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Administrative Regulations

LCB File No. R055-19

Agency: State of Nevada Board of
Examiners for Social Workers

FOR EMERGENCY
REGULATIONS ONLY

Effective date _____

Expiration date _____

Governor's signature

Classification: ☐ PROPOSED

☒ ADOPTED BY AGENCY

☐ EMERGENCY

Brief description of action:

Regulation changes were submitted to the Legislative Counsel Bureau (LCB) on 08/06/2019 and assigned **File No. R055-19**.

These regulation changes are designed to clarify for the public, individuals and licensees the following areas: (a) Clarification of definitions of the scope of practice for LASW and LSW licenses; (b) Licensing and supervision to include the length of time an application will be open; changing timeframes for when a failed exam may be retaken; and reducing the period of restoration of an expired license from three to two years; clarification of the length of time for exam and expiration of a Provisional "A" license; (c) Fee increases for applications; initial licensure, endorsement and renewals; (d) Disallowing payments by cash; (e) Post-Graduate Internships including removal of "substantially equivalent" language on hours from another state; increasing the number of interns a supervisor can have from 3 to 4; and reducing the frequency of post-graduate internship progress reports from quarterly to two times per year; (f) Specifying that a retired licensee must still complete the legislatively mandated suicide prevention CEUs for renewal of a license; and (g) Adding information regarding what is considered unprofessional conduct.

The Board believes it has properly notified any and all interested parties, posted all information pertaining to the proposed regulation, including the small business impact statement, requested solicitation of comments from interested members of the public and properly posted its findings, pursuant to Nevada Revised Statute and the Nevada Administrative Code. This information is provided in further detail in the Legislative Review of Adopted Regulations.

Authority citation other than 233B:

NRS 641B.160, NRS 641B.280, NRS 641B.290 and NRS 641B.300.

Notice date: November 12, 2019

Date of Adoption by Agency: December 13, 2019

Hearing date: December 13, 2019

**APPROVED REGULATION OF
THE BOARD OF EXAMINERS FOR SOCIAL WORKERS**

LCB File No. R055-19

Filed December 30, 2019

EXPLANATION – Matter in *italics* is new; matter in brackets Omitted material is material to be omitted.

AUTHORITY: §§1-5, 13, 17-19 and 22, NRS 641B.160; §6, NRS 641B.160 and 641B.202; §7, NRS 641B.160 and 641B.200; §8, NRS 641B.160 and 641B.250; §§9 and 10, NRS 641B.160, 641B.280 and 641B.290; §11, NRS 641B.160 and 641B.275; §12, NRS 641B.160 and 641B.300; §14, NRS 641B.160, 641B.270 and 641B.271; §15, NRS 641B.160 and 641B.230; §16, NRS 641B.160 and 641B.240; §§20 and 21, NRS 641B.160 and 641B.280; §23, NRS 641B.160 and 641B.400.

A REGULATION relating to social workers; revising certain definitions; revising provisions governing the required display of a license or copy of a license; revising certain provisions regarding applications for initial licensure and applications for licensure by endorsement; removing requirements for an applicant for licensure to prove his or her citizenship or right to remain and work in the United States; revising how often certain applicants for licensure who have failed the required examination may retake the examination; revising the time period during which a person may apply for the restoration of an expired license; revising certain provisions governing provisional licenses; revising various fees imposed by the Board of Examiners for Social Workers; revising the types of payments that will be accepted by the Board; providing that payments regarding certain applications that have expired are nonrefundable; revising certain provisions relating to licensure by endorsement; revising certain provisions governing internship programs; increasing the number of interns who may be supervised by a supervisor without prior approval from the Board; revising provisions regarding continuing education requirements; revising provisions regarding certain responsibilities of a licensee to a client; revising provisions regarding unprofessional conduct; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Examiners for Social Workers to establish regulations governing the practice of social work. (NRS 641B.160) **Sections 1-4** of this

regulation revise the definitions of certain terms used in chapter 641B of NAC. Specifically, existing regulation defines the term “complainant” to mean a person who complains to the Board of any act of another person. (NAC 641B.025) **Section 1** of this regulation revises this definition to specify that the complaint must concern a person practicing as a social worker. Existing regulations also define the terms “licensed associate in social work” and “licensed social worker,” respectively, to include the requirement that such licensees must practice under the supervision of an agency. (NAC 641B.041, 641B.044) **Sections 2 and 4** of this regulation revise those definitions to eliminate the requirement that such licensees must practice under the supervision of an agency. Further, existing regulation defines the term “licensed independent social worker.” (NAC 641.043) **Section 3** of this regulation revises this definition to specify that a licensed independent social worker engages in the independent practice of social work.

Existing regulation requires each licensee to display his or her license at the licensee’s primary place of employment or practice and to display at all other places of employment or practice of the licensee a copy of the license issued by the Board and certified by a notary public. (NAC 641B.080) **Section 5** of this regulation eliminates the requirement that copies of the license must be issued by the Board and certified by a notary public. Instead, **section 5** requires each licensee to display his or her license or a copy of the license at each place of employment or practice of the licensee.

Existing regulation sets forth the requirements for an application for licensure or renewal of a license to practice social work. (NAC 641B.090) **Section 6** of this regulation: (1) requires an applicant for initial licensure to obtain approval from the Board to take the examination required for licensure; (2) provides that an application for initial licensure expires 9 months after the date the Board grants approval to take the examination; (3) provides that an application for licensure by endorsement expires 6 months after the date the Board receives the application; and (4) requires each applicant for initial licensure and each applicant for licensure by endorsement to complete the application before the application expires.

