



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
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MINUTES OF THE PUBLIC WORKSHOP TO SOLICIT COMMENTS
PERTAINING TO REVISED PROPOSED REGULATIONS
Las Vegas, Nevada

LCB FILE NO. R018-16

April 15, 2016

The Public Workshop to Solicit Comments Pertaining to Revised Proposed Regulations (Public Workshop) of the Board of Examiners for Social Workers (Board), LCB File Number R025-14, was called to order by Colleen York, Board member, at 12:37 p.m. The Public Workshop was conducted at Mojave Adult Clinic, 4000 East Charleston Blvd., Las Vegas, Nevada. Kim Frakes, Board Executive Director informed Ms. York that the Public Workshop had been properly noticed. Ms. Frakes explained that the purpose of the Public Workshop was to receive comments as it pertained to the proposed regulation changes in LCB File Number, R018-16. Roll call was then conducted by Ms. Frakes, with the following Board members, Board staff and participants (arriving and departing at various times) present:

Members Present:

Rod Smith, Board President
Annie Wilson, Board Member
Colleen York, Board Member

Staff Present:

Kim Frakes, Executive Director
Kimberly A. Farkas, Certified Court Reporter, Sunshine Litigation Services

Public Attendees

Amy Ellwood, LCSW
Erma Piasta, LCSW
Saul Yaz, LSW
Shane Taylor, LSW
Gary Brewer, LSW
Becky Cortez, LSW
Richard Newton, LSW
Ken McKay
Tracy Kwan, LSW
Josef York, LCSW
Riley Kline, LCSW
Margarita de la Fuente
Robert Durette
Stefanie Maplethorpe, LCSW
Pricilla Lopez, LSW
Rebecca Cortez, LSW
Richard Newton, LSW

INTRODUCTION – OPEN WORKSHOP

Kim Frakes presented this Public Workshop agenda item. Ms. Frakes noted that purpose of the Public Workshop (workshop) was to receive public comments pertaining to proposed additions, amendments, and/or repeal of regulations pertaining to Chapter 641B of the Nevada Administrative Code. She further added that the purpose of the workshop was to solicit comments from interested parties on the general topics contained in the "Notice of Workshop to Solicit Comments on Proposed Regulations" (Notice). The Notice was mailed to: all individuals licensed by the Board, all persons on the Board's mailing list, all county libraries, and the Nevada State Library. The Notice had also been electronically posted to: the Board's website, the Legislative website and the State's Public Notice website.

Ms. Frakes summarized the topics to be addressed during the public workshop as follows (Agenda Item 2A):

Section 1 Licensure via endorsement, pursuant to Senate Bill 68, Section 45.

Section 2 Acceptance of postgraduate, supervised hours towards LISW licensure.

Section 3 Removes provisions of postgraduate clinical social work not supervised in an agency setting.

Section 4 Authorizes postgraduate supervised hours by licensed mental health practitioners who meet specific criteria.

Section 5 Requires 2.0 continuing education hours annually pursuant to Assembly Bill 93, Section 5.

Section 6 Every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.

Section 7 Removes certain requirements pertaining to the methods of continuing education delivery.

Section 8 Adds evidence-based suicide prevention and awareness to the list of acceptable continuing education subject matter.

Section 9 Definition of a, "dual relationship".

PUBLIC COMMENT (Agenda Item 3)

Ms. Frakes opened the floor to public comment pertaining to the general topics contained in the proposed regulation.

Saul Yaz, LSW

Mr. Yaz expressed his support for Section 1, which pertained to licensure via endorsement, pursuant to the passage of Senate Bill 68 (SB 68). He believed it would establish a standard for obtaining a clinical social worker license in Nevada.

Shane Taylor, LSW

Mr. Taylor also expressed support for Section 1. He believed it would assist in addressing the shortage of social workers in the State.

Erma Piasta, LCSW

Ms. Piasta expressed agreed that the State would benefit from the hiring of additional social workers. She expressed concerns that this section would allow for other disciplines to be hired in lieu of social workers, as well as a possible lowering of standards in the social work profession.

Gary Brewer, LSW

Mr. Brewer requested clarification that the proposed regulation changes in R018-16 only pertained to regulation changes for social workers. Ms. Frakes indicated that the proposed changes pertained to social workers only. He wanted clarification pertaining to why the, "District of Columbia", were mentioned throughout LCB File R018-16. Ms. Frakes indicated that this was for clarification purposes, since SB 68, as well as other bills during the 2015 Legislative session included the District of Columbia in their language. Ms. Frakes pointed out that additional language in SB 68 also referenced occupational licenses from, "U.S. Territories". Mr. Brewer wanted to know if the language in R018-16 included licenses from Puerto Rico and all U.S. Territories. Ms. Frakes indicated that if an individual is fully licensed and falls within the U.S. Territory as noted in SB 68, he or she would be considered eligible for licensure via endorsement. Mr. Brewer inquired about why, "five years" was considered a legitimate amount of time for endorsement of licensure. Ms. Frakes indicated that this was based upon findings by the Legislature and bill sponsors. She is unaware of why this was specifically used as the minimum number of years of licensure required.

