



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 18, 2018

**MEETING CALLED TO ORDER:** The meeting of the Board of Examiners for Social Workers was called to order by Vikki Erickson, Board President, at 9:03 a.m. The meeting was held at the University of Nevada, Reno (UNR) System Computing Services Building, Room 47, in Reno, Nevada, 89557. There was a simultaneous videoconference conducted at Mojave Adult Clinic, 4000 E. Charleston Blvd., Suite B-230, Las Vegas, Nevada. President Erickson 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, President (**Erickson**)  
Monique Harris, LCSW, Board Member (**Harris**)  
Stefaine Maplethorpe, LCSW, Board Member (**Maplethorpe**)

Staff Present

Karen Barsell, LISW, Executive Director (**Barsell**)  
Kim Frakes, LCSW, Director of Social Work Practice (**Frakes**)  
Sandy Lowery, LCSW, LCADC, Deputy Executive Director (**Lowery**)  
Bryan Stockton, Esq., Senior Deputy Attorney General (**Stockton**)

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

**PUBLIC COMMENT:** No public comment was offered at this time.

**CONSENT AGENDA:** Review, Discussion and for Possible Action, Approval of Consent Agenda. The following Consent Agenda information was made available:

**LICENSE APPLICATIONS – APRIL 2018**

New Licenses Issued: 23 (includes 4 Endorsed licenses - 4 LCSW / 0 LSW; Those highlighted in yellow are licenses via endorsement).

Denied Licenses: 0

Provisional Approvals: 3; Provisional "A": 0, Provisional "B": 1, Provisional "C": 2

Provisional License Denials: 0.

**RENEWALS – APRIL 2018**

Renewals: 205

Denied Renewals: 1

Total Number of Delinquent Renewals: 20 (licensees have sixty days before their license is considered expired)

License Restorations: 0.

#### **INTERNSHIP APPLICATIONS - APRIL**

Approvals: 8

Total Approved Internships Open at End of Month: 219

Internship Applications Denied: 0.

**Motion made by Maplethorpe to approve the Consent Agenda, Harris seconded. Motion passed unanimously.**

**REGULAR AGENDA** (Barsell asked for permission to take several listed items out of order to accommodate a scheduled presentation).

#### **BOARD OPERATIONS**

**MEETING MINUTES:** The Board reviewed and took action to approve minutes for the April 20, 2018 Board meeting. **Harris** asked a question about voting to approve minutes when a member was unable to attend the meeting. **Stockton** answered this question by differentiating between abstaining and recusal; also, he stated that if **Harris** abstained there would continue to be a quorum for the purposes of voting on the minutes.

**Motion made by Maplethorpe, Erickson seconded for approval of meeting minutes for April 20, 2018 Board meeting. Harris abstained. Motion passed.**

**TEMPORARY OFFICE ASSISTANCE:** **Erickson** introduced the next topic for review, discussion and possible action concerning the hiring of a temporary part-time office position using salary savings due to early departure of the Board Investigator and Director of Social Work Practice positions before the end of the budget year. With approval, this office position could begin on May 21, 2018 and go through June 30, 2018, not to exceed 90 hours total, not to exceed \$3500. **Barsell** mentioned that staff has interviewed an individual that is ready to start a position on May 21<sup>st</sup> -- next Monday. **Harris** asked for additional information. **Barsell** answered that the help will come from a local temporary agency under the State's Master Service Agreement to help with our backlog of filing and shredding as well as general entry-level office administration support.

**Motion made by Harris to move forward with hiring temporary office staff, seconded by Maplethorpe. Motion passed unanimously.**

**LOBBYIST CONTRACT:** For review, discussion and possible action, **Erickson** introduced the topic of a lobbyist contract for the 2019 legislative session as well as preparation prior to the session, not to exceed \$36,000. **Barsell** gave background stating that in the 2016 – 2017 budget, the Board hired Paula Berkeley as a lobbyist for approximately \$36,000. After meeting with Ms. Berkeley to go over her scope of work during that period, **Barsell** came to understand why the expenditure was so high. In the future, we could approach hiring a lobbyist if the Board wants to get this assistance again. If we hire for a one year period, we would likely incur a larger monthly rate than if we hired a firm over a 2 year period. Ms. Berkeley will be reducing her workload and will not be available next session to work with our Board. She openly explained that some lobbying firms prefer to spread their work over a 2 year contract period to more evenly spread their income and expenses. **Barsell** stated that she wants to revise her recommendation downward to secure a contract for this year that would not exceed \$18,000 - \$24,000 but to get this lower rate the contract may have to be extended for a 2 year period in the neighborhood of \$36,000 - \$48,000 for the two year period. To conclude, **Barsell** said that she will endeavor to negotiate a lobbyist contract at \$1500-\$2000 per month for two years to get coverage prior to, during the session and during the interim; she currently has four potential candidates to interview, not to exceed \$24,000 per year for 2 years.

