



STATE OF NEVADA

BOARD OF EXAMINERS FOR SOCIAL WORKERS

4600 Kietzke Lane, Suite C121, Reno, Nevada 89502

MINUTES OF BOARD MEETING

Friday, June 14, 2019

MEETING CALLED TO ORDER and ROLL CALL:

The meeting of the Board of Examiners for Social Workers (BESW) was called to order by Vikki Erickson, Board 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 audioconference conducted at Mojave Mental Health, 6375 W. Charleston Blvd., Suite A100, Las Vegas, Nevada 89146. President Erickson noted that the meeting had been properly posted and that the Board members present constituted a quorum.

The roll call was initiated by President Erickson with the following individuals present:

Members Present:

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

Staff, Advisors Present

Michael Detmer, Esq., Board Counsel (**Detmer**)
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.

To start the meeting, **Erickson** asked if there were any comments about or changes to the Agenda. **Oppenlander** indicated a need to add an agenda item for the Board to approve the agenda. **Detmer** agreed and stated that there has been an amendment to statute requiring the Board to review the agenda and vote on its approval.

Motion to Review Agenda and approve for June 14, 2019 by Maplethorpe, seconded by Ussher. Approved unanimously.

Erickson then turned to Board Operations, 3A, (For Possible Action) Review, Discussion and Possible Approval of April 12, 2019 Board Meeting Minutes. In a discussion about these minutes, **Harris** mentioned that she was unclear about one portion. **Oppenlander** clarified that section.

A motion was made to approve Board minutes for April 12, 2019 by Ussher, seconded by Maplethorpe. Approved by Ussher, Nielsen, Erickson, Maplethorpe, Harris. Approved unanimously.

Erickson turned to Item 3B, (For Possible Action) Review, Discussion and Possible Approval of May 17, 2019 Board Meeting Minutes. **Ussher** asked if the attendees of the Board meeting in May 2019 were the only ones that could vote. **Detmer** agreed that only the members with knowledge of the meeting could vote.

Motion was made by Ussher to approve the minutes of May 17, 2019, seconded by Harris. Ayes: Maplethorpe, Ussher, Harris. Erickson and Nielsen abstained as they were not in attendance at this meeting.

Next, in Item 3C, there was a Board Plaque Presentation. **Erickson** made a presentation to Jodi **Ussher** in recognition of her service to the Board. After a round of applause, **Ussher** mentioned that she plans to help out in the future.

Moving forward to Item 3D, (For Possible Action) Review, Discussion and Possible Approval of Slate of Board Officers for BESW FY 2019/ 2020, **Erickson** asked **Oppenlander** to discuss the slate that she had created for the election of Board officers based on her background and experience. She expressed that a slate would help the Board members to make strategic commitments, streamline the process and still offer an opportunity for everyone to discuss the proposed slate fully. **Ussher** commented that she was uncomfortable with using a slate as a means to convey information as it seems to appear as a fact vs a tool to launch a discussion. **Ussher** prefers to have the discussion take place during meeting in an open, transparent forum. Continuing, she said that there was nothing wrong with the former process where Board members sit around like this, ask if anyone is interested in the different jobs. Someone would express interest, they would be voted on and that's it. The past president would move on, the vice president would step into the presidency. There weren't any issues. **Detmer** stated that the Board has not been deprived of anything; that a discussion can take place, an election can still occur. The Board continued to discuss this idea in depth, **Erickson** asked if we should we go ahead and move this item forward to the next meeting? **Detmer** stated that based on the way this item is listed, the discussion could occur now or later.

Harris suggested that the Board have a future agenda item to create a process for the way the selection of officers be done in the future. Agreeing with this concept, **Ussher** said she would like to make a motion. **Oppenlander** agreed to put this item on a future agenda.

Ussher motioned to accept the slate of officers for the Board Examiners for Social Workers for fiscal year 2019 to 2020 with a start date of July 1st, 2019 as submitted, Maplethorpe seconded. Ayes: Ussher, Neilsen, Erickson, Maplethorpe, Harris. Unanimously accepted.

Erickson moved to Item 3E, (For Possible Action) Review, Discussion and Possible Approval of Reserve Policy. **Oppenlander** discussed how a Reserve Policy fits into the Board's strategic plan. The plan has two different ways that it views financial matters. One part is to adopt a policy and the next portion is how we implement a policy. Today, in looking at the big picture of Board reserves, we are not going to discuss how we would fund Board reserves.