Prior to July 1, 2019, state law required an applicant for licensure to practice social work to provide evidence to the Board that the person is at least 21 years of age and a citizen of the United States, or lawfully entitled to remain and work in the United States. (NRS 641B.200) During the 2019 Legislative Session, the Legislature enacted Assembly Bill No. 275, which, beginning on July 1, 2019: (1) prohibits a regulatory body from denying licensure of an applicant based on his or her immigration or citizenship status; and (2) deletes statutory provisions governing certain regulatory bodies which specifically require an applicant to be a citizen of the United States or otherwise authorized to work in the United States. (Chapter 627, Statutes of Nevada 2019, at page 4255) **Section 7** of this regulation similarly deletes regulatory provisions in chapter 641B of NAC which specifically require an applicant to provide evidence that the applicant is a citizen of the United States or otherwise authorized to work in the United States. (NAC 641B.095) **Section 7** also revises the type of evidence an applicant for licensure may provide to prove his or her age.

Existing regulation requires an applicant for licensure to practice social work to pass a specific examination. (NAC 641B.105) **Section 8** of this regulation: (1) revises the name of the examination that an applicant for a license as an independent social worker must pass; (2) revises how many times an applicant who failed an examination for initial licensure as a licensed social worker may retake the examination; and (3) revises how often a licensee in an internship program who failed an examination for licensure may retake the examination.

Existing regulation provides that a license to practice social work becomes delinquent if the application for renewal of the license and the required fee are not postmarked on or before the last day of the month of the licensee's birth date. (NAC 641B.110) **Section 9** of this regulation provides that such a license becomes delinquent if the application for renewal and the required fee are not postmarked or received by that date. Existing regulation also authorizes a person whose license has expired to apply within 3 years after the date on which the license expired to regain the right to practice social work at the same level of licensure by applying for restoration of the license. **Section 9** reduces this period from 3 years to 2 years after the date the license expired. **Section 10** of this regulation makes a conforming change. (NAC 641B.111)

Existing regulation provides that a provisional license to engage in social work as a social worker issued pursuant to paragraph (a) of subsection 1 of NRS 641B.275 is no longer valid if the licensee fails the prescribed examination or the licensing period of 9 months expires, whichever occurs first. (NAC 641B.112) **Section 11** of this regulation reduces the licensing period from 9 months to 90 days.

Existing regulation sets forth the application and licensing fees that are imposed by the Board. (NAC 641B.115) During the 2019 Legislative Session, the Legislature enacted Senate Bill No. 502 which increased the maximum application and licensing fees that may be imposed by the Board. (Chapter 300, Statutes of Nevada 2019, at page 1780) **Section 12** of this regulation increases the existing application and licensing fees in accordance with the provisions of S.B. 502.

Existing regulation provides that fees and remittances to the Board must be made by certain forms of payments, such as by money order or check, and that remittances in currency or coin are made wholly at the risk of the remitter. (NAC 641B.120) **Section 13** of this regulation authorizes a person to also use a credit card or debit card to pay fees and remittances to the Board and provides that the Board will not accept currency or coin as payment. **Section 13** also provides that the Board will not refund any money related to an application for initial licensure that has expired or an application for a license by endorsement that has expired.

Existing regulation requires an applicant for licensure by endorsement to meet certain requirements including the requirement to submit proof to the Board that the applicant is of good moral character as it relates to social work. (NAC 641B.126) **Section 14** of this regulation eliminates the requirement for applicants for licensure by endorsement to submit such proof to the Board.

Existing regulation requires an applicant for licensure as a licensed independent social worker or as a licensed clinical social worker to complete an internship consisting of 3,000 hours of supervised, postgraduate social work or clinical social work, as applicable, in a program which is approved by the Board and that meets certain requirements. (NAC 641B.140, 641B.150) Existing regulation provides that, as a general rule, the Board will withdraw its approval for a program if the program is unable to sustain, after 2 full consecutive calendar quarters, the minimum hours necessary for the applicant to complete the program within the period required by the Board. Existing regulation also provides that, in such cases, the Board may require a program to include additional settings. **Sections 15 and 16** of this regulation remove these provisions which specifically authorize the Board to require a program to include additional settings under such circumstances. **Section 16** of this regulation also revises certain requirements for an applicant for a license as a clinical social worker who would like the Board to consider the supervised, postgraduate clinical social work that the applicant performed in the District of Columbia or another state or territory of the United States.

Existing regulation currently prohibits a supervisor from supervising more than 3 interns at one time without prior approval from the Board. (NAC 641B.155) **Section 17** of this regulation increases from 3 to 4 the number of interns that a supervisor may supervise at one time without prior approval from the Board. Existing regulation also provides that the Board will provide, upon request, a copy of its list of approved supervisors to a person applying to become an intern. **Section 17** revises this provision to provide that the Board will make the list of approved supervisors available to a person applying to become an intern rather than making the list available only upon request.

Existing regulation generally requires supervisors of interns to submit quarterly reports to the Board concerning the progress of the intern. (NAC 641B.160) **Section 18** of this regulation replaces these quarterly reports with progress reports which must be submitted every 6 months, unless the Board directs a different schedule or frequency.

