

STATE OF NEVADA

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DEPARTMENT OF BUSINESS AND INDUSTRY  
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS  
BOARD OF EXAMINERS FOR SOCIAL WORKERS

On Wednesday, March 19, 2025, the board meeting for the State of Nevada Board of Social Work Examiners was called to order by Vice Chair Linda **Holland Browne**, as President **Langston** was present but unable to chair the meeting. The Board meeting started at 9:06 AM.

Board Members in attendance were Linda **Holland Browne**, Esther **Langston**, Michelle **Rubinstein Meadows** and Jamie **Vaughn**. Abby **Klimas** was absent from the board meeting.

Board Staff present were Vikki **Erickson**, Executive Director and Sandy **Lowery** Deputy Director. Harry **Ward**, Deputy Attorney General was present. In attendance was Donna **Alexander Fitch**, Master of Social Work Student, and Michael **Tracy**, Licensed Clinical Social Worker, and Shannon Monte.

**Holland Browne** moved to **Agenda Item 2**. Public Comment. **Erickson** announced that there was no other public present on Zoom, on the phone, via email or in the office, but if the public would like to call in, they are welcome to call in via Zoom with the Meeting ID: 96579338380 and a Passcode: 126496.

**Holland Browne** moved to **Agenda Item 3A**. Review and Discuss February 19, 2025 Meeting and Hearing Minutes (For Possible Action). **Rubinstein Meadows** made a motion to approve the February 19, 2025 meeting minutes. **Vaughn** provided a second to the motion. There as unanimous approval of the February 19, 2025 Meeting Minutes .

**Holland Browne** moved to **Agenda Item 3B**. Board Review of Hearing for Virgilio DeSio, License No 6200-C (For Possible Action). Deputy Attorney General Harry **Ward** states, "I'm a very persistent prosecutor. In this case, I'm just waiting for a consent decree to be signed. To give you a little background, this board has heard this before, the licensee was charged with stalking his girlfriend. Those charges ultimately were dismissed. He technically did not file within 30 days that he was arrested or there were such orders. I'm a persistent prosecutor. I've drafted a consent decree and I would not recommend that this be reported and stuff like that for this minor technicality, but I want this board to get reimbursed for the investigative cost and my cost". Deputy Attorney General requested that this agenda item remain on the agenda for the next board meeting.

**Holland Browne** moved to **Agenda Item 3C**. Board Review of the Application for Heyward

Jackson (For Possible Action). **Erickson** states that board staff have made multiple attempts to reach out to Mr. Jackson regarding his application and presenting in front of the board, however he has not returned our contact or has his attorney. **Holland Browne** requested a briefing on the application. **Erickson** stated that the application had an unresolved legal issue, an open meeting law waiver had been sent and emailed to his attorney 3 times, however we have not received a response. **Erickson** states that Mr. Jackson's application has since closed due to the time lapsed. **Erickson** requested that this agenda item be removed from the next board meeting agenda as there has been no communication between the applicant and the board staff. Deputy Attorney General **Ward** requested that **Erickson** elaborate on why this application was being brought in front of the board. **Erickson** stated that there are varying levels of applicant legal histories, and this particular case, per policy, required board approval to move forward with licensure. Deputy Attorney General **Ward** stated that he had heard from an attorney who was a supposed attorney for Mr. Jackson, however it was uncertain if the attorney was enrolled in this case, but there has been no further contact. Deputy Attorney General **Ward** stated that he would recommend following the suggestion of the Executive Director to remove this item from the next agenda, and if the applicant would like to be put back on the agenda then he would sign and return the open meeting law waiver. There was no action taken on this agenda item.

**Holland Browne** moved to **Agenda Item 3D**. Board Review and Discussion of LMSW Application for Donna **Alexander Fitch** (For Possible Action). **Erickson** stated that Ms. **Alexander Fitch** has provided all necessary documentation for application review and has exam approval to take the Masters level exam to become an LMSW. **Erickson** described that Ms. **Alexander Fitch** has been communicating with the board staff. **Erickson** stated that she has spoken to Ms. **Alexander Fitch** to communicate that her application will be required to come in front of the board for review, and Ms. **Alexander Fitch** acknowledged she understood this and requested to move in to closed session to discuss her application with the board.

