



State of Nevada
Board of Examiners for Social Workers
4600 Kietzke Lane, #C-121, Reno, NV 89502
(775) 688-2555

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066**

LCB FILE NO. ROSS-19

1.A clear and concise explanation of the need for the adopted regulation(s).

The need for the proposed regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent social workers are licensed in the State. The rationale for each proposed regulation change is noted below:

Sections 1 through 4 of this regulation revise the definitions of certain terms used in chapter 641B of NAC. NAC 641B.025 clarifies that a complainant must concern a person practicing as a social worker. NAC 641B.041 removes the requirement that a "licensed associate in social work" must practice under the supervision of an agency. NAC 641B.043 clarifies that a licensed independent social worker engages in the independent practice of social work. NAC 641B.044 removes the requirement that a "licensed social work" must practice under the supervision of an agency.

- The first change ensure that complaints received by the Board of Examiners for Social Workers, "Board" are related to the practice of social work.
- The next three changes clarify and more effectively define scopes of practice for social workers.

Section 5 of this regulation eliminates the requirement that copies of the license must be issued by the Board and certified by a notary public. instead, it requires each licensee to display his or her license or a copy of the license at each place of employment or practice of the licensee. NRS 641B.080.

- This change allows for easier practice for social workers practicing in more than one location.

Section 6 of this regulation makes changes to NRS 641B.090: (1) requires an applicant for initial licensure to obtain approval from the Board to take the examination required for licensure; (2) extends the amount of time that an application for initial licensure expires from 6 months to 9 months after the date the Board grants approval to take the examination; (3) distinguishes that an application for licensure by endorsement expires 6 months after the date the Board receives the application; and (4) requires each applicant for initial licensure and each applicant for licensure by endorsement to complete the application before the application expires.

- These changes allow for initial applicants to have additional time to pass the appropriate licensing exam before their application closes. It also clarifies the amount of time each type of application remains open.

Section 7 of this regulation similarly deletes regulatory provisions in NAC 641B.095 which specifically require an applicant to provide evidence that the applicant is a citizen of the United States or otherwise authorized to work in the United States. It also revises the type of evidence an applicant for licensure may provide to prove his or her age.

Section 8 of this regulation makes changes to NRS 641B.105: (1) revises the name of the examination that an applicant for a license as an independent social worker must pass; (2) revises how many times an applicant who failed an examination for initial licensure as a licensed social worker may retake the examination; and (3) revises how often a licensee in an internship program who failed an examination for licensure may retake the examination.

Section 9 of this regulation makes changes to 641B.110: (1) clarifies that applications for renewal will be considered delinquent if the application and payment are not received on or before the last day of the month of the licensee's birth date; (2) it also changed the amount of time an individual has to restore an expired license from 3 to 2 years.

- Our renewals are online now, the original language of "postmarked by" was no longer accurate.
- The reduction of the restoration period will provide a cost savings for individuals who wish to return to social work by allowing them to apply for an initial license a year earlier.

Section 10 of this regulation makes conforming changes to NAC 641B.111.

Section 11 of this regulation makes a correction to language in 641B.112 reducing the licensing period for a "Provisional A" temporary license from 9 months to 90 days.

- It has been the practice of the Board to issue the "Provisional A" temporary license for a period of 90 days since its inception. This change corrects NAC language and is in line with other licensing Boards who also issue temporary licenses.

Section 12 of this regulation makes changes to NAC 641B.115 and increases the existing application, renewal, endorsement and licensing fees in accordance with the provisions of S.B. 502, based on recommendations from both Executive Branch Audit and Legislative Counsel Bureau Audit. Please see **Attachment "A"** for a review of the history of fee changes for this Board.