Existing regulation authorizes a supervisor to supervise an intern if the supervisor believes that the intern, if licensed, will uphold the professional and ethical standards of the practice of social work. (NAC 641B.165) **Section 19** of this regulation revises this requirement to remove the condition that this belief applies only if the intern is licensed.

Existing regulation generally requires each licensee to complete 4 hours of continuing education relating to ethics in the practice of social work during each reporting period. (NAC 641B.187) Existing regulation also includes a list of examples of the topics that may be included in the 4 hours of continuing education. **Section 20** of this regulation clarifies that the continuing education may include any one of the topics listed or any combination of the topics listed. **Section 20** also removes a provision that authorizes the Board to require a licensee to complete additional continuing education in certain cases in which the Board waived a continuing education requirement for good cause.

Existing regulation provides that before the Board approves a course or program of continuing education, the Board must be satisfied that the course or program meets certain requirements including, without limitation, that the course or program “[c]ontains current and relevant educational material concerning social work” and “is applicable to the practice of social work.” Existing regulation also provides a list of the subject matter that the Board has determined satisfactory to meet these particular requirements. (NAC 641B.190) **Section 21** of this regulation expands the list of the subject matter to include professional behavior in social work, as well as advanced human rights and social, economic and environmental justice.

Existing regulation requires a licensed independent social worker or licensed clinical social worker who is in the independent practice of social work to establish and maintain a professional will. (NAC 641B.205) **Section 22** of this regulation revises this provision to clarify that the requirement applies in the same manner to both licensed independent social workers and licensed clinical social workers who are in the independent practice of social work.

Existing regulation sets forth certain acts that constitute unprofessional conduct by a licensee. (NAC 641B.220) **Section 23** of this regulation provides that a violation of Nevada law or federal law, other than minor traffic violations, may also constitute unprofessional conduct for purposes of disciplinary action by the Board.

Section 1. NAC 641B.025 is hereby amended to read as follows:

641B.025 “Complainant” means any person who complains to the Board of any act of another person ~~[-]~~ *practicing as a social worker.*

Sec. 2. NAC 641B.041 is hereby amended to read as follows:

641B.041 “Licensed associate in social work” means a person licensed by the Board pursuant to NRS 641B.210 to engage in the practice of social work as an associate in social work ~~. [under the supervision of an agency.]~~

Sec. 3. NAC 641B.043 is hereby amended to read as follows:

641B.043 “Licensed independent social worker” means a person licensed by the Board pursuant to NRS 641B.230 to engage in the *independent* practice of social work as an independent social worker.

Sec. 4. NAC 641B.044 is hereby amended to read as follows:

641B.044 "Licensed social worker" means a person licensed by the Board pursuant to NRS 641B.220 to engage in the practice of social work as a social worker . ~~{under the supervision of an agency.}~~

Sec. 5. NAC 641B.080 is hereby amended to read as follows:

641B.080 A licensee shall display prominently ~~{~~

~~1. At the primary}~~ *at each* place of employment or practice of the licensee, the license issued to him or her by the Board ~~{~~

~~2. At all other places of employment or practice of the licensee,}~~ *or* a copy of the license . ~~{issued to him or her by the Board that has been certified as a true copy by a notary public.}~~

Sec. 6. NAC 641B.090 is hereby amended to read as follows:

641B.090 1. An application for licensure or renewal must be complete before the Board will process the application. *An applicant for initial licensure or licensure by endorsement must complete the application before the application expires pursuant to subsection 9 or 10, as applicable.* The Board will consider such an application to be complete if:

- (a) The application is submitted on a form provided by the Board;
- (b) All the information requested has been provided in accordance with the instructions on the form;
- (c) All payments and fees required by the Board for licensure or renewal have been received by the Board; and
- (d) All documents required by the Board for licensure or renewal have been received by the Board.

2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he or she has previously submitted to the Board.

3. By submitting an application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within the application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.

4. An applicant for initial licensure must submit to the Board to satisfy the requirements of NRS 641B.202:

- (a) Two sets of completed fingerprint cards;
- (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and
- (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.

5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.

6. If deemed necessary, the Board will require the personal appearance of the applicant.

7. For each application, the Board will:

- (a) Approve the application;

(b) Defer action on the application pending the receipt by the Board of additional information concerning the application; or

(c) Deny the application.

8. The Board may waive the required examination for an applicant if the applicant passed an examination that is at least equivalent to the examination that the applicant would otherwise be required to take pursuant to NAC 641B.105.

9. Before an applicant for initial licensure may take the examination required pursuant to NAC 641B.105, the applicant must obtain approval from the Board to take the examination. An application for initial licensure expires 9 months after the date the initial approval to take the examination is granted by the Board.

10. An application for a license by endorsement expires 6 months after the date the application is received by the Board.

Sec. 7. NAC 641B.095 is hereby amended to read as follows:

641B.095 **1.** For the purposes of NRS 641B.200, the Board will accept as satisfactory evidence of ~~the~~

~~1. The~~ *the* age of the applicant:

(a) A certified copy of his or her birth certificate;

(b) A *copy of a current* passport;

(c) ~~[A baptismal certificate;~~

~~(d)]~~ A *copy of a current* driver's license; or

~~[(e)]~~ (d) Any other such documentation regarding age that is satisfactory to the Board.