Today's topic about Board Reserves is to create a policy that states that the Board wants to create reserves: That BESW will set aside money to pay for anticipated future activities. Reserves can be established for many purposes including: emergencies/ rainy days, capital improvement and building replacement needs, future investments, and general operations. The ability to maintain these reserves should be considered in all decisions that could impact cash and fund balances including decisions involving budgets, funding for emergency projects, special programs, and emergency needs.

While it is mandated that the Board have reserves in place, the Board does not yet have a policy to that effect. As the Board member who is working on this area of the strategic plan, **Erickson** said that the Board has previously discussed having reserves for emergencies, equipment replacement, and various other reasons. She reminded everybody about the decision that was made during the strategic plan session last summer (2018) to maintain a cash reserve; that by 2023 the amount of the required reserve shall equal five months of the Board's operating expenses. During the subsequent discussion it was reiterated that the implementation of this policy is going to occur at a different meeting, on a different day. Today, we're first looking to establish the policy.

Oppenlander brought up the handout in the Board packet that suggests that when the Board Reserve Policy is adopted by the Board, there is a statement that spells out how often the policy would be reviewed. **Harris** emphasized that if we accept this initial policy we ought to revisit it to include accountability/ fiduciary responsibility, use of restricted and unrestricted assets, etc. **Ussher** added her thoughts about establishing a policy and establishing procedures and agreed with the concept of reviewing the policy on a regular basis. **Nielsen** reminded the Board that the strategic plan indicates that we have a goal to achieve for our reserves by 2023. **Erickson** mentioned that she found the discussion helpful in that we will create the policy and then continue to enhance the policy and also develop procedures to accompany the policy. **Ussher** asked if this policy could be accepted now but be revisited periodically.

A motion was made by Ussher to adopt the Board Reserves Policy with intent to revisit the policy every three months, seconded by Maplethorpe. Ayes: Ussher, Nielson, Erickson, Harris, Maplethorpe.

Then, **Erickson** moved to Agenda Item 3F (For Possible Action) Review, Discussion and Possible Approval of Financials for Third Quarter (March 31, 2019), April 30, 2019, and May 31, 2019. **Oppenlander** mentioned that the Board had seen the third quarter and April financials at its April Board meeting. However, the Board did not receive the materials far enough ahead of the Board meeting to approve those financials during the April meeting. **Lowery** stated that it would now be most helpful to review the May financials, the third sheet in today's Board packet. This sheet is highlighted to draw attention to key items of interest. On the top row, it shows that we are 92% of the year in our budget. Income shows that we have hit 97% of the budget and are 5% above our budgeted income for year-to-date. Towards the bottom of the sheet, it shows that our expenses are at 86% which is about 6% below budget. In other words, we are in better shape than we thought we would be. **Oppenlander** recognized the significant work that **Lowery** has accomplished to improve our financials which are now in a hybrid (accrual/ cash) presentation. A short discussion followed re: communicating the financial position of the Board while simultaneously seeking fee increases.

Ussher made a motion to approve the third quarter financials (through March 31, 2019), seconded by Nielsen. Ayes: Ussher, Nielsen, Harris, Erickson, Maplethorpe. Passed unanimously.

Ussher made a motion to approve April 30, 2019 and May 31, 2019 financials, seconded by Maplethorpe. Ayes: Erickson, Ussher, Nielsen, Maplethorpe, Harris. Passed unanimously.

Then, **Erickson** moved to Item 3G (For Possible Action) Review, Discussion and Possible Approval of Nevada Payroll Contract. **Oppenlander** let the Board know that she is working to extend a current contract with an outsourced payroll company that will expire at the end of June. We have submitted an amendment through the State of Nevada with intent to continue with the current vendor's services through December 31, 2019. This would be an increase of \$501 for 6 months service bringing the contract up to a total of 19 months for a total of up to \$1,900. The contract is being reviewed by the vendor and is not signed yet; therefore, it is not in the Board packet. As the amendment is de minimis, **Oppenlander** thought that perhaps we could get a motion of approval to continue the existing contract for six more months of outsourced payroll services. **Harris** asked about the timing of the contract. There was a brief discussion about putting out a bid for a contract for bookkeeping and payroll services and that this extension would give us time to format an RFP based on identified operational needs.

