
SENATE BILL NO. 44—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE RURAL REGIONAL
BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing behavioral health professionals. (BDR 54-428)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to behavioral health; authorizing the issuance of a provisional license or certificate to engage in various professions relating to behavioral health to an applicant who meets certain requirements; requiring licensing boards that regulate such professions to report certain information; providing for the issuance of a license as a master social worker to an applicant who meets certain qualifications; authorizing a master social worker or independent social worker to engage in certain activities; prescribing required documentation for an applicant for a license to engage in social work who is the graduate of a foreign college or university; authorizing the Board of Examiners for Social Workers to place a license to engage in social work on inactive status and refuse to issue a license under certain circumstances; requiring an employee of the Board to submit a complaint against a licensee to the Board under certain circumstances; prohibiting a person from engaging in the unlicensed practice of social work; providing for a study of certain licensing and certification procedures; providing a penalty; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law authorizes the issuance of a provisional license as a psychologist,
2 clinical professional counselor, social worker, clinical social worker, independent
3 social worker, clinical alcohol and drug counselor, or alcohol and drug counselor,
4 or a provisional certificate as an alcohol and drug counselor or problem gambling
5 counselor under certain circumstances. (NRS 641.196, 641A.242, 641B.272,
6 641B.275, 641C.320, 641C.3306, 641C.356, 641C.396, 641C.433) **Sections 2, 5,**
7 **18 and 25** of this bill additionally provide for the issuance of a nonrenewable
8 provisional license or certificate, as applicable, in those professions to a person who
9 has: (1) met all of the requirements for licensure or certification except for the
10 submission of an official transcript; and (2) submitted an unofficial transcript.
11 **Sections 4, 7 and 19** of this bill make conforming changes to clarify that such a
12 provisional license is nonrenewable.

13 Existing law requires the issuance of a license by endorsement as a
14 psychologist, marriage and family therapist, clinical professional counselor, social
15 worker, clinical social worker, independent social worker, clinical alcohol and drug
16 counselor, or alcohol and drug counselor, or a certificate by endorsement as an
17 alcohol and drug counselor or problem gambling counselor to a person who is
18 licensed or certified, as applicable, in another jurisdiction of the United States and
19 meets certain other requirements. (NRS 641.195, 641.196, 641A.241, 641A.242,
20 641B.271, 641B.272, 641C.3305, 641C.3306, 641C.355, 641C.356, 641C.395,
21 641C.396, 641C.432, 641C.433) Existing law requires the Board of Psychological
22 Examiners, the Board of Examiners for Marriage and Family Therapists and
23 Clinical Professional Counselors, the Board of Examiners for Social Workers and
24 the Board of Examiners for Alcohol, Drug and Gambling Counselors to report
25 certain information concerning investigations of misconduct and applications for
26 licensure or certification to the Legislative Committee on Health Care. (NRS
27 641.145, 641A.183, 641B.165, 641C.230) **Sections 3, 6, 12 and 24** require those
28 licensing boards to: (1) submit those reports to each regional behavioral health
29 policy board; and (2) include in those reports certain information concerning
30 applications for licensure or certification by endorsement. **Section 32** of this bill
31 requires the Legislative Committee on Health Care to study the processes for
32 licensure or certification in professions regulated by those licensing boards and
33 identify barriers to licensure or certification. **Section 32** also requires those
34 licensing boards to implement strategies to eliminate each barrier to licensure or
35 certification identified by the Legislative Committee on Health Care unless the
36 licensing board to which the barrier applies concludes that the barrier is necessary
37 to maintain the quality of services provided by the holders of licenses or
38 certificates, as applicable.

39 Existing law authorizes the Board of Examiners for Social Workers to issue a
40 license as: (1) a social worker to an applicant who possesses a baccalaureate degree
41 or master's degree in social work and passes an examination; (2) an independent
42 social worker to an applicant who possesses a master's or doctoral degree in social
43 work, completes at least 3,000 hours of supervised, postgraduate social work and
44 passes an examination; and (3) a clinical social worker to an applicant who
45 possesses a master's or doctoral degree in social work, completes at least 3,000
46 hours of supervised, postgraduate clinical social work and passes an examination.
47 (NRS 641B.220, 641B.230, 641B.240) **Section 9** of this bill additionally authorizes
48 the Board to issue a license as a master social worker to an applicant who possesses
49 a master's or doctoral degree in social work and passes an examination. **Sections 9**
50 **and 22** of this bill authorize a master social worker to engage in independent social
51 work or clinical social work as part of an approved internship program to complete
52 the requirements for licensure as an independent or clinical social worker, as
53 applicable. **Section 9** additionally authorizes a master social worker to supervise
54 other persons engaging in the practice of social work. **Section 20** of this bill



55 establishes the maximum fees that the Board is authorized to charge and collect for
56 the issuance and renewal of a license as a master social worker. **Sections 1, 13, 26**
57 **and 28-31** of this bill make conforming changes to ensure that a master social
58 worker is treated similarly to other types of social worker in various circumstances.

