



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

MINUTES OF BOARD RETREAT  
July 28, 2017

The meeting of the Board of Examiners for Social Workers was called to order by Rod Smith, Board President, at 8:17am. The meeting was held at Kietzke Plaza, 4600 Kietzke Lane, Building I, Suite 204, in Reno, Nevada, 89502. This meeting was not videoconferenced to Las Vegas. 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 Erickson, with the following individuals present:

Members Present:

Vikki Erickson, LCSW, Board President (**Erickson**)  
Jodi Ussher, LCSW, Board Vice President (**Ussher**)  
Colleen York, LSW, Board Secretary / Treasurer (**York**)  
Rod Smith, Member (**Smith**)  
Stefaine Maplethorpe, LCSW, Board Member (**Maplethorpe**)

Staff Present

Sandy Lowery, LCSW, LADC, Interim Executive Director (**Lowery**)  
Henna Rasul, Senior Deputy Attorney General (**Rasul**)  
Paula Berkley, Lobbyist (**Berkley**)  
Caroline Rhuys, Legal Secretary I (**Rhuys**)

Public Attendees

Annie Wilson, LSW, former Board member  
Susan Nielsen, Public Member to be appointed 09/01/2017 (**Nielsen**)  
Carlton Craig, Director, UNLV School of Social Work  
Denise Montcalm, Interim Director, UNR School of Social Work (arrived at 12:00n and left at 3:00pm)

*Board members and Board staff will be identified by the above **bolded** means throughout the minutes.*

**PUBLIC COMMENT** (*Agenda Item 2*)

No public comment was offered at this time.

**REGULAR AGENDA**

**Review, Discussion and for Possible Action, Review of changes made in Board operations to date for 2017.** (*Agenda Item 3A*)

**Lowery** started the retreat reviewing the change that have taken place to date in the first six months of 2017. She noted that the office has undergone significant changes and that changes continue. She listed the following changes that have been made –

- (1) updating the pictures on the website so that they are more modern;
- (2) updating the website itself, including changing language on the site, reorganizing the information being presented, making the links more effective, etc.

- (3) adding a specific section for clinical internships which includes a list of approved sites for both Southern and Northern Nevada, adding the list of approved supervisors, etc.
- (4) updating the licensure applications so that they are all PDF fillable and including a checklist of items that must be submitted with each application;
- (5) updating the way the verification of licensure table looks. We have shifted it to a PDF format which opens much faster. We cannot do real time verification of licensure because our software does not talk to the state website platform;
- (6) development of the listserv for licenses and have updated our applications and renewals to require an email address. This will be the mechanism for communicating with licensees in the future, this will remove the use of postcards;
- (7) made CEU approval easier for licensees by approving any trainings that have been approved by ASWB or NASW;
- (8) making sure that we provided the lobbyist with the information she needed to address areas that were of concern to the legislature;
- (9) reorganized staff roles and changed the public face of the Board;
- (10) streamlining office processes so that there are no longer delays in processing license applications, renewals, etc.
- (11) processing the Quarterly Progress Reports for the clinical internships within thirty days, which Lowery reported has not happened in at least the last ten years.
- (12) removal of delays in licensure that were office staff related.

**Ussher** queried whether there is any other office staff is cross trained to work on the website. **Lowery** reported not at this time, that she can handle the load but she will eventually cross train someone in the office to do the work. **Ussher** asked whether licensees know that the Board mailing list and email list are made available to the public for purchase. **Lowery** reported that she was not sure about this topic and agreed to research it for the next Board meeting since it was not an agenda item for this meeting. **Rasul** indicated that there is a NRS regarding this, believing that public records are addressed in specific statutes, possible NRS 237C or NRS 237D. She further noted that "unless deemed confidential by statute, everything is public record because the Board is a public agency." **Lowery** reports she will research this and bring it to the Board. **Ussher** brought up concerns about email addresses being released since we are developing the Board listserv. She believes that licensees need to be notified in the spirit of transparency. **Lowery** indicated that licensees are being asked for their email addresses which are entered into the database maintained by the Board. From that list, the email is then entered into the Board's listserv. Information from the listserv is not available to outside entities.

**Review, Discussion and for Possible Action, Identification of goals for next twelve months, associated timelines and role of Board members. (Agenda Item 3B)**

Lowery introduced this topic, requesting that a list of goals be generated and Board members to be involved also be identified. Lowery also requested that these projects also involve individuals from the community.

