

**ADOPTED REGULATION OF THE BOARD OF EXAMINERS
FOR SOCIAL WORKERS**

LCB File No. R110-17

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-9, 13, 14, 16, 17, 19-21 and 31-34, NRS 641B.160; §§10 and 12, NRS 641B.160 and 641B.250; §11, NRS 641B.160 and 641B.200; §15, NRS 641B.160 and 641B.300; §18, NRS 641B.160 and 641B.270; §22, NRS 641B.160, as amended by section 23 of Assembly Bill No. 457, chapter 363, Statutes of Nevada 2017, at page 2242; §§23 and 25, NRS 641B.160 and 641B.280, as amended by section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946; §§24 and 26, NRS 641B.160 and 641B.280, as amended by section 1 of Assembly Bill No. 387, chapter 14, Statutes of Nevada 2017, at page 79; §§27-30, NRS 641B.160 and 641B.280.

A REGULATION relating to social workers; defining certain terms; prescribing the qualifications required for a licensed clinical social worker to obtain authorization from the Board of Examiners for Social Workers to complete certain certifications concerning the mental condition of another person; revising certain provisions relating to applications for licensure or renewal of a license to engage in social work; revising certain provisions relating to the examinations necessary to obtain certain licenses to engage in social work; revising certain provisions relating to an application to restore an expired license; revising the time period in which an application for licensure will be considered lapsed; revising the requirements for licensure by endorsement; revising provisions relating to supervised, postgraduate clinical social work; revising provisions relating to a supervisor of interns; revising certain provisions relating to continuing education and providers of continuing education; authorizing licensees to store documentation of completed continuing education hours electronically; removing the requirement for an approved provider of continuing education to submit a quarterly report to the Board; requiring certain social workers engaged in the independent practice of social work to create and maintain a professional will; repealing certain obsolete provisions and provisions requiring the submission of certain information to the Board after presenting programs of continuing education by providers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Examiners for Social Workers to establish regulations governing the practice of social work. (NRS 641B.160, as amended by section 23 of Assembly Bill No. 457, chapter 363, Statutes of Nevada 2017, at page 2242) **Sections 2 and 4,**

respectively, of this regulation define the terms “dual relationship” and “telehealth.” **Sections 8 and 9** of this regulation clarify that a licensed associate in social work and a licensed social worker are licensed to engage in the practice of social work under the supervision of an agency.

Existing law requires an application of a person alleged to be a person with mental illness for an emergency admission, the release of a person from an emergency admission or for a court-ordered involuntary admission to be accompanied by a certificate of certain medical professionals, including a clinical social worker. (NRS 433A.170, 433A.195, 433A.200) Existing law requires the Board to adopt regulations prescribing the psychiatric training and experience necessary before a clinical social worker is authorized to complete such a certificate. (NRS 641B.160) **Section 6** of this regulation sets forth the qualifications required for a licensed clinical social worker to obtain authorization from the Board to complete such certifications.

Existing regulations set forth the requirements for an application for licensure or renewal of a license to engage in social work from the Board. (NAC 641B.090) **Section 10** of this regulation: (1) requires an application for licensure or renewal to be complete before the Board will process the application; and (2) lists the prerequisites that must be satisfied for the Board to consider such an application to be complete. **Section 10** also provides that the Board has discretion to waive the requirements to pass certain examinations under certain conditions and revises the conditions for when a waiver may be issued. **Section 11** of this regulation provides that if an applicant provides a copy of his or her birth certificate as evidence of his or her age or citizenship, it must be a certified copy. **Section 12** of this regulation revises the required examinations for an applicant for licensure as a licensed social worker, licensed independent social worker or licensed clinical social worker and reduces the amount of time in which an applicant for licensure as a licensed social worker must pass an examination from 1 year to 6 months. **Section 13** of this regulation removes the time limit which previously required an applicant for restoration of an expired license to provide evidence that the applicant had passed the appropriate examination within the previous 15 years. **Section 16** of this regulation reduces the time period after which an application on which no action has been taken will be considered lapsed from 1 year to 6 months. **Section 17** of this regulation provides that the provision of social work services remotely includes telecommunication technologies.

Existing law sets forth the maximum fees the Board is authorized to charge for certain types of licenses by endorsement. (NRS 641B.271, 641B.272, 641B.300) **Section 15** of this regulation provides that the Board will charge the fees authorized by statute for both types of licenses by endorsement.

Existing law authorizes the Board to issue a license to engage in social work to applicants in states whose licensing requirements the Board deems to be substantially equivalent to the licensing requirements in Nevada. (NRS 641B.270) **Section 18** of this regulation removes existing requirements setting forth when the Board will consider an applicant applying for a license by endorsement who has been practicing for less than 5 years to have satisfied the requirements for supervised, postgraduate social work. **Sections 19 and 20** of this regulation make conforming changes.

Section 20 revises the average number of hours per week of supervised, postgraduate clinical social work in the use of psychotherapeutic methods and techniques an applicant for licensure as

a licensed clinical social worker may complete each week and sets forth the maximum number of such hours for each quarter. **Section 21** of this regulation requires a supervisor of an intern to complete certain training required by the Board and renew such training every 5 years. **Section 22** of this regulation authorizes a supervisor of an intern to supervise the intern using telecommunication technologies, but requires that the supervisor meet with the intern in person at the site at which the intern practices social work at least once a month.

Under existing law, a license must be renewed annually. (NRA 641B.280) Existing regulations: (1) provide that an initial license will not become delinquent less than 1 year after the date of issuance; and (2) specify the deadline for renewal of a license as the last day of the birth month of the licensee. (NAC 641B.110) Therefore, if a licensee is issued his or her license in a month other than his or her birth month, the initial license is valid for more than one year. Existing regulations specify a 2-year period during which a licensee is required to complete continuing education hours to renew his or her license. (NAC 641B.187) To address the possibility that an initial license is valid for longer than a year with respect to the 2-year period for completing continuing education, **sections 3 and 5** of this regulation specify that the period for completion of continuing education after the issuance of an initial license is the period that begins on the date when the licensee obtains his or her initial license and ends on the date that is the deadline for the licensee to renew his or her license for the second time and then the period for completion is every 2 years thereafter, which coincides on a biennial basis with the renewal deadline for the license.

Assembly Bill No. 387 of the 79th Legislative Session revised the requirement that the Board must include as a requirement for continuing education that a licensee must complete a certain number of hours of instruction on evidence-based suicide prevention and awareness from 2 hours every year to 2 hours every 2 years beginning on July 1, 2018. (NRS 641B.280, as amended by section 1 of Assembly Bill No. 387, chapter 14, Statutes of Nevada 2017, at page 79) **Section 24** of this regulation, which takes effect on July 1, 2018, reduces the number of hours an applicant is required to complete in evidence-based suicide prevention and awareness or another suicide prevention and awareness course approved by the Board from 2 hours every year to 2 hours every 2 years. **Section 26** of this regulation makes conforming changes.

