



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

MINUTES OF BOARD MEETING
May 19, 2017

(AGENDA ITEM 1) The meeting of the Board of Examiners for Social Workers was called to order by Rod Smith, Board President, at 9:02 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.

President Smith noted that the meeting had been properly posted and that the Board members present constituted a quorum. Roll call was initiated by President Smith, with the following individuals present at the following location(s):

Members Present:

Rod Smith, Board President, Reno
Vikki Erickson, LCSW, Secretary/Treasurer, Reno
Jodi Ussher, LCSW, Board Member, Reno
Colleen York, LSW, Board Member, Las Vegas

Staff Present:

Sandra Lowery, LCSW, Interim Executive Director, Reno
Kim Frakes, LCSW, Director of Social Work Practice, Reno
Henna Rasul, Senior Deputy Attorney General, Reno
Paula Berkley, Board Lobbyist, Reno
Caroline A. Rhuys, Board Staff, Reno

Public Attendees:

Tom Durante, Agency Director at Lakes Crossing
Kathryn Baughman, DPPH Senior Policy Advisor

(AGENDA ITEM 2)

PUBLIC COMMENT

There was not anyone from the public at either the Reno or Las Vegas location to offer public comment.

(AGENDA ITEM 3)

CONSENT AGENDA

Review, Discussion and for Possible Action, Approval of the Consent Agenda

- A. Licensure/Internship Applications
 1. *Ratification of Approved License Applications (Attachment 1).
 2. *Ratification of Denied License Applications (Attachment 1).
 3. *Ratification of Approved Internship Applications (Attachment 1).
 4. *Ratification of Denied Internship Applications (Attachment 1).

- B. Continuing Education

Jodi Ussher noted that PESI and Vyne classes are still being submitted to the Board for approval and asked why since they are already approved. Sandy Lowery replied that there are still some classes that were submitted before the March 1st policy change and it was necessary to confirm that they were ASWB or NASW approved. In addition, classes that aren't ASWB or NASW approved are still submitted to the Board for approval. Because of the change in policy there is some temporary overlap in approvals. President Smith explained the approval process.

1. *Ratification of Approved Continuing Education Programs.
2. *Ratification of Denied Continuing Education Programs.

A motion was made by Vikki Erickson and seconded by Ms. Ussher to approve the Agenda as submitted. The motion was carried without objection.

REGULAR AGENDA

DISCIPLINARY MATTERS

(AGENDA ITEM 4A) Review, Discussion and for Possible Action Recommendation to Dismiss Disciplinary Case Numbers: G13-09 and G14-15; and

Kim Frakes stated there are two cases to dismiss. There were 19 at the last meeting. Henna Rasul works with 22 boards, and didn't have time to review. There are four more cases on queue for the next board meeting. Ms. Rasul and Ms. Frakes will meet next week to review cases that Wayne Springmeyer is recommending for dismissal. Due to the many complaint notification letters sent out, there will probably be responses to review and determine if they should be dismissed or investigated further. There was some delay as Mr. Springmeyer was out of the office due to back problems. Clearing cases will allow concentration on more difficult cases.

Motion made by Colleen York to dismiss cases G13-09 and G14-15, seconded by Vikki Erickson. Motion was passed.

(AGENDA ITEM 4B) Review, Discussion and for Possible Action Review and Discussion, Redacted Disciplinary Report.

Sandy Lowery said there are 124 open cases, minus the two cleared today. 34% (41 cases) are licensees who have multiple complaints filed against them. Kim Frakes will work on the multiples next since they are such a large percentage of the cases. Ms. Frakes said there is a triple complaint (one licensee with three complaints) up for dismissal. Ms. Frakes directs Wayne Springmeyer as to the order of cases. Colleen York asked how cases are prioritized. Ms. Frakes replied that oldest and highest rated cases are first. Henna Rasul has staff leaving, so she will be short staffed. Ms. Lowery said green shaded complaints on the chart are part of a multiple (two to seven complaints against one licensee). Ms. York asked if there is a statute of limitations, Ms. Frakes replied that there is not. Jodi Ussher noted that letters haven't been sent for priority 1 cases going back to 2012 and there are multiples that haven't been addressed even though she asked several months ago that going forward the Board follow guidelines suggested by the legislature for 30 day notifications. President Smith asked how many cases are out of compliance with the 30 day limit. Ms. Frakes said there are about 10. There was general discussion of the current notification process and how it might be streamlined. Ms. Lowery asked Ms. Rasul if it is necessary to send a letter within 30 days when a case will be dismissed. Ms. Rasul said that

