

In the Matter Of:

Public Workshop

TRANSCRIPT OF PROCEEDINGS

September 11, 2019

Job Number: 570819

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STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS

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TRANSCRIPT OF PROCEEDINGS
PUBLIC WORKSHOP

Regarding Proposed Regulation Changes

LCB File No. R055-19

Wednesday, September 11, 2019

12:30 p.m. to 2:30 p.m.

South Valley's Library

15650 Wedge Parkway

Reno, Nevada, 89511

24 Reported by: Brandi Ann Vianney Smith
25 Job Number: 570819

1 RENO, NEVADA, WEDNESDAY, SEPTEMBER 11, 2019, 12:30 P.M.

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4 MS. OPPENLANDER: In the agenda in either
5 number 2 or 4, if you have public comment around the
6 Nevada Administrative Code changes that you're here to
7 meet about today, I would probably do those in the
8 section A, which is all the way from here to here. I
9 don't know if that make sense, but I'm just trying to
10 distinguish --

11 Did that say it well enough, Rota? You know
12 all about this stuff.

13 Before we get going, I'm just trying to give
14 you -- because this is a kind of a weird agenda in that
15 way, and I just didn't want you to not see what I saw,
16 and I can't really do much about it.

17 MS. ROSACHI: Most of them have never been to
18 an open meeting, so they don't know how the open
19 meetings work. They don't know how to do the public
20 comment. So you might guide them and say, now is the
21 time to speak. So when you want them to speak, you
22 might tell them this the time to speak.

23 So you just did that in the beginning, but
24 after you go through some of the actual NACs, that's
25 probably when they'll want to speak.

1 MS. OPPENLANDER: Right. We haven't called
2 to order or roll yet. So I am just kind of, you know,
3 Karen, this is who I am. Kind of guide people who
4 maybe haven't been in this situation like this before
5 to a State of Nevada agenda. So, generally speaking, a
6 State of Nevada agenda for the Board of Examiners and
7 Social Workers starts off with a call to order and
8 roll, and then public comment where anybody can say
9 whatever they need to say.

10 And then lastly, as we close out before
11 adjournment, there's public comment at the end of the
12 state meeting, and then adjournment. So it's a
13 standard format. What's different about what we're
14 doing today is the whole body of the agenda is about
15 public comment. It's for you to tell us what you think
16 about the changes. So we'll go with that flow, and,
17 hopefully, it will make sense if it doesn't make
18 perfect sense right now.

19 I think somebody just came in, so I'm going
20 to make sure that -- I have two more only, so from here
21 on out there is going to be sharing happening, and I
22 have two more of the NAC changes for \$10 at Office Depo
23 with our two-thirds off discount. This is all printed,
24 and nobody told me they were coming today. I had
25 notice from four people, so I brought 20 copies of

1 everything. And the agendas have managed to fly the
2 coop, so I'm going to ask you to share agendas. And if
3 you want me -- these are online on our website, so you
4 can go to our website and print them off later.

5 Everybody feeling kind of comfortable with
6 our set-up?

7 Okay, Vikki.

8 MS. ERICKSON: Guide me along on this. Okay?
9 Because I -- the last time we did this, there wasn't so
10 many folks. So I'm not quite sure how this will go.

11 All right. So let's call to order. And it
12 is sometime, 12:41 on September 11, 2019. This is a
13 public workshop regarding the proposed regulation
14 changes. So let's do a roll call.

15 I'm Vikki Erickson, Board chair.

16 MS. OPPENLANDER: I'm Karen Oppenlander,
17 Executive Director for the Board of Examiners of Social
18 Workers.

19 MS. AXLEROE: Jamie Axelroe, social worker at
20 the Fallon District Office for Division of Welfare and
21 Supportive Services.

22 MS. HOOVER: Miranda Hoover, Capital Partners
23 representing the Board of Social Work.

24 MS. DeHART: Lisa DeHart with the State of
25 Nevada, the program.

1 MS. FITZGERALD: Alanna Fitzgerald, MSW, now
2 teaching at UNR.

3 MS. ROSACHI: Rota Rosachi, Nevada Health
4 Foundation.

5 MS. CARTER: Linda Carter, supervisor of
6 social work, welfare office in Reno.

7 MS. BARTELL: Dawn Bartell, social work
8 supervisor, Carson City District Office, Division of
9 Welfare and Social Services.

10 MS. BROWN: Marcina Brown, with DWSS.

11 MS. BOSLER: Paula Bosler, retired and also
12 contract work at Healing Mind.

13 MS. TAYLOR: Corinne Taylor, working with
14 Renown outpatient behavioral.

15 MS. NORMAND: Monique Normand, candidate for
16 clinical social work exam.

17 MS. PINELLI: Kathleen Pinelli, social worker
18 at the Division of Welfare and Supportive Services.

19 MS. LAZARO: Siara Lazaro, social worker,
20 Division of Welfare and Supportive Services.

21 MS. ENSLEY: Karen Ensley, social worker,
22 Division of Welfare and Supportive Services.

23 MS. DeWEESE: Daxia DeWeese, social worker at
24 the Division of Welfare and Supportive Services.

25 MS. CORTEZ: Carmen Cortez, social worker at

1 the Division of Welfare office.

2 MS. WALKER: Sophie Walker, social worker at
3 Liberty Dialysis.

4 MR. McMAHON: Michael McMahon, with Alpha
5 Productions Technologies.

6 MS. PETERSON: Tess Peterson with Nevada
7 Public Health Foundation, and I am currently an MSPW
8 student at UNR.

9 MS. VAN PATTEN: Cara Van Patten, I am a
10 student of social work at UNR, and I am an intern.

11 MS. ERICKSON: Nice. Okay. Do we do agenda
12 item number 2?

13 MS. OPPENLANDER: (Indicated affirmatively.)

14 MS. ERICKSON: Okay. Public comment?

15 Okay. So hearing none, so let's move to
16 agenda item number 3.

17 Karen, do you want to start this one off?

18 MS. OPPENLANDER: I do. Thank you.

19 We're on item 3, introduction to an open
20 workshop. So I'm going to just briefly go over this
21 whole section before it gets to number 4. And there's
22 plenty of places that I could stop and item by item,
23 but rather than do that, I think it might be better for
24 me -- before we come back and get into stuff -- to give
25 you an overview.

1 So the overview is section 3. So right now
2 we have submitted these NAC changes, or Nevada
3 Administrative Code changes, to the Legislative Council
4 Bureau. And it has been assigned -- this whole thing
5 has been assigned a number. So the number is R055-19.

6 So in 3A, it's right there, and it's also up
7 at the top right in your heading. So, right now, we
8 have an attorney from the Legislative Council Bureau
9 who's working through these NAC changes, as we refer to
10 them -- shorter than saying Nevada Administrative Code
11 every time. And they're working on it, our staff, to
12 make sure that we do it accurately, because LCB, the
13 Legislative Council Bureau, has to make sure that we do
14 it accurately. So that's why they have an attorney
15 working with our staff.

16 There's Board intent about what the changes
17 are, and then we're going to make sure that the Board
18 have -- or the group that met -- intent matches the
19 legal side of it. So that's what's going on right now
20 in our 55-19.

21 The changes, when you get into them with us,
22 are inside of here and are color-coded. So as you
23 thumb through this document, when you see red line,
24 blue line, yellow, or fuchsia, that means there was
25 some little change. Or a big change.

1 General speaking, the summary of the changes
2 are as follows: In general position -- general
3 provision -- excuse me -- small letter i, the
4 definition of LASW and LSW are reversing back to what
5 they were before. So I'll come back to that, but this
6 little statement I just made matches 641B.41 and the
7 641B.44. So it's like cross-walking stuff.

8 Number 2, in summary, under licensing and
9 supervision -- I should probably stop for a minute.

10 NACs are divided into five sections. What
11 you see in Nevada Administrative Code -- I'm 17 months
12 on the job, so I have spent a lot of time with our
13 attorney being able to say this to you.

14 So we have five sections. The first section
15 is General Provisions. The second section is Licensing
16 and Supervision. The third section is about
17 post-graduate internships. The fourth section is about
18 continuing education. And the fifth section in this
19 packet -- the thick packet -- is around standards of
20 practice. So this is all the law. And we're making
21 some recommendations about changing some of the
22 language in the law. That's why you're here, because
23 you care. Thank you.

24 So, anyway, resuming where I was at, on your
25 agenda, small letters ii, length of time and

1 application of licensure will stay open. That's being
2 changed.

3 And so if you're tying it to this, that's on
4 page 10. It's 441B.090, and it has to do with two
5 areas. One is that the initial exam approval, once you
6 receive exam approval, your application can stay open
7 for nine months and then it closes. Or if you're
8 getting endorsed and your endorsement is received in a
9 completed fashion, your application can stay open for
10 six months.

