

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

**LCB File No. R018-16**

§§1-4 and 8-10 become effective on June 28, 2016

§§5 and 6 become effective on July 1, 2016

§7 becomes effective on January 1, 2017

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

AUTHORITY: §1, NRS 641B.160 and 641B.270 and section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; §2, NRS 641B.160 and 641B.230; §3, NRS 641B.160 and 641B.240; §§4, 9 and 10, NRS 641B.160; §§5-8, NRS 641B.160 and 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288.

A REGULATION relating to social workers; revising the requirements for licensure by endorsement; prescribing requirements relating to the supervised, postgraduate hours of social work that a person must complete to be licensed as a clinical or independent social worker; requiring a licensee as an associate in social work, social worker, clinical social worker or independent social worker to receive instruction each year on evidence-based suicide prevention and awareness; removing authorization for the delivery of continuing education in certain forms; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Board of Examiners for Social Workers to issue a license by endorsement to engage in social work to an applicant who: (1) holds a corresponding and unrestricted license to engage in social work in the District of Columbia or any state or territory of the United States; (2) has been continuously and actively engaged in social work for the past 5 years; and (3) submits certain other proof to the Board. (Section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034) **Section 1** of this regulation revises existing regulations concerning licensure by endorsement to provide that the Board will grant a license by endorsement to a social worker, clinical social worker or independent social worker who: (1) meets those requirements; and (2) provides evidence to the Board that he or she has been continuously licensed for at least the 5 years immediately preceding the date of application.

Existing law authorizes the Board to grant a license without examination to a person who holds a current license to engage in the practice of social work in a state whose licensing requirements are substantially equal to those in this State. (NRS 641B.270) Existing law also prescribes the requirements to obtain a license as an independent or clinical social worker,

including a requirement that the applicant have completed 3,000 hours of supervised, postgraduate social work approved by the Board. (NRS 641B.230, 641B.240) **Section 1** provides that the Board will deem an applicant for licensure by endorsement as a clinical social worker who has been licensed in the District of Columbia or another state or territory of the United States for less than 5 years to have completed the required supervised, postgraduate social work if the applicant has completed at least: (1) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker; (2) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (3) 1,000 hours of additional supervised, postgraduate social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist. **Section 1** provides that the Board will deem an applicant for licensure by endorsement as an independent social worker who has been licensed in the District of Columbia or any state or territory of the United States for less than 5 years to have met the requirements for supervised, postgraduate social work if the applicant provides evidence that he or she has completed 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical or master's level social worker.

Existing regulations require an applicant for licensure as an independent social worker to have completed an internship consisting of at least 3,000 hours of supervised, postgraduate experience in a program approved by the Board. However, upon application, the Board may approve and accept supervised, postgraduate hours completed in an agency that provides social work services by an applicant who: (1) has been continually licensed as a social worker or an associate in social work for 10 years; and (2) has been continuously supervised by a licensed social worker for 5 of those 10 years. (NAC 641B.140) **Section 2** of this regulation provides that: (1) such an applicant may be licensed in this State, the District of Columbia or any other state or territory of the United States; and (2) the Board will only approve and accept such supervised, postgraduate hours if the hours were supervised by a master's level social worker and the applicant has passed an examination approved by the Board.

Existing regulations require an applicant for licensure as a clinical social worker to have completed an internship of not less than 3,000 hours of supervised, postgraduate social work under the supervision of a licensed clinical social worker. (NAC 641B.150, 641B.155) **Section 3** of this regulation: (1) requires at least 1,000 hours of such supervised, postgraduate social work to be supervised by a licensed clinical social worker and provides that the remaining hours may be supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (2) provides that an applicant who is not licensed as a clinical social worker but has performed postgraduate clinical social work supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist in another state within the immediately preceding 3 years may submit the hours for consideration as part of an internship approved by the Board. **Section 3** also removes a provision authorizing the Board to approve supervised, postgraduate clinical social work that was not supervised by an agency if the social work was completed before January 1, 1990, by an applicant for licensure as a clinical social worker who holds a license in another state.