since the rule hasn't been codified by the legislature, the Board can make it a goal, but it is not currently required. Ms. Ussher asked if a letter can be developed that states the case is under review and the Board doesn't require additional information from licensee. Ms. Rasul said it is up to Board. President Smith doesn't want to burden staff with too many extra letters. Ms. Frakes said that usually there are accusations of alleged violations of NRS and NAC 641B. A 233B letter is sent listing the facts and requiring a response within 14 days. When a response is received, we proceed with the investigation and dismiss, or continue to ask for information and move forward. Sometimes we receive letters with very little to any violations of NRS or NAC 641B. She discusses with Ms. Rasul, and if she agrees, a letter is sent stating we've reviewed it, it doesn't rise to the occasion of a violation of NRS or NAC 641B, and dismissal will be recommended at the next board meeting. Ms. Frakes thinks sending a letter stating that a complaint has been received and we'll be discussing it is more upsetting than sending a letter stating the complaint has been dismissed. Ms. Ussher said the ones that were upset were receiving letters after three years because nothing had been done. Ms. York suggested a letter with boxes to check "still investigating," "provide more information," etc. She thinks sending a letter to a licensee during 30 day period is important, because even if it is dismissed, she would like to know that an allegation was made against her. Ms. Lowery said that could be done. Vikki Erickson agrees that tweaking the letter is a good idea and hiring an additional investigator will help. President Smith agreed. Ms. Lowery said the letter will be streamlined.

LEGISLATIVE AND REGULATORY ISSUES

(AGENDA ITEM 5A) Review and Discussion, A. Review and Discussion, 79th/2017 State Legislative Session Update, as Provided by the Board's Lobbyist;

Paula Berkley reported that this morning AB 457 was amended four more times. She met with new people on the committee so they will know background and she kept Cody informed on negotiations. Four boards agreed to amendments from the Assembly. On the morning of the hearing Ms. Berkley saw Assemblyman Oscarson, and he was upset because she had been negotiating behind his back. There weren't any social workers there, so Paula decided not to speak at the hearing. Changes are:

- Instead of the Board giving data to the Behavioral Health Commission, it will go to the Health Interim Committee because they have been receiving the complaints.
- Boards are supposed to give a reports of their costs and fees, whether fees need to be increased, and showing justification. This would be an opportunity for the Board to raise fees. Board members should consider the cost of new equipment, and the new Executive Director will probably be paid more. Ms. Berkley said she will discuss in more detail when she gives her report in July.
- Show how the Board has made efforts to recognize credentials from out of state. The report should include how endorsements are tracked, including details, to demonstrate the Board is working on this, and there aren't any questions the Board can't answer. The first time the report goes to Health Interim Committee, it must be excellent and detailed. If the committee is happy with the first report, they will start backing off. The first report is required in January, 2018. Ms. Berkley thinks the Board has made a good start, since they already been working on it and have charts and data. The Board just needs to develop a form or spreadsheet that will be easily understood. If we end up at the Sunset Committee too, they will have the same questions. About 80% is done already.
- The last big one disciplinary proceedings, because if the Board takes someone's license, the Behavioral Health Commission can overturn it according to the law. This was done is so people can appeal without having to go to District Court and spend a lot of money on an attorney. Ms.

Berkley commented they are going to have to have an attorney for the Behavioral Health Committee anyway. The Behavioral Health Commission is made up of ten professionals who are volunteers who mean to do a good job. However, they aren't trained in how to be a District Court Judge, which is now their responsibility, doing findings of fact. District Court Judges assume the Board knows what a social worker does and should do. They look at whether the licensee followed the law, not professional standards. This is difficult to do without help. The Board has attorneys to consult and the Behavioral Health Commission doesn't. Ms. Ussher asked how hearings are conducted and Ms. Berkley said both sides are allowed to present their cases, and they can be overturned. When the Board goes to the District Court usually only about 5% of cases are overturned because by the time a hearing is done all the details have been reviewed. The chances of the Board being overturned by the Commission should be zero, but since they aren't trained well they could easily make an error. Then the Board could go to the District Court and the State would be paying attorneys' fees. Assemblyman Oscarson biggest concern has been applicants complaining about license denials. This is why it will be important that when redoing the regs the processes are set out clearly, so people can see exactly what the rules are, including standard letters to applicants regarding items missing from applications. Ms. Lowery stated that licenses aren't typically denied based on legal history as long as an applicant provides all requested information. There were only two denials in the last quarter, and they were because applicants didn't have social work degrees. Ms. Berkley said this has been an issue because there wasn't proof that the Board was doing things correctly. This bill expires in January, 2020.

