



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

MINUTES OF BOARD MEETING
August 21, 2015

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 Mental Health: Reno, 745 W. Moana Lane, Suite 100, in Reno, Nevada. There was a simultaneous videoconference conducted at Mojave Adult Clinic, 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 President Lowery, with the following individuals present at the following location(s):

Members Present:

Sandra Lowery, LCSW, Board President, Reno
James Bertone, LCSW, Board Vice-President, Reno
Annie Wilson, LSW, Board Member, Las Vegas
(Absent: Rod Smith, Public Member, Reno and C.J. Yao, LCSW, Las Vegas)

Staff Present

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

Public Attendees

Lea Cartwright, J.K. Belz and Associates, Reno
Carol Broersma, LSW, MSW, State of NV, Rural Children's Mental Health Consortium, Reno
Marco Erickson, State of NV, Dept. of Education, Reno
Amber Reid, Washoe County School District, Reno
Pat Sanborn, State of NV, Dept. of Education, Reno
Jan Mason, State of NV, Rural Children's Mental Health Consortium, Reno
Eric Ohlson, Washoe County School District, Reno
Victoria Blakeney, State of NV, Dept. of Education, Reno
Teresa Benitez Thompson, LSW, State of NV Assemblywoman, Reno
Teri Peltier, Reno
Auralie Jensen, Reno
Susan LeDee Randall, Reno
J.D. Fripp, National Assn. of Social Workers, NV Chapter

PUBLIC COMMENT

No one to offer public comment.

AGENDA

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

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

REGULAR AGENDA

DISCIPLINARY MATTERS—Tabled

(In order to aid with the efficiency of this meeting, the above Agenda item was tabled in order to move to another agenda item. The Board returned to this agenda item later during the meeting.)

LICENSURE, INTERN AND APPLICATION ISSUES

Review, Discussion and for Possible Action, Licensed Social Worker (LSW) Application for Auralie Jensen.

(In order to aid with the efficiency of this meeting, the above Agenda item was tabled in order to move to another agenda item. The Board returned to this agenda item later during the meeting.)

Review, Discussion and for Possible Action, Request by Safe Schools Health Students Project Coordinator and Vested Parties Pertaining to:

- i. Senate Bill (SB) 515, <http://www.leg.state.nv.us/Session/78th2015/Reports/history.cfm?ID=1118>, Introduced During the 78th/2015 Legislative Session on May 31, 2015, as it Pertains to Specified Funding Goals and the Placement of Mental Health Professionals, Including Licensed Clinical Social Workers, in Schools Throughout the State;
- ii. Substance Abuse and Mental Health Services Administration (SAMHSA) Grants Awarded to the State of Nevada during periods as noted: "Safe Schools/Healthy Students" (SS/HS), \$2,214,000, Effective 09/30/2013; and "Now is The Time-Advancing Wellness and Resilience in Education-Local Education Agency, 2014" (NITT/AWARE, 2014), \$1,949,181, Effective 09/30/2014;
- iii. Concerns Recently Brought to the Attention of the Board's Executive Director Pertaining to the Recruitment of Licensed Clinical Social Workers to Fulfill SB 515 and SAMHSA Grant Requirements and Possible Impact Upon these Programs; and
- iv. Possible action taken following discussion of the above items, as allowable pursuant to NRS (Nevada Revised Statute) and NAC (Nevada Administrative Code) 641B.

Kim Frakes provided an overview of the items in each Board member's Board meeting packet. She also noted, as indicated on the agenda and above, it appears that SAMHSA had awarded Nevada the **SS/HS Grant** on or around **09/30/2013** and the **NITT/AWARE, 2014** Grant on or around **09/30/2014**. **SB 515** was introduced on **05/31/2015**, was passed during the recent Legislative session and became effective on **07/01/2015**. Below is a timeline regarding this matter:

1. **ATTACHMENT A** **11/07/2013**, SAMHSA announces SS/HS grant awards to seven (7) states, including Nevada, for \$2,035,011;
2. **ATTACHMENT B** SAMHSA announces 2014 Discretionary Funds for the State of Nevada. This includes: **SS/HS State Program**, for \$2,214,000, Project Period **09/30/2013 – 09/29/2017** and **NITT-AWARE-SEA 2014**, for \$1,949,181, Project Period **09/30/2014 – 09/29/2019**. Sections of SB 515, which was introduced during the Legislative session on **05/31/2015**. Sections 1 and 2 pertain to the amount of funding awarded to each school district for FY 2015-2016 and 2016-2017. Section 23 defines eligibility standards and stipulations for receipt of the block grants to include contracts with social workers or other licensed mental health professionals within the State school districts and charter schools. Section 44 stipulates the effective dates of the various sections of the bill, including Section 23 becoming effective on **07/01/2015**;

