



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS (BESW)
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
775-688-2555

PUBLIC NOTICE OF BOARD MEETING

Friday, September 11, 2020 9:00 AM

To maintain government transparency & protect public safety, Governor Steve Sisolak signed an emergency directive related to the suspension of the requirement that there must be a physical location designated for meetings of a public body where members of the public are permitted to attend and participate in-person. BESW, pursuant to this Executive Order, has found an alternative via teleconference for the public to participate without having to be physically present. Supporting materials are available electronically at the BESW website: <http://socwork.nv.gov/board/Mtgs/>

Some members of the Board may be attending the meeting and other persons may listen to the meeting and provide testimony, through a simultaneous telephonic conference call that will be conducted utilizing Zoom.

Please Join the Board of Examiners for Social Workers Zoom Meeting:

Time: Sep 11, 2020 09:00 AM Pacific Time (US and Canada)

<https://us02web.zoom.us/j/81629682909?pwd=SUpFc0lzcVhYWVZKYk5OSkVWNTBwZz09>

Meeting ID: 816 2968 2909

Passcode: 959919

One tap mobile

+12532158782,,81629682909#,,,,,0#,,959919# US (Tacoma)

+13462487799,,81629682909#,,,,,0#,,959919# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 816 2968 2909

Passcode: 959919

To learn more about 'Joining a Meeting' using ZOOM, please view a brief YouTube:

<https://www.youtube.com/watch?v=hIkCmbvAHQQ#action=share>.

Please Note: The Board of Examiners for Social Workers may address agenda items out of sequence, combine the agenda items, pull or remove the agenda items, in order to aid the efficiency or effectiveness of the meeting or to accommodate persons appearing before the Board. The Board may continue agenda items to the next meeting as needed. (NRS 241.020)

Public comment is welcomed by the Board and will be heard at the beginning of the Board meeting following the Call to Order and Roll and at the end of the agenda prior to the adjournment of the Board meeting. Public comment may be limited to three (3) minutes per person. The Board meeting Chair may allow additional time to be given a speaker as time allows and at his/ her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

AGENDA

1. Call to Order, Roll Call, Introduction of New Board Members.

2. Public Comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020). Public comment may be limited to three (3) minutes.

3. Board Operations:

A. Review and Discussion of the Completion of Consent Decree Requirements for Jeffrey W. Davis, License No. 4835-C. (For Possible Action).

B. Review and Discussion of Board Meeting Minutes for July 10, 2020. (For Possible Action).

C. Review and Discussion of Year-End Financials through June 30, 2020. (For Possible Action).

D. Review and Discussion of Financials through July 31, 2020. (For Possible Action).

E. Review and Discussion of Updated 2020-2021 Budget. (For Possible Action).

- i. Brief Review of Approved Budget for FY 2020-2021 (Approved May 2020 and Approved with Adjustments on July 2020).
 - a) Includes 14% Reductions Based on Governor's Guidelines for General Fund Agencies e.g. Curtailed Expenditures, Freeze on Pay Increases, Hiring Freeze;
 - b) Excludes Applications and Disciplinary Software Modules;
 - c) Includes Contract for New Five Year Office Lease;
 - d) Continues to Build BESW Reserves;
 - e) Includes Annual Funding and One Time Costs for Data Migration to a New Infrastructure/ Network;
 - f) Includes 90 Day Contract with Lobbyist/ Consultant;
 - g) Excludes Additional Spending Cuts e.g. Furloughs (As BESW (Fee-Funded Agency Has Not Received the Same Direction as Did the General Fund Agencies); and
 - h) Includes Funding for COVID19 UNK Line Item.
- ii. New Adjustments to Budget Due to Changes since July 2020 Board Meeting.
 - a) Includes Potential Lobbyist/ Consultant Contract for 2021 Legislative Session with Intent to Submit BDR for LMSW Category and Other Board Approved Activities;
 - b) Includes Past Due Merit Increases Based on 2019-2020 Compensation Review of Two Administrative Staff;
 - c) Includes Purchase and Implementation Costs for Applications Software Module as per Directives from Legislature as well as Disciplinary Software Module.

F. Capitol Partners Report on Nevada's Special Sessions 2020. (For Discussion Only).

G. Review of Orlando Sentinel Article and Related Social Justice Discussion. (For Discussion Only).

H. Executive Director's (ED) Report (For Discussion Only).

- i. Lease Contract – October Meeting of the Board of Examiners;
- ii. Audit Contract Completed and Audit is in Process;
- iii. 90-Day Contract for Lobbyist/ Consultant Completed and is in Process;
- iv. Receipt of Summons from U.S. District Court re: Civil Action on July 8 2020
- v. Future Agenda Items/ Ideas; and
- vi. Next Board Meeting November 13, 2020.

4. Public Comment.

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020). Public comment will be limited to three (3) minutes.

5. Adjournment.

Please contact Karen Oppenlander, LISW at (775) 688-2555 for information regarding the meeting. Supporting materials can be accessed electronically at the BESW website: <http://socwork.nv.gov/board/Mtgs//>.

The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

This notice has been posted at the office of the Board of Examiners for Social Workers; the Board's Web Site www.socwork.nv.gov; and the State of Nevada's Public Notice Website <http://notice.nv.gov>.

3A

Davis Consent Decree

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE NEVADA STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS

IN THE MATTER OF
JEFFREY DAVIS
License No. 4835-C
Respondent.

CASE NO. G11-08

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee JEFFREY DAVIS ("DAVIS"), pursuant to NRS 641B.020. Accusations against said licensee having been received alleging violations of the Nevada statutes and regulations controlling the practice of social work, and the parties being mutually desirous of settling the controversy between them relative to the pending accusation,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

VOLUNTARY WAIVER OF RIGHTS

DAVIS is aware of, understands, and has been advised of the effect of this Consent Decree, which he has carefully read and fully acknowledges. DAVIS has had the opportunity to consult with competent counsel of his choice.

DAVIS has freely and voluntarily entered into this Consent Decree, and he is aware of his rights to contest the charges pending against him. These rights include representation by an attorney at his own expense, the right to file an answer in response to a formal complaint, the right to a public hearing on any charges or allegations formally filed, the right to confront and cross-examine witnesses called to testify against him, the right to present evidence on his own behalf, the right to testify on his own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the complaint, and the right to obtain judicial review of the decision. All of

///

1 these rights are being voluntarily waived by DAVIS in exchange for the BOARD's
2 acceptance of this Consent Decree.

3 If the Consent Decree is not accepted by the BOARD, no member of the BOARD
4 will be disqualified from further hearing of this matter, by reason of his or her
5 consideration of the Consent Decree and DAVIS hereby waives any claim of bias or
6 prejudice based upon said consideration by any member of the BOARD in any subsequent
7 disciplinary hearing conducted by the BOARD.

8 JURISDICTION

9 DAVIS acknowledges that the BOARD has jurisdiction over him and the conduct
10 that has precipitated this Consent Decree. DAVIS acknowledges that the BOARD has
11 the legal power and authority to take disciplinary action, including, but not limited to, the
12 revocation of his license to practice social work in Nevada.

13 DAVIS acknowledges that the BOARD will retain jurisdiction over this matter
14 until all terms and conditions set forth in this Consent Decree have been met to the
15 satisfaction of the BOARD.

16 PUBLICATION OF CONSENT DECREE

17 DAVIS acknowledges that at the time this Consent Decree becomes effective, it
18 also becomes a public document and will be reported to the Public Protection Database
19 (PPD) of the Association of Social Work Boards (ASWB) or such other national databases
20 as required by law. It is also understood that the meeting in which the BOARD considers
21 and accepts or rejects this Consent Decree is open to the public and that the minutes of
22 the BOARD meeting are a public document, available for inspection by any person so
23 requesting.

24 STIPULATED FACTS AND CONCLUSIONS OF LAW

25 DAVIS understands the nature of the allegations under consideration by the
26 BOARD. He acknowledges that the conduct described below constitutes violations of the
27 Nevada Social Work Practice Act (NRS and NAC 641B) and if proven by a preponderance
28 of the evidence, that he is subject to disciplinary action by the BOARD. To resolve these

1 allegations and avoid the necessity and cost of a hearing, DAVIS agrees to the terms of
2 this Consent Decree:

3 1. JEFFREY DAVIS ("DAVIS") was a duly licensed clinical social worker in the
4 State of Nevada at all times relevant to this complaint.

5 2. DAVIS was licensed as a licensed clinical social worker on or about August
6 12, 2005, through present day.

7 3. Complaint G11-08 alleges a personal/dual relationship DAVIS was having
8 with Client LC, as the complainant is Client LC's former husband.

9 a. Complainant suspected that DAVIS and Client LC had more than a
10 professional relationship.

11 b. It is alleged that Client LC became DAVIS' real estate broker.

12 c. As DAVIS' personal/dual relationship with Client LC grew,
13 Complainant alleges that his relationship with Client LC deteriorated.

14 d. On or around February 2, 2011, Client LC moved out of the marital
15 home she shared with the complainant, insisting that she take the ATV (All Terrain
16 Vehicle) with her.

17 e. DAVIS was known in the local community as being an avid ATV rider.

18 f. On February 13, 2011, Client LC was involved in a serious ATV
19 accident resulting in paramedics being summoned to transport her to the hospital.

20 g. Immediately following the accident, Client LC contacted the
21 complainant on her cell phone to pick up the ATV.

22 h. Upon arriving at the scene of the accident, complainant noticed
23 DAVIS was also present.

24 i. Prior to leaving, DAVIS informed complainant that he happened to be
25 in the vicinity when Client LC had her accident, although complainant became suspicious
26 that Client LC and DAVIS were actually riding their ATV's together when the accident
27 occurred.

28

1 j. While in the hospital ER (emergency room), complainant used Client
2 LC's cell phone to notify family regarding the accident.

3 k. Complainant alleges he noticed three (3) text messages between
4 DAVIS and Client LC, occurring on the day of and prior to the accident, with the last text
5 allegedly appearing to be about DAVIS and Client LC meeting at her house.

6 l. While Client LC was in the hospital, complainant accessed a computer
7 belonging to Complainant and Client LC's real estate company, and alleges he found
8 email messages from DAVIS to Client LC, of a personal/dual nature.

9 3. This alleged conduct would violate NRS 641B.400 (1) and (5) which provides
10 that grounds for initiating disciplinary action pursuant to this chapter are unprofessional
11 conduct and professional incompetence.

12 4. This alleged conduct would violate NAC 641B.200(5)(a) which states that a
13 licensee shall not use his relationship with (a) a Client to further his own personal...or
14 business interests.

15 5. This alleged conduct would violate NAC 641B.200(6)(a)(d)(e) which states
16 that a licensee is responsible for setting and maintaining professional boundaries with (a)
17 each client; person with significant personal ties to client, whether or not related by blood;
18 legal representative of the client . . .(d) each intern; and (e) persons who are supervised by
19 the licensee.

20 6. This alleged conduct would violate NAC 641B.200(11) which states that a
21 licensee shall base his practice upon recognized knowledge relevant to social work.

22 7. This alleged conduct would violate NAC 641B.200(18) which states that a
23 licensee shall comply with any state or federal law or regulation that is relevant to the
24 practice of social work.

25 8. This alleged conduct would violate NAC 641B.205(1) which states that a
26 licensee shall practice social work with professional skill and competence.

27 9. This alleged conduct also would violate NAC 641B.205(8) which states that a
28 licensee shall terminate service to a client and a professional relationship with a client

1 when the services and relationship are no longer required or no longer serve the needs or
2 interests of the client.

3 10. This alleged conduct would violate NAC 641B.205(11)(a) which states except
4 as otherwise provided in subsection 12, a licensee shall not influence or attempt to
5 influence a client in any manner which could reasonably be anticipated to result in the
6 licensee deriving benefits of an unprofessional nature during the time that the client is
7 receiving professional services and for 2 years after termination of the services.

8 11. This alleged conduct would violate NAC 641B.205(13)(a)(b) which states that
9 a licensee shall not solicit or enter into a dual relationship with a client...who is
10 supervised by the licensee during the time the client is receiving professional services
11 from ... the licensee; and for at least 2 years after the termination of the professional
12 relationship.

13 12. This alleged conduct would violate NAC 641B.220(1) which states that a
14 licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, or
15 commits any act that constitutes a basis for refusal by the Board to issue a license
16 pursuant to subsection 2 of NRS 641B.260 is guilty of unprofessional conduct.

17 13. Pursuant to Nevada Revised Statute (NRS) 641B.430(1):

18 If the Board finds the person guilty as charged in the complaint
19 it may by order:

20 a) Place the person on probation for a specified period or until
21 further order of the board.

22 b) Administer to the person a public reprimand.

23 c) Limit the practice of the person to, or by exclusion of, one or
24 more specified branches of social work.