**Rasul** indicated that each subcommittee will need to formally identified and voted upon at the next meeting.

- (1) Online licensing project (Technology) – **Ussher** and Tom Strahler (community)
- (2) Regulations (Social Work Practice) – **Ussher, Lowery** and input from Board at this retreat. **Berkley** brought up soliciting suggestions from licensees and **Lowery** noted that there will be opportunities for this with the public workshops that occur as a part of the regulation process. **Lowery** noted that she is hoping to have a finalized first draft of the changes being suggested for the next meeting and at the next meeting, take a whole day, with a business meeting in the morning and a public workshop in the afternoon to discuss the general topics that the Board is proposing to address and invite licensees to attend and open a discussion. **York** suggested that attendance at public workshops is often low and that using the listserv as a vehicle to request ideas about change may be a more viable mechanism.

**Ussher** noted that CEUs could be offered for attendance at the Workshop which might invite greater attendance.

- (3) Policies – **Erickson** and Moinette LaBrie
- (4) New Executive Director – **Maplethorpe** and **Nielsen** (09/01/17)
- (5) Disciplinary – resolve all remaining level one complaints by the end of the year. **Lowery**
- (6) Public Relations – improving perception of the Board with licensees and the legislature – **Nielsen** (legislature). **Berkley** noted that a lot of work can be done with the legislators during the interim session period, so that when the next session starts in 2019 the Board and the legislators are already on the same page. Discussed returning to the universities. **Lowery** reported that Natasha Mosby at UNLV is working to identify more effective times to come and present. Looking at using existing class time so that more students are captured. **Lowery** also reported that she has met with the Interim Director at UNR, Denise Montcalm, PhD and we are hoping to resume this activity with UNR. **Berkley** asked whether the Board can be an internship site for social work students. She noted that one of the themes that has come from the Governor's office is workforce development. This will be a continued focus. She noted that at one point in the legislative session, the Board was going to be responsible for economic development in the state for social workers. Anything that the Board can do to support students becoming licensed in Nevada and staying in Nevada will be looked at favorably. **Ussher** noted that the Board could be a wonderful macro level placement. **Lowery** notified the group that because of both open and closed disciplinary files the Board has not considered being an internship site. She indicated that if all of these files could be secured, it might be a possibility for the future. **York** suggested that we do more "meet and greet" opportunities will be a very positive way to engage social workers. **Ussher** suggested that within the next six months, the Board have a public workshop and offer a free 2.00 CEU training on suicide prevention. She suggested we consider partnering with UNR/UNLV schools of social work. **Maplethorpe** suggested some other collaborative options in Southern Nevada. Discussed the HRSA grant that UNR and UNLV currently receive and Carlton Craig provided an update about how UNLV is working with the grant. It is in its last year and UNLV will be looking at ways to sustain it as well as applying for additional grant money in the future. **Maplethorpe** will help with public relations options in Southern Nevada.

### **Review, Discussion and for Possible Action, Job duties for new Executive Director position in anticipation of recruitment efforts. (Agenda Item 3C)**

Lowery presented the current job elements. She noted that the position has a lot of responsibility and is concerned that there may be more to do than is realistic for 1.00FTE. **Ussher** noted that items #1 and #9 could be combined into one item. **Smith** queried whether the Board was going to continue to use a lobbyist in the future. **Lowery** indicated that if the budget allows for a lobbyist, she hopes the Board will continue to use one in the legislative sessions. She also noted that item #8 is not broad enough, because it is not just the legislature, rather it involves all of our community stakeholders. **Ussher** suggested describing effectively liaisons with all of the outside entities and listing them. Perhaps combining #8 and #4. **Berkley** noted that there is nothing about contracting responsibilities. **Lowery** discussed the difference between those things that the Executive Director oversees and those things that this individual will have a direct hand in managing. **Berkley** noted that once the online licensure system is developed some of the duties will become much simpler. **Lowery** noted that prior to the changes made in March, she was being paid 48 hours per month to manage the internship program itself. These duties had been removed from the Executive Director. **York** noted that there is nothing about policies and noted that policies will drive much of what the new Executive Director will be doing. **Lowery** noted that there are existing processes, but they are not written down into a policy format. **York** noted that this could be done very easily and could be accomplished in as little as three weeks. She noted that writing policies is a simple process, writing out the process and putting a title to the procedure. This needs to be a high priority item. Discussed having Moinette LaBrie step out of her current job duties and begin the process of writing our policies. **Ussher** discussed setting up a timeframe for policy

completion and the members agreed the basic policies to be written by the end of October. Identified the top three areas of policies as being licensure, renewals and disciplinary. **York** has indicated that she would be willing to help convert existing processes into policies. **Erickson** discussed the difference between a policy manual and a desk manual. **Ussher** and **Erickson** both indicated that they can reach out to contacts at several other Boards to get their job descriptions. **Erickson** requested a motion to accept the changes in the job duties as discussed in anticipation of recruitment efforts for the position. **Maplethorpe** made the motion, York seconded, motion carried.

