



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

MINUTES OF BOARD MEETING
March 17, 2017

(AGENDA ITEM 1) The meeting of the Board of Examiners for Social Workers was called to order by Rod Smith, Board President, at 9:01 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 Usher, LCSW, Board Member, Reno
Annie Wilson, LSW, Board Vice President, Las Vegas
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
Caroline A. Rhuys, Board Staff, Reno
Henna Rasul, Senior Deputy Attorney General, Reno
Paula Berkley, Board Lobbyist, Reno

Public Attendees

None

(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 motion was made by Annie Wilson and seconded by Colleen York, to approve the Agenda as submitted. This motion was carried without objection.

REGULAR AGENDA

DISCIPLINARY MATTERS

(AGENDA ITEM 4A)

Review, Discussion and for Possible Action, Recommendation to Dismiss Disciplinary Case Numbers: G11-09, G11-36, G12-20, G16-04 and G17-01.

Kim Frakes presented this agenda item to the Board. Kim Frakes provided redacted background information pertaining to the cases noted above, along with her recommendation to dismiss this case. These cases were also reviewed with Henna Rasul, Sr. Deputy Attorney General, prior to placing this matter onto the Board meeting agenda. Given the number of cases being recommended for dismissal during this meeting, Ms. Frakes indicated that she had created a "Disciplinary Dismissal Table", which was contained in each Board members' Board meeting packet. This table provided the redacted information necessary to assist each Board member in determining whether to accept the recommendations by Ms. Frakes and Ms. Rasul, to dismiss these cases. Jodi Ussher requested that the date each case was received be included in the table. She further recommended that instead of setting up the page as landscaped, she would prefer portrait as she found it difficult to rotate her Board meeting packet to look at the table. President Smith indicated that he liked the cases being presented in a table format. Ms. Frakes indicated that as she becomes more available to focus primarily on the disciplinary cases, the table should be a useful way of presenting the redacted disciplinary information to the Board. Following presentation of this agenda item, a motion was made by Jodi Ussher and seconded by Annie Wilson, to dismiss disciplinary cases as noted above and on the agenda. This motion was carried without objection.

(AGENDA ITEM 4B) **Review, Discussion and for Possible Action, Changes to the Accusation (Complaint) Form currently used by Board and Board's Notification Process to Licensees Regarding Accusations (Complaints).**

Kim Frakes presented this agenda item to the Board. The purpose of this agenda item was to review examples of complaint forms from other behavioral health boards and recommendations about changes in the accusation form currently used by the Board. Ms. Frakes also provided examples of blank samples sent to licensees to support alleged violations of NRS and NAC 641B contained in submitted accusations. Each Board members' Board meeting packet contained:

- Board's Current Accusation Form;
- Psychology Board's Consumer Complaint Form;
- MFT/CPC Board's Complaint Form;
- Bureau of Alcohol, Drug and Gambling Counselor's Allegation Form;
- Proposed Board Accusation Form;
- Proposed Board Licensee Notification Letter; and
- Alleged Violations of NRS and NAC 641B Checklist.

(SUMMARY OF DISCUSSION HERE, INCLUDING ACTION, IF APPLICABLE)

(AGENDA ITEM 4C) **Review and Discussion, Revised Redacted Disciplinary Report – Excel spreadsheet Format.**

Kim Frakes presented this agenda item to the Board. Each Board member's Board meeting packet contained the updated, redacted list. **(SUMMARY OF DISCUSSION HERE)**

(Paula Berkley arrived to the Board meeting around 9:57 a.m.)

LICENSURE, INTERN AND APPLICATION ISSUES

(AGENDA ITEM 5A) **Review, Discussion and for Possible Action, Board Policy Regarding Notification to the Board When Clinical Intern Supervisors Are on Leave as it Pertains to Board Approved Intern Supervision.**

Sandy Lowery presented this agenda item to the Board. The Board's historical precedence required written notification by a Clinical Internship Supervisor (Supervisor) to the Board whenever the Supervisor would be absent for more than one week. (SUMMARY OF DISCUSSION HERE)

LEGISLATIVE AND REGULATORY ISSUES

(AGENDA ITEM 6A) **Review and Discussion, 79th/2017 State Legislative Session Update, as Provided by the Board's Lobbyist.**

This agenda item provided Board Lobbyist, Paula Berkley, an opportunity to update the Board regarding her efforts to lobby on behalf of the Board. (SUMMARY OF DISCUSSION HERE)

(AGENDA ITEM 6B) **Review, Discussion and for Possible Action, 79th/2017 Legislative Session and Bills Tracked by the Board's Director of Social Work Practice:**