(AGENDA ITEM 5B) **Review, Discussion and for Possible Action, 79th/2017 Legislative Session and Bills Tracked by the Board's Director of Social Work Practice:**

- i. Sandy Lowery said we don't know if AB 105 or AB 387 (both covering suicide prevention CEU requirement) will go through. Jodi Ussher asked if the requirement will change to every two years. Ms. Lowery replied it may or may not change. Ms. Ussher asked what AB 105 changes. Ms. Lowery said this changes language, broadens the language of the content that can be covered in the suicide prevention CEUs, but it doesn't change the frequency. AB 387 only addressed the every two year requirement. Paula Berkley recommended that the Board contract with an attorney during legislative session since Henna Rasul isn't always available.
- ii. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/4839/Overview>
- iii. AB 194, Provides for the certification of behavioral healthcare peer recovery specialists. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/4970/Text>
- iv. AB 387, Revises continuing education requirements relating to suicide prevention and awareness for certain providers of health care (*Stipulating required 2.0 CEUS be met every two years instead of annually—Passed the Assembly April 13, 2017*); <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5424/Text>
- v. AB 403, Revises various provision relating to governmental administration. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5481/Overview>
- vi. AB 457, Revises provision relating to certain professional licensing boards. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5706/Overview>
- vii. SB 50, Provides for advance directives governing the provision of psychiatric care. Ms. Lowery thinks SB 50 is moving forward. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/4689/Text>
- viii. SB 69, Revises provision governing state agencies, boards and commissions that regulate occupations and professions. <https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/4716/Text>
- ix. SB 186, Revises provisions relating to the provision of information and assistance to immigrants. Sandy thinks this one is dead.

<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5037/Overview>

- x. SB 201, Prohibiting certain health care professionals from providing sexual orientation or gender identity conversion therapy to a minor...SB 201 was signed.

<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5074/Overview> Has been signed.

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES – LAURA HALE

(AGENDA ITEM 6A) Review and Discussion, and for Possible Action, Report received regarding suggested changes to be made in NAC 641B.

Sandy Lowery stated that the Social Work Board has participated in a pipeline of agencies working on mapping regulations and requirements for social work and other behavioral health disciplines addressing the deficit in Nevada. Part of that was for members of the pipeline to assist us in reviewing our NACs in ways that might help the Board rewrite them more effectively. Ms. Lowery asked Henna Rasul if other boards are doing this and she said her committee is working on it. Ms. Lowery said they will standardize when possible. Board members have been provided with the suggested recommendations this committee made for them to consider when they do the regulation rewrite. Tom Durante commented that although the social work pipeline committee will be involved, today's submission is from a committee out of the Workforce Development office. Ms. Lowery explained this is out of DHHS, mostly driven by Laura Hale. Ms. Rasul stated this review is being done for Psychology, Drug & Alcohol, and MFTs. Kathryn Baughman said she is happy about the collaboration effort. As an LCSW she especially likes the NASW and ASWB automatic CE approval. Because DHHS is one of the largest employers of social workers, they try to help boards, which is where the pipeline mapping committee came from and crosses several disciplines. Collaboration with the pipeline committee and looking at the NACs includes input from the field, input as hiring agent, pride in the profession, and a passion to do well. Ms. Lowery commented that the timing is good because the Board's July retreat is NAC review. Ms. Lowery invited Mr. Durante and Ms. Baughman to the retreat. Board members will take the provided materials home for review. President Smith stated that it fits in with the new movement to improve expand thought processes. Ms. Lowery explained that the boxes on right in the DHHS materials are suggested changes. Ms. Baughman said that Mr. Durante has some details prepared if there are questions, which Ms. Lowery asked him to send her.

DEPUTY ATTORNEY GENERAL REPORT

(AGENDA ITEM 7A) Review and Discussion, Senior Deputy Attorney General Report.

No report. Working closely with Kim Frakes and Sandy Lowery on complaints. Several more cases have been cleared that couldn't make it onto the agenda in time. Jodi Ussher would like goal to be clearing all by the end of the year. Paula Berkley said it is important to complete, since the Board is in violation of the law.

PRESIDING OFFICER'S COMMENTS

(AGENDA ITEM 8A) Presiding Officer's Comments

Kudos to Board members. President Smith is happy to work with people who have such compassion for the profession.