3. **ATTACHMENT C** More detailed information regarding the SAMHSA grants and SB 515. One copy per location provided;
4. **ATTACHMENT D** **07/01/2015**, telephone call from the UNR Field Education Program Coordinator, to the Board's Executive Director (Kim Frakes) regarding a scheduled meeting on **07/07/2015**, pertaining to school social workers as it pertains to SB 515. Agenda for the **07/07/2015** meeting is emailed to Ms. Frakes. Agenda items include SB 515, the above mentioned grants, and "difficulties finding qualified mental health workers" to fill the positions as stipulated in the SB and grants. This meeting may be attended either in person or via teleconference;
5. **07/07/2015** Ms. Frakes attended this meeting via teleconference. The primary focus pertained to recruitment difficulties of clinical social workers in rural counties, how this negatively impacts meeting stipulated requirements in SB 515 and the above mentioned grants, "barriers" to obtaining licensure and licensure via endorsement, looking to hiring clinical social work interns in rural counties to meet SB and grant stipulations, and the rationale for certain Board requirements as it pertains to Board approved clinical internship programs;
6. **07/08/2015** An additional face to face meeting is scheduled by Ms. Frakes with the Safe Schools Healthy Students State Project Coordinator (Pat Sanborn) and an Administrator with the State Department of Education (Vickie Blakeney). The purpose of this meeting included possible ways the Board may be able to assist them and vested parties is meeting project goals as it pertained to the SB and grant stipulations. Clarification was provided pertaining to the Board's Clinical Internship Program, requirements as stipulated in NRS and NAC 641B as well as areas which the Board may be allowed to modify. Outcome of this meeting included considering outreach to the various State school districts to determine which districts may be interested in immediately utilizing mental health workers, including social workers and sending out a job notification to all LCSW'S licensed by the Board. Ms. Blakeney stated she would email Ms. Frakes a copy of "Endorsement as a School Counselor" within the State of Nevada, pursuant to NAC 391.185. There was discussion during this meeting that the Board may consider options for an on-site agency "supervisor", required pursuant to NAC 641B.160(3)(b), which may include a school counselor. Ms. Frakes recommended that Ms. Sanborn, Ms. Blakeney and interested parties attend the Board's meeting scheduled on 08/21/15 to discuss the outcome of the recommendations made during this meeting and to present their concerns to the Board;
7. **ATTACHMENT E** A copy of the criteria for "endorsement" as a School Counselor is emailed to Ms. Frakes on **07/09/2015**;
8. **ATTACHMENT F** 08/06/2015 request to be placed on the Board's 08/21/15 agenda, with issues and concerns as noted;
9. **ATTACHMENT G** A copy of the Board's, "*Clinical and Independent Social Work Internship Programs*", packet and a copy of NRS 641B.240, qualifications for Clinical Social Worker, and a copy of NAC 641B.150 through 641B.170, pertaining to Board approved clinical internship programs; and
10. **ATTACHMENT H** A copy of the Clark County School District's, "School Social Worker", job description which has successfully been a part of the Board's approved clinical internship program for several years.

Ms. Frakes indicated that the passage of SB 515 presented the State of Nevada Department of Education (DOE) with funding to place social workers in various school districts, and hopefully in most schools throughout the State. Various stakeholders have expressed that the funding related to SB 515, coupled with grants awarded to the State within the past two (2) years would be utilized, in part due to mandates, towards hiring licensed mental health professionals in the schools. An anticipated goal of 1 mental health professional per 250 students had been established. Part of the issue in moving forward in posting and hiring for the clinical social works in the school district pertained to the ongoing difficulty experienced in rural/frontier counties in attracting and retaining health care professionals, including mental health professionals. Many stakeholders believed that hiring clinical social work interns to fill these positions, especially interns who were already engaged with the rural communities as residents, would provide the most successful outcome. It had been expressed by various stakeholders that the Board's policies and regulations pertaining to CSW (Clinical Social Work) Interns proved to make the ability to attract individuals who may be interested in working in rural school districts as a CSW Intern difficult to accommodate. It was also expressed by certain stakeholders that the ability to attract and hire LCSW'S (Licensed Clinical Social Workers) from out-of-state proved time consuming as the Board did not appear to process out-of-state applications timely. Ms. Frakes indicated that following her meeting with Pat Sanborn and Victoria Blakeney on July 8, 2015, she recommended that stakeholders may wish to attend today's Board meeting. It was anticipated that following discussion between the Board and stakeholders pertaining to Senate Bill 515 (SB 515) and the awarding of certain grants within the previous two (2) years to the State, that ideas, and hopefully, recommendations could possibly be reached.

Since it had been an assumption by various stakeholders that already licensed LCSW'S would not be interested in working in rural school districts, Ms. Frakes indicated that it would be helpful to test the *actual* level of interest or non-interest by LCSW's in the State. At the conclusion of her meeting with Ms. Sanborn and Ms. Blakeney on July 8, 2015, Ms. Frakes indicated that until today's Board meeting, Ms. Sanborn and Ms. Blakeney consider the following: (a) Mail a general employment announcement to all LCSW'S currently licensed with the Board pertaining to overall interest in applying for a position as an LCSW within various schools; and (b) Contact the NASW, Nevada Chapter, pertaining to setting up a booth/table during their 2015 Annual Conference, scheduled September 10 through 12, 2015, in an attempt to provide outreach to LCSW's who may be interested in applying as an LCSW. Ms. Frakes indicated that an Excel Spreadsheet mailing list, containing contact information for all LCSW'S licensed with the Board was sent out on July 14, 2015 to Pat Sanborn. It appears, however, according to Ms. Sanborn, the Department of Education was hoping to email the information in lieu of mailing these job announcements. Ms. Frakes indicated that she explained the past issue the Board had in mass emails and accordingly, have not used this method in contacting licensees. In regards to contacting NASW Nevada Chapter regarding an outreach booth/table for the purpose of recruiting LCSW'S, Ms. Sanborn indicated that this did not appear to be something of interest at this time.

Ms. Sanborn then presented this agenda item to the Board. She reiterated the known shortage of mental health professionals throughout the State, especially in the rural/frontier portions of the State. Following the passage of SB 515, allocated funding and the grants awarded initially in 2013, Ms. Sanborn indicated that the State DOE was required to produce outcome measure within the next 3 to 4 months, or risk a loss of funding.

