



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

MINUTES OF BOARD MEETING
September 20, 2013 at 9:00 a.m.

The meeting of the Board of Examiners for Social Workers was called to order by Sandy Lowery, Board President at 9:00 a.m. The meeting was held at Mojave Adult, Child and Family Services, 745 W. Moana Lane, Suite 100, in Reno, Nevada. There was a simultaneous video conference conducted at Mojave Adult, Child and Family Services, 4000 E. Charleston Blvd., Suite B-230, Las Vegas, Nevada. Chairperson Lowery noted that the meeting had been noticed properly and the members present constituted a quorum for the purposes of the Board meeting. Roll call was initiated by Chairperson Lowery, with the following individuals present at the following location(s):

Members Present:

Sandy Lowery, LCSW, President, Reno
Rod Smith, Public Member, Reno
James Bertone, LCSW, Secretary/Treasurer
C.J. Yao, LCSW, Board Member, Las Vegas
Annie Wilson, LSW, Board Member, Las Vegas

Staff Present

Kim Frakes, LCSW, Executive Director, Reno
Henna Rasul, Senior Deputy Attorney General, Reno

Public Attendees

None

PUBLIC COMMENT

There was no one to offer public comment.

AGENDA

A motion was made by Rod Smith and seconded by Annie Wilson to approve the Agenda as submitted. This motion was carried without objection.

CONSENT AGENDA

A motion was made by James Bertone and seconded by Rod Smith to approve the Consent Agenda as submitted. This motion was carried without objection.

REGULAR AGENDA

DISCIPLINARY MATTERS

Review, Discussion and for Possible Action, recommendations to dismiss cases: G10-32, G10-46, G10-47 and G11-13.

Kim Frakes presented this agenda item to the Board. Following presentation of redacted information pertaining each case and the rationale for dismissing each case which included a review of each case with Henna Rasul, a motion was made by Rod Smith and seconded by C. J. Yao, to dismiss: G10-32, G10-46, G10-47 and G11-13. This motion was carried without objection.

Review and Discussion, Redacted Disciplinary Report.

Kim Frakes presented this agenda item to the Board. She noted that during the number of open cases remains steady, with presently "87" cases open. Ms. Frakes stated that since the Board meeting in August, she has been focusing her efforts on addressing particular cases for possible prosecution and was not able to review any additional cases for possible dismissal. Ms. Frakes noted that although next month's Board retreat would temporarily divert much of her time away from the disciplinary cases, it was her intention to quickly redirect her attention back to the disciplinary cases following the Board retreat. Following Ms. Frakes' presentation of this agenda item, the Board encouraged her to continue to diligently address the disciplinary cases.

LEGISLATIVE AND REGULATORY ISSUES

Review, Discussion and for Possible Action, continuation of discussion regarding identification of regulations by Board members and staff that may require changes and proposed language related to these identified regulations, including but not limited to:

Continuing Education, NAC 641B.187 through NAC 641B.195:

- a. NAC 641B.189, including "pre-test and post-test" as a requirement for approval of distance learning continuing education courses submitted on individual applications by licensees, providing that the amount of continuing education hours accrued by a licensee during his/her continuing education cycle for these type of distance learning course/courses do not exceed an amount specified by the Board and continue to meet other terms and conditions specified by the Board.
- b. NAC 641B.189(5), clarification of the definition of "interactive" and "distance learning" as it applies to electronic forms of continuing education course presentations including, but not limited to, videoconferencing, webcasts and telephonic presentations.
- c. NAC 641B.189, the one-time approval of voluntary service provided by an individual licensee, limited to terms, conditions and number of continuing education hours as specified by the Board.
- d. NAC 641B.193, clarification of continuing education provider practices which may allow the Board to withdraw approval of a particular continuing education course and/or provider of continuing education.

Kim Frakes presented the above agenda item to the Board. She expressed the need to possibly consider revisions to the Board's regulations pertaining to continuing education as noted above. Enclosed in each Board member's meeting packet were her proposed recommendations for regulation changes. Following discussion Sandy Lowery and Rod Smith recommended tabling this agenda item for further discussion during next month's Board retreat.

Internship Required for Licensure, NAC 641B.140 and NAC 641B.150:

- a. Withdrawal of Board approval for an agency as a primary Board approved internship site if the agency fails to demonstrate that it can sustain the minimal number of hours required to complete an internship program pursuant to NAC 641B.140(1)(b) for independent social work interns and NAC 641B.150(1)(b) for clinical social work interns.
- b. Clarification of the number of internship sites allowable by an intern pursuant to NAC 641B.140 and NAC 641B.150, including a definition of "primary site of internship program".

c. NAC 641B.160(7), clarification of withdrawal of a Board approved supervisor may include forfeiture of hours accrued in the Board approved internship program, under conditions already defined by the Board.