25 d) Suspend the license of the person to practice social work for a
26 specified period or until further order of the board.

27 e) Revoke the license of the person to practice social work.

28 f) Impose a fine of not more than \$5,000, which must be
deposited with the state treasurer for credit to the state general
fund.

g) Require the person to pay all costs incurred by the board
relating to the discipline of the person.

The order of the board may contain other terms, provisions or
conditions, as the board deems proper and which are not
inconsistent with law.

1 President and Board Counsel, following receipt and review of the final forensic evaluation
2 report.

3 b. The Board approved psychologist or psychiatrist must not have had
4 either a personal or professional relationship with DAVIS.

5 c. DAVIS shall sign any releases of information required by the Board
6 approved psychologist or psychiatrist which will enable this evaluator and the Board's
7 Executive Director or his/her designee to have complete and unrestricted ability to
8 discuss the evaluation and to receive the final forensic report.

9 d. Following the completion of the evaluation, the evaluator shall furnish
10 a written report to the Board or its designee regarding DAVIS's judgment, fitness to
11 practice social work and such other information that the Board may require. DAVIS
12 agrees to meeting with the BOARD Executive Director or his/her designee, BOARD
13 president and BOARD counsel to review the forensic evaluation and determine DAVIS'
14 fitness for duty as a licensee.

15 e. DAVIS shall comply with any and all recommendations resulting from
16 the forensic evaluation, including any recommendations to limit, restrict or impose a
17 moratorium on DAVIS's clinical social work practice. Any recommendations to limit,
18 restrict or impose a moratorium on DAVIS' clinical social work practice shall occur within
19 thirty (30) days following receipt of the evaluation and meeting as described in section 2d
20 above.

21 f. Any limitation, restriction or moratorium on DAVIS' practice shall not
22 exceed two (2) years unless brought back to the Board for a scheduled hearing pursuant
23 to NRS 641B.430.

24 g. DAVIS will be responsible for all costs associated with this evaluation
25 and compliance with the evaluator's recommendations.

26 3. If the forensic evaluation supports DAVIS to engage in the unrestricted
27 practice of clinical social work, or if the meeting described in section 2d above is able to
28 accommodate the recommendations of the forensic evaluation while providing reasonable

1 assurances pertaining to public safety, DAVIS' clinical social worker license, 4835-C, shall
2 be placed on probation for a minimum of two (2) years. During this period of licensure
3 probation, DAVIS shall agree upon the following terms and conditions:

4 a. For the first one (1) year of probation, DAVIS shall meet weekly with
5 a BOARD approved licensed clinical social worker who will consult with DAVIS and
6 monitor his practice. Each month, one (1) meeting must be in person, and the remaining
7 three (3) meetings may be by telephone or any other electronic means that allows for live
8 conversation. DAVIS and the BOARD approved monitor/consultant's weekly meetings
9 shall include topics pertaining to, but not limited to, ethical social work practice, State
10 laws and regulations pertaining to social work practice in Nevada and professional
11 boundaries and dual relationships. DAVIS shall write and submit quarterly reports to
12 the BOARD addressing his weekly monitoring/consultation meetings. All reports shall be
13 signed by the BOARD approved clinical social worker monitor/consultant prior to
14 submission to the Board.

15 b. After successfully engaging with the BOARD approved
16 monitor/consultant for a minimum of one (1) year, DAVIS and the BOARD approved
17 licensed clinical social worker monitor/consultant may request to appear before the
18 BOARD during a regularly scheduled Board meeting for the purpose of requesting
19 conclusion of the monitoring/consultation meetings. During this Board meeting, DAVIS
20 must demonstrate to the BOARD ongoing compliance with the terms and conditions of
21 this Consent Decree.

22 c. DAVIS shall attend and pass with a "B grade" or better, a Board
23 approved graduate-level semester course pertaining to professional responsibility/ethics
24 that addresses: professional boundaries, dual relationships and power differential in
25 therapeutic relations. At the conclusion of this course, DAVIS shall submit a report on
26 how this course applies to his situation and how it impacted him. This course may not be
27 applied towards the continuing education requirements for the maintenance of DAVIS'
28 license.

1 4. DAVIS will be responsible for all costs associated with this Consent Decree,
2 including, but not limited to, the BOARD approved licensed clinical social worker
3 monitor/consultant and the graduate-level course.

4 5. DAVIS shall receive credit toward service of his probation period only while
5 employed or practicing as a Licensed Clinical Social Worker in the State of Nevada.

6 6. DAVIS shall obey all federal, state and local laws, insurance company
7 policies or contracts and orders of the BOARD, which are not inconsistent with this
8 Consent Decree, pertaining to the practice of social work in this State. Any and all
9 violations shall be reported by DAVIS to the BOARD in writing within seventy-two (72)
10 hours.

11 7. DAVIS is required to notify the BOARD in writing within seventy-two (72)
12 hours after any change in social work employment, including self-employment, additional
13 employment, and consultation or volunteering. Any notification of termination shall
14 contain a full explanation of the circumstances surrounding it.

15 8. DAVIS shall receive credit toward service of his probation only while
16 employed as a social worker in the State of Nevada.

17 9. DAVIS shall notify all current and potential employers of any term or
18 condition of probation which may affect his employment. DAVIS shall provide a copy of
19 the Consent Decree to each employer during the length of probation. Such notification
20 shall be signed by each employer and mailed directly to the BOARD.

21 10. DAVIS agrees that he will be financially responsible for all requirements of
22 this Consent Decree, including any reasonable financial assessments by the Board for the
23 Cost of monitoring his compliance or carrying out the provisions of this Consent Decree.

24 11. After a minimum of two (2) years, DAVIS may apply to the BOARD for
25 termination of his probation and full reinstatement of his license. Consideration of
26 DAVIS's request to terminate his probation is contingent upon completion of all items
27 stipulated in the Consent Decree, to the BOARD'S satisfaction. DAVIS shall meet with
28 the President of the BOARD or his/her designee, the Executive Director and BOARD

1 counsel for evaluation of his compliance with the Consent Decree and for their
2 recommendation for termination of probation, full reinstatement, or additional
3 disciplinary action at a separate hearing before the BOARD.

4 12. The BOARD reserves the right to reinstate legal action against DAVIS upon
5 violation of this Consent Decree, and should DAVIS violate any term in this Consent
6 Decree, the Consent Decree shall automatically terminate, and his clinical social worker
7 license shall be revoked for two (2) years effective immediately.

8 VIOLATION OF TERMS OF CONSENT DECREE

9 DAVIS understands that the BOARD may, upon three days' notice to DAVIS,
10 convene a hearing for the limited purpose of establishing that there has, in fact, been a
11 violation of the terms of this Consent Decree. If such a hearing results in a finding of a
12 violation of this Consent Decree, the BOARD may impose any penalty upon DAVIS
13 authorized by NRS 641B.430(1) including, but not limited to, revocation of his license to
14 practice social work in the State of Nevada.

15 In the event that a violation of the terms of the Consent Decree is alleged, DAVIS
16 agrees to surrender his license to the Executive Director, if the Executive Director so
17 requests. DAVIS agrees to refrain from practicing social work until entry of a final order
18 of the BOARD or a court of competent jurisdiction, whichever occurs last, regarding a
19 potential violation. DAVIS agrees to waive his right to appeal the substantive legal basis
20 of the original disciplinary action, which is the basis for this Consent Decree. In the event
21 an alleged violation of the Consent Decree is taken to hearing and the facts which
22 constitute the violation are determined to not be proven, no disciplinary action shall be
23 taken by the BOARD and the stay of revocation previously ordered by the BOARD shall
24 again be operative and in full force and effect.

25 ACCEPTANCE BY THE BOARD

26 This Consent Decree shall be presented to the BOARD with a recommendation for
27 approval from the Attorney General's Office at the next regularly scheduled meeting of
28

1 the BOARD. DAVIS understands that the BOARD is free to accept or reject this Consent
2 Decree, and if rejected by the BOARD, a disciplinary proceeding will be commenced.

3 If the Consent Decree is not accepted by the BOARD, it shall be regarded as null
4 and void, and no member of the BOARD will be disqualified from further hearing this
5 matter by reason of his or her consideration of the Consent Decree.

6 Admissions by DAVIS in the Consent Decree will not be regarded as evidence
7 against him at a subsequent disciplinary hearing. DAVIS will be free to defend himself
8 and no inferences against DAVIS will be drawn from his willingness to enter into this
9 Consent Decree.

10 This Consent Decree will not be submitted for BOARD consideration until after it
11 has been agreed to and executed by DAVIS. The Consent Decree shall not become
12 effective until it has been approved by a majority of the BOARD and executed by a
13 representative member of the BOARD.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

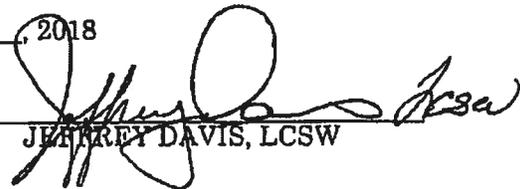
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMPLETE CONSENT DECREE

This Consent Decree embodies the entire agreement between the BOARD and DAVIS. It may not be altered, amended, or modified without the express written consent of the parties.

DATED this 22 day of Feb., 2018

By: 
JEFFREY DAVIS, LCSW

DATED this _____ day of _____, 2018

By: _____
HOLLY S. PARKER, Esq.
LAXALT & NOMURA, LTD.
9600 Gateway Drive
Reno, NV 89521
(775) 322-1170

The foregoing Consent Decree between JEFFREY DAVIS and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G11-08 is approved as to form and content.

DATED this _____ day of _____, 2018

ADAM PAUL LAXALT
Attorney General

By: _____
HENNA RASUL
Senior Deputy Attorney General
100 N. Carson Street
Carson City, Nevada 89701
(775) 684-1234
Counsel to the State of Nevada Board
of Examiners for Social Workers

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

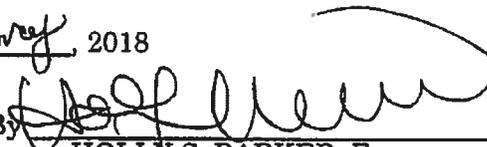
COMPLETE CONSENT DECREE

This Consent Decree embodies the entire agreement between the BOARD and DAVIS. It may not be altered, amended, or modified without the express written consent of the parties.

DATED this _____ day of _____, 2018

By: _____
JEFFREY DAVIS, LCSW

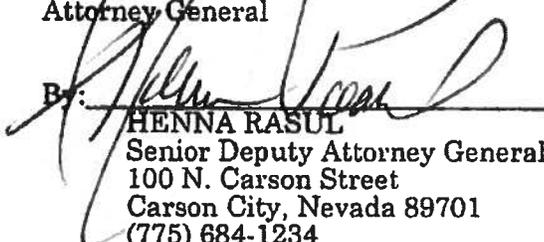
DATED this 2nd day of February, 2018

By: 
HOLLY S. PARKER, Esq.
LAXALT & NOMURA, LTD.
9600 Gateway Drive
Reno, NV 89521
(775) 322-1170

The foregoing Consent Decree between JEFFREY DAVIS and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G11-08 is approved as to form and content.

DATED this 22 day of February, 2018

ADAM PAUL LAXALT
Attorney General

By: 
HENNA RASUL
Senior Deputy Attorney General
100 N. Carson Street
Carson City, Nevada 89701
(775) 684-1234
Counsel to the State of Nevada Board
of Examiners for Social Workers

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

By a majority vote on the 15th day of February, 2018, the State of Nevada Board of Examiners for Social Workers approved and adopted the terms and conditions set for the in the attached Consent Decree with JEFFREY DAVIS, LCSW

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 1st day of March, 2018.

STATE OF NEVADA BOARD OF EXAMINERS
FOR SOCIAL WORKERS

By: Vikki Erickson

VIKKI ERICKSON
Presiding Officer

CHILDREN & FAMILY COUNSELING, LLC.

Community Behavioral Health Services

216 N. Pratt Ave., Carson City, NV, 89701

775-434-8590 Fax 775-461-0335

RECEIVED

JUL 7 2020

NV BOARD OF EXAMINERS
FOR SOCIAL WORKERS

July 01, 2020

Nevada Board of Examiners for Social Workers
4600 Kietzke Lane, C121
Reno, Nevada 89509

Attn: Karen Opendlander, Executive Director

RE: Jeffrey W. Davis, License No. 4835-C

Dear Ms. Opendlander and Members of the Board of Examiners

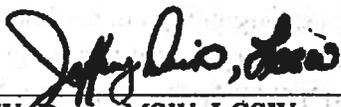
Effective today July 01, 2020, I, Jeffrey W. Davis, has completed all the requirements of the Consent Decree of March 01, 2018 approved by myself and the Board of Examiners.