11 In number iii, removing the option for NSW
12 graduates to take the bachelor's exam. That's renewing
13 the option that's been there for somebody who's
14 graduated with an MSW to take the bachelor's exam. And
15 that's because that testing group, the Association of
16 Social Work Boards who provides the examination, will
17 no longer support master's candidates taking the
18 bachelor's-level exam.

19 They said they were looking for test
20 integrity. So to make the test integrity be there,
21 master's candidates take -- or master's graduates take
22 the master's exam; bachelor's graduates take the
23 bachelor's exam. So what we're doing is we're syncing
24 up our NACs with the Association of Social Work Boards
25 nationally -- or actually, North America for United

1 States and Canada.

2 In number -- little numbers iv or four, we're
3 changing the timeframes for when a failed exam may be
4 retaken. And we're allowing the exams to be retaken
5 every 90 days. So anybody that got caught in the deal
6 where you were retaking the exam in 90 days, and then
7 all of a sudden you wait six months, we're going to
8 allow you to do it every 90 days now.

9 In the next one, that's stipulating
10 educational requirements for provisional "B," that's
11 tying on page 14 to 641B.112. And it talks about that
12 you have to be 30 units into your MSW program before
13 you can do a provisional "B" license.

14 The next one down -- I skipped 5. Sorry. I
15 didn't mean to. Well, it's self-explanatory. We're
16 not going to force you to restore a license past two
17 years. So it's a cost savings to people that are in
18 that area.

19 So we determined with the people that were
20 part of this process to make the changes that two years
21 was plenty to force you into restoration, and we didn't
22 have to keep trying to force you into restoration at
23 three years. It's a fee decrease, if you're in that
24 boat. Not many people end up in that boat, so if they
25 are in it, it's good for them.

1 Down to provisional vii, length of time for
2 exam and expiration for a Provisional "A" license.
3 That was that typo. And it had said nine months and it
4 was supposed to say 90 days and we're fixing that.

5 We have a lot of typos in the NAC changes.
6 Really, I'm only summarizing major changes. When we
7 went through the NACs to try to clean them up, if there
8 were "charges" where the word "change" was supposed to
9 be there, or the word "change" was in there and the
10 word "charge" was supposed to be there, we're -- I'm
11 not talking about that stuff today.

12 Housekeeping where we had an inaccurate word,
13 we're just cleaning that up. So you'll see more little
14 marks in this packet that I will talk about today for
15 that reason.

16 The next one down is ix or nine, disallowing
17 payments by cash. Most of the Boards and commissions
18 don't take cash anymore. There's been, over the years,
19 fraud and embezzlement when you walk into a cash-based
20 office where cash is floating around.

21 I'm not saying we've ever had that problem,
22 but we're going to move away from cash. I can imagine
23 there might be some comments about that because there's
24 a nationally -- including USA Today, there was an
25 article this week about how moving away from cash is a

1 problem for some people.

2 So I'm not trying to do it for that reason.
3 What I am trying to do is not having a 10-dollar bill
4 floating around over here and a hundred-dollar bill and
5 walking through an office that's stopped up with
6 paperwork with paperclips attached to it with money.
7 So just trying to move to a cleaned-up environment
8 where fraud and embezzlement is less likely to happen.
9 That's all this is about.

10 I would imagine that if you came flying in at
11 4:30 when we're closing with \$25 to pay something, we
12 probably will take it, you know, because we're not that
13 weird. But just trying to reduce that. Because we're
14 online now, and online we actually have credit cards
15 this year for the first time. So, yay us. This is
16 modernization in action. So we felt like maybe it was
17 time to dispose with the whole storyline.

18 The next one down is the section on
19 post-graduate internships. Summarizing, once again,
20 removing "substantially equivalent" language on hours
21 being counted from an internship in another state.

22 What's happened is if you were an intern in
23 Utah and you came over and you had already done a
24 thousand hours and jumped over to Nevada where we need
25 3,000, we would examine your thousand hours from Utah.

1 We're saying we're not going to examine those hours.
2 If they were approved in Utah, they're good enough for
3 us. But we're just going to count on, and then you're
4 going to get your other 2,000 hours so you can get
5 3,000 over here, and, you know, we trust Utah. This is
6 a trust matter. So it's not any more exciting than
7 that. It's just making it easier on everybody.

8 If you're an intern supervisor -- is anybody
9 here an intern supervisor? Anybody? Anybody?
10 Anybody? Okay. So intern supervisors are
11 post-graduate. So field practicum is when you're a
12 student, when you're post-graduate, and you're getting
13 either hours for clinical social work internship or,
14 like I am, a licensed independent social worker, those
15 intern hours, if you're a supervisor, you can now
16 accept four interns.

17 The xii, reducing frequency of post-graduate
18 internship progress reports from quarterly to every six
19 months. We did a study nationally. There are six
20 states in the United States that don't ask for
21 quarterly reports at all, and about seven states that
22 do. I might have gotten those numbers wrong, but you
23 get the point.

24 We're one of the ones that ask for quarterly
25 reports. So we're going to take a middle-range

1 position on that and move to twice a year. So for
2 interns, twice a year, if you've been through the
3 process, probably feels like plenty. It certainly
4 would have to me. I did the four quarters a year plan.
5 I wish I had done two.

6 Continuing education, cross-walking that it's
7 on page 24. It's 641B.187(a). And it's specifying for
8 those of you who are retired licensees, that if you
9 want to stay in the retired licensee thing where you
10 don't have to get CEUs anymore, you still have to get
11 them for suicide prevention. Not because we need that
12 in the social work world, 641B, but because the State
13 of Nevada requires it. So we can't ditch that. So you
14 get to get two CEUs in suicide prevention even as a
15 retired social worker.

16 MS. ROSACHI: Doesn't that expire, though,
17 after a period of time?

18 MS. OPPENLANDER: You know, that's a
19 perfectly good question that maybe when we cross-walk
20 this together and we look at the small print, we can
21 see if it's written in there or if I have to go back
22 and find out the answer, or maybe you already know and
23 can teach us all.

24 And then in -- that last thing in section 3
25 that I am summarizing right now is xiv or 14, adding

1 information regarding what is considered unprofessional
2 conduct. This is cross-walked on page 34, 641B.220.

3 So that's my presentation. I know that this
4 is not probably state language, but this is the
5 language that comes from my background. This, to me,
6 is a community conversation. So me being up here being
7 a talking head any further than right now is silly.
8 This is really what do you have to say about the NACs.

9 Because we have a court reporter, as required
10 in public hearings, when you decide you want to talk,
11 please introduce yourself and enunciate loudly. Many
12 of you are soft-spoken, and she couldn't hear you when
13 you did roll call. So enunciate clearly, perhaps even
14 spelling your name. For example, Alanna is with two
15 "Ns" at the end of it. That kind of thing. Although,
16 I think she probably figured out Fitzgerald. So just,
17 you know, just think it through for her sake. And so
18 that's that stage where --

19 There's only one other thing I'd like to
20 explain in terms of what's attached to the agenda, and
21 that's the process that we're in right now. This is
22 the shorthand of this process.

23 On July 30th and 31st, Vikki held a meeting
24 with -- depending on which day it was -- 12 people on
25 the 30th and 13 people on the 31st that were from the

1 university, including Shawdee from the north, Kathleen
2 from UNLV, public members like Rota and Miranda, and
3 others that were -- we had a student -- MSW concentrate
4 student there. All four Board members were in
5 attendance, two staff members were in attendance. In
6 general, we had 12 to 13 people come up with these NAC
7 changes.

8 And it was an interesting process because the
9 first part of it was reviewing where the Board was at
10 strategically and why it wanted to tackle some things
11 now and maybe some other things, perhaps, in the next
12 legislative session and some other things in future
13 years.

14 They also were looking at some suggestions
15 that are being made by business and industry about
16 where 34 unregulated regulatory Boards might end up in
17 January of 2022.

18 And that's not a topic of today's meeting,
19 but these are things that we're and the other public
20 members were contemplating and seating their NAC
21 changes in the middle of these other issues that are
22 controversial. They were looking at senate current
23 resolution number 6, which has about 12 "whereases" in
24 it that will be studied by the sunset committee during
25 the interim session.

1 They looked at the process this outlines so
2 that they understood it fully and understand why a
3 process like what we're in today takes somewhere
4 between six to nine months before a NAC change actually
5 goes into effect. So we are at a stage in that process
6 right now which is taking all of your comments into
7 understanding for the Board so that they can filter
8 those in the other comments that we have been issuing
9 since January. So that's going on.

10 One of the things I was cross-walking you
11 over to is fee changes. This is a more simpler way to
12 look at it for me. Even until the day before
13 yesterday, I was having this reworked so that I can see
14 it better because I had cataract surgery last week and
15 I was having trouble reading across the lines because
16 this eye and that eye aren't quite jibing, so I had
17 broken up the boxes so that I can see better.

18 So just letting you know a little bit more
19 about, you know, what we've prepared for you so that
20 you are best able to make public comment. If, in your
21 public comment, it's beyond a comment, and you would
22 like to talk with some of the people here that could
23 possibly answer some questions. So if it is a public
24 comment that is a comment, that's one thing. But if
25 it's a public comment that has a question that goes

1 with it, then there are several people here that can
2 answer those questions, including one of the public
3 members that was in this process.