Kim Frakes presented the above agenda item to the Board. She expressed the need to possibly consider revisions to the Board's regulations pertaining to internship programs. In particular, Ms. Frakes noted the proposed regulation changes pertaining to Board approved internship sites/agencies, clarification pertaining to the number of Board approved internship sites/agencies allowable in an internship program and clarification pertaining to the Board's withdrawal of a Board approved supervisor and implications for possible forfeiture of accrued internship hours. Enclosed in each Board member's meeting packet were her proposed recommendations for regulation changes. Annie Wilson requested clarification pertaining to an internship process. Sandy Lowery provided clarification about the internship process which included the number of internship sites allowable in an internship program pursuant to Board policy. Following discussion Sandy Lowery recommended tabling this agenda item for further discussion during next month's Board retreat.

NAC 641B.220:

Clarification of retro-active approval of licensure following restoration of an expired license, pursuant to NAC 641B.111, subjects the license to possible disciplinary action if a violation or other unprofessional conduct occurred during the period of retro-active approval of licensure.

Kim Frakes presented this agenda item to the Board. She reviewed the renewal process and explained when a license becomes delinquent and then expires sixty (60) days following the date of delinquency. Ms. Frakes reviewed the process to restore an expired license and that the period of expired licensure would be sixty (60) days from delinquency to three (3) years. During this period of time, since the individual is not licensed with the Board, he or she is not required to report any arrests or convictions. Furthermore, if an individual restores, the period of licensure is retroactive to the date of the last renewal. This particular regulation change would clarify that if a license is restored, the period of the restored license could be subject to disciplinary action if the Board became aware of alleged violations pertaining to NRS and NAC 641B. A copy of the proposed regulation change for this agenda item was enclosed in each Board member's meeting packet for review. Following review and discussion of the agenda item, a motion was made by James Bertone and seconded by C. J. Yao to approve the submitted regulation change pertaining to NAC 641B.200 as submitted. This motion was carried without objection.

NAC 641B.111, Restoration of Expired License:

The addition of "fingerprinting" as a requirement for restoration of an expired license.

Kim Frakes presented this agenda item to the Board. Noting the previous agenda item discussion, Ms. Frakes indicated that aside from an individual's candor when applying for restoration, the Board is unaware of whether an arrest, conviction or other problems may have contributed to the expiration of the license. Mandating fingerprinting would be a public protection measure that would provide reasonable assurances to the Board regarding personal and professional activities of the individual during the period of retroactive licensure. A copy of the proposed regulation change for this agenda item was enclosed in each Board member's meeting packet for review. Following review and discussion of the agenda item, a motion was made by C. J. Yao and seconded by Annie Wilson to approve the submitted regulation change pertaining to NAC 641B.111 as submitted. This motion was carried without objection.

Proposed additional changes to NAC 641B identified and submitted by Board members to date.

Kim Frakes presented this agenda item to the Board. She noted that there were additional proposed regulation changes in each Board member's meeting packet pertaining to NAC 641B.189, approval of continuing education programs and NAC 641B.193, complaints pertaining to continuing education programs, to be tabled for discussion during next month's Board retreat.

The Board then reviewed recommended regulation changes submitted by James Bertone. Mr. Bertone's proposed regulation changes included proposed changes to: NAC 641B.187, continuing education requirements for licensees, NAC 641B.105, pertaining to the Board possibly establishing standards for approving university and college social work programs and NAC 641B.126 regarding applicants for endorsement who have had disciplinary actions in another state. Mr. Bertone's proposed recommended regulation changes contained items pertaining proposed regulation changes that had already been tabled. Sandy Lowery guided discussion regarding Mr. Bertone's list of proposed regulations. Ms. Lowery wondered if most of the items on the list could be tabled, with the exception of proposed changes pertaining to NAC 641B.105, which considered the possibility of having the Board establishing standards for approving university and college social work programs. Ms. Lowery discussed the role of the Council for Social Work Education (CSWE) in reviewing and approving social work problems. Ms. Lowery wondered how the Board would be able to do this on their own. Mr. Bertone explained that given the active and long-standing role of CSWE, he wished to withdraw this particular regulation change. Aside from this, Mr. Bertone was agreeable to tabling the remainder of his proposed regulations until next month's Board retreat.

Association of Social Work Boards (ASWB) and National Association of Social Workers (NASW), Nevada Chapter

Review, Discussion and for Possible Action, identification of a Board delegate and alternate to attend the ASWB Annual Meeting, November 7 through 9, 2013, to be held in Nashville, Tennessee.