- i. **AB 105, Revises Continuing Education Requirements Relating to Suicide Prevention and Awareness for Certain Providers of Health Care (*Increasing the Continuing Education Requirement from 2.0 to 3.0 CEU'S*);**
<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/4839/Text> ;and
- ii. **SB 228, Revised Provisions Relating to Registry Identification Cards and Letters of Approval (*as it Relates to Medical Marijuana*)**
<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5119/Text>

Kim Frakes presented this agenda item to the Board. Currently, there are two (2) bills that appear to be of interest to the Board. AB 105, is attempting to address efforts to correct the Suicide Prevention and Awareness continuing education requirement for certain occupational licensing boards, including this Board. As proposed and approved during the 2015/78th Legislative Session, social workers were required to complete "2.0" continuing education units (CEU) on this topic as a condition for licensure renewal. Since licensees renew annually, the 2.0 CEU requirements were also required annually. The proposed language in AB 105 (as it pertains to NRS 641B) is attempting to have compliance in CEU completion of this topic reflect the Board's two-year CEU completion cycle. If approved, licensees would complete the 2.0 CEU requirement on this topic during the two-year CEU completion cycle instead of annually. SB 228 proposes the ability of certain licensed occupations named in this bill, including social workers, to have the ability to provide Registry Identification Cards and Letters of Approval for the purpose of obtaining medical marijuana. Each Board members' Board meeting packet contained a copy of AB 105 and SB 228. (SUMMARY OF DISCUSSION HERE, INCLUDING ACTION, IF APPLICABLE)

(Following review and discussion of this agenda item, the Board took a 10-minute break from 11:00 a.m. until 11:10 a.m.)

CONTINUING EDUCATION

(AGENDA ITEM 7A) **Update Regarding Process of Having NASW (National Association of Social Workers, National Chapter) Become an Approved Provider of Continuing Education for State of Nevada.**

Sandy Lowery presented this agenda item to the Board. (SUMMARY OF DISCUSSION HERE)

(AGENDA ITEM 7B) **Update Regarding Process of Having ASWB (Association of Social Work Boards) Become an Approved Provider of Continuing Education for State of Nevada.**

Sandy Lowery presented this agenda item to the Board. (SUMMARY OF DISCUSSION HERE)

DEPUTY ATTORNEY GENERAL REPORT

(AGENDA ITEM 8A) Review and Discussion, Senior Deputy Attorney General Report.

This agenda item provided Henna Rasul, Senior Deputy Attorney General and Board Counsel, an opportunity to update the Board pertaining to any legal issues of concern or to make recommendations for future agenda items, if applicable. (SUMMARY OF DISCUSSION HERE)

PRESIDING OFFICER'S COMMENTS

(AGENDA ITEM 9A) Presiding Officer's Comments

This agenda item provided Rod Smith, Board President, an opportunity to update the Board pertaining to items of interest or concern, which do not require action or a place on the Board meeting agenda. This agenda item further provided President Smith an opportunity to make recommendations for future agenda items. (SUMMARY OF DISCUSSION HERE)

BOARD OPERATIONS

(AGENDA ITEM 10A) Review, Discussion and for Possible Action, Application and Affidavit for Eligible LCSW's to be Approved to Certify/Decertify Patients from an Involuntary Hold, Pursuant to NRS 433A

Kim Frakes presented this agenda item to the Board. Following review and discussion during the February 17, 2017 Board meeting, a form was developed that would serve as an application and affidavit for "Legal Hold Certification and Decertification Approval." This form would be required prior to eligible LCSW'S being able to engage in the practice of certifying and decertifying patients from an involuntary hold, pursuant to NRS 433A. Each Board members' Board meeting packet contained a copy of the referenced form. (SUMMARY OF DISCUSSION HERE). Following review and discussion of this agenda item, a motion was made by XXX and seconded by XXX to approve the referenced form as submitted. This motion was carried without objection.

(AGENDA ITEM 10B) Review, Discussion and for Possible Action, Information About Contracting Process for Software Vendor (Database Development; Online Verification of Licensure; and Online Renewals, with Possibility to Expand to Online Initial Applications) Pursuant to NRS and NAC Chapter 333 and SAM Chapter 0300:

- i. * (For Possible Action) Rescind the Board's February 17, 2017 Vote to Contract with GL Solutions Due to State Requirements Pertaining to RFP's (Request for Proposals);
- ii. * (For Possible Action) Review of the State's RFP Process and Option to:
 - a. Utilize EITS (Enterprise Information Technology Services), a State Entity, not Subject to the RFP Process;
 - b. Utilize the Board's CCM (Certified Contract Manager) to Engage in the RFP Process, with Overall Estimated Total One-Year Project Cost Between \$50,000, not to Exceed \$99,000.00; or
 - c. Expanding the Overall Project to a Four-year Contract, Currently Allowable Under the State's Contracting Requirements, With Overall Estimated Total Project Costs to Exceed \$100,000.00, Enabling State Purchasing to Actively Assist the Board in the Management of RFP Process.