- Completion of paid Supervision, one year
- Payment of fees, \$13,000.00
- Completion of a Masters level Class on Ethics

At this time, I would like to request that approval of completion and discharge of all parts of the Consent Decree be placed on the agenda for the next Board meeting for consideration. If my presence is required, I would appreciate notification as I continue to be in private practice and have a full caseload that will need to be adjusted to accommodate my attendance. Thank you for your consideration in this matter.

If there are any questions or concerns, please feel free to contact me at the above number or through email at counselingservices1@yahoo.com.

Sincerely,



Jeffrey W. Davis, MSW, LCSW

Date

7-1-2020

3B

Meeting Minutes



State of Nevada

Board of Examiners for Social Workers

4600 Kietzke Lane, #C-121, Reno, NV 89502

(775) 688-2555

Board Meeting Minutes

Friday, July 10, 2020

Erickson referred to **Agenda Item 1, Call to Order and Roll**. She initiated the Board of Examiners for Social Workers meeting via teleconference using a Zoom platform at 9:05 a.m. In attendance: **Vikki Erickson**, Board President; **Monique Harris**, Vice President; **Susan Nielsen**, Public Member and Secretary/ Treasurer; **Stefaine Maplethorpe**, Board Member (joined at approximately 9:30 a.m.); **Sandy Lowery**, Deputy Director; **Asheesh Bhalla**, Board Counsel; and **Karen Oppenlander**, Executive Director. Guests: **Mendy Elliott** and **Miranda Hoover** from Capitol Partners.

Following, **Erickson** moved to **Agenda Item 2, Public Comment**. She noted that there was no public comment and moved forward to **Agenda Item Three - Board Operations, 3A. Review and Discussion of Board Meeting Minutes for May 8th, 2020 for Possible Action**. **Erickson** asked for a motion.

Susan Nielsen moved to accept the Board meeting minutes for **May 8, 2020 as written, seconded by Monique Harris**. Roll call vote was taken: **Erickson, aye; Nielsen, aye; and Harris, aye**. Motion passed unanimously.

Agenda Item Three - Board Operations, 3A. Review and Discussion of Board Meeting Minutes for May 8th, 2020 for Possible Action. **Vikki Erickson** asked for a motion to approve the Board meeting minutes from May 8, 2020.

Erickson moved to **Board Agenda, Item 3B. Review and Discussion of Financials through May 31st, 2020 for Possible Action**. **Lowery** covered the financials for May 2020 where BESW is at the 11 month point and should be coming in at about 92% of the annual budget. She pointed out that if you look at the total income at the end of May, we were at 97% or 5% over projection. **Lowery** anticipates that this will remain the same for June and that BESW will hit its income target again. In expenditures, we are at 89% in salaries which is better than our target of 92%. Our total expenses are at 86% which is 6% under budget. At the end of May, our net position is \$48,936 and our net position adjusted is \$140,646. We are seeing what we had hoped to see happen with the fee increases in that we are beginning to have some monies available to do whatever's necessary. **Oppenlander** asked for clarification about several minor differences in the numbers between when the May Financials were sent out early for the Board packet and today's meeting. Specifically she asked about why the net position was \$137,490.24 in the Board packet and higher in the presentation. **Lowery** confirmed that after sending out the Board packet, there were some very minor adjustments made. For today's Board meeting, she was working online from the updated version of the financials instead of from the Board packet materials. **Oppenlander** brought up two line items for Rent and Lobbyists which show up as \$0 paid in the month ending May 31st as these items were paid out early (doubled) in prior months. Everything balances out at the end of the fiscal year either as you would expect or with adjusting entries made at year-end June 30th. Also, you will see activity in the Furniture line item and that's where we have placed the COVID related purchases that the Board approved last month. **Erickson** asked for a motion to approve the financials through May 31st, 2020.

A motion to approve the financials through May 31, 2020 was made by Harris, seconded by Nielson. Roll call vote: Erickson, Aye; Nielson, Aye; Harris, Aye. Motion passed unanimously.

Next, **Erickson** moved to **Agenda Item 3C. Review and Discussion of Continuity Planning for the 2020-2021 Budget.** **Oppenlander** reviewed the budget that was approved at the last Board meeting to begin on July 1st, 2020 and then discussed modifications.

As a reminder, everything has changed rapidly since March when State Employees started working from home. At our May meeting, we discussed the Governor's requests for substantial budget cuts for General Fund agencies. As a Fee-Funded agency, we were and are uncertain if these cuts will apply to BESW. Yesterday, we learned that the cuts apply to the Executive Branch and that we are in the Executive Branch. However, we have not received direction re: Boards and Commissions. With the shortfall of \$1.2 Billion, the Governor has called for a hiring freeze, budget cuts, layoffs of some State employees, a freeze on merit pay, and a one day per month furlough for State workers. Therefore, the Board approved a budget that was reduced from our customary budget and that is what you are reviewing today. Our budget includes a hiring freeze, discontinuance of utilizing a consultant/ lobbyist for the upcoming 2021 Legislative session to move forward a new licensing category, deferral of the implementation of application and disciplinary software modules to streamline services, and an elimination of merit raises for office staff. We took our budget monies intended to reduce our backlog which included costs for additional investigations and costs for attorney fees, removed our part-time office administrative assistant position, removed travel, and reflected a slight reduction in income because wouldn't be doing as much statewide training.

We factored in our new five year lease in the budget. Our current lease is up in August and the new lease terms include modest incremental increases. To summarize, the new 60 month lease has a slight increase effective August 1st, 2020 that will be in place for 2 years; this is followed by another slight percentage increase in 2022 that would last for the next 2 years, and then for the fifth year of the lease, we would have a final small percentage increase. It's essentially set up in the same fashion as our current lease. State Leasing Services indicated that the rates we are going to get were appropriate and gave us their go-ahead even with all of the current unknowns. **Erickson** asked if there was any room for negotiation with the lease. Regarding the lease, State Leasing Services thought that this proposed lease structure was very fair. So, I did talk about that and I haven't signed this before bringing it to the Board. **Lowery** contextualized the lease increase for the first two years as a \$600 annual increase and not a significant increase over what we are currently paying.

Still on the topic of the budget, **Oppenlander** indicated that moving forward, we had planned to continue to build reserves in the approved budget. We understand from listening to recent Sunset Committee meetings, that they are contemplating legislating the amount of reserves that Boards and Commissions will have on hand. The committee members referred to a discussion with former LCB Auditor Rocky Cooper when he had recommended having between four to six months as an appropriate level. Using the same reference during our Board's strategic discussions, the Board determined to have five months of reserves on hand by 2023. Continuing, the Board finished up a review of the recently approved budget.

Next, **Oppenlander** discussed new circumstances that have come up that require adjustments to the Board's approved budget due to changes since the May Board meeting. She referred the Board to a handout re: Annual Funding and One Time Costs for Data Migration to a Different Infrastructure/

Network. The biggest adjustment that we now face is both structural and very important. We will now have to come up with annual funding and one-time costs to migrate our data to a different infrastructure and network.

We are currently in the midst of data migration planning as during the week of June 15th we learned that Business and Industry would need to discontinue providing free IT services to the Board. The verbal agreement that was in place for about a decade has to be replaced with a new budgetary arrangement with a different agency. For years, we essentially have had a slice of the Business and Industry server for our data. Additionally, they have provided other IT services support at no cost including intermittent onsite desktop IT support. Business and Industry finds that they no longer have the staffing or budgetary resources to continue to accommodate us.

As we have had to immediately consider migrating our data, we learned that a minimum of five other larger state agencies are in the same situation that we are in. This matter has led to various discussions with the Nevada's Enterprise IT Services (EITS). EITS has started working with us to develop a data migration plan for us to get our data moved from the Business and Industry server. The reality is that we can't get provisioned for some of the hardware that we'll need to accomplish this right away. It may take us up to four months. In your handout are the three options that we started to look at between June 17th and the beginning of July. One option with Business and Industry for a potential solution was not viable. Another option also didn't work out. So we found our best solution was to work with EITS although it's expensive. We did project our budget out for several years using the information provided to you today and learned that we can afford to do this. While we can't provide precise budget numbers today, we will bring these numbers to you at the September 11th Board meeting. We are waiting for an onsite assessment from EITS to determine the specific hardware needs (new switch, circuit) and wiring to make this data migration plan work. When we have these specifics, we will be able to order the equipment and set up the installation. Also, in reviewing various options, **Oppenlander** realized that Business and Industry has been very generous with their support of our Board; they have probably saved us well over \$100,000.

The costs that are listed in the table in your handout are published by EITS on a State of Nevada website for fiscal year 2020-2021. In the table are two general line items shaded out as we won't need these: GL number 7289 and GL number 7508. Also, GL number 7532 will be recalculated and we expect some small savings. GL number 7506 is a projected cost for securing a contract with an external vendor to provide onsite desktop support services (based on approximately \$65 an hour per hour for 63 hours of service annually).

Bottom line is our annual costs with EITS will be about \$15,500. Additionally, we will have onetime costs for hardware and wiring, with the possibility of an additional phone line will be determined after we go through the onsite assessment. We will bring the final costs to the Board in September as well as the Board's year-end financials through June 30 2020 and July 31, 2020.

Harris asked about our choices e.g. accessing our data on a cloud-based system or having a server onsite with a local area network. The EITS solution is cloud based and is not an internal onsite server solution. We are studying another small board that has a small onsite server; yesterday, they shared a lot of information with us about how they have managed all of their data on an in-house server.

Erickson asked if there were further questions about this section of budget adjustments. **Oppenlander** stated that she would like the Board to contemplate the entire budget situation and that she would look for a Board motion to give its authority so that Board staff can continue working on the data migration plan.

Next, **Oppenlander** proceeded to the next item under budget changes re: a potential 90 day contract with lobbyist/ consultant. She reminded the Board about their decision at their March 13th meeting to approve plans for the upcoming 2021 legislative session including the intent to add an LMSW category. After making budget cuts during the May Board meeting, we let our contract with Capitol Partners expire on June 30 2020. During the Board meeting in May, **Erickson** asked to revisit this decision in July to potentially reconsider its need for lobbyist/ consultant services moving forward. On a related note, we've been speaking with Mendy Elliott and Miranda Hoover and have invited them to today's meeting to update the Board about current legislative efforts that will be taking place.

Mendy Elliott (for the record) told the Board that right now, things in the Legislature are really fluid and that they've been keeping Karen in the loop as a Special Session is in process. There are going to be multiple special sessions. We know that at least two are going to be back to back and there could possibly be three. The third would potentially be in late August or September and that really depends on what gets passed in the first two sessions.

Elliott added that there was a bill that dropped last night (SB4 on the state website) that would change the trajectory of the state. Simply stated, it would be legislation that would enable the Executive Branch to borrow money for revenue shortfalls in the general fund. You can think about it this way. If you're not working and you need money, you can use your credit card to get a cash advance, and then you pay it back over time. That is what this bill does. There are states that have used strategy including Illinois and California. This bill will change how Nevada potentially funds state government moving forward with the general fund (does not pertain to the fee-driven agencies). It really concerns the general fund which includes education as well as Medicaid which are both linked to social work. So that's the first legislative topic that is of interest to this Board.

The second thing for this Board to pay attention to is the issue of criminal justice reform. Capitol Partners has been in contact with Assemblyman Jaeger who is a champion of criminal justice reform. They have worked very closely with him (Miranda Hoover and Mendy Elliott) on the Board's behalf. We've discussed criminal justice and we anticipate that the bill that we're going to be looking at may have a space for social workers to have enhanced responsibilities. Therefore, social workers may be an integral part of the discussions going on in the state as it relates to criminal justice and social reforms.

She went on to tell the Board that they discussed a 90-day consulting contract with Karen, keeping their same rate and continuing to help represent the Board at the state level as these conversations take place; she let the Board know that they are certainly willing to do that. They respect BESW and thought it was important to continue to help monitor what is happening and help the Board through these unchartered times that we are all facing right now.

Miranda Hoover added that there are certain line items within the cuts to Medicaid that do directly affect social workers. There was a lot of the legislation that Karen, Mendy and Miranda were involved with last session, and the bill sponsors wanted us to be involved in those bills. And a lot of those programs are now being cut and were never really put into place and therefore are not going to be happening anytime in the near future.

Harris asked if the Nevada Association of Social Workers (NASW) has a lobbyist and **Lowery** said that she would text the volunteer chair of the Nevada Chapter of NASW, Tom Durante. Durante reported that NASW does not currently have a lobbyist but is considering trying to hire one.