Fee	Current	Proposed	Increase	Last Increase
Initial application	40.00	50.00	10.00	1993
Initial application for licensure	100.00	125.00	25.00	1987 for LCSW 2015 for LSW
Endorsement	100.00	125.00	25.00	1987
Issuance and renewal of a provisional license	75.00	93.75	18.75	2003
Annual Renewal for LASW/LSW	100.00	125.00	25.00	2015
Annual Renewal for LCSW/LISW	150.00	187.50	27.50	2003

Section 13 of this regulation makes changes to NAC 641B.120: (a) authorizes a person to also use a credit card or debit card to pay fees and remittances to the Board and provides that the Board will no longer accept currency or coin as payment; (2) provides that the Board will not refund any money related to an application for initial licensure that has expired or an application for a license by endorsement that has expired.

- It is the practice of most licensing Boards to not accept cash due to risk management issues.
- Second item clarifies what money is eligible for a refund should an application expire.

Section 14 of this regulation removes the requirement for "proof" that the applicant is of good moral character as it relates to the practice of social work in application for licensure via endorsement as stipulated in NAC 641B.126.

- NRS 641B.271 does not specify proof of good moral character, therefore NAC 641B.126 is requiring information in excess of legislative authority.

Sections 15 through 18 of this regulation make changes to NACs that are related to post-graduate internships. They include changes to NAC 641B.140, NAC 641B.150, NAC 641B.155: (1) removes language that limits opportunities for post-graduate internships; (2) removes the "substantially equivalent" requirements for hours being considered from another state; (3) increases the number of post-graduate interns a supervisor can carry from 3 to 4; (4) decreases the frequency of post-graduate internship progress reports from quarterly to twice a year.

- These changes allow for greater flexibility for interns in post-graduate internships and allow supervisors to oversee more interns with a decrease in required paperwork.

Section 19 of this regulation clarifies that post-graduate interns will uphold professional and ethical standards of social work.

Section 20 and **Section 21** of this change address continuing education requirements for social workers. It includes changes to NAC 641B.187 and NAC 641.190: (a) clarifying the list of topics that can be utilized for the required four continuing education units relating to ethics in the practice of social work during each reporting period; (b) removing a provision that authorizes the Board to require a licensee to complete additional continuing education in certain cases in which the Board waived a continuing education requirement for good cause; (c) expands language around what is considered current and relevant educational material concerning social work; (d) disallows the Board from waiving continuing education units concerning suicide prevention and awareness for any licensees, active or retired.

- These changes address some confusing language around allowable content for ethics related continuing education units.
- It removes the ability for the Board to require a licensee to complete additional continuing education units if a waiver has been granted.
- Suicide prevention continuing education units are mandated in NRS 641.280 in language that does not allow for any waiving of these requirements.

Section 22 of this regulation revises NAC 641.201 to clarify that the requirement for a professional applies in the same manner to both licensed independent social workers and licensed clinical social workers who are in the independent practice of social work.

Section 23 of this regulation revises NAC 641B.220 to include that a violation of Nevada law or federal law, other than minor traffic violations, may also constitute unprofessional conduct for purposes of disciplinary action by the Board.

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

The conversation about the proposed NAC changes began during the 2019 Legislative Session as the Board's Executive Director, Board President and Lobbyist discussed the rationale for SB 502, which increased the maximum amounts that could be charged by the Board for applications, initial licenses, renewals and endorsement. Discussions were held with licensees and other interested parties face-to-face, by telephone and by email as the legislative session progressed. SB 502 was passed and went into effect on July 1, 2019.

On **July 30, 2019** and **July 31, 2019**, the Board held its first **Public Workshops** in Reno, NV, to develop amended language to NAC 641B. This would be foundation of ROSS-19. Notification of the July workshops was placed on the Board's website, and on the Nevada Public Notice Website. Additionally, notification of the Public Workshops was sent via email to the Board's listserv, reaching over 3000 licensees and other interested parties were invited on an individual basis.

The two-day Workshop / Board Meeting netted the language changes that were the basis of the information submitted to the Legislative Counsel Bureau for review.