President Lowery stated that although she could understand the need to produce outcome measures pertaining to SB 515 within this time frame was strenuous, given the fact that the Legislature just concluded in June of this year, she wondered why the DOE have only recently reached out to the Board regarding their concerns, given that the SAMSHA (Substance Abuse and Mental Health Services Administration) grants (Safe Schools/Health Students) and (Now is the Time Advancing Wellness and Resilience in Education-Local Education Agency) were awarded in 2013 (amount awarded: \$2,214,00) and 2014 (amount awarded: \$1,949,181)? Ms. Sanborn indicated that the first year of the grant was dedicated to setting up the program.

Amber Reid indicated that attracting out-of-state clinical social workers proved difficult as she had heard that the Board takes too long to process the applications. President Lowery replied that although the Board was not at liberty to discuss any applications for licensure in particular, applicants for licensure are informed that the process may take up to thirty (30) days following receipt of all required materials and information. She noted that many of these factors are beyond the control of the Board, such as transcripts, licensure verification by out-of-state licensing boards and verification of postgraduate supervised hours. President Lowery indicated that it had been her observation that following receipt of all required information, the Board is usually on target in processing the application and making a determination of licensure within the thirty (30) day deadline.

James Bertone indicated that pursuant to the Board's administrative code, NAC 641B.150, clinical internship agencies needed to provide clinical interns with the opportunity to: diagnosis and treat mental and emotional conditions. President Lowery inquired about school district policies which would enable students to become "clients" for the purpose of providing mental health assessments and treatments, as this appeared to be part of the funding requirements pursuant to SB 515 and grants. Carol Broersma acknowledged that these were concerns requiring further clarification.

Ms. Frakes noted that during the July 8, 2015 meeting with Ms. Sanborn and Ms. Blakeney, she had informed them that there were certain items which the Board would not be able to provide flexibility on since these matters were either set in NRS and/or NAC, 641B. The ability for CSW Interns to engage in diagnosing and providing mental health treatment were contained in NRS and NAC 641B. An area which the Board appears to have flexibility on pertained to the Board's policy that pertaining to a licensed mental health professional being available on site of the agency in the event that a Board approved LCSW was not an employee of an agency. Ms. Frakes indicated that although the Board preferred that a licensed mental health professional be available (licensed psychologist, licensed marriage and family therapist or a LCSW who is not the Board approved intern supervisor), pursuant to NAC 641B.150(3), it appears that the Board has some flexibility to hire a non-licensed professional. She indicated that during her meeting with Ms. Sanborn and Ms. Blakeney on July 8th, it was determined that although most school counselors were not licensed mental health professionals in the State, there are State requirements pertaining to the "endorsement" of school counselors by the DOE which includes training and education which could be considered, "para" mental health professional training and education. Ms. Frakes suggested the Board consider a "pilot program" which would enable various rural school districts to provide CSW Internship opportunities that would address: (a) how onsite supervision may occur through school counselors; (b) how Board approved CSW Intern supervision could take place either electronically or through State rural mental health clinics; (c) how each school district would be able to provide mental health assessments and treatment to students without this information necessarily becoming part of the student's permanent education record; and (d) how informed consent and permission would be obtained by each school district which would enable students to access these services as "clients".

Assemblywoman Benitez Thompson stated that in moving forward, all stakeholders needed to be mindful and sensitive to time frames. She added that current and ongoing funding for this project was at stake. President Lowery volunteered to assist Ms. Blakeney, Ms. Sanborn and other interested stakeholders in developing a clinical internship program that should address both the provision of services in order to comply with legislative mandates related to SB 515 and grant requirements, while also meeting the Board's requirements, pursuant to NRS and NAC 641B, as it pertained clinical social work licensure via participation and completion of a clinical internship program.

Following review and discussion of this agenda item, the Board did not take action. President Lowery indicated that she would continue to provide the Board updates regarding progress in the development of this particular pilot project.

(Following review and discussion of this agenda item, the Board took a break from 10:05 a.m. until 10:30 a.m. During the break, public participants left, with the exception of Auralie Jensen and Susan LeDee Randall).

Review, Discussion and for Possible Action, Licensed Social Worker (LSW) Application for Auralie Jensen.

Kim Frakes presented this agenda item to the Board. Pursuant to NRS 641B.260, ***Hearing on Application***, (1) *The Board may hold hearings and conduct investigations into any matter related to an application for licensure. The Board may require the presentation of evidence.* (2) *The Board may refuse a license to an applicant if the applicant: (b) Has submitted any false credential to the Board.* The timeline pertaining to Ms. Jensen's application process is as follows:

1. **05/16/2014** The Board receives Ms. Jensen's LSW application (Application). She responds, "YES", to screening questions 1 (conviction of a felony) and 2 (prior arrests and convictions). Ms. Jensen attached a statement and on 05/30/2014, she submitted faxed copies of her discharges from the State of Nevada, Division of Parole and Probation. The discharges were related to three (3) separate arrests and convictions. **(See Attachment A)**
2. **06/20/2014** The Board approved Ms. Jensen to take the ASWB Bachelor's examination. On **09/22/2014**, the Board received the correct amount required to process her fingerprint cards. On **09/23/2014**, the Board received notification that Ms. Jensen had taken and passed the ASWB Bachelor's examination on September 19, 2014. Ms. Jensen's fingerprint cards were submitted to the Nevada Department of Public Safety (NVDPS) on **09/26/2014**, with one copy retained by the NV DPS for arrests and convictions within the State of Nevada. An additional copy is sent to the Federal Bureau of Investigation (FBI) for arrests and convictions outside the State.
3. **11/06/2014** The Board received the results of the criminal background check conducted by both the NV DPS and the FBI. The criminal history conducted by the FBI was negative. The criminal history conducted by the NV DPS was positive for criminal history. Some of the information was disclosed by Ms. Jensen, while other information did not appear to have been disclosed on Ms. Jensen's Application.
4. **12/11/2014** The Board's Executive Director (Ms. Frakes) returns Ms. Jensen's telephone call regarding the status of her Application. Ms. Frakes verbally reviews the outcome of the NV DPS and informs her that "certified court documents" regarding the positive criminal history disclosed on the NV DPS report would be required. Ms. Jensen was also informed that given the length of her criminal history, the Board, in the interest of public safety, would be required to meet with her during a regularly scheduled Board meeting in order to review, discuss and take possible action on whether to approve or deny her Application.
5. **01/20/2015** A letter is prepared for Ms. Jensen which summarizes the outcome of the NV DPS criminal history report. She is informed about what information will be required in order to consider her application for possible approval. She is further informed that she would be required to appear before the Board, pursuant to NRS 641B.260, in order for the Board to determine on whether her Application should be approved for licensure. Ms. Jensen picks up the letter in person on 01/21/2015. **(See Attachment B)**
6. **04/23/2015** The Board receives a written explanation regarding each arrest as indicated in the NV DPS report and summarized in the Board's 01/20/2015 letter to Ms. Jensen. Additional information, including additional certified court documents which appear to address all of the arrests and convictions reported on the NV DPS report are submitted by Ms. Jensen to the Board for the next several weeks. **(See Attachment C—one copy per meeting location provided)**
7. **06/24/2015** Notification of the State's Open Meeting Law service requirements and Waiver. A signed Waiver was received by the Board office on **08/23/15**. **(See Attachment D).**

Following review and discussion of all submitted items, the Board has the discretion, pursuant to NRS 641B.260 (see below) to:

- Approve Auralie Jensen's Application without any limitations or restrictions;

- Approve Ms. Jensen's Application, go into a hearing and place restrictions upon her license; or
- Deny Ms. Jensen's Application which may include a moratorium on when she would be eligible to reapply as well as other stipulations.

Ms. Frakes reminded the Board that the following NRS (Nevada Revised Statute) provided the Board the authority to review, discuss and take possible action pertaining to Ms. Jensen's application:

NRS 641B.260 Hearing on application; refusal to issue license.

1. The Board may hold hearings and conduct investigations into any matter related to an application for licensure. The Board may require the presentation of evidence.
2. The Board may refuse to issue a license to an applicant if the applicant:
 - (a) Is not of good moral character as it relates to the practice of social work;
 - (b) Has submitted any false credential to the Board;
 - (c) Has been disciplined in another state in connection with the practice of social work or has committed any act in another state which is a violation of this chapter; or
 - (d) Fails to comply with any other requirements for licensure.

Following review of the enclosed documentation, James Bertone asked Ms. Jensen why she had neglected to include certain information pertaining to the screening question on her application. She acknowledged ignorance on her part, indicating she was confused pertaining a "conviction" versus a "criminal charge". In hindsight, she agreed she should have been more transparent when she completed her application. Annie Wilson asked Ms. Jensen which area of social work she would be seeking employment. Ms. Jensen indicated that she planned to remain with her current employer which did not require licensure. Ms. Jensen stated that she planned to remain in the area of macro-social work.

Following review and discussion of this agenda item, a motion was made by James Bertone and seconded by Annie Wilson to approve Ms. Jensen's social worker application as submitted, without any restrictions. This motion was carried without objection.

(Following the presentation of this agenda item, Ms. Jensen and Ms. Randall left the meeting).

Review, Discussion and for Possible Action, Supervision of Clinical Social Work Interns, Pursuant to NAC 641B.150, NSC 641B.155 and NAC 641B.160, as it Pertains to a Recently Submitted and Approved Internship Program Site Application and Consideration of Terms and Conditions Pertaining to the Appropriate Level of Intern Supervision When a Board Approved, Off-site LCSW Supervisor is Available but the Internship Agency Does not Have an On-site, Licensed Mental Health Practitioner.

Kim Frakes indicated that this item was placed on the agenda at the request of President Lowery. According to President Lowery, following the recent approval of a new Board approved Internship Program Site, it was discovered that a potential clinical intern, who has been awaiting Board approval of this particular site in order to begin her internship program, would be actually placed in a location which does not have an onsite, licensed mental health practitioner. President Lowery expressed her understanding that a Board approved off-site supervisor happened to practice clinical social work in the immediate community, is close to this agency's rural site location, and appears to have agreed to provide ongoing support and supervision to this intern whenever needed. It has been the Board's policy to consider on a case-by-case basis, exceptions to having an on-site mental health practitioner provide oversight of an intern once the intern has demonstrated a degree of competence as evidenced by the intern successfully completing a minimum of 1,000 postgraduate clinical hours and having successfully passed the clinical examination.

Ms. Frakes reminded the Board that during review and discussion of this agenda item, the Board should consider safety of the public as well as the intern when considering whether an exception in this instance (or

any future instance) is considered appropriate. She further indicated that copies of documents contained in "Attachment G" for the previous agenda item, Item 6B, should also suffice for this particular agenda item.

