciate public comment that you're happy with the                  24 online renewal process, as are we. So it's an                  25 investment. It's a change. And it's a positive change</p>	<p style="text-align: right;">Page 37</p> <p>1 from what I can tell, and I appreciate everybody that                  2 has been part of this movement to streamline and                  3 modernize the Board and be part of talking about it                  4 openly.</p> <p>5 So what's happening right now just in my                  6 short 17 months that I get to be secret witness to is                  7 participation, and I can't tell you how much it's                  8 appreciated to go into meetings and have people show up,                  9 and our court reporters talk about where they go into                  10 meetings and there's one person here. It's nice to have                  11 people care about the progression and want it to be                  12 improved and better and that they understand what                  13 they're into, and what the responsibilities of being a                  14 licensee are. We all understand what it's like to have                  15 a driver's license. You can't go out willy-nilly and do                  16 whatever you want on the road. That's the same in being                  17 a licensee, and in Nevada a third of us are licensees.                  18 There's 300 boards or 200 boards of commissions.                  19 Whatever it is. There's just a boatload of licensees                  20 out there. We're a group of them. So we want to                  21 understand 641B and make it work for us.</p> <p>22 Anybody who wants to be part of the process,                  23 we want you to be part of the process. So thanks for                  24 coming today. It's really nice to see you face to face.                  25 Don't hesitate to call us, Email us, whatever else, or</p>




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1 the other way around. If there's something we need to  
 2 know about, keep us in touch. Thank you.  
 3 MS. JONES: Vaniqua Jones for the record.  
 4 One public comment that I feel should be voiced is the  
 5 process for individuals who are trying to become  
 6 licensed and require accommodations during the process.  
 7 In that process, there is a delay in getting  
 8 a test date that is not taken into consideration on the  
 9 timeline. And I also feel that the process of even  
 10 getting the applications approved for the accommodation,  
 11 which I think is a ten-day process also, I feel is not  
 12 considered in the time frame of, you know, from -- you  
 13 have until this day or your license or your -- what is  
 14 it? I can't even remember, but your -- from the day  
 15 that you get approved to be able to take the exam to  
 16 whatever the date is that it expires, that additional  
 17 time was ten days. You have ten days to get your  
 18 application approved for the accommodation, and then  
 19 when you call in for the actual test date, because of  
 20 whatever type of accommodations you require, there's  
 21 also a large gap in between time, and I think that it  
 22 takes away from your ability to be successful, I would  
 23 say, for people who have anxiety like myself, and I was  
 24 fortunate enough to be able to, thank God, successfully  
 25 pass my first try. However, for those people who aren't

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1 able to, it -- I could only imagine calling in and  
 2 saying I would like to schedule another test date and  
 3 having to wait weeks and weeks and weeks for a new test  
 4 date because of the type of accommodation I require. I  
 5 think that's also something to maybe consider in the  
 6 future.  
 7 MS. HARRIS: That's MSW.  
 8 Thank you for that. Appreciate it. Anyone  
 9 else?  
 10 Well, before I adjourn, I want to invite  
 11 everyone to participate in the meetings. You can find  
 12 that information online and know that you're always  
 13 welcome, and I want to thank everyone for coming.  
 14 Monique Harris. Meeting adjourned at 10:17.  
 15 (The proceedings concluded at 10:17 a.m.)  
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 23  
 24  
 25

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1 CERTIFICATE OF REPORTER  
 2 STATE OF NEVADA )  
 SS:  
 3 COUNTY OF CLARK )  
 4 I, KELE R. SMITH, Certified Shorthand Reporter,  
 5 do hereby certify that I took down in shorthand  
 6 (Stenotype) all of the proceedings had in the  
 7 before-entitled matter at the time and place indicated;  
 8 and that thereafter said shorthand notes were  
 9 transcribed into typewriting at and under my direction  
 10 and supervision and the foregoing transcript constitutes  
 11 a full, true, and accurate record of the proceedings  
 12 had.  
 13 IN WITNESS WHEREOF, I have hereunto affixed  
 14 my hand this 19th day of September, 2019.  
 15  
 16  
 17   
 18 KELE R. SMITH, NV CCR #672, CA CSR #13405  
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**Attachment "C"**

Summary of Comments from Public Workshops held on September 11, 2019 and September 12, 2019



State of Nevada

## Board of Examiners for Social Workers

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

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### Summary of the Public's Response to Proposed Regulation Changes from September 11, 2019 and September 12, 2019 Public Workshops.