Ms. Frakes then introduced Section 2 and requested public input. Section 2 pertained to the acceptance of postgraduate, supervised hours towards LISW licensure.

Gary Brewer, LSW

Mr. Brewer requested clarification pertaining to an LISW. Ms. Frakes indicated that an "LISW" is a master's level license, which requires postgraduate, supervised practice. Ms. Frakes indicated that following supervised practice and passing the "Advanced Generalist" exam, an LISW would be eligible to engage in independent practice. She added that an LISW would be eligible to engage in all levels of independent practice, with the exception of clinical practice. Mr. Brewer asked about where this level of licensure would be eligible to practice. Ms. Frakes indicated that an LISW could open a private agency and could even open an independent clinical practice, so long as the LISW hired a licensed mental health practitioner to conduct the actual hands on clinical practice and supervision. Ms. Frakes added that some of the LISW'S work for the Veterans Administration, where an, "advance level of licensure" was required. Mr. Brewer, in further discussion about the benefits of an LISW level of licensure, requested clarification pertaining to LSW'S and their ability to engage in independent practice. Ms. Frakes verified that an LSW would not be considered eligible by the Board to engage in independent practice since they have not had postgraduate, supervised practice and have not passed the Advanced Generalist exam.

Colleen York, LSW, Board Member

Ms. York added that UNLV (University of Nevada, Las Vegas) used to have an, "Administrative", master's tract, as part of their graduate studies. She suggested that perhaps the LISW licensed grew out of that.

Gary Brewer, LSW

Mr. Brewer indicated that he had attended his graduate program at Arizona State, under a similar Administrative tract. For this reason, the LISW level of licensure intrigued him.

Assured that there were no further questions, Ms. Frakes provided an overview to Section 3. Section 3 removed certain language, in light of the passage of SB 68. This section pertained to LCSW'S applying for endorsement via SB 68 as well as LCSW applicants for endorsement who were licensed less than 5 years. Applicants for endorsement, licensed less than 5 years would fall under substantially equivalent standards. The proposed changes in this section includes postgraduate supervision and types of licensed mental health practitioners and whose postgraduate supervision would be accepted by the Board. The Board would require

the first 1,000 clinical hours still be conducted by an LCSW approved to provide supervision in the state where the supervision occurred. The remaining 2,000 clinical hours could be provided by a clinical psychologist or board certified psychiatrist. Ms. Frakes explained that the intent would be to expand the types of supervised hours accepted by the Board for those who do not fall under the requirements of automatic endorsement via SB 68. The same requirement would also apply to individuals receiving postgraduate, clinical supervision in this State as well.

Gary Brewer, LSW

Mr. Brewer expressed support for this regulation change. It appeared to address the issue Ms. Piasta had expressed earlier pertaining to foundation training for social workers, including clinical social workers.

Ms. Frakes indicated that the reason MFT'S (Marriage and Family Therapists) and clinical professional counselors are not added to this expanded list is that, pursuant to their NRS and NAC'S, can only diagnose and treat mood disorders. She added that once this changed, the Board would more than likely add them to the list of licensed mental health professionals allowed to conduct postgraduate, clinical supervision. For now, however, the Board has to base its acceptance of MFT's and clinical professional counselors based upon their scope of practice as noted in their statutes and regulations.

Erma Piasta, LCSW

Ms. Piasta expressed concerns that over-relaxing standards may eventually lead to social workers becoming obsolete.

Ms. Frakes acknowledged Ms. Piasta's concerns. She recommended that during the upcoming 2017 Legislative session, she check the Board's website frequently as the website contains information regarding proposed Legislation being tracked by the Board.

Erma Piasta, LCSW

Ms. Piasta shared her historical involvement with the social work profession. She concluded by stating that a solid knowledge base regarding the profession naturally lends itself to have a heartfelt appreciation for the profession.

Colleen York, LSW, Board Member

Ms. York stated that she was reminded about child welfare workers in this State, who at one time, were licensed social workers. She added that the use of social workers in certain areas of child welfare has diminished.

Gary Brewer, LSW

Mr. Brewer indicated that when moving to Nevada from Arizona, child welfare in Arizona did not require social workers. He stated that while working in Arizona as a child welfare worker, there were individuals with vast differences in professional viewpoints when working with their clients. Often, these perspectives were not conducive to the way social workers view their clients.