59 **Sections 9, 10, 14-16 and 18** of this bill authorize the Board of Examiners for
60 Social Workers to issue a license as a social worker, master social worker,
61 independent social worker, or clinical social worker, or a provisional license as a
62 social worker to an applicant who has graduated from a foreign college or
63 university if the applicant submits certain documentation concerning his or her
64 degree and meets the other requirements for licensure. **Section 11** of this bill
65 authorizes the Board to put a license on inactive status for not more than 5 years
66 upon the application of a licensee who is in good standing. **Sections 11 and 19** of
67 this bill exempt a licensee who holds an inactive license from the requirement to
68 complete continuing education, and **sections 11 and 22** of this bill prohibit an
69 inactive licensee from engaging in the practice of social work. **Section 17** of this
70 bill revises the conditions under which the Board is authorized to refuse to issue a
71 license. **Section 21** of this bill requires an employee of the Board who is aware that
72 grounds for disciplinary action may exist against a person practicing social work to
73 submit a complaint to the Board.

74 Existing law makes it a misdemeanor for a person to engage in: (1) the
75 independent practice of social work unless he or she is licensed as an independent
76 social worker or a clinical social worker; or (2) the clinical practice of social work
77 unless he or she is licensed as a clinical social worker. (NRS 641B.505) **Section 22**
78 of this bill additionally makes it a misdemeanor to engage in the practice of social
79 work unless a person is licensed as an associate in social work, social worker,
80 master social worker, independent social worker or clinical social worker. **Sections**
81 **15 and 22** of this bill authorize an independent social worker to engage in clinical
82 social work as part of an approved internship program to complete the requirements
83 for licensure as a clinical social worker.

84 Existing law authorizes a clinical social worker to engage in the practice of
85 counseling persons with alcohol or other substance use disorders and counseling
86 persons with an addictive disorder related to gambling with the authorization of the
87 Board of Examiners for Social Workers. (NRS 458A.057, 458A.200, 458A.220,
88 458A.230, 458A.240, 641C.130) **Sections 23 and 27** of this bill additionally
89 authorize a person who is licensed as a master social worker or independent social
90 worker and engaging in clinical social work as part of an approved internship
91 program to engage in such counseling with the authorization of the Board.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 629.031 is hereby amended to read as follows:

2 629.031 Except as otherwise provided by a specific statute:

3 1. "Provider of health care" means:

4 (a) A physician licensed pursuant to chapter 630, 630A or 633
5 of NRS;

6 (b) A physician assistant;

7 (c) A dentist;

8 (d) A licensed nurse;



1 (e) A person who holds a license as an attendant or who is
2 certified as an emergency medical technician, advanced emergency
3 medical technician or paramedic pursuant to chapter 450B of NRS;

4 (f) A dispensing optician;

5 (g) An optometrist;

6 (h) A speech-language pathologist;

7 (i) An audiologist;

8 (j) A practitioner of respiratory care;

9 (k) A licensed physical therapist;

10 (l) An occupational therapist;

11 (m) A podiatric physician;

12 (n) A licensed psychologist;

13 (o) A licensed marriage and family therapist;

14 (p) A licensed clinical professional counselor;

15 (q) A music therapist;

16 (r) A chiropractor;

17 (s) An athletic trainer;

18 (t) A perfusionist;

19 (u) A doctor of Oriental medicine in any form;

20 (v) A medical laboratory director or technician;

21 (w) A pharmacist;

22 (x) A licensed dietitian;

23 (y) An associate in social work, a social worker, *a master social*
24 *worker*, an independent social worker or a clinical social worker
25 licensed pursuant to chapter 641B of NRS;

26 (z) An alcohol and drug counselor or a problem gambling
27 counselor who is certified pursuant to chapter 641C of NRS;

28 (aa) An alcohol and drug counselor or a clinical alcohol and
29 drug counselor who is licensed pursuant to chapter 641C of NRS; or

30 (bb) A medical facility as the employer of any person specified
31 in this subsection.