~~{→}~~ 2. If the evidence submitted pursuant to this ~~{subsection}~~ *section* includes any order of a court or other legal document specifying a change of name of the applicant or any form of identification that includes a photograph of the applicant, a copy of the document or identification must also be submitted to the Board.

~~{2. The citizenship of the applicant:~~

~~—(a) A certified copy of his or her birth certificate;~~

~~—(b) A passport;~~

~~—(c) Naturalization papers; or~~

~~—(d) Any other such documentation regarding citizenship that is satisfactory to the Board.~~

~~—3. The lawful entitlement of the applicant to remain and work in the United States, a copy of documentation from the United States Citizenship and Immigration Services of the Department of Homeland Security evidencing the lawful entitlement of the applicant to remain and work in the United States.]~~

Sec. 8. NAC 641B.105 is hereby amended to read as follows:

641B.105 1. Except as otherwise provided in NAC 641B.090 and 641B.126, an applicant for licensure as a licensed social worker, licensed independent social worker or licensed clinical social worker must pass the appropriate examination, as described in subsection 2, given by the Association of Social Work Boards or another testing administrator that has been approved by the Board.

2. An applicant for licensure as:

(a) A licensed social worker must pass the Bachelors Examination of the Association of Social Work Boards if the applicant holds a baccalaureate degree in social work as described in

NRS 641B.220. If the applicant holds a master's degree in social work as described in NRS 641B.220, the applicant must pass the Bachelors Examination or Masters Examination of the Association of Social Work Boards.

(b) A licensed independent social worker must pass the Advanced *Generalist* Examination of the Association of Social Work Boards.

(c) A licensed clinical social worker must pass the Clinical Examination of the Association of Social Work Boards.

3. Except as otherwise provided in this section, an applicant who is required to pass an examination pursuant to this section must satisfy the Board that he or she possesses the necessary requirements regarding age, ~~{citizenship,}~~ character, education and, if applicable for the relevant license, supervisory experience before taking the examination. A student of social work currently enrolled in his or her last semester may take the examination before the award of his or her degree. For the purposes of this subsection, "student of social work" means a person enrolled in an undergraduate or graduate program of study leading to a degree in social work from a college or university accredited by the Council on Social Work Education or which is a candidate for such accreditation.

4. An applicant for initial licensure as a licensed social worker who is required to pass an examination pursuant to this section must do so within 6 months after satisfying the requirements set forth in subsection 3.

5. In addition to the requirements for offering examinations set forth in NRS 641B.250, examinations will be offered as deemed appropriate by the Board and as scheduled by the

Association of Social Work Boards or another testing administrator that has been approved by the Board.

6. A failed examination:

(a) For initial licensure as a licensed social worker may be retaken ~~{once,}~~ *every* 90 days after the failed examination ~~{}~~ *until the application expires pursuant to NAC 641B.090.*

(b) By a licensee in an internship undertaken pursuant to NAC 641B.140 or 641B.150 may be retaken *every* 90 days after the failed examination and thereafter. ~~{, one examination may be taken every 6 months.}~~

Sec. 9. NAC 641B.110 is hereby amended to read as follows:

641B.110 1. Except for a provisional license issued pursuant to NRS 641B.275:

(a) An initial license will not become delinquent less than 1 year after the date of issuance.

(b) Except as otherwise provided in subsection 4, after initial licensure, each license will become delinquent annually on the last day of the month of birth of the licensee and will expire 60 days thereafter.

2. Except as otherwise provided in this subsection, an application for the renewal of a license must be completed on forms supplied by the Board and submitted to the Board on or before the last day of the month of birth of the licensee. An application for the renewal of a provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 must be submitted to the Board annually on or before the last day of the 12th month after the month in which the license was initially issued, until the expiration of the 3-year period of licensure set forth in NAC 641B.112 or until the license is no longer valid pursuant to NAC 641B.112.

3. If an application for renewal and the required fee are not postmarked *or received* on or before the last day of the month of birth of the licensee, the license becomes delinquent. A licensee whose license becomes delinquent or expires may not engage in the practice of social work until the license has been renewed or restored, as applicable.

4. Except as otherwise provided in this subsection, an application for renewal on which action is deferred pending the receipt by the Board of additional information concerning the application will expire if the additional information is not received by the Board within 21 days after the Board requests the additional information. The application will not expire if the Board, upon written request by an applicant, allows additional time as the Board deems reasonable and necessary to allow the applicant to gather the requested information. The license to which such an application pertains will not become delinquent or expire before the Board approves or denies the application.

5. A person whose license has expired may, within ~~3~~ 2 years after the date on which the license expired, regain the right to practice social work at the same level of licensure by applying for restoration pursuant to NAC 641B.111. A person whose license has expired and who, more than ~~3~~ 2 years after the date on which it expired, wishes to regain the right to practice social work at the same level of licensure must apply for a license pursuant to NAC 641B.090 to 641B.105, inclusive.

6. If a licensee notifies the Board in writing that the licensee will not renew his or her license and allows the license to expire, the Board will not consider the license to be delinquent for the purposes of NRS 641B.290.

Sec. 10. NAC 641B.111 is hereby amended to read as follows:

641B.111 1. An application for restoration of an expired license must be completed on a form supplied by the Board and submitted to the Board within ~~{3}~~ 2 years after the date on which the license expired.