Both Public Workshops in Reno, Nevada on Wednesday, September 11, 2019 and Las Vegas, Nevada on Thursday, September 12, 2019, were attended by Board Staff and Board Members as well as licensees and public attendees.

In both Public Workshops, the Executive Director began the meetings by walking the attendees through a summary of the NAC changes being proposed going through 5 parts: Part 1 - General Provisions; Part 2 - Licensing and Supervision; Part 3 - Postgraduate Internships; Part 4 - Continuing Education and Part 5 - Standards of Practice.

After this overview, most of the proposed changes were readily accepted without further questions. When questions were answered, the responses were favorable to the changes being proposed.

The following are a summary of the **questions** that were asked and answered **(in BLUE)** or **comments made (in PURPLE italics)** about proposed NAC changes:

#### Changing Time Frames For When a Failed Exam May Be Taken

*VW acknowledged and appreciated this new position or new direction. She has found as a clinical supervisor that the longer an intern has to wait after failing a test, the more anxiety builds and the likelihood of them avoiding it longer. So interns having the availability of retesting every 90 days will keep the momentum going for studying and increasing the likelihood of them passing the test the next time they take it.*

#### Increasing Fees for Applications, Initial Licensing, Provisional Licenses, Endorsements, Renewals, and changes regarding Postgraduate Internships

##### How did the Board determine to increase fees?

The Board has been nearly insolvent and we were proclaimed bankrupt by several people that had been looking at our financials. We are a state agency and we are self-funded with licensing fees. We have to work like a business within our means as we don't have any access to general state funds. Looking back at our financials, we realized we were not making ends meet 20 years ago. At that point, this resulted in a backlog of disciplinary cases.

*RR commented that what probably most of you don't know is that the Board itself has to be self-funded. In other words, most state agencies have the opportunity to go to legislature, and when they're running short, ask for some general funds or some other funds to cover their expenses. But licensing Boards do not have that opportunity. So they have to -- they get all their funds from the licensees themselves. So they have to look at their own organization to figure out how they can go ahead and fund the necessary expenses that the Director is talking about. And so she's at the point now where she's got to come to us and ask us for some help.*

So, we looked over the budget to determine what it would take to reduce our backlogged compliance unit cases. We started figuring out how much money it would take to hire an investigator, how much money it would take to pay the attorney fees to settle the cases that we have backlogged complaints against social workers who may or may not be practicing appropriately according to 641B and so forth.

We also looked at how much it would take to do all those other things we must do that we refer to as unfunded mandates. For example, we are legislatively directed to have financial reserves and we have zero reserves in the bank today. In other words, we don't have any money set aside for an emergency, for planning for upcoming needs in the future. According to one branch of government, we're supposed to have five to six months of reserves. In discussions with another branch of government, we're supposed to have 8 to 12 months of reserves set aside.

Another mandate is to update the computer equipment to be Windows 10-compatible by the end of 2019 without adequate funds set aside to do this.

Additionally, in 2015 we were mandated to put licensing renewals and applications online. We did put licensing renewals online in 2019 and our budget was spent down to accomplish this. Next we will need to save money to have online applications placed online. We can't do this now because we can't afford the software module.

***A Board member described the 2019 Board workshops where the discussion about fee increases took place.***

*It was several hours of very focused, very specific and strategic discussion. It was very intentional and well thought out. She stated that she is really grateful to be part of a Board that took everything into consideration-- all the concerns. And she added that it's a "process".*

We looked at what would a 10 percent budget increase do to help stabilize the Board's budget and that didn't work out. Then we figured out that if there was a 50 percent increase to fees in the budget, we could stabilize the Board and meet all of its requirements by late 2021. But a 50 percent increase wasn't palatable. Ultimately, we worked with a 25 percent budget increase, and we could meet Board requirements by 2023. We know that legislators wanted us to accomplish many of the mandates as far back as 2013-2015. As we know believe that we're going in the right and positive direction, we are willing to explain our plan to reach our unfunded mandates by 2023 if we make a 25 percent increase in fees now.