32 2. For the purposes of NRS 629.400 to 629.490, inclusive, the
33 term includes:

34 (a) A person who holds a license or certificate issued pursuant to
35 chapter 631 of NRS; and

36 (b) A person who holds a current license or certificate to
37 practice his or her respective discipline pursuant to the applicable
38 provisions of law of another state or territory of the United States.

39 **Sec. 2.** Chapter 641 of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 *1. If the Board requires an applicant for a license as a*
42 *psychologist to submit official transcripts as proof of his or her*
43 *educational qualifications, the Board may issue a provisional*
44 *license as a psychologist to an applicant who has:*



1 (a) *Met all requirements for licensure except for the*
2 *submission of official transcripts; and*

3 (b) *Submitted a copy of his or her unofficial transcripts to the*
4 *Board.*

5 2. *A provisional license issued pursuant to this section*
6 *expires 6 months after the date of issuance and may not be*
7 *renewed.*

8 **Sec. 3.** NRS 641.145 is hereby amended to read as follows:

9 641.145 On or before February 1 of each year, the Board shall
10 submit to the Legislative Committee on Health Care *and to each*
11 *regional behavioral health policy board created by NRS 433.429* a
12 report which must include:

13 1. The number of complaints received, investigations
14 completed, cases dismissed, cases settled and cases for which
15 hearings were held within the immediately preceding calendar year;

16 ~~and~~
17 2. The number of applications for the issuance or renewal of a
18 license or registration received by the Board during the immediately
19 preceding calendar year and the number of those applications for
20 which the Board conducted additional review beyond the standard
21 review regularly conducted by the Board ~~and~~; *and*

22 3. *The number of applications for the issuance of a license by*
23 *endorsement received by the Board pursuant to NRS 641.195 and*
24 *641.196 during the immediately preceding calendar year, the*
25 *number of those applications that were denied and the reasons for*
26 *denial.*

27 **Sec. 4.** NRS 641.220 is hereby amended to read as follows:

28 641.220 1. To renew a license issued pursuant to this chapter,
29 *except a provisional license issued pursuant to section 2 of this*
30 *act*, each person must, on or before the first day of January of each
31 odd-numbered year:

32 (a) Apply to the Board for renewal;

33 (b) Pay the biennial fee for the renewal of a license;

34 (c) Submit evidence to the Board of completion of the
35 requirements for continuing education as set forth in regulations
36 adopted by the Board; and

37 (d) Submit all information required to complete the renewal.

38 2. Upon renewing his or her license, a psychologist shall
39 declare his or her areas of competence, as determined in accordance
40 with NRS 641.112.

41 3. The Board shall, as a prerequisite for the renewal of a
42 license, require each holder to comply with the requirements for
43 continuing education adopted by the Board.

44 4. The requirements for continuing education adopted by the
45 Board pursuant to subsection 3 must include, without limitation, a



1 requirement that the holder of a license receive at least 2 hours of
2 instruction on evidence-based suicide prevention and awareness or
3 another course of instruction on suicide prevention and awareness
4 that is approved by the Board which the Board has determined to be
5 effective and appropriate. The hours of instruction required by this
6 subsection must be completed within 2 years after initial licensure
7 and at least every 4 years thereafter.

8 **Sec. 5.** Chapter 641A of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *1. If the Board requires an applicant for a license to practice*
11 *as a marriage and family therapist or clinical professional*
12 *counselor to submit official transcripts as proof of his or her*
13 *educational qualifications, the Board may issue a provisional*
14 *license as a marriage and family therapist or clinical professional*
15 *counselor, as applicable, to an applicant who has:*

16 *(a) Met all requirements for licensure except for the*
17 *submission of official transcripts; and*

18 *(b) Submitted a copy of his or her unofficial transcripts to the*
19 *Board.*

20 *2. A provisional license issued pursuant to this section*
21 *expires 6 months after the date of issuance and may not be*
22 *renewed.*

23 **Sec. 6.** NRS 641A.183 is hereby amended to read as follows:

24 641A.183 On or before February 1 of each year, the Board
25 shall submit to the Legislative Committee on Health Care *and to*
26 *each regional behavioral health policy board created by NRS*
27 *433.429* a report which must include:

28 1. The number of complaints received, investigations
29 completed, cases dismissed, cases settled and cases for which
30 hearings were held within the immediately preceding calendar year;
31 ~~and~~