The board moved in to closed session at 9:25 AM.

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Open session returned at 9:36 AM.

**Holland Browne** re-introduced **Agenda Item 3D**. Board Review and Discussion of LMSW Application for Donna **Alexander Fitch** (For Possible Action). **Holland Browne** requested a motion for the approval of Ms. **Alexander Fitch**'s LMSW Application. **Langston** made a motion to approve the application to be accepted. **Vaughn** seconded the motion. There was no further discussion. Unanimous vote to approve Ms. **Alexander Fitch**'s application. **Erickson** congratulated Ms. **Alexander Fitch** and wished her good luck on her LSMW exam.

**Klimas** was having connection issues and left the meeting at 9:40 AM.

Deputy Attorney General Harry **Ward** stated that we still have quorum and could continue to move forward with the meeting.

**Holland Browne** moved to **Agenda Item 3E**. Board Review of Hearing for Michael **Tracy**, License No. 8566-C (For Possible Action). **Ward** provided foundation to this agenda item. "This matter comes before the board, after the chair of the State of Nevada Board of Social Work Examiners signed a summary suspension of the license of Michael **Tracy** license 8566-C

pursuant to NRS 233B(7)(3)". **Ward** read section 233B(7)(3) "No revocation, suspension, annulment, or withdrawal of any licenses lawful unless before the institution of agency proceedings. The agency has given notice by certified mail to the licensee of facts or conduct, which warrant the intended action". "And the licensee was given an opportunity to show compliance with all lawful requirements for the retention of the license. The agency finds that the public health, safety and welfare imperatively require emergency action and incorporates a finding to that effect in its order summary. Suspension of license may be ordered pending proceedings for revocation or any other action and agents, the agency's order for summary suspension may be issued by the agency or by the chair of the governing body of the agency, an order for summary suspension to be issued by the chair of the governing body of the agency. The chair shall not, and that's mandatory language to participate in any further proceedings of the agency relating to that order. Proceedings relating to the order of summary proceedings must be instituted and determined within 45 days after the date of the order, unless the agency and the licensee mutually agree in writing to a longer period. That is why, and this is for the public and Mr. **Tracy** to understand, our chair, Dr. **Langston** is not going to be participating. So the vice chair will be handling this. Before we go into proceedings, and this is for Mr. **Tracy** to understand, when you have disciplinary actions, we cannot go into a private session that's only for applications. And I'll, before you testify, or before we start the opening of this hearing on summary suspension, the normal procedure is for the prosecution, me, to go first. I'll present evidence to the remaining board members. You'll be able to testify. Before you testify, our executive director will give you the oath. So you'll basically, it's something like, do you solemnly swear affirm that you'll tell the truth in this matter and you'll respond yes, et cetera, et cetera. And then you'll be able to give your side of the story. But before we proceed, there are other options for you Mr. Trace. I guess down south in this type of proceedings, your dirty laundry is going to be held out in the public. In other words, everything will be coming out. Right now you have the option to basically say, okay, I concede with the facts and the evidence in the summary suspension, and I will take the summary suspension. If you do that, then you also have the option to come back before the board. Let's say there are still pending criminal charges, which my understanding have not been resolved. We would hope that they would've been resolved in January and you would be in a much better position to come to the board and say this was resolved, et cetera, et cetera. This would happen... please don't suspend my license. But my understanding is that it is still unresolved. So you have the option today to say, okay, I've read the summary suspension, I've read the evidence, the police reports, the information from the Division of Child and Family Services. I feel like, yes, this board will probably suspend my license, I'll concede to that, but I want the option to come back to this board and to have a hearing or to reapply or to have my suspension lifted once I finished with my criminal charges and able to present more evidence. If you do wish to do that, I am happy and willing to go ahead and proceed with summary proceedings today. So Mr. **Tracy**, I'm going to give you the floor right now and once again, introduce yourself and let this board and me know where you want to go with this. Thank you and I tend to the floor.

