



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
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MINUTES OF THE PUBLIC WORKSHOP TO SOLICIT COMMENTS
PERTAINING TO REVISED PROPOSED REGULATIONS
Reno, Nevada

LCB FILE NO. R018-16

April 15, 2016

The Public Workshop to Solicit Comments Pertaining to Revised Proposed Regulations (Public Workshop) of the Board of Examiners for Social Workers (Board), LCB File Number R025-14, was called to order by Sandra Lowery, per diem Board staff member Chair, at 12:30 p.m. The Public Workshop was conducted at Mojave Mental Health--Reno, 745 West Moana Lane, Suite 100, Reno, Nevada. Ms. Lowery noted that the Public Workshop had been properly noticed. Roll call was initiated by Ms. Lowery, with the following Board members, Board staff and participants (arriving and departing at various times) present:

Members Present:

Vikki Erickson, LCSW, Board Secretary/Treasurer

Staff Present:

Sandra Lowery, Internship Program Coordinator

Corrie L. Wolden, Certified Court Reporter, Sunshine Litigation Services

Public Attendees

Misty Allen

Phoebe Cochran, LSW

Stan Shaft, LSW

Rawland Glass, LCSW

Marlyn Scholl, LCSW

Lea Cartwright

INTRODUCTION – OPEN WORKSHOP

Sandra Lowery presented this Public Workshop agenda item. Ms. Lowery indicated that purpose of the Public Workshop (workshop) was to receive public comments pertaining to proposed additions, amendments, and/or repeal of regulations pertaining to Chapter 641B of the Nevada Administrative Code. She further added that the purpose of the workshop was to solicit comments from interested parties on the general topics contained in the "Notice of Workshop to Solicit Comments on Proposed Regulations" (Notice). The Notice was mailed to: all individuals licensed by the Board, all persons on the Board's mailing list, all county libraries, and the Nevada State Library. The Notice had also been electronically posted to: the Board's website, the Legislative website and the State's Public Notice website.

Ms. Lowery summarized the topics to be addressed during the public workshop as follows (Agenda Item 2A):

Section 1 Licensure via endorsement, pursuant to Senate Bill 68, Section 45.

- Section 2 Acceptance of postgraduate, supervised hours towards LISW licensure.
- Section 3 Removes provisions of postgraduate clinical social work not supervised in an agency setting.
- Section 4 Authorizes postgraduate supervised hours by licensed mental health practitioners who meet specific criteria.
- Section 5 Requires 2.0 continuing education hours annually pursuant to Assembly Bill 93, Section 5.
- Section 6 Every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.
- Section 7 Removes certain requirements pertaining to the methods of continuing education delivery.
- Section 8 Adds evidence-based suicide prevention and awareness to the list of acceptable continuing education subject matter.
- Section 9 Definition of a, "dual relationship".

PUBLIC COMMENT (Agenda Item 3)

Ms. Lowery opened the floor to public comment pertaining to the general topics contained in the proposed regulation.

Phoebe Cochran, LSW

Ms. Cochran comments pertained to Senate Bill 68 (SB 68), licensure via endorsement. Ms. Lowery explained that under the provisions of SB 68, licensure via endorsement from other states would be easier for an individual who has been licensed a minimum of five years and who also had continuous licensure, and did not have any disciplinary actions or sanctions on their license. Ms. Cochran indicated that postgraduate supervised hours for individuals seeking eventual clinical licensure vary from state-to-state. She indicated that she works in the field of medical social work which currently does not appear to be a setting which the Board will accept for postgraduate supervised practice. Ms. Cochran expressed that an individual in another state could be licensed as an LCSW in Nevada for postgraduate training which may not be accepted by the Board if the same postgraduate training was conducted in this State.

Ms. Cochran also wanted clarification regarding Assembly Bill 93 (AB 93). She was concerned that the mandated course of continuing education was required annually for licensure, although each licensee's continuing education cycle is every two years. Ms. Lowery confirmed that the suicide awareness and prevention is, at least for now, required by each annual renewal. She acknowledged that having this requirement annually instead of following the every two-year requirement was an oversight during the Legislative session. The bill's sponsor indicated that she would be addressing this during the 2017 Legislative session.

Stan Shaft, LSW

Stan indicated that his renewal month is July, the same month that the required suicide training, pursuant to AB 93, goes into effect. He expressed disappointment that a grace period was not allowed for licensees who renew in July and are impacted by AB 93.