Kim Frakes presented this agenda item to the Board. She explained that the ASWB Annual Meeting will be held November 7 through 9, 2013, in Nashville, Tennessee. Ms. Frakes indicated that ASWB funds for each member board to send one delegate to the Annual Meeting. Board members should nominate one (1) Board member or staff as the delegate who would attend this meeting and one (1) alternate. Following review and discussion, a motion was made by Rod Smith to nominate Kim Frakes as the delegate to attend the ASWB Annual Meeting in Nashville. Annie Wilson would be the alternate to attend in the event that Ms. Frakes was unable to attend. This motion was carried without objection.

Review and Discussion, the NASW 2013 Conference, September 26 through 28, 2013, to be held in Reno, Nevada

Kim Frakes presented this agenda item to the Board. She indicated that this agenda item served as a reminder of the conference which would be occurring next week. Sandy Lowery stated that she would be conducting an ethics presentation as a profession in the field of social work and would be clear during her presentation at the conference that she is not representing the Board. Annie Wilson indicated that she would also be attending the conference. Aside from this, there was not any further discussion pertaining to this agenda item.

DEPUTY ATTORNEY GENERAL REPORT

Henna Rasul, Senior Deputy Attorney General, indicated that she did not have anything further to add to today's Board meeting.

PRESIDING OFFICER'S COMMENTS

President Lowery indicated that she was looking to meeting the new Board members from Las Vegas next month during the Board retreat. Aside from this, she did not have anything further to add to today's Board meeting.

BOARD OPERATIONS

Review, Discussion and for Possible Action, the approval of Minutes for the August 16, 2013 Board meeting.

Kim Frakes presented this agenda item to the Board. The meeting minutes for the August 16, 2013 Board meeting was prepared by Ms. Frakes for the Board's review, discussion and possible action to approve the minutes. Following final approval by the Board, the final version of the minutes will be posted on the Board's website. A copy of the minutes from the August 16, 2013 Board meeting was enclosed in each Board member's meeting packet. A motion was made by Rod Smith and seconded by Annie Wilson to approve the August 16, 2013 Board meeting minutes as submitted. This motion was carried without objection.

(Following presentation of this agenda item, the Board took a break from 10:05 a.m. until 10:15 a.m.)

Review, Discussion and for Possible Action, approval of contract for services pertaining to annual audits required by the State Legislature and conducted by Coulson and Associates, LTD., a certified public accounting firm.

Kim Frakes presented this agenda item to the Board. A contract for services pertaining to the 2012/2013 and 2013/2014 fiscal years audits were emailed to each Board member individually in advance of the Board meeting. Coulson and Associates provided the Board's audit services during the 2011/2012 fiscal audit. If approved, this will be a contract for two (2) years. One copy of the contract was also available at each meeting site for those Board members who did not have the opportunity to review the emailed copy in advance of the Board meeting. Ms. Frakes indicated that the contract format used is a standard State contract format which she is able to utilize in all contract negotiations following her completion of the State Contract Management program during May 18, 2012. Following review and discussion of the proposed contract, a motion was made by James Bertone and seconded by C. J. Yao to approve the two (2) year contract with Coulson and Associates, LTD. This motion was carried without objection.

Review, Discussion and for Possible Action, strategic planning pertaining to the Board retreat, scheduled for October 18, 2013.

Kim Frakes presented this agenda item to the Board. Ms. Frakes indicated that the Board retreat was officially scheduled to take place on October 18, 2013. It will be held at the I Building conference room located at the Board's office building complex. This agenda item provided the Board an opportunity to discuss strategic planning, if they so desired. The Board did not take any action on this agenda item. Ms. Frakes stated that the all Board members should bring their resource binders to the retreat and that the resource binders for Annie Wilson and C. J. Yao were sent to them prior to today's Board meeting.

EXECUTIVE DIRECTOR'S REPORT

Kim Frakes reminded the Board members that she would be out of the office next week, from September 25 through 27. She would be returning to the office on September 30th. Ms. Frakes thanked everyone for

attending today's Board meeting and that she looked forward to seeing everyone next month during the Board retreat.

PUBLIC COMMENT

(Pursuant to NRS 241.020, the notice of meeting must include: *A period devoted to comment by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken....*)

Rod Smith wanted to use the public comment period to express his appreciation of Board staff. He stated that on the numerous times he has interacted with Board staff either by telephone or in person, that everyone is polite and appears to work diligently in order to address whatever task they are required to complete. Kim Frakes thanked Mr. Smith for his comment and indicated that she would pass this along to Board staff. Aside from Mr. Smith's comment, there was not anyone from the public to offer comment.

ADJOURNMENT

A motion was made by James Bertone and seconded by Annie Wilson to adjourn the Board meeting. This motion was carried without objection. This Board meeting was concluded at 10:25 a.m.

Respectfully Submitted,

Kim Frakes
Executive Director