- Copies of all documents related to the proposed regulation changes were placed on the Board's website at <http://socwork.nv.gov>.
- Notice of the second set of public workshops was posted on the Board's website, sent via email to the Board's listserv, and postcards were mailed by US mail to all individuals licensed as social workers.

- Notice of the Public Hearings and Intent to Act upon a Regulation was posted on the Board's website, was sent via email to the Board's listserv, and postcards were mailed by US mail to all individuals licensed as social workers.
- Notice for the Public Workshops and Public Hearing the Nevada Public Notice Website, <https://notice.nv.gov/Notice>, on the Nevada State Legislative Administrative Regulations website, <https://www.leg.state.nv.us/App/Notice/A/> and sent to all county libraries in Nevada and posted at the following locations:

Public Workshops to solicit comments pertaining to the proposed regulation change in ROSS-19 were conducted on September 11, 2019 in Reno, NV (address above) and again on September 12, 2019 in Las Vegas, NV (address above).

The transcripts of both meetings, attached hereto (**Attachment "B"**), and a summary of the public's response to the proposed regulation changes at both of the above noted locations (**Attachment "C"**) are available on the Board's website.

Interested persons may obtain a copy of the transcript of the Public Workshops and summary of public comments by -

- Visiting the Board's website, <http://socwork.nv.gov>.
- Submitting a written request to: State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502
- Emailing a request to the Board at slowery@besw.nv.gov.

3. The Number of Individuals Who:

a. Attended each hearing.

Public workshops/hearing to solicit comments on the proposed regulation changes contained in LCB File No. ROSS-19 were conducted on:

- Public Workshop: July 30, 2019 in Reno – 12 attendees
- Public Workshop: July 31, 2019 in Reno – 13 attendees
- Public Workshop: September 11, 2019 in Reno, NV – 22 attendees
- Public Workshop: September 12, 2019 in Las Vegas – 9 attendees
- Public Hearing: December 13, 2019 in Reno (video conferenced to Las Vegas) – 16 attendees

b. Testified at each hearing.

The Public Workshops held on **July 30, 2019** and **July 31, 2019** were working groups to develop the language that would ultimately become ROSS-19. The attendees were a mix of Board staff, Board members, licensees and public (see below) and each individual both attended and testified at the Public

Workshops. During the **September 11, 2019** and **September 12, 2019** Public Workshops, the attendees were a mix of Board staff, Board members, licensees and public (see below) and each individual both attended and testified at the Public Workshops. Meeting minutes and / or meeting transcripts are available on the Board's website, <http://socwork.nv.gov>

On **December 13, 2019**, the Board conducted a **Public Hearing for the Adoption of a Regulations**. The attendees were a mix of Board staff, Board members, licensees and public and each individual both attended and testified at the Public Hearing. The transcript from the December 13, 2019 Public Hearing is available on the Board's website, <http://socwork.nv.gov> .

c. Submitted to the agency written statements.

The Board did receive one emailed statements pertaining to LCB File No. ROSS-19. It suggested leaving the fees for retired licensees at the current rates. The Board reviewed this comment and agreed on a plan to propose a new licensure level -"inactive" that would address this in the 2021 Legislative Session.

4. For Each Person Identified in Section Number Three Above, the Following Information Provided to the Board During the Public Workshop/Heari ng on July 30, 2019, July 31, 2019, September 11, 2019, September 12, 2019 and December 13, 2019 are as follows:

Attendance was as follows for **July 30, 2019 – 12 individuals attended – 12 testified**

Name	Entity or Organization	Misc. Information	Testified
Karen Oppenlander, USW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowery, LCSW, LCADC	Social Work Board staff	Deputy Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member -Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member -Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member -Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member - Reno	Yes
Michael Detmer. Esq.	Attorney General's Office	Deputy Attorney General - Las Vegas	Yes
Kathleen Beraauist, LCSW	University of Nevada, Las Vegas	Licensee - Las Vegas	Yes
Shadi Martin	University of Nevada, Reno	Public -Reno	Yes
Rota Rosaschi	Nevada Public Health Foundation	Licensee - Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist -Reno	Yes
Mendy Elliott	Capital Partners	Lobbyist - Reno	Yes