Section 25 of this regulation authorizes a licensee to store documentation verifying his or her completed hours of continuing education electronically. **Section 27** of this regulation revises the forms of a program of continuing education and the maximum number of hours of certain forms that the Board will accept. **Section 29** of this regulation removes the requirement for an approved provider of continuing education to submit to the Board a quarterly report of the courses or programs the provider offered. **Section 30** of this regulation removes the authorization for a licensee to request the approval of the Board to receive credit towards the required continuing education hours for a program created or directed by the licensee.

Existing law requires a custodian of health care records to retain a client's health care records: (1) for 5 years; and (2) if the client is less than 23 years of age, until the client attains the age of 23. (NRS 629.051, as amended by section 4 of Senate Bill No. 291, chapter 415, Statutes of Nevada 2017, at page 2757) **Section 31** of this regulation requires a licensee to maintain a client's records in accordance with this requirement. **Section 31** also revises the number of days

within which a licensee must notify the Board under certain circumstances from 21 days to 30 days.

Section 32 of this regulation requires a social worker engaged in the independent practice of social work to create and maintain a professional will, which names an executor to oversee certain information and notify clients in the event of the social worker's sudden death, incapacitation or inability to provide social work services. **Section 33** of this regulation repeals an obsolete provision interpreting a term no longer used in NRS. **Section 33** also repeals a provision requiring a provider of continuing education to transmit certain information to the Board within a certain period of time after presenting such a program.

Section 1. Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *“Dual relationship” means a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that includes another professional, social or business relationship with the client, intern or other person.*

Sec. 3. *“Reporting period” means the period set forth in section 5 of this regulation during which a licensee must obtain the hours of continuing education required pursuant to NAC 641B.187.*

Sec. 4. *“Telehealth” means the delivery of services from a provider of health care to a client at a different location through the use of various technologies. The term includes the delivery of services from a social worker to a client at a different location using electronic means or telecommunication technologies.*

Sec. 5. *For the purposes of NAC 641B.187 and 641B.188, a licensee's reporting period is:*

1. For the licensee's first reporting period, the period that begins on the date when the licensee obtains his or her initial license and ends on the date that is the deadline for the licensee to renew his or her license for the second time.

2. *For any subsequent reporting period, every 2 years thereafter.*

Sec. 6. 1. *A licensed clinical social worker must apply to the Board for authorization to make the certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004.*

2. *The application required pursuant to subsection 1 must be submitted to the Board on a form approved by the Board and must include, without limitation, evidence which is satisfactory to the Board that the applicant:*

(a) Has not had a lapse in his or her license as a clinical social worker or his or her practice of social work as a clinical social worker for a minimum of 5 years;

(b) Does not have a professional license or credential that is currently revoked or suspended by an agency of another state and is not currently subject to other disciplinary action by the Board or with regard to a professional license or registration that was issued by another state; and

(c) Has at least 3 years' experience in a mental health setting in the practice of clinical social work or the supervision of clinical social work. The experience in a mental health setting must have been obtained after the applicant was licensed as a clinical social worker.

3. *A licensed clinical social worker who is authorized by the Board to make the certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page*

3004, and who is not otherwise covered under a policy of professional liability insurance shall maintain a policy of professional liability insurance.

Sec. 7. NAC 641B.005 is hereby amended to read as follows:

641B.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 641B.010 to 641B.065, inclusive, *and sections 2, 3 and 4 of this regulation* have the meanings ascribed to them in those sections.

Sec. 8. NAC 641B.041 is hereby amended to read as follows:

641B.041 “Licensed associate in social work” means a person licensed by the Board pursuant to NRS 641B.210 to engage in the practice of social work as an associate in social work ~~and~~ *under the supervision of an agency.*

Sec. 9. NAC 641B.044 is hereby amended to read as follows:

641B.044 “Licensed social worker” means a person licensed by the Board pursuant to NRS 641B.220 to engage in the practice of social work as a social worker ~~and~~ *under the supervision of an agency.*

Sec. 10. NAC 641B.090 is hereby amended to read as follows:

641B.090 1. An application for licensure or renewal must be *complete before the Board will process the application. The Board will consider such an application to be complete if:*

- (a) The application is* submitted on a form provided by the Board ~~and~~ ;
- (b) All the information requested has been provided in accordance with the instructions on the form;*
- (c) All payments and fees required by the Board for licensure or renewal have been received by the Board; and*

(d) All documents required by the Board for licensure or renewal have been received by the Board.

2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he or she has previously submitted to the Board.

3. By submitting an application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within the application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.

4. An applicant for initial licensure must submit to the Board to satisfy the requirements of NRS 641B.202:

- (a) Two sets of completed fingerprint cards;
- (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and
- (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.

5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.

6. If deemed necessary, the Board will require the personal appearance of the applicant.

7. For each application, the Board will:

- (a) Approve the application;
- (b) Defer action on the application pending the receipt by the Board of additional information concerning the application; or
- (c) Deny the application.

8. The Board ~~will~~ **may** waive the required examination for an applicant if ~~1:~~

- ~~—(a) The applicant is not eligible for endorsement pursuant to NAC 641B.126;~~
- ~~—(b) The applicant has passed an appropriate examination in another state within the 6 months immediately preceding the date on which he or she submits his or her application for licensure with the Board; and~~
- ~~—(c) The examination that~~ the applicant passed **an examination that** is **at least** equivalent to the examination that the applicant would otherwise be required to take pursuant to NAC 641B.105.

Sec. 11. NAC 641B.095 is hereby amended to read as follows:

641B.095 ~~1. Except as otherwise provided in subsection 2, for~~ **For** the purposes of NRS 641B.200, the Board will accept as satisfactory evidence of:

- ~~1(a)~~ **1.** The age of the applicant ~~1(a)~~:
- (a) A certified** copy of his or her birth certificate ~~1(a)~~;
 - (b) A** passport ~~1(a)~~;
 - (c) A** baptismal certificate ~~1(a)~~;
 - (d) A** driver's license ; or
 - (e) Any other** such ~~1(a)~~ documentation regarding age **that is** satisfactory to the Board.
- ↪ If the evidence **submitted pursuant to this subsection** includes any order of a court or other legal document specifying a change of name of the applicant or any form of identification that

includes a photograph of the applicant, a copy of the document or identification must *also* be submitted to the Board.

~~{(b)}~~ 2. The citizenship of the applicant ~~{a}~~:

(a) *A certified* copy of his or her birth certificate ~~{}~~;

(b) A passport ~~{, naturalization}~~;

(c) *Naturalization* papers ; or

(d) *Any other* such ~~{other}~~ documentation regarding citizenship *that is* satisfactory to the Board.

~~{(e)}~~ 3. The lawful entitlement of the applicant to remain and work in the United States, a copy of documentation from the United States Citizenship and Immigration Services of the Department of Homeland Security evidencing the lawful entitlement of the applicant to remain and work in the United States.