As noted in discussion of Agenda Item 6B, the ability of certain agencies to meet the criteria of a licensed mental health practitioner being available at the agency in rural locations is often difficult. Based upon discussion of Agenda Item 6B, there appeared to be some flexibility allowed pursuant to the NAC pertaining to clinical internships while still affording safety of the public and interns. President Lowery expressed her understanding of discussions with the agency's clinical director (Nevada Behavioral Solutions) that a Board approved LCSW in the community would be agreeable in coming to the agency as frequently as needed in order to provide supervision of the prospective intern. It was President Lowery's further understanding that the agency's clinical director also agreed to be available electronically (i.e. telephone, emails, cell phone, etc.) in order to provide supervision and assistance to the prospective intern. She added that aside from clerical support, the agency did not have a licensed mental health practitioner at this rural site. Following review and discussion, a motion was made by Annie Wilson and seconded by James Bertone, to the following:

- A modified plan of supervision would occur at Nevada Behavioral Solutions rural location where the prospective intern would be employed;
- The modified plan included the Board approved LCSW agreeing in writing to come to the agency site at a minimum of twice weekly to provide oversight to the prospective intern's work which would include answering any questions and review of any agency documents;
- This would not include the weekly supervision and monthly observation of the prospective intern's direct practice as required in NAC 641B; and
- The prospective intern would present a log containing all of her contacts, including face-to-face and via electronic means, with her prospective Board approved LCSW and the agency clinical director.

This motion was carried without objection. Ms. Frakes indicated that she would be contacting the agency's clinical director regarding the outcome of today's Board meeting.

LEGISLATIVE AND REGULATORY ISSUES

(In order to aid with the efficiency of this meeting, the above Agenda item was tabled in order to move to another agenda item. The Board returned to this agenda item later during the meeting.)

ASSOCIATION of SOCIAL WORK BOARDS (ASWB) and NATIONAL ASSOCIATION of SOCIAL WORKERS (NASW)

Review, Discussion and for Possible Action, NASW Nevada Chapter (NASW Chapter), 2015 Annual Conference, September 10 through 12, 2015, and Ratification of Invitation by the NASW Chapter for Kim Frakes, LCSW and Sandy Lowery, LCSW, to Represent the Board by Participating in a Panel Discussion Scheduled on Friday, September 11, 2015, from 3:00 p.m. until 5:00 p.m.

Kim Frakes presented this agenda item to the Board. As indicated above, the NASW Chapter has invited Ms. Frakes and President Lowery to participate in a panel discussion scheduled on Friday, September 11, 2015, from 3:00 p.m. until 5:00 p.m. The title of this plenary session is, "Board of Examiners for Social Workers/State Legislators Panel". Following review and discussion, the Board may wish to take action by formally accepting this invitation by the NASW Nevada Chapter to participate in this panel presentation. Included in each Board members' Board meeting packet was a copy of the NASW Chapter's 2015 Annual Conference Schedule. J.D. Fripp, NASW Nevada Chapter, Executive Director, indicated that he was pleased regarding the anticipated participation of Ms. Frakes and President Lowery in the annual conference.

President Lowery indicated that she would be meeting with Ms. Frakes and would be creating a power point presentation for the conference. Mr. Fripp indicated that he hoped to schedule a teleconference in the near future with Ms. Frakes and President Lowery to finalize the presentation. In the interim, Mr. Fripp, Ms. Frakes and President Lowery indicated that they would continue to communicate with each other via emails. Following review and discussion of this agenda item, the Board did not take any action.

Review and Discussion, ASWB Pass/Fail Rates for Graduates of Each School of Social Work Education Program in Nevada for 2014.

Kim Frakes presented this agenda item to the Board. As indicated above, the ASWB Pass/Fail rates for graduates of each school of social work education programs in Nevada (i.e. UNR and UNLV), in comparison with the North American Pass/Fail rates (United States and Canada), have been prepared for the Board's review. It was noted that both of Nevada's schools of social work (i.e. University of Nevada, Reno and University of Nevada, Las Vegas) continued to excel well above the national and Canadian average pertaining to the passing of licensing exams. It was further noted that in 2014, graduates of UNR pass rate for the clinical examination was 100%. The Board credited President Lowery's presentation of exam preparation to UNR students for the above average pass rates. The Board indicated that they were pleased regarding the outcome of the ASWB Pass/Fail rates. Following review and discussion of this agenda item, the Board did not take any action.

Review, Discussion and for Possible Action, Selection of Delegate and Alternate to Represent the Board at the ASWB, 2015 Annual Meeting of the Delegate Assembly, November 5 through 7, 2015, in Ft. Lauderdale, Florida.

Kim Frakes presented this agenda item to the Board. The ASWB 2015 Annual Meeting of the Delegate Assembly would be conducted November 5 through 7, 2015, in Ft. Lauderdale, Florida. ASWB will fund the airfare and accommodations for one (1) board or staff member from each member board to attend the Annual Meeting in its entirety. Following review and discussion, the Board should select on delegate and an alternate to attend this meeting. Annie Wilson indicated that she would be interested in attending this meeting if her schedule allowed. Ms. Frakes also expressed interest in attending this conference if Ms. Wilson was not able to attend. Following review and discussion of this agenda item, the Board did not take any action.

DISCIPLINARY MATTERS--CONTINUED

Review, Discussion and for Possible Action, Recommendation to Dismiss: G10-33.