**Review, Discussion and for Possible Action, Summary of reporting requirements based on 79<sup>th</sup>/2017 State Legislative Session. (Agenda Item 3D)**

**Lowery** reviewed a list that mirrors what **Berkley** presented at the 07/27/2017 meeting. She reviewed the reporting requirements based on SB69, AB 457, and AB19. She noted that the Board is already gathering much of this information and will be working with the Legislative Counsel Bureau and the Legislative Committee on Healthcare regarding format for reports. She noted the information that is currently reported quarterly to the Occupational Licensing Boards site within the legislature. **Berkley** noted that the information provided includes some licensure categories that the Board does not use any longer and should probably be updated. **Smith** queried how much additional work will be generated in gathering this information. **Lowery** noted that prior to 2016, there had been no formalized data gathering and evaluation. The majority of the information being requested is already being gathered. **Berkley** noted that some of the stuff requested includes information going back three years. These items will be very time intensive since it will be a full paper copy review. When we move to an online system, this data gathering will be much easier.

**Review, Discussion and for Possible Action, Review of the process for changing NACs through the Legislative Counsel Bureau (LCB). (Agenda Item 3E)**

**Lowery** presented a flow chart and LCB Rulemaking Checklist that summarized the steps for us to make changes in our NACs. Discussed the fact that the Board is currently in the first box of the flow chart. She indicated that once our language is finalized, it will go down to LCB for their review. She hopes to meet with the legislative reviewer and walk through the review process together. She noted that LCB can change language, delete language, etc. **Berkley** suggested allowing LCB to do the first review alone and then seek to meet with them. She discussed the fact that they are overburdened and may struggle to meet deadlines. **Lowery** noted that the changes that were approved by LCB in August 2016 are still not codified. The process for regulation changes is a long and laborious. Discussed the changes in AB457 and ensuring that the Commission on Behavioral Health is properly noticed on the proposed changes, etc. Clarified that they can make recommendations and that their approval is not required. **Berkley** suggested sending them the draft language even before LCB. To keep them in the loop throughout. She reminded the Board that they are required to review the NACs completely every ten years. **Lowery** noted that the Board typically does it every two to four years and always after a legislative session. Discussed the fact that there are a number of NRS statutes that will also need to be changed, but that those require the legislature to agree to. The changing of NACs can be done by the Board.

**Review, Discussion and for Possible Action, Proposed regulation changes to Chapter 641B of the Nevada Administrative Code (NAC) identified by Board members and Board staff in the following topical areas – (1) general provisions; (2) licensing and supervision; (3) continuing education; (4) standards of practice; and (5) practice before the B.O.E. for Social Workers.** In each area, the following possible actions occur related to each proposed regulation change:

- i. Accepting the proposed regulation changes as submitted;
- ii. Accepting a proposed regulation change not listed, resulting from Board discussion;
- iii. Accepting the proposed regulation changes with recommended changes in language and/or location of the recommended changes under a different Nevada Administrative Code, resulting from Board discussion;

- iv. Rejecting the proposed regulation change; or
- v. Tabling the proposed regulation change.
- vi. Proposed regulation changes approved by the Board or approved by the Board with recommended changes will be submitted to the Board at a subsequent Board meeting for final approval prior to submission to the Legislative Counsel Bureau in accordance to applicable NRS and NAC, including, NRS 439B.225 and NRS 233B.

*(Agenda Item 3F)*

**Board took a break beginning at 9:30am. The meeting resumed at 9:45am**

Lowery described the process of reviewing our current administrative code. She explained that approximately a year ago, the Executive Director and the Internship Program Coordinator began to develop a list of things that needed to be changed in the NACs. In preparation for this meeting, Lowery explained that she combined the existing NACs, the yet to be codified changes approved in 2016 and the temporary regulations that were approved earlier this year, into one document. She also noted that the Department of Health and Human Services (DHHS) went through the NACs for social work and provided suggestions about possible changes. She noted that some of the reviewers were not licensed social workers. Lowery was told by DHHS that they were doing the same type of review for the other behavioral boards, but Lowery does not believe any other Board has received suggestions. These suggestions were included in the packet and can be addressed.