Maplethorpe made a motion to approve the extension of the existing Nevada Payroll Contract, Nielsen seconded. Ayes: Erickson, Ussher, Nielsen, Harris, Maplethorpe. Passed unanimously.

Following, **Erickson** moved to Agenda Item 3H, Review, Discussion, and Possible Approval of a contract for Albertson Consulting Company for maintenance of online database software. **Oppenlander** covered the status of the Albertson contract that the Board approved last year for setting up Phase 1 - the database. The current 363 day contract will conclude on July 31st, 2019; this is a progress update with the intent to bring paperwork back to the next Board meeting concerning a contract amendment through 12/31/2022. **Lowery** has been updating the Board regularly with progress updates. We are now into Phase Two which is for ongoing maintenance and software patches. When we first stepped into this contract, we knew there would be annual maintenance fees. Also, by the end of calendar year 2022, we would bring licensing applications online as well as disciplinary cases online. Annual maintenance is \$8K+ along with the additional software patches adding an additional total of \$53K to the initial amount for system development. The grand total of will be about \$78,500. We discussed most of this when we entered this contract initially. As we are very happy working with this vendor, we are now needing to lock in this arrangement to complete the project. I have already worked through the details with our State of Nevada Budget Analyst and will need to go before the State Board of Examiners to discuss this larger contract amount. This contract will cost far less than any of the contracts we would have had with any of the competitors. **Erickson** confirmed that this item was most appropriate for discussion only and she asked for a motion to table this item for a future meeting.

Ussher made a motion to table this agenda item until a future Board meeting, seconded by Nielsen. Ayes: Erickson, Ussher, Nielsen, Maplethorpe, Harris. Passed unanimously.

Next, **Erickson** moved to Agenda Item 3I, (For Possible Action) Review, Discussion and Possible Approval of Budget for Fiscal Year 2019 – 2020. **Oppenlander** thanked **Lowery** for her diligence in putting the budget together. She added that to bring forward a budget, we made some very basic budget assumptions based on conservative fee increases at \$25 per category. As we need a budget approved for the fiscal year beginning July 1, 2019, we realized that this budget would likely need future adjustments; therefore, we could recast the budget in December. We chose the lowest number that any of us have ever talked about during any constituent meetings that we've had during the 2019 legislative session.

Lowery began by stating that our budget projections have historically been based on 5% increases in income and expenses. If we were to simply do that again then our projected income would be \$427,865. This is reflected in a discussion during a previous board meeting. For $\frac{3}{4}$ of the year, this budget mirrors the historical budget process (a 5% increase). For the fourth quarter of the year, we assumed that the NAC change process would be complete and that we would begin to have an increase in revenue due to beginning to receive slight increases in each of the fee categories.

Lowery continued stating that there are also some other adjustments in this budget vs prior years. For example, we anticipate that income from renewal penalties will continue to trend down significantly because licensees are a lot less likely to be late when they are able to pay for renewals online. You will notice at the top of the budget we did not start the year with any remaining money brought forward from the prior year. Based on the amount remaining at the end of the fiscal year, the Board may decide that they would like to use the fund balance (money leftover) as an installment into Board reserves. While this is not a staff decision to make, it is how we proceeded in order to present a balanced budget for Board approval. You will see that we trimmed down in many areas but some things are unavoidable such as an upcoming rent increase. Also, we will need to purchase new computers as we are being instructed by the State of Nevada to have computers that are Windows 10 compatible. Associated to the earlier discussion about the Albertson Consulting contract, we have included money to pay for the annual maintenance contract. However, we will wait until the following year to purchase the software patches for both the disciplinary and the initial licensing modules. We are also planning in the following year to increase the amount of resources to manage disciplinary cases; including in 2021, we're planning to hire a full time investigator.

The Board members asked a number of general questions to clarify how the budget was put together: **Harris** asked about the projected numbers for applicants and license renewals; **Erickson** asked about COLA and merit increases; **Ussher** asked about the reduction in lobbyist expenses, and also about the credit card processing fees.

