

PROPOSED REGULATION OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS

LCB File No. R025-14

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

AUTHORITY: Nevada Revised Statutes (NRS) 641B.160 for all proposed regulation changes noted throughout this document.

(NAC 641B.105. Examinations. Rationale for Proposed Change: During the May 25, 2012 Board meeting, the Board's Executive Director brought to the Board's attention the fact that there were a number of applicants who either neglected to schedule to take their licensing examinations or applicants who, despite repeated efforts, were unable to successfully take and pass the licensing examination. These applicants would request an extension to keep their licensing applications open, resulting in their applications remaining open for several years. Keeping application files open on an indefinite basis proved to be an unnecessary drain on Board staff and resources. There were also concerns about these applicants either appearing to lack the professional investment to take the licensing examination or not being able to pass a standardized competency examination for licensing. Pursuant to NAC 641B.105(4), the Board has the ability to impose a limitation on the number of times an applicant may take an examination under an open application. During the May 25, 2012 Board meeting, the Board voted unanimously to impose a one-year time limit for applicants to successfully take and pass the licensing examination under an open application following examination approval by Board staff. This proposed regulation revision is a housekeeping item which serves to better inform applicants of an imposed time limit under their open application to take and pass the licensing examination).

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 5, inclusive, of this regulation.

Section 1. NAC 641B.105 is hereby amended to read as follows:

(If approved, this may be approved as "subsection 6"). An examination must be taken and passed within 1 year following approval to take the exam under an open application.

Sec. 2 This regulation becomes effective immediately.

(NAC 641B.111. Restoration of Expired License. Rationale for Proposed Change: Presently, under the process to restore an expired license, a licensee whose license has expired has up to three years to restore their expired license before being required to submit an application for a new license. If applying for a new license, the applicant would be required to submit to fingerprinting pursuant to NRS 641B.202. Since a lapse of professional licensure may have occurred for a variety of reasons, the additional requirement of having an applicant for restoration also submit to fingerprinting assists in ruling out whether the lapse in licensure was due to any form of malfeasants not disclosed by the restoring licensee. Accordingly, this proposed regulation change is viewed as increasing the Board's public protection capabilities.

The additional proposed regulation change pertaining to requiring a restoring licensee to address any outstanding debts owed to the State of Nevada, including debts owed to this Board, is in keeping with State Senate Bill 21, which was passed during the 2013 / 77th Legislative Session and is now codified in NRS 353C.1965 and NRS 622.240.

The additional proposed regulation change pertaining to possible refusal to restore a license to an individual who has been the subject of a disciplinary action conducted by a state licensing board, including this Board, is viewed as a public protection measure and affords the Board the ability to either deny a license or consider possible disciplinary actions or license limitations, as lawful, pursuant to NRS and NAC).

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 3, inclusive, of this regulation.

Section 1. NAC 641B.111 is hereby amended to read as follows:

2. In addition to the requirements set forth in [NRS 641B.290](#) and except as otherwise provided in subsection 3, an application for restoration of an expired license must be accompanied by:

- (a) Evidence of the completion of all past continuing education hours; ~~and~~
- (b) 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~~H~~; *and*

(If approved, this may be considered “subsection 3”). Submit to fingerprinting pursuant to subsection 4 of NAC 641B.090 and NRS 641B.202.

3. 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.

(If approved, this may be considered “subsection 4”). A licensee submitting an application for restoration, who owes any debts to a State agency, including the Board, must provide proof, to the Board’s satisfaction, that the debt owed to a State agency has been paid in full, or provides verification that he or she is compliant with any payment terms or conditions imposed by the State agency pertaining to the debt owed.

(If approved, this may be considered “subsection 5”). A licensee submitting an application for restoration, who is or has been the subject of a disciplinary action by a state licensing board, including a licensing board in this State, may be grounds for the Board to conduct a hearing pertaining to the application in order to consider possible refusal to restore the license, pursuant to NRS 641B.260, or possible disciplinary action of a restored license, pursuant to NRS 641B.400.