~~{ 2. A birth certificate issued by a hospital is not satisfactory evidence of the age or citizenship of the applicant. }~~

Sec. 12. NAC 641B.105 is hereby amended to read as follows:

641B.105 1. ~~{An}~~ *Except as otherwise provided in NAC 641B.090 and 641B.126, an* applicant for licensure as a licensed social worker, licensed independent social worker or

licensed clinical social worker must pass ~~{a two-part examination consisting of:~~

~~—(a) The}~~ *the* appropriate examination, as described in subsection 2, given by the Association of Social Work Boards or another testing administrator that has been approved by the Board . ~~{~~

~~and~~

~~—(b) An examination given by the Board which tests the knowledge of the applicant of the provisions of this chapter and chapter 641B of NRS and any other provisions of NAC or NRS relevant to the practice of social work.]~~

2. An applicant for licensure as:

(a) A licensed social worker must pass the Bachelors ~~{or Basic}~~ Examination of the Association of Social Work Boards if the applicant holds a baccalaureate degree in social work as described in NRS 641B.220. If the applicant holds a master's degree in social work as described in NRS 641B.220, the applicant must pass the Bachelors ~~{or Basic}~~ Examination or Masters ~~{or Intermediate}~~ Examination of the Association of Social Work Boards.

(b) A licensed independent social worker must pass the ~~{Advanced Generalist or}~~ Advanced Examination of the Association of Social Work Boards.

(c) A licensed clinical social worker must pass the Clinical Examination of the Association of Social Work Boards.

3. Except as otherwise provided in this section, an applicant who is required to pass an examination pursuant to this section must satisfy the Board that he or she possesses the necessary requirements regarding age, citizenship, character, education and, if applicable for the relevant license, supervisory experience before taking the examination. A student of social work currently enrolled in his or her last semester may take the examination before the award of his or her degree. For the purposes of this subsection, "student of social work" means a person enrolled in an undergraduate or graduate program of study leading to a degree in social work from a college or university accredited by the Council on Social Work Education or which is a candidate for such accreditation.

4. An applicant *for initial licensure as a licensed social worker* who is required to pass an examination pursuant to this section must do so within ~~[1-year]~~ *6 months* after satisfying the requirements set forth in subsection 3.

5. In addition to the requirements for offering examinations set forth in NRS 641B.250, examinations will be offered as deemed appropriate by the Board and as scheduled by the Association of Social Work Boards or another testing administrator that has been approved by the Board.

6. A failed examination :

(a) *For initial licensure as a licensed social worker* may be retaken *once*, 90 days after the failed examination. ~~[Thereafter, only]~~

(b) *By a licensee in an internship undertaken pursuant to NAC 641B.140 or 641B.150 may be retaken 90 days after the failed examination and thereafter*, one examination may be taken every 6 months.

Sec. 13. NAC 641B.111 is hereby amended to read as follows:

641B.111 1. An application for restoration of an expired license must be completed on a form supplied by the Board and submitted to the Board within 3 years after the date on which the license expired.

2. In addition to the requirements set forth in NRS 641B.290 and except as otherwise provided in subsection 4, an application for restoration of an expired license must be accompanied by:

(a) Two sets of completed fingerprint cards;

(b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

(c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the report of criminal history;

(d) Evidence of the completion of all past continuing education hours; and

(e) Evidence that:

(1) The appropriate examination for licensure was passed by the applicant ; ~~within the immediately preceding 15 years;~~ or

(2) The licensee has maintained an equivalent license from another state in good standing.

3. If the State Controller has notified the Board pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency which has been assigned to the State Controller for collection pursuant to NRS 353C.195, the Board will not restore the applicant's expired license unless the Board receives notification from the State Controller that the applicant has:

(a) Satisfied the debt;

(b) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(c) Demonstrated that the debt is not valid.

4. After receiving an application for restoration of an expired license, the Board may:

(a) Grant an extension of not more than 6 months for the completion of past continuing education hours; and

(b) For good cause, waive the requirements of subsection 2 regarding the ~~examination and~~ continuing education hours ~~H~~ **required pursuant to NAC 641B.187.**

5. If the applicant has been the subject of a disciplinary action by the Board or any other licensing agency in this State or any other jurisdiction, the Board may hold a hearing on an application for the restoration of an expired license to consider, without limitation:

- (a) The possible refusal to restore the expired license; and
- (b) The restoration of the expired license and the imposition of disciplinary action.

Sec. 14. NAC 641B.112 is hereby amended to read as follows:

641B.112 1. For purposes of paragraph (b) of subsection 1 of NRS 641B.275:

(a) An applicant must cause the college or university to forward directly to the Board the evidence of enrollment.

(b) The evidence of enrollment must include evidence, that is satisfactory to the Board, of formal admission to the program of study and of satisfactory progress toward the degree, indicating that the applicant will be able to obtain the degree in social work within 3 years.

2. A provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 is no longer valid:

(a) If, upon request of the Board, the licensee fails to cause the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(b) If the licensee fails to renew his or her provisional license ~~in a timely manner~~ by:

(1) Submitting to the Board the application for renewal on a form supplied by the Board and the appropriate fee; and

(2) Causing the college or university to forward directly to the Board evidence of enrollment that complies with subsection 1.

(c) Three years after:

(1) The initial issuance of the license; or

(2) The licensee graduates from a program of study leading to a degree in social work,
↳ whichever occurs first.

3. A person is not eligible for the issuance of a provisional license pursuant to paragraph (a) of subsection 1 of NRS 641B.275 if he or she has failed the prescribed examination within 5 years immediately preceding the date on which he or she submits his or her application.

4. A provisional license issued pursuant to paragraph (a) of subsection 1 of NRS 641B.275 is no longer valid if:

(a) The licensee fails the prescribed examination; or

(b) The provisional licensing period of 9 months expires,

↳ whichever occurs first.

5. The holder of a provisional license may be subject to disciplinary action pursuant to NRS 641B.400, including, without limitation, the revocation of his or her license.

6. A provisional license that has been invalidated or revoked may not be reinstated or restored. A person who has obtained a provisional license is not eligible for a second provisional license.

7. The holder of a provisional license to engage in social work, to engage in social work as a licensed independent social worker or to engage in social work as a licensed clinical social worker shall practice under the supervision of a licensed social worker who is:

(a) Licensed pursuant to chapter 641B of NRS; and

(b) Authorized pursuant to the provisions of chapter 641B of NRS to practice in the setting in which the holder of the provisional license intends to practice.

Sec. 15. NAC 641B.115 is hereby amended to read as follows:

641B.115 An applicant must pay the following fees for licensure:

1. Licensed associate in social work:
 - (a) Annual renewal of license\$100
 - (b) Restoration of revoked license150
 - (c) Restoration of expired license200
 - (d) Renewal of delinquent license.....100
2. Licensed social worker:
 - (a) Initial application\$40
 - (b) Initial issuance of license100
 - (c) Annual renewal of license100
 - (d) Restoration of revoked license150
 - (e) Restoration of expired license200
 - (f) Renewal of delinquent license100
 - (g) Endorsement license without examination.....100
 - (h) Initial issuance of provisional license.....75
 - (i) Annual renewal of provisional license75
3. Licensed independent social worker and licensed clinical social worker:
 - (a) Initial application\$40
 - (b) Initial issuance of license100
 - (c) Annual renewal of license150
 - (d) Restoration of revoked license150
 - (e) Restoration of expired license200
 - (f) Renewal of delinquent license100
 - (g) Endorsement license without examination.....100

(h) Initial issuance of provisional license.....75

↪ If an applicant applies for more than one type of license at one time, he or she will be required to pay only one application fee.

4. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.271, the Board will charge and collect the fees set forth in subsection 2 or 3, as applicable, for the initial application for and initial issuance of a license.

5. In accordance with NRS 641B.300, if an applicant submits an application for a license by endorsement pursuant to NRS 641B.272, the Board will charge and collect one-half of the fee set forth in subsection 2 or 3, as applicable, for the initial issuance of a license.

Sec. 16. NAC 641B.120 is hereby amended to read as follows:

641B.120 1. Fees and remittances to the Board must be made by a money order, bank draft or check payable to the Board. Remittances in currency or coin are made wholly at the risk of the remitter, and the Board assumes no responsibility for a loss thereof.

2. Payment in full of all required fees must accompany each application for licensure or renewal.

3. The Board will establish bank accounts necessary for handling of fees and remittances. The accounts will require for the transaction of business the signature of:

(a) Two members of the Board; or

(b) Any member of the Board and the Executive Director of the Board.

4. An application for licensure on which no action has been taken by the applicant for ~~1~~ *6 months* after its receipt by the Board will be considered by the Board to have lapsed. The Board will not refund any fee related to an application which has lapsed.

Sec. 17. NAC 641B.124 is hereby amended to read as follows:

641B.124 The provision of social work services *remotely* to a client within this State through any means, including, without limitation, electronic means or ~~by telephone,~~ *telecommunication technologies*, regardless of the location of the social worker, constitutes the practice of social work and is subject to the provisions of chapter 641B of NRS and any regulations adopted pursuant to that chapter.

Sec. 18. NAC 641B.126 is hereby amended to read as follows:

641B.126 1. An applicant for licensure as a social worker, independent social worker or clinical social worker who holds, in the District of Columbia or any state or territory of the United States, ~~at least an equivalent~~ *a corresponding and valid* license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board to engage in the practice of social work as a social worker, independent social worker or clinical social worker in this State by the Board without taking the examination prescribed by the Board . ~~If the applicant provides to the Board:~~

- ~~—(a) The information and documents required pursuant to NRS 641B.271; and~~
- ~~—(b) Evidence satisfactory to the Board that the applicant has been continuously licensed to engage in the practice of social work as a social worker, independent social worker or clinical social worker, as applicable, in the District of Columbia or any state or territory of the United States for at least the 5 years immediately preceding the date on which the applicant submits his or her application to the Board.~~

~~—2.— The Board will deem an applicant for licensure by endorsement as a clinical social worker or an independent social worker who has been licensed as a clinical social worker or independent social worker, as applicable, for less than 5 years in the District of Columbia or any state or territory of the United States and satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, to have fulfilled the requirements for supervised, postgraduate social work that are required for licensure if:~~

~~—(a) The applicant provides evidence satisfactory to the Board that the applicant completed at least:~~

~~——(1) If the applicant is applying for licensure by endorsement as a clinical social worker:~~

~~——(I) 1,000 hours of supervised, postgraduate clinical social work supervised by a licensed clinical social worker, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker;~~

~~——(II) 1,000 hours of supervised, postgraduate clinical social work supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker; and~~

~~——(III) 1,000 hours of supervised, postgraduate social work, which can be clinical or nonclinical, supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a~~

~~successor organization, or that is approved by the Board, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker; or~~

~~—(2) If the applicant is applying for licensure by endorsement as an independent social worker, 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical social worker or a licensed master's level social worker that has been accepted by the District of Columbia or the state or territory which licensed the applicant as an independent social worker;~~

~~—(b) The licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work and that each social worker, psychologist or psychiatrist who supervised the supervised, postgraduate clinical social work is licensed in and practices in the District of Columbia or the state or territory which licensed the applicant directly to the Board in a manner that is approved by the Board; and~~

~~—(c) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.~~

~~—3.]~~ **2.** An applicant for licensure by endorsement pursuant to this section must submit to the Board:

(a) A written application on a form prescribed by the Board;

(b) The applicable fee;

(c) Except as otherwise provided in subsection ~~[4.]~~ **3**, proof that the license issued by the District of Columbia or the other state or territory or any other license or credential issued to the applicant by the District of Columbia or another state or territory:

(1) Is currently valid and in good standing; and

(2) Has never been suspended, revoked or otherwise restricted for any reason; and

(d) Proof that the applicant is of good moral character as it relates to the practice of social work.

~~{4.}~~ 3. If an applicant has had a license or credential that was issued by the District of Columbia or another state or territory suspended, revoked or otherwise restricted for any reason, the Board will review and consider the specific facts and circumstances surrounding the suspension, revocation or restriction and may issue or decline to issue a license to an applicant based upon its review.

Sec. 19. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except ~~as otherwise provided in subsections 1 and 2 of NAC 641B.126,~~ *for an applicant for licensure by endorsement*, an applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in subsection 3, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does

not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. Upon application to the Board by an applicant who is currently a social worker or an associate in social work licensed in this State, the District of Columbia or any other state or

territory of the United States, the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:

- (a) Has been continually licensed as a social worker for the immediately preceding 10 years;
- (b) Provides evidence satisfactory to the Board of continuous supervision by a licensed master's level social worker for at least 5 of the immediately preceding 10 years; and
- (c) Has passed an examination recognized and approved by the Board.

4. The Board will approve work submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3 and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if the Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

5. The following activities do not qualify as supervised, postgraduate social work:

- (a) Instruction in techniques or procedures through classes, workshops or seminars.
- (b) Orientational programs.
- (c) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

Sec. 20. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except ~~as otherwise provided in subsections 1 and 2 of NAC 641B.126,~~ *for an applicant for licensure by endorsement*, an applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection 5, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, without limitation:

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional conditions. Unless otherwise approved by the Board, an average of ~~25~~ 32 hours per week, not to exceed ~~325~~ 416 hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

4. At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be supervised by a licensed clinical social worker. The remaining hours required by subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

5. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in the District of Columbia or another state or territory of the United States within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work and documentation that his or her supervisor was a clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, and was qualified to supervise in the District of Columbia or the other state or territory. After the applicant has completed not less than 1,000 hours of supervised, postgraduate clinical social

work and has passed an examination required, if applicable, pursuant to subparagraph (1) of paragraph (a) of subsection 1 pursuant to a program approved by the Board, the Board will approve that work and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if:

(a) A licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and

(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.

6. The following activities do not qualify as supervised, postgraduate clinical social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Role-playing as a substitute for actual social work.

(d) Psychotherapy of the intern himself or herself.

(e) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.

Sec. 21. NAC 641B.155 is hereby amended to read as follows:

641B.155 1. To become a supervisor of an intern, a person must:

(a) Be approved by the Board to serve as the supervisor of an intern.

(b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, if supervising an intern who is seeking a license as a licensed clinical social worker.