**Barsell** went on describe the scope of work that Ms. Berkeley said that Nevada legislators will be expecting about the work being accomplished by the Board. **Harris** asked for more information about the expectations from the legislators at this time. In response, **Barsell** shared the following information that was sent forward to the State of Nevada Sunset Committee packet for next Monday's May 21 meeting:

- **Initial licensing** – Applications are processed in an expedient manner; Board staff provides education at both UNR and UNLV for graduating students to assist them in preparing applications and preparing for the national licensing test they will have to take.
- **Licensure by endorsement** – These applications are also being processed in a much more expedient manner, in part due to legislative changes as well as improved processes in the office. In 2014 there were 24 endorsed licenses granted, in 2015 it was 47, in 2016 it was 57, and in 2017 it was 102. These licenses are typically approved now within 30 days.
- **Renewals** - In 2015 there were 2272 licenses renewed, in 2016 it was 2309, and in 2017 it was 2404. Also, the Board has approved a new vendor for online licensing and the contract is being prepared.
- **Monitoring continued competence** of our licensees through Continuing Education Units (CEUs) - The Board has streamlined the approval process for CEUs, automatically accepting CEUs provided by the National Association of Social Worker (NASW) and the Association of Social Work Boards (ASWB). Additionally recent changes in our NACs now allows licensees to complete all of their CEUs electronically.
- **Authorizing certification / decertification of legal holds** - The Board has developed a process for approving LCSWs to certify / decertify legal holds. To date, 10 LCSWs have requested this approval.
- **Complaints and Disciplinary** - This is the major area in which the Board was unsuccessful in accomplishing the purposes of the Board. To address this, in March 2017, the Board rearranged office staff and designated one full-time staff and hired a part-time investigator to deal with the backlog of disciplinary cases that existed. These changes have allowed the Board to deal with both the backlog of complaints while processing the new complaints in a more timely manner.

Further, on the topic of legislative expectations, **Lowery** added that we have a legislative mandate to convert our paper-based processes to online processes. As is frequently the case with legislative mandates, there is direction given without funds to meet their expectations. The Board is going to implement the renewal phase of online processing in 2018 and will be expected to bring its other processes online in the future. As we will be moving forward to meet this mandate in affordable and doable segments, we will need help from a lobbyist in brokering this information successfully. And another piece is that we will need to continue to improve the legislative perception of the Board of Examiners for Social Workers.

**Motion made by Harris to move forward with contracting with a lobbyist, not to exceed \$24,000 per year for 2 years, seconded by Maplethorpe. Motion passed unanimously.**

### **DISCIPLINARY MATTERS – APRIL**

**Lowery** reviewed the redacted Disciplinary Reports for Board Members. Last meeting, 62 open cases were reported. Since then, **Frakes** has shifted her focus to transitioning the Disciplinary Program to **Barsell**. Over the past month, we added 4 new cases for a total of 66 by the end of April. The first set of redacted disciplinary table is based on case numbers and the second redacted disciplinary table is sorted by accusation ratings with 6 remaining cases at level one, 36 cases at level two, and 22 cases at level three. One case has not been rated at this time. **Harris** asked about if we have a written plan for getting caught up with disciplinary actions which will be addressed in part, in the upcoming report by **Frakes**.

**Frakes**, Director of Social Work Practice, joined the group to make a presentation: “Summary 2008 - 2018 Disciplinary Report” displaying an overview of her scope of work while she was with the Board as well as provide some insights and recommendations. **Frakes** went over her attachments as provided in the Board packet. First, Table 1 was presented showing the total number of disciplinary cases received by the Board annually using 2008 as a baseline. From 2008 to date, it was generally shown that there was an increase year-over-year in the number of cases received. This is consistent with reported cases in other states as **Frakes** learned at Association of Social Work Boards conferences. **Frakes** speculated that reasons for annual increases during the reporting period may be due in part to the recession and to retirements; this would have resulted in fewer social workers being replaced and which brought about more pressure; therefore, decreased social worker availability may have increased the numbers of disciplinary cases received.