Sec. 2 This regulation becomes effective immediately.

(NAC 641B.115. Fees. Rationale for Proposed Change: The Board’s cost of doing business has continued to increase steadily since previously increasing its fees several years ago for licensing and renewal applications. The proposed fee increases are the increases presently allowable under NRS 641B.300. During the Board’s meeting on October 18, 2013, the Board voted unanimously for the Board’s Executive Director to propose in regulation, any fee increases presently allowable under NRS 641B.300 as part of its strategic planning for 2014. The 2014 strategic

planning includes upgrades in computers, telephone and copier, as well as a modest increase in office space and recruitment of contracted investigators to assist in Board disciplinary investigations. All of the strategic planning items were approved by the Board on January 17, 2014 Board meeting and were deemed necessary by the Board in supporting their ongoing mission of public protection. If approved, the proposed fee increase under this regulation would bring an estimated \$37,500.00 to the Board in additional revenue).

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 3, inclusive, of this regulation.

Section 1. NAC 641B.115 is hereby amended to read as follows:

NAC 641B.115 Fees. ([NRS 641B.160](#), [641B.300](#)) An applicant must pay the following fees for licensure:

1. Licensed associate in social work:
 - (a) Annual renewal..... ~~75~~ 100
 - (b) Restoration of revoked license..... 150
 - (c) Restoration of expired license..... ~~150~~ 200
 - (d) Renewal of delinquent license..... ~~40~~ 100
2. Licensed social worker:
 - (a) Initial application..... \$40
 - (b) Initial issuance of license..... ~~75~~ 100
 - (c) Annual renewal of license..... ~~75~~ 100
 - (d) Restoration of revoked license..... 150
 - (e) Restoration of expired license..... ~~150~~ 200
 - (f) Renewal of delinquent license..... ~~40~~ 100
 - (g) Endorsement license without examination..... 100
 - (h) Initial issuance of provisional license..... 75
 - (i) Annual renewal of provisional license..... 75
3. Licensed independent social worker and licensed clinical social worker:
 - (a) Initial application..... \$40
 - (b) Initial issuance of license..... 100
 - (c) Annual renewal of license..... 150

(d) Restoration of revoked license.....	150
(e) Restoration of expired license.....	150 200
(f) Renewal of delinquent license.....	75 100
(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.

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.126. Licensure by Endorsement. Rationale for Proposed Change: As our society has become more mobile, individuals are applying for endorsement of their licenses from other states. Although endorsement of out-of-state licenses are usually straightforward for LSW applicants, applications for the clinical and MSW independent level social workers are more challenging when attempting to verify their post graduate supervised hours, including psychotherapeutic hours for clinical social workers as defined in NAC 641B.057. How each state approves post-graduate supervised hours towards either independent or clinical licensure varies. During the 77th/2013 Legislative session, concerns were expressed by certain members of the Legislature regarding state licensing boards appearing to be “discouraging” towards out-of-state applicants. The proposed changes are attempts to recognize the fact that all states are requiring licensure, at a minimum, on the clinical social work level, the mobility of professionals, attempts to strike a balance between public protection and fairness pertaining to individuals licensed in other states and fairness to professionals who reside within this State and have chosen to remain and work in Nevada under their professional licensure.)

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 4, inclusive, of this regulation.

Section 1. NAC 641B.126 is hereby amended to read as follows:

NAC 641B.126 Licensure by endorsement. (NRS 641B.160, 641B.270)

1. An applicant for licensure as a social worker *who meets preliminary qualifications for licensure pursuant to NRS 641B.200, minimum qualifications for licensure pursuant to NRS 641B.220 through NRS 641B.240 and* who holds, in another state, at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS may be licensed by endorsement by the Board to engage in the practice of social work in this State by the Board without taking the examination prescribed by the Board if:

(a) The applicant provides evidence satisfactory to the Board that the applicant has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years; or

(b) The applicant:

(1) Has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 or a substantially equivalent examination in the state in which the applicant holds a license; and

(2) Provides evidence satisfactory to the Board that the applicant has held the license for at least 20 years and that at least 50 percent of the practice of the applicant for the immediately preceding 10 years has been in the practice of social work.