Ms. Frakes added that while there have been efforts to declassify professions previously held by social workers, title profession for "social workers" still remains in this State.

Gary Brewer, LSW

Mr. Brewer requested clarification pertaining to subsection 6, as it appeared this subsection had been struck out (eliminated) all-together. It further appeared to eliminate grand-fathering for those who conducted their clinical social work practice prior to 1990.

Ms. Frakes indicated that this section had been eliminated due to SB 68. Grand-fathering was no longer needed. Anyone who was continuously licensed prior to 1990 would generally be eligible for licensure, pursuant to SB 68.

Ms. Frakes suggested moving onto Section 4 if there were no further comments. Section 4 authorizes postgraduate, clinical supervision of hours in Nevada to include clinical psychologists or board certified psychiatrists. Similar to LCSW'S who are Board approved to provide postgraduate supervision, the clinical psychologists and psychiatrists must have at least three years post-licensure experience as well as a license that is free of any disciplinary action.

Saul Yaz, LSW

Mr. Yaz requested clarification on whether the clinical psychologist or psychiatrist would be able to provide postgraduate supervision during the entire internship or whether there would still be the requirement of having at least 1,000 clinical hours first conducted by an LCSW. Ms. Frakes indicated that the LCSW would provide the first 1,000 clinical hours prior to the Board considering and accepting a clinical psychologist and/or board certified psychiatrist.

Shane Taylor, LSW

Mr. Taylor noted that this proposed revision broadens the opportunities for individuals who are pursuing their LCSW license. He has noticed that one of the challenges some individuals face is the ability to maintain their employment while conducting their postgraduate, supervised practice. This challenge stems from the fact that opportunities are limited. Mr. Taylor viewed this proposed change would be beneficial.

Colleen York, LSW, Board Member

Ms. York indicated that she could see how this proposed regulation change would be beneficial in settings which utilize numerous disciplines, such as hospitals. This multi-disciplinary approach appears to be more holistic.

Ms. Frakes suggested to moving on to Section 5. This section pertained to "2.0" continuing education hours annually, as a condition for licensure renewal. This is pursuant to AB 93, which was passed during the recent 2015 Legislative Session. Although it appears that the intent was for Board licensees to include, as part of their 2-year continuing education cycle, the 2.0 CEU'S on suicide prevention and awareness, as it was enrolled, the 2.0 CEU'S became a condition for licensure renewal, which is annually. Ms. Frakes indicated that she had expressed concerns about this being mandated in the Board's statutes, but that the Legislature was less than responsive to her testimony.

Gary Brewer, LSW

Mr. Brewer wondered if NASW (National Association of Social Workers), Nevada Chapter (NV Chapter) had taken a position when this bill was introduced.

Ms. Frakes indicated NASW, NV Chapter, did not take an official position on this bill. She added that the NV Chapter may actually benefit from the passing of this bill since licensees may be approaching them for continuing education courses.

Erma Piasta, LCSW

Ms. Piasta requested clarification on CEU requirements pertaining to "ethics" versus "suicide prevention and awareness."

Ms. Frakes indicated that a licensee's ethics requirement is every two years, as noted in their CEU collection cycle. The suicide prevention and awareness is due annually, as a condition for licensure renewal.

Gary Brewer, LSW

Mr. Brewer appeared to object to the passage of AB 93 and wondered if there was anything which could be done about this.

Ms. Frakes suggested reviewing the bill in its entirety first and this if there were still questions or concerns, individuals should contact the bill's sponsors who are listed on the first page of the bill.

Shane Taylor

Mr. Taylor requested clarification on the intent of the bill—was it to have licensees complete 4.0 hours of suicide prevention training during each CEU collection cycle.

Ms. Frakes clarified that it appears that the intent was to complete 2.0 CEU'S on suicide prevention every collection cycle, but unfortunately, when it was enrolled, it was included in the section pertaining to licensure annually.

Erma Piasta

Ms. Piasta wondered when classes would be offered.

Ms. Frakes indicated that there currently was a list of course already approved by the Board on their website. She added that CASAT (Center for the Application of Substance Abuse Technologies), the State of Nevada Office of Suicide Prevention and Awareness, and NASW NV Chapter are on this list. Ms. Frakes added that a licensee may submit an individual continuing education application for continuing education approval. She further encouraged employers or groups of employees within an agency who routinely obtain this type of training may also submit a CEU application for consideration of approval. Ms. Frakes further reminded everyone that the dates reflecting the one-year period of applicability for each application renewal period was included in the Workshop notification as well as online. Each licensee will also receive at least an additional individual notification and reminder.