**TABLE 1**  
**Number of Disciplinary Cases Received**  
**2008 to Year-to-Date**  
*(Percentage of Increase from 2008 to Present)*

<b>YEAR</b>	<b>Total Number of Cases by Year</b>	<b>% (Approximate) Increase/Decrease 2008 as a baseline</b>
2008*	21	<i>(Baseline)</i>
2009	44	+ 110%
2010	47	+ 123%
2011	36	+ 71%
2012	36	+ 71%
2013	25	+ 19%
2014	21	0 %
2015	23	+ 10%
2016	21	0 %
2017	25	+ 19%
2018—To date	7	- 67%
<b>TOTAL</b>	306	<i>Average % increase 2009-2017 = approx. increase of 47%</i>

\* KF's date of hire 10/15/2008

Table 2, an eight page report, listed all of the 224 cases that were addressed during **Frakes'** tenure with the Board. This table included case numbers, Board actions, levels of licensure, dates of accusation/complaint received, as well as the date the case was resolved by dismissal or Board action. Of the total 224 cases, 20 cases required action and 204 cases were dismissed. **Erickson** asked what the letter V meant on the Table. **Frakes** noted that "D" is for dismissed, "A" is for action, and "V" was for a case that was inadvertently added to the list and then had to be voided.

Of note, the table shows that there was a backlog of cases from 2006 that were acquired when **Frakes** took over the disciplinary program in 2008. Additional backlog occurred as **Frakes** said that she was hindered in focusing on completing cases while also having to work on the various responsibilities of the Executive Director position. **Frakes** stated that backlog is a common occurrence that other Boards around the country experience. She suggested that the Board may want to look at the backlog issue as it moves forward.

Next, **Frakes** presented Table 3 (below) representing the number of cases presented to the Board for either dismissal or Board action from February 2017 to date. Table 3 as compared to Table 1 reflects increased movement on disciplinary cases cleared when cases were assigned to dedicated 1.5 FTE staff (full-time program director, part-time investigator). Specifically, Table 3 shows that 108 cases were completed over a 16 month period compared to 224 cases (illustrated in Table 1) completed over the ten year period. She added that this comparison makes a very strong case for dedicated staff and/ or perhaps Board member and/ or public member assistance in completing cases to reduce backlog.

BOARD MEETING DATE	TOTAL NUMBER OF CASES DISMISSED OR BROUGHT TO ACTION	
	Total No. of Cases	Type of Action
February 17, 2017	1	1 = Dismissed
March 17, 2017	5	5 = Dismissed
April 21, 2017	19	19 = Dismissed
May 19, 2017	2	2 = Dismissed
July 27, 2017	35	35 = Dismissed
July 28, 2017 (Bd. Retreat)	0	0
October 20, 2017	18	18 = Dismissed
November 3, 2017 (Public Workshop)	0	0
December 15, 2017	9	9 = Dismissed
February 15, 2018	2	1 = Consent Decree + 1 = Dismissed
March 9, 2018	9	9 = Dismissed
April 20, 2018	8	8 = Dismissed
May 18, 2018	0	0
<b>TOTAL NUMBER OF CASES</b>	<b>108 *</b>	<b>1 = Consent Decree 107 = Dismissed</b>

*\*Reflects 48% of the total cases brought to either dismissal or action—see Table 1*

Last, **Frakes** provided information referring to training offered by “CLEAR” (The Council of Licensure, Enforcement and Regulation) pertaining to all aspects of administrative law with its own set of procedures and protocols and the regulatory process. CLEAR is recommended by the Association of Social Work Boards (ASWB) and information can be found on the ASWB website. **Frakes** encouraged the Board to consider having **Barsell** and/ or other staff attend this training. **Erickson** commented that investigations are very difficult and she thanked **Frakes** for her hard work in this area. She added that the local Board is not alone and that other Boards throughout the US and Canada express that they are experiencing similar difficulties. Both **Maplethorpe** and **Harris** joined her in thanking **Frakes**.

### BOARD OPERATIONS (Continued)

**BOARD PLAQUE PRESENTATION:** **Erickson** made a plaque presentation on behalf of the Board to **Frakes**. **Erickson** stated her pleasure in working with **Frakes** for nearly 10 years – through Board activities as well as support to **Erickson** as a mentor. **Erickson** also proclaimed **Frakes’** highly respected status as a social worker as **Frakes** had won the 2017 ASWB Glenda MacDonald Award for outstanding service as chair of the ASWB Administrator’s Forum. The Board gave a round of applause in support. **Frakes** appreciated this recognition and thanked the Board and staff for their hard work during her time here.