**Section 4** of this regulation authorizes a licensed clinical psychologist or a licensed, certified psychiatrist who meets certain requirements to become a supervisor of an intern.

Existing regulations: (1) require a person who wishes to become a supervisor of an intern to demonstrate to the Board that his or her current practice includes at least 15 hours of independent practice or clinical practice in the area of psychotherapeutic methods and techniques; and (2) provide that the Board may waive that requirement for good cause. (NAC 641B.155) **Section 4** removes a provision stating that practice within the last 2 years which is equivalent to that requirement constitutes good cause for waiver of the requirement.

Existing regulations prohibit a person from supervising an intern if the person is subject to an order issued by the Board for disciplinary action. (NAC 641B.155) **Section 4** additionally prohibits a person from supervising an intern if the person is subject to an order issued by any other licensing board in this State, the District of Columbia or any other state or territory of the United States.

Existing law requires the Board to require an applicant for the renewal of a license to complete certain continuing education, including 2 hours of instruction each year on evidence-based suicide prevention and awareness. (NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288) **Section 5** of this regulation: (1) requires a licensee to complete 2 hours of continuing education each year on evidence-based suicide and prevention; (2) provides that such continuing education may be counted towards the 30 hours of continuing education that a licensee is required to complete every 2 years; and (3) provides that the Board will not waive the requirement to complete such continuing education under any circumstances. **Section 6** of this regulation requires every application for the renewal of a license to be accompanied by a certificate and an affidavit evidencing completion of the 2 hours of continuing education on evidence-based suicide and prevention. **Section 8** of this regulation adds evidence-based suicide prevention and awareness to the list of acceptable subject matter for continuing education.

Existing regulations prescribe acceptable delivery methods for a program of continuing education. (NAC 641B.189) **Section 7** of this regulation removes requirements that a continuing education program must be limited in time and be interactive. **Section 7** also removes authorization for the delivery of continuing education through: (1) a home study course; (2) a self-directed learning program; or (3) a distance learning course that does not require participants to complete an examination before beginning the course and after completing the course.

Existing regulations prohibit a licensee from soliciting or entering into a dual relationship with a client, intern or person who is supervised by the licensee: (1) during the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and (2) for at least 2 years after the termination of the professional relationship, internship or period of supervision. (NAC 641B.205) **Section 9** of this regulation defines “dual relationship” as 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.

**Section 1.** 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 ~~another~~ *the District of Columbia or any* state ~~or~~ *territory of the United States*, 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 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 ~~it~~:

~~—(a) The~~ *the* applicant provides ~~evidence satisfactory~~ to the Board :

*(a) The information and documents required pursuant to section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; and*

*(b) 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 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 and who satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board if 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 a substantially equivalent examination in the state in which the applicant holds the license and:~~

~~—(a) If the applicant is applying for licensure by endorsement to engage in social work as a clinical social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as a clinical social worker for at least 10 years and that at least 50 percent of the practice of the applicant for the immediately preceding 7 years has been in the practice of clinical social work or the supervision of clinical social work; or~~

~~—(b) If the applicant is applying for licensure by endorsement to engage in social work as an independent social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as an independent social worker for at least 10 years and that at least 50 percent of the practice of the applicant has been in the independent practice of social work or the supervision of the independent practice of social work.~~

~~—3.— If] *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 ~~[does not satisfy the requirements of subsection 1 or 2,~~ *the Board will approve the applicant's] 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 ~~and accept it towards the hours of supervision~~ that are required for licensure if:*

(a) The applicant provides evidence satisfactory to the Board that the applicant completed at least ~~3000~~ :

*(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) ~~Except as otherwise provided in subsection 6 of NAC 641B.150, a)~~ *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. 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, 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.