Kim Frakes presented this agenda item to the Board. A redacted overview of this case was presented to the Board along with the rationale and recommendation to dismiss them. Ms. Frakes indicated that this case was also reviewed and discussed with Henna Rasul, who, based upon Ms. Frakes' earlier review with her, was also recommending dismissal of this case. Following review and discussion a motion was made by James Bertone and seconded by Annie Wilson, to accept the recommendations by Ms. Frakes to dismiss case G10-33. This motion was carried without objection.

Review and Discussion, Redacted Disciplinary Report.

Kim Frakes presented this agenda item to the Board. A copy of the redacted Disciplinary Report, current as of August 17, 2015, was included in each Board members' Board meeting packet. Ms. Frakes acknowledged that the number of open cases was daunting and that she has utilized the Board's part-time Legal Secretary to assist with these cases. Ms. Frakes indicated that she would continue to address these cases to the best of her ability.

LEGISLATIVE AND REGULATORY ISSUES--CONTINUED

Review, Discussion and for Possible Action, Update by the Board's Executive Director Regarding the 78th/2015 Legislative Session (Session) as it Pertains to the Final Outcome of the Following Legislative Bills and Preparation by the Board Regarding Regulatory Changes (NAC 641B) in Response to the Session Bills Noted Below:

- i. AB89 *AN ACT relating to professions; ...authorizing certain qualified professionals to apply for a license by endorsement...requiring a regulatory body to develop opportunities for reciprocity of licensure for certain qualified professionals; requiring a regulatory body in certain circumstances to prepare and submit to the Intra-agency Council on Veterans Affairs an annual report relating to veterans...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1319/Overview>
- ii. AB91 *AN ACT relating to mental health; expanding the list of persons authorized to file an application for the emergency admission of a person alleged...with mental illness and...expanding the list of persons authorized to complete a certificate stating that certain persons admitted to certain mental health facilities...are not persons with mental illness...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1324/Overview>
- iii. AB93 *AN ACT relating to public health; requiring certain licensed professionals to receive suicide prevention and awareness training in order to renew a license...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1326/Overview>
- iv. AB294 *AN ACT relating to public health; requiring the Department of Health and Human Services to report information concerning the suicide mortality rate of veterans ...requiring certain providers of health care to receive training relating to suicide...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1787/Overview>
- v. SB15 *AN ACT relating to health care professionals; requiring a mental health professional to notify certain persons when his or her patient make explicit threats or imminent serious physical harm or death in certain circumstances...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1161/Overview>
- vi. SB68 *AN ACT relating to professions; authorizing certain qualified professionals who hold a license in the District of Columbia or another state or territory of the United States to apply for the issuance of an expedited license by endorsement to practice in this State...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1248/Overview>
- vii. SB70 *AN ACT relating to public bodies; making various changes relating to meetings of public bodies...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1250/Overview>
- viii. SB84 *AN ACT relating to health care providers; including certain alcohol and drug abuse counselors and problem gambling counselors in the definition of "provider of health care" for purposes of various provisions relating to healing arts...*
<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1286/Overview>

Kim Frakes presented this agenda item to the Board. This agenda item provided an update pertaining to bills that were passed during the 78th/2015 Legislative session and to prepare the Board for the Board retreat scheduled October 16, 2015, during which time the Board will meet for the purpose of drafting regulation changes, pursuant to NRS Chapter 233B and NAC Chapter 233B, as well as any other applicable statutes and regulations. With the exception of an overview of SB 68, summaries of the above mentioned bills were provided in previous Board meeting packets and it is believed that the Board members have had the opportunity to review and discuss various bills that have been presented to them by the Board's Executive Director. Ms. Frakes indicated that upon request, she would gladly email a copy of any of the above bills to

any Board member upon request. Ms. Frakes provided an overview of the above bills, indicating that it appeared, with the exception of Assembly Bill 91, the remaining bills passed during the 78th/2015 Legislative session. Ms. Frakes suggested that the Board may wish to spend some time discussing SB 68, which has been approved by the Governor and appears to supersede NAC 641B as it relates to licensure via endorsement. An overview of SB 68 applicability to Board operations as it pertains to approving license applications via endorsement, that the Board would automatically approve endorsement applications meeting the following criteria:

- Meets the minimum criteria as it pertains to U.S. citizenship or ability to remain and work in the U.S.;
- Has provided a transcript directly from the school/university which awarded the degree, is a program approved by the Council on Social Work Education, and is the appropriate degree for licensure in Nevada;
- Has been licensed a minimum of 5 years and can demonstrate active and continuous employment under their license;
- Has never been disciplined or sanctioned under their license; and
- Does not have a prior criminal arrest history.

Ms. Frakes indicated that this appears to tremendously streamline review of licensing applications for individuals who have been licensed a minimum of 5 years, especially in reviewing clinical social work applications for endorsement. It was Ms. Frakes' understanding that AB 89, which contained similar language as it pertained to active duty military, their spouses and veterans, and that this would eventually be merged into SB 68. Ms. Frakes further noted that in addition to SB 68, SB 7, SB 15 and AB 93 would require the Board's attention when regulation changes would be discussed during an upcoming Board retreat scheduled on October 16, 2015. Following review and discussion of this agenda item, the Board did not take any action.

Review, Discussion and for Possible Action, Overview of the State's Rulemaking Process as it Pertains to the Board's Preparation to Engage in Changes to NAC (Nevada Administrative Code) 641B and NRS (Nevada Revised Statute) 641B.