**ASSOCIATION OF SOCIAL WORK BOARDS (ASWB) MAY 25, 2016 NOTIFICATION TO THE BOARD PERTAINING TO THEIR EXAMINATION USE POLICY:** **Frakes** reviewed information with the Board for discussion and possible action explaining that the Board had received a letter from ASWB that asked us to change our policy re: utilization of ASWB examinations. ASWB communicated about our historical position permitting MSWs to choose whether to take a bachelors or masters exam for an LSW license. In fact, we have legislation that supports this. The bone of contention with ASWB is that they have designed their bachelor’s level exam to reflect what a bachelor’s level social worker should be able to do; and they have designed their master’s level exam to reflect what a master’s level social worker should be able to do. Therefore, our data could potentially affect the overall examination psychometrics and ASWB’s defensibility of their examinations. The May 25, 2016 letter from ASWB

expressed their concern, "Validation is strongly tied to legal defensibility of the exams. Enforcing appropriate use of the exams helps maintain the highest psychometric and legally defensible standards on behalf of our members that use the exam(s) as part of their licensing process". They continued, "Pursuant to NAC 641B.105(2)(a) a Master's level applicant may take either the ASWB Bachelors or Masters examination". **Frakes** suggested that we make a change in the regulation as follows: "Pursuant to NAC 641B.105(2)(a) a Master's level applicant may take the ASWB Masters examination". Related to this, **Frakes** made a recommendation for the Board's consideration re: introducing an **LMSW** level of licensure which would similarly require an NRS change. The group showed interest in looking into this idea at a future meeting along with the potential for associated fees related to this type of license. **Maplethorpe** asked for further clarification about this distinction and **Frakes** responded that this change would acknowledge those that had completed a master's degree and perhaps could be reviewed as a potential source of additional funds. For now, **Frakes** recommends that the Board have the President and the Executive Director schedule a teleconference call to get clarification and work to resolve key issues raised in the May 25, 2016 ASWB letter re: apparent contradictions between NAC 641B.105(2)(a)(b)(c) and (3) and ASWB'S Policy 14. Board staff and Board member(s) would bring the results of this discussion back as soon as possible to a future Board meeting, with recommendations stemming from this teleconference.

**Motion made by Maplethorpe, seconded by Harris to have the President and Executive Director contact the administrative staff at the Association of Social Work Boards (ASWB) for the purpose of exploring an ASWB recommendation to have Nevada's master's level individuals take the ASWB masters level examination and Nevada's bachelor's level individuals take the ASWB bachelor's level examination. Motion passed unanimously.**

**Harris** asked a question of **Frakes** re: the use of ASWB services and support. **Frakes** responded that ASWB offers a vast array of services. For example, we once looked at having an ASWB ACE review of our CEU approvals. In lieu of paying a charge to exclusively using ASWB for this service, our Board did approve that Nevada would accept any courses that were approved by the ASWB ACE committee. **Barsell** added that the Board evaluated options for online software through ASWB and found the software to be a valuable offering but not as cost effective and efficient as the vendor that was selected by the Board. **Frakes** added that the Board might continue to look into ASWB services that are being offered adding that the Board might consider asking an ASWB representative to join the Board for a presentation in Nevada. Several other ideas about aligning with ASWB were considered by the group. Of note, **Harris** asked the Board to consider a strategic discussion in the future to use ASWB to electronically house information on a central platform to help out with the mobility of social work licenses.

**CHECK SIGNING AUTHORITY, PROVISION OF BUSINESS DEBIT CARDS:** **Erickson** introduced the next item for review, discussion and for possible action re: Changing signing authority for all banking accounts to include the Board President, Board Treasurer, Executive Director and Deputy Executive Director for two (2) bank checking accounts and one (1) Certificate of Deposit and provision of business debit cards for Executive Director and Deputy Executive Director (card to be used for expenses e.g. approved travel, meeting expenses, online purchases).

**Harris** asked about why the Board would need four signers on the checking account. **Barsell** responded that the Board has historically had at least three signers on its banking accounts as all checks written by the Board require two signatures. One signer is a Board member and one is a Board staff. Currently, the signers are Vikki Erickson, Board President, Susan Nielsen, Board Secretary / Treasurer,

and Sandy Lowery, Deputy Executive Director. When the last changes were made to the account signers, only the main checking account was changed. Inadvertently, the two other accounts were not updated. At this time, we are requesting to add Karen Barsell, Executive Director as an authorized signer on the accounts and to ensure that the other accounts are corrected to have all the same authorized signers. Both the Executive Director and Deputy Director will be issued debit cards for the main account so that online purchases, etc. can be made. **Barsell** agreed with **Harris** about managing our needs with three check signers as this has been done in the past.