Kim Frakes presented this agenda item to the Board. Following the Board's approval during the February 17, 2017 to approve GL Solutions as the company to conduct the Board's database build, it was discovered, following a conversation with State Purchasing, that although the cost of the database build within the 2016/2017 fiscal year was under \$50,000, the overall contract amount would exceed \$50,000. Ms. Frakes further explained that any projects with a "total cost" of fifty-thousand dollars (\$50,000) requires a State agency, pursuant to NRS and NAC 333, and the State's SAM Chapter 0300, to engage in the RFP process. This afforded the Board with two (2) options:

1. To conduct an RFP, with an anticipated contract of 1 to 3 years, and deliverables within this time frame. As a State Certified Contract Manger (CCM), Ms. Frakes would oversee the entire RFP process, with assistance and guidance by State Purchasing;
2. To conduct an RFP, with an anticipated contract of 4 years (the maximum allowable), with deliverables within this time frame. This would cause the total contract to exceed \$100,000 and would enable State Purchasing to take the lead on the RFP process. Ms. Frakes would still provide assistance pertaining to the RFP process; or
3. Skip the RFP process and contract directly with EITS (Enterprise Informational Technology Systems), a State entity, which allows the Board to contract directly, without engaging in an RFP.

Each Board members' Board meeting packet included:

- EITS (Enterprise Informational Technology Systems) anticipated cost worksheet (from the March 17, 2017 Board meeting);
- State Purchasing Services Contracting Process and Approval Flow Chart;
- State Purchasing Agency RFP Development Form; and
- State Purchasing RFP form.

(SUMMARY OF DISCUSSION HERE) Following review and discussion of this agenda item, a motion was made by Colleen York and seconded by Annie Wilson, to approve engaging in an RFP, with a 4-year contract for the selected database builder. This would cause the total database project to exceed \$100,000 and allow for State Purchasing to take the lead in the RFP process, with Ms. Frakes offering to assist with this process.

(NOTE IF ANY ADDITIONAL COMMENTS OR DISCUSSION HERE) This motion was carried without objection.

(AGENDA ITEM 10C) **Review, Discussion and for Possible Action, July 1, 2016 through December 31, 2016 Board Licensure Statistics.**

Sandra Lowery presented this agenda item to the Board. During August 2016, the Board submitted a report with licensure figures to the State's Interim Legislative Committee on Health Care (Committee). Since this report was the first report conducted by the Board to contain licensure related compiled data, the Board decided to continue gathering this information. Currently, SB 69 includes language requesting that all State behavioral health boards provide similar information to the legislature on an ongoing basis quarterly. The information to be collected by the State boards, as proposed in SB 69 include:

1. The number of applications received;
2. The number of applications rejected;
3. The number of incomplete applications received and the number of days before the application is considered complete;
4. The number of applications reviewed on a, "case by case" basis; and
5. The number of applications "denied", including the reason for the denial.

Each Board members' Board meeting packet included a copy of the Board's licensure statistics, July 1, 2016 to December 31, 2016, conducted by Ms. Lowery. **(SUMMARY OF DISCUSSION HERE)** Following review and

discussion, a motion was made by XX and seconded XX to approve Ms. Lowery's continuing to conduct the gathering of Board statistics as noted and discussed. This motion was carried without objection.

(AGENDA ITEM 10D) Review, Discussion and for Possible Action, Request from SilverFlume Nevada Business Portal that the Social Work Board Become an Identified Board in Their List of Regulatory Nevada Agencies.

Sandra Lowery presented this agenda item to the Board. Ms. Lowery indicated that the Board received a request from the Secretary of State's (SOS) Business Portal Division Chief Marketing Officer (CMO). The CMO had requested that the Board join the SOS join the State's SilverFlume Nevada Business Portal as a regulatory body. Ms. Lowery indicated that she had engaged in a training meeting with the Nevada SOS. During the course of this training, it was determined that the Board should provide the occupational codes that an individual seeking to open a business as a social worker in Nevada should use. Ms. Lowery further indicated that the only applicable licensure categories would be the LISW (Licensed Independent Social Worker) and LCSW (Licensed Clinical Social Worker) since these two levels of licensure are the only licensure levels allowed to engage in a solo practice or independent practice under the referenced level of licensure. (SUMMARY OF DISCUSSION HERE. I AM NOT SURE IF THERE WAS A VOTE ON THIS. IF SO, ADD IT HERE).

(AGENDA ITEM 10E) Review, Discussion and for Possible Action, use of Google Apps – Google Groups Listserve Feature to Notify Licensees of Pertinent Board Related Items.