4 Rota Rosachi, can you raise your hand?

5 MS. ROSACHI: (Participant complied.)

6 MS. OPPENLANDER: Including Vikki Erickson,
7 the president of the Board. Including myself, who gets
8 hired to answer questions like this. And including
9 Miranda Hoover, who represented our Board here in this
10 session. And so she was down in Carson City every day
11 because I couldn't be. And so she's really schooled in
12 how the whole legislative process works.

13 So there's a couple of people here who can
14 answer questions, but right now we're in the community
15 conversation part where you tell us what you're
16 thinking.

17 Thank you.

18 MS. ERICKSON: Should we just -- should we go
19 one by one? Would that be best, do you believe?

20 MS. OPPENLANDER: (Indicated affirmatively.)

21 MS. ERICKSON: Okay. So let's just go step
22 by step then, unless somebody opposes that.

23 To general provisions, I guess, agenda item
24 3A little i. Definition of LASW and LSW, reversing the
25 changes made in 2017. So going to open it up and just

1 go down agenda item by agenda item. We'll look at
2 agenda item 3A little i, definition of LASW and LSW
3 (reversing changes made in 2017). Somebody said it was
4 on page 6.

5 MS. WALKER: I have a questions on this. Is
6 there a difference with baccalaureate and masters,
7 like, in some states you do the LMSW versus LBSW?

8 MS. OPPENLANDER: Or an LBSW. Those aren't
9 designations in the State of Nevada.

10 MS. WALKER: So we write LSW for either?
11 Unless you have your LCSW.

12 MS. OPPENLANDER: Or LISW.

13 MS. WALKER: Right. Is that something
14 that -- I'm not sure. I apologize. This is my first
15 time here. Is that something that's been brought up in
16 the past or something that's a consideration or --

17 MS. OPPENLANDER: I'm going to think that
18 your question is -- because I've heard this question
19 before. So 17 months on the job, I hear certain
20 questions by picking up the phone all the time. Are we
21 going to be moving into having LMSWs? And that was
22 brought up at a Board -- at the May 2018 Board meeting.
23 And it is parking -- it's on a parking lot for now.

24 So there are a couple of states that use the
25 LMSW category. I'm favorable to it personally and

1 professionally, but there's more considerations that
2 need to be made. And so the timing of making one more
3 shift right now is probably why it's parking lot'd.
4 So.

5 I would think that if the Board takes that
6 up, it will probably be in the 2021 session. Or the
7 2023 session because it's a -- we'd have to go to the
8 legislators again. And so part of it is the appetite
9 for working with the legislators again right now.
10 Because there's a couple of other changes we must go
11 through in order to be successful. So it's a real
12 time-taker-upper to add that category at the moment.
13 But I think it might actually end up in the 2023
14 session.

15 MS. WALKER: Thank you.

16 MS. ERICKSON: So the 641B.041 and 641B.044,
17 the changes of -- reversing the changes made in 2017,
18 the discussion specifically was for these two that are
19 highlighted under the supervision of an agency, you see
20 is lined-out in red -- that became an issue of
21 discussion and some controversy as to what does that
22 really mean.

23 So we took -- we proposed taking that out and
24 putting in "as an associate in social work" to not
25 confine the definition of associate and social work and

1 social -- licensed social worker as confined under the
2 supervision of an agency, because that led to a lot of
3 confusion.

4 MS. ROSACHI: I spoke for all of you. And I
5 truly tried to convince them to leave the language as
6 it was because it met the definition of everything that
7 we are doing, and I was very comfortable just leaving
8 it the way it was. And so they agreed that they would
9 just take it, associated with an agency, away. And so
10 it goes back to the original language that was passed
11 in the law, and actually passed in law in 1987. So
12 it's all good language for us.

13 MS. ERICKSON: We are ready to move on to
14 number 2? Okay.

15 So Licensing and Supervision, item ii is
16 length of time an application for licensure will stay
17 open.

18 MS. OPPENLANDER: So if you're cross-walking
19 this, this is page 10, and you'll see it in blue ink.

20 MS. ROSACHI: The discussion had to do a lot
21 with some people, once they make an application, they
22 sometimes have other issues that pop up, so it takes
23 them some time to actually complete the application.

24 So what this does is gives them more time, so
25 that you don't lose the application and have to pay

1 again for another application fee. So it's actually
2 giving you more time to actually follow through once
3 the application is made. It's a good thing.

4 MS. ERICKSON: Any further comment on that?
5 Okay.

6 So we'll go on to item iii, removing option
7 for MSW graduate to take bachelor exam. I think you
8 just covered that as well. So this, again, aligns with
9 what Karen indicated. It aligns with what they,
10 Association of Social Work Boards, requires for --
11 well, we're aligning with what a majority of the states
12 in the country do under the Association of Social Work
13 Boards, since they are our test creator and
14 administrator.

15 MS. ROSACHI: If I recall correctly, the
16 conversation, though, we need to have everybody
17 understand, so you guys correct me if I'm wrong. But
18 when you get your bachelor's degree in social work, you
19 can take your test to become a licensed social worker.
20 If you don't take the test and wait until your master's
21 degree and then you have to take the advanced test, and
22 if you fail the advanced test, they won't let you go
23 back and take the bachelor's test. So you have to
24 understand that.

25 So if you want to be licensed, you want to

1 make sure as soon as you get your bachelor's degree,
2 you take the test for licensure. That way if you fail
3 the advanced one, you still are a licensed social
4 worker.

5 UNIDENTIFIED SPEAKER: Little bit tougher
6 than --

7 MS. ROSACHI: No, it's actually okay, as long
8 as you understand don't wait to take your test until
9 you have your master's degree. Take your test when you
10 have your bachelor's degree, because then you could be
11 a licensed social worker. Then if you fail it, you're
12 still a licensed social worker and you can continue on.

13 MS. ERICKSON: Further comment? Okay.

14 Hearing none, we'll move to iv, changing
15 timeframes for when a failed exam may be retaken. So
16 that was a change, I believe, that's on page 12. That
17 was, like Karen indicated, changed to may be retaken
18 every 90 days to give more of an opportunity to pass
19 this exam.

20 Any comments? Okay.

21 Hearing none. Moving on to v, reducing
22 period for restoration of an expired license from three
23 to two years. That is on 13.

24 MS. ROSACHI: That's also a good thing
25 because what it does is, if for some reason you lose

1 your license, you don't have to wait three years to get
2 it restored. You only have to wait two.

3 So, so far all changes they've been proposing
4 have been to our advantage because they're giving us
5 better options.

6 MS. ERICKSON: Any further comment? Okay.

7 Vi, stipulating education requirements for a
8 Provisional "B" license.

9 MS. ROSACHI: Can you maybe explain what a
10 Provisional "B" license is?

11 MS. ERICKSON: Karen, what page are we on?

12 MS. OPPENLANDER: We're on page 14, 641B.112.
13 Sometimes I think that somebody else ought to be here
14 to discuss provisional licenses because when I'm in the
15 office and somebody calls up about them, there's so few
16 of them being utilized because they have tricky -- you
17 know, to use a provisional license, somebody will see
18 it there, and they think they ought to be getting one
19 or something.

20 They're really for specific circumstances,
21 and I think, once again, if I remember correctly, there
22 were only seven last year. So they don't come up very
23 often. Although, we get calls about them pretty
24 frequently.

25 In my 17 months as Executive Director, I

1 haven't been responsible for answering the nitty-gritty
2 questions on provisional licenses, but Caroline and
3 Lonnie or Sandy in the office can answer these to Nth
4 degree. And, if after today you want to understand a
5 provisional license better, please write me a note by
6 email, and I'll give you my business card right now,
7 and I'll be happy to answer that question
8 authoritatively as opposed to making up an answer right
9 now.

10 So I apologize, but I -- in the office, I
11 turned to somebody that knows the answer rather than
12 trying to make stuff up with anybody. I'm always
13 going, "Hold on a minute, let me hand you off to
14 Caroline," or whatever. Because I don't want people to
15 have me confuse them. I am really afraid that if I say
16 much more, it will be more confusing than helpful.

17 They're just rarely used, and, for the most
18 part, we try to talk people out of using the
19 provisional options because they -- you can shoot
20 yourself in the foot on some of these. So they can be
21 a problem for you. And so we're always trying to make
22 it easier for people. It's usually easier to just get
23 a license the regular way.

24 That's about all I know about it. And I'm
25 trying to find my business card so I can give them to

1 anybody who might want to ask me -- send me an email
2 and ask me a question later, and I'm really happy to
3 answer those. And I'll get those, whatever you have to
4 say, in the public comment appropriately also.

5 MS. ERICKSON: Provisional licenses "A" and
6 "B" are both licenses that are temporary in nature and
7 we essentially indicated that it would be more
8 reciprocated across state lines.