Erickson asked if a new bill regarding law enforcement and social justice/ social workers has been posted yet. **Elliott** answered that the Governor has to first issue a proclamation so that they can discuss it. So we might see a bill draft on Monday. **Erickson** also asked if any other behavioral health professionals are involved in this besides social workers. **Hoover** answered that a lot of the psychologists and counselors are involved with it. She added that the Board may remember that one of the bills from last session related to Safe School Professionals, a position created that includes social workers, MFTs, psychologists and mental health counselors. **Harris** asked if **Hoover** was saying that they would be included in a Safe School Professionals bill or in a criminal reform bill. **Hoover** stated that she expected that the various professions that make up Safe School Professionals could be included in the criminal reform bill. **Harris** and **Elliott** agreed that a lot of the monies to fund the Safe Schools Professionals efforts were being removed from the state budget.

In terms of adjustments to our approved budget due to changes occurring since the May Board meeting, **Oppenlander** requested assistance from a lobbyist/ consultant for 90 days during the upcoming Special Session(s) not to exceed \$5000. While she is aware that the Sunset Committee doesn't fully appreciate the necessity for lobbyist/ consultant, it is far too difficult with a small staff to follow the sessions (even of limited duration) for several days at a time that are being held simultaneously by both the Senate and Assembly, and being held around the clock, and also without sufficient notice ahead of time about when sessions will begin/ end.

Next, **Oppenlander** continued to present additional adjustments to the approved budget since the May Board meeting. She said that if the Board is directed by the state, we may be expected to implement further spending cuts e.g. furloughs that are being called for. At this time, we have not received specific direction and there are other Boards and Commissions awaiting direction as they are in the same situation.

And the last proposed adjustment to the approved budget is a request for the Board's consideration of funding for a line item: COVID19 UNK in the amount of \$1000. This line item is being added so that if something unexpected happens during the 2020-2021 fiscal year and that is occurs in between Board meetings that staff could proceed with the purchase of de minimis items if needed.

Speaker 4 (01:03:24):

So in summary, to continue forward, she asked the Board for a motion for the to pursue the migration of the BESW data to a different infrastructure/ network, pursue a lobbyist/ consultant contract, be able to follow potential directives regarding furloughs, and fund a discretionary line item in the amount of up to \$1,000 to be utilized for de minimis items that occurs as a result of COVID-19.

Erickson asked for a motion because of the changes that have happened in our budget, and in our state, and in our country.

Susan Nielsen moved that the Board approve the Data Migration and exploration of how to accomplish that; approve a 90-day contract for Lobbyist/ Consultant services; approve potential spending cuts and furloughs if in fact the Board is subject to this under the Executive Branch recognizing that BESW is not in the general fund; and approve a One Thousand Dollar Line Item for Funding of COVID-19 Unknown Expenses as they occur; seconded by Monique Harris. Roll call vote: Erickson – Aye, Harris – Aye, Nielsen – Aye, Maplethorpe – Aye. Motion passed unanimously.

Erickson moved to **Agenda Item D, Review and Discussion regarding the Nomination of Board Officers for Possible Action** asking **Oppenlander** for comments. **Oppenlander** mentioned that **Maplethorpe** may have “graduated on June 30th” and that she doesn’t know if the Governor has reappointed her as yet. **Maplethorpe** stated that she has not submitted paperwork to the Governor but will submit the paperwork this week. **Oppenlander** that in the “public member” position, **Nielsen** has stated that she would stay in the position until it is filled by the Governor. **Oppenlander** put forward that the Board could decide to keep the current officer roles as they are and later select new officers when all of the new Board members are selected by the Governor.

Erickson checked in to gauge if there is someone else who desires to work in the position of the President; or, if we want to maintain this group of officers until Board spots are filled. **Harris** stated, “No, thank you. You are doing a great job. Vikki should hold onto it until things”. **Harris** asked for clarification about the timeline. **Bhalla** clarified that everyone serves in their position voluntarily, as long as they want to, until the Governor reappoints them. And so these officer nominations would support that. So, when the Governor does change an individual member’s position, then they would no longer be able to serve as an officer because they would no longer be a member of the Board. So there is some flexibility here right now, but these officer positions would only be good as long as the member is a part of the Board.

Lowery spoke generally about the Board from her position of having been a Board member for nine years and also the Board President for a portion of that. Historically the Board reviews its officers annually. So there’s regularly an opportunity for changing things up and switching things around. At the last Board meeting, **Maplethorpe** and **Nielsen** agreed to remain on the Board until their positions were filled so that we could continue to have a quorum. So at this point, you're deciding if you want to change who’s in each spot. Or, you can hold the officer positions until such time as there are new Board members.

Erickson asked if there are thoughts from the Board on which direction to take right now. **Maplethorpe** stated that it should stay the same until gubernatorial appointments are made. **Erickson** asked for a motion and made a suggestion. **Bhalla** made a recommendation for the motion as follows: to maintain the Board officer positions for the next year or until membership of the Board necessitates a further change or as the Board deems necessary.

Nielsen made a motion to maintain the Board officer positions for the next year or until membership of the Board necessitates a further change or as the Board deems necessary, seconded by Harris. Roll call vote: Erickson – Aye; Harris – Aye; Nielsen – Aye; Maplethorpe – Aye. Motion passed unanimously.

Next, **Erickson** moved to **Agenda Item E. Review and Discussion re: Selection of Board Member Designee to Represent Board During Interim Session, 2021 Legislative Session, Related Meetings. (For Possible Action)**. **Oppenlander** suggested that since we will have the support from a lobbyist/consultant that this designee would have a “doable” role. In the past session, **Erickson** was selected by the Board as she was knowledgeable about Board matters. So, the person selected could be the President of the Board or it could be another Board member. **Bhalla** added that the Board does need to make a specific vote on the record to identify a member. If the Board wants a member to speak in front of a specific committee or otherwise engage with the Legislature then a vote on the record here is required. Or, if the Board does not want to have a member engage with the Legislature, they would not

be required to put someone there. **Oppenlander** added that while it is good to have the Executive Director represent the Board, it is even better if the Board has a Board member join her at the table. And additionally, the Board's lobbyist/ consultant is authorized. **Erickson** agreed that it was important to show Board support.

Next, the Board deliberated the Board designee role with **Harris** and **Maplethorpe** favoring **Erickson** continuing to represent the Board. Each also offered their support and **Harris** offered to also join **Erickson** as a designee. **Erickson** asked for a motion. **Bhalla** suggested that the Board would make a motion to designate President **Erickson** and member **Harris** to appear at the Legislative Session(s) supporting Director **Oppenlander**. **Maplethorpe** made this motion but before continuing with a vote, **Nielsen** discussed potential travel expenses for **Harris** to travel to Carson City. **Harris** offered to pay her own expense if these expenses are not covered in the budget already. **Elliott** commented that the Legislative building is currently locked down. There are no committee hearings being held right now and no face-to-face meetings. We can't get into the building. We are communicating with Legislators via text, phone, email, etc. **Elliott** anticipates that whoever the selected lobbyist will be may have to make comments on behalf of the Board when comments are requested and make these via the Zoom platform or via phone. So it, it makes it easier from the standpoint of planning purposes, that you can provide testimony as an expert from your kitchen table. As the building is literally locked, the only people that are allowed in there currently are the LCB staff and the Legislators.

Maplethorpe made a motion to designate President Erickson and member Harris to appear at Legislative Session(s) and meetings to support Director Oppenlander. Seconded by Nielsen. Roll call vote: Nielsen – Aye; Harris – Aye; Maplethore – Aye; Erickson – Aye. Motion passed unanimously.

Erickson moved to **Item F, Increased Use of Telehealth Presentation by Sandra Lowery. (For Discussion Only)**. In terms of telehealth, **Lowery** shared that the waiver authority that the Governor granted has allowed individuals not licensed in the State of Nevada to treat individuals in the state has been moving forward very smoothly. **Lowery** currently has 50 LCSWs and one LSW that have requested waiver status so that they can treat individuals that live in Nevada. It's complicated and we have individuals who are being told varying pieces of information by numerous insurance carriers about what they can and can't do. So, they call the Board to get clarification. For example, the most recent question was that an LCSW in the Las Vegas area called and said that her insurance carrier wants to know if she can treat people in other states; and she can't. She has to contact each of those states and find out if they have any temporary license waiver opportunities. Another piece of confusion is about: Where is the patient? Are they a resident of the State of Nevada? Or are they in Nevada? So, we do try to help individuals understand the distinctions. For example, if I'm on vacation in California, then I have to have permission for my therapist to treat me while I'm in California. It's confusing and the Federal Department of Health and Human Services Directives on Medicare and Medicaid have further clouded some of the telehealth issues. Still, I think that we're doing okay in terms of helping people understand where the bumpers are in regards to telehealth for Nevada licensed social workers. Also, we are starting to convert some of the waivers into endorsed license applications. Also, some individuals that have tried working as social workers in Nevada are deciding to get a license here i.e. we're seeing endorsements coming out of these waivers.

Nielsen asked if there is a standardized structure of some kind that identifies what can be done via telehealth. **Lowery** replied that each state has its own legislation around telehealth. Social work in

Nevada basically gives us authority to provide treatment via telecommunication technology. We actually uses language from the 2017 legislative session to create our definition of telehealth. So each board does it differently, each state does it differently, and there isn't standardization at this time. **Harris** asked if there is a 641B NAC that tells us what can be done and what is not appropriate? **Lowery** answered that yes, this is laid out in our Nevada Administrative Code. **Harris** asked about the mechanism for determining when the waivers are over. **Lowery** conveyed that when the Governor lifts the Emergency Directive, we will communicate this to the individuals electronically. For now, it's essentially ongoing until the Governor lifts the Emergency Directive for currently licensed individuals from other states. This waiver is ongoing and will stop on the day that the directive ends. **Erickson** thanked **Lowery** for her work on this.

Following this presentation, **Erickson** moved to **Item G, Executive Director's (ED) Report (For Discussion Only)**. **Oppenlander** began by stating that for accuracy she would primarily be reading information into the record during the ED report as she feels obligated to convey a great deal of material today.

- i) On May 26th, **Oppenlander** attended an Occupational Roundtable hosted by the Nevada Governor's Office of Workforce Innovation (OWINN) in collaboration with the American Institute of Research; Identifying barriers and challenges faced by potential licensees (referring to all types of licensees); Discussion on the processes for determining licensing requirements and policies.
- ii) On June 2nd, there was a National Association of Social Workers – Nevada Chapter Town Hall with NASW-NV President Tom Durante, Nevada Assemblywoman Teresa Benitez-Thompson and the BESW Executive Director to primarily forewarn Nevada social workers of the State of Nevada budget shortfall. The Assemblywoman asked BESW to kick off the Town Hall with an update from the Board. BESW was given an opportunity to talk about "Social Workers as Essential Workers" that are on the front lines providing much-needed care in numerous settings. We also spoke about the Board's ability to successfully overlay Governor's Emergency Directive #11 with existing 641B Nevada Revised Statutes and 641B Nevada Administrative Code. When this directive came about, BESW had new applicants that were in the queue waiting for their transcripts to arrive in our office from their colleges; some were waiting for their successful ASWB examination results to arrive; and others were waiting for their background checks to come to us from the Nevada Division of Public Safety. We told the Town Hall audience that within 3 working days of the directive, BESW was able to move forward 56 new applicants as licensees while those documents were still on their way. All of the licensees were immediately notified that they were able to join Nevada's workforce to help out with COVID-19. Also, because of the directive, **Lowery** was able to give temporary waivers to 17 LCSW practitioners from other states to treat Nevada residents on a temporary basis until the Governor lifts our state's medical emergency status. And, BESW was able to amend our Licensing Protocol at the LSW level to offer temporary Provisional A Licenses very effectively. As a result, within a week of official graduation from UNR and UNLV, we moved 84 new graduates into temporary LSW status. They are able to continue practicing while they get their examinations taken and their paperwork into the BESW office. So, these new provisional licensees currently have until December 28th 2020 to take care of the details. And, the Governor's Emergency Directive #11 made it possible for BESW to waive provisional license fees which saved Nevada licensees \$14,625.
- iii) On June 23rd, the Sunset Committee heard a Business and Industry presentation re: Boards and Commissions Occupational and Professional Licensing Boards Governance. Of note to the Board: A presentation was made to the Sunset Committee by the Director of the Governor's Office of Economic Development - Michael Brown and Business and Industry (B&I) Director - Terry Reynolds. They spoke about how they believe that the central administration of Board and Commissions under the umbrella of B&I would result in consistency of regulation for occupational and professional

licensing in Nevada and is a step in the right direction for effective government and consumer protection. **Oppenlander** added that this subject will be echoed again as this matter is being discussed regularly in various State of Nevada meetings and is why she feels obligated to inform the Board of this.