Attendance was as follows for **July 31, 2019 – 13 individuals attended – 13 testified**

Name	Entity or Organization	Misc. Information	Testified
Karen Oooenlander USW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowerv, LCSW. LCADC	Social Work Board staff	Deputv Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member -Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member -Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member -Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member - Reno	Yes
Michael Detmer	Attorney General's Office	Deputy Attorney General - Las Vegas	Yes

Kathleen Berauist LCSW	University of Nevada Las Vegas	Licensee - Las Vegas	Yes
Shadi Martin	University of Nevada, Reno	Public - Reno	Yes
Rota Rosaschi, LSW	Nevada Public Health Foundation	Licensee - Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist - Reno	Yes
Mendy Elliott	Capital Partners	Lobbyist - Reno	Yes
Megan Jones	University of Nevada, Reno, Student	Student - Reno	Yes

Attendance was as follows for **September 11, 2019** in Reno – **22 individuals attended – 22 testified**

Name	Entitv or Organization	Misc. Information	Testified
Karen Oooenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member - Reno	Yes
Lisa DeHart, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Bertha Carter, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Donna Bartell, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Kathleen Fanelli, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Siara Lazaro, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Jaymee Oxborrow LSW	NV State Division of Welfare	Licensee - Reno	Yes
Soohie Walker LSW	Liberty Dialysis	Licensee - Reno	Yes
Alanna Fitzgerald, LSW	University of Nevada, Reno	Licensee - Reno	Yes
Rota Rosaschi, LSW	NV Public Health Foundation	Licensee - Reno	Yes
Tess Peterson	University of Nevada, Reno, Student	Public-Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist	Yes
Monique Normand, LSW	Health Psychology Associates	Licensee - Reno	Yes
Corinne Taylor, LCSW	Renown Behavioral Health	Licensee - Reno	Yes
Paula Bosler, LCSW	Retired	Licensee - Reno	Yes
Marciana Brown-Deaderick, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Daxea Deweese, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Tara Endslev, LSW	NV State Division of Welfare	Licensee - Reno	Yes
Carmen Cortez LSW	NV State Division of Welfare	Licensee - Reno	Yes
Tara Van Patten	University of Nevada, Reno, Student	Public-Reno	Yes
Michael McMahon LASW	Aloha Productions Technologies	Licensee - Reno	Yes

Attendance was as follows for **September 12, 2019** meeting in Las Vegas – **9 individuals attended – 9 testified**

Name	Entitv or Organization	Misc. Information	Testified
Karen Oooenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Monique Harris LCSW	Board Vice-President	Board member - Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member - Las Vegas	Yes
Vaniqua Jones, LSW	Clark County School District	Licensee - Las Vegas	Yes
Deborah Romes, LCSW	Private Practice	Licensee - Las Vegas	Yes
Lucas Hatch, LCSW	KW Legacy Ranch	Licensee - Las Vegas	Yes
Elsi Carrera	University of Nevada Cooperative Extension Service	Public - Las Vegas	Yes
Samantha Martines	University of Nevada, Las Vegas, student	Public - Las Vegas	Yes
Vena Wilson LCSW	Private Practice	Licensee - Las Vegas	Yes

Attendance was as follows for **December 13, 2019** meeting in Reno – **16 individuals attended – 16 testified**