**Harris** asked about Board financial policies and about checks and balances that are in place, and how many members are on the Board. She added that she would like to receive a copy of the bylaws. **Barsell** agreed to forward a copy of the bylaws and general fiduciary policies to **Harris**. Barsell added that as part of the Board's strategic plan, this would be a good time for the Board to review its fiduciary responsibilities. **Stockton** responded to Harris' question stating that the number of Board members is set by statute in 641b.100, that four members have to be eligible for licensure and one member must be a member of the general public.

**Harris motioned to approve signing authority for all banking accounts to include the Board President, Board Treasurer, and Executive Director for two (2) bank checking accounts and one (1) Certificate of Deposit and to provide business debit cards for the Executive Director and Deputy Executive Director; Maplethorpe seconded. Passed unanimously.**

#### **EXECUTIVE DIRECTOR REPORT:**

**Barsell** updated the Board on the contract process. At this time, she is working on the Albertson Consulting Company contract, inputting this contract into the Contract Entry and Tracking System (CETS). She is awaiting the cost schedule and then will endeavor to get an approved copy of their insurance policy before getting their contract signed. Next, she is working on a payroll outsourcing contract with Nevada Payroll that has been sent out for review and signature as well as in an approval process for demonstrating insurance compliance to the terms that meet State of Nevada requirements.

Next, she updated on the recruiting and hiring of a new Board investigator. At this time, she is bringing on a per diem (not to exceed 15 hours per month) Board Investigator beginning Tuesday, May 29th, 2018.

Following this, **Barsell** discussed the importance of strategic planning in order for the Board and **Barsell** to be successful. For example, the Sunset Committee asked for a copy of the most recent strategic plan of our Board for their meeting on May 21st, 2018. We had to reply that "The Board does not have a current strategic plan. While the Board has held a number of retreats in past years, the development of a formal strategic plan has not been the focus. The new Executive Director has identified this as a priority focus." Besides the expectation from the State of Nevada that BESW would have a strategic plan in place, some of the questions and interests expressed during her first 35 days on the job could be satisfied by working through a strategic planning process together that has a total view of the organization – a helicopter view of our system. For example, a plan would help us to: budget strategically. In June, staff will be bringing a draft budget to the Board that is not driven by Board priorities. With a plan in place, staff can "re-cast" the budget incorporating Board priorities as they pertain to various items e.g. personnel costs (including benefits and retirement) that will provide the appropriate staff complement to accomplish priorities, programs; IT requirements as we may be



needing to move away from our current free service (e.g. server, internet connection, tech support, data backup, workstation updates, software security updates); Board communications e.g. encapsulated minutes vs transcription services; website updates, improved responses to provision of CSW-Intern site approvals; as well as other items that have been brought to **Barsell's** attention.

**STRATEGIC PLAN FACILITATOR:** Next **Erickson** introduced for review, discussion and for possible action, an item to contract a strategic planner to assist the Board with development of plan moving forward, cost not to exceed \$5,000.00. **Barsell** talked about the process. Typically, Boards have a strategic plan that determines the goals and focuses for the Board. Our Board does not have a current strategic plan so we are proposing to engage an outside resource who specializes in helping entities create their strategic plans. Our intent is to conduct a 2 day Strategic Planning meeting in August. The work product would be a 4 page overview document that includes Mission, Vision, identification of the top 5 critical issues and the goals to address the critical issue. After the 2 day session, the plan would not be "fleshed out fully"; staff and Board would be working on a "live" plan at that point i.e. a plan that is not on the shelf. The initial plan would need to have "meat put on the bones" at a later time, perhaps through working groups. The group had a brief discussion about how to accomplish a strategic plan while being subject to open meeting law requirements.

**Harris motioned to approve moving forward with establishing a strategic plan using a strategic plan facilitator at a cost not to exceed \$5000, Maplethorpe seconded. Passed unanimously.**

**PUBLIC COMMENT:** No public comment was offered at this time.

**ADJOURNMENT:** President Erickson adjourned the Board meeting at 11:30 a.m.

Meeting Minutes Respectfully Submitted,  
Karen Barsell, LISW, Executive Director