Gary Brewer, LSW

Mr. Brewer wanted clarification to when he would be scheduled to renew his license. Ms. Frakes informed him that a licensee's renewal is due by the last day of his/her birth month. He added that it appeared that the impetus to know about the applicability of AB 93 now rests upon the licensees. He asked about the number of courses which could be found online?

"Attendee" (Name not identified the transcriber)

The Attendee noted that not all licensees are fortunate enough to work at an agency which provides Board approved CEU'S.

Ms. Frakes noted that there are nonprofits which offer Board approved CEU'S and have expressed interest in providing suicide prevention and awareness training.

Annie Wilson, LSW, Board Member

Ms. Wilson mentioned a local agency which was hosting a free continuing education course on this topic. She added that this agency appears to be offering this training monthly.

Saul Yaz, LSW

Mr. Yaz wondered whether presenters of continuing education courses have to be clinical social workers. Ms. Frakes indicated that the course presenters has to demonstrate how he or she is competent to teach the course. She suggested that he go to the Board's website and review the "Group" continuing education

application. There is a section which requires the applicant to demonstrate the competence of the presenter. This can usually be done by submitting the presenter's resume, bio or vita.

Erma Piasta, LCSW

Ms. Piasta inquired about a particular CEU vendor. Ms. Frakes indicated that since the referenced vendor does not meet Board criteria, they would not be accepted.

Gary Brewer, LSW

Mr. Brewer wanted to know if the Board have a meeting regarding AB 93 prior to the bill's passage. Ms. Frakes indicated that the Board had ongoing discussion regarding AB 93 throughout the 2015 legislative session. He inquired about the number of public workshops provided by the Board regarding the proposed regulation changes, including changes pertaining to AB 93. Ms. Frakes indicated that by law, the Board is required to conduct at least one public workshop. This workshop fulfilled the State's requirement. Mr. Brewer indicated that holding these public gatherings would be beneficial at the beginning of each legislative session would be helpful as it would provide licensees an opportunity to discuss bill proposed by the legislature.

Ms. Frakes agreed that this would be beneficial and something the Board could consider in the future. She indicated that due to funding and staffing issues, it is often difficult to provide face-to-face Board hosted gatherings or similar types of meetings. Ms. Frakes reminded everyone to routinely check the Board's website during the legislative session as it often list bills which are being tracked by the Board.

Gary Brewer, LSW

Mr. Brewer wanted to know if the Board had anyone who is specifically assigned to act as a legislative watchdog during each session.

Ms. Frakes indicated that costs for a lobbyist may be at least \$30,000 and that the lobbyist is paid regardless of whether things occur in their favor during the session.

Shane Taylor, LSW

Mr. Taylor requested clarification pertaining to the same course not being taken two years in a row. Ms. Frakes replied that the same course could not be done within two consecutive years or the same CEU collection cycle. Mr. Taylor also asked about attending similar conferences within a CEU collection cycle. Ms. Frakes clarified that if the content of the courses/training were different between the two conferences, then he should be fine. Mr. Taylor wondered if the CEU certificates had the same approval number, would the Board consider this the same training or presentation. Ms. Frakes indicated that more than likely, the Board would consider the two trainings as being identical.

Erma Piasta, LCSW

Ms. Piasta recalled, while living in California, firemen and police officers, as well as other disciplines who provided suicide training. She noted that it appeared similar types of trainings, provided by disciplines considered alternative to mental health professionals did not seem to be offered in this State.

Annie Wilson, LSW, Board Member

Ms. Wilson recalled that there happened to be a type of training which Ms. Piasta was referencing. It was provided by Metro Police Department which is usually limited to law enforcement. She indicated that it was called, "CIT" for Crisis Intervention Training. There are occasions when these trainings are offered to the community and not restricted to law enforcement. Ms. Wilson offered to speak with one of the sergeants to see if the agency may consider on offering this training to the community on a more routine basis.

Rod Smith, Board Member

Mr. Smith noted that there seemed to be an increase in suicide prevention and training applications submitted to the Board over the past few months. This was probably due to this course being a requirement.

Saul Yaz, LSW

Mr. Yaz requested clarification on whether the 2.0 CEU'S in suicide awareness and prevention was in addition to, or a part of, the 30.0 CEU'S he is required to take every two years.

Ms. Frakes clarified that this requirement did not add on any more CEU'S. It just adds a specification requirement, based upon the number of CEU'S required.

Gary Brewer, LSW

Mr. Brewer noted that there were only 2.0 CEU'S required for ethics, but now 4.0 CEU'S every cycle for suicide prevention and awareness.