~~{5.}~~ **4.** 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. 2.** NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except as otherwise provided in ~~{subsection}~~ *subsections 1 and 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}~~ *subsection 3* , ~~{and 4,}~~ 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 ~~licensed~~ social worker or ~~a licensed~~ 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;

~~and~~

(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. ~~An applicant who is not licensed as an independent social worker in another state but has completed 3,000 hours of supervised, postgraduate social work in another state within the immediately preceding 10 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 either a clinical social worker or a master's level social worker and was also qualified to supervise in that state. After 2 full, consecutive calendar quarters of a program, the~~ *The* Board will approve ~~that~~ 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 ~~†~~:

~~(a) A licensing board that accepted the supervised, postgraduate 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~~ *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. 3.** NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except as otherwise provided in ~~subsection~~ *subsections 1 and 2* of NAC 641B.126, 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 ~~4~~ *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, ~~but is not limited to:~~ *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 hours per week, not to exceed 325 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 ~~that~~ *the District of Columbia or the other* state ~~it~~ *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.

~~5.1~~ 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) ~~{Except as otherwise provided in subsection 6, practice}~~ *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.

~~{6. Any supervised, postgraduate clinical social work completed before January 1, 1990, by an applicant who holds an equivalent license from another state that is in good standing to engage in the practice of clinical social work as described in this chapter and chapter 641B of NRS is not required to be completed under the supervision of an agency if the Board determines that:~~

~~—(a) There is good cause for waiving the requirement that the practice be under the supervision of an agency; and~~

~~—(b) The experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board.]~~

**Sec. 4.** 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 ~~for~~ *, a licensed independent social worker ~~for~~ have equivalent experience acceptable to the Board.] , 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 . ~~including, without limitation, practice within the last 2 years which is equivalent to the requirements of this paragraph.~~

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

(f) If deemed necessary by the Board, successfully complete any training specified by the Board.

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. 5.** NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in ~~subsections 4 and 5,~~ *subsection 3*, to renew his or her license:

(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 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; ~~and~~

(2) *Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; 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 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; ~~and~~

(2) *Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; 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 ~~70~~ 65 years of age and is retired from the practice of social work.

~~4.~~ (b) The Board may renew the license of a licensee who fails to complete ~~30~~ the continuing education hours *required pursuant to subsection 1* during a 2-year period if it finds good cause to do so.

~~5.~~ (c) The Board will renew the license of a licensee during the period in which he or she is enrolled in a program leading to:

~~[(a)]~~ (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

~~[(b)]~~ (2) A doctoral degree in social work,

↪ and for one renewal period after graduation from the program. Before renewing the license, proof of enrollment or graduation within the past 2 years must be submitted to the Board by the licensee.

~~[6.]~~ 4. If the Board renews the license of a licensee pursuant to *paragraph (b) of subsection [4.] 3*, it may require the licensee to complete ~~[not more than 30]~~, *during the 2-year period immediately following the renewal of the license*, additional continuing education hours ~~[during the next 2-year period]~~.

~~—7.]~~ *not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the 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 period.

~~[8.]~~ 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 the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable.*

**Sec. 6.** NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided in ~~subsections 4 and 5~~ *subsection 2 and in subsection 3* of NAC 641B.187, every other application for renewal of a license must be accompanied by an affidavit evidencing the completion of ~~at least 30~~ *the* continuing education hours *required pursuant to NAC 641B.187* during the 2 years immediately preceding the date of the application.

2. *Every application for the 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 ~~to verify~~ *and request proof from the affiant of* the authenticity of the information contained therein.

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

**Sec. 7.** NAC 641B.189 is hereby amended to read as follows:

641B.189 1. 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 ~~be limited in time, be interactive and~~ provide independent verification that the licensee has successfully completed the program. ~~A continuing education program that is not limited in time or~~

~~interactive may be approved by the Board if the program meets specific criteria set forth by the Board.~~ A continuing education program may be in the form of:

(a) Workshops or conferences, including, without limitation, ~~teleconferences;~~ *live presentations delivered using videoconferencing or the Internet that allow participants to interact with the presenter in real time;*

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

(c) ~~Home study courses;~~

~~—(d) A self directed learning program which has been approved by the Board before the licensee begins the program;~~

~~—(e)~~ Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board;

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

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

~~(h)~~ (f) Attendance by the licensee at a workshop or public hearing conducted by the Board;  
or

~~(i)~~ (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 ~~[, home study courses and self-directed learning programs]~~ during a 2-year period, except that the Board may approve additional hours of such continuing education if the licensee can demonstrate good cause for the approval of the additional hours.