- iv) On June 30th, there was a Sunset Committee presentation of the responses to the Subcommittee's Special Survey of Certain Regulatory Bodies Related to their Operations. In the following week's five hour Sunset Committee meeting, there were some items of note to this Board. There was an update to the committee by Craig Von Collenberg, Executive Director, OWINN. This update was generated by the same research group that put on the meeting that I attended on May 26th (see item i) above). One of the reasons that there is currently so much focus on regulatory boards is that over 26% of Nevada's workforce is licensed, making it the state with the highest percentage of licensed workers in the nation. OWINN is in the process of reexamining licensure requirements for the state with a focus on efforts to better serve dislocated workers, transitioning service members, and veterans. The aim is to do so by identifying existing policies that create unnecessary barriers to the labor market and creating an action plan that expands access to and improves portability and reciprocity for select occupations.

Recently published materials were reviewed to gain an up-to-date understanding of the state of occupational licensing, general best practices, and opportunities for improvements. The research team reviewed 44 sources and determined 29 documents as eligible including journals, periodicals, reports, and internal documents from Nevada state agencies. They found that: (a) the value of occupational licensing is academically divisive, and its value in protecting consumers versus protecting current practitioners remains a subject of debate. (b) Key Takeaways: (i) Occupational licensing legislation should protect the general welfare of the public; (ii) Occupational licensure can have negative impacts, both economically and in terms of social harm.

The OWIIN research team also reviewed and reported on recommendations that were made to establish executive branch oversight of licensing Boards and Commissions under B&I while still allowing the 34 independent boards to operate semi-autonomously. In their report, which was one week after the Sunset Committee had a presentation on this matter, OWIIN emphasized that B&I already has 23 regulatory bodies under its oversight and has experience establishing standards. They went on to outline suggested first steps to incorporate these 23 regulatory bodies into B&I including: to maintain independent board authority for establishing standards for professions, hiring, responding to inquiries, setting qualifications and requirements, and administering examinations. And B&I would assume varying degrees of control over aspects of operations based on the needs of the individual boards and commissions to include: facilities management, regulatory processes, budgeting, financial accounting and reporting, complaint investigations, personnel policies, and record keeping. The audit report also recommended that the Boards, in turn, would benefit from B&I's review of regulatory actions, operational practices, and administrative procedures. B&I also would be able to establish best practices among Boards; provide a framework to lessen reliance on single positions (e.g., executive director) to ensure that operations meet statutory requirements; provide HR functions, including qualifications, compensation, and evaluation for executive director positions; and monitor and approve board activities to protect the state from antitrust liability.

Next, there was a presentation of the Responses to the Subcommittee's Special Survey of Certain Regulatory Bodies Related to their Operations made by Cesar Melgarejo, Senior Policy Analyst, Research Division for the Legislative Counsel Bureau (LCB) and his team. We were surveyed and we

submitted our answers on May 19th 2020. The survey was for the collection of data and input from each professional and occupational board or commission. The data and input collected was to be used to provide recommendations for reform and improvement of Nevada's professional and occupational licensure requirements. We answered questions in four categories:

- Information Pursuant To Senate Concurrent Resolution 6 (2019) to be submitted to the Sunset Committee with the results of this interim study and any recommended legislation to be transmitted to the 2021 Legislature.
 - Required Information Pursuant to NRS 232b.237 and 622.085 - Assembly Bill 319 (2019) requires the Sunset Subcommittee to collect certain information to determine whether the restrictions on the criminal history of an applicant for a license, certificate, registration, permit, or other similar authorization issued by a regulatory body are appropriate and to include any suggestions for modification, continuation, or removal of such restrictions in its recommendations for appropriate direct legislative action to the Legislative Commission (NRS 232B.237 and 232B.250). Certain regulatory bodies are required to develop and implement a process by which a person with a criminal history may petition the regulatory body to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license, certificate, registration, permit, or other similar authorization from the regulatory body. (NRS 622.085).
 - Additional Information Regarding Licensure by Endorsement and Reciprocal Licensure.
- v) Additional Information Regarding Military Spouses. Next, **Oppenlander** covered Handout: Two June 2020 Wall Street Journal Articles Re: Social Workers and Law Enforcement. Because the Special Session(s) will in part be dealing with Social Justice she handed out two June 2020 articles from the Wall Street Journal (WSJ). On June 16, 2020 - NASW CEO Angelo McClain responded to a negative column on social work and policing that was published on earlier in the month on 6/9/20 in the WSJ. Speaking on behalf of NASW and many of its 110,000 members, the NASW CEO expressed deep disappointment with the editorial titled "Are Social Workers the Answer?" The earlier article he responded to was penned by Naomi Schaefer Riley, a resident fellow at the conservative/ neo-conservative American Enterprise Institute. McClain stated that it was an egregious column that that called into question the practice of police departments hiring more social workers to help bring about policing reforms. He went on to say that Riley relied on the well-worn stereotype that social workers are ineffective in the child welfare system, so therefore could not help law enforcement better serve their communities, including people who are African Americans, homeless, or living with a mental illness. He said that this issue is especially crucial now considering the widespread unrest that has occurred after the police murder of George Floyd and the deaths of other unarmed people. **Oppenlander** spoke about a fundamental pillar of social work is social justice and she will be interested in seeing where Nevada's legislators may go.
- vi) She moved on to highlight a handout on the updated BESW Safe and Healthy Workplace Policy, Phase Two in a continuing effort to update the Board when we are changing phases in the State and Local Government recovery plans.
- vii) Then she covered the Board's Strategic Plan Goal 4B – "BESW Will Clear 75% of Backlogged Disciplinary Cases Prior to January 1 2018 by December 31 2019"; she let the Board know that the actual results were that 76% of these cases were cleared by June 30 2020. She highlighted the work of the Compliance Unit in this accomplishment: Miller, Durante, Bhalla, Lowery, Rhuys, and Weaver. **Erickson** thank everyone for their progress on the investigations. It's amazing about how you have all worked together to try to expedite that process.

- viii) Last, **Oppenlander** covered the expensed items related to Nevada's Reopening Plan including a) Plexiglas Sneeze Guards: \$1946.65, b) Rewiring/ Move of Copier for Social Distancing: \$768.60, c) Handout: Xerox Master Service Agreement - new five year agreement, and (d) miscellaneous: \$222.79.
- ix) To wrap up, she asked for ideas for Future Agenda Items and
- x) The next Board meeting is scheduled for September 11, 2020.

Erickson moved to **Agenda Item 4: Public Comment** and hearing none, moved to **Agenda Item 5: Adjournment**.

Nielsen motioned to adjourn, seconded by Harris. Roll call vote: Erickson – Aye; Harris – Aye; Maplethorpe – Aye; Nielsen – Aye. Motion passed unanimously.

The meeting was adjourned at 11:20 a.m.

Meeting minutes were respectfully submitted by Karen Oppenlander.

3C

FY19/20 Year End

June	Annual Budget FY 19/20	Monthly Budget - June	Monthly Actual - June	Monthly Variance Dollars	Monthly Variance Percent	Annual Year to Date	Annual Variance Dollar	Annual Variance Percent
Fund Balance	\$ 91,709.88					100%		
INCOME								
40000 · RENEWAL FEES	348,602.25	29,050.19	37,287.50	-8,237.31	128%	376,992.50	28,390.25	108%
41000 · APPLICATION FEE	25,750.00	2,145.83	3,950.00	-1,804.17	184%	29,155.00	3,405.00	113%
42000 · INITIAL LICENSE FEE	58,645.00	4,887.08	9,427.50	-4,540.42	193%	63,275.00	4,630.00	108%
43000 · ENDORSEMENT FEE	14,025.00	1,168.75	2,375.00	-1,206.25	203%	16,132.50	2,107.50	115%
44000 · PROVISIONAL LICENSE FEES	2,000.00	166.66	500.00	-333.34	300%	1,301.75	-698.25	65%
45000 · RENEWAL LATE FEE	2,000.00	200.00	0.00	200.00	0%	1,000.00	-1,000.00	50%
46000 · RESTORATION OF LICENSE	0.00	0.00	0.00	0.00	0%	1,200.00	1,200.00	0%
47000 · DISCIPLINARY COSTS	4,000.00	333.33	3,500.00	-3,166.67	1050%	8,600.00	4,600.00	215%
48000 · MISCELLANEOUS	10,000.00	833.33	5.00	828.33	1%	8,628.00	-1,372.00	86%
49000 · INTEREST	10.50	0.87	0.00	0.87	0%	0.00	-10.50	0%
Total Income	\$ 465,032.75	\$ 38,786.04	\$ 57,045.00	\$ (18,258.96)	147%	\$ 506,284.75	\$ 41,252.00	109%
Sub-Account Total	\$ 556,742.63					\$ 597,994.63		

EXPENSES								
50050 · Wages	230,731.00	19,227.58	26,715.43	-7,487.85	139%	229,259.69	-1,471.31	99%
50102 · Group Health Insurance	35,664.00	2,972.00	6,174.23	-3,202.23	208%	36,841.61	1,177.61	103%
50103 · Ins Regis	3,500.00	291.67	446.67	-155.00	153%	5,475.60	1,975.60	156%
50104 · Medicare	3,346.00	278.83	276.78	2.05	99%	3,156.07	-189.93	94%
50105 · PERS-Employer paid	30,025.00	2,502.09	1,277.06	1,225.03	51%	29,371.35	-653.65	98%
50106 · Unemployment Ins.	1,850.00	154.16	187.58	-33.42	122%	2,280.94	430.94	123%
50300 · Workman's Comp.	4,000.00	0.00	781.80	-781.80	0%	3,067.80	-932.20	77%
Sub Account Total	\$ 309,116.00	\$ 25,426.33	\$ 35,859.55	\$ (10,433.22)	141%	\$ 309,453.06	337.06	100%
61050 · Contract-Labor	15,000.00	1,250.00	500.00	750.00	40%	15,011.57	11.57	100%
61100 · Contract-Auditor	10,000.00	833.33	0.00	833.33	0%	5,075.00	-4,925.00	51%
61150 · Contract-Legal	32,500.00	2,708.33	1,157.70	1,550.63	43%	15,590.36	-16,909.64	48%
61200 · Contract-Lobbyist	18,000.00	1,500.00	1,500.00	0.00	100%	18,000.00	0.00	100%
61250 · Contract-Payroll Service	1,500.00	125.00	97.50	27.50	78%	1,142.50	-357.50	76%
61300 · Court Reporting	4,500.00	375.00	0.00	375.00	0%	1,699.00	-2,801.00	38%
61350 · Investigations	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
61400 · LCB	1,500.00	125.00	0.00	125.00	0%	0.00	-1,500.00	0%

62000 · Operating Costs	6,520.00	543.34	491.75	51.59	91%	6,558.14	38.14	101%
62050 · Printing	3,000.00	250.00	301.08	-51.08	120%	6,235.72	3,235.72	208%
62100 · Copying	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
62150 · TORT Claim Fund	1,200.00	0.00	0.00	0.00	0%	802.39	-397.61	67%
62200 · Rent	20,400.00	1,700.00	1,700.00	0.00	100%	20,362.50	-37.50	100%
62250 · B and G Assessment	650.00	0.00	0.00	0.00	0%	152.73	-497.27	23%
62300 · Records Storage	480.00	40.00	50.00	-10.00	125%	734.09	254.09	153%
62350 · Postage	5,500.00	458.33	0.00	458.33	0%	7,286.31	1,786.31	132%
62400 · Telephone	1,750.00	145.83	203.31	-57.48	139%	2,381.18	631.18	136%
62450 · Internet	2,000.00	166.66	138.33	28.33	83%	3,196.64	1,196.64	160%
62500 · Computer Software	9,100.00	0.00	0.00	0.00	0%	9,339.65	239.65	103%
62550 · Transcription	0.00	0.00	0.00	0.00	0%	259.45	259.45	0%
63050 · Dues & Registration	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
63100 · Professional Dues (ASWB)	250.00	0.00	0.00	0.00	0%	250.00	0.00	100%
64050 · Bank Charges	120.00	10.00	0.00	10.00	0%	44.30	-75.70	37%
64100 · Credit Card Processing	1,500.00	125.00	513.75	-388.75	411%	6,238.91	4,738.91	416%
65000 · Host Fund	800.00	66.67	0.00	66.67	0%	508.39	-291.61	64%
66050 · In State Travel	7,000.00	583.33	0.00	583.33	0%	2,810.67	-4,189.33	40%
66100 · Out of State Travel	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
67000 · Training	0.00	0.00	-125.00	125.00	0%	175.00	175.00	0%
68050 · Furniture	0.00	0.00	1,055.96	-1,055.96	0%	2,947.63	2,947.63	0%
68100 · Computers	13,000.00	0.00	0.00	0.00	0%	7,491.61	-5,508.39	58%
Sub Account Total	\$ 156,270.00	\$ 11,005.82	\$ 7,584.38	\$ 3,421.44	69%	\$ 134,293.74	\$ (21,976.26)	86%
Total Expenses	\$ 465,386.00	\$ 36,432.15	\$ 43,443.93	\$ (7,011.78)	119%	\$ 443,746.80	\$ (21,618.76)	95%