2. An applicant for licensure as a clinical social worker or an independent social worker who *meets the preliminary and minimum qualifications for licensure described in subsection 1 and* holds, in another state, at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS may be licensed by endorsement by the Board if: ~~the applicant provides evidence satisfactory to the Board that the applicant completed, before July 1, 1990, at least 3,000 hours of postgraduate social work supervised by a licensed mental health practitioner.~~

(If approved, this may be considered “subsection 2a”). The applicant provides evidence satisfactory to the Board that he or she has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years or an examination deemed by the Board, as a substantially equivalent examination. The applicant must have successfully passed the appropriate examination in the state in which the applicant holds a license.

(If approved, this may be considered “subsection 2b”). If applying for endorsement of a clinical license from another state, provides evidence to the Board’s satisfaction that while

holding a clinical license for at least 10 years, at least 50 percent of the applicant's practice within the preceding 7 years has been in the direct practice of clinical social work and/or the supervision of clinical social work.

(If approved, this may be considered "subsection 2c"). If applying for endorsement of an independent social worker license from another state, provides evidence to the Board's satisfaction that while holding the independent license for at least 10 years, at least 50 percent of the applicant's practice has been in the direct practice of independent social work and/or the supervision of independent social work.

(If approved, this may be considered "subsection 3"). An applicant applying for endorsement of a clinical or independent social worker license who does not meet endorsement criteria as described in section 1 or 2, may be considered for endorsement of their clinical or independent social worker supervised, postgraduate hours which may be applied towards licensure by the Board if:

(If approved, this may be considered "subsection 3a"). The applicant can furnish proof, to the Board's satisfaction, that the applicant has completed 3,000 hours of supervised, postgraduate social work that has been accepted by the state where the applicant holds the clinical or independent license. The Board may consider approving the work towards clinical or independent social work licensure if:

(If approved, this may be considered "subsection 3a-1"). The Board determines that the experience of the applicant's supervised, postgraduate hours are substantially equivalent to the standards established by the Board during the period of postgraduate supervision for those applicants who complete their supervised, postgraduate supervised work in this State pursuant to NRS and NAC 641B; and

(If approved, this may be considered "subsection 3a-2"). Verification of the postgraduate supervised hours are submitted to the Board from the state licensing board where the applicant conducted the supervised postgraduate hours, in a manner approved by the Board.

(If approved, this may be considered "subsection 4"). An applicant who is unable to meet substantially equivalent standards of their out of state clinical or independent license as described in subsection 2 may:

(If approved, this may be considered “subsection 4a”). Apply for a provisional license to engage in the practice of clinical or independent social work under a plan of supervision established by the Board until:

(If approved, this may be considered “subsection 4a-1”). The applicant can establish, if applying for endorsement of an independent social worker license, the ability to eventually meet substantially equivalent standards, pursuant to NAC 641B.140, during the period of Board approved supervised practice under the provisional independent license; or

(If approved, this may be considered “subsection 4b-2”). The applicant can establish, if applying for endorsement of a clinical social worker license, the ability to eventually meet substantially equivalent standards, pursuant to NAC 641B.150, during the period of Board approved supervised practice under the provisional clinical license.

(If approved, this may be considered “subsection 5”). The provisional license to engage in the supervised practice of clinical or independent social work for the purpose of establishing substantially equivalent standards may be renewed 2 times in accordance to the application renewal process specified in NAC 641B.110. The provisional license may be subject to disciplinary action pursuant to NRS and NAC 641B during the period of provisional licensure.