2. In addition to the requirements set forth in NRS 641B.290 and except as otherwise provided in subsection 4, an application for restoration of an expired license must be accompanied by:

- (a) Two sets of completed fingerprint cards;
- (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;
- (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the report of criminal history;
- (d) Evidence of the completion of all past continuing education hours; and
- (e) Evidence that:
 - (1) The appropriate examination for licensure was passed by the applicant; or
 - (2) The licensee has maintained an equivalent license from another state in good standing.

3. If the State Controller has notified the Board pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency which has been assigned to the State Controller for collection pursuant to NRS 353C.195, the Board will not restore the applicant's expired license unless the Board receives notification from the State Controller that the applicant has:

- (a) Satisfied the debt;

(b) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(c) Demonstrated that the debt is not valid.

4. After receiving an application for restoration of an expired license, the Board may:

(a) Grant an extension of not more than 6 months for the completion of past continuing education hours; and

(b) For good cause, waive the requirements of subsection 2 regarding the continuing education hours required pursuant to NAC 641B.187.

5. If the applicant has been the subject of a disciplinary action by the Board or any other licensing agency in this State or any other jurisdiction, the Board may hold a hearing on an application for the restoration of an expired license to consider, without limitation:

(a) The possible refusal to restore the expired license; and

(b) The restoration of the expired license and the imposition of disciplinary action.

Sec. 11. NAC 641B.112 is hereby amended to read as follows:

641B.112 1. For purposes of paragraph (b) of subsection 1 of NRS 641B.275:

(a) An applicant must cause the college or university to forward directly to the Board the evidence of enrollment.

(b) The evidence of enrollment must include evidence, that is satisfactory to the Board, of formal admission to the program of study and of satisfactory progress toward the degree, indicating that the applicant will be able to obtain the degree in social work within 3 years.

2. A provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 is no longer valid:

(a) If, upon request of the Board, the licensee fails to cause the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(b) If the licensee fails to renew his or her provisional license by:

(1) Submitting to the Board the application for renewal on a form supplied by the Board and the appropriate fee; and

(2) Causing the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(c) Three years after:

(1) The initial issuance of the license; or

(2) The licensee graduates from a program of study leading to a degree in social work,

↪ whichever occurs first.

3. A person is not eligible for the issuance of a provisional license pursuant to paragraph (a) of subsection 1 of NRS 641B.275 if he or she has failed the prescribed examination within 5 years immediately preceding the date on which he or she submits his or her application.

4. A provisional license issued pursuant to paragraph (a) of subsection 1 of NRS 641B.275 is no longer valid if:

(a) The licensee fails the prescribed examination; or

(b) The provisional licensing period of ~~9 months~~ 90 days expires,

↪ whichever occurs first.

5. The holder of a provisional license may be subject to disciplinary action pursuant to NRS 641B.400, including, without limitation, the revocation of his or her license.

6. A provisional license that has been invalidated or revoked may not be reinstated or restored. A person who has obtained a provisional license is not eligible for a second provisional license.

7. The holder of a provisional license to engage in social work, to engage in social work as a licensed independent social worker or to engage in social work as a licensed clinical social worker shall practice under the supervision of a licensed social worker who is:

- (a) Licensed pursuant to chapter 641B of NRS; and
- (b) Authorized pursuant to the provisions of chapter 641B of NRS to practice in the setting in which the holder of the provisional license intends to practice.

Sec. 12. NAC 641B.115 is hereby amended to read as follows:

641B.115 An applicant must pay the following fees for licensure:

1. Licensed associate in social work:

- (a) Annual renewal of license ~~[\$100]~~ **\$125**
- (b) Restoration of revoked license 150
- (c) Restoration of expired license 200
- (d) Renewal of delinquent license..... 100

2. Licensed social worker:

- (a) Initial application ~~[\$40]~~ **\$50**
- (b) Initial issuance of license *other than license by endorsement* ~~[\$100]~~ **125**
- (c) Annual renewal of license ~~[\$100]~~ **125**
- (d) Restoration of revoked license 150

(e) Restoration of expired license	200
(f) Renewal of delinquent license	100
(g) {Endorsement license without examination} <i>Initial issuance of license by endorsement pursuant to NRS 641B.271</i>	{100} 125
(h) <i>Initial issuance of license by endorsement pursuant to NRS 641B.272</i>	62.50
(i) Initial issuance of provisional license	{75} 93.75
{(i)} (j) Annual renewal of provisional license.....	{75} 93.75
3. Licensed independent social worker and licensed clinical social worker:	
(a) Initial application	{40} \$50
(b) Initial issuance of license <i>other than license by endorsement</i>	{100} 125
(c) Annual renewal of license	{150} 187.50
(d) Restoration of revoked license	150
(e) Restoration of expired license	200
(f) Renewal of delinquent license	100
(g) {Endorsement license without examination} <i>Initial issuance of license by endorsement pursuant to NRS 641B.271</i>	{100} 125
(h) <i>Initial issuance of license by endorsement pursuant to NRS 641B.272</i>	62.50
(i) Initial issuance of provisional license	{75} 93.75

➡ If an applicant applies for more than one type of license at one time, he or she will be required to pay only one application fee.