(c) Have at least 3 years of experience, after obtaining all applicable licenses and certifications, as a licensed clinical social worker, a licensed independent social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified

by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

(d) Demonstrate to the Board that his or her current practice:

(1) If he or she is supervising an intern who is seeking a license as a licensed independent social worker, consists of not less than 15 hours per month of independent practice.

(2) If he or she is supervising an intern who is seeking a license as a licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques.

→ The Board may waive the requirements of this paragraph if the Board determines that there is good cause.

(e) ~~If deemed necessary by the Board, successfully complete a written examination.~~

—(f) ~~If deemed necessary by the Board, successfully~~ *Successfully* complete ~~[any]~~ training *as* specified by the Board. *Such training must be repeated every 5 years after the initial approval of the person as a supervisor of an intern.*

2. A person will not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board or any other professional licensing board in this State, the District of Columbia or any other state or territory of the United States for disciplinary action.

3. A supervisor shall not:

(a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;

(b) Have had the intern as a client;

(c) Have had the intern as a supervisor; or

(d) Supervise more than three interns at one time without prior approval from the Board.

4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will provide, upon request, a copy of the list to any person who is applying to become an intern.

5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of NAC 641B.160 must be submitted to the Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.

6. A supervisor shall keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:

(a) Under the supervision of a person who has not been approved by the Board to supervise interns; or

(b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

Sec. 22. NAC 641B.160 is hereby amended to read as follows:

641B.160 1. A supervisor of an intern is responsible for the practice of social work by the intern.

2. A supervisor of an intern shall ensure that:

(a) The work of the intern is conducted in an appropriate professional setting;

(b) The work of the intern is consistent with the standards of the profession;

(c) The intern is assisted with the development of his or her professional identity;

(d) The intern has gained the skills required to manage his or her practice;

- (e) The intern has gained the skills required for continuing competency;
- (f) The intern has gained knowledge of the laws and regulations applicable to the practice of social work;
- (g) The intern is familiar with the current literature concerning those areas of social work relevant to his or her area of practice; and
- (h) The intern provides services that are culturally and linguistically appropriate.

3. A supervisor of an intern shall:

(a) ~~Meet~~ *Except as otherwise provided in subsection 4, meet* in person with the intern on an individual basis for at least 1 hour every week, unless the Board specifically directs a different schedule or frequency for the meetings, to discuss and evaluate the performance of the intern in his or her practice;

(b) Unless waived by the Board for good cause, if the intern practices social work at a site at which the supervisor does not practice social work, visit the site at least once every month and as necessary consult with the on-site supervisor regarding the practice of social work by the intern;

(c) Prepare and submit to the Board quarterly reports and a final report, unless the Board specifically directs a different schedule or frequency for the reports, on forms provided by the Board, concerning the progress of the intern in his or her practice; and

(d) Be available to consult with the Board concerning the record, competence in practice, emotional and mental stability or professional and ethical conduct of the intern.

4. *A supervisor of an intern may use telecommunication technologies to supervise an intern remotely, but the supervisor must meet in person with the intern at the site at which the intern practices social work at least once every month.*

5. Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.

~~{5.}~~ 6. A supervisor of an intern shall analyze the performance of an intern through information obtained from:

- (a) Observation or participation in the practice of the intern;
- (b) The notes of the intern; and
- (c) Process recordings prepared by the intern.

~~{6.}~~ 7. The Board may refuse to accept a quarterly or final report submitted by a supervisor of an intern as required pursuant to paragraph (c) of subsection 3 if the report:

- (a) Does not satisfy the reporting requirements for the forms provided by the Board;
- (b) Does not include such additional information concerning the internship as requested by the Board; or
- (c) Is received by the Board after the date on which the report is due.

~~{7.}~~ 8. If the Board refuses to accept a quarterly or final report pursuant to subsection ~~{6.}~~ 7, the Board will disallow credit for all hours of internship as reported on the report.

~~{8.}~~ 9. The Board will, if it deems appropriate, require additional hours of internship and supervision for an intern who fails to demonstrate the degree of competency expected at the end of an internship.

~~{9.}~~ 10. The Board will, if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:

- (a) Fails to supervise an intern adequately;
- (b) Fails to comply with each applicable provision of a statute or regulation;

(c) Fails to submit acceptable reports as required in paragraph (c) of subsection 3 regarding the progress of each intern under his or her supervision;

(d) Without good cause or approval by the Board, fails to submit two consecutive reports as required pursuant to paragraph (c) of subsection 3;

(e) Fails to complete the training required by the Board pursuant to subsection 1 of NAC 641B.155; or

(f) Becomes subject to an order issued by the Board for disciplinary action.

~~{10-}~~ **11.** A person whose approval to supervise an intern has been withdrawn by the Board because he or she is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after satisfactorily completing the requirements of the order.

~~{11-}~~ **12.** If the Board withdraws its approval of the person supervising an intern:

(a) The Board may disallow credit for all hours of internship as reported on quarterly and final reports submitted by the supervisor pursuant to paragraph (c) of subsection 3; and

(b) The intern may apply to the Board for the:

(1) Assignment of another approved supervisor; and

(2) Approval of a new internship agreement and plan of supervision.

~~{12-}~~ **13.** As used in this section, “process recording” means a written record of an interaction with a client.

NEW FIRST
PARALLEL
SECTION

Sec. 23. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsection 3, ~~{to renew his or her license-}~~

during each reporting period:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours , ~~{every 2 years-}~~ of which:

(1) ~~Two~~ **Four** hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, ~~or~~ dual relationships ~~within that practice;~~, **documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care and impaired professionals;**

(2) Four hours must relate to evidence-based suicide prevention and awareness ~~or~~ **another course of instruction on suicide prevention and awareness that has been approved by the Board**, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280 ~~or~~, **as amended by section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946;** and

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education, ~~every 2 years;~~ of which:

(1) ~~Three~~ **Four** hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, ~~or~~ dual relationships ~~within that practice;~~, **documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated**

reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care and impaired professionals;

(2) Four hours must relate to evidence-based suicide prevention and awareness ~~or~~ *another course of instruction on suicide prevention and awareness that has been approved by the Board*, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280 ~~or~~, *as amended by section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946;* and

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. Except as otherwise provided in subsection 7:

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least 65 years of age and is retired from the practice of social work.

(b) The Board may ~~renew the license of a licensee who fails to complete~~ *waive* the continuing education hours required pursuant to subsection 1 ~~during a 2-year~~ *for a reporting* period if it finds good cause to do so.

(c) The Board ~~{will renew the license of}~~ *may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which* a licensee ~~{during the period in which he or she}~~ is enrolled in a program leading to:

(1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

(2) A doctoral degree in social work . ~~{}~~

↪ ~~{and for one renewal period after graduation from the program. Before renewing the license,}~~
If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of *such* enrollment ~~{or graduation within the past 2 years must be submitted to the Board by the licensee.}~~ *during the reporting period for which the continuing education requirements are waived.*

4. If the Board ~~{renews the license of a licensee}~~ *waives the continuing education requirements for a reporting period* pursuant to paragraph (b) of subsection 3, it may require the licensee to complete, during the ~~{2-year}~~ *reporting* period immediately following ~~{the renewal of the license,}~~ *that reporting period*, additional continuing education hours not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the *reporting* period for which continuing education requirements were waived.