**General Provisions Section**

**Lowery** asked for members to identify any changes to the definitions that are currently in place.

- 641B.010 – DHHS suggested adding the term “endorsement,” **Lowery** noted that an applicant is applying for a license, endorsement is just one means to get this license. She suggested no change be made to this definition.
- 641B.012 – DHHS suggested adding language that made an approved provider one whose name is posted on the Board’s website. Discussion noted that this was unnecessary and added a restriction that served no purpose. **Lowery** suggested no change be made to this definition.
- 641B.017 – DHHS suggested that the term “consumer” was interchangeable with “client.” **Ussher** explained that we do not use the term “consumer” when describing our practice. She did not believe that the term “consumer” fit into social work practice. **Lowery** suggested no change be made to this definition.
- 641B.027 – DHHS suggested amending the language to include “that has been approved by the Board.” **Ussher** noted that this is unnecessary language and recommended that no changes be made to this definition.
- 641B.028 – DHHS suggested that the language be amended in several ways. Lowery noted that this definition is related to an old level of licensure that is not longer. When the Board was created, the LASW category allowed individuals who had been practicing in social work positions without the education could be grandfathered in to licensure as a LASW. Once the grandfathering in process expired, this language was included so that individuals who were in a program of study for a social work degree could get a license pending their degree award. This is directly related to the “Provisional B” license we currently offer. Since 1986, there have only been 113 licenses in this category issued. This can’t be deleted without also removing it from the NRS. This will be an agenda item at the next legislature. **Lowery** suggested no change be made to this definition.
- **Lowery** discussed the background on the changes she is recommending to 641B.041, 641B.042, 641B.043 and 641B.044. It came to the attention of the Board in 2016, that in the rural areas, the State was not hiring clinical interns as employees, rather they were being “contracted” to work for the state. The State then required that each contractor have a state business license before they would be employed in the contract position. Since the inception of the Board, there has always been a distinction between licenses that were considered “independent practice” licenses and those that were

not. Unfortunately, our NACs did not effectively delineate this. **Lowery** recommended that be cleaned up in the four licensure categories. 641B.041 and 641B.044 would be amended to add “under the supervision of an agency” in their definitions and 641B.042 and 641B.043 would be amended to read “engage in the ‘independent’ practice of social work.” With regards to these changes, **Berkley** brought up a bill submitted by the psychologists that allowed for them to go into business with doctors and be a part of the practice and to refer to each other. This allowed for referrals within the same business without it being a conflict of interest. She theorized that should something be put forth for social workers they could have a business of their own. **Lowery** and **Maplethorpe** clarified that clinical social workers are allowed to own businesses at this time. **Ussher** theorized that perhaps the distinction was the difference between having multiple independent therapists who may share space and refer to each other versus a business in which each member is a shareholder. **Berkley** will clarify the content of the bill she is referring to.

- 641B.057 – DHHS made suggestions regarding changes to the language of this definition. These changes included that psychotherapeutic methods included assisting clients with improved outlook, coping and functioning. Members discussed these changes as not being appropriate for the definition, that the terms were more descriptive of what a LSW could do. **Ussher** described the DHHS amended language as downgrading the scope for LCSWs. **Lowery** provided the historical context to this definition and the breadth of practice this allows LCSWs. **Lowery** suggested no change be made to this definition.
- 641B.062 – DHHS made suggestions about changes in the language for this definition. Ours is very broad. **Lowery** did not see a benefit from the language proposed by DHHS and it narrowed the focus. **York** asked if our language is compliant with ADA requirements. **Lowery** noted that LCB has reviewed this definition in the past and would ensure that the Board was ADA compliant. **Erickson** suggested no change be made to this definition.
- **Lowery** presented two new definitions. The numbers for these will be assigned by LCB. The first definition is at the request of DHHS, to provide a definition of “telehealth.” **Lowery** presented a proposed definition that comes from a review of the State of Nevada’s Telehealth Fact Sheet, the Health Resources and Services Administration (HRSA) definition and 2015 legislative language. It will read as follows -
  - *“Telehealth” means use of various technologies to remotely deliver services to clients. It includes the delivery of services from a social worker to a client at a different location using electronic information and telecommunication technologies.”*

The second definition is defining a “continuing education collection period.” **Lowery** discussed helping licensees understand what a CEU collection period is. She noted that licensees typically do not know when their collection period starts / ends. The Board has put this information on the licensure verification PDF file to help address the number of calls received about this. The language would read –

- *“Continuing education collection period” means the period from initial licensure through the licensees second renewal and then every two years thereafter.”*

Members felt comfortable with both definitions presented.

- **Erickson** requested a motion to accept the changes as discussed in the General Provisions section, 641B.005 through 641B.070. **Ussher** made the motion, **Maplethorpe** seconded. Motion carried.