Net Position *								
		2,353.89	13,601.07			62,537.95		
Net Position - Adjusted **						154,247.83		
* Net Position	Income and Expenses without Fund Balance							
**Net Position - Adjusted	Income and expenses with prior year Fund Balance							

CASH BALANCES								
Checking						121,873.98		
Savings						5,246.47		
CD						25,427.38		
Total Cash Balance						\$ 152,547.83		

3D

July Financials

July	Annual Budget FY 20/21	Monthly Budget - July	Monthly Actual - July	Monthly Variance Dollars	Monthly Variance Percent	Annual Year to Date	Annual Variance Dollar	Annual Variance Percent
Fund Balance	\$ 152,547.83					8%		
INCOME								
40000 · RENEWAL FEES	434,407.50	36,200.63	40,200.00	-3,999.37	111%	40,200.00	-394,207.50	9%
41000 · APPLICATION FEE	23,736.00	1,978.00	3,240.00	-1,262.00	164%	3,240.00	-20,496.00	14%
42000 · INITIAL LICENSE FEE	59,340.00	4,945.00	7,662.50	-2,717.50	155%	7,662.50	-51,677.50	13%
43000 · ENDORSEMENT FEE	10,750.00	895.84	1,250.00	-354.16	140%	1,250.00	-9,500.00	12%
44000 · PROVISIONAL LICENSE FEES	1,125.00	93.75	93.75	0.00	100%	93.75	-1,031.25	8%
45000 · RENEWAL LATE FEE	2,200.00	183.33	200.00	-16.67	109%	200.00	-2,000.00	9%
46000 · RESTORATION OF LICENSE	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
47000 · DISCIPLINARY COSTS	3,000.00	250.00	0.00	250.00	0%	0.00	-3,000.00	0%
48000 · MISCELLANEOUS	8,600.00	716.66	375.00	341.66	52%	375.00	-8,225.00	4%
49000 · INTEREST	9.00	0.75	0.00	0.75	0%	0.00	-9.00	0%
Total Income	\$ 543,167.50	\$ 45,263.96	\$ 53,021.25	\$ (7,757.29)	117%	\$ 53,021.25	\$ (490,146.25)	10%
Sub-Account Total	\$ 695,715.33					\$ 205,569.08		

July	Annual Budget FY 20/21	Monthly Budget - July	Monthly Actual - July	Monthly Variance Dollars	Monthly Variance Percent	Annual Year to Date	Annual Variance Dollar	Annual Variance Percent
EXPENSES								
50050 · Wages	227,165.00	18,930.41	18,758.42	171.99	99%	18,758.42	-208,406.58	8%
50102 · Group Health Insurance	37,600.00	3,133.33	3,133.20	0.13	100%	3,133.20	-34,466.80	8%
50103 · Ins Regis	6,433.00	536.09	450.49	85.60	84%	450.49	-5,982.51	7%
50104 · Medicare	3,294.00	274.50	276.79	-2.29	101%	276.79	-3,017.21	8%
50105 · PERS-Employer paid	31,035.00	2,586.25	2,554.12	32.13	99%	2,554.12	-28,480.88	8%
50106 · Unemployment Ins.	3,835.00	319.59	187.58	132.01	59%	187.58	-3,647.42	5%
50300 · Workman's Comp.	2,700.00	825.00	0.00	825.00	0%	0.00	-2,700.00	0%
Sub Account Total	\$ 312,062.00	\$ 26,605.17	\$ 25,360.60	\$ 1,244.57	95%	\$ 25,360.60	\$ -286,701.40	8%
61050 · Contract-Labor	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
61100 · Contract-Auditor	6,000.00	0.00	0.00	0.00	0%	0.00	-6,000.00	0%
61150 · Contract-Legal	34,400.00	2,866.67	0.00	2,866.67	0%	0.00	-34,400.00	0%
61200 · Contract-Lobbyist	5,000.00	5,000.00	1,500.00	3,500.00	30%	1,500.00	-3,500.00	30%
61250 · Contract-Payroll Service	1,500.00	125.00	95.00	30.00	76%	95.00	-1,405.00	6%
61300 · Court Reporting	4,500.00	375.00	0.00	375.00	0%	0.00	-4,500.00	0%
61350 · Investigations	7,000.00	583.33	0.00	583.33	0%	0.00	-7,000.00	0%
61400 · LCB	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
62000 · Operating Costs	6,450.00	537.50	128.28	409.22	24%	128.28	-6,321.72	2%
62050 · Printing	4,750.00	395.83	0.00	395.83	0%	0.00	-4,750.00	0%
62100 · Copying	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
62150 · TORT Claim Fund	850.00	0.00	0.00	0.00	0%	0.00	-850.00	0%
62200 · Rent	21,350.00	1,779.17	1,700.00	79.17	96%	1,700.00	-19,650.00	8%
62250 · B and G Assessment	500.00	0.00	0.00	0.00	0%	0.00	-500.00	0%
62300 · Records Storage	600.00	50.00	0.00	50.00	0%	0.00	-600.00	0%
62350 · Postage	5,550.00	462.50	648.84	-186.34	140%	648.84	-4,901.16	12%
62400 · Telephone	1,750.00	145.84	91.37	54.47	63%	91.37	-1,658.63	5%
62450 · Internet	3,000.00	250.00	208.80	41.20	84%	208.80	-2,791.20	7%
62500 · Computer Software	11,000.00	0.00	0.00	0.00	0%	0.00	-11,000.00	0%
62550 · Transcription	0.00	0.00	35.50	-35.50	0%	35.50	35.50	0%
62600 · COVID 19 UNK	100.00	100.00	0.00	100.00	0%	0.00	-100.00	0%
63050 · Dues & Registration	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
63100 · Professional Dues (ASWB)	250.00	0.00	0.00	0.00	0%	0.00	-250.00	0%

July	Annual Budget FY 20/21	Monthly Budget - July	Monthly Actual - July	Monthly Variance Dollars	Monthly Variance Percent	Annual Year to Date	Annual Variance Dollar	Annual Variance Percent
Fund Balance	\$ 152,547.83					8%		
64050 · Bank Charges	150.00	12.50	0.00	12.50	0%	0.00	-150.00	0%
64100 · Credit Card Processing	7,000.00	583.35	561.86	21.49	96%	561.86	-6,438.14	8%
65000 · Host Fund	400.00	33.33	0.00	33.33	0%	0.00	-400.00	0%
66050 · In State Travel	5,000.00	416.67	0.00	416.67	0%	0.00	-5,000.00	0%
66100 · Out of State Travel	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
67000 · Training	0.00	0.00	0.00	0.00	0%	0.00	0.00	0%
68050 · Furniture	1,000.00	83.33	0.00	83.33	0%	0.00	-1,000.00	0%
68100 · Computers	1,500.00	125.00	0.00	125.00	0%	0.00	-1,500.00	0%
Sub Account Total	\$ 129,600.00	\$ 13,925.02	\$ 4,969.65	\$ 8,955.37	36%	\$ 4,969.65	\$ (124,630.35)	4%
Total Expenses	\$ 441,662.00	\$ 40,530.19	\$ 30,330.25	\$ 10,199.94	75%	\$ 30,330.25	\$ (123,225.35)	7%
Net Position *	101,505.50	4,733.77	22,691.00			22,691.00		
Net Position - Adjusted **	254,053.33					175,238.83		
* Net Position	Income and Expenses without Fund Balance							
**Net Position - Adjusted	Income and expenses with prior year Fund Balance							
CASH BALANCES								
Checking								
Savings								
CD								
Total Cash Balance						\$ 173,261.34		

**Net Position Adjusted Doesn't Match Due to Journal Entries 19-20 JE1-4 for Health Insurance Adjustments Moved from August to Prior Year (bank balance was \$92,181.93, less JEs of \$472.05 = \$91,709.88)

3E

Updated Budget

	Budget 2020 / 2021	Budget 2020/2021 4% reduction	Budget 2020/2021 4% + 6% + 4% reduction	Budget / 2021 4% + 6% + 4% + 5% reduction	Budget 2020/2021 14% + 10% reduction
Income					
Fund Balance					
40000 · RENEWAL FEES	505,125.00	484,920.00	454,612.50	409,151.25	383,895.00
41000 · APPLICATION FEE	27,600.00	26,496.00	24,840.00	22,356.00	20,976.00
42000 · INITIAL LICENSE FEE	69,000.00	66,240.00	62,100.00	55,890.00	52,440.00
43000 · ENDORSEMENT FEE	12,500.00	12,000.00	11,250.00	10,750.00	9,500.00
44000 · PROVISIONAL LICENSE FEES	2,000.00	1,920.00	1,800.00	1,125.00	1,520.00
45000 · RENEWAL LATE FEE	2,000.00	1,920.00	1,800.00	2,200.00	1,520.00
46000 · RESTORATION OF LICENSE		0.00	0.00	0.00	0.00
47000 · DISCIPLINARY COSTS	4,000.00	3,840.00	3,600.00	3,000.00	3,000.00
48000 · MISCELLANEOUS		0.00	0.00	0.00	0.00
48050 · Copies		0.00	0.00	0.00	0.00
48100 · Lists-Labels		0.00	0.00	0.00	0.00
48150 · Returned Check Fee		0.00	0.00	0.00	0.00
48200 · Wallet Card / Wall Certificate		0.00	0.00	0.00	0.00
48250 · Workshop Fee		0.00	0.00	0.00	0.00
48000 · MISCELLANEOUS - Other		0.00	0.00	0.00	0.00
Total 48000 · MISCELLANEOUS	10,000.00	9,600.00	9,000.00	8,100.00	7,600.00
49000 · INTEREST	10.50	10.08	9.45	9.00	9.00
Total Income	\$ 632,235.50	\$ 606,946.08	\$ 569,011.95	\$ 511,956.25	\$ 480,460.00
	\$ 632,235.50	\$ 606,946.08	\$ 569,011.95	\$ 511,956.25	\$ 480,460.00
Expense					
Total 50050 · Wages	288,704.00	271,822.00	240,240.00	227,165.00	203,505.00
50100 · Employer Payroll Expenses					
50102 · Group Health Insurance	45,750.00	45,750.00	36,620.00	37,600.00	37,600.00
50103 · Ins Regis	4,160.00	3,931.00	3,458.00	6,433.00	6,433.00
50104 · Medicare	4,160.00	3,931.00	3,458.00	3,294.00	2,951.00
50105 · PERS-Employer paid	40,142.00	37,734.00	32,751.00	31,035.00	31,035.00
50106 · Unemployment Ins.	2,500.00	2,400.00	2,250.00	3,835.00	3,835.00
50100 · Employer Payroll Expenses - Other					
Total 50100 · Employer Payroll Expenses	96,712.00	93,746.00	78,537.00	82,197.00	81,854.00
50300 · Workman's Comp.	5,000.00	4,000.00	4,000.00	2,750.00	2,750.00
Total 50000 · Payroll	\$ 390,416.00	\$ 369,568.00	\$ 322,777.00	\$ 312,112.00	\$ 288,109.00
61000 · Contract Services					
61050 · Contract-Labor	15,000.00	0.00	0.00	0.00	0.00
61100 · Contract-Auditor	10,000.00	6,000.00	6,000.00	6,000.00	6,000.00
61150 · Contract-Legal	40,000.00	38,000.00	36,000.00	34,400.00	30,400.00
61200 · Contract-Legislative Consultant	30,000.00	0.00	0.00	0.00	0.00
61250 · Contract-Payroll Service	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
61300 · Court Reporting	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00
61350 · Investigations	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00
61400 · LCB	1,500.00	0.00	0.00	0.00	0.00
61000 · Contract Services - Other					
Total 61000 · Contract Services	\$ 109,500.00	\$ 57,000.00	\$ 55,000.00	\$ 53,400.00	\$ 49,400.00