Becky Cortez, LSW

Ms. Cortez requested clarification that the 2.0 CEU'S in suicide prevention and awareness was due for each license renewal. Ms. Frakes answered that that was correct. Ms. Cortez indicated that she was wondering why the topic of suicide had become so elevated when it appears to her, that this phenomena is directly connected to other issues, such as domestic violence, substance abuse, physical and mental health. Why is this topic deemed more important or relevant, even when compared to ethics?

Ms. Frakes indicated that there was discussion earlier pertaining to how the Legislature has access and ability to changes statues, including the Board's statutes, or NRS. She indicated that she had attended the Legislative hearings pertaining to AB 93 and that this bill was drafted in response to the State's higher than average suicide rates. There was strong support for this bill, including an Assemblywoman, who is a licensed social worker, as well as a social worker who works for the V.A. Ms. Frakes added that this requirement was included in the NRS of several other mental health and medical professions—not just the Board.

Beck Cortez, LSW

Ms. Cortez stated her belief that client suicide was a symptom of a larger problem, and does not appear to be addressed or acknowledged in the suicide mandate. She wanted to know if there was a way to refute this.

Rod Smith, Board Member

Mr. Smith indicated that Ms. Frakes would have loved to have had the support demonstrated during today's meeting when she had gone before the 2015 Legislative session.

Ms. Frakes reminded everyone that the next, 2017 Legislative is quickly approaching and that all notification pertaining to NRS changes would be posted on the website.

Attendee

The Attendee likewise indicated that she would notify the Board of any bills which she believed was worthy of everyone's attention.

Ms. Frakes suggested that interested individuals could also go to the Legislative website and sign up to received committee information during the Legislative session.

Rod Smith, Board Member

Mr. Smith stated that by tracking legislative bills, it offers individuals the opportunity to see which Legislator supports or opposes a particular bill.

Attendee

The Attendee stated that bills could be tracked on either a State or Federal level and that the information would be delivered to the emails of individuals who requested this information.

Rod Smith, Board Member

Mr. Smith agreed that often there are trends on topics which appear to interest legislators. In education, it had been ADHD and now it appears to be autism.

Gary Brewer, LSW

Mr. Brewer stated that it appeared as though social workers in the State do not have an advocate looking out for them. He cited the fact that he had just learned about AB 93 and mandated suicide training supported this belief. He expressed frustration pertaining to this type of, "knee-jerk" legislation and in spite of the fact that other boards were consulted, the input appeared to be ignored and the legislation enacted anyway. He wondered if investing in an advocate or lobbyist would be something the Board would consider.

Ms. Frakes clarified that the purpose of the Board is to protect the public, not the licensees. While protecting the integrity of the social work profession, there is common ground to advocate. Ms. Frakes indicated that NASW Nevada Chapter is the professional organization for social workers. The Nevada Chapter has a legislative committee and suggested that Mr. Brewer consider contacting them for assistance with legislation.

Ms. Frakes indicated that it is not unusual for the boards not to be contacted during the legislative session by Legislators. She offered an example of how UNR social work students were brought to the legislature during the 2015 session, offering support of AB 93. In the minds of the legislators, these were social workers, not students who were unaware of the difficulty in working full-time and attempting to complete continuing education courses while working.

Rod Smith, Board Member

Mr. Smith suggested that individuals make an effort to attend a Board meeting as a means of staying involved and informed with the Board. He indicated that all meetings are posted on the Board's website, pursuant to the State's Open Meeting Law.

Ms. Frakes added that this was the best way to learn about the Board, its activities, and useful information.

Richard Newton, LSW

Mr. Newton stated that he worked at State Welfare. He wanted clarification that the suicide continuing education requirement included other behavioral health boards.

Ms. Frakes indicated that the requirement included other behavioral health boards, not just social workers. She added that the comments solicited during the public comment pertained to social workers.

Rod Smith, Board Member

Mr. Smith encouraged attendees to contact their legislator, as he has found them to be responsive to their electorates. He added that it was also important to find out who supports and who is not supportive of a particular bill or issue.

Gary Brewer, LSW

Mr. Brewer wondered if the legislature would bother listening to him as an individual, versus an organization, such as the Board.

Rod Smith, Board Member

Mr. Smith indicated that the legislature would be more inclined to listen to the voices of several individuals over the voice of one organization.

Becky Cortez, LSW

Ms. Cortez wanted clarification on how a licensee would be notified about particular bills during a legislative session.

Ms. Frakes indicated that during each legislative session, she lists the bills which appear to have impact upon the Board. This list of tracked bills are placed on the Board's website. She added that if licensees express an interest or concern about a particular bill, the licensee could submit a written request for this bill to be placed on the Board meeting agenda as an agenda item. The bill's sponsor could even be invited to attend a Board meeting to discuss the bill with interested individuals.