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.

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 home study course that includes audio or video tapes which is not interactive, which is not limited by time and for which there is no independent verification of successful completion.~~
- ~~—(d)]~~ A program for self-improvement.
- ~~[(e)]~~ (d) A distance learning course which ~~[is]~~ **does** not ~~[interactive, which is not limited by time]~~ **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.

~~{(f) A self-directed learning program:~~

~~—— (1) Which is not interactive, which is not limited by time and for which there is no independent verification of successful completion; or~~

~~—— (2) Which covers the same material as a previous program approved for the licensee for self-directed learning or which is not preapproved by the Board.~~

~~—— 5. As used in this section, “interactive” means any two-way communication in which each participant in the communication is able to interact in a manner which elicits or may elicit a response from a provider or any other participant in that communication. The term includes, without limitation, any discussion or homework. The term does not include any test that is conducted before or after a program of continuing education.}~~

**Sec. 8.** 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 ~~entirely or partially~~ 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, ~~correspondence~~ *distance 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; ~~or~~

(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. 9.** 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.*

**Sec. 10.** 1. This section and sections 1 to 4, inclusive, 8 and 9 of this regulation become effective on June 28, 2016.

2. Sections 5 and 6 of this regulation become effective on July 1, 2016.

3. Section 7 of this regulation becomes effective on January 1, 2017.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R018-16**

The following statement is submitted by the Nevada Board of Examiners for Social Workers (Board) pertaining to the adopted amendments to Nevada Administrative Code (NAC) Chapter 641B.

**1. A clear and concise explanation of the need for the adopted regulation.**

The regulation changes in Sections 1, 5, 6, and 8 are necessary updates in regulation to comply with recent statutory changes during the 78th/2015 Legislative Session. The regulation changes in Sections 2, 3 and 4 expand criteria for the Board's acceptance of postgraduate supervised hours. The regulation change in Section 7 updates criteria for the Board's approval of courses for continuing education. The regulation change in Section 9 clarifies for licensees and the public, the definition of a, "dual relationship", between a licensee and client, intern or individual who is supervised by a licensee.

**2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Notification containing a summary of Sections 1 through 9 in LCB File No. R018-16 and notification of the public workshop were sent by U.S. mail to all individuals licensed by the Board and emailed to persons who were known to have an interest in matters pertaining to social work licensure, including any individuals specifically requesting such notifications. The notifications informed recipients that the regulation change in LCB File No. R018-16 could be viewed in its entirety on the Board's website, [www.socwork.nv.gov](http://www.socwork.nv.gov), or could be obtained in hard copy by submitting a written request to the Board's office. In addition to being made available on the Board's website, these documents were also mailed to all county libraries in Nevada and posted at the following locations:

Mojave Adult Clinic  
745 W. Moana Lane, Suite 100  
Reno, NV 89509

Mojave Adult Clinic  
4000 E. Charleston Blvd., Suite B-230  
Las Vegas, NV 89104

Washoe Co. Dept. of Soc. Services  
350 S. Center St.  
Reno, NV 89501-2103

Clark Co. Social Services  
1600 Pinto Lane  
Las Vegas, NV 89106-4196

UNR School of Social Work  
Ansari Business Bldg., Rm. 523  
900 N. Virginia Street  
Reno, NV 89502

UNLV School of Social Work  
Central Desert Complex 10  
4505 Maryland Pkwy.  
Las Vegas, NV 89154-9900

Nevada Board of Examiners for Social Workers  
4600 Kietzke Lane, Suite C-121  
Reno, NV 89502