(If approved, this may be considered “subsection 6”). ~~†3†~~ An applicant for licensure by endorsement *or provisional licensure pursuant to 4* 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†~~ 7 proof that the license issued by the other state or any other license or credential issued to the applicant by another state:
 - (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†~~ *(If approved, this may be considered “subsection 7”).* If an applicant has had a license or credential that was issued by another state 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.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003; R122-06, 7-14-2006; R142-08, 2-11-2009)

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.140. Licensed Independent Social Worker: Internship Required for Licensure:

Rationale. The proposed changes in NAC 641B.140: The term “will” has been replaced with the term “may”, pursuant to NRS 0.025. The proposed changes also specifies the period of time, following the termination of an internship not leading to licensure as an independent social worker, when the accrued internship hours shall be considered forfeited; conditions under which the Board may consider requiring additional programs to supplement an existing internship program; and good cause circumstances and conditions under which the Board may consider withdrawing its approval of an internship program. By proposing language changes which specifies the length of time internship hours shall be applied towards licensure as well as additional terms and conditions applicable to Board approved internships, enables the Board to support its mission to protect the public)

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 4, inclusive, of this regulation.

Section 1. NAC 641B.140 is hereby amended to read as follows:

1. Except as otherwise provided in subsection 2 of [NAC 641B.126](#), 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 subsections 2 and 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}~~ *may* grant a specific extension of this period. *Hours accrued during an internship shall be forfeited 3 years following the termination of the internship program if the accrued hours have not been applied towards independent social work licensure.*

(If approved, this may be considered “subsection 2”). A program which is unable to sustain, after 2 quarters, the minimum number of hours necessary to complete the program by 3 years may be required by the Board to add additional Board approved internship sites or risk withdrawal of the program by the Board. The Board may consider up to 3 Board approved internship agencies to be conducted simultaneously as part of an internship program.

*(If approved, this may be considered “subsection 3”). ~~{e}~~ A program shall be ~~{Conducted}~~ *conducted* pursuant to the requirements and standards set forth by the Board. For good cause, the Board ~~{will}~~ *may* withdraw its approval of a particular program. *Examples of good cause shall include, but are not limited to:**

(If approved, this may be considered “subsection 3a”). An investigation or finding by local, State or Federal authorities pertaining to alleged practices conducted by the internship site which may be deemed unethical or unsafe as defined in NRS or NAC 641B; or

(If approved, this may be considered “subsection 3b”). An investigation by the Board of a licensee who engages in unethical or unsafe practices as defined in NRS or NAC 641B while providing supervision to interns as an employee or contractor of an agency, or as the owner or operator of an agency which is part of an internship program.

*(If approved, this may be considered “subsection 4”). ~~{2}~~ Upon application to the Board by an applicant who is currently a licensed social worker or a licensed associate in social work, the Board ~~{will}~~ *may* approve and accept for licensure supervised postgraduate hours completed in an agency that provides social work services if the applicant:*

*(If approved, this may be considered “subsection 5”). ~~{3}~~ An applicant who *is not licensed as an independent social worker but* has completed 3,000 hours of supervised, postgraduate social work in this State or another state ~~{may submit evidence of the satisfactory completion of that work to the Board for its consideration.}~~ *within the immediately preceding 10**

years, may submit to the Board for its consideration as part of a Board approved internship program, evidence of the satisfactory completion of that work and documentation that his or her supervisor was either a licensed clinical social worker or a licensed master's level social worker who was approved to provide postgraduate supervision in the state where the postgraduate supervision was provided. The Board ~~will~~ may approve that work and accept it ~~for licensure~~ towards hours accrued in an internship program in this State after two full consecutive quarters in a program if:

(If approved, this may be considered "subsection 5a"). ~~the~~ Verification of the supervised, postgraduate social work hours are submitted directly from the state to the Board where the work was conducted in a manner approved by the Board; and

(If approved, this may be considered "subsection 5b"). The Board determines, to its satisfaction, 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 independent social work postgraduate in this State.