~~{4. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.271, the Board will charge and collect the fees set forth in subsection 2 or 3, as applicable, for the initial application for and initial issuance of a license.~~

~~—5. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.272, the Board will charge and collect one half of the fee set forth in subsection 2 or 3, as applicable, for the initial issuance of a license.}~~

Sec. 13. NAC 641B.120 is hereby amended to read as follows:

641B.120 1. Fees and remittances to the Board must be made by *using a credit card, debit card*, money order, bank draft or check payable to the Board. ~~{Remittances in}~~ *The Board will not accept* currency or coin ~~{are made wholly at the risk of the remitter, and the Board assumes no responsibility for a loss thereof.}~~ *as payment.*

2. Payment in full of all required fees must accompany each application for licensure or renewal.

3. The Board will establish bank accounts necessary for handling of fees and remittances. The accounts will require for the transaction of business the signature of:

- (a) Two members of the Board; or
- (b) Any member of the Board and the Executive Director of the Board.

4. ~~{An application for licensure on which no action has been taken by the applicant for 6 months after its receipt by the Board will be considered by the Board to have lapsed.}~~ The Board will not refund any ~~{fee}~~ *money* related to an application which has ~~{lapsed.}~~ *expired pursuant to subsection 9 or 10 of NAC 641B.090.*

Sec. 14. NAC 641B.126 is hereby amended to read as follows:

641B.126 1. An applicant for licensure as a social worker, independent social worker or clinical social worker who holds, in the District of Columbia or any state or territory of the United States, a corresponding and valid license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board to engage in the practice of social work as a social worker, independent social worker or clinical social worker in this State by the Board without taking the examination prescribed by the Board.

2. An applicant for licensure by endorsement pursuant to this section must submit to the Board:

- (a) ~~[A written]~~ *An* application on a form prescribed by the Board;
- (b) The applicable fee; *and*
- (c) Except as otherwise provided in subsection 3, proof that the license issued by the District of Columbia or the other state or territory or any other license or credential issued to the applicant by the District of Columbia or another state or territory:

- (1) Is currently valid and in good standing; and
- (2) Has never been suspended, revoked or otherwise restricted for any reason . ~~[-; and~~
- ~~—(d) Proof that the applicant is of good moral character as it relates to the practice of social work.]~~

3. If an applicant has had a license or credential that was issued by the District of Columbia or another state or territory suspended, revoked or otherwise restricted for any reason, the Board will review and consider the specific facts and circumstances surrounding the suspension,

revocation or restriction and may issue or decline to issue a license to an applicant based upon its review.

Sec. 15. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except for an applicant for licensure by endorsement, an applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in subsection 3, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

(1) ~~{Except as otherwise provided in subsection 2, the}~~ *The* inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. ~~{The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1.}~~ The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. Upon application to the Board by an applicant who is currently a social worker or an associate in social work licensed in this State, the District of Columbia or any other state or territory of the United States, the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:

- (a) Has been continually licensed as a social worker for the immediately preceding 10 years;
- (b) Provides evidence satisfactory to the Board of continuous supervision by a licensed master's level social worker for at least 5 of the immediately preceding 10 years; and

(c) Has passed an examination recognized and approved by the Board.

4. The Board will approve work submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3 and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if the Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

5. The following activities do not qualify as supervised, postgraduate social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Practice which is not under the supervision of an agency ~~is~~ *approved by the Board*. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

Sec. 16. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except for an applicant for licensure by endorsement, an applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection 5, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, without limitation:

(1) ~~{Except as otherwise provided in subsection 2, the}~~ *The* inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. ~~{The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1.}~~ The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional conditions. Unless otherwise approved by the Board, an average of 32 hours per week, not to exceed 416

hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

4. At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be supervised by a licensed clinical social worker ~~and~~ *approved by the Board.* The remaining hours required by subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

5. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in the District of Columbia or another state or territory of the United States within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work ~~and documentation that his or her supervisor was a clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, and was qualified to supervise in the District of Columbia or the other state or territory. After the applicant has completed not less than 1,000 hours of supervised, postgraduate clinical social work and has passed an examination required, if applicable, pursuant to subparagraph (1) of paragraph (a) of subsection 1 pursuant to a program approved by the Board, the Board will~~

~~approve that work and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1J~~ if:

(a) A licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and

(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.

6. The following activities do not qualify as supervised, postgraduate clinical social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Role-playing as a substitute for actual social work.

(d) Psychotherapy of the intern himself or herself.

(e) Practice which is not under the supervision of an agency ~~H~~ *approved by the Board*. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.

Sec. 17. NAC 641B.155 is hereby amended to read as follows:

641B.155 1. To become a supervisor of an intern, a person must:

(a) Be approved by the Board to serve as the supervisor of an intern.

(b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, if supervising an intern who is seeking a license as a licensed clinical social worker.

(c) Have at least 3 years of experience, after obtaining all applicable licenses and certifications, as a licensed clinical social worker, a licensed independent social worker, a

licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

(d) Demonstrate to the Board that his or her current practice:

(1) If he or she is supervising an intern who is seeking a license as a licensed independent social worker, consists of not less than 15 hours per month of independent practice.

(2) If he or she is supervising an intern who is seeking a license as a licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques.

↪ The Board may waive the requirements of this paragraph if the Board determines that there is good cause.

(e) Successfully complete training as specified by the Board. Such training must be repeated every 5 years after the initial approval of the person as a supervisor of an intern.

2. A person will not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board or any other professional licensing board in this State, the District of Columbia or any other state or territory of the United States for disciplinary action.