NAME	Entity or Organization	Misc. Information	Testified
Karen Oppenlander, LISW	Social Work Board staff	Executive Director - Reno	Yes
Sandy Lowerv. LCSW LCADC	Social Work Board staff	Deputy Director - Reno	Yes
Vikki Erickson, LCSW	Board President	Board member - Reno	Yes
Monique Harris, LCSW	Board Vice-President	Board member - Las Vegas	Yes
Stefaine Maplethorpe, LCSW	Board Member	Board member - Las Vegas	Yes
Susan Nielsen	Board Secretary / Treasurer	Public Board member - Reno	Yes
Asheesh Bhalla, Esq.	Attorney General's Office	Deputy Attorney General - Las Vegas	Yes
Jenna Grant, LSW	Division of Child and Family Services	Licensee - Las Vegas	Yes
Tara Baker, LSW	University Medical Center	Licensee - Las Vegas	Yes
Devorah Romes, LCSW	Private Practice	Licensee - Las Vegas	Yes
Roby Baacson	Public	Public - Las Vegas	Yes
MaryAnn Derienzo, LSW	Canyon Hospice and Mercury Home Health	Licensee - Las Vegas	Yes
Rota Rosaschi, LSW	Nevada Public Health Foundation	Licensee - Reno	Yes
Miranda Hoover	Capital Partners	Lobbyist	Yes
Monique Normand, LSW	Health Psycholoav Associates	Licensee - Reno	Yes
Diana Ramirez	Public	Public	Yes

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.

The Board of Examiners for Social Workers (Board) is required to consider the impact of proposed regulation changes on small businesses. Due to historically low response rates to the Small Business Impact Survey, the Board decided to send out surveys in several ways to capture the maximum amount of data required by the Legislative Council Bureau (LCB) and to gather data in areas of interest identified during the Legislative Session. Our survey distribution was as follows -

- September 17, 2019 a Small Business Survey was sent out **electronically** to 360 social work licensees who identified themselves as small business owners on their license renewals.
- September 17, 2019 a parallel survey was sent **electronically** to 3279 licensed social workers licensed in Nevada.
- October 9, 2019 a paper survey was **mailed** to 342 businesses in Nevada that employed social workers based on employers identified in the Board database.
- The Deputy Director also contacted a number of large employers that had more than 150 employees (outside of the parameters of the legislative mandate) that hired social workers and asked that they provide us with information. The surveys were sent **electronically**. These agencies included the Veteran's Administration facilities in Northern and Southern Nevada; Clark County Department of Social Services; Clark County Department of Family Services; Washoe County Human Services Agency; Medical Surgical Hospitals throughout the state; and State of Nevada Department of Education.

In total 4,000 surveys were e-mailed or mailed out. Our **rate of return** was as follows -

- Small Business impacts Survey (1 to 150 employees) – 702 sent out, 28 returned – **4% return rate**

- Large Business i m p a c t Survey (150+ employees) – 19 sent out, 9 returned – 47% return rate
- Parallel Licensee Survey – 3279 sent out, 745 returned – 22.7% return rate.

As one of the proposed regulation change is dealing with fee increases, we were most interested in data regarding the fiscal impact on small businesses and licensees –

- 74% of all businesses (small and large) that responded expect licensees to pay for their own licensing and renewals.
- 85% of all social workers who responded reported that they were expected to pay for their own licensing and renewals.
- Within the 29 surveys that met the "Small Business Survey" parameters, 62% of small businesses require their employees to manage their own licensing fees. Ten small business employers report paying for the renewals of their employees. A majority (6 of the 10) small businesses report zero, minimal or moderate impact. Four of these small businesses reported high impact and made the following comments (in italics):
 - *"Negatively, and would impact our budget."*
 - Staff analysis: This small business reports 100 total employees of which our database shows 5 social workers (3 LSW and 2 LCSW) which is a net fiscal increase of \$150.00.
 - *"We are a non-profit depending on private donations, therefore any increase affects us adversely."*
 - Staff analysis: This small business reports 38 total employees of which our database shows 2 social workers (1 LSW and 1 LCSW) which is a net fiscal increase of \$62.50.
 - *"I am a one person agency that offer's low cost counseling. This change could be a burden financially."*
 - Staff analysis: This small business reports 1 employee who is an LCSW, which is a net fiscal increase of \$37.50.
 - *"It would increase benefit payout to the employee which impacts our annual budget."*
 - Staff analysis: This small business reports 3 total employees of which our database shows 3 social workers (1 LSW and 2 LCSW) which is a net fiscal increase of \$100.00.