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.150. Licensed Clinical Social Worker: Internship Required for Licensure:

Rationale. The proposed changes in NAC 641B.140: The term "will" has been replaced with the term "may", pursuant to NRS 0.025. The proposed changes also specifies the period of time, following the termination of an internship not leading to licensure as a clinical social worker, when the accrued internship hours shall be considered forfeited; conditions under which the Board may consider requiring additional programs to supplement an existing internship program; and good cause circumstances and conditions under which the Board may consider withdrawing its approval of an internship program. By proposing language changes which specifies the length of time internship hours shall be applied towards licensure as well as additional terms and conditions applicable to Board approved internships, enables the Board to support its mission to protect the public)

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 5, inclusive, of this regulation.

Section 1. NAC 641B.150 is hereby amended to read as follows:

1. 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 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~~ *may* grant a specific extension of this period. *Hours accrued during an internship shall be forfeited three years following the termination of the internship program if the accrued hours have not been applied towards clinical social work licensure.*

(If approved, this may be considered “subsection 2”). A program which is unable to sustain, after 2 quarters, the minimum number of hours necessary to complete the program by 3 years may be required by the Board to add additional Board approved internship sites or risk withdrawal of the program by the Board. The Board may consider up to 3 Board approved internship agencies to be conducted simultaneously as part of an internship program.

*(If approved, this may be considered “subsection 3”). ~~(e)~~ A program shall be ~~Conducted~~ conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board ~~will~~ *may* withdraw its approval of a particular program. *Examples of good cause shall include, but are not limited to:**

(If approved, this may be considered “subsection 4”). An investigation or finding by local, State or Federal authorities pertaining to alleged practices conducted by the internship site which may be deemed unethical or unsafe as defined in NRS or NAC 641B.

(If approved, this may be considered “subsection 5”). An investigation by the Board of a licensee who engages in unethical or unsafe practices pursuant to NRS or NAC 641B while providing supervision to interns as an employee or contractor of an agency, or as the owner or operator of an agency which is part of an internship program.

(If approved, this may be considered “subsection 6”). ~~3-~~ An applicant who *is not licensed as a clinical social worker but* has completed ~~3,000 hours of~~ supervised, postgraduate clinical social work in another state within the immediately preceding ~~10~~ 3 years may submit to the Board for its consideration *as part of a Board approved internship program*, evidence of the satisfactory completion of that work and documentation that his or her supervisor was a clinical social worker and was qualified to supervise in that state. The Board ~~will~~ *may* approve that work and accept it ~~for licensure~~ *towards hours accrued in a Board approved internship program after completion of a minimum 1,000 clinical hours in the Board approved internship program and successful completion of an appropriate examination pursuant to subsection 1(a)(1) while in the Board approved internship program* if:

(If approved, this may be considered “subsection 6a”). ~~the~~ *Verification of the supervised, postgraduate clinical social work hours are submitted directly from the state where the work was conducted to the Board in a manner approved by the Board; and*

(If approved, this may be considered “subsection 6b”). The Board determines, *to its satisfaction*, that the *postgraduate* experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their work in this State.

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.155. Supervisors of interns: Generally.

Rationale. The proposed changes in NAC 641B.155: The term “will” has been replaced with the term “may”, and the term “must” has been replaced with the term “shall”, pursuant to NRS 0.025. The proposed changes also supports the Board requiring mandatory training or re-trainings of Board approved internship program supervisors. Required trainings and re-trainings are viewed as necessary in maintaining consistent supervision standards of interns as deemed by the Board. Consistency in supervision standards as it relates to supervision of interns is deemed an issue of public safety).

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

Section 1. NAC 641B.155 is hereby amended to read as follows:

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

(e) If deemed necessary by the Board, successfully complete a written examination *or any training specified by the Board; and*

(f) If deemed necessary by the Board, successfully complete any *re-training as* specified by the Board. *prior to accepting any new interns.*

2. A person ~~{will}~~ *shall* not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board for disciplinary action.

4. The Board ~~{will}~~ *shall* 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,}~~ *may*, 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}~~ *shall* 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}~~ *shall* 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. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.160. Supervisors of interns: Duties; Additional Internship Hours if Required; Withdrawal of Approval to Supervise; Reapplication for Approval).