3. A supervisor shall not:

(a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;

(b) Have had the intern as a client;

(c) Have had the intern as a supervisor; or

(d) Supervise more than ~~three~~ four interns at one time without prior approval from the Board.

4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will ~~provide, upon request, a copy of~~ make the list available to any person who is applying to become an intern.

5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of NAC 641B.160 must be submitted to the Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.

6. A supervisor shall keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:

(a) Under the supervision of a person who has not been approved by the Board to supervise interns; or

(b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

Sec. 18. NAC 641B.160 is hereby amended to read as follows:

641B.160 1. A supervisor of an intern is responsible for the practice of social work by the intern.

2. A supervisor of an intern shall ensure that:

(a) The work of the intern is conducted in an appropriate professional setting;

- (b) The work of the intern is consistent with the standards of the profession;
- (c) The intern is assisted with the development of his or her professional identity;
- (d) The intern has gained the skills required to manage his or her practice;
- (e) The intern has gained the skills required for continuing competency;
- (f) The intern has gained knowledge of the laws and regulations applicable to the practice of social work;
- (g) The intern is familiar with the current literature concerning those areas of social work relevant to his or her area of practice; and
- (h) The intern provides services that are culturally and linguistically appropriate.

3. A supervisor of an intern shall:

- (a) Except as otherwise provided in subsection 4, meet in person with the intern on an individual basis for at least 1 hour every week, unless the Board specifically directs a different schedule or frequency for the meetings, to discuss and evaluate the performance of the intern in his or her practice;
- (b) Unless waived by the Board for good cause, if the intern practices social work at a site at which the supervisor does not practice social work, visit the site at least once every month and as necessary consult with the on-site supervisor regarding the practice of social work by the intern;
- (c) Prepare and submit to the Board ~~quarterly~~ *progress* reports *every 6 months* and a final report, unless the Board specifically directs a different schedule or frequency for the reports, on forms provided by the Board, concerning the progress of the intern in his or her practice; and
- (d) Be available to consult with the Board concerning the record, competence in practice, emotional and mental stability or professional and ethical conduct of the intern.

4. A supervisor of an intern may use telecommunication technologies to supervise an intern remotely, but the supervisor must meet in person with the intern at the site at which the intern practices social work at least once every month.

5. Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.

6. A supervisor of an intern shall analyze the performance of an intern through information obtained from:

- (a) Observation or participation in the practice of the intern;
- (b) The notes of the intern; and
- (c) Process recordings prepared by the intern.

7. The Board may refuse to accept a ~~{quarterly}~~ *progress report* or final report submitted by a supervisor of an intern as required pursuant to paragraph (c) of subsection 3 if the report:

- (a) Does not satisfy the reporting requirements for the forms provided by the Board;
- (b) Does not include such additional information concerning the internship as requested by the Board; or
- (c) Is received by the Board after the date on which the report is due.

8. If the Board refuses to accept a ~~{quarterly}~~ *progress report* or final report pursuant to subsection 7, the Board will disallow credit for all hours of internship as reported on the report.

9. The Board will, if it deems appropriate, require additional hours of internship and supervision for an intern who fails to demonstrate the degree of competency expected at the end of an internship.

10. The Board will, if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:

- (a) Fails to supervise an intern adequately;
- (b) Fails to comply with each applicable provision of a statute or regulation;
- (c) Fails to submit acceptable reports as required in paragraph (c) of subsection 3 regarding the progress of each intern under his or her supervision;
- (d) Without good cause or approval by the Board, fails to submit two consecutive reports as required pursuant to paragraph (c) of subsection 3;
- (e) Fails to complete the training required by the Board pursuant to subsection 1 of NAC 641B.155; or
- (f) Becomes subject to an order issued by the Board for disciplinary action.

11. A person whose approval to supervise an intern has been withdrawn by the Board because he or she is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after satisfactorily completing the requirements of the order.

12. If the Board withdraws its approval of the person supervising an intern:

(a) The Board may disallow credit for all hours of internship as reported on ~~quarterly~~ *progress reports* and final reports submitted by the supervisor pursuant to paragraph (c) of subsection 3; and

(b) The intern may apply to the Board for the:

- (1) Assignment of another approved supervisor; and
- (2) Approval of a new internship agreement and plan of supervision.

13. As used in this section, “process recording” means a written record of an interaction with a client.

Sec. 19. NAC 641B.165 is hereby amended to read as follows:

641B.165 A supervisor of an intern may agree to provide or continue the supervision of an intern only if he or she believes that the intern:

1. Will qualify for licensure pursuant to chapter 641B of NRS;
 2. Is achieving the competence necessary to practice in social work or clinical social work;
- and
3. ~~If licensed, will~~ **Will** uphold the professional and ethical standards of the practice of social work.

Sec. 20. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsection 3, during each reporting period:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, scope of practice, professional conduct, standards of care ~~and~~ **or** impaired professionals ~~and~~ **, or any combination thereof;**

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; and

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, scope of practice, professional conduct, standards of care ~~and~~ *or* impaired professionals ~~and~~ *, or any combination thereof;*

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; and

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education

approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. Except as otherwise provided in subsection ~~[7:]~~ 6:

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least 65 years of age and is retired from the practice of social work.

(b) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period if it finds good cause to do so.

(c) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which a licensee is enrolled in a program leading to:

(1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

(2) A doctoral degree in social work.