5. A licensee may not take a program of continuing education which presents the same material he or she took during the ~~{previous 2-year}~~ *immediately preceding reporting* period.

6. A licensee is subject to disciplinary action if he or she:

(a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or

(b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

7. The Board will not ~~renew the license of a licensee who has not completed~~ :

(a) *Waive* the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable ~~H~~ ; or

(b) *Renew the license of a licensee who has not completed such continuing education.*

NEW
SECOND
PARALLEL
SECTION

Sec. 24. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsection 3, during each reporting period:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care and impaired professionals;

(2) ~~Four~~ *Two* hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, ~~[2 hours of which]~~ *and* must be completed ~~[each year,]~~ *every 2 years* as required pursuant to NRS 641B.280, as amended by *section 1 of Assembly Bill No. 387, chapter 14, Statutes of*

Nevada 2017, at page 79, and section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946; and

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS 433A.170, 433A.195 and 433A.200, as amended by section 1 of Assembly Bill No. 440, chapter 482, Statutes of Nevada 2017, at page 3004, scope of practice, professional conduct, standards of care and impaired professionals;

(2) ~~Four~~ *Two* hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, ~~[2 hours of which]~~ *and* must be completed ~~each year,~~ *every 2 years* as required pursuant to NRS 641B.280, as amended by *section 1 of Assembly Bill No. 387, chapter 14, Statutes of Nevada 2017, at page 79, and* section 5 of Assembly Bill No. 105, chapter 176, Statutes of Nevada 2017, at page 946; and

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. Except as otherwise provided in subsection 7:

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least 65 years of age and is retired from the practice of social work.

(b) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period if it finds good cause to do so.

(c) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which a licensee is enrolled in a program leading to:

(1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

(2) A doctoral degree in social work.

➡ If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of such enrollment during the reporting period for which the continuing education requirements are waived.

4. If the Board waives the continuing education requirements for a reporting period pursuant to paragraph (b) of subsection 3, it may require the licensee to complete, during the reporting period immediately following that reporting period, additional continuing education hours not exceeding the number of hours that the licensee would have otherwise been required to complete

pursuant to subsection 1 during the reporting period for which continuing education requirements were waived.

5. A licensee may not take a program of continuing education which presents the same material he or she took during the immediately preceding reporting period.

6. A licensee is subject to disciplinary action if he or she:

(a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or

(b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

7. The Board will not:

(a) Waive the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable; or

(b) Renew the license of a licensee who has not completed such continuing education.

NEW FIRST
PARALLEL
SECTION

Sec. 25. NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided in subsection 2 and in subsection 3 of NAC 641B.187, ~~every other~~ *beginning with a licensee's second application for renewal of his or her license, and every 2 years thereafter, the licensee's* application for renewal ~~of a license~~ must be accompanied by an affidavit evidencing the completion of the continuing education hours required pursuant to NAC 641B.187 during the ~~2 years~~ *reporting period* immediately preceding the date of the application.

2. Every application for renewal of a license must be accompanied by the certificate provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of

paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the year immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.

3. The Board will randomly select affidavits and request proof from the affiant of the authenticity of the information contained therein.

4. Each licensee shall maintain sufficient documentation which verifies the information set forth in the affidavit for at least 3 years. *Such documentation may be maintained electronically.* The inability to provide evidence supporting the information in the affidavit subjects the licensee to disciplinary action.

NEW
SECOND
PARALLEL
SECTION

Sec. 26. NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided ~~{in subsection 2 and in}~~ subsection 3 of NAC 641B.187, beginning with a licensee's second application for renewal of his or her license, and every 2 years thereafter, the licensee's application for renewal must be accompanied by ~~{an}~~ :

(a) An affidavit evidencing the completion of the continuing education hours required pursuant to NAC 641B.187 during the reporting period immediately preceding the date of the application ~~{f}~~.

~~—2.— Every application for renewal of a license must be accompanied by the}~~ ; *and*

(b) The certificate provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the ~~{year}~~ *2 years* immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.

~~{3.}~~ 2. The Board will randomly select affidavits and request proof from the affiant of the authenticity of the information contained therein.

~~{4.}~~ 3. Each licensee shall maintain sufficient documentation which verifies the information set forth in the affidavit for at least 3 years. Such documentation may be maintained electronically. The inability to provide evidence supporting the information in the affidavit subjects the licensee to disciplinary action.

Sec. 27. NAC 641B.189 is hereby amended to read as follows:

641B.189 1. ~~{A}~~ *Except as otherwise provided in subsection 3, a* program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. Except as otherwise provided in this subsection, to obtain the approval of the Board, a continuing education program must provide independent verification that the licensee has successfully completed the program. A continuing education program may be in the form of:

(a) Workshops or conferences, including, without limitation, live *or recorded* presentations delivered using ~~{videoconferencing or the Internet that allow participants to interact with the presenter in real time;}~~ *electronic means or telecommunication technologies;*

(b) Except as otherwise provided in paragraph (d) of subsection 4, ~~{distance}~~ *online* learning courses;

(c) Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board ~~{}~~, *not to exceed 15 hours;*

(d) A one-time presentation, not to exceed 15 hours, of an academic course, in-service training workshop or seminar by the licensee;

(e) Successful completion of an academic course of instruction at a regionally accredited college or university;

(f) Attendance by the licensee at a *meeting*, workshop or public hearing conducted by the Board ~~[1]~~, *not to exceed 4 hours towards the ethics requirement*; or

(g) Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.

2. A licensee may ~~[apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 15 hours of continuing education credit or, if licensed as a licensed independent social worker or a licensed clinical social worker, for not more than 18 hours of continuing education credit for distance learning courses during a 2-year period, except that the Board may approve additional hours of such]~~ *complete the required hours of* continuing education ~~[if the licensee can demonstrate good cause for the approval of the additional hours.]~~ *with any combination of the actions set forth in paragraphs (a) to (g), inclusive, of subsection 1.*

3. ~~[A licensee may apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 2 hours of continuing education credit or, if licensed as a licensed independent social worker or a licensed clinical social worker, for not more than 4 hours of continuing education credit relating to ethics for any period in which the licensee serves as a member of a committee or board of review that:~~

~~—(a) Considers issues or applies any policy, law or regulation relating to ethics; and~~

~~—(b) Is approved by the Board.]~~ *A course or program that has been approved by the National Association for Social Workers or the Association of Social Work Boards shall be deemed approved by the Board and is not required to be submitted to the Board by the provider or participant for approval pursuant to NAC 641B.190, 641B.191 or 641B.192.*

4. The following courses and programs will be deemed unacceptable as a program of continuing education:

- (a) An orientation program for new employees.
- (b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.
- (c) A program for self-improvement.
- (d) ~~[A distance]~~ **An online** learning course which does not require participants to complete an examination ~~[before beginning the course and]~~ after completing the course and for which there is no independent verification of successful completion.