9 And also, as Karen indicated, down on page 14
10 in 4.(b), there's a typo that provisional licensing
11 period of nine months was moved to 90 days expires, and
12 that's until exam -- taking the exam. It's a temporary
13 license until you can secure your full exam.

14 Further comments about provisional?

15 MS. PETERSON: So when it says you have to be
16 30 units into the master's degree program -- I'm in the
17 concentrate year, and so would mean I really wouldn't
18 be able to qualify for that because I'm only -- that
19 would be the last semester of my college degree, in
20 which I would probably already be applying for a
21 regular license?

22 Okay. Thank you.

23 MS. OPPENLANDER: Somehow 30 business cards
24 that I've brought in here have --

25 So if you see a rubber band with 30 business

1 cards around.

2 MS. ERICKSON: So we covered vi and vii,
3 unless there's further comment or question about
4 provisional? Which, again, we don't have --

5 MS. CORTEZ: Yes. The same question. So
6 that means you have to complete your master's degree
7 within three years that you graduated to obtain your
8 bachelor's degree? Or am I confusing that?

9 MS. FITZGERALD: May I? On page 14, if you
10 look at item 6, it gives you a pretty decent
11 explanation of what a provisional license holder would
12 do. And that it's just getting them provisional, or
13 short-term license to engage in social work, under the
14 supervision of a licensed social worker, points (a) and
15 points (b) there.

16 So it's kind of like you're allowed to start
17 being -- working as a social worker prior to actually
18 having your degree. Short term. Provisional. And
19 I -- forgive me if I'm out of line explaining that, but
20 that seems to answer it to me.

21 MS. CORTEZ: Thank you.

22 MS. ERICKSON: Moving to viii, increasing
23 fees for applications, initial licensure, endorsement,
24 and renewals.

25 MS. VAN PATTEN: I have a question. I was

1 just curious as to why the increase, and how you guys
2 came up with that proposed number as opposed to, you
3 know, because it was such a wide range that it could
4 have been.

5 MS. ERICKSON: Do you want to discuss?

6 MS. OPPENLANDER: There are three people in
7 the room that walked through that process I'm going to
8 describe to you during the legislative session: Our
9 president, Vikki Erickson; our Capital Partner in every
10 way, Miranda Hoover; and myself. So we have been
11 walking this walk since January 1st.

12 So if I ever jump to some conclusion that
13 you're not going to with me, know that I got here in a
14 really long, hard way. Because before January started,
15 I had been on the job since April 2nd the prior year.
16 I'm a cynical and skeptical person, as people who have
17 known me for a long time would tell you.

18 When I started at the Board of Examiners for
19 Social Workers, when somebody told me we needed fee
20 increases, I said, "really?" It wasn't my first bite.
21 But for the longest process, we clawed back through our
22 work. And it turns out that the Board of Examiners for
23 Social Workers, about 20 years ago, we started running
24 behind. Not with the public part, but with the --
25 well, it is the public part, but not with the

1 outward-facing part, but the inward-facing part.

2 So when it came time to get licenses out the
3 door, getting CEUs approved, doing a number of things,
4 we could keep things moving along. But on the back
5 end, we have a very large backlog of disciplinary cases
6 in our compliance unit. We have a backlog to 2009.
7 And we don't have investigative staff, and we don't
8 have enough attorney fees to pay for the cases.

9 So somebody will make a complaint against a
10 social worker, and we're a regulatory Board. We need
11 to deal with those complaints, and we don't have enough
12 whatever to get that done.

13 The backlog started when the first executive
14 director left. She handed the backlog off to --
15 essentially, I'll just say there's basically been
16 three. There's been a few fits and starts in between,
17 but basically there's been three, except for folks like
18 me that have been through all of that. The first gal,
19 Rose, had to hand off the backlog. Not because she
20 wanted to, but because she couldn't get it all done.
21 She gave it off to Kim, who wanted to get it all done
22 but didn't have enough hours in the day and handed it
23 off to me.

24 So I went back to see -- we never, on a sweet
25 spot, were collecting enough fees to pay for what we

1 needed to get our work done. So let's just set that
2 aside. So that's not a big enough problem.

3 The next thing that came along in 2015 is
4 that we received -- have you ever heard of unfunded
5 mandates?

6 UNIDENTIFIED SPEAKER: Um-hum.

7 MS. OPPENLANDER: I know you have. It's been
8 your work for decades -- right? -- dealing with
9 unfunded mandates.

10 So this Board, as many Boards in
11 commission -- of the Boards in commission, in general,
12 there's about 300 in the State of Nevada -- or a couple
13 of hundred, whatever there is -- about a third of
14 Nevadans are licensees. But our Board didn't charge
15 enough in fees. This is going way back.

16 So when the unfunded mandates came down
17 saying that we had to have reserves in the bank in case
18 there was an emergency or whatever, we're supposed to
19 -- depending on who's telling us -- we're supposed to
20 have five to six months of reserves, if you're
21 listening to the legislative branch of government, or
22 eight to 12 months of reserves if you're listening to
23 the executive branch of government. You know, I might
24 have that wrong depending on who's speaking, but we've
25 heard various things.

1 We have zero dollars in reserves. We have
2 been on a razor's edge of bankruptcy this year.
3 Insolvency. So I'm just trying to be clear. This is
4 not a big secret. This has been in public meetings.
5 It's part of minutes. It's part of Board minutes.
6 It's part of minutes in front of the legislators, et
7 cetera. This is not like quiet talk down the road
8 here.

9 We also have to have things like Windows
10 compatible computers. I'll just make that up. That's
11 kind of an easier one to solve; right? But we don't
12 have money for that, and the State of Nevada expects
13 that.

14 MS. ROSACHI: I was going to say, maybe I can
15 help you. What probably most of you don't know is that
16 the Board itself has to be self-funded. In other
17 words, most state agencies have the opportunity to go
18 to legislature, and when they're running short, ask for
19 some general funds or some other funds to cover their
20 expenses.

21 But licensing Boards do not have that
22 opportunity. So they have to -- they get all their
23 funds from the licensees themselves. So they have to
24 look at their own organization to figure out how they
25 can go ahead and fund the necessary expenses that she's

1 talking about. And so she's at the point now where
2 she's got to come to us and ask us for some help.
3 That's what she's attempting to describe right now.

4 MS. OPPENLANDER: So what are some other
5 unfunded mandates that we're looking at right now?

6 MS. HOOVER: One thing that we all know is we
7 just got online renewals. That was part of the
8 discussion from the legislature last summer. Have any
9 of you ever testified at the legislature? Awesome.
10 Thank you. That's a huge part.

11 So in between our legislature, which you are
12 only 120 days every other year, they have committees
13 that happen during what's called the interim year
14 period. Last summer, during the interim period, the
15 committee met and the Board of Social Work was a huge,
16 hot topic. And, as Karen described, we are required to
17 have a cash accrual system, which is essentially a
18 checking account and savings account. Right now, we do
19 not have a savings account as Karen described.

20 Two, as a licensing Board, we have to get
21 online renewals, which if any of you renewed in the
22 last few months, you'll know that we have online
23 renewals. Yay. And, hopefully, if so, you've taken
24 our online renewal survey. If you haven't, please take
25 that.

1 We have everything from cash accruals,
2 getting online, and really trying to work on our
3 licensing numbers overall. And we have a very short
4 window to get this done. They gave us until 2023 to
5 get this done.

6 And with, as Karen described, our backlog of
7 cases right now, we're trying to figure out an increase
8 in staff, potentially, and we're just trying to figure
9 out how to continue online licensing; how to ensure the
10 website stays maintained, stays posted. It all costs
11 money.

12 So I know that, looking at these numbers,
13 it's very scary, and I know looking at fee ceiling
14 versus what is proposed -- our number one goal, and
15 what I told Karen and Vikki when I first started was
16 let's go high on the fee ceiling so that I don't have
17 to come back next legislative session and explain to
18 legislators why we need another fee increase.

19 I would rather go a little bit higher than
20 what everyone's comfortable with during this
21 administrative process that you all are here to take
22 part in today. We will decide on a good number for
23 today.

24 This Board is not looking to increase your
25 fees every six months. We're hoping that this increase

1 is going to be the fix we need to get us to the next
2 legislative session, and when the legislators call us,
3 call me, call Karen, call Vikki, and they say what
4 progress have you made over the last two years, we can
5 show them not only on paper the facts and the data, but
6 we can also show them our bank account and say, hey, we
7 do have some money in reserves.

8 So I hope that helps.

9 MS. OPPENLANDER: So I'm still answering this
10 question, and I'll -- if you're asking me questions,
11 I'll --

12 MS. BARTELL: No. It was about what she
13 said.

14 MS. OPPENLANDER: Then why don't you --
15 (Inaudible commentary amongst
16 participants.)

17 MS. OPPENLANDER: Crosstalk right now.

18 MS. BARTELL: So this fight for getting
19 funded, is there anything to do with raising the pay
20 for the workers also? Does that correlate at all?