Oppenlander and **Lowery** spoke about the analysis of each line item that has been taking place as a result of working closely with the Director of Internal Audit (Executive Branch). Staff is now able to present the best possible financial forecasts to the Board. In turn, the Board can make the right decisions with more precise information.

Harris asked for clarification about approval of a budget based on a \$25 increase as opposed to the community process that we will be going through. **Lowery** responded that the Board would simply be approving a budget that gives us a place to start. We will revisit this budget when we actually know what fee increases the Board approves. We will go back in and recalculate the fourth quarter of this budget. If for instance, our fee increases went through by the end of February 2020, we would recalculate the last fourth months of the budget, not three. And then

that will lead to recalculating the budget projections for the following year. **Nielsen** reminded everyone that the recent bill that was passed during the last legislature session gives us a new cap or new fee ceilings. These ceilings allow us to determine on a regular basis when we need fee adjustments in the different categories of licensees. We don't have to go back through the entire process until such a time in the future when we have expended our new caps.

Erickson asked for a motion to approve the budget for fiscal year 2019-2020. A lively discussion ensued about to make a motion on a budget that is estimated as it would be based on the possibility of collecting modest fee increases. The specific level of fee increases has not been determined at this time. Also, the Board knows that it will be going through a formal community vetting process. At this time, **Nielsen** made a motion to approve the projected budget for fiscal year 2019-2020, seconded by **Maplethorpe**. Ayes: **Nielsen, Maplethorpe**. However, several Board members were unable to support this motion without an amendment; so, this motion was tabled.

In further discussion, **Harris** and **Ussher** worked with **Detmer** and others to create an amended motion. The intent was to clarify that the Board would be approving a budget that would be modified later in the year. The Board would be acknowledging that proposed fee increases would likely be collected towards the end of the fiscal year. However, the Board would also be acknowledging that fee increases have not been formally determined at this point in time. It was understood that after the Board goes through a public vetting process, it will formally adopt a set of fee increases. After the specific fee increases are determined, the approved budget would be reforecast in consideration of collection of additional monies.

Ussher made a motion for the approval of proposed budget for fiscal year 2019-2020 which acknowledges potential fee increases, seconded by Harris. Ayes: Erickson, Ussher, Nielsen, Maplethorpe, Harris. Passed unanimously.

At this time, **Erickson** called for a 10 minute recess. The The Board reconvened at 11:50 a.m.

Erickson moved to Agenda Item J, the Executive Director's Report. **Oppenlander** stated that a Board Retreat is scheduled for two days: Tuesday July 30th and Wednesday, July 31st. We will be reviewing our strategic plan and looking at our accomplishments; and perhaps we will have some recommendations for year two. **Detmer** will take us through a roadmap of the process that we're going to go through for NAC changes. He will be using the State of Nevada Administrative Rulemaking Guide. Next, we will go through a brief review of the Model Social Work Practice Act booklet from the Association of Social Work Boards that was in the Board packet today. We will also review a summary of the community feedback that we have received about potential fee increases.

We will go through a brief review of 641B NACs. Prior to the retreat, Board members will be doing homework by reviewing sections of the codified NACs. **Nielsen** will look at this from a slightly different lens as she will be looking at 641B NACs as they intersect with recent legislation from the Board of Education.

We will also refer to a small business impact survey, public meetings to be scheduled, and all of the other steps that we will need to take in order to formally agree to fee increases. I am proposing that we will schedule these public meetings on the second Friday of the months that

we do not have scheduled Board meetings: September 13th and November 8th. Our currently scheduled Board meetings are on August 9th, October 11th, and December 13th.

Considering future agenda items, **Oppenlander** expects to bring forward a contract for bookkeeping services. Miranda Hoover will bring be bringing forward satisfaction survey results. We will look at a process for the future election of board officers. And, every three months, we will revisit the Board's Reserve Policy.

PUBLIC COMMENT: Erickson moved to Ussher moved to Item 4, Public Comment. With no additional public comment she moved to the final agenda item.

ADJOURNMENT: To conclude, at 12:11 p.m., Erickson introduced Item 5 (For Possible Action) Adjournment.

Adjournment. Ussher made a motion to adjourn, seconded by Maplethorpe. Ayes: Erickson, Ussher, Maplethorpe, Nielsen, Harris. Passed unanimously.

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