



State of Nevada

Board of Examiners for Social Workers

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Summary of the Public's Response to Proposed Regulation Changes from September 11, 2019 and September 12, 2019 Public Workshops.

Both Public Workshops in Reno, Nevada on Wednesday, September 11, 2019 and Las Vegas, Nevada on Thursday, September 12, 2019, were attended by Board Staff and Board Members as well as licensees and public attendees.

In both Public Workshops, the Executive Director began the meetings by walking the attendees through a summary of the NAC changes being proposed going through 5 parts: Part 1 - General Provisions; Part 2 - Licensing and Supervision; Part 3 - Postgraduate Internships; Part 4 - Continuing Education and Part 5 - Standards of Practice.

After this overview, most of the proposed changes were readily accepted without further questions. When questions were answered, the responses were favorable to the changes being proposed.

The following are a summary of the **questions** that were asked and answered (**in BLUE**) or **comments made** (**in PURPLE italics**) about proposed NAC changes:

Changing Time Frames For When a Failed Exam May Be Taken

VW acknowledged and appreciated this new position or new direction. She has found as a clinical supervisor that the longer an intern has to wait after failing a test, the more anxiety builds and the likelihood of them avoiding it longer. So interns having the availability of retesting every 90 days will keep the momentum going for studying and increasing the likelihood of them passing the test the next time they take it.

Increasing Fees for Applications, Initial Licensing, Provisional Licenses, Endorsements, Renewals, and changes regarding Postgraduate Internships

How did the Board determine to increase fees?

The Board has been nearly insolvent and we were proclaimed bankrupt by several people that had been looking at our financials. We are a state agency and we are self-funded with licensing fees. We have to work like a business within our means as we don't have any access to general state funds. Looking back at our financials, we realized we were not making ends meet 20 years ago. At that point, this resulted in a backlog of disciplinary cases.

RR commented that what probably most of you don't know is that the Board itself has to be self-funded. In other words, most state agencies have the opportunity to go to legislature, and when they're running short, ask for some general funds or some other funds to cover their expenses. But licensing Boards do not have that opportunity. So they have to -- they get all their funds from the licensees themselves. So they have to look at their own organization to figure out how they can go ahead and fund the necessary expenses that the Director is talking about. And so she's at the point now where she's got to come to us and ask us for some help.

So, we looked over the budget to determine what it would take to reduce our backlogged compliance unit cases. We started figuring out how much money it would take to hire an investigator, how much money it would take to pay the attorney fees to settle the cases that we have backlogged complaints against social workers who may or may not be practicing appropriately according to 641B and so forth.

We also looked at how much it would take to do all those other things we must do that we refer to as unfunded mandates. For example, we are legislatively directed to have financial reserves and we have zero reserves in the bank today. In other words, we don't have any money set aside for an emergency, for planning for upcoming needs in the future. According to one branch of government, we're supposed to have five to six months of reserves. In discussions with another branch of government, we're supposed to have 8 to 12 months of reserves set aside.

Another mandate is to update the computer equipment to be Windows 10-compatible by the end of 2019 without adequate funds set aside to do this.

Additionally, in 2015 we were mandated to put licensing renewals and applications online. We did put licensing renewals online in 2019 and our budget was spent down to accomplish this. Next we will need to save money to have online applications placed online. We can't do this now because we can't afford the software module.

A Board member described the 2019 Board workshops where the discussion about fee increases took place.

It was several hours of very focused, very specific and strategic discussion. It was very intentional and well thought out. She stated that she is really grateful to be part of a Board that took everything into consideration-- all the concerns. And she added that it's a "process".

We looked at what would a 10 percent budget increase do to help stabilize the Board's budget and that didn't work out. Then we figured out that if there was a 50 percent increase to fees in the budget, we could stabilize the Board and meet all of its requirements by late 2021. But a 50 percent increase wasn't palatable. Ultimately, we worked with a 25 percent budget increase, and we could meet Board requirements by 2023. We know that legislators wanted us to accomplish many of the mandates as far back as 2013-2015. As we know believe that we're going in the right and positive direction, we are willing to explain our plan to reach our unfunded mandates by 2023 if we make a 25 percent increase in fees now.