21 MS. OPPENLANDER: It's --

22 MS. BARTELL: Rasing the license without
23 trying to raise the pay to pay for the license.

24 MS. OPPENLANDER: So I'm going to parking-lot
25 that. So pretend that I brought a -- which I forgot to

1 do. I was so good at this at our last meeting, that
2 easel right here, and it's got a flow chart on it.

3 MS. BARTELL: Um-hum.

4 MS. OPPENLANDER: And I'm going to
5 parking-lot that discussion because it's a side
6 discussion. And I want to get back to answering your
7 question before we come to you, Mike.

8 So the -- so how did we come about with
9 things? So I tried to lay some background so this
10 starts to make sense. So what you're cross-walking for
11 me right now, if you will, is on page 15. This is what
12 got written into legislation by the legislators. This
13 is a proposed -- I'm sorry.

14 This discusses what the legislature does.
15 This discusses what the legislature does. This
16 discusses what's happened historically. And here's the
17 proposals.

18 So this blue column is lining up with the NAC
19 changes. This light blue column should be matching
20 page 15. But let me explain how you're getting to the
21 light blue column, which is your specific question.
22 I'm not forgetting that.

23 So fee ceilings were instituted by the
24 legislation in 1987, in 1993, and 1995. We have not
25 had a fee ceiling increase since 1995. What we did in

1 the last session was as for fee ceiling increases. So
2 we jumped up a big number in here with no intent to
3 move to this big number anytime soon.

4 This was -- this created a lot of fear out
5 there that the Board would jump to the big number if we
6 got this embedded here. This is just this Board's
7 intent not to have to go back to the legislation --
8 legislators again and ask for a fee ceiling increase.

9 Before you can ever ask for an increase, you
10 have to have room within your ceiling to work with.
11 Historically, in 1987, in each of these categories,
12 these were where we were at. And so these were when
13 they got jumped up.

14 So in '87 we took a fee increase; '93 we took
15 a fee increase; '99 we took a lot of fee increases.
16 You can see they're incremental. There's never any
17 big, huge jump in any particular year. In 2003, there
18 were some increases, in the 2015, and then we hit our
19 caps. And then we couldn't keep working. We couldn't
20 make ends meet. We were on -- into insolvency, which
21 led us to asking for these big numbers here.

22 But your question more specifically is why in
23 the heck did we choose this set of numbers. And that's
24 the interesting discussion. So we've been receiving
25 feedback since January. And I have it all captured. I

1 capture every piece of feedback from anybody, any way.
2 Any type of media that you want to contact the Board,
3 we capture all of it and we feed it back to the Board.
4 So in -- on July 30th, 31st, the Board listened to the
5 summary of all the feedback.

6 This particular recommendation is the most
7 interesting to me about how it came about, so I love
8 telling this story. When we were looking at how can we
9 make ends meet on the budget, and, of course, we tried
10 to look at a 10 percent budget increase, but that
11 doesn't help us.

12 If we asked for a 50 percent increase over
13 what we're charged right now, I could hit our
14 legislative mandates next year. But I am a kind of a
15 gutsy person, and I'm okay with going back to
16 legislators and saying we're not going to hit your
17 legislative mandates until 2023. I know you wanted
18 them in 2015 and you wanted them again in 2017 and you
19 wanted them again 2018, during the sunset committee
20 last hour, and you wanted them during when we were in
21 session in 2019. But given our budget projections,
22 we're going to tell you we'll hit your unfunded
23 mandates that you tell us we must do by 2023, if we do
24 a 25 percent increase.

25 I didn't come up with this number by myself.

1 A student group at the University of Nevada, Reno,
2 undergraduate students, bachelor students who are just
3 getting ready to graduate -- are any of you in that
4 policy class that came up with this 25 percent number
5 by chance?

6 This group of policy students, who are
7 members of FUSED as well as some other policy groups at
8 UNR, studied our minutes, studied our situation, so
9 forth and so on, and worked with Senator Woodhouse and
10 talked to her at length and said, we think a 25 percent
11 increase is palatable.

12 I went back and plucked in the numbers into
13 our budget and projected numbers, like when can we get
14 our backlog reduced if we had attorney fees and
15 investigators to actually investigate our cases; when
16 could we get our applications online; when could we get
17 our disciplinary compliance unit stuff online. So
18 there's a whole bunch of stuff we're supposed to be
19 doing. If we got all that done at 25 percent increase,
20 it would hit 2023.

21 So I went, I'll stand that up in front of the
22 legislator that wants to take me down. Because I
23 thought it was a good understanding of what all the
24 summary statements had been coming into our office and
25 all the fear and all the different positions that

1 people took.

2 What was really interesting to me about the
3 25 percent as opposed to the \$25 increase per category,
4 which was also looked at, was a \$25 increase per
5 category was disproportionate to the newly graduated.
6 So an application that would be increased from \$40 by
7 \$25 would be \$65. A \$40 application for somebody newly
8 graduated at a 25 percent increase brings it to \$50.
9 So it was a lower hit on a new graduate. So that was
10 why it was 25 percent instead of \$25.

11 Let's take that to the most highest-paid
12 social workers, the LCSWs. If they get a \$25 increase
13 to 150, it's 175. If they get a 25 percent increase,
14 it's 187.50.

15 So the group on July 30th and 31st, after
16 much discussion, decided that it was proportionately
17 more fair to hit the highest-paid social workers with
18 the 25 percent increase, the 187.50.

19 And I'll tell you, I couldn't have made these
20 numbers up if I tried. What was so fascinated is it
21 came straight out of this group of students who
22 testified in the legislature several times, who banded
23 together as a group, a forcefield, if you will, who
24 came in public situations, and not only spent publicly
25 in big groups, if you saw them there, but also tackled

1 me independently; Vikki independently; Miranda
2 independently; senators independently; so forth and so
3 on. And they came up with 25 percent. They thought it
4 was a palatable fix because they understood the Board's
5 position. And they went through the trouble to
6 actually go back to the Board minutes and understand
7 what the Board was suggesting with trying to stay
8 viable.

9 That's the A to Z answer.

10 MS. BARTELL: Thank you.

11 MS. OPPENLANDER: You're welcome.

12 So before I get to do my -- and I'm so sorry,
13 I forgot your name.

14 MS. BARTELL: Donna Bartell.

15 MS. OPPENLANDER: So, Ms. Bartell, you were
16 wondering about raising --

17 MS. BARTELL: The income. I mean, because
18 the Board is for the -- it's a state Board; right?
19 It's State of Nevada jobs. Everybody wouldn't know
20 this. I was looking at your letterhead.

21 So this is not a state employment site that
22 I -- state employees at all? That's why I thought they
23 were. I thought it was people that worked for state
24 employees.

25 MS. ERICKSON: It's a regulatory Board

1 that --

2 MS. BARTELL: So if you -- you couldn't have
3 a position at this agency on the Board of Examiners as
4 a state employee?

5 MS. ERICKSON: Well it's -- the folks that
6 work at the Board are state employees of the Board, but
7 the Board's role is regulation of the licensure.

8 MS. BARTELL: Everybody's elected on that
9 Board?

10 MS. ERICKSON: Not elected. Their appointed
11 by Boards and commissions of the governor's office.
12 And then there's staff that work at the Board, that do
13 the daily tasks of the Board.

14 MS. BARTELL: And the support of the social
15 workers that are licensed.

16 MS. ERICKSON: Well, it's a -- the Social
17 Work Board regulates licensure. So complaints would
18 come in, hypothetically, or people apply for licensure
19 or questions about maintaining licensure or
20 transitioning licensure from another state would come
21 in. So they regulate that. Kind of like the DMV would
22 regulate a driver's license. We regulate the social
23 work license.

24 UNIDENTIFIED SPEAKER: So it is self-funded.

25 MS. ERICKSON: Self-funded.

1 UNIDENTIFIED SPEAKER: By the fees.

2 MS. ERICKSON: By the fees.

3 MS. OPPENLANDER: Just in order -- because
4 he's behind you. I don't want to tell you what to do,
5 Vikki, but Mike had his hand up for a question next.
6 Mike McMann.

7 MR. McMAHON: It's all right. Finish up with
8 the conversation. I can come back.

9 MS. ERICKSON: Does that answer the question?

10 MS. BARTELL: Oh, no, I just thought since
11 they're fighting to raise our fees, they were going to
12 fight to raise our pay. But that's probably --

13 MS. ROSACHI: That'd be like an NASW.

14 MS. BARTELL: NASW. Yeah.

15 MS. ROSACHI: Different group.

16 MS. ERICKSON: Although, many of us are
17 social workers on the Board.

18 MS. BARTELL: Right. Yeah. And were a --
19 those on the Board are fighting to raise the fees.
20 Because it's unfunded, you have to fund your own -- and
21 a lot of people -- there are more violations -- did
22 they find there is more violations versus people
23 following the code of ethics? Have they done a type of
24 study on that?