Rationale. The proposed changes in NAC 641B.160: The term “will” has been replaced with the term “may”, and the term “would” has been replaced with the term “shall”, pursuant to NRS 0.025. The proposed changes also supports the Board authority to withdraw its approval of a licensee to provide internship supervision, under terms and conditions noted).

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 10, inclusive, of this regulation.

Section 1. NAC 641B.160 is hereby amended to read as follows:

(If approved, this may be considered “subsection 4”). The Board may reject submitted reports that do not comply with specified reporting criteria, do not provide additional information pertaining to the internship as requested by the Board, or are received past the due date. Any hours accrued on a rejected report may be considered as forfeited by the Board.

~~4.~~ *(If approved, this may be considered “subsection 5”).* Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.

~~5.~~ *(If approved, this may be considered “subsection 6”).* A supervisor of an intern shall analyze the performance of an intern through information obtained from:

~~6.~~ *(If approved, this may be considered “subsection 7”).* The Board ~~will,~~ *shall,* 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.

~~7.~~ *(If approved, this may be considered “subsection 8”).* The Board ~~will,~~ *shall,* if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:

(If approved, this may be considered “subsection 9”). If the Board withdraws its approval of a person to supervise a particular intern or any intern as described in subsection 8, the Board may reject the hours accrued on the reports and these accrued hours may be forfeited.

~~8.~~ *(If approved, this may be considered “subsection 10”).* 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.

~~9.~~ *(If approved, this may be considered “subsection 11”).* If the Board withdraws its approval of the person supervising an intern, the intern may apply to the Board for the:

- (a) Assignment of another approved supervisor; and
- (b) Approval of a new internship agreement and plan of supervision.

~~10~~. *(If approved, this may be considered “subsection 12”).* As used in this section, “process recording” means a written record of an interaction with a client.

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.200. Professional responsibility.

Rationale. The proposed changes in NAC 641B.200: The term “will” has been replaced with the term “shall”, pursuant to NRS 0.025. The proposed change in subsection 21 of this regulation clarifies when a licensee is required to notify the Board pertaining to possible practitioner impairment, which includes traffic offenses related to impairment as noted in Chapter 484C of NRS.)

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 24 inclusive, of this regulation.

Section 1. NAC 641B.200 is hereby amended to read as follows:

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, ~~with~~ *shall* presume that the practice in which the licensee was engaged was intended to be the practice of social work.

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

(a) An action is taken against a 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~~;~~, *which shall include traffic offenses involving driving while under the*

influence of alcohol or prohibited substances as noted in Chapter 484C of NRS and any relevant Chapter of NRS and NAC.

Sec. 2 This regulation becomes effective January 1, 2015.

(NAC 641B.220. Unprofessional conduct.

Rationale. The proposed changes in NAC 641B.220: The term “will” has been replaced with the term “shall”, pursuant to NRS 0.025. The proposed change in subsection 2 of this regulation expands the Board’s authority to take disciplinary action during the period of retroactive licensure following the restoration of a license, pursuant to NAC 641B.111.

Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 4 inclusive, of this regulation.

Section 1. NAC 641B.200 is hereby amended to read as follows:

2. If a violation or other unprofessional conduct occurs while a license of a licensee is in effect, the Board ~~will~~ *shall* take disciplinary action, as appropriate, against the licensee even if the license thereafter has expired or been suspended.

(If approved, this may be considered “subsection 3”). The period of retroactive approval of a license, following restoration of an expired license, pursuant to NAC 641B.111, shall subject the licensee to disciplinary action if a violation or other unprofessional conduct occurred during the period of retroactive licensure.

~~3.~~ *(If approved, this may be considered “subsection 4”).* The revocation, suspension or other disciplinary action taken by any state on a professional license or certificate or registration that was issued by that state is grounds for disciplinary action against the licensee by the Board for unprofessional conduct.

~~4.~~ *(If approved, this may be considered “subsection 5”).* The failure of a licensee to comply with a stipulation, agreement, advisory opinion or order issued by the Board constitutes unprofessional conduct.

Sec. 2 This regulation becomes effective immediately.