Sandra Lowery presented this agenda item to the Board. At the Legislative Educational Get-Together, hosted by the Board in February, the idea of a developing a listserv, affording the Board the ability to communicate with licensees was discussed. Previous efforts to send bulk mails through the State's email system by the Board had proved unsuccessful. Ms. Lowery discussed how she had explored several vendors who managed listserves/emails and concluded that the best vendor to assist the Board with managing a listserv was "Google Groups". (SUMMARY OF DISCUSSION HERE) Following review and discussion of this agenda item, a motion was made by XX and seconded by XX to approve using Google Groups to manage the Board's listserv. This motion was carried without objection. Ms. Lowery indicate that she would contact Google Groups for the purpose of establishing an account with them and to move forward in developing the listserv.

(Agenda Item 10F) Review, Discussion and for Possible Action, Approval of the February 17, 2017, Board Meeting Minutes.

Kim Frakes presented this agenda item to the Board. Enclosed in each Board members' Board meeting packet was a copy of the February 17, 2017 Board meeting minutes. These minutes were also emailed to Board members requesting to receive their Board meeting packets electronically. Jodi Ussher requested that the Board meeting minutes reflect that she had actually left the Board meeting following Agenda Item 10G, located on page 9 of the minutes. Following review and discussion of this agenda item, a motion was made by XX and seconded by XX to approve the February 17, 2017 Board meeting minutes, with the correction as noted. This motion was carried without objection.

(AGENDA ITEM 10G) Review and Discussion, Attendance and Participation by Board Members and Board Staff During the 2017 Spring Education Meeting, April 27 Through 29, 2017, in Henderson, Nevada.

Kim Frakes presented this agenda item to the Board. Ms. Frakes reviewed the Board's discussion and approved budget revision pertaining to Board members attending the ASWB 2017 Spring Education Meeting. This was Agenda Item 7A, during the February 17, 2017 Board meeting. Ms. Frakes indicated that today's agenda item was for the purpose of obtaining an accurate head count on who would be attending the

Education Meeting. President Smith indicated that initially, he was hoping to be able to attend the Education Meeting but that it appears that he would not be able to attend. Annie Wilson and Colleen York indicated that they would both be attending the Education Meeting, with Ms. York hoping to attend the meeting in its entirety. Vikki Erickson indicated that she had registered for the meeting and her travel arrangements have been finalized. Ms. Frakes thanked the Board members attending the meeting for providing their confirmations.

(AGENDA ITEM 10H) **Review and Discussion, Pass/Fail Rates for ASWB exams – National and Nevada figures.**

Sandy Lowery presented this agenda item to the Board. ASWB provided two (2) reports annually to each of their member boards. The first report reflects the pass/fail rates for North America (i.e. United States and Canada) for each of the four exams taken (i.e. Bachelors, Masters, Clinical and Advanced Generalist) and includes the pass/fail rates for applicants for each of these exams in Nevada. Overall, it appears that applicants taking their exams for the State of Nevada continue to score above the national average, with the exception of those taking the Masters Exam. While the pass/fail rate in North America for the Masters Exam was at 81.2% for those taking the examination for the first time, the pass/fail rate respectively for Nevada was "76.7%". While it unknown why there was a drop in the pass/fail rates for the first time examination takers in Nevada, Ms. Lowery noted that she continues to provide, at the request of the UNR School of Social Work students, examination preparation courses. She added that she would be eager to see how these preparation courses will be reflected when the next ASWB report is distributed. This report will reflect the examination scores between UNR and UNLV.

(AGENDA ITEM 10I) **INTERIM EXECUTIVE DIRECTOR'S REPORT**

Sandra Lowery presented this agenda item to the Board. Since the Board would be meeting monthly during the current Legislative Session, Ms. Lowery requested that each Board member indicate their ability to attend the next regularly scheduled Board meeting on April 21, 2017. Colleen York indicated that she would not be available to attend the meeting since she had already requested time off from her employer to attend the ASWB Spring Education meeting the following week. Vikki Erickson also indicated that she would not be able to attend the April 21st meeting for similar reasons. At the conclusion of discussion, President Smith, Jodi Ussher and Annie Wilson indicated that they would be able to attend the next Board meeting on April 21, 2017. Kim Frakes indicated that this would constitute the minimum number of Board members for a quorum. Ms. Lowery indicated that she would not be able to participate as she was already scheduled to conduct a Board presentation at UNLV that same day. Ms. Frakes indicated that she would be present at the Board meeting in lieu of Ms. Lowery.

(AGENDA ITEM 11) **PUBLIC COMMENT**

There wasn't anyone present to offer public comment.

ADJOURNMENT

President Smith adjourned the Board meeting at 12:14 p.m.

Respectfully Submitted,

Kim Frakes

Kim Frakes, Director of Social Work Practice