25 MS. OPPENLANDER: Um-hum.

1 MS. BARTELL: Because if you followed the
2 code of ethics, you'd have less violations. I was just
3 wondering what kind of studies that the Board was
4 doing. That way you wouldn't have to have as much
5 fees, as much -- another position to, you know, pay for
6 another position to get investigations done.

7 MS. OPPENLANDER: So in a 10-year period
8 ending in 2018, the calendar year 2018, I've been -- I
9 hope I quote this correctly -- there were 224 cases
10 brought to the Board of complaints asking for sanctions
11 against licensees. And of those 224 complaints, 20 of
12 them were brought to conclusion with sanctions against
13 licensees. The remaining 204 cases were either
14 dismissed or discharged.

15 So a complaint, in and of itself, we have to
16 follow through on. But not all complaints are verified
17 or warranted for investigation, and so they're not
18 necessarily something we would follow through on.

19 MS. BARTELL: Um-hum.

20 MS. OPPENLANDER: If a complaint is verified
21 and worthy of continuing with an investigation, in
22 order words, somebody is violating either the Nevada
23 revised statute, which we're not -- we don't have a
24 copy of in front of us today -- but they're violating
25 NRS 641B or they're violating NAC641B, then the Board

1 will conduct an investigation to try to find out an
2 abundance of evidence.

3 So this isn't like a crime case on NCIS where
4 it's a crime beyond a shadow of a doubt. We're not in
5 criminal law here, generally speaking. We're,
6 generally speaking, in administrative law.
7 Administrative law is an abundance of evidence, and
8 that's 50 percent of evidence plus the other. We have
9 to have that much evidence before we can do a sanction
10 against a social worker.

11 So it's a process, and I think that gives you
12 a sense, of all the many cases we might receive, how
13 many actually are brought to conclusion.

14 MS. BARTELL: Um-hum.

15 MS. OPPENLANDER: Twenty cases over a 10-year
16 period when you have over -- during that year, we had
17 3,000 social workers in -- or in 2018, we had 3,000
18 social workers -- is not a heck of a lot of people that
19 actually have sanctions against them.

20 MS. BARTELL: Um-hum.

21 MS. OPPENLANDER: However, the public expects
22 that if somebody's not following NRS 641B or NAC 641B,
23 that we will follow through on a complaint to find out
24 what's up there and get it remedied.

25 Some other remedies are more education to the

1 person. Some remedies are more extreme and they lose
2 their license. So there's a whole range of sanctions
3 that take place, and there's a whole other discussion
4 that takes place in NACs in part in the fifth section,
5 and in the NRS, the Nevada revised statute.

6 MS. BARTELL: Um-hum.

7 MS. OPPENLANDER: Did that answer your
8 question?

9 MS. BARTELL: Oh, yeah. Um-hum.

10 MS. DeHART: I was just kind of Googling
11 here. For the record, I think that it's important to
12 keep the Board intact with the money that it needs in
13 order to continue with our profession in the community,
14 and I know there was a push to try to put us all under
15 one Board, LADCs and psychologists.

16 I was just looking at their fees, and the
17 LADCs are 495, and then the psychologists are 965, so I
18 don't really feel this is out of line at all. I feel
19 like you guys probably definitely need that money.
20 That's just my -- looking at the other Boards, that
21 money doesn't seem to be out of line to them.

22 MS. BOSLER: I totally agree a hundred
23 percent. I would like to stay independent, and I don't
24 think it's out of line at all.

25 MS. ERICKSON: I really like that. I was

1 Googling, for the record.

2 (Laughter.)

3 MR. McMANN: First of all, I'd like to thank
4 you for the background as far as the thought process
5 behind the rate increases and also your continuation in
6 terms of looking ahead for the rates. That's good
7 information to have moving forward. It is very
8 logical. So your logic is not flawed as far as being
9 able to move forward and being able to cover the
10 operational costs.

11 Rota and I are probably the only two in the
12 room who have a background -- that can remember back
13 when a person by the name of Dr. Jane Lamb stepped
14 forward to the Nevada legislature with a bill draft to
15 create the Board of Examiners for Social Workers.

16 At that time, economically, things were very
17 lean in the state. And one of the concessions that was
18 made in order to get the Board created was to make the
19 Board independent and self-sufficient.

20 The legislature nor any of the people who
21 were involved in the actual creation of the Board of
22 Examiners had any understanding in terms of what the
23 cost for operation would actually be. It was figured
24 that using an adjustment for rates for fees would be
25 able to accommodate that similar in the way it does in

1 other professions.

2 The problem is, today -- the problem is, is
3 that social workers are a finite group of people. We
4 also are in a different economic level than other
5 licensed professionals. We don't have the ability to
6 generate the revenue those types of professionals
7 would -- those other public Boards that can afford
8 those fees to be self-sufficient.

9 It seems to be that right now in the State of
10 Nevada, the state is struggling with being able to try
11 and fill the need for licensed social workers within
12 state, and it's having a hard time doing that. We've
13 gone to an exercise a couple of years ago where we're
14 trying to soften reciprocity issues for licensing and
15 that type of thing, but it still doesn't fill the need
16 we have within the state and the growing need we have
17 for social workers.

18 So I don't think we've ever really had an
19 opportunity to compare the finances of operating this
20 organization with meeting the needs and expanding the
21 capacity for additional social workers within the
22 state.

23 So it seems to me -- and I'll circle back
24 with you, ma'am -- that we need to have a real hard
25 look at where we're at, and this obviously is one

1 stopgap measure to be able to address the financial
2 needs to be able to keep ourselves solvent. But, at
3 the same time, I also think we need to look beyond
4 that.

5 It seems to me that Senator Woodhouse would
6 be a supporter for social workers. It seems to me that
7 Theresa would be a good supporter for social workers
8 and would be willing to help sponsor or craft a bill
9 that would give, possibly, a one-time allocation to the
10 Board of Examiners, possibly a multi-year for included
11 a certain dollar amount with dollar amount within a
12 budget that would be considered a contribution.
13 Because, in my mind, if the State of Nevada truly does
14 value the work of social workers, they can damn well
15 stand behind it.

16 Thank you.

17 MS. ROSACHI: Left us speechless.

18 MS. DeHART: And possibly if this comes to
19 where, you know, there's some negotiation on it, and
20 rather than, you know, taking a lower fee of 125, we
21 could keep it at 175, and then maybe have a program
22 where people could apply for a hardship or a
23 scholarship, and that way you're only going to take
24 that individual once that, you know, would need the
25 assistance instead of lowering the fee for everybody,

1 you know? That way we keep the revenue higher that
2 way, if you have a negotiating chip maybe.

3 Just an idea.

4 MS. BOSLER: I don't think that people who
5 are licensed in this state understand that the Board is
6 self-supporting. And I would appreciate it if, you
7 know, we can send something with the license renewal
8 just to explain that.

9 I'm licensed in California as well, and I
10 pay -- think I pay \$120 every two years. But the Board
11 is completely supported. So it's -- it's what it is.
12 It is what it is.

13 So maybe some education around the fee
14 structures and the needs would be really important.

15 MS. PETERSON: I have some additional
16 comments on that. I received my undergraduate degree
17 in social work from Arizona State University, and since
18 then I moved here. I am not licensed yet, but I need
19 to develop my understudy concentrate program. So I'm
20 not totally aware if this already existed or not. I
21 know that somebody already came and presented to our
22 social work students at the beginning of the year and
23 kind of gave a brief overview of the Board.

24 Something that might be helpful is creating a
25 video that could be shared on your website and shared

1 in schools of social work that's easily accessible and
2 explains this, so you don't have to explain this time
3 and time again through phone calls and other things
4 like that. That would give people a really solid
5 understanding of what the Board is. Because, as a
6 young person, not having an idea of any of that, it's
7 very easy to see this and be very critical. My opinion
8 has definitely changed in this conversation and hearing
9 you remind that.

10 MS. ERICKSON: Any further comments,
11 conversations? Okay.

12 Number ix, disallowing payments by cash.

13 Karen discussed that as well, about our
14 online process now accepting debit or credit card. So
15 that's a change so cash isn't floating around the
16 office. And what page is this on?

17 MS. OPPENLANDER: Page 16, at the top.

18 MS. ERICKSON: Okay. So 16, item 1.

19 MS. OPPENLANDER: It starts at the very
20 bottom of 15, and then it goes to 16.

21 MS. ERICKSON: Oh, okay. Any comments about
22 that? Let's save up all your pennies and bring all
23 your pennies all in a penny jar.

24 MS. PETERSON: I have not looked at our
25 website, but is it clearly stated about credit card

1 fees on the website as well? Or do you charge credit
2 card fees, or does the Board eat that cost?