Rod Smith, Board Member

Mr. Smith expressed how individuals in Nevada enjoy access to their legislators. This is something which is not often afforded to individuals who live in other state.

Becky Cortez, LSW

Ms. Cortez wondered if there currently was a way to have the mandated continuing education requirement either modified or removed all together. She added that if this mandate were required during the 2-year continuing education cycle, that would be more acceptable. Attempting to fulfill this mandate annually appeared unreasonable.

Rod Smith, Board Member

Mr. Smith noted that in the course of reviewing continuing education courses for the Board, he has noted that there appears to be a variety of courses offered. He added that recently, he noted a continuing education application on a Suicide and Native American course.

Becky Cortez

Ms. Cortez indicated that the topic of suicide prevention and awareness is not a new concept for her as a social worker. The fact that the legislature mandated it is.

Ken McKay

Mr. McKay indicated that he was a psychologist. He noted that the State's professional organization is the Nevada State Psychological Association (Association). The Association designates a political designee, who in turn, emails their members about particular bills during each session. This enables the State's licensing boards to look out for the interests of the public while allowing the Association to look out for it's professionals.

Gary Brewer, LSW

Mr. Brewer indicated that unfortunately, he had allowed his NASW (National Association for Social Workers), Nevada Chapter, membership to lapse due to the current cost of \$260 annually. He indicated that this proved to be a bit pricey for him.

Ken McKay

Mr. McKay suggested that the increase in NASW Nevada Chapter's member may be due to the fact that they are the entity paying \$30,000 for a lobbyist.

Ms. Frakes encouraged attendees to seriously consider attending Board meetings and to follow the bills which are being tracked on the Board's website.

Attendee

The Attendee wanted to know where the Board's meetings are held.

Ms. Frakes responded that the location of this current meeting is one of the meeting locations. The other is held in Reno. Pursuant to NRS 641B, the Board is required to conduct Board meetings a minimum of one time per quarter. This information is prominently posted on the Board's website, www.socwork.nv.gov.

Ms. Frakes then introduced Section 6. This section pertained to every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.

Colleen York, LSW, Board Member

Ms. York reminded everyone that their comments from today's public workshop would also be posted on the Board's website.

Ms. Frakes attempted to explain the difference between having continuing education requirements mandated in NRS versus required in NAC. Since AB 93 mandated continuing education requirements for suicide prevention and awareness, all licensees upon licensure renewal will be required to attach a certificate of completion and sign an affidavit. When a continuing education is required in NAC, such as ethics, the licensee would sign an affidavit of CEU completion and would only submit proof of continuing education course completion if audited. Any license renewal submitted on or after July 1, 2016, which does not have a copy of his or her suicide prevention CEU, will not be able to renew his or her license. This has the potential of impacting the social work workforce and the Board has worked diligently to notify all licensees. Since continuing education courses have been mandated by the Legislature, this now opens the door for additional courses being mandated. In the past, the Board was satisfied leaving continuing education course content, with the exception of ethics, to the professionalism of the licensee. This particular mandate will sunset on July 1, 2026.

Ms. Frakes then introduced Section 7. This section removed certain requirements pertaining to the methods of continuing education delivery.

Ms. Frakes stated that this removed the provision of continuing education courses, be limited in time and interactive. Courses delivered via the Internet which allows a participant to interact with the presenter in real time, could be included as, "live", presentations versus a "distance" learning program. Continuing education courses would still require Board approval. Certain antiquated language, such as home study or self-directed courses have been eliminated.

Saul Yaz, LSW

Mr. Yaz indicated that his employer, State of Nevada, provides numerous online trainings. Would any of these trainings possible be approved by the Board for continuing education approval?

Ms. Frakes requested clarification on whether the online courses were synchronous or asynchronous?

Saul Yaz, LSW

Mr. Yaz stated that the courses often had a post-test.

Rod Smith, Board Member

Mr. Smith clarified for Mr. Yaz, what would make the course "interactive" versus a program which was pre-recorded and viewed later.

Ms. Frakes indicated that even if these courses were recorded and viewed later (probably not interactive), the Board was expanding acceptance of certain learning courses which offer a pre-test and post-test. If Mr. Yaz's programs offered pre and post-tests, and met other criteria, it probably would be approved by the Board. Each license is able to earn "half" of his or her CEU'S through Board approved distance learning courses which meet these criteria.

Erma Piasta, LCSW

Ms. Piasta asked about courses offered by NASW.

Ms. Frakes clarified that courses offered by NASW, Nevada Chapter, are automatically approved since this organization is a Board approved provider of continuing education courses. She added that NASW, National Chapter is not a Board approved provider and would require the attendee to submit a CEU application for possible Board approval of a particular course/program.