↪ If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of such enrollment during the reporting period for which the continuing education requirements are waived.

4. ~~If the Board waives the continuing education requirements for a reporting period pursuant to paragraph (b) of subsection 3, it may require the licensee to complete, during the reporting period immediately following that reporting period, additional continuing education hours not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the reporting period for which continuing education requirements were waived.~~

~~—5.1~~ A licensee may not take a program of continuing education which presents the same material he or she took during the immediately preceding reporting period.

~~{6.1}~~ 5. A licensee is subject to disciplinary action if he or she:

(a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or

(b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

~~{7.1}~~ 6. The Board will not:

(a) Waive the continuing education *concerning suicide prevention and awareness which is* required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable; or

(b) Renew the license of a licensee who has not completed such continuing education.

Sec. 21. NAC 641B.190 is hereby amended to read as follows:

641B.190 1. Before the Board approves a course or program, the Board must be satisfied that the course or program:

(a) Will be taught by a competent instructor as demonstrated by his or her educational, professional and teaching experience;

(b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;

(c) Is of professional quality;

(d) Is appropriately designed for instructional purposes;

- (e) Is supported by evidence that is based on research; and
- (f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.

2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, online learning courses through an accredited college or university which do not lead to a degree, and on-the-job training programs offered by an agency shall be deemed “appropriately designed for instructional purposes,” as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.

3. The subject matter of a course or program which addresses one or more of the following areas:

- (a) Theories or concepts of human behavior and the social environment;
- (b) Social work methods of intervention and delivery of services;
- (c) Social work research, including, without limitation, the evaluation of programs or practices;
- (d) Management, administration or social policy;
- (e) Social work ethics ~~{§}~~ *and professional behavior;*
- (f) Services that are culturally and linguistically appropriate;
- (g) Social work theories or concepts of addictions in the social environment;
- (h) Evidence-based suicide prevention and awareness; ~~{e}~~
- (i) *Advanced human rights and social, economic and environmental justice; or*

(j) Other areas directly related to the field of practice of the licensee,

➤ shall be deemed to reflect “current and relevant educational material concerning social work” and be “applicable to the practice of social work,” as those terms are used in subsection 1.

Sec. 22. NAC 641B.205 is hereby amended to read as follows:

641B.205 1. A licensee shall practice social work with professional skill and competence.

2. If a licensee must act on behalf of a client who has been declared incompetent or otherwise found by the Board to be incapable of acting in his or her own best interest, the licensee shall safeguard the interests and rights of that client.

3. If another person has been legally authorized to act on behalf of an incompetent client, a licensee shall deal with that person in accordance with the best interests of the client.

4. A licensee shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.

5. A licensee shall not misrepresent to a client the efficacy of his or her service or the results to be achieved.

6. A licensee shall apprise his or her clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.

7. A licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. A licensee shall collaborate with other colleagues as necessary to meet the needs or interests of the client.

8. A licensee shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs or interests of the client.

9. A licensee shall not withdraw his or her social work services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.

10. A licensee who anticipates the termination or interruption of service to a client shall notify the client promptly and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.

11. Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence a:

- (a) Client;
- (b) Person with significant personal ties to a client, whether or not related by blood; or
- (c) Legal representative of the client,

↳ in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

12. A licensee shall not engage in sexual activity with a client during the time that the client is receiving professional services and for 3 years after the termination of the professional relationship.

13. A licensee shall not solicit or enter into a dual relationship with a client, intern or person who is supervised by the licensee:

(a) During the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and

(b) For at least 2 years after the termination of the professional relationship, internship or period of supervision.

14. A licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

15. A licensed independent social worker or licensed clinical social worker who is in the independent practice of social work shall establish and maintain a professional will which must specify the person who will serve as a professional executor for the licensed independent social worker ~~H~~ *or licensed clinical social worker*. The executor must oversee the client records, billing and financial records, appointment book and client contact information, passwords and access codes and notify the clients of the licensed independent social worker *or licensed clinical social worker* in the event that he or she becomes incapacitated or unable to provide social work services, or upon his or her unexpected death.

Sec. 23. NAC 641B.220 is hereby amended to read as follows:

641B.220 1. A licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, or commits any act that constitutes a basis for refusal by the Board to issue a license pursuant to subsection 2 of NRS 641B.260 is guilty of unprofessional conduct.

2. *If the Board determines during an investigation of a violation of this chapter or chapter 641B of NRS that a licensee has violated the laws of Nevada or the United States, except minor traffic violations, the violation of the laws of Nevada or the United States may be grounds for disciplinary action against the licensee by the Board for unprofessional conduct.*

The Board may impose discipline upon the licensee whether or not the licensee has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, such a violation.

3. If a violation or other unprofessional conduct occurs:

(a) While the license of a licensee is in effect; or

(b) Between the time when the license of a licensee expires and the time when the license has been restored pursuant to NAC 641B.111,

↳ the Board will take disciplinary action, as appropriate, against the licensee even if the license thereafter has expired or been suspended.

~~[3.]~~ 4. The revocation, suspension or other disciplinary action taken by any state on a professional license or certificate or registration that was issued by that state is grounds for disciplinary action against the licensee by the Board for unprofessional conduct.

~~[4.]~~ 5. The failure of a licensee to comply with a stipulation, agreement, advisory opinion or order issued by the Board constitutes unprofessional conduct.