3 MS. OPPENLANDER: The fee structure itself is
4 eating the cost of the credit card fees.

5 MS. PETERSON: Okay.

6 MS. OPPENLANDER: So it's costing money to
7 process the credit cards.

8 MS. PETERSON: Um-hum.

9 MS. OPPENLANDER: And it, you know, when I
10 get the statements that say that Discover costs this
11 much or American Express costs that much or whatever,
12 whatever, whatever. They are changing rapidly. Not
13 always upwards. They're just the little .00 whatever,
14 you know, that little number is changing all the time,
15 so it's not like -- I could never keep up with it on
16 the website. I can't even keep up with in it the mail.
17 It's like, really, okay, fine. So we're trying to sort
18 that all the time.

19 So, yes, it does cost. It goes against fees.

20 MS. PETERSON: Okay.

21 MS. OPPENLANDER: It's not in addition to the
22 fees.

23 MS. PETERSON: Um-hum.

24 MS. OPPENLANDER: So, I guess, in a way,
25 using credit cards costs money.

1 MS. PETERSON: Um-hum.

2 MS. OPPENLANDER: On the other hand, when we
3 were processing cash, it costs money. You know, people
4 were having to enter something and deal with the cash
5 and make a bank deposit and go to the bank or other
6 more modern merking methods of running the cash through
7 the machine really fast. But then you have to deal
8 with the machine. It's a whole story. So any way
9 you're going to process money costs money to do it.

10 MS. PETERSON: Um-hum.

11 MS. OPPENLANDER: But we're not charging fees
12 over and above the fee.

13 MS. PETERSON: Thank you.

14 MS. ERICKSON: Any more comments about that?
15 Questions? Okay.

16 So it looks like we're on post-graduate
17 internships, x, removing "substantially equivalent"
18 language on hours being counted from an internship in
19 another state.

20 Where are we at on that one?

21 MS. OPPENLANDER: Eighteen. Page 18,
22 641B.150. So might be one of them, yeah. Nevermind.

23 MS. ERICKSON: So it looks like this -- it
24 makes it easier to -- in reciprocity for licensure?

25 MS. OPPENLANDER: (Indicated affirmatively.)

1 MS. ERICKSON: It seems to be a trend
2 throughout the country according to the ASWB. Makes it
3 easier to make the move to another state without
4 worrying about having to take additional internship
5 hours, being respectful of the other licensing Boards
6 in the other states, and the work that they've done in
7 licensing.

8 Any comments about that one? Okay.

9 So going on to xi, increasing number of
10 interns a supervisor can have to 3 to 4.

11 MS. OPPENLANDER: That's on page 21.

12 MS. ERICKSON: We're just trying to stress
13 out the internship supervisor a little bit more. This
14 is also in an effort to make it a little easier for an
15 intern to find an internship supervisor, since there
16 was that cap.

17 MS. ROSACHI: Actually, it's also because
18 there's a lack of so many supervisors. And so if any
19 of you are in the position to supervise, they are
20 looking for people that would be willing to take on
21 students to keep the internships too.

22 MS. BOSLER: I got trained as a supervisor.
23 Corrine got trained as a supervisor. But the minutia
24 around it, both of us decided not to. It's too
25 complex. It's too convoluted.

1 MS. ROSACHI: From the social work --
2 internship side or the --

3 MS. BOSLER: From the supervisor side.

4 MS. ROSACHI: From the internship side.

5 MS. BOSLER: Yeah. Yeah. I mean, those of
6 us who supervised over the years, this seemed to be
7 over the top, you know? So if that could be
8 streamlined in some way or --

9 MS. ROSACHI: It's a different opportunity,
10 but Karen and I sit on an advisory Board that we might
11 be able to bring this discussion up.

12 MS. BOSLER: Yeah. That would be fantastic.

13 UNIDENTIFIED SPEAKER: Even if they made it a
14 little bit less. Every six months instead of --

15 MS. ROSACHI: We still need to look at the
16 criteria.

17 MS. BOSLER: If even the training was just
18 free. Because it was just -- I didn't get it and I've
19 been a 30-year social worker. And I thought, I don't
20 know what you're talking about. And when I went
21 through the documents, I thought, yeah, there's a
22 liability here that I'm not willing to take on, so --

23 Honestly, that's my honest opinion.

24 MS. ERICKSON: Further comments about that?

25 Xii, reducing the frequency of post-graduate

1 internship progress reports from quarterly to every six
2 months. So that will make the minutia a little bit
3 easier, I think. Hopefully. That was the goal in
4 that.

5 MS. BOSLER: Oh, yeah. I think that's
6 probably true.

7 MS. ERICKSON: And I think on both sides too.
8 It decreases the work for the Board to review those.

9 MS. DeHART: A comment. You know, with the
10 push to de-professionalize us in the state agencies and
11 not let -- you know, you don't have to be a social
12 worker anymore, so those locations used to have more
13 internships. So you've lost a lot of places where you
14 can have them, you know, too.

15 MS. BOSLER: A comment on that. I think
16 that's a crisis. And I think that's a pity and a
17 shame. Historically, institutions would step up, and
18 there was a lot of opportunity for students to get
19 their hours. And now, it's -- I feel like it's sort of
20 abusive to the students who are working for low pay or
21 begging for time or whatever. It's just not right.

22 MS. TAYLOR: Just reporting that, I think so
23 much of this is pretty straightforward, and, really,
24 from a -- agencies that provide that to students, to
25 those of us who could supervise, so much of this could

1 be templates that are filled out, more clearly defined.
2 But it doesn't have to be reinventing the wheel for
3 each new person that steps in, or each agency that
4 agrees to take this on if it had been really well
5 formatted.

6 MS. ERICKSON: Okay. Further comments on
7 that?

8 MS. BOSLER: I'm totally against students
9 paying for their clinical time being supervised. I
10 think that's shocking.

11 MS. OPPENLANDER: I think one of the most
12 exciting conversations that I've listened to in a long
13 time was the Board retreat on June 30th -- sorry, July
14 30th and 31st -- and the Board retreat had 70 people
15 from the community there. And, if you think of this a
16 little differently about what was going on in this
17 conversation, there was a lot of creativity being
18 expressed among Board members, among people who are
19 supervising clinical social work interns, among people
20 who were from the University of Nevada in Las Vegas, as
21 well as the University of Nevada, et cetera. There's
22 just a lot of conversation about this, and it got
23 delved into for probably an hour and a half about how
24 to change it.

25 How we could, collegially, start to get on

1 better with the Board and the universities and the
2 associations and the -- whoever wants to have a
3 discussion with us to change this. And so there was a
4 lot of proclamations made.

5 For example, there's a Board member who said,
6 I refuse to supervise anybody unless it's written into
7 the contract that the agency that they're working for
8 is paying me. I will not charge a student for my time.
9 And I learned it that way. And I'm paying it forward
10 that way.

11 So she spoke up about this at length. And
12 then somebody else said, I, too, pay it forward, and I
13 refuse to supervise a student who's having to pay me
14 for their hours. If it's not the agency that's paying,
15 then I have nothing to do with it.

16 So there was a lot of proclamation going on.
17 It was a real interesting conversation going on about
18 how to change this whole mindset, and why it needs to
19 be changed.

20 There's a lot of understanding, a lot of
21 agreement with your statement, and I just wanted to put
22 it out there that I thought it was a very
23 well-considered conversation during the Board retreat,
24 because there's a great deal of concern that the
25 clinical social worker intern particularly is

1 suffering -- still suffering from debt for their
2 student loans, in a low-paying profession, typically a
3 woman, sometimes a woman of color, so forth and so on.

4 So if you take our profession against
5 nursing, against teachers, we're the lowest-paid
6 profession. And you start taking out all of the other
7 categories in there, you're the lowest paid of the
8 lowest paid. And then you're going to pay your
9 supervisor on top of it? Really?

10 Now, on the other hand, I hear that the
11 supervisor has a lot of risk involved. This is under
12 their licensure. This clinical social work internship
13 hours, that's under the supervisor's licensure. You're
14 not licensed yet, they are. So, you know, it's like
15 they're putting a lot of risk out there. So they
16 deserve to be paid, but who should be doing the paying?

17 And so very, very good conversation. Very
18 robust and very future-thinking about how to change the
19 world we're in and the worldview.

20 So just letting you know that I got to listen
21 to that, and I'm grateful. I see change afoot.

22 MS. ERICKSON: All right. So moving
23 continuing education, specifying that a retired
24 licensee must still complete suicide prevention CEUs
25 for renewal of a license.

1 So, Karen, you mentioned that that was in
2 statute?

3 MS. OPPENLANDER: Um-hum.

4 MS. ROSACHI: I think it is time limited. I
5 think there is a sunset. I couldn't find it, so I
6 couldn't pull it up on my phone. You might want to
7 look at it and see if it is sunset. I want to say it
8 is 2024 or something like that.

9 MS. HOOVER: I believe it is 2026.

10 MS. ROSACHI: 2026.

11 MS. HOOVER: Yes. And it is in statute.

12 MS. BARTELL: I just have a question. How
13 did it come up with the age of 65? And also what is
14 the definition of "retired"? Getting a pension or
15 just -- you just say, I'm done. I'm retired from
16 working and then it has to correlate with the age that
17 you both be retired and 65?