32 2. The number of applications for the issuance or renewal of a
33 license received by the Board during the immediately preceding
34 calendar year and the number of those applications for which the
35 Board conducted additional review beyond the standard review
36 regularly conducted by the Board ~~[-]~~; *and*

37 *3. The number of applications for the issuance of a license by*
38 *endorsement received by the Board pursuant to NRS 641A.241*
39 *and 641A.242 during the immediately preceding calendar year, the*
40 *number of those applications that were denied and the reasons for*
41 *denial.*

42 **Sec. 7.** NRS 641A.260 is hereby amended to read as follows:

43 641A.260 1. To renew a license to practice as a marriage and
44 family therapist or clinical professional counselor issued pursuant to
45 this chapter, *except for a provisional license issued pursuant to*



1 *section 5 of this act*, each person must, on or before 10 business
2 days after the date of expiration of his or her current license:

3 (a) Apply to the Board for renewal;

4 (b) Pay the fee for the biennial renewal of a license set by the
5 Board;

6 (c) Submit evidence to the Board of completion of the
7 requirements for continuing education as set forth in regulations
8 adopted by the Board, unless the Board has granted a waiver
9 pursuant to NRS 641A.265; and

10 (d) Submit all information required to complete the renewal.

11 2. Except as otherwise provided in NRS 641A.265, the Board
12 shall, as a prerequisite for the renewal of a license to practice as a
13 marriage and family therapist or clinical professional counselor,
14 require each holder to comply with the requirements for continuing
15 education adopted by the Board, which must include, without
16 limitation, a requirement that the holder receive at least 2 hours of
17 instruction on evidence-based suicide prevention and awareness or
18 another course of instruction on suicide prevention and awareness
19 that is approved by the Board which the Board has determined to be
20 effective and appropriate.

21 **Sec. 8.** Chapter 641B of NRS is hereby amended by adding
22 thereto the provisions set forth as sections 9, 10 and 11 of this act.

23 **Sec. 9. 1. *The Board shall grant a license to engage in***
24 ***social work as a master social worker to any applicant who***
25 ***possesses the preliminary qualifications set forth in NRS 641B.200***
26 ***and who:***

27 (a) *Possesses a master's or doctoral degree in social work*
28 *from:*

29 (1) *A college or university accredited by the Council on*
30 *Social Work Education, or its successor organization, or which is*
31 *a candidate for such accreditation; or*

32 (2) *A college or university located in a foreign country, or*
33 *the equivalent of a master's or doctoral degree in social work from*
34 *such a college or university, if the applicant includes in his or her*
35 *application the documentation required by section 10 of this act;*
36 *and*

37 (b) *Passes an examination prescribed by the Board.*

38 2. *A person licensed as a master social worker may:*

39 (a) *Engage in social work independently as part of an*
40 *internship program approved by the Board to complete the*
41 *supervised social work required for licensure as an independent*
42 *social worker pursuant to NRS 641B.230;*

43 (b) *Engage in clinical social work as part of an internship*
44 *program approved by the Board to complete the supervised,*



1 *postgraduate, clinical social work required for licensure as a*
2 *clinical social worker pursuant to NRS 641B.240; and*

3 *(c) Supervise other persons engaging in the practice of social*
4 *work.*

5 **Sec. 10. 1.** *If an applicant for a license to engage in social*
6 *work is a graduate of a college or university located in a foreign*
7 *country or currently enrolled in program of study leading to a*
8 *degree in social work at such a college or university, the*
9 *application must include:*

10 *(a) Proof that the applicant possesses the degree required by*
11 *NRS 641B.220, 641B.230, 641B.240 or 641B.275 or section 9 of*
12 *this act, as applicable, or is enrolled in a program of study that*
13 *meets the requirements of NRS 641B.275, as applicable; and*

14 *(b) If applicable, a written statement or other proof from the*
15 *Council on Social Work Education or its successor organization*
16 *that the degree is equivalent to a degree issued by a college or*
17 *university accredited by the Council on Social Work Education or*
18 *its successor organization.*

19 **2.** *Except as otherwise provided in this subsection, the proof*
20 *required by paragraph (a) of subsection 1 must be provided to the*
21 *Board directly by the college or university that granted the degree.*
22 *If the college or university is unable to provide such proof, the*
23 *Board may accept proof from another source specified by the*
24 *Board.*

25 **Sec. 11. 1.** *An associate in social work, social worker,*
26 *master social worker, independent social worker or clinical social*
27 *worker may apply to the Board to have his or her license placed on*
28 *inactive status. The Board may grant the application if the license*
29 *is in good standing and the licensee has met all requirements for*
30 *the issuance or renewal of a license as of the date of the*
31 *application.*