*VP was curious about the proposed number as opposed to, you know, it was such a wide range that it could have been. Of note, the group that initially proposed the 25 percent fee increases were students from a UNR policy class that had banded together, started going to the session and started testifying. After studying the options, the students believed that this would be the best solution.*

**When Do the Proposed Fee Increases Go Into Effect?**

The attendees learned that the NAC change process were expected to take about six months (or longer) to complete; then the changes would go into effect.

**The Difference between the Fee Ceilings and the Fee Increases**

The Board members discussed the difference between fee ceiling increases and fee increases. They clarified that fee ceilings indicated how high the Board could possibly go; but Board members indicated that they are not talking about or even thinking about increasing fees to the maximum number; that any changes will be made incrementally.

RF clarified her understanding that the last time fee ceilings were changed were 1995. That sounds like a long time. In consideration, she thinks it's long overdue. Also, thinks it is long overdue for fee changes, the last occurred in 2015.

LD thinks that it's important to keep the Board intact with the money that it needs in order to continue with our profession in the community, and I know there was a push to try to put us all under one Board, LADCs and psychologists. I was just looking at their fees, and the LADCs are \$495, and then the psychologists are \$965, so I don't really feel this is out of line at all. I feel like the Board definitely needs that money. Looking at the other Boards, that amount of money doesn't seem to be out of line to them.

PB: I totally agree a hundred percent. I would like to stay independent, and I don't think it's out of line at all.

MM commented: First of all, I'd like to thank you for the background as far as the thought process behind the rate increases and also your continuation in terms of looking ahead for the rates. That's good information to have moving forward. It is very logical. So your logic is not flawed as far as being able to move forward and being able to cover the operational costs. RR and I are probably the only two in the room who have a background -- that can remember back Dr. Jane Lamb stepped forward to the Nevada legislature with a bill draft to create the Board of Examiners for Social Workers. At that time, economically, things were very lean in the state. And one of the concessions that was made in order to get the Board created was to make the Board independent and self-sufficient. The legislature nor any of the people who were involved in the actual creation of the Board of Examiners for Social Workers had any understanding in terms of what the cost for operation would actually be. It was figured that using an adjustment for rates for fees would be able to accommodate that similar in the way it does other professions. The problem is, today -- that social workers are a finite group of people. We also are in a different economic level than other licensed professionals. We don't have the ability to generate the revenue those types of professionals would -- those other public Boards that can afford those fees to be self-sufficient. It seems to be that right now in the State of Nevada, the state is struggling with being able to try and fill the need for licensed social workers within the state, and it's having a hard time doing that. We've gone to an exercise a couple of years ago where we're trying to soften reciprocity issues for licensing and that type of thing, but it still doesn't fill the need we have within the state and the growing need we have for social workers. So I don't think we've ever really had an opportunity to compare the finances of operating this organization with meeting the needs and expanding the capacity for additional social workers within the state. So it seems to me -- and I'll circle back with you, that we need to have a real hard look at where we're at, and this obviously is stopgap measure to be able to address the financial needs to be able to keep ourselves solvent. But, at the same time, I also think we need to look beyond that. It seems to me that Senator Woodhouse would be a supporter for social workers. It seems to me that Teresa (Benitez-Thompson) would be a good supporter for social workers and would be willing to help sponsor or craft a bill that would give, possibly, a one-time allocation to the Board of Examiners for Social Workers - possibly multi-year for including a certain dollar amount with dollar amount within a budget that would be considered a contribution. Because, in my mind, if the State of Nevada truly does value the work of social workers, they can damn well stand behind it.

### **SM asked about how the procedure will go for getting to the fee ceilings?**

Will that be something that will come back to the Board annually? They attendees learned that the process for future fee increases would be the same 6+ month process we are are going through right now. Therefore, the Board is pretty confident that these fee increases should last for years to come unless there is a new unfunded mandate that we are not anticipating.

### **Licensing and Supervision -- Length of Time Application for Licensure Stays Open**

*RR clarified questions about applications and how sometimes applicants have other issues that pop up; so it takes them some time to actually complete the application. This change will give more time, so that you don't lose the application and have to pay again for another application fee. So it's actually giving you more time to actually follow through once the application is made. It's a good thing. So, so far all changes they've been proposing have been to our advantage because they're giving us better options.*