Sec. 28. NAC 641B.190 is hereby amended to read as follows:

641B.190 1. Before the Board approves a course or program, the Board must be satisfied that the course or program:

(a) Will be taught by a competent instructor as demonstrated by his or her educational, professional and teaching experience ; ~~[, unless the course or program is proposed by a licensee pursuant to subsection 2 of NAC 641B.192 and does not include the use of an instructor;]~~

(b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;

(c) Is of professional quality;

(d) Is appropriately designed for instructional purposes;

(e) Is supported by evidence that is based on research; and

(f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.

2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, ~~{distance}~~ **online** learning courses through an accredited college or university which do not lead to a degree, and on-the-job training programs offered by an agency shall be deemed “appropriately designed for instructional purposes,” as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.

3. The subject matter of a course or program which addresses one or more of the following areas:

- (a) Theories or concepts of human behavior and the social environment;
 - (b) Social work methods of intervention and delivery of services;
 - (c) Social work research, including, without limitation, the evaluation of programs or practices;
 - (d) Management, administration or social policy;
 - (e) Social work ethics;
 - (f) Services that are culturally and linguistically appropriate;
 - (g) Social work theories or concepts of addictions in the social environment;
 - (h) Evidence-based suicide prevention and awareness; or
 - (i) Other areas directly related to the field of practice of the licensee,
- ↪ shall be deemed to reflect “current and relevant educational material concerning social work” and be “applicable to the practice of social work,” as those terms are used in subsection 1.

Sec. 29. NAC 641B.191 is hereby amended to read as follows:

641B.191 1. Unless a provider has achieved the status as an approved provider of continuing education pursuant to subsection 2, a provider requesting approval of a course or program must, for each course or program, submit to the Board an application containing the information required by the Board. The Board will notify the provider whether the course or program has been approved or denied within 30 days after receipt of the completed application for approval by the Board. If the Board approves the course or program, the notice of approval will state the number of continuing education hours for which the course or program is approved. Approval of the course or program will:

- (a) Be given for a particular presentation or series of presentations; or
- (b) Expire on a specific date set forth in the notice of approval.

2. A provider may apply to the Board for status as an approved provider of continuing education. Upon receipt of sufficient evidence that the provider possesses the consistent ability to provide professional-quality programs of continuing education and that it employs or consults with a social worker who is licensed in any jurisdiction and has at least 3 years' experience to review each course or program that will be provided by the approved provider for its compliance with NAC 641B.190, the Board will grant status as an approved provider of continuing education. ~~[An approved provider of continuing education shall, within 30 days after the end of each calendar quarter, submit to the Board a report that lists the title, summary, dates and number of credits assigned to each course or program it offered in the previous quarter. The Board may investigate the contents of any course or program listed in the quarterly report.]~~ The Board may withdraw the status of a provider as an approved provider of continuing education if the Board determines that the provider no longer possesses the qualifications of this subsection and gives

the provider 30 days' notice. A provider may reapply for status as an approved provider of continuing education at any time.

3. If the Board denies approval of a course or program or denies or withdraws status as an approved provider of continuing education, the applicant may, within 30 days after receiving notice of the denial or withdrawal, request in writing that the Board reconsider its decision.

Sec. 30. NAC 641B.192 is hereby amended to read as follows:

641B.192 ~~{1.}~~ A licensee may request the approval of a course or program which has not been ~~{submitted for:~~

~~{(a) Approval} :~~

1. Submitted for approval by a provider; or

~~{(b) Approval pursuant to subsection 2,}~~

2. Approved by the National Association for Social Workers or the Association of Social Work Boards,

↪ by submitting to the Board an application containing the information required by the Board for its review pursuant to NAC 641B.190. The course or program is subject to the same criteria used to evaluate the course or program submitted by a provider seeking approval.

~~{2.—A licensee may apply for approval for credit of a program of study or activities that is created and directed by the licensee. The application must include information or materials demonstrating that the program will meet the requirements set forth in NAC 641B.190, the nature of the studies or activities, the degree of interaction with instructors or colleagues that is expected, if any, and the date for completing the program. A licensee may apply for credit pursuant to this subsection for not more than 7.5 hours for a 2-year period, unless the Board finds that the licensee demonstrated, in his or her initial application, that he or she has good cause for~~

~~the approval of additional hours. The Board will not approve an application that includes studies or activities that are being completed as a part of the primary job duties of the licensee or the requirements for a class in which the licensee is enrolled. To receive credit for completing a program approved pursuant to this subsection, the licensee must, after completion of the program, submit documentation, satisfactory to the Board, that he or she achieved the learning objectives set forth in the application.}~~

Sec. 31. NAC 641B.200 is hereby amended to read as follows:

641B.200 1. The status of a licensee must not be used to support any claim, promise or guarantee of successful service, nor may the license be used to imply that the licensee has competence in another profession.

2. A licensee shall not misrepresent, directly or by implication, his or her own professional qualifications, competency, affiliations and licenses, or those of the institutions and organizations with which he or she is associated. A licensee shall provide accurate information concerning his or her credentials, education, training and experience upon request from a client or potential client.

3. If a licensee holds more than one occupational license, he or she shall disclose to his or her client orally and in writing the type of practice of social work in which the licensee is engaged and which of the licenses apply to the practice of social work the licensee is providing to that client. If a licensee is engaged in a practice that is not the practice of social work, the licensee shall disclose to the client orally and in writing the type of practice in which the licensee is engaged and that the practice is not within the scope of the practice of social work. If the licensee fails to disclose to the client that the practice in which the licensee is engaged is a practice other than the practice of social work, the Board, in evaluating whether the licensee is in

compliance with the standards of professional responsibility, will presume that the practice in which the licensee was engaged was intended to be the practice of social work.

4. A licensee shall not engage in the practice of social work while:

(a) The licensee is impaired by alcohol, drugs or any other chemical; or

(b) The licensee is impaired by a mental or physical condition that prevents him or her from practicing safely.

5. A licensee shall not use his or her relationship with a:

(a) Client;

(b) Person with significant personal ties to a client, whether or not related by blood; or

(c) Legal representative of the client,

➔ to further his or her own personal, religious, political or business interests.

6. A licensee is responsible for setting and maintaining professional boundaries with:

(a) Each client;

(b) Each person with significant personal ties to a client, whether or not related by blood;

(c) The legal representative of the client;

(d) Each intern; and

(e) Persons who are supervised by the licensee.

7. Except as otherwise provided by law, a licensee shall not give or receive, directly or indirectly, a fee, commission, rebate or other compensation for professional services that the licensee has not actually and personally rendered. If a licensee is supervising the work of an intern or employee, any billing or documentation of the work must clearly show that the licensee supervised the work and did not personally render services.

8. A licensee shall not knowingly offer service to a client who is receiving treatment from another licensee without prior consultation between the client and the other licensee.

9. Except as otherwise provided in subsection 13, a licensee shall not disparage the qualifications of any colleague.

10. A licensee shall not attempt to diagnose, prescribe for, treat or advise on any problem outside his or her field of competence. Except as otherwise provided in this subsection, a licensee shall not assume duties and responsibilities within the practice of social work if he or she cannot perform the services competently. A licensee may assume duties and responsibilities within the practice of social work , *except for the duties and responsibilities described in section 6 of this regulation*, for which he or she cannot currently perform the services competently if he or she prepares a reasonable written plan demonstrating the manner in which he or she will acquire the competence necessary to perform the services competently. Such a plan must be completed under the supervision of or with the consultation of a professionally qualified person who can demonstrate competency in the area of study. A copy of a plan prepared pursuant to this subsection must be provided to the Board upon request by the Board.