18 MS. BOSLER: I have a license. I'm retired,
19 but I still work 10 hours contract. I'm not exactly
20 sure, but I think it's, like, it's, I'm going to say 70
21 and you park your license and then it sort of sits
22 there.

23 And I'm assuming that these suicide
24 prevention CEUs, you can park your license so you can
25 resurrect it if you need some time -- I'm assuming you

1 have to do your suicide prevention CEUs. Is that --
2 it's not active. You have an inactive license is the
3 idea; is that correct?

4 MS. ERICKSON: I guess that makes sense.

5 MS. BOSLER: And in California, it's 70.

6 MS. BARTELL: Wow.

7 MS. OPPENLANDER: We're referring to the
8 language that's under 641B.187, at the bottom of page
9 24. Most of this pre-dates me. I don't know about why
10 they picked 65 as opposed to 95 or whatever, but
11 somebody did.

12 What I do know about this is when I was 65,
13 if I had said I wanted to retire my social work
14 license, and I wasn't practicing at the time, I could
15 have done so and not had to go out and get 36 CEUs all
16 the time. I could have just bypassed all that and just
17 got the suicide prevention CEU. Just paid for those
18 and moved on.

19 The realty is, I came out of retirement. I
20 never had gotten rid of my license. I never had to do
21 any of that. And I've been getting 36 CEUs constantly
22 since 19 -- I don't know when we went to CEUs, but I've
23 been getting CEUs since I was first licensed. In '94,
24 when I got the higher level of licensure and had to get
25 the higher CEUs, so what's cool about CEUs now, is you

1 can get them online now. A hundred percent. Yay.

2 (Applause.)

3 MS. BOSLER: I was under the assumption that
4 if you parked your license or retired your license,
5 you're not going to be working, even if you get --

6 MS. OPPENLANDER: You're not practicing.

7 MS. BOSLER: Yeah. You're done.

8 MS. OPPENLANDER: Just sitting around the
9 office all the time with all the people that park their
10 license, and they'll pull it back out and regen it up
11 again. You know, if I parked mine, I came out of
12 retirement and kept going.

13 A lot of people don't retire, retire these
14 days. So, anyway, just saying. Don't just toss your
15 license, you know. Keep it in the background would be
16 my suggestion because somebody's got to go through the
17 application process all over again. Really?

18 MS. ERICKSON: Go through that internship.

19 Any other questions about this? Comments?
20 Okay.

21 So going to standards of practice. Item vix,
22 adding information regarding what is considered
23 unprofessional conduct.

24 MS. OPPENLANDER: And it's the blue language
25 on page 34.

1 MS. ERICKSON: Any conversation about that?

2 Okay.

3 All right. So, I guess, moving on to agenda
4 item 4, public comment.

5 MS. WALKER: I want to thank you for
6 everybody here because I've been -- I have PTSD from
7 previous experiences with the Board. So thank you.

8 I think you're doing real good because the
9 new information of what's going on and why it's being
10 done is very, very helpful, and I see an alignment that
11 feels very nice.

12 MS. OPPENLANDER: Thank you.

13 MS. ERICKSON: Thank you.

14 MS. HOOVER: I want to echo what she said.
15 It's so important to have public involvement and,
16 especially at the legislature, if we don't hear from
17 you, we get the impression you don't care. And so we
18 move forward with language that we might not be experts
19 in, but move forward because no one is coming to the
20 table.

21 And, as Karen explained earlier, we had so
22 much public comment and so much public involvement while
23 we were working on this fee bill during the legislative
24 session.

25 If there's anything that I can do for any of

1 you, if any of you have a legislative question, please
2 feel free to reach out, and I look forward to seeing
3 all of your beautiful faces at the legislature next
4 year when, hopefully, we can all work together.

5 And lastly, yes, we are a state agency, but
6 again, yes, we are self-funded. So we have to work
7 like a business model. You are the customers. If
8 you're unhappy, please reach out and talk with us about
9 it. We are here to support your profession, and we are
10 here to work with you.

11 So please never feel isolated or that we're
12 not taking into consideration your thoughts or your
13 feelings or what you're doing. Because we all know how
14 important each and every one of you is, not only to the
15 social work professional, but also to the state. So
16 thank you all for being here today.

17 I just want to make a quick plug that if any
18 of you would like to attend our Board meetings going
19 forward, you can receive CEUs. So just keep that in
20 the back of your mind.

21 (Inaudible commentary amongst
22 participants.)

23 MS. OPPENLANDER: Excuse me. Because we're
24 still on the record, there needs to be identifications
25 in this conversation. Sorry.

1 MS. NORMAND: My question is how do we know
2 when the Board meets if it's on the website?

3 MS. HOOVER: Yes, it is on the website. And
4 hopefully it's convenient for everyone. We meet up at
5 the university in one of the offices just north of
6 campus. And we would love to have all of you come.

7 MS. DeHART: I was just curious. I had an
8 incident where I was trying to find out, it was, like,
9 my duty to report -- what's it called? -- duty to
10 report harm, like, what somebody had told me. And I
11 went all through the statutes and I couldn't find
12 anything to protect us. There is for reporting child
13 neglect and elder abuse, but not for threat to do harm.

14 So the first guy told me all this information
15 and specifics about hurting people, and I felt like I
16 had a duty to tell the other professional, which was
17 about a mental health person, about it. And then he
18 said they were going to let the people know I told
19 them. And I said, you know, professionally and
20 confidentiality, you know.

21 So I don't know if we need to look into that
22 with the wake of these new red lighting laws about some
23 kind of a thing, kind of like CP has had where they
24 keep it confidential. That might be something we need
25 to look into. I don't really know. It's not a very

1 nice climate that we're in lately. I really, really
2 looked.

3 And, I think, Bertha, you looked and you
4 couldn't find anything to protect us, could we?

5 MR. McMANN: This has been a long, ongoing
6 issue for social workers. If you file a report with
7 local law enforcement on an abuse and neglect issue,
8 which we're required to do by law, you cannot get any
9 type of documentation or comments back from law
10 enforcement that would confirm that you actually made a
11 report. That has existed for forever.

12 I know agencies and services are in the
13 process of revamping a lot of their referral processes,
14 but, to date, there is no formal policy or procedure
15 that has been developed. There is nothing I've ever
16 seen in writing that protects social workers or, at
17 least, gives you a confirmation of the fact that you
18 filed a report.

19 MS. WALKER: In California there is a
20 Tarasoff law. I was told that in Nevada there is no
21 Tarasoff law. And I think that's what you are
22 referring to.

23 MS. BOSLER: Yeah. She is referring to
24 Tarasoff law, but how could you not have a Tarasoff law
25 here?

1 MS. TAYLOR: It is an NAC, and I don't know
2 the number, but there is -- it's not called Tarasoff,
3 but there is a statute.

4 (Inaudible commentary amongst
5 participants.)

6 MS. DeHART: The only thing I could find was
7 NRS 629550, the duty to warn. And it just covers,
8 pretty much, people in the Division of Public and
9 Behavioral Health, of Health and Human Services, and
10 it's mental health professionals. So it doesn't
11 necessarily cover social workers. It does say that
12 social workers who hold a master's degree in social
13 work.

14 But it's only to -- it only protects you if
15 you -- so you have to -- what it does is it requires
16 that you call the authorities if you're afraid somebody
17 is going to hurt somebody else. But it doesn't protect
18 the person that makes the call. Confidentiality part.

19 UNIDENTIFIED SPEAKER: No protection.

20 MS. DeHART: Yeah.

21 Is that the type of thing you do at the
22 Board?

23 MS. HOOVER: So what we would do is go back
24 through the NRS and change the law. So that is
25 something that we'll be looking into over the next year

1 as we gear up for the next session.

2 Also as well, your comments, I've been
3 writing down so that when the Board gets back together,
4 we can start looking at strategies and potential
5 changes for the next session.

6 MS. ERICKSON: Okay. So, I guess -- sorry.
7 I can't understand what you're saying to me.

8 MS. OPPENLANDER: Number five.

9 MS. ERICKSON: Oh, there's a number five.
10 Agenda item number 5. We are adjourning.

11 MS. OPPENLANDER: Thank you very much.

12 (Applause.)

13 (Workshop concluded at 2:22 p.m.)

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1 STATE OF NEVADA)
2 COUNTY OF WASHOE) ss.

3

4 I, BRANDI ANN VIANNEY SMITH, court reporter,
5 do hereby certify:

6 That I was present on September 11, 2019, at
7 the Board of Examiner's for Social Workers Public
8 Workshop at South Valley's Library, 15650 Wedge
9 Parkway, Reno, Nevada, and took stenotype notes of the
10 proceedings entitled herein, and thereafter transcribed
11 the same into typewriting as herein appears.

12 That the foregoing transcript is a full,
13 true, and correct transcription of my stenotype notes
14 of said proceedings.

15 DATED: At Gardnerville, Nevada, this 23rd
16 day of September, 2019.

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BRANDI ANN VIANNEY SMITH

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