### **Licensing and Supervision Section**

- 641B.082 – DHHS suggested that online verification of a license and the wallet card would be sufficient, that posting a license was unnecessary. **Ussher** disagreeing with the DHHS suggestion, noting all professional disciplines are required to post licenses in view of clients. **Ussher** suggested no change be made to this definition.
- 641B.090.1 – **Lowery** noted that the Board submitted temporary regulations in February, T001-16. Members discussed language changes and settled on language that differentiated the application being

complete and then what constitutes a complete application. Extensive discussion of the need to organize this section of the NACs into a way that makes sense to licensees. The confusion of the information makes it difficult to understand the process. She noted a discussion with Carlton Craig, PhD from UNLV that the universities do a good job of infusing the NASW Code of Ethics, but the NRS and NAC that apply to social workers in Nevada is often neglected. Members suggested sections on initial licensure, licensure by endorsement, provisional licensure, renewals, delinquent licenses and restoration of a license. **Lowery** discussed the scope of this suggestion and requested the opportunity to reorganize the information in this section and present it back to the Board. **Berkley** brought up the possibility of doing a juris prudence exam so that licensees are forced to get into their regulations.

- 641B.090.8 – Lowery presented suggested language changes including removal of two portions and amending other language. The changes resulted in the following regulation.
  - *"The Board may waive the required examination of an applicant if: The examination that the applicant has passed is an equivalent or higher level examination that the applicant would otherwise be required to take . . ."*
- 641B.095.1c – DHHS suggested that "it is common to require an employer commitment prior to authorizing immigrants to stay in the US." **Lowery** reported that the Board has no role with employers and guarantees of employment before licensing. She recommended that no changes be made to this section.
- 641B.095.2 – **Berkley** address the need for this section. Members reviewed the difference between certified and non-certified birth certificates and suggested that the word "certified" be added into the language and remove this regulation.
- 641B.105.1 – **Lowery** noted that this section allows the Board to do a two part examination process, the national exam and a state based juris prudence exam. Discussed whether the Board wants to continue with this language since it says an applicant "must pass a two part examination" and the Board is not currently offering a juris prudence exam. Discussed the potential that a juris prudence exam may delay the licensure process. She noted that a recent question has been circulated on the ASWB Executive Directors listserv about the use of juris prudence exams and noted that only a small percentage of states do this level of exam. Discussed needing to clean up the language for this regulation. **Berkley** brought up a number of risk management issues that could then be covered in a juris prudence exam. **Lowery** indicated that while possible, it would require that the test be written, that a mechanism for giving the test be develop, a mechanism for scoring the exam be developed, whether the exam would be administered at a site or online, frequency the exam would be available, etc. ASWB allows applicants to test at any time, and doing a juris prudence exam would need to be similarly available. This would require a third-party vendor to administer. From a fiscal perspective, this would be a costly venture at this time and could potentially slow down the application process. Discussed whether the licensee would be licensed if they failed the exam. Would have to determine how quickly the exam could be retaken, etc. **Berkley** suggested that this was not a top priority issue but something to consider for the future(s). Members decided on final language changes.
  - *"An applicant for licensure . . . must pass examination(s) approved by the Board."*
  - Removal of 641B.105.1a and 641B.105.1b.
- 641B.105.4 – **Lowery** presented information on time lines for initial licensure. Discussed the fact that ASWB allows applicants one year from approval to take their exam. Currently the Board keeps an application open for one year. Reviewed the average number of days that initial licensees took to take their exam – 2016, average number of days was 115, shortest was 42 and longest was 269. 2017 data through June shows average number of days as 145, shortest as 55 and longest as 321. When an applicant takes his/her exam is out of the control of the Board but makes it appear that it takes the Board a very long time for an individual to get licensed. No matter how this information is presented to the legislature all they see is the total number of days from application submission to license. **Lowery** suggested reducing the amount of time an application remains open to six months. It will allow an applicant to take the exam, possibly fail it and then take it again before the six months expired.

**Berkley** presented an alternative of granting each applicant a provisional license for a period of time until they get their exam passed. This would apply to LSWs only. **Lowery** referenced the current Provisional "A" license that is available to licensees. It allows for a temporary license for up to 90 days pending passage of the exam within 60 days. If the exam is failed, the provisional license immediately closes. Applicants can choose this option. While that option has existed for many years, Berkley is suggesting that 100% of applicants applying for their initial license be put through that process. That the path to licensure requires them to start with a provisional license. **Lowery** discussed the risks and benefits of this including the fact that all initial applicants would be able to work before passing the exam. The exam is a measure of basic competence to practice social work. The possible benefit would be that would now be licensed and under disciplinary law. One of the questions is whether agencies would hire someone with a temporary license. The Nursing Board gives applicants the option of choosing a GN license, which is good for 60 days and expires immediately if the applicant fails their exam. Lowery further noted that applicants taking the LSW exam are passing the exam, but not robustly. **Ussher** addressed concerns about the vulnerable populations that are served by social workers who may not have demonstrated basic competence. Annie Wilson noted that these individuals may simply seek a job that does not require licensure. **York** asked about the workload implications of routing everyone through the provisional process and the financial implications of such. **Lowery** discussed the fact that the provisional license would be an additional \$75.00 on the application fee. **York** expressed concerns about having to explain to licensees that they had to go the route to licensure. **Lowery** discussed allowing individuals who are interested in the fast track to licensure via the Provisional "A" to continue this route and reducing the length of time that an application remains open. Members agree to these changes. Berkley suggested changing the name from a "Provisional A" license to an "Expedited Temporary License" to more accurately reflect the purpose of this licensure category.