Mr. **Tracy** stated, "OK, I hate going on camera, so I don't like doing that, so I'm just going to be on voice if that's ok". "OK, yes, the court on the criminal case they continued it from January. We just had a hearing last week in March. They continued it until May. So the criminal matter, they are continuing it and continuing it driving me crazy. So I would agree to accept that they continue with my suspension until this criminal matter is resolved. I don't have a problem with that". "As well as were you aware that the Attorney General's office with the District Court and DCFS had an agreement with us to not pursue any of this until the criminal case was resolved? And they have violated that agreement with the District Judge Lane and sent it to the board and I have voluntarily not been practicing social work since I was arrested.

**Ward** stated, "I'm not aware of any agreement whether it was with the DA's office or with the Attorney General's office to not proceed with a summary suspension that would have to have been another Deputy Attorney General. I'm not aware of it, nor have I received any information. So basically what you're saying, without proceeding today, it will start today your agreement that your license has been suspended, even though the chair has issued the summary suspension and you will abide by the suspension and that you will then petition the executive director to put this back on the agenda to see if your suspension would be lifted after the proceeding of the criminal matter. Is that what you would like to do sir?"

Trace responded, "Yes, this is Michael **Tracy** for the record. I don't have a problem with continuing with the suspension until the criminal matter is resolved and I do have, I just wanna make sure I do have the opportunity to come back to the board without evidence to get my license reinstated".

**Ward** stated, "By statute which I sent to you under it, under the NRS 233B, I did read some of the language. Just to let you know, yes, you do have the right to fight the suspension. My understanding is that you're going to do it, but you still have the right to come back and say, alright, board, my criminal stuff is finished. I'm petitioning this board for a hearing on the suspension of my license. You'll be able to present evidence, you can represent yourself, you can hire an attorney, and then you will have your day, quote, unquote day in court to present your evidence as to why the suspension should be lifted. Is that what you understand and would like to do?"

**Tracy** stated, "Yes, I agree to that".

**Ward** stated, "Madam Co Vice Chair, I would suggest Madam Executive Director that this matter be taken off of the monthly agenda. We don't need a quote unquote written order of suspension. We have the acknowledgement of the summary suspension, which was issued to the licensee. So my suggestion would be that when Mr. Michael **Tracy** wants this matter brought back before the board for a hearing on his summary suspension, that we put it back on the agenda and that would be my suggestion. And if there are any questions by the board members excluding Dr. **Langston**, because she's not involved in this, I am available and they can also ask questions of the licensee, but not pertaining to quote unquote the facts of the case, then I tend to the floor".

**Holland Browne** inquired if there were any questions, and there were none. She stated that the item will be removed from the agenda at the suggestion of the Deputy Attorney General until the court issues are resolved. She clarified that Mr. **Tracy** has the right and option of requesting the item be placed back on the agenda for consideration.

**Erickson** inquired if a vote by the board members is required.

**Ward** stated, "No, I would suggest that no action be taken because and this is just a little background, any action taken by a board can be appealed to the district court. I think it is simpler and my suggestion would be Mr. **Tracy** acknowledged he's not practicing. He's going to abide by the suspension. He acknowledges that when he resolves his issues, he will petition or ask you, Madam Executive Director, please put my suspension on the agenda and let me be heard before the board so I can present my case. So my suggestion would be, no, we do not need to have a vote.