32 **2.** *If the application is granted:*

33 *(a) The licensee must not engage in social work in this State*
34 *unless the license is returned to active status; and*

35 *(b) The licensee is not required to complete continuing*
36 *education unless his or her license is returned to active status.*

37 **3.** *The inactive status of a license is valid for 5 years after the*
38 *date that the inactive status is granted.*

39 **4.** *If a license is placed on inactive status, the Board must not*
40 *refund any portion of the renewal fee that was paid before the*
41 *license was placed on inactive status.*

42 **5.** *The Board shall adopt regulations prescribing the:*

43 *(a) Procedures for making an application pursuant to this*
44 *section;*



1 *(b) Procedures and terms upon which a person whose license*
2 *has been placed on inactive status may have his or her license*
3 *returned to active status; and*

4 *(c) Fees for the renewal of the inactive status of a license.*

5 **Sec. 12.** NRS 641B.165 is hereby amended to read as follows:

6 641B.165 On or before February 1 of each year, the Board
7 shall submit to the Legislative Committee on Health Care *and to*
8 *each regional behavioral health policy board created by NRS*
9 *433.429* a report which must include:

10 1. The number of complaints received, investigations
11 completed, cases dismissed, cases settled and cases for which
12 hearings were held within the immediately preceding calendar year;

13 ~~and~~

14 2. The number of applications for the issuance or renewal of a
15 license received by the Board during the immediately preceding
16 calendar year and the number of those applications for which the
17 Board conducted additional review beyond the standard review
18 regularly conducted by the Board ~~[-]~~; *and*

19 3. *The number of applications for the issuance of a license by*
20 *endorsement received by the Board pursuant to NRS 641B.271*
21 *and 641B.272 during the immediately preceding calendar year, the*
22 *number of those applications that were denied and the reasons for*
23 *denial.*

24 **Sec. 13.** NRS 641B.206 is hereby amended to read as follows:

25 641B.206 1. In addition to any other requirements set forth in
26 this chapter:

27 (a) An applicant for the issuance of a license to engage in social
28 work as an associate in social work, a social worker, *a master social*
29 *worker*, an independent social worker or a clinical social worker
30 shall include the social security number of the applicant in the
31 application submitted to the Board.

32 (b) An applicant for the renewal of a license to engage in social
33 work as an associate in social work or the issuance or renewal of a
34 license to engage in social work as a social worker, *a master social*
35 *worker*, an independent social worker or a clinical social worker
36 shall submit to the Board the statement prescribed by the Division of
37 Welfare and Supportive Services of the Department of Health and
38 Human Services pursuant to NRS 425.520. The statement must be
39 completed and signed by the applicant.

40 2. The Board shall include the statement required pursuant to
41 subsection 1 in:

42 (a) The application or any other forms that must be submitted
43 for the issuance or renewal of the license; or

44 (b) A separate form prescribed by the Board.



1 3. A license to engage in social work as an associate in social
2 work, a social worker, *a master social worker*, an independent
3 social worker or a clinical social worker may not be issued or
4 renewed by the Board if the applicant:

5 (a) Fails to submit the statement required pursuant to subsection
6 1; or

7 (b) Indicates on the statement submitted pursuant to subsection
8 1 that the applicant is subject to a court order for the support of a
9 child and is not in compliance with the order or a plan approved by
10 the district attorney or other public agency enforcing the order for
11 the repayment of the amount owed pursuant to the order.

12 4. If an applicant indicates on the statement submitted pursuant
13 to subsection 1 that the applicant is subject to a court order for the
14 support of a child and is not in compliance with the order or a plan
15 approved by the district attorney or other public agency enforcing
16 the order for the repayment of the amount owed pursuant to the
17 order, the Board shall advise the applicant to contact the district
18 attorney or other public agency enforcing the order to determine the
19 actions that the applicant may take to satisfy the arrearage.

20 **Sec. 14.** NRS 641B.220 is hereby amended to read as follows:

21 641B.220 1. The Board shall grant a license to engage in
22 social work as a social worker to any applicant who possesses the
23 preliminary qualifications set forth in NRS 641B.200 and who:

24 (a) Possesses a baccalaureate degree or master's degree in social
25 work from ~~the~~:

26 (1) *A college or university accredited by the Council on*
27 *Social Work Education, or its successor organization, or which is a*
28 *candidate for such accreditation ~~the~~; or*

29 (2) *A college or