- 641B.111.2e1 – Lowery suggested that this regulation be amended to remove the fifteen-year stipulation for having passed the appropriate exam. Restoration requires a number of other things and having to retake an exam seems excessive. If approved, then 641B.111.4b would be amended by removing the language around an examination.
- 641B.112.2b – housekeeping change of language.
- 641B.112.3 – this is the language for the Provisional "C" that was approved as Temporary Regulation T0016. With the changes in SB69 regarding endorsement the language in this section is not necessary and can be completely deleted.
- 641B.115.4 and 641B.115.5 – LCB has already made changes to this language via T0016. Housekeeping language changes. Member engaged in a general discussion of fees. There is only one final licensure fee bump available to the Board before hitting 100% of all of the ceilings established in 1986. The final bump would be raising the LSW licenses by \$25.00. The LSW were the last licensure group to receive an increase and the **Lowery** is reluctant to do another increase to this group. Any further increases will have to be approved in the legislature in 2019. Ussher discussed the amount that is recommended for a Board to have in reserves. **Rasul** indicated that Board's typically want to have a robust amount available in case the Board itself got sued. This would be handled in district court and would be very costly. She noted that all Board members are covered for liability through the State's Tort Claim Fund, which is paid annually. Liability coverage is the Board as a whole, and not individual members.
- 641B.120 – housekeeping change based on the changes approved for length of time an application will remain open.
- 641B.124 – Revising this regulation to include telehealth language.
- **Erickson** requested a motion to accept the changes as discussed in the Licensing and Supervision section, 641B.075 through 641B.124. **Ussher** made the motion, **Smith** seconded. Motion carried.



### **Licensure by Endorsement**

- 641B.126 – **Lowery** discussed the fact that much of this section will be changed based on AB69. She reviewed the changes in legislation, removing the five-year “substantially equivalent” stipulations and allowing the Board to choose to require an examination as part of the endorsement process. Lowery discussed individuals who have grandfathered into a LCSW license in other states without taking an exam. She recommends that our NACs reflect the requirement that they have passed an appropriate exam. Reviewed language that will be removed and language to be inserted based on AB69. She speculated that some of the revised language will be pulled out of our NAC by LCB because it will be in our NRS. She noted that this legislation went into effect on June 9, 2017 and that the office has already shifted to the new stipulations regarding “substantial equivalence” on applications that were in process or have been submitted since that date.
- **Erickson** requested a motion to accept the changes in this section as proposed; **Smith** made the motion, **York** seconded, motion carried. **Berkley** suggested that the information about the changes in endorsement legislation be posted on the website.

### **Internships**

- 641B.150.3 – **Lowery** introduced suggested changes in this statute. At this time, interns are allowed to claim 25 hours per week for clinical hours, giving them a quarterly total of 325 hours. This number was based on what was considered full time practice in the past. She noted that current practice has changed and that full time practice has increased to at least 30 direct practice hours per week. **Ussher** noted that some agencies are requiring 32 hours. Members discussed this issue and **Lowery** noted that this doesn’t change the 2-year minimum / 3-year maximum requirements, nor does it change the capacity to claim more than 40 hours / week. The total for a quarter will remain at 520 hours. Members also noted that once the intern has completed their clinical hours excess hours can be moved into the non-clinical category. Discussed this as a policy not a statute.
- 641B.155 – **Lowery** suggested removing the language about having an examination and adding in the language about renewing the supervisors training every 5 years.
- 641B.160.3b - **Ussher** brought up the use of telecommunication technologies in supervision. New technologies can give more flexibility for supervision. Members discussed whether changes need to be made for on-site supervision versus off-site supervision. Initially discussed telecommunication technologies as relevant for off-site supervision and **Lowery** recommended allowing offsite supervisors to use telecommunication technologies 3 weeks out of the month and requiring onsite, face-to-face meeting on the 4<sup>th</sup> week.
- **Erickson** requested a motion to approved changes made in this section as discussed. **Ussher** made this motion, **Maplethorpe** seconded, motion carried.