BOARD OPERATION

(AGENDA ITEM 9A) Review, Discussion and for Possible Action, Approval of the April 21, 2017, Board Meeting Minutes;

Tom Durante and Kathryn Baughman left the meeting at 9:59am. Jodi Ussher asked for clarification about who is considered a member of the general public related to making comment at the end of meetings. Ms. Ussher stated that Caroline Rhuys made comments during the public part of the April Board meeting. She thought it seemed inappropriate. Henna Rasul said that nothing prohibits it. Should be for public only, but in real life it doesn't work out that way. Public comment sections at the beginning and end of meetings are required by open meeting law. People can talk about anything they want to at both beginning and end of meeting.

Motion to approve minutes made by Ms. Ussher, President Smith seconded. Motion passed. Vikki Erickson and Colleen York recused themselves since they were absent from the April meeting.

(AGENDA ITEM 9B) (For Possible Action) Review, Discussion and for Possible Action, Fiscal report and budget figures for 3rd quarter FY2016/2017;

Sandy Lowery reported that any items on the budget that are around 75% are on target. The Board is ahead in terms of renewal penalties. Suicide prevention licensees are paying extra penalties for renewals because they didn't take a class. Budget for staff salaries is at 60%. In state travel is 111%. That will drop down when UNLV reimburses for Sandy's last trip to train licensees. Liability insurance is at 110%, which is a one-time fee. None of the computer hardware and support money (\$70,000.000) has been spent yet. Funds are earmarked for the software upgrade and the RFP that will be submitted to get the database converted to SQL, do online licensing renewals, real-time verifications, and CEU management. President Smith asked if the \$70,000.00 will change and Ms. Lowery responded that it will because we are doing more.

Motion by Vikki Erickson to approve the 2016/2017 3rd Q fiscal year statement, seconded by Colleen York, motion passed.

(AGENDA ITEM 9C) Review, Discussion and for Possible Action, (item tabled from last meeting) Approval of Policy O-001, Application and Affidavit for Eligible LCSWs to be Approved to Certify/Decertify Patients from an Involuntary Hold;

Sandy Lowery met with Jodi Ussher to discuss the policy language and they made a few changes. Ms. Lowery explained the approval process and suggested approving the changes made. Colleen York said the L2K2 legal hold form is not clear, the term LCSW should be used instead of Clinical Social Worker. She thinks that somewhere in writing it should say "LCSW equates to "clinical social worker." Ms. Lowery suggested that Ms. York look at form and suggest where a change should be made. She also mentioned at the end is a letter and certificate sent out to them. Ms. Lowery calls and confirms approval verbally,

they must provide license number and authorization number on any holds they certify or decertify. These certificates are provided with a number LH00 series. Use both clinical license number and authorization number. Ms. Lowery recommended approving policy with changes. The State form cannot be changed and the Board has not authority of the state designed form. Ms. Lowery says the application and affidavit form are already approved. Ms. York says in hospital people don't know who they are. Ms. Lowery replied that these licensee are not applying to hospitals for approval, they are applying to the Board. Ms. Ussher stated that we are either a licensed clinical worker or licensed social worker. Suggested, putting LCSW in parentheses after licensed clinical worker? Ms. York agreed. Ms. Lowery said they will need to amend it in July because reference is to a reg, can't make change now. President Smith suggested approving what we have with the intention of changing it in July. Ms. York said to avoid future problems it is important to clarify. If we have to wait until July, then she thinks its okay to approve this with changes now. Ms. Lowery commented that in the NRS and NAC language we are always referred to as "clinical social workers" or "social workers." Acronyms are not used. We can submit the change, but the Legislative Council Bureau won't want LCSW in the NAC and will reject. In the NAC language is "licensed as social-worker, licensed as a clinical social worker, and licensed associate social worker." There are no acronyms.

Vikki Erickson made a motion to approve changes to Policy O-001, Application and Affidavit for Eligible LCSWs to be Approved to Certify/Decertify Patients from an Involuntary Hold, with amendments. Ms. Ussher seconded, motion passed.

(AGENDA ITEM 9D) Review, Discussion and for Possible Action, (item tabled from last meeting) January 1, 2017 through March 31, 2017 Board Licensure Statistics.

Sandy Lowery and Jodi Ussher worked on making the report easier to understand. Ms. Ussher is concerned that the way the report is laid out, since licensees can leave their applications hanging for a year, it looks like the office and the Board are not doing their job. The Board actually averages 2.66 days in turnaround. Going across the report the average shortest and longest times were controlled by licensees not the Board. Ms. Lowery stated that if AB 69 goes through we will be required to submit licensing data to the commission on health or somewhere. Ms. Lowery went through the report explaining the changes. She mentioned that licenses by endorsement may be changed due to pending legislation.

