



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

MINUTES OF BOARD MEETING

Friday, November 16, 2018

MEETING CALLED TO ORDER: The meeting of the Board of Examiners for Social Workers was called to order by Jodi Ussher, Board Vice President, at 9:10 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:

Jodi Ussher, LCSW, Vice President (**Ussher**)
Susan Nielsen, Secretary / Treasurer (**Nielsen**)
Stefaine Maplethorpe, LCSW, Board Member (**Maplethorpe**)

Staff Present

Michael Detmer, Esq., Board Counsel (**Detmer**)
Miranda Hoover, Capitol Partners (**Hoover**)
Sandra Lowery, Deputy Director (**Lowery**)
Karen Oppenlander, Executive Director (**Oppenlander**)

*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.

REGULAR AGENDA:

Board Operations

Ussher introduced item 3A (For Possible Action) Review, Discussion and Possible Approval of the October 19, 2018 Board Meeting Minutes. **Nielsen** mentioned that her name was spelled inaccurately in the minutes.

Maplethorpe motioned to approve October 19, 2018 Board Meeting Minutes with corrections, seconded by Nielsen. Passed unanimously.

Next, **Ussher** turned to item 3Bi under Board Operations (For Possible Action) Review, Discussion and Possible Approval of Hearing for Renewal of License for GM, LCSW, Pursuant to NAC 641B.090, NAC 641B.111

Oppenlander confirmed that the Board had a signed waiver and that the Board was in receipt of all required documents in order to move forward with Gloria Mucino's license renewal. Then, Mucino thoroughly described the situation that had come about. Mucino had self-disclosed to the Board that she had disciplinary action in Alaska that pertained to not having all CEU's completed in Alaska. The Board learned that there was a misunderstanding about when the CEU's were due and that this was based on an administrative oversight by an assistant in her organization. Furthermore, the Board was

apprised by Mucino of an additional consent agreement with the State of Oklahoma following an audit of her CEUs with the Oklahoma Board. This situation was also as a result of an administrative error. Mucino is licensed in numerous states (38 total), working for an agency called, "American Well", and this company has updated its policies and changed staffing so that this situation will not occur again. Also, Mucino is overseeing her CEU process to ensure compliance. As the Alaska and Oklahoma sanctions took place within the past five (5) years, Mucino was required to appear before the Board with her license renewal contingent upon Board approval. **Ussher** said that she understands the difficulty there must be with tracking the CEU requirements in numerous states; also that Mucino was now going to have to be disclosing this matter for years to come even though it appears to have been an administrative error; and that she appreciates the work Mucino has done to get this clarified for the Nevada Board. **Maplethorpe** commended Mucino for notifying the Board and proceeding with transparency including flying in from Los Angeles to take care of her license. **Nielsen** had noticed that there were misspellings throughout the historical paperwork for the licensee and asked if there needed to be corrective actions taken. **Detmer** responded that for this motion, the Board needs to spell the licensee's name correctly and that this item will not require repairing all former misspelled emails and letters from the Board.

Nielsen made a motion for approval for the renewal of the license for Gloria E. Mucino, LCSW, seconded by Maplethorpe, passed unanimously.

Ussher introduced 3C (For Possible Action) Review, Discussion and Possible Approval of Hearing for Licensure. Then **Ussher** focused on the first item 3C (i), Review, Discussion and for Possible Action, SC, Applicant for Licensure Pursuant to NRS 641.B260 and NAC 641B.090.

Oppenlander confirmed that the Board had a signed waiver and **Detmer** confirmed that the Board was in receipt of all required letters of reference and recommendation in order to move forward with Stephanie Coffman's application for licensure. **Detmer** proceeded to read two of the four documents into the meeting record; the Board read print copies of the other two reference letters. **Ussher** proceeded and thanked Coffman acknowledging that this has been a difficult process. **Ussher** explained that the Board has a due diligence process and that Coffman has assisted the Board to accomplish this. **Nielsen** and **Maplethorpe** agreed. **Nielsen** asked about Coffman's status and learned that she remains an active duty spouse through December 31, 2018.

Maplethorpe motioned to accept Stephanie Coffman's application for LSW licensure, seconded by Nielsen, passed unanimously.

Coffman thanked the social work community for the honor stating that she won't let us down.