***Board took a lunch break at 12:30pm and resumed at 1:30pm.***

### **Continuing Education**

- 641B.187 – Lowery noted the differences in ethics requirements for CEUs based on levels of licensure. LSW / LASW have to do 2 CEUs every renewal period and LCSW / LISW have to do 3 CEUs every renewal period. She recommends that this be standardized for all licensees and that the number be increased to 4 every CEU renewal period. She believes this will make it easier for providers to manage. She also discussed the narrowness of the current definitions of approved topics. Members brainstormed an updated list of topics that would be considered approved for ethics. With the breadth of this list, the members agreed with increase to 4 CEUs for all licensure categories.
  - Boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, managing burnout, social work law (NRS/NAC), cultural competency, racial bias, risk management, mandated reporting, legal holds, scope of practice, professional conduct, standards of care, and regulation requirements.

- 641B.187.3c2 - **Lowery** brought up the current statute that gives new graduates one year before they have to start collecting CEUs for licensure. She recommends removing this for several reasons, (1) it is very confusing to licensees and the Board is inundated with phone calls about when licensees need to start counting CEUs; (2) second it confuses the identification of a CEU collection period; (3) she discussed the fact that the mandated Suicide Prevention CEUs are not exempt during this year which creates even more confusion, and (4) the test scores on the ASWB exams are not stellar. Many licensees are barely passing the exam. **Ussher** clarified that this means that instead of the newly graduated social worker having 3 years to accumulate their required CEUs, it will now be 2 years. **Lowery** expressed concern that a licensee can go up to 3 years without any further education in the field. Denise Montcalm address the fact that Nevada graduates pass the exam at rates above the national average and that the fourth concern did not feel legitimate. **Ussher** discussed not feeling as though there is necessarily a correlation between exam pass scores and competency. Rather, she discussed the idea of beginning of a lifelong learning process of ongoing competencies as starting right after graduation. She suggested that beginning CEUs immediately starts this lifelong learning process. **York** expressed concern about this, noting that the one year grace period was a perk of working hard in one's education. She saw it as a positive piece of public relations for the Board. Denise Montcalm updated the Board about changes in the Council on Social Work Education (CSWE) that move to an even greater degree of competency-based standards. She noted that the exam is not necessarily an effective measure of competency. **Lowery** reviewed that new licensees would have three years to demonstrate continued competency. Denise Montcalm queried how many licensees actually wait until the latter part of their three year period to do their CEUs and **Lowery** noted that a large percentage of licensees wait until the last minute for CEUs. She believe that this is in part because they don't start out needing to collect CEUs and then forget to do so until their third year renewal form arrives. Renewal forms are sent out 45 days before expiration of a license. Additionally, the licensee cannot count any of the CEUs earned in the first year post graduation (except suicide prevention) since they are not officially in the two year collection period for CEUs. Denise Montcalm suggested that the Board consider requiring CEUs more frequently than every two years. **Ussher** discussed this as being an additional job for staff. This does not change the fact that if a licensee is in school, they are exempt from having to do CEUs. She discussed this as a way to streamline the CEU renewal process and to decrease confusion for licensees.
- 641B.188 – **Lowery** suggested that this be amended to allow for electronic maintenance of CEUs. Instead of keeping hard copies this would allow for licensee to scan and store their certificates electronically. Also suggested increasing the amount of time that a licensee keeps their certificates to 5 years. Discussed leaving it at 3 years so that it matches later statutes.
- 641B.189.1a – **Lowery** suggested amending the language to reflect that CEUs could be earned for live presentations and presentations delivered using electronic or telecommunication technologies. This simplifies the language.
- 641B.189.1f – **Lowery** suggests expanding the CEUs available for licensees associated with attending a meeting, workshop or public hearing of the Board.
- 641B.189B.2 – **Lowery** presented changes to this statute that would allow a licensee to complete continuing education units in any combination of ways defined in this statute. This would allow the maximum flexibility of earning CEUs. She reminded members that the Board has already approved CEUs automatically if they are approved by NASW and / or ASWB.
- 641B.191 – **Lowery** discussed suggested changes in this statute to simplify the documentation requirements for entities that are approved providers designated by the Board. Suggested that the report requirements be removed. Reviewed the fact that the vendor has to maintain reports for 3 years and that the Board does not need this information. The Board is not required to maintain lists of who attended any given workshop, this is the responsibility of the licensee. If a licensee loses a copy of their CEU, they need to back to the vendor who did the training, not to the Board.