In analyzing the four businesses that self-identified as experiencing a "high impact" from the proposed fee increases, the total net increase for these businesses was \$350.00 per year, impacting 11 social workers out of a total of 142 employees reported. In contrast, the survey results show 74% of the 47 businesses that responded require the licensee to manage their own licensing fees. Additionally, 85% of the 745 social workers who responded are required to manage their own licensing fees.

- Staff analysis: The impact on small businesses appears minor.

As part of the bigger workforce development picture in Nevada, the Board evaluated ways to reduce the impact of proposed regulations on small businesses. The Board gathered baseline information about employee incentives being utilized in order to attract and keep social workers.

Through our survey distribution, we learned that 58% of businesses who responded reported that they pay for continuing education units for licensees. This trend was validated as 32% of social workers responded that their employers paid for continuing education; and 26% considered this an incentive to stay with their employer. Furthermore, social workers identified a number of other incentives as important including competitive salary (21%); PTO / sick time (63%); and medical benefits (61%).

As a result of the information gathered, the Board intends to educate small business employers in Nevada about the importance of incentivizing social workers in our highly competitive workforce to assist in attracting and retaining social workers.

Interested persons may obtain a copy of the Small Business i m p a c t Report by -

- Visiting the Board's website, <http://socwork.nv.gov>.
- Submitting a written request to: State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502

- Emailing a request to the Board at slowerv@besw.nv.gov.

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.

Since the 2017 Legislative Session, the Board of Examiners has participated in several mandated audits. The first was a Legislative Counsel Bureau fiscal audit, which was reviewed by the Sunset Committee. The second was an Executive Branch audit. In both audits, it was noted that the Board did not have the fiscal reserves required by the Legislature. Since the Board does not receive any funds from the General Fund, the Board was told that there was a need for fee increases. With those recommendations, SB 502 was drafted and was submitted in the 2019 Legislative Session. This bill was passed into law on July 1, 2019. In the course of a fiscal year, the total increase in income from fee increases will be approximately \$72,000.00. This money will be used in the following ways -

- Becoming fully compliant with the 2015 legislative mandate to have all licensing applications online. Thus far, we have met the first phase of the requirement by moving licensing renewals to an online platform. These additional fees will allow the second phase, moving initial applications to the online platform.
- Following Executive Branch and Legislative Counsel Bureau recommendations, the Board will begin to set aside reserves in 2020.
- Addressing Compliance Unit backlog by hiring a full-time investigator along with increased attorney fees that are associated with analyzing and prosecuting disciplinary cases.

It became clear, as the Board went through the Administrative Rulemaking Process that the only controversial areas in our proposed changes were the fee increases. Licensee and interested parties were in support of the remainder of the proposed changes. The proposed regulation changes in LCB File R055-19 did not receive any substantive recommendations for changes from licensees, the public or from the Board during the Public Workshops or Public Hearing. Accordingly, the regulations in LCB File R055-19 were adopted without any changes.

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: {a} Both Adverse and Beneficial Effects; and {b} Both Immediate and Long-Term Effects.

a. Both Adverse and Beneficial Effects:

The purpose of the proposed regulations is to provide clarity for the public, individuals and licensees through regulations regarding the following areas – (a) Clarification of definitions of the scope of practice for LASW and LSW licenses; (b) Licensing and supervision to include the length of time an application will be open; changing timeframes for when a failed exam may be retaken; and reducing the period of restoration of an expired license from three to two years; clarification of the length of time for exam and expiration of a Provisional "A" license; (c) Fee increases for applications; initial licensure, endorsement and renewals; (d) Disallowing payments by cash; (e) Post-Graduate internships including removal of "substantially equivalent" language on hours from another state; increasing the number of interns a supervisor can have from 3 to 4; and reducing the frequency of post-graduate internship progress reports from quarterly to two times per year; (f) Specifying that a retired licensee must still complete the legislatively mandated suicide prevention CEUs for renewal of a license; and (g) Adding information regarding what is considered unprofessional conduct.