A public workshop (hearing) to solicit public comment pertaining to the proposed regulation change in File No. R018-16, was conducted on April 15, 2016, from 12:30 p.m. until 3:30 p.m. at the following locations: Mojave Mental Health: Reno, 745 West Moana Lane, Suite 100, Reno, Nevada 89509 and Mojave Adult Clinic, 4000 East Charleston Blvd., Suite B-230, Las Vegas, Nevada 89104. Public input and discussion pertaining to the proposed regulation change were considered by Board members at both locations. Minutes of both public workshops are attached (*Attachment A*), and contain a summary of the public input and discussion conducted at both locations pertaining to the proposed regulation change. Thereafter, on or about May 13, 2016, the Executive Director to the Board of Examiners for Social Workers issued a Notice for the Adoption of Regulation in LCB File No. R018-16. A copy of the minutes which summarizes the input and discussion pertaining to LCB File No. R018-16 during the April 15, 2016 Public Workshops may be obtained from the Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502, by visiting the Board's website, [www.socwork.nv.gov](http://www.socwork.nv.gov), or by email to [kfrakes@besw.nv.gov](mailto:kfrakes@besw.nv.gov).

**3. The number of persons who:**

**(a) Attended each hearing:** Las Vegas-21; Reno-9

**(b) Testified at each hearing:** Las Vegas-13; Reno-7

**(c) Submitted written comments:** One (1)

**4. A list of names and contact information, including telephone number, name of entity or organization represented and electronic mail address, for each person identified above in #3, as provided to the State Board of Examiners for Social Workers, is attached as Attachment B.**

**5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Although the proposed regulation in R018-16 did not propose any increases in fees or the addition of fees, the Board sent out a survey to agencies who appeared to fit the definition of a "small business" as defined in NRS 233B.0382, and who were known by the Board to hire licensed social workers. Forty-five (45) surveys were mailed on March 22, 2016, with responses requested by April 8, 2016. The Board also posted the survey on its website, [www.socwork.nv.gov](http://www.socwork.nv.gov). By April 14, 2016, the Board received two (2) responses by U.S. Mail. Both responses indicated that the proposed regulation changes contained in R018-16 did not appear to pose any fiscal impact upon their businesses. Accordingly, the Board further believes that it used informed, reasonable judgment in determining that there will not be an impact on small businesses due to the proposed regulation change. Interested individuals may also request a copy of this statement by submitting a written request to our office: State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502.

**6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Public comment pertaining to proposed regulation changes which were not in response to changes resulting from the 78th/2015 Legislative session, were favorable. Aside from regulation changes resulting from a particular legislative continuing education requirement, comments pertaining to regulation changes resulting from legislation pertaining to endorsement of out-of-state licenses, were generally favorable. Accordingly, the Board moved forward in adopting the proposed regulation changes on June 17, 2016.

**7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:**

- (1) Both adverse and beneficial effects; and**
- (2) Both immediate and long-term effects.**

**(a) Adverse and beneficial effects**

Adverse economic effect of a particular legislative continuing education requirement may result if a licensee fails to take the required Board approved continuing education course timely and/or fails to submit proper verification of course completion timely upon licensure renewal. As stipulated in legislation, a licensee would not be eligible to renew his or her license if the aforementioned verification is not received upon licensure renewal. This would place an economic burden upon this licensee, with possible, additional adverse impact upon the licensee's employer. The Board has taken tremendous efforts to educate their licensees regarding this requirement for license renewal, which becomes effective July 1, 2016. Beneficial effects pertaining to the continuing education requirement will facilitate licensee practice competency which should benefit the public. Additional anticipated beneficial effects resulting from the regulation change will be the ease of licensure endorsement for out-of-state applicants and increased access of internship supervisors for licensees seeking to obtain postgraduate supervision towards an advanced level of licensure (i.e. LCSW'S and LISW'S)

**(b) Both immediate and long-term effects.**

The immediate effects appear to have been addressed in item 7-a, above. It is anticipated that the long-term effects of the proposed regulation changes will include increased licensee competency, increased postgraduate supervised practice opportunities and increased licensure via endorsement for out-of-state applicants.

**8. The estimated cost to the agency for enforcement of the proposed regulation:**

Initially, it is anticipated that there will be a modest increase in staff time to enforce the legislative continuing education mandate. It is expected, that with ongoing efforts to educate licensees about this requirement and as Board staff become more accustomed in conducting the verification of continuing education completion process, the increase in staff time will begin to subside.

**9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or**

**overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other State or government agency regulations that the proposed regulation duplicates.

**10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There are no federal regulations that apply.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The proposed regulation does not provide a new fee or increase an existing fee.