	Budget 2020 / 2021	Budget 2020/2021 4% reduction	Budget 2020/2021 4% + 6% reduction	Budget 2020/2021 4% + 6% + 4% reduction	Budget / 2021 4% + 6% + 4% + 5% reduction	Budget 2020/2021 14% + 10% reduction
Income						
62000 · Operating Costs						
62050 · Printing	7,000.00	5,000.00	5,000.00	4,750.00	4,750.00	4,500.00
62100 · Copying						
62150 · TORT Claim Fund	850.00	850.00	850.00	850.00	850.00	850.00
62200 · Rent	21,350.00	21,350.00	21,350.00	21,350.00	21,350.00	21,350.00
62250 · B and G Assessment	500.00	500.00	500.00	500.00	500.00	500.00
62300 · Records Storage	750.00	600.00	600.00	600.00	600.00	600.00
62350 · Postage	7,500.00	5,500.00	5,500.00	5,550.00	5,550.00	5,000.00
62400 · Telephone	2,000.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00
62450 · Internet	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	2,750.00
62500 · Computer Software	30,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00
62550 · Transcription						
62000 · Operating Costs - Other	7,500.00	7,200.00	7,200.00	6,450.00	6,450.00	5,700.00
Total 62000 · Operating Costs	\$ 80,450.00	\$ 75,750.00	\$ 75,750.00	\$ 55,800.00	\$ 55,800.00	\$ 54,000.00
63000 · Professional Dues						
63050 · Dues & Registration						
63100 · Professional Dues (ASWB)	250.00	250.00	250.00	250.00	250.00	250.00
63000 · Professional Dues - Other						
Total 63000 · Professional Dues	\$ 250.00					
64050 · Bank Charges	120.00	120.00	120.00	120.00	150.00	150.00
64100 · Credit Card Processing	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	6,000.00
65000 · Host Fund	1,000.00	900.00	900.00	400.00	400.00	200.00
66000 · Travel						
66050 · In State Travel	7,000.00	6,720.00	6,300.00	5,000.00	5,000.00	2,500.00
66100 · Out of State Travel						
66000 · Travel - Other						
Total 66000 · Travel	\$ 7,000.00	\$ 6,720.00	\$ 6,300.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00
67000 · Training						
68000 · Office Equipment						
68050 · Furniture						
68100 · Computers	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
68000 · Office Equipment - Other						
Total 68000 · Office Equipment	\$ 1,000.00					
Total Expense	\$ 596,736.00	\$ 518,308.00	\$ 449,547.00	\$ 435,112.00	\$ 429,558.00	\$ 401,609.00
Net Income	\$ 35,499.50	\$ 88,638.08	\$ 119,464.95	\$ 108,055.50	\$ 82,398.25	\$ 78,851.00
	Premises	Premises	Premises	Premises	Premises	Premises
	Net income from FY19/20 goes to reserves (4 mo. reserves)	Net income from FY19/20 goes to reserves (5 mo. reserves)	Net income from FY19/20 goes to reserves (6 mo. reserves)	Net income from FY19/20 goes to reserves (6 mo. reserves)	Net income from FY19/20 goes to reserves (5 mo. reserves)	Net income from FY19/20 goes to reserves (5 mo. reserves)
	Put forward legislation	No legislation; No \$ for MAC changes				
	Use lobbyist for session	No lobbyist				
	Adding software modules	Adding software modules	No new software	No new software	No new software	No new software
	Raises for staff	Raises for staff	Raises for staff	No raises	No raises	No raises
	3 PT investigators equaling 1.25 FTE	3 PT investigators equaling 1.25 FTE	Raises for staff	No reduction in hours	No reduction in hours	Reduction in hours for directors only
	PT Admn.	Hiring freeze	Hiring freeze	Hiring freeze	Hiring freeze	Loss of PT investigator
		Hiring freeze	Reduction in statewide training income	Reduction in statewide training income	Reduction in statewide training income	Investigations move to contract only

	Budget 2020 / 2021	REVISED 20/21
Income		
Fund Balance	\$ 152,547.83	\$ 152,547.83
40000 · RENEWAL FEES	505,125.00	505,125.00
41000 · APPLICATION FEE	27,600.00	27,600.00
42000 · INITIAL LICENSE FEE	69,000.00	69,000.00
43000 · ENDORSEMENT FEE	12,500.00	12,500.00
44000 · PROVISIONAL LICENSE FEES	2,000.00	2,000.00
45000 · RENEWAL LATE FEE	2,000.00	2,000.00
46000 · RESTORATION OF LICENSE		
47000 · DISCIPLINARY COSTS	4,000.00	4,000.00
48000 · MISCELLANEOUS		
48050 · Copies		
48100 · Lists-Labels		
48150 · Returned Check Fee		
48200 · Wallet Card / Wall Certificate		
48250 · Workshop Fee		
48000 · MISCELLANEOUS - Other		
Total 48000 · MISCELLANEOUS	10,000.00	10,000.00
49000 · INTEREST	10.50	10.50
Total Income	\$ 632,235.50	\$ 632,235.50
	\$ 784,783.33	\$ 784,783.33
Expense		
Total 50050 · Wages	288,704.00	288,704.00
50100 · Employer Payroll Expenses		
50102 · Group Health Insurance	45,750.00	45,750.00
50103 · Ins Regis	4,160.00	4,160.00
50104 · Medicare	4,160.00	4,160.00
50105 · PERS-Employer paid	40,142.00	40,142.00
50106 · Unemployment Ins.	2,500.00	2,500.00
50100 · Employer Payroll Expenses - Other		
Total 50100 · Employer Payroll Expenses	96,712.00	96,712.00
50300 · Workman's Comp.	5,000.00	5,000.00
Total 50000 · Payroll	\$ 390,416.00	\$ 390,416.00
61000 · Contract Services		
61050 · Contract-Labor	15,000.00	15,000.00
61100 · Contract-Auditor	10,000.00	10,000.00
61150 · Contract-Legal	40,000.00	40,000.00
61200 · Contract-Legislative Consultant	30,000.00	37,500.00
61250 · Contract-Payroll Service	1,500.00	1,500.00
61300 · Court Reporting	4,500.00	4,500.00
61350 · Investigations	7,000.00	7,000.00
61400 · LCB	1,500.00	1,500.00
61000 · Contract Services - Other		
Total 61000 · Contract Services	\$ 109,500.00	\$ 117,000.00

		Budget 2020 / 2021	REVISED 20/21
62000 · Operating Costs			
	62050 · Printing	7,000.00	7,000.00
	62100 · Copying		
	62150 · TORT Claim Fund	850.00	850.00
	62200 · Rent	21,350.00	21,350.00
	62250 · B and G Assessment	500.00	500.00
	62300 · Records Storage	750.00	750.00
	62350 · Postage	7,500.00	7,500.00
	62400 · Telephone	2,000.00	2,000.00
	62450 · Internet	3,000.00	3,000.00
	62500 · Computer Software	30,000.00	48,500.00
	62550 · Transcription		
	62600 · COVID 19 UNK		1,000.00
	62000 · Operating Costs - Other	7,500.00	7,500.00
Total 62000 · Operating Costs		\$ 80,450.00	\$ 99,950.00
63000 · Professional Dues			
	63050 · Dues & Registration		
	63100 · Professional Dues (ASWB)	250.00	250.00
	63000 · Professional Dues - Other		
Total 63000 · Professional Dues		\$ 250.00	\$ 250.00
64050 · Bank Charges		120.00	120.00
64100 · Credit Card Processing		7,000.00	7,000.00
65000 · Host Fund		1,000.00	1,000.00
66000 · Travel			
	66050 · In State Travel	7,000.00	7,000.00
	66100 · Out of State Travel		
	66000 · Travel - Other		
Total 66000 · Travel		\$ 7,000.00	\$ 7,000.00
67000 · Training			
68000 · Office Equipment			
	68050 · Furniture		
	68100 · Computers	1,000.00	11,500.00
	68000 · Office Equipment - Other		
Total 68000 · Office Equipment		\$ 1,000.00	\$ 11,500.00
Total Expense		\$ 596,736.00	\$ 634,236.00
Net Income	Net Income	\$ 188,047.33	\$ 150,547.33

3F

Capitol Partners Report

Capitol Partners, LLC
1575 Delucchi Lane, Suite 201
Reno, NV 89502
Tel: 775-622-9665 Fax: 775-420-5999



NEVADA SPECIAL SESSIONS REPORT 2020 – SINE DIE

31st Special Session July 8 – July 19, 2020

The 31st Special Session called by Governor Sisolak directed the Legislature to address the budget shortfall to Nevada’s budget. In total, the Legislature passed five measures that were all signed by the Governor.

Assembly Bill 3 is a major budget bill that makes significant cuts to various agencies and departments. The bill also includes a transfer of \$50 million in federal CARES Act dollars to a state budget account overseen by the State Superintendent of Public Instruction and establishes a grant program for K-12 schools to create “alternative intensive instruction” including the distance learning bill, specifically focusing on students, “likely to develop the largest deficits in educational attainment as a result of the loss of in-person intensive instruction.” Both school districts and charter schools will be eligible for grants through the program.

The state’s Medicaid budget has also been cut.

VOTE
Assembly: 36-6
Senate: 21-0

Senate Bill 1 addresses various capital improvement projects that will now be placed on hold.

VOTE:
Assembly: 42-0
Senate: 21-0

Senate Bill 2 makes changes to the Guinn Millennium Scholarship (Higher Education).

VOTE:
Assembly: 42-0
Senate: 21-0

Capitol Partners, LLC
1575 Delucchi Lane, Suite 201
Reno, NV 89502
Tel: 775-622-9665 Fax: 775-420-5999



**32nd Special Session
July 31 – August 6, 2020**

The 32nd Special Session called by Governor Steve Sisolak directed the Legislature to address an array of policy topics ranging from criminal and social justice reform to elections to business liability.

The Legislature passed 8 bills and 3 Joint Resolutions.

Assembly Bill 1

AB 1 is a technical correction bill from legislation in 2019. There were two major issues addressed: restoring voting rights for ex-felons and evictions during the Governor’s state of emergency. The bill amends language passed in 2019 about when a person may be evicted. It specifies that a tenant is guilty of an “unlawful detainer” if they remain in a commercial property for five days after not paying rent and after being notified in writing of the default. The term is seven judicial days for noncommercial properties and 10 days for a mobile home lot.

VOTE:

Assembly: 31-10

Senate: 18-3

Assembly Bill 2

AB2 allows for legislators to vote remotely outside of the legislative building. This is similar to action taken during the first special session of 2020, allowing members to participate from either their office or another location. AB2 also changed the make-up of legislative staff within the legal division and the handling of legal matters. The bill includes technical processing instructions if the Legislature begins the process of amending the Constitution during a special session. Usually, a constitutional change originating in the Legislature needs to pass two subsequent sessions and be approved by voters to take effect, but constitutional deadlines allow the Legislature to shorten that process if they pass a resolution during a special session. (See AJR 1, AJR 2 & SJR 3)

VOTE:

Assembly: 40-1-1

Capitol Partners, LLC
1575 Delucchi Lane, Suite 201
Reno, NV 89502
Tel: 775-622-9665 Fax: 775-420-5999



Senate: 15-6

ASSEMBLY BILL 3

AB3 is a continuance to criminal justice reform from the 2019 Legislative Session. Items addressed in AB3 included the prohibition of choke holds, a duty to intervene and recording of law enforcement action in addition to technical changes to the 2019 legislation. AB3 also requires testing officers for alcohol and drugs — including prescription drugs and cannabis — if they are in an officer-involved shooting.

VOTE

Assembly: 38-4

Senate: 19-2

ASSEMBLY BILL 4

AB4 is a major election bill that will move Nevada to an “All Mail in Ballot” State. Voters across the Silver State will now receive a ballot in the mail to vote. There will be specified polling locations to vote in person or drop off your ballot but the process of casting a ballot will be similar to how Nevadans participated in the primary. AB4 will allow for a voter to authorize another person to return their absentee or mail-in ballot to an election clerk. Current Nevada law only allows voters to authorize a member of their family or a limited pool of individuals to return their mail-in ballot.

VOTE

Assembly: 28-12-1

Senate: 13-8

SENATE BILL 1

SB1 will suspend eviction proceedings for any tenant in a dwelling unit, apartment, mobile home, recreational vehicle, or low-rent housing program operated by a public housing authority if a court in the state establishes an “expedited program of alternative dispute resolution.” The bill will halt evictions for up to 30 days if the parties agree to enter the program for alternative dispute resolution. It is effective upon passage.

VOTE

Assembly: 38-4

Capitol Partners, LLC
1575 Delucchi Lane, Suite 201
Reno, NV 89502
Tel: 775-622-9665 Fax: 775-420-5999



Senate: 18-3

SENATE BILL 2

SB2 revisits Senate Bill 242 from the 2019 legislative session. Major changes include the elimination of prohibitions on using a police officer's compelled statement in a civil case without their consent; change the statute of limitations on when a law enforcement agency can bring an investigation against an officer; eliminate prohibitions on reassigning an officer under investigation; and would no longer prohibit law enforcement agencies from reopening investigations without "new material evidence."

VOTE:

Assembly: 25-17

Senate: 13-8

SENATE BILL 3

SB3 is a measure addressing issues within the Department of Employment, Training & Rehabilitation (DETR) and provides the agency more flexibility and authority during the COVID-19 pandemic. The agency argued that it has been unable to provide aid to Nevadans in certain unemployment benefit situations.

VOTE:

Assembly: 42-0

Senate: 21-0

SENATE BILL 4

SB4 is a major measure that addresses both business and worker safety. The bill puts in place liability protections for businesses, government agencies and nonprofits **but** excluded K-12 schools and health care facilities, including hospitals and other health care facilities.