Following, **Ussher** introduced item 3C (ii), Review, Discussion and for Possible Action, DM, Applicant for Licensure Pursuant to NRS 641.B260 and NAC 641B.090.

Oppenlander confirmed that the Board had received a signed waiver for Daniel Mascret and that the Board was in receipt of all required documentation pertaining to his application for licensure. **Ussher** made a disclosure that she knew Mascret from a prior work situation and while she didn't believe that she needed to recuse herself, she asked **Detmer** about this. **Detmer** responded that it is not necessary in this instance.

Ussher asked Mascret to elaborate about the situation that brought him to the Board meeting. **Nielsen** asked Mascret about a statement made about giving up his right to bear

arms. He responded that this was a personal choice he made. **Ussher** asked Mascret to share information about an arrest for public intoxication that occurred in the parking lot of a bar while his designated driver was sitting beside him. In Mascret's opinion, it was stereotyping or profiling (6 foot, 250 lb. male) because there had been a murder that had occurred in the area, there was a heightened sense of alarm for both the security and police officers at the establishment; however, Mascret was not aware of the murder. Because of that, it is Mascret's opinion that they used force that could be viewed as excessive. That being said, it has not hindered any of his feelings or emotions towards them. Mascret characterized this situation as "an unfortunate time and place". **Ussher** clarified, "If I understand this correctly, you had been drinking, you had a designated driver ... you had a concealed carry permit and a weapon that you did not want to leave in your vehicle since someone else was going to give you a ride. So you placed it in the vehicle of the person who was going to be giving you the ride?" Mascret said, "Correct. I did not want to leave that firearm there overnight as I was going to be leaving my vehicle there at the establishment." He went on to describe how he want to secure his firearm in a safe place in the vehicle away from himself. And he thought that's when the video cameras saw him walking to the back of the car to secure the firearm. **Ussher** continued to seek clarification asking, "The crime was that you had a gun and you were intoxicated?" After giving an explanation, Mascret went on to discuss the arrest as well as subsequent decisions that were made while he and his attorney were negotiating sentences with the district attorney's office. Next, **Ussher** asked about Mascret's licensing application and it was clarified that Mascret has a master's degree in social work and that he is currently applying to be a licensed social worker (LSW).

Nielsen motioned to accept Daniel Mascret's application for LSW licensure, seconded by Maplethorpe, passed unanimously.

Lastly under item 3C, **Ussher** introduced 3C (iii), Review, Discussion and for Possible Action, SM, Applicant for Licensure Pursuant to NRS 641.B260 and NAC 641B.090.

Oppenlander confirmed that the Board had received a signed waiver for Shannon Moore and that the Board was in receipt of all required documentation including seven letters of recommendation. At this time, **Detmer** read an eighth letter into the record.

At this time (10 a.m.) Deputy Director Sandra **Lowery** joined the meeting.

Ussher asked Moore to give the Board a brief description of what has been going on. Moore stated, "Eighteen years ago, at this time, my six week old son was abused by his father while I was at work. He suffered a subdermal hematoma and fractured ribs. That effectively ended my marriage ... and I became a single mother. I was arrested with a gross misdemeanor because I was unable to protect my child, which is true. I wasn't home, I wasn't able to protect him." Moore went on to describe how she changed her life including how she went to college and received her AA degree, transferred to UNR and got a social work degree with two minors in gerontology and psychology. She graduated in 2008 and elected to stay home as a single parent raising her two boys. Now her youngest graduated in June from high school and will start at TMCC in January. Her oldest works for Fedex and really enjoys his job. Now she is hoping to get her license so that she can go back to work and pursue her aspirations in gerontology. It is her passion. She has worked with older adults since age 18 when one of her first jobs was at a nursing home.

Ussher thanked Moore for sharing her story. **Maplethorpe** asked for clarifying information about the various last names that Moore has had and Moore explained these to the Board.

Nielsen asked about the level of licensure that Moore is pursuing. Moore, with Board approval, will become a licensed social worker (LSW).

Nielsen motioned to accept Shannon Moore's application for LSW licensure, seconded by Maplethorpe, passed unanimously.

At this time, Miranda **Hoover** from Capitol Partners joined the meeting.