VP was curious about the proposed number as opposed to, you know, it was such a wide range that it could have been. Of note, the group that initially proposed the 25 percent fee increases were students from a UNR policy class that had banded together, started going to the session and started testifying. After studying the options, the students believed that this would be the best solution.

When Do the Proposed Fee Increases Go Into Effect?

The attendees learned that the NAC change process were expected to take about six months (or longer) to complete; then the changes would go into effect.

The Difference between the Fee Ceilings and the Fee Increases

The Board members discussed the difference between fee ceiling increases and fee increases. They clarified that fee ceilings indicated how high the Board could possibly go; but Board members indicated that they are not talking about or even thinking about increasing fees to the maximum number; that any changes will be made incrementally.

RF clarified her understanding that the last time fee ceilings were changed were 1995. That sounds like a long time. In consideration, she thinks it's long overdue. Also, thinks it is long overdue for fee changes, the last occurred in 2015.

LD thinks that it's important to keep the Board intact with the money that it needs in order to continue with our profession in the community, and I know there was a push to try to put us all under one Board, LADCs and psychologists. I was just looking at their fees, and the LADCs are \$495, and then the psychologists are \$965, so I don't really feel this is out of line at all. I feel like the Board definitely needs that money. Looking at the other Boards, that amount of money doesn't seem to be out of line to them.

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

MM commented: First of all, I'd like to thank you for the background as far as the thought process behind the rate increases and also your continuation in terms of looking ahead for the rates. That's good information to have moving forward. It is very logical. So your logic is not flawed as far as being able to move forward and being able to cover the operational costs. RR and I are probably the only two in the room who have a background -- that can remember back Dr. Jane Lamb stepped forward to the Nevada legislature with a bill draft to create the Board of Examiners for Social Workers. At that time, economically, things were very lean in the state. And one of the concessions that was made in order to get the Board created was to make the Board independent and self-sufficient. The legislature nor any of the people who were involved in the actual creation of the Board of Examiners for Social Workers had any understanding in terms of what the cost for operation would actually be. It was figured that using an adjustment for rates for fees would be able to accommodate that similar in the way it does other professions. The problem is, today -- that social workers are a finite group of people. We also are in a different economic level than other licensed professionals. We don't have the ability to generate the revenue those types of professionals would -- those other public Boards that can afford those fees to be self-sufficient. It seems to be that right now in the State of Nevada, the state is struggling with being able to try and fill the need for licensed social workers within the state, and it's having a hard time doing that. We've gone to an exercise a couple of years ago where we're trying to soften reciprocity issues for licensing and that type of thing, but it still doesn't fill the need we have within the state and the growing need we have for social workers. So I don't think we've ever really had an opportunity to compare the finances of operating this organization with meeting the needs and expanding the capacity for additional social workers within the state. So it seems to me -- and I'll circle back with you, that we need to have a real hard look at where we're at, and this obviously is stopgap measure to be able to address the financial needs to be able to keep ourselves solvent. But, at the same time, I also think we need to look beyond that. It seems to me that Senator Woodhouse would be a supporter for social workers. It seems to me that Teresa (Benitez-Thompson) would be a good supporter for social workers and would be willing to help sponsor or craft a bill that would give, possibly, a one-time allocation to the Board of Examiners for Social Workers - possibly multi-year for including a certain dollar amount with dollar amount within a budget that would be considered a contribution. Because, in my mind, if the State of Nevada truly does value the work of social workers, they can damn well stand behind it.

SM asked about how the procedure will go for getting to the fee ceilings?

Will that be something that will come back to the Board annually? They attendees learned that the process for future fee increases would be the same 6+ month process we are going through right now. Therefore, the Board is pretty confident that these fee increases should last for years to come unless there is a new unfunded mandate that we are not anticipating.

Licensing and Supervision -- Length of Time Application for Licensure Stays Open

RR clarified questions about applications and how sometimes applicants have other issues that pop up; so it takes them some time to actually complete the application. This change will give more time, so that you don't lose the application and have to pay again for another application fee. So it's actually giving you more time to actually follow through once the application is made. It's a good thing. So, so far all changes they've been proposing have been to our advantage because they're giving us better options.