Kim Frakes presented this agenda item to the Board. As noted in the previous agenda item, 7A, the Board has scheduled a retreat on October 16, 2015, for the purpose of drafting regulation changes. This agenda item provides an overview of the Rule Making Process, located on the Office of the Attorney General's website, ag.nv.gov. Ms. Frakes verbally provided an overview of the Rule Making Process, with a proposed time line over the next several months as contained below. Ms. Frakes expressed her gratitude to the Board's in reserving their time over the next few months in order to address this much needed revision to the Board's regulations. A summary of the tentative timeline and schedule presented to the Board is contained below:

10/16/2015 Board retreat. Ms. Frakes will email the Board some of her proposed recommendations pertaining to changes in NAC 641B, as well as solicit any recommendations for changes from the Board. During the retreat, the Board will review, discuss and take action on approving the changes as submitted or request Ms. Frakes to continue to work on the proposed draft changes;

11/20/2015 Board meeting. During this meeting, the Board will review the drafted changes with the intention of submitting the final draft to the Legislative Counsel Bureau (LCB). Upon receipt, LCB will review the proposed regulation draft and edit the regulation changes in order to be consistent with language contained in State law. Following consultation with Ms. Frakes, a properly formatted draft will be assigned a number by LCB and returned to the Board office. This process, in the best of situations, takes at least thirty (30) days. Following receipt of the formatted draft from LCB, the Board will be required to properly post and conduct a public workshop. This process includes mailing notices to all licensees, notifying them of the

proposed changes, post the workshop notice on the Board's website, and to invite and accept public input regarding the proposed regulation changes.

01/15/2016 Contingent upon the Board receiving the properly formatted regulation changes timely, a public workshop will be conducted in Las Vegas and Reno. The Board may consider conducting the workshop in a similar fashion to the way the workshop was conducted in 2014, since this appeared to work out well.

02/19/2016 A public hearing to adopt the proposed regulation changes may be conducted on this date, contingent upon the Board's desire to maintain the proposed regulations as originally formatted by the LCB. LCB may revise any of the proposed regulation changes, following receipt of public input during the workshop on 01/15/2016. However, if any of the proposed changes affects the language of the proposed regulation changes, another public workshop, which includes notification, must be conducted, prior to scheduling a different date for a Board hearing to adopt the proposed regulations, including any revisions.

Once the Board officially adopts the proposed regulations, the properly formatted regulations are officially submitted to LCB. Following submission, the Board waits for the proposed regulations to be heard before the Legislative Commission (Commission). Although all proposed regulation changes are supposed to be heard by the Commission by June 30th of the year preceding a Legislative session, the Commission was overwhelmed in 2014 and a hearing to hear the Board's previously submitted regulation changes (R014-25) until October, 2014. If the Commission approves the proposed regulation changes, it is submitted to the Secretary of State to be officially enrolled. If the Commission requires any changes that change intent of any proposed regulation changes, the draft regulation changes are returned to the Board for revision.

Following presentation of this agenda item, the Board did not take any action.

DEPUTY ATTORNEY GENERAL REPORT

Review and Discussion, Recent Article Provided By the Senior Deputy Attorney General to the Board's Executive Director, Pertaining to the *North Carolina State Board of Dental Examiners v. Federal Trade Commission*.

Henna Rasul presented this agenda item to the Board. This article was recently emailed to the Board's Executive Director and serves as a reminder pertaining to the recent U.S. Supreme Court decision to narrow the scope of antitrust immunity for state regulatory boards whose members are active market participants in the occupation regulated by the boards, as well as possible implications for state boards who are not receiving "active" oversight by their respective state governments. Henna Rasul indicated that in October 2015, she is planning on attending FARBS (Federation of American Regulatory Boards) conference. The focus of this conference will be the Federal Trade Commission versus the North Carolina Dental Board. As noted, this landmark Supreme Court decision presents numerous concerns pertaining to regulatory boards as it pertains to anti-trust laws.

Review and Discussion, Senior Deputy Attorney General Report.

Ms. Rasul also noted that the recent Legislative session passed bills pertaining to agency's adherence to the State's Open Meeting Law. Ms. Rasul reminded the Board to remain vigilant regarding this law. Aside from this, Ms. Rasul did not have anything further to add to today's Board meeting.

PRESIDING OFFICER'S COMMENTS

Review and Discussion, Presiding Officer's Comments.

Sandy Lowery requested the Board to table this agenda item as she wished to return to this at the end of the Board meeting.

BOARD OPERATIONS

Review, Discussion and for Possible Action, Approval of Minutes for the May 15, 2015 Board Meeting.

Kim Frakes presented this agenda item to the Board. She noted that the drafted minutes were for the May 15, 2015 Board were in each Board members' Board meeting packet. Following review of the enclosed minutes, a motion was made by James Bertone and seconded by Annie Wilson, to approve the minutes from the May 15, 2015 Board meeting as submitted. This motion was carried without objection.

Review, Discussion and for Possible Action, Ratification of Office Lease as Prepared by the State's Department of Administration, Buildings and Grounds Section, and Approved by the State's Board of Examiners on July 7, 2015.

Kim Frakes presented this agenda item to the Board. Shortly after the May 15, 2015 Board meeting, the State's Department of Administration, Buildings and Grounds Section (B and G) contacted the Board's Executive Director. They indicated that the staff member who had been working on the Board's lease had left and promised to have the lease completed in time for the July 7, 2015, Department of Administration, Board of Examiners meeting. Following the July 7th meeting, the Board's Executive Director was contacted by B and G and informed that the new lease was approved and would become effective August 1, 2015 and terminate on July 31, 2020. Although this matter has been discussed in great detail over the previous Board meetings, Ms. Frakes indicated that following review and discussion of the attached copy of the lease, the Board may wish to take action on ratifying the updated lease as approved by the State's Department of Administration, Buildings and Grounds on July 7, 2015, for the period of time noted on the updated lease.