Ussher introduced item 3D, (For Possible Action) Review, Discussion and Possible Approval to Discharge Disciplinary Case Number G12-03. **Oppenlander** stated that this case involves a licensed social worker in northern Nevada. The date the Board received this case was March 1st, 2012. We received a complaint from a social work supervisor from what was then called the Division of Welfare and Supportive Services, now known as DHHS. The licensee was alleged to be noncompliant with his duty as a social worker to report violating NRS 641B.218. Due to the age of the case, the complainant is no longer employed by the division and cannot be located to testify. Additionally, the respondent is no longer employed by the division. Furthermore, employment records have been purged. There are considerable burden of proof issues. In the area offense and harm, we went through the licensing jacket and disciplinary jacket for this social worker, and no new allegations have been filed against this respondent or brought to our attention since 2012. And our latest effort to subpoena records was unsuccessful. I have also brought you a detailed report supplied by the Board Council so that you can get a sense of what goes on behind the scenes. In this instance, **Detmer** has explained to Board staff why the case would be hard to prove. **Ussher** appreciated the effort being taken to clear the backlog of cases and providing insight into what it takes.

Nielsen motioned to discharge Case Number G12-03, seconded by Maplethorpe, passed unanimously.

Ussher introduced item 3E, (For Possible Action) Review, Discussion and Possible Approval of Update re: Legislative and Regulative Issues. **Hoover** suggested that item 3E (i) re: Bill Draft Number 54-250, Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors be tabled as the BDR language has changed and we don't have a current copy of their BDR.

Hoover shared highlights from an election update newsletter "*Blue, Blue, and Blue*" that she wrote for Capitol Partners describing the overall political climate that we're going to be looking at during the 2019 legislative session. One of the biggest issues being discussed is a budget deficit for 2019 session estimated to be somewhere between \$5 million and \$10 million or it be even larger. **Ussher** had a question as the Board is self-funded and doesn't ask the state for money. **Hoover** agreed and shared that she hopes the Board can get its licensure fees increased as in this doesn't affect the budget. Primarily she wanted to bring this information to everyone's attention because it's going to be part of a very interesting session. **Hoover** continued the discussion about the political climate as Democrats control both the Assembly and the Senate. The Democrats have over a two thirds majority in the Assembly. However, there is one vote short in the Senate for a two thirds majority. Also, all of Nevada's constitutional offices were won by Democrats except for the Secretary of State who is a Republican. **Nielsen** asked if it is appropriate for Board members or the Board staff to provide testimony or will we have this be handled by to Capitol Partners. **Hoover** replied that she would like to call on the Board and staff in the near future to meet with potential sponsors in Carson City or Las Vegas. **Hoover** was thanked for supplying the update. **Hoover** replied that she would be happy to provide additional details. **Ussher** asked if the Board can be included on the newsletter list.

Ussher moved forward to item 3F, Review, Discussion of Licensure Statistics. **Lowery** reported third quarter statistics for the licensing board. At the end of September, we had 3,079 licensed social workers in the State of Nevada with adding 127 in third quarter, losing 62. Part of the loss of the 62 includes individuals who have progressed to acquire their LCSW. In other words, they finish their internships and they let their LSW licenses expire in favor of LCSW licenses. **Lowery** continued to provide insight on the numbers emphasizing that the 44 fewer LSWs are not completely comprised of those that have left the field or retired; and we are seeing an increasing number of baby boomers retiring with six retirees in the last month.

Ussher asked **Lowery** to cover item 3G, (For Possible Action) Review, Discussion and Possible Approval of Revisions to Application Form. **Lowery** explained that she was at the meeting to help answer questions that came up at the last Board meeting regarding provisional licenses and the application process.

Lowery shared that we have had provisional licensure since 1993. The Provisional A License is a temporary license for 90 days for someone who has a bachelor's degree or master's degree and allows them to hit the ground running. An individual only has 60 days from the issuance of the Provisional A License to take their exam; therefore, we have to caution people about applying for this license because the testing centers are not currently able to meet the need to schedule an exam in 60 days. As a result, not many people select the Provisional A License. The Provisional B license allows an individual who is in the master's program in social work to secure a license while they are in school provided that they have a bachelor's degree in a human services related field e.g. sociology, psychology, and human development and family services. It gives them an opportunity to be provisionally licensed as a social worker during the period of time (up to three years) that they are in the MSW social work program. **Ussher** asked about what we would need to do to update Provisional License regulations. She wanted to go on the record to make certain that someone coming from another discipline, without completing their foundation year of social work classes, can't apply to be a provisional social worker without being educated. **Lowery** commented that staff is creating a 'working list for cleanup' of the NRS that would require the approval of the Legislature in 2021. **Oppenlander** agreed that in addition to changing the NACs, we are considering making substantive changes to the NRS in 2021. After further discussion, **Lowery** summarized that she approves a few Provisional A and Provisional B Licenses every year – probably in the neighborhood of 10 each.