Ms. Lowery stated that applications are kept open for a year. Each quarter someone has to go through files manually to determine which files have open applications. On today's report licensees marked in April have been removed because anyone who had an open application and didn't license in April, the file has been closed. Ms. Ussher said it was important that they use the biggest font they could to say "applicants have one year from exam approval date to take their exam" because this is the main reason for delays.

Ms. Lowery reported on social work renewals. The average process time on the Board's end is about six to eight days. Sending wallet cards may take a little longer. The new report is less labor intensive so this information will be provided to the Board every quarter. The last two pages of the agenda show the number per month of new licenses which will translate into the quarterly report. This month we issued 20 new licenses, seven were endorsements, there were no denials, and four provisionals were issued. There were 196 renewals and four license restorations. 90% of the time this is related to the suicide prevention CEUs. On the next page, there are currently 187 clinical internship sites and we approved another eight in April.

Colleen York asked if the information can be put on the website. Ms. Lowery said yes, in a different format, and she will discuss later in the meeting.

Vikki Erickson made a motion to approve the Board licensure statistic forms, seconded by Ms. York, motion passed.

**(AGENDA ITEM 9E) Review, Discussion and for Possible Action, (item tabled from last meeting)
Review of current screening questions on current LSW and LCSW/LISW regarding fitness for licensure;**

Paula Berkley joined the meeting at 10:29am.

Sandy Lowery explained the background for this matter. An individual in Northern Nevada with some medical issues was not sure how to answer question 7. She contacted the Board and the office staff gave her instructions on how to proceed. She then talked with people at UNR who gave her completely different directions and encouraged her to contact her assemblywoman alleging that we were discriminatory in our questions. Ms. Lowery met with the individual who apologized because her intent was not to cause a problem. Ms. Lowery said when you work in mental health or if you work for insurance carriers you are asked these questions and more.

Board members have been provided copies of current screening questions along with examples of questions from the Marriage and Family Therapy Board, Alcohol and Drug Board, Nursing Board, and Medical Board. Although asked, the Psychology Board did not provide question examples. Henna Rasul also provided information from a training on screening questions. Goal today is to decide how to change questions if needed. Colleen York commented that she thinks it is important to phrase questions so the relation to job performance is clear. She said some of the proposed versions are better.

Question 2: Have you ever been arrested or convicted of, or charged with a criminal or civil offense and/or convicted of, or charged with possession, distribution or use of a controlled substance or dangerous drug?

Jodi Ussher commented that if someone has been arrested or charged, and not convicted, it doesn't matter. Ms. Lowery responded that the reason it is here, is partly because people sometimes think they weren't convicted, they think their records were sealed, a variety of things about their legal history and if they mark "no" on question 2 and something turns up on their background check there is a problem. Ms. Ussher suggests using striking "arrested for" or "charged with" leaving "convicted" only. Ms. York asked if many applicants are affected. Ms. Lowery replied that there are many. Then if the background check doesn't match what they reported, the application stops until we receive appropriate documentation from the applicant. Ms. Ussher said applicants are college graduates, they should know if they were convicted and we should not ask about arrests. Ms. Rasul agreed. A charge could be dismissed, there are false arrests. Ms. Ussher provided Ms. Lowery with suggested language revising question 2 to say "convicted."

Question 3: Have you ever been denied a license or certification or been denied approval to take a licensing examination?

Paula Berkley asked why the Board cares about this. Ms. Lowery responded that people come from other jurisdictions where they have been sanctioned. Ms. Ussher said this is about denials, which would be comparable to convictions.

Question 4: Have you ever been the subject of an administrative action or proceeding relating to a professional license or certification?

Ms. Ussher said that question 4 should be stricken because if someone has had an administrative action that resulted in a denial it will show up elsewhere. If there is a proceeding that was unfounded, that is not our business. Ms. Lowery said the administrative action could be that they've been in a settlement agreement. Someone doesn't necessarily get their license denied just because they are into a settlement agreement. Ms. Ussher suggested changing language to "administrative action/proceeding." Ms. Lowery explained that if someone has a disciplinary action and they go into a settlement, they don't want to go to hearing but they admit to wrongdoing. They are then placed in a consent decree and that is what the question is asking. That should appear on the Public Protection Database (PPD) although not all states keep it updated. We want to know if action has ever been taken against a license. "Action" not "accusation." It is level 1 accusations that get dismissed. The complaint was filed but it was not substantiated and no action was taken. It wouldn't matter if no action was taken.

Question 5: Have you ever surrendered a professional license or certification voluntarily or otherwise?