Each Board members' Board meeting packet included a copy of the July 7, 2015 State Department of Administration, Board of Examiners board meeting agenda, which includes the Board's lease and a summary of the lease, as provided by B and G. One copy of the full lease was available at each Board meeting location.

The Board was pleased to see that the lengthy venture to approve a new lease for the Board office, which included the much needed expansion, was concluding. Following the presentation of this agenda item, the Board did not take any further action.

Review, Discussion and for Possible Action, Update on Additional Items as it Pertains to the Board's Office Expansion.

Ms. Frakes presented this agenda item to the Board. This served to update to the Board regarding additional items purchased, and previously discussed in earlier Board meetings as it relates to the expansion of the Board office. This includes an upgraded copier, furniture for the Executive Director's new office, additional furniture to furnish the conference room and the purchase of additional computer software which will enable certain forms on the Board's website to be completed online. Ms. Frakes indicated that she was working within the Board's current budget to purchase these noted items at a reasonable price. Following review and discussion of this agenda item, the Board did not take any further action.

Review, Discussion and for Possible Action, the Board's Year-to-Date 2014-2015 Fiscal Year Budget Summary for July 1, 2014 through June 30, 2015 in Comparison to the Board Approved 2014/2015 Fiscal Year Budget.

Kim Frakes presented this agenda item to the Board. The Year-to-Date, 2014-2015 Fiscal Year concluded June 30, 2015. The current Year-to-Date budget information will cover all of the 2014-2015 Fiscal Year. Items at or near 100% will be considered as being on target. Following review and discussion on the presented year-to-date budget, the Board may take action on approving the year-to-date budget as submitted and also propose recommendations pertaining to the upcoming 2015/2016 budget. A copy of the 2014-2015 Year-to-Date budget in comparison to the Board approved 2014-2015 Fiscal Year budget was included in each Board members' Board meeting packet. Following review and discussion of this agenda item, a motion was made by Annie Wilson and seconded by James Bertone to approve the above noted budget. This motion was carried without objection.

Review, Discussion and for Possible Action, Proposed Fiscal Year Budget for July 1, 2015 through June 30, 2016.

This agenda item served to solicit Board input regarding the new Fiscal Year Budget for July 1, 2015 through June 30, 2016. Given the approved licensing fee increases in the newly adopted regulations (R025-14), as well as a slight increase in licensing applications, the Board appears to be fiscally sound as we move forward into the new fiscal year. Accordingly, the Board's Executive Director is making recommendations to increase the budget in certain areas, including modest increases in staff salaries, office furnishings and the hiring of additional contract staff, including an investigator(s). A copy of the proposed Fiscal Year Budget for July 1, 2015 through June 30, 2016, was provided in each Board members' Board meeting packet. Following review and discussion of this agenda item, a motion was made by Annie Wilson and seconded by James Bertone to approve the proposed fiscal year budget for July 1, 2015 through June 30, 2016. This motion was carried without objection.

Review, Discussion and for Possible Action, the Board's Second (2nd) Quarter (April, May and June) Licensure Report (Report), with Portions of Information from the Report Reflected in the Nevada Legislative, *Reports of Occupational Licensing Boards*, located on the Legislative Website, <http://leg.state.nv.us/App/OL/A/> and any Recommendations from the Board Following Review and Discussion of the Report. Review and Discussion, Executive Director's Report.

Kim Frakes presented this agenda item to the Board. This agenda item serves as an informative item, informing the Board about the number of individuals licensed by the Board quarterly, either via new, renewing and restoration. The information also provides information to the Board regarding the numbers of individuals licensed and at which levels of licensure. Finally, Board staff have been tracking the number of licenses offered via endorsement, which is included in this document. As noted above, the Board staff also submits much of the above statistics onto the Nevada Legislative website. A copy of the Board's Licensure Statistics for the 2nd/2015 Quarter. Following review and discussion of this agenda item, the Board did not take any action.

Review and Discussion, Update Regarding Board Officer Term Expirations and Status of Board Office Reappointment by the Governor.

Kim Frakes presented this agenda item to the Board. This served as an informative update to the Board pertaining to any appointments or reappointments of Board members by the Governor. To date, Ms. Frakes

indicated that she has not heard from the Governor's office regarding any appointments or reappointments. She promised to notify the Board once she received any additional information.

Review and Discussion, Executive Director's Report.

Kim Frakes presented this agenda item to the Board. She thanked everyone for their attendance during this Board meeting and reminded them about the Board retreat, scheduled on October 16, 2015. Aside from this, Ms. Frakes indicated that she did not have anything further to add.

PRESIDING OFFICER'S COMMENTS

Review and Discussion, Presiding Officer's Comments.

Sandy Lowery thanked the Board for her wedding gift. She also acknowledged that the Board office had worked extremely hard over the past few months and noted that "103" new licenses were issued since the Board meeting in May. Aside from this, President Lowery indicated that she did not have anything further to say.

PUBLIC COMMENT

There was no one to offer public comment.

ADJOURNMENT

A motion was made by Annie Wilson and seconded by James Bertone to adjourn the meeting. This motion was carried without objection. The meeting was concluded at 12:08 p.m.

Respectfully Submitted,

Kim Frakes
Executive Director