Next, the Board had many questions in the last meeting because the former application form was confusing. Since that meeting, **Lowery** has stripped the application form down to bare bones and rebuilt it to include a flow chart to help licensees understand what they can apply for. There is also a narrative about each of the license types. The Board reviewed the new application form. **Ussher** commented, "It is absolutely a work of beauty ... I love this flow chart so much".

Nielsen motioned to approve the revisions to the application form, seconded by seconded by Maplethorpe, passed unanimously.

Ussher moved to item H, Executive Directors report and asked **Oppenlander** to make remarks. She began with a snapshot of the current financial picture of the organization.

- Cash reported on 9/30/2018: Total of \$113,426.62; includes \$83,007.22 in checking account one at Bank of America, \$4,996.47 in checking account two, certificate of deposit of \$25,422.93;
- Revenue trends are favorable because of an upward trend in the number of licensees;

- To be compliant with Sunset Committee's legislative requirements, we need to find a way to create reserves;
- Auditor Michael Coulson has begun our audit this past week; that we are discussing an engagement letter with Coulson to help us move from Quicken to Quick Books Pro;
- We want to be prepared to handle one more retirement disbursement that could happen any time after February 2019; This employee will hit the 10 year mark and based on a 2017 Board discussion will fall under the organization's former guidelines; she added that she has looked at the numbers that were involved and believes that the Board could handle this last retirement under the old system was planned for. I've been asked to calendar another Board discussion to revisit the 2017 discussion re: capping sick leave; That **Oppenlander** has looked at audits from early 1990s and noted that organization was cited for not preparing for retirements (audit management letters citing violation of regulations); That in 2017, the Board decided that new positions (executive director, legal secretary) would not fall under the old system; that during the fiscal year ending June 30th, 2018, we had two significant disbursements made for retirements; **Ussher** clarified that she wants to review the sick leave policy because there appears to be an assumption that the one last employee could accrue sick leave and get a payout when they retire for sick leave in addition to all the other things. **Ussher** would support putting a cap on sick leave and looks forward to seeing this on the agenda.
- **Oppenlander** also talked about the proposed 2019 Board meeting schedule; perhaps every other month. **Ussher** supports the idea of having a pared down schedule.
- At this time, **Lowery** mentioned that it is becoming clear that we have to realign our staffing resources by forming a Compliance Unit to deal with the disciplinary backlog of cases; also, we need to realign staffing to handle the transition of moving to online renewals. This will require some budget realignment/ adjustments that will be brought forward to the next Board meeting. **Lowery** added that we expect to stay within budget but we may have to move some budget items around. **Oppenlander** answered staffing questions from the Board and stated that she wants to pencil this out to see how this will work and plans to cover this in a future Board meeting agenda item.
- **Ussher** asked if we will be able to secure a position with a macro level master's intern in social work; **Oppenlander** let the Board know that we are working with the Outreach Coordinator for the University of Nevada Reno to place a social work practicum student with us beginning next August.

Oppenlander referred everyone to an informational handout 3 H (ii) (a) from Board Source about recruiting Non-Board Members to be volunteers for our work groups; then discussed a handout of the Board's Strategic Plan Framework 3H (ii) (b) that we will place on the website to show the public how the Board is progressing.

Last, **Lowery** updated the Board on the software conversion and has plans to test the renewal program in December and "go live" early in 2019.

PUBLIC COMMENT: **Ussher** moved to Item 4. No public comment was offered at this time.

ADJOURNMENT: **Nielsen made a motion to adjourn the Board meeting, seconded by Maplethorpe, passed unanimously.** The meeting was adjourned at 11.23 p.m.

Meeting Minutes Respectfully Submitted by Karen Oppenlander, LISW, Executive Director.