SB4 does not provide full immunity for entities but expands protection against lawsuits unless a plaintiff can prove that a business violated minimum recommended health standards and/or is guilty of gross negligence.

Capitol Partners, LLC
1575 Delucchi Lane, Suite 201
Reno, NV 89502
Tel: 775-622-9665 Fax: 775-420-5999



The primary concern from the health care industry is that the industry members will now have to put in place new policies as it relates to visitors and vendors.

Another key provision of the bill directs the gaming industry in Clark and Washoe counties to work closely with the State of Nevada to adopt new standards as it relates to keeping a property disinfected from COVID-19. The bill also allows for a period of paid-time off for employees who are awaiting test results or contact with the virus as well as free testing and other safety protocols.

VOTE
Assembly: 31-10-1
Senate: 16-5

MINING

Assembly Joint Resolution 1, Assembly Joint Resolution 2 & Senate Joint Resolution 3

Three different resolutions were introduced during the Special Session to address mining taxes. These resolutions are an attempt to get the mining industry to pay more revenue to the State of Nevada. In order to become law, each of these measures will need to be heard twice by the Legislature (now and in 2021) and will need to be approved at the ballot box in 2022.

AJR 1 would impose a 7.75 percent tax rate (current rate is 5%) on mining gross proceeds, but the distribution method differs. Under the Assembly proposal, 25 percent of the proceeds would be segregated and used exclusively for education purposes, health care for state residents or economic assistance to state residents.

VOTE:
Assembly: 29-13
Senate: 13-8

AJR 2 would amend the Nevada Constitution by raising the net proceeds of the minerals tax from 5 percent to 12 percent. The measure would also establish a minimum rate of the net proceeds tax tied to the property tax rate in the taxing district (whether county or municipality) where the mining operation is located.

VOTE:

Capitol Partners, LLC
 1575 Delucchi Lane, Suite 201
 Reno, NV 89502
 Tel: 775-622-9665 Fax: 775-420-5999



Assembly: 29-13
 Senate: 14-7

SJR1 would amend the state Constitution by removing the 5 percent maximum net proceeds of minerals tax, and replacing it with a tax on the gross proceeds at a rate of 7.75 percent. The proposal also would undo the normal two-thirds majority required for any tax increase, allowing a simple majority of legislators to increase taxations on mines or minerals but requiring a two-thirds vote to reduce the rate or provide exemptions from the taxes. Finally, it would also require 50 percent of the proceeds go to a separate budget fund in the state Treasury and fund a program making regular payments to “eligible persons domiciled in this State”.

VOTE:
 Assembly: 25-17
 Senate: 13-8

Capitol Partners:

Peter D. Krueger 775-721-6888 peter@capitolpartners.us	Mendy Elliott 775-742-4701 mendy@capitolpartners.us	Nick Vander Poel 775-324-8781 nick@capitolpartners.us
Scott Kipper 775-750-5925 scottk@capitolpartners.us \	Miranda Hoover 775-742-9125 miranda@capitolpartners.us	

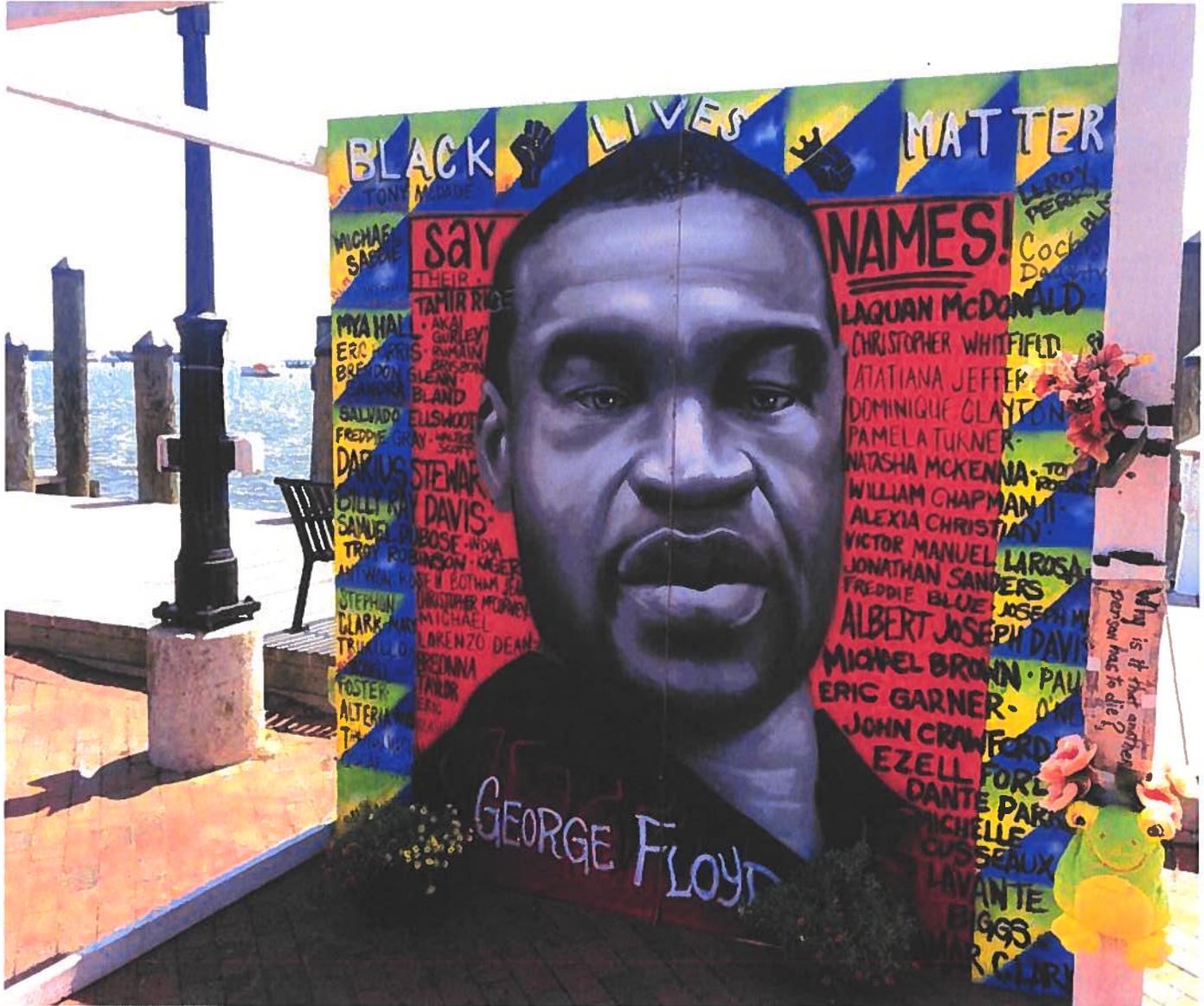
3G

Orlando Sentinel Article

Mental-health leaders: We must end pandemic of racism | Commentary

By ARTHUR C. EVANS, JR., SAUL LEVIN AND ANGELO MCCLAIN
GUEST COLUMNIST |

AUG 18, 2020 AT 6:00 AM



A mural of George Floyd in Annapolis, Md., was vandalized last month. Three mental-health leaders say the fight to end systemic racism begins with all of us. (Brooks DuBose)

Will this be the year we finally begin to dismantle systemic racism in the United States?

COVID-19's disproportionately lethal impact on Black, Latinx and Native American people has revealed just how unequal our nation's health outcomes are. Meanwhile, the high-profile slayings of George Floyd, Breonna Taylor and far too many other Black Americans have ignited the biggest wave of protests in more than a half-century — and prompted people of all colors and creeds to acknowledge just how pervasive racism is in our society.



Arthur C. Evans Jr., Ph.D., is CEO of the American Psychological Association. (Courtesy photo)

The American public is starting to see racism as a public health crisis. Addressing that crisis will require comprehensive change to American life, from our economy and educational system to housing and health care — including the way we approach and treat mental health.

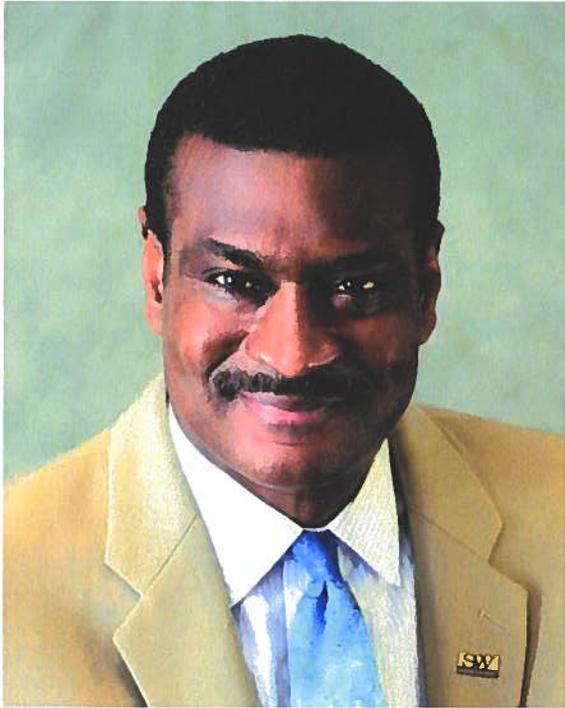
As mental-health professionals, we've seen firsthand how devastating systemic racism can be on the mental health of people of color. Racial minorities are more likely to experience stress, anxiety and depression than whites. Yet they're much less likely to have access to adequate mental health care — and thus often struggle to cope.



Dr. Saul Levin, M.D., M.P.A. is CEO and Medical Director of the American Psychiatric Association. (Courtesy photo)

Poor mental health contributes to other debilitating conditions. Black Americans experience post-traumatic stress disorder at higher rates than whites. A recent study published in the *Journal of the American Heart Association* linked an increased risk of hypertension among Blacks with high rates of stress. And Black Americans are twice as likely to die from diabetes as non-Hispanic whites, according to 2017 data.

The COVID-19 pandemic is only the most recent case study in racial health disparity. Although Black Americans make up 13% of the population, they've accounted for 25% of coronavirus patients.



Angelo McClain, Ph.D., LICSW, is CEO of the National Association of Social Workers. (Courtesy photo)

These disparities have persisted for generations. Yet our nation has done little to address them. Our three organizations — the American Psychiatric Association, the American Psychological Association, and the National Association of Social Workers — vow to change that.

Many of our members have worked for years to make society more equitable for people of color. But each of our organizations and professions can point to historical positions and policies that exacerbated racism or racial disparities.

Ending systemic racism in America must be a public health priority, and we must commit the resources necessary to achieve this goal. Americans are now telling pollsters that they're ready and willing. But we need more than good intentions. We need action.

We in the mental-health professions can work to attract more people of color into psychology, psychiatry, and social work in order to meet the need for culturally competent mental health care. That's crucial to narrowing health disparities, as research shows that minority patients feel more comfortable when treated by health professionals with similar racial backgrounds.

Policymakers must also take action. Decades of institutional racism, bias, discrimination, racial profiling and violence have taken a heavy psychological toll on people of color, especially Black Americans.

That demands a robust public health response — one that will make health care more accessible to people of color.

Lawmakers can make it easier for people to seek mental health care by liberalizing the use of telehealth. Many restrictions on the practice have been rolled back during the COVID-19 pandemic, in an effort to limit potential exposure to the virus. Eliminating them permanently, and thereby ensuring that mental health treatment is little more than a phone call away, could do wonders to furnish care to those who need it most.

Police reform should also be part of that public health response. Over the last few months, the country is learning what Black Americans have long known — that they're three times more likely to be killed by police than whites. That knowledge severely taxes their mental health. Indeed, depression and anxiety among Black Americans skyrocketed after the death of George Floyd.

Law enforcement should aim to de-escalate crises using evidence-based techniques, rather than default to force and violence. By banning chokeholds and racial and religious profiling.

California Rep. Karen Bass's Justice in Policing Act would help achieve that goal.

The bipartisan Crisis Care Improvement and Suicide Prevention Act would similarly give communities the resources they need to provide appropriate crisis care to those with mental illness, rather than simply ushering them into the criminal justice system.

States and localities should also consider enlisting trained mental health professionals, rather than armed police, to respond to people clearly experiencing a mental health crisis, like a drug overdose or a schizophrenic episode.

Our nation can no longer ignore the public health crisis of systemic racism. We all must do better. And we will.

Arthur C. Evans, Jr., Ph.D., is CEO of the American Psychological Association. Dr. Saul Levin, M.D. and M.P.A., is CEO and Medical Director of the American Psychiatric Association. Angelo McClain, Ph.D., LICSW, is CEO of the National Association of Social Workers.

Orlando Sentinel, August 18, 2020