Ms. Ussher thinks it is a valid question and asked if it would have been picked up in question 4. Ms. Lowery asked if it would be part of consent decree. Ms. Rasul said yes. Question 5 is semi-redundant so it is stricken.

Question 6: Have you ever been charged with unprofessional conduct or professional incompetence?

Ms. Ussher thinks question 6 should also be removed. Ms. York suggested "have you ever been disciplined for unprofessional conduct or professional incompetence?" Ms. Lowery stated that this question could relate to someone getting in trouble with an insurance company, in which case the Board would not be involved.

Question 7: Do you have a medical condition that in any way impairs or limits your ability to deliver essential social work services?

There was general discussion of how the question could be modified so applicants won't think it is too intrusive, while maintaining the Board's ability to screen applicants appropriately to protect the public. Ms. Lowery suggested "Do you currently have a medical condition that restricts or impairs your ability to deliver essential social work services?" Ms. Ussher suggested "Do you believe that you have..." Board members discussed revised language for the question. They agreed on "*Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, mental and/or medical condition) which currently affects your ability to deliver essential social work services?*" Questions 7 and 8 are now combined into one question.

Ms. Ussher made a motion to accept the new screening questions that have been amended today. Ms. Erickson seconded, motion passed.

(AGENDA ITEM 9F) Review, Discussion and for Possible Action, (item tabled from last meeting) hiring CJ Yao, LCSW, at \$30.00 per hour, as a per diem Board Investigator, to assist with managing disciplinary cases.

A job description for the investigator and CJ Yao's resume are in the Board packet. Matter was tabled at the last meeting due to budget. Kim Frakes says the reason to hire another per diem investigator is to back up Wayne Springmeyer and help clean up cases. Ms. Yao was a Board member and board approved LCSW consultant and she is interested. Colleen York thinks CJ is a good person to help. Ms. Frakes said Ms. Yao cannot exceed 20 hours per week, or she will become eligible for benefits. Ms. Frakes said she will keep hours similar to Mr. Springmeyer, approximately 12 hours per week. Ms. York asked if Mr. Springmeyer will still work and Ms. Frakes replied that he will. The primary reason for hiring Ms. Yao is for her to investigate if a claim is filed in Northern Nevada to avoid the appearance of a conflict of interest since Ms. Frakes and Sandy Lowery know many social workers in the area. She will also help clear up cases since Ms. Frakes is planning to retire.

Jodi Ussher referred to the salary figures which are at 62% of budget through the end of March and asked what will happen with Mr. Springmeyer returning and adding Ms. Yao? Sandy Lowery replied that we won't go over budget. Ms. Frakes stated that there will be periods when Ms. Yao won't be consulted. Ms. Lowery confirmed that Ms. Yao will not travel for investigations or trainings, so she won't incur travel expenses. Ms. Ussher also commented that Ms. Yao sounds like an excellent candidate and will be a great help. Ms. Lowery said it will be helpful to have someone in Las Vegas, which should prevent the need for Mr. Springmeyer or Ms. Frakes to travel.

Ms. York asked if there is an average amount of time spent on a case. Ms. Frakes said it depends on the complexity. Some cases are straightforward and can be properly verified quickly. For administrative hearings a claim has to be 51% substantiated. Ms. York asked if Mr. Springmeyer could handle lower level cases that take less time, with Ms. Yao doing more complex cases. In this way maybe cases could be cleared more quickly. Ms. Frakes said we try to draw on everyone's strengths. Mr. Springmeyer was in law enforcement, a private investigator, has connections, and knows how to issue subpoenas. Now that we are receiving responses Mr. Springmeyer does case reviews and recommends follow up or dismissal, then Kim reviews by NRS and NAC professional standards and most of the time agrees with Mr. Springmeyer.

Ms. Ussher made a motion to hire CJ Yao at \$30/hr., at 12 hours or less per week, Ms. York seconded. Motion Passed.

(AGENDA ITEM 9G) Review, Discussion and for Possible Action, Determining date in July for Board retreat to focus on codifying temporary regulations, developing recommendations for regulations changes and responses to legislative mandates from 2017 legislative session and identify community stakeholders that the Board would like to invite to the Retreat.

Sandy Lowery stated that typically the Board waits until October to make NAC changes, but she proposes meeting in July instead for a Board retreat. The Board will bring Colleen York and Annie Wilson to Reno to discuss changes. Board members discussed possible dates in July. Paula Berkley said she will have legislative updates to discuss and suggested a short evening meeting for that purpose, with the retreat the next day. The meeting was tentatively set for the evening of July 27 with the retreat all day on July

28. The meeting will be in lieu of the regular August meeting. Jodi Ussher asked if it will be considered an open meeting and if notice will have to be posted. Ms. Lowery said yes.