Business: The **beneficial effects** of the proposed changes included greater clarity regarding scope of practice for licensing categories; improved opportunities for individuals who fail their required licensing exam; removal of certain barriers for post-graduate internships and reduces reporting requirements

Public: The beneficial effects of the proposed changes will provide for more clarity as the role and scope of practice of licensing categories of Social Workers. It will also allow for greater access to mental health treatment as barriers to post-graduate internship sites are removed and supervisors can take additional interns.

Small Business: The adverse effects of the proposed changes are the perceived impact of fee increases.

Public: The adverse effects include delays in initial licensing as the Board continues to use a manual / paper initial licensing process. If the Board is not be able to create the fiscal reserves as required by the Legislative Council Bureau, the Board's financial solvency is at risk and therefore the oversight of social work practice in the State of Nevada is at risk.

b. Both Immediate and Long-Term Effects.

Business: The immediate effects will allow for more efficient reporting for post-graduate internships and will allow existing supervisors to accept additional interns. This creates more post-graduate internship opportunities which supports current workforce development efforts. Fiscally, the fee increases will allow for the development of the online portal for initial applications for licensure and will allow formal designation of reserve funds.

Public: The immediate effects will allow for more efficient reporting for post-graduate internships and will allow existing supervisors to accept additional interns. This creates more post-graduate internship opportunities which allows for more access to mental health treatment in Nevada.

Business: The long-term effects will include more efficient licensing and a greater pool of qualified social workers to employers. Increasing the efficiency of the post-graduate internship program will also allow for greater numbers of social workers seeking to work in mental health.

Public: The long-term effects will allow the Compliance Unit to address the backlog of cases, bringing to Board function to oversee the practice of social work services in Nevada to a current status.

8. The Estimated Cost to the Agency for Enforcement of the Proposed Regulation.

It is anticipated that the estimated cost to the Board's daily operations will be negligible. Once the online portal for initial licensure is developed, it will allow for a redirection of office staff to address the backlog of cases in the Compliance Unit.

9. A Description of Any Regulation of Other State or Governmental Agencies Which the Proposed Regulation Overlaps or Duplicates and a Statement Explaining Why the Duplication or Overlapping is Necessary. If the Regulation Overlaps or Duplicates a Federal Regulation, the Name of the Regulating Federal Agency.

The proposed regulation changes in LCB File ROSS-19 do not overlap or duplicate any regulation of any other State or governmental agencies.

10. If the Regulation includes Provisions Which are More Stringent Than a Federal Regulation Which Regulates the Same Activity, a Summary of Such Provisions.

There are no federal regulations related to licensure of social work, therefore, the proposed regulation changes in LCB File ROSS-19 are not more stringent than any federal legislation.

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.

In the course of a fiscal year, the total increase in income from fee increases will be approximately \$72,000.00. This money will be used in the following ways -

- Becoming fully compliant with the 2015 legislative mandate to have all licensing applications online. Thus far, we have met the first phase of the requirement by moving licensing renewals to an online platform. These additional fees will allow the second phase, moving initial applications to the online platform.
- Following Executive Branch and Legislative Counsel Bureau recommendations, the Board will begin to set aside reserves in 2020.
- Addressing Compliance Unit backlog by hiring a full-time investigator along with increased attorney fees that are associated with analyzing and prosecuting disciplinary cases.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in the statement was prepared properly and is accurate.

Respectfully Submitted by,

Karen Oppenlander, LISW, Executive Director
Board of Examiners for Social Workers