Erma Piasta, LCSW

Ms. Piasta indicated that it was her opinion that the Board's apparent limitation of course providers makes it difficult for social workers to complete their continuing education requirements.

Ms. Frakes indicated that the Board is attempting to be responsive to the needs of licensees while attempting to also ensure practice competence of licensees through evidence-based, sound continuing education courses. She noted that the Board is proposing to consider, as part of "live" courses/programs, presentations which are transmitted electronically, e.g., the internet, that allow participants the ability to interact with the presenter. In other words, the presenter no longer has to be in the same room as the attendee to be considered a "live" presentation. Ms. Frakes added that licensees may take up to half of their required CEU'S via distance courses, which provides a pre-test and post-test in lieu of "interaction" with the presenter. A licensee may submit a CEU application for consideration of such distance courses for possible Board approval. Ms. Frakes suggested that Ms. Piasta may wish to consider submitting a completed individual CEU application for any future courses she attends for the purpose of seeing if it meets the Board's criteria for approval.

Saul Yaz, LSW

Mr. Yaz inquired on whether this could also apply to any out-of-state programs, courses or conferenced.

Ms. Frakes indicated that if the course, program or conferences meets Board criteria, as listed on page 2 of the application, it should be approved. Ms. Frakes further recommending submitting the application in advance of attending the program, although it could also be submitted following the completion of the program.

Richard Newton, LSW

Mr. Newton, in response to the Board's "live" presenter criteria indicated that he has, on numerous occasions, attended programs with live presenters which he viewed as "worthless". He indicated that he has also attended online trainings which he viewed as valuable and relevant to his practice. He encouraged the Board, in the process of evaluating continuing education courses and programs, to consider the information being presented and its relevance to social work practice.

Rod Smith, Board Member

Mr. Smith indicated that this is a topic of ongoing discussion with the Board.

Ms. Frakes acknowledged that sometimes, it appears that the Board isn't moving fast enough to address this issue. She indicated that change with government entities often occurs in baby steps. Public protection is

paramount, which includes ongoing licensee competence. Ongoing competence occurs via ongoing competent education.

Rod Smith, Board Member

Mr. Smith indicated that he has also come across CEU flyers which touted that they were "Board approved", when in fact, this was not true.

Ms. Frakes cautioned participants to be very cautious when looking for Board approved continuing education courses. Getting back to Mr. Newton's question, Ms. Frakes stated that even live presentations has its flaws. A licensee could hypothetically attend the morning portion of a program, take a long lunch break, and pick up the certificate of completion at the end of the program. She added that the Board is making efforts to trust licensees more and rely upon their sense of professionalism, however, it is a balance between trusting the licensee and public protection through competent licensee practice.

Becky Cortez, LSW

Ms. Cortez wondered if the Board's expectations on how CEU'S are to be completed presently is in conflict with the latest means on how information is delivered. She added that presently, degrees in social work are being provided via online. To her, it appeared that the completion of a degree program is more lax that obtaining CEU'S.

Rod Smith, Board Member

Mr. Smith indicated that brining the Board more in line with the twenty-first century is a topic of ongoing Board discussion.

Ms. Frakes indicated that the Board had discussed in the most recent regulation change process, removing limitations on the number of continuing education courses taken online. Given that in the past, there appears to be abuses of what is already in place. She cite as an example, licensees who claim online continuing education hours which far exceeds the amount of time they were actually able to complete these courses. For example, submitting "12" continuing education hours, when it appears the licensee only had "6" hours to complete the online courses.

Rod Smith, Board Member

Mr. Smith added abuses such as taking a yoga class on Saturday night and submitting the course for continuing education approval.

Ms. Frakes added that Ms. Cortez's points were well-taken and that this was an issue which the Board would continue to examine.

Gary Brewer, LSW

Mr. Brewer clarified that as an LSW, the Board would allow him to take during his continuing education collection cycle, "15.0" Board approved CEU'S, which is half of his total requirement. He wondered if there was any exemptions to this requirement.

Ms. Frakes indicated that there were limited exemptions, as allowed, under NAC. But with the passage of AB 93 during the 2015 legislative session, there are not any exemptions or exceptions allowed for the 2.0 CEU'S in suicide prevention and awareness.

Gary Brewer, LSW

Mr. Brewer wondered if the Board had a timeline on when more CEU'S would be offered. He indicated that he enjoys attending live programs and admits that attendance at various continuing education programs is a matter of preference and learning style.

Annie Wilson, LSW, Board Member

Ms. Wilson asked Mr. Brewer for clarification to his question. What was he hoping to see which would confirm for him the Board is moving in the right direction when it came to CEU courses and programs.

Gary Brewer, LSW

Mr. Brewer wondered if the Board had a definitive timeline when it came to possibly expanding the number of CEU'S which could be taken online.