Ms. Lowery and Ms. Berkley have identified some key players to invite to the retreat, whether they attend or not. The suggested inviting Kathryn Baughman and Tom Durante from DHHS, Assemblyman Oscarson, Teresa Benetiz-Thompson, and Amber Joiner. President Smith asked what their reasoning was. Ms. Lowery said one reason is to begin to reestablish the sense that we are collaborative in nature and that we are open to feedback from other entities. Ms. Ussher suggested inviting the directors from both schools of social work. Rod is concerned about legislative people, but Ms. Berkley said they probably won't attend. Ms. Ussher said we are demonstrating we are being inclusive and transparent. Ms. Lowery said Cody Phinney should be invited although she will probably send Kathryn Baughman.

Ms. York suggested making a plan for the meeting. Ms. Lowery said there will be an agenda and Board members will have homework. In the back of today's Board packet is a copy of the current NAC and the temporary regs that went through the Legislative Council Bureau in April. Ms. Lowery requested that Board members go through the NAC, side by side with the recommendations from DHHS, and review the temporary regs so the Board can decide if they should be made permanent. Ms. Lowery asked that Board members provide her with recommended changes by July 15th. Ms. Lowery will send out a list of areas that need work. Board members' recommendations will be translated into the language that will be presented as a working draft on July 28th.

(AGENDA ITEM 9H) Review, Discussion and for Possible Action, Revised and Updated Clinical Internship Site Table and inclusion of this information on the Board website.

Sandy Lowery said that an updated current clinical internship site table has been prepared. Sites are listed in alphabetical order and can be viewed by region. Since printing there are already three changes. Ms. Lowery is going to create a section on the website strictly for internships. Information from the table will be posted so individuals will know which sites are Board approved. The information hasn't been published before because things change so frequently. The list won't include contact people, because they change so often and approval dates won't be posted either. A list of supervisors will also be prepared and posted on the website. Ms. Ussher noticed that the VA locations were omitted from the list and Ms. Lowery said she will add them. Ms. Ussher asked whether each internship still has to be approved and Ms. Lowery confirmed. Paula suggested including an explanation of why contact names are not on the list. Ms. Ussher expressed her approval of the list. Ms. Lowery plans to update the table monthly.

Ms. Ussher made a motion that the list of clinical internship sites be posted on the website with the understanding that there will be a disclaimer about the contact person (which can change frequently) and the plan is to update it monthly. Vikki Erickson seconded. Motion passed.

(AGENDA ITEM 9I) Interim Executive Director's Report.

Kim Frakes attended the ASWB Spring Education Meeting the last week of April as the committee facilitator. Board members thought that since it was held in Nevada, it would be nice to have some Board members attend as well. Colleen York, Vikki Erickson, and Annie Wilson attended. Ms. Frakes chaired the administrators' forum. Umbrella boards and board consolidation is not unique to Nevada. Disciplinary cases are becoming more complex and the numbers are growing. Ms. Erickson discussed with other attendees the difficulty in approving CEUs, how many and what type should be required, how do they get approved, are they needed? Ms. York said discussion included whether CE requirements

make competent social workers and how other states handle it. President Smith asked if any other states go through a process similar to Nevada's. Ms. Erickson replied that the ASWB Ace Committee reviews programs. If the ASWB has approved, other boards automatically approve to provide to social workers. Sandy Lowery commented that streamlining CEUs will be a focus at the July Board retreat. Ms. Erickson said boards across the country and in Canada have the same struggle. Ms. York noted that some social workers wait until the last minute to take classes, so are CEUs meaningful?

Sandy Lowery reported that the listserv is completely built. Approximately 2,400 licensees are in the listserv and the Board will start using it for communication. Now that we have changed the screening questions, Ms. Lowery will go back to the application forms and put the request for email on the initial licenses, not just the renewals. Caroline Rhuys is reviewing all applications and crosschecking them to keep the listserv current. Ms. Rhuys is also working with Ms. Lowery on the record retention policy so records can be purged. Old CEU requests are being purged first. Paula Berkley said there is a bill on records retention which she will send to Ms. Lowery. Ms. Lowery will contact the State to determine if electronic scanned copies are acceptable for certain things that must be kept for 30 years. If necessary, some records may be sent to offsite storage.