- 641B.192 - **Lowery** suggested removing redundant language and simplifying the ways that CEUs can be approved. Vendor approved courses, NASW / ASWB approved courses and individual requests for approval. Denise Montcalm brought up the current status of the Nevada NASW chapter. **Lowery** reported that the Nevada NASW chapter essentially closed up operations some time ago. They are not approving any CEUs at this point. They are planning to reapply as a CEU provider in the future.
- 641B.195 – **Lowery** recommends removal of this section in entirety.
- **Erickson** requested a motion to approve changes as discussed on 641.187 – addition of topics for ethics CEUs, increase of ethics CEUs to 4 for all licensees, removal of one year grace period. **Ussher** summarized that with the changes in the ways in which CEUs can be earned, the increased options for ethics content and her belief is that giving up the one-year grace period is reasonable. **York** discussed changes in perceptions of the Board with the removal of the one-year grace period. Denise Montcalm discussed the rationale for why these changes are being made. Mapplethorpe discussed the importance of professional accountability. **York** indicated that how this information is presented will be key in helping licensees understand the how and why of it. **Erickson** asked the Directors of the Schools of Social Work if they could agree with these changes. Both felt more comfortable with it in terms of starting their professional learning. **Lowery** reported that her perspective tends to be problem driven and not opportunity driven. **Ussher** made a motion to approve the changes to 641B.187 as discussed. **Smith** seconded. Motion carried.
- **Erickson** requested a motion to accept changes to 641B.188 as discussed; **Ussher** made the motion, **Smith** seconded. Motion carried.
- **Erickson** requested a motion to accept changes to 641B.189 through 641B.195 as discussed. **Smith** made motion, **Ussher** seconded, motion carried.

### Standards of Practice

- **Lowery** started the discussion by notifying the members that she has formally asked UNR and UNLV to incorporate, at a minimum, the NACs related to Standards of Practice into their curriculum because it is the Board's linkage to the NASW Code of Ethics and it is the area most referenced in disciplinary actions.
- **Lowery** also noted that language in this section is directly related to the language in the screening questions on license renewals. She referenced the agenda item from the 07/27/2017 that was tabled based on discussion today.
- 641B.200.10 – **Lowery** reviewed the changes in law that allow LCSW's to certify / decertify the need for an emergency psychiatric admission. The language in the statute is that which was approved in the T-0016 temporary regulation. She recommended that this language be made permanent language. Some discussion of identifying in a narrative manner what this is referencing versus just by statute. **York** clarified that this is as an option for LCSW and not required, she fears that employers may require their LCSWs to hold this certification. **Ussher** indicated that it was up to the LCSW to choose if they want to have this certification. **Lowery** reiterated that this is strictly voluntary and that the Board has no role in employment requirements. She noted that to date that there are 6 LCSWs in this state that have sought this certification.
- 641B.200.16 – **Lowery** will amend the language to reflect the specific age related statutes in NRS629.051.
- 641B.200.21 – **Lowery** introduced this statute as the one that connects specifically to the screening licensure renewal forms. She reviewed the specific language on several of the questions in relation to discussion already had about initial license screening questions.
  - Discussed the connection between questions on the license renewal application and sections 200.21b, 200.21c and 200.21d. Renewal screening question 2 address legal issues.
  - Renewal screening items 3, 4, and 5 connect with items 200.21d and 200.21e.
  - Renewal screening items 1 and 7 connect with items 200.21f, and 200.g.

**Rasul** indicated that just because something in is our regulations does not need to be addressed in the applications.

- Robust discussion of 200.21f and 200.21g by members. Suggested that 200.21f be removed and amended the language for 200.21g. Members were unable to agree on language. Reviewed NASW Code of Ethics and the ASWB Model Practice Act language regarding impairment. Members requested that **Lowery** come back to the next meeting with suggested language for both the statute and the renewal questions.

***Board took a break beginning at 2:45pm. The meeting resumed at 3:00pm***

- 641B.205 – **Lowery** introduced a new statute dealing with the need for independent practitioners to maintain a professional will, including a professional executor who will oversee the social worker’s client records, billing and financial records, etc. in the event that the social worker becomes incapacitated, unable to practice, or deceased.
- **Erickson** requested a motion to approve the changes as discussed in the Standards of Practice section. **Ussher** made the motion. **Smith** seconded. Motion carried.

**Hearings**

- **Lowery** indicated that it is doubtful that there will be changes in this section as it is directly connected to NRS 622 and NRS 239. She indicated that she will do a review of this section and will bring any suggestions of changes to the next meeting.

**Interim Executive Director’s Report.** *(Agenda Item 3G)*

**Lowery** acknowledged the Board members willingness to do two meeting in two days. She acknowledged the support she has received since stepping into the Interim Executive Director’s role.

**PRESIDING OFFICER’S COMMENTS** *(Agenda Item 4A)*

**Erickson** acknowledged the confidence the Board has in her as the new president.

**PUBLIC COMMENT** *(Agenda Item 5)*

No public comment was offered at this time.

**ADJOURNMENT**

President Erickson adjourned the Board meeting at 3:29 pm

Meeting Minutes Respectfully Submitted,  
Sandy Lowery, LCSW, LADC, Interim Executive Director