Ms. Frakes indicated that expanding the number of online approved CEU'S more than likely would not be addressed in this set of regulation changes. She added that his input was helpful and would be considered in the next set of changes.

Rod Smith, Board Member

Mr. Smith indicated that he always attempts to stress to licensees, the fact that the Board is very limited when it comes to resources, including staffing. He reminded everyone that there is Ms. Frakes and two (2) other ladies in the office to attend to the variety of licensee needs.

Colleen York, LSW, Board Member

Ms. York indicated that the allowance of "15" CEU'S (half of her required CEU'S) via Board approved continuing education course providers have been a recent change. She added that she has been licensed a long time and that she is grateful for the Board's consideration to allow for online courses.

Annie Wilson, LSW, Board Member

Ms. Wilson indicated that she agreed with Ms. York. She suggested participants to consider participating in future Board meetings as a way of sharing their thoughts and to provide insight and additional information.

Ms. Frakes indicated that the Board makes efforts to provide licensees with a variety of choices. There are other boards which limits the choices of approved continuing education courses to specific CEU'S providers. She added that these comments were useful and would be brought back to the Board.

Attendee

The Attendee wondered why the Board approved certain courses, which he/she viewed as "awful", while it appeared to deny other courses which the Attendee view as very helpful.

Rod Smith, Board Member

Mr. Smith indicated that there is specific criteria which has to be met for a course to become approved by the Board. This information is specified on the continuing education application. He added that often, a course is denied because the applicant does not read the directions on what is required for the Board's approval.

Colleen York, LSW, Board Member

Ms. York indicated that she used to wonder the same thing. She has attended a national conference for social workers in the field of health care. She realized that even though this is a nationally recognized organization, the number of continuing education hours approved varies from state to state.

Ken McKay

Mr. McKay indicated that the "ACA" (Affordable Care Act) is pressing for the integration of healthcare professionals. He indicated that integration would save a lot of work for a variety of boards. He noted that to him, it was frustrating that there are four mental health boards in the State, with each board appearing to have their own turf issues. He cited the need to submit a course for continuing education approval as an example of unnecessary work. In Mr. McKay's opinion, if a continuing education course is good enough to be approved by one board, it should be approved by all boards.

Gary Brewer, LSW

Mr. Brewer wondered if there exists a consortium or council of different boards that has an agreement on generally accepted practice standards?

Ken McKay

Mr. McKay indicated that to his knowledge, such a consortium or council does not presently exist.

Ms. Frakes added that there have been bills submitted in previous legislative session requesting consolidation of boards. It appears that there could be such a bill submitted again for the 2017 legislative session.

Ms. Frakes suggested moving onto Section 8. Section 8 pertained to the addition of, evidence-based suicide prevention and awareness training onto the list of acceptable continuing education subject matter. It appeared that comments to Section 8 were included in the previous discussion by participants pertaining to the additional of suicide prevention and awareness training requirement.

Ms. Frakes then moved onto Section 9. This section pertained to adding a definition of a dual relationship. Ms. Frakes indicated that on occasion, the Board would receive inquiries from licensees and members of the public regarding what the Board would consider a "dual relationship". Section 9 would hopefully provide clarification.

Saul Yaz, LSW

Mr. Yaz requested clarification on the process to submit a continuing application for group approval. Ms. Frakes indicated that once a course receives Board approval, a notice is sent to the person submitting the application. The application provides certain information, including the number of CEU'S the course is approved for, as well as the date the Board's approval expires.

Amy Ellwood, LCSW

Ms. Ellwood wondered if the Board would be providing continuing education hours for attending today's public workshop. She indicated that she was a past Board president and believed it had been awarded to participants in the past.

Ms. Frakes indicated that she would look into this matter.

Gary Brewer, LSW

Mr. Brewer indicated that he has only been in the State for approximately one year, but found today's workshop very informative.

Erma Piasta, LCSW

Ms. Piasta wondered if she could submit for possible continuing education approval, some of the critical incident meetings she attends.

Ms. Frakes indicated that it was a possibility but cautioned Ms. Piasta to review the Board's criteria carefully to be sure it meets the Board's criteria on the application.

Gary Brewer, LSW

Although he wished he could have learned more about the bills prior to being passed during the 2015 legislative session, he indicated that he appreciated the opportunity to meet with the Board and to discuss the items on the public workshop agenda.

Ms. Frakes concluded the public workshop but invited attendees to stay if they had any further questions which were not addressed during the workshop. The public workshop pertaining to proposed regulations in LCB File Number R018-16 concluded at 3:35 p.m.

Respectfully Submitted,

Kim Frakes
Executive Director

DRAFT