After discussion with Moinette LaBrie and Leilani Weaver, Ms. Lowery changed the application to use checkboxes e.g. "did you submit...", "did you submit..." to see if that was helpful in getting applicants to send the items requested upon submission of the initial application. There has been some improvement but applicants still do not submit all of the requested information. Normally we mail them a letter requesting missing items. Ms. Lowery has created an email template for this, and it will be based on applicants providing an email address. The form outlines which information may be scanned and emailed to us and which items must be hard copies. The change will take effect when a request for email address is added to initial applications.

Kim Frakes' focus is going almost exclusively towards disciplinary. In consultation with Paula Berkley regarding legislative matters, there will be no June meeting. Ms. Berkley will provide her legislative report at the retreat in July. Ms. Frakes can now be pulled off legislative tracking and her focus in June will be disciplinary. Ms. Lowery reminded the Board that she will be on vacation for three weeks in June so Ms. Frakes will be monitoring the new licensees, making sure endorsements get signed and taking care of any time sensitive matters.

In July Ms. Lowery plans to start the RFP process along with Ms. Frakes. Ms. Lowery is taking over the LCB reg process from Ms. Frakes. Ms. Lowery reminded the Board that May, June, and July are high volume licensure season which occupies much of Ms. LaBrie, Ms. Weaver, and Ms. Rhuys' time. Processing new licenses is the highest priority. She is hoping to begin the LCB reg changes by the end of July.

Jodi Ussher asked when the checklist of required items for applications will be done. Ms. Lowery replied that it is included in the applications on the website. Ms. Ussher asked if it includes a timeline. Recently she talked with someone who went through the process and she created her own timeline. The applicant said that people don't understand unless it is broken down in detail that, for instance, applicants can request transcripts early in the semester.

Applicants wait to order transcripts until they submit an application which slows down the licensing process. Dr. Menon has left UNR and Denise Montcalm is the interim department chair. Ms. Lowery will contact her with the aim of renewing her involvement in licensure preparation. Ms. Lowery is also changing licensure preparation at UNLV. She will be going to UNLV to take over some of their classes

so that a larger number of people will go through licensure preparation. In licensure preparation the first thing she tells students is to "submit your request for transcripts the first day of your last semester." Since UNR hasn't allowed licensure preparation, application processing has slowed down. Ms. Ussher asked if there is a conflict since Ms. Lowery is the Interim Board Director. Ms. Lowery said there is not since she is volunteering. Ms. Ussher said students are grateful for Ms. Lowery's help. Ms. Lowery is also working on FAQs for the website including a flowchart for the licensing process. She will be out of the office from June 5 to June 29, but she will be checking her email while she is gone. Colleen York asked if the flow charts will be on the website. Ms. Lowery said they will. Normally she gives them to students during the licensure preparation class. UNR has been operating without that information and has been giving students misinformation. Ms. York commented that she thinks providing students with information will show that it is not the Board that is slow in processing, but that incomplete applications are the cause. Ms. Lowery said that is why the checklist was created. People don't read instructions, so with the checklist they have to check off everything as they submit their application. It is hoped that the process will be better. Ms. LaBrie and Ms. Weaver have the historical knowledge to be able to say if it is making a difference. Ms. Ussher is pleased that email will be used, as it will speed things up and save money on postage. Ms. York inquired if ordering transcripts early is mentioned on the website. Ms. Lowery replied that it isn't, but she is going to do an entire licensure area on the website including FAQs. She will also check if the application checklist says that transcripts may be ordered early.

President Smith commented that these changes will work well with the new platform. Ms. Lowery said that when the new platform is complete, applicants will be able to track exactly where they are in the licensing process. The platform will let applicants know when items are missing. The platform is a year to 18 months away though. Vikki Erickson said she is willing to go to UNR and help if needed. Ms. Ussher said she entered 300 names in the listserv on a Saturday. President Smith commented that he has wanted the Board to become more involved, so he is happy with how things are going. Ms. Lowery reminded Board members that she needs to have their comments on the regs no later than July 15th.

(AGENDA ITEM 10) **PUBLIC COMMENT**

Jodi Ussher asked if the Board can set up a complaint committee with one board member along with outside practitioners who are social workers for complaints or questions from social workers about the Board or the office. People have been going to the legislature because there is nowhere else for them to go. Sandy Lowery suggested adding Ms. Ussher's request to the August agenda. Paula Berkley said she thinks it would be a good idea so that information can be gathered to improve the Board. Ms. Ussher said she has talked to social workers who are willing to volunteer.

ADJOURNMENT

President Smith adjourned the Board meeting at 12:07 p.m.

Respectfully Submitted,
Sandra Lowery, Interim Executive Director.