11. A licensee shall base his or her practice upon recognized knowledge relevant to social work.

12. A licensee shall critically examine and keep current with emerging knowledge relevant to social work.

13. A licensee shall report to the Board any unlicensed, unauthorized, unqualified or unethical practice of social work.

14. Based upon recognized knowledge and standards of practice for social work, a licensee shall prepare and maintain in a timely manner a record regarding each of his or her clients which:

(a) Sets forth his or her assessment of the problems, issues or concerns of the client, the course of treatment or plan of care for the client and the scope of the licensee's services to that client, including, without limitation, any interventions, consultations or mandated reporting; and

(b) Includes, without limitation, copies of:

(1) All documents relating to the informed consent of the client;

(2) All documents relating to the release of information regarding the client;

(3) A record of each contact with the client which includes the date and time of the contact; and

(4) All other documents required by law or legal documents regarding the client.

15. A licensee shall not:

(a) Inaccurately record, falsify or otherwise alter or destroy any client's records unless specifically authorized by law.

(b) Falsify billing records.

(c) Bill for services not rendered or supported by documentation.

(d) Refuse to release a client's records upon request by the client unless otherwise specifically authorized by law.

16. A licensee shall maintain each client's records ~~for~~
~~at least 10 years unless otherwise specifically authorized by law.]~~ *in accordance with NRS 629.051, as amended by section 4 of Senate Bill No. 291, chapter 415, Statutes of Nevada 2017, at page 2757.*

17. A licensee shall adequately complete and submit to the Board any reports required pursuant to chapter 641B of NRS, any regulations adopted pursuant to that chapter and any order, rule or instruction of a court of competent jurisdiction in a timely manner.

18. A licensee shall comply with all the provisions of the statutes and regulations governing the practice of social work that are set forth in this chapter and chapter 641B of NRS. A licensee shall comply with any state or federal law or regulation that is relevant to the practice of social work.

19. A licensee shall not authorize a person under the supervision of the licensee to perform services outside of the level of licensure, training or experience of the person who is supervised or allow that person to hold himself or herself out as having expertise in a field in which he or she is not qualified.

20. A licensee shall not order or knowingly allow a person under the supervision of the licensee to engage in any illegal or unethical act related to social work.

21. A licensee shall notify the Board in writing within ~~21~~ 30 days after:

(a) An action is taken against a *professional* license, certification, registration or credential of the licensee issued by any state or territory of the United States;

(b) A criminal charge is filed against the licensee;

(c) The licensee is charged with or convicted of a criminal offense other than a misdemeanor traffic offense, including, without limitation, driving ~~for being in actual physical control of a vehicle while~~ under the influence of ~~intoxicating liquor~~ *alcohol* or a controlled substance;

(d) A civil action, including, without limitation, an action for malpractice, is filed against the licensee for any act relating to the practice of social work;

(e) A settlement or judgment in a civil action, including, without limitation, an action for malpractice, is filed against the licensee for any act relating to the practice of social work; *or*

(f) ~~The licensee has been placed in a diversionary program; or~~

~~—(g)~~ The licensee has entered into a program for the treatment of ~~{the abuse of a controlled}~~ substance ~~{or alcohol or a program for the treatment of}~~ *abuse or* any other *behavioral* impairment ~~{}~~ *that affects his or her ability to deliver essential social work services.*

22. A licensee shall not supervise any person who engages in the practice of social work if that person has not satisfied the appropriate requirements for licensure pursuant to this chapter and chapter 641B of NRS.

23. A licensee shall not provide any services, including, without limitation, any diagnosis, therapeutic counseling, therapy or other clinical services, to an intern or other person over whom the licensee has administrative, educational or supervisory authority.

24. A licensee shall not knowingly obstruct an investigation conducted by the Board.

Sec. 32. NAC 641B.205 is hereby amended to read as follows:

641B.205 1. A licensee shall practice social work with professional skill and competence.

2. If a licensee must act on behalf of a client who has been declared incompetent or otherwise found by the Board to be incapable of acting in his or her own best interest, the licensee shall safeguard the interests and rights of that client.

3. If another person has been legally authorized to act on behalf of an incompetent client, a licensee shall deal with that person in accordance with the best interests of the client.

4. A licensee shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.

5. A licensee shall not misrepresent to a client the efficacy of his or her service or the results to be achieved.

6. A licensee shall apprise his or her clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.

7. A licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. A licensee shall collaborate with other colleagues as necessary to meet the needs or interests of the client.

8. A licensee shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs or interests of the client.

9. A licensee shall not withdraw his or her social work services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.

10. A licensee who anticipates the termination or interruption of service to a client shall notify the client promptly and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.

11. Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence a:

(a) Client;

(b) Person with significant personal ties to a client, whether or not related by blood; or

(c) Legal representative of the client,

↪ in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

12. A licensee shall not engage in sexual activity with a client during the time that the client is receiving professional services and for 3 years after the termination of the professional relationship.

13. A licensee shall not solicit or enter into a dual relationship with a client, intern or person who is supervised by the licensee:

(a) During the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and

(b) For at least 2 years after the termination of the professional relationship, internship or period of supervision.

14. A licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

15. ~~[As used in this section, “dual relationship” means a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that also includes another professional, social or business relationship with the client, intern or other person.]~~ *A licensed independent social worker or licensed clinical social worker who is in the independent practice of social work shall establish and maintain a professional will which must specify the person who will serve as a professional executor for the licensed independent social worker. The executor must oversee the client records, billing and financial records, appointment book and client contact information, passwords and access codes and notify the clients of the licensed independent social worker in the event that he or she becomes incapacitated or unable to provide social work services, or upon his or her unexpected death.*

Sec. 33. NAC 641B.068 and 641B.195 are hereby repealed.

Sec. 34. 1. This section and sections 1 to 23, inclusive, 25 and 27 to 33, inclusive, of this regulation become effective upon filing with the Secretary of State.

2. Sections 24 and 26 of this regulation become effective on July 1, 2018.

TEXT OF REPEALED SECTIONS

641B.068 Interpretation of term “all costs incurred by the Board relating to the discipline of the person.” (NRS 641B.160, 641B.430) As used in NRS 641B.430, the Board will interpret the term “all costs incurred by the Board relating to the discipline of the person” to include, without limitation:

1. Attorney’s fees;
2. Hearing costs; and
3. Investigative fees and costs.

641B.195 Providers: Submission of information to Board. (NRS 641B.160, 641B.280)
Within 30 days after presenting a program of continuing education, the provider shall transmit to the Board:

1. The title of the program.
2. The date, time and location of the program.
3. The names and total number of licensees completing the program.
4. The number of continuing education hours assigned to the program by the Board.
5. The approval number assigned to the program by the Board.