Phoebe Cochran, LSW

Ms. Cochran wondered about the suicide awareness and prevention course and its relevance to her practice. The patients in her field of practice, dialysis, are often terminally ill, with little time left. Suicide is not often a pressing issue for them.

Rawland Glass, LCSW

Mr. Glass inquired about CASAT courses and whether he could complete the same course consecutively. Ms. Lowery indicated that CASAT is a Board approved continuing education provider. He would not be able to take the same course two years in a row (i.e. consecutively).

Misty Allen

Ms. Allen, who supported AB 93 during the 2015 Legislative session, would be working with the Legislators during the 2017 Legislative session to amend the language so that compliance with this mandate would match the Board's continuing education cycle, and would be every two years.

Phoebe Cochran, LSW

Ms. Cochran wondered whether the Legislature's mandating suicide training implies that they could mandate other courses during future Legislative sessions?

Rawland Glass, LCSW

Mr. Glass noted that the mandate of future continuing education course content to licensing boards may also contain a political component.

Phoebe Cochran, LSW

Ms. Cochran wondered if the Board may consider dialysis as an appropriate setting for postgraduate supervised hours (clinical internships) at some point in the future. Ms. Lowery indicated that a job description supporting the provision of psychotherapy could be considered currently. She added that the Board is open to accepting a variety of agencies for clinical internships and that Ms. Cochran should contact her when she is ready to start her postgraduate supervised practice.

Marlyn Scholl, LCSW

Ms. Scholl indicated that she works for the V. A. (Veteran's Administration) as a suicide behavior specialist. She added that she sponsored AB 93 and that saving lives is her passion. Ms. Scholl indicated that the VA (V. A.) often provides suicide prevention training. Ms. Lowery asked if these courses could be available to social workers who are employed outside of the VA. Ms. Scholl indicated that she would look into this. She wondered if the Board would possibly consider whether the Board could modify the annual requirement. Ms. Lowery indicated that the Board was also shocked to learn that the way the bill had been written and passed by the Legislature was annually and that this was further confirmed by the Legislative Counsel Bureau (LCB).

Misty Allen

Ms. Allen indicated that the mandate was in the Board's NAC'S. Ms. Lowery indicated that the LCB had informed the Board's Executive Director, Kim Frakes, that the way the language had been drafted into the Board's NRS, it indicated that this would be conducted annually. She added that the Board is working with the information provided by LCB.

Marlyn Scholl, LCSW

Ms. Scholl asked for clarification pertaining to the Board's requirements for ethics any why this is required every two years, during a licensee's continuing education cycle. Ms. Lowery indicated that this was due to the fact that it was contained in the NAC'S.

Misty Allen

Ms. Allen wondered if a course of continuing education combining both suicide and ethics training would be approved. Ms. Lowery indicated that there was a strong possibility that both combined topics into one training could address both requirements.

Sandy Lowery, LCSW

Ms. Lowery added that the Board was not attempting to make things difficult for licensees. The Board is attempting to follow the law as instructed and interpreted. She added that the Board's Senior DAG (Deputy Attorney General) also came to the same conclusion when she read AB 93 and its applicability to the Board.

Rawland Glass, LCSW

Mr. Glass asked for clarification regarding when he would be required to submit proof of attending 2.0 CEU'S in suicide prevention and awareness. Ms. Lowery indicated that every time he submitted a license renewal, regardless of his CEU collection cycle, he would attach a certificate of completion.

Misty Allen

Ms. Allen wondered why proof of CEU completion (certificates) were required for each renewal. Ms. Lowery indicated that since this was an NRS mandate, proof of completion was mandated. Ms. Von Allen disagreed and indicated that she would research this further.

Marlyn Scholl, LCSW

Ms. Scholl indicated that she would look into this matter further as well. She acknowledged that this could become a significant workforce issue if licensees are not reading the written information provided to them by the Board regarding the mandated suicide prevention and awareness training.

Phoebe Cochran, LSW

Ms. Cochran noted that the Board had removed the requirement for continuing education courses to be, "interactive" and "time limited", and instead, a pre and post-test would be accepted. She indicated that this would have the potential to expand the availability of continuing education courses for licensees.

Vikki Erickson, LCSW

Ms. Erickson noted that often, online courses are more affordable than live, in-person trainings.

There were no additional comments from participants, including public comment. The public workshop pertaining to proposed regulations in LCB File Number R018-16 concluded at 3:00 p.m.

Respectfully Submitted,

Kim Frakes
Executive Director