**Holland Browne moved to Agenda Item 3F.** Legislative Update from Flynn Giudici Government Affairs, LLC (For Possible Discussion). **Erickson** stated that we are in the middle of the legislative session. She discussed that Business and Industry had presented their budget and mentioned Senate Bill 78 with the discussion of merging some of the occupational boards. **Erickson** described that Business and Industry has been making several requests for financial documents, invoices, contracts and other data, and this has been very time consuming for the staff, however we have been trying to meet their expectations along with completing regular office tasks that are required. **Erickson** expressed concern about the board information presented during the budget hearing indicating that the data didn't seem to be correct, but was hopeful for correction with additional information requested and sent. **Erickson** stated that the board office continues to watch Senate Bill 68 which includes the Social Work Interstate Compact, as several licensees have contacted this office hopeful of Nevada's participation in the Social Work Interstate Compact. Discussed that a hearing still had not been set to hear SB 68. **Erickson** stated that the list of bills that are followed by the board is posted on the website and in the board packet. **Holland Browne** stated she would like the Executive Director to write a form letter opposing SB 78 and submit it as an exhibit. **Rubinstein Meadows** stated she would like a statement to inform Social Work Licensees about the impact SB 78 may have on the regulatory board. **Holland Browne** stated she wanted the statement that is composed to be sent to licensees in some format, however the full format of SB 78 has not yet been put on the legislative website. **Holland Browne** stated she wanted information sent out as it occurs. **Holland Browne** stated, "I would like to have the executive director and deputy director to prepare and submit a statement to the legislative body voicing our objection to SB 78. **Holland Browne** states that she also wants notification to go out to licensees regarding SB 78. **Rubinstein Meadows** stated, "I also wonder if maybe a reminder for social workers that this legislation can impact us directly as professionals... that may also be a good approach to look at". The board members requested more detail on the contents of SB 68 to include the interstate compact. **Erickson** stated that no hearing date had been set yet, so there is no progress on the interstate compact.

**Holland Browne moved to Agenda Item 3G** (For Discussion). **Erickson** stated she had provided the updated in the previous agenda item.

**Holland Browne moved to Agenda Item 3H.** Disciplinary Cases Update (For Discussion). Deputy Attorney General **Ward** stated that the board staff works hard informing him of important cases and matters that need to be expedited. He commended the board for bringing important serious matters to his attention and whether to look at summary suspensions. **Ward** stated that he did not have any further update. **Erickson** stated that Business and Industry requested and was provided with a count of accusations, resolutions, investigations and hearings that this board has conducted, which is why this was included in this agenda for the board to review. **Erickson** stated that the numbers provided do not provide context to where the board staff and Deputy Attorney General are in the process of any certain discipline case.

**Holland Browne moved to Agenda Item 3I.** ASWB Exam administration transition to Person Vue (For Discussion). **Lowery** stated that ASWB is transitioning to Pearson View from PSI for the ASWB exam in May and will soon start scheduling applicants.

**Holland Browne moved to Agenda Item 3J.** Executive Director's Report (Informational). **Erickson** stated that she has been informed that President **Langston** was awarded the lifetime achievement award for the Bachelor Program Director Association. **Erickson** also discussed gratitude to the office staff at the board office working tirelessly, especially under the significant



stress we're all experiencing from SB 78. **Erickson** stated that responding to their requests has required a significant amount of time and could disrupt board operations, however the staff are all dedicated to meet the needs of the community and licensees served by the board. **Erickson** discussed that Caroline will be retiring at the end of June and Chelsea has been taking on several of her tasks, however **Erickson** is waiting to fill the position until the board office knows the direction of SB 78. **Erickson** thanked Deputy Attorney General **Ward** for his responsiveness to phone calls and emails with questions. **Erickson** stated **Lowery** was going to the ASWB Administrators Workshop in Washington DC in April, representing the board because **Erickson** is working on legislative tasks. **Erickson** invited the board to provide with her agenda items for the next board meeting if there was something specific they would like discussed.

**Holland Browne** moved to **Agenda Item 4**. Public Comment. **Erickson** stated that there was nobody on the phone, in the office or on email to make a public comment but invited anybody who wanted to join the meeting and comment to use the Zoom Meeting ID: 96579338380 with a Passcode of 126496, which is listed publicly on our website.

**Holland Browne** moved to **Agenda Item 5**. Adjournment. **Rubinstein Meadows** made the motion to adjourn. **Vaughn** seconded the motion. Unanimous approval and the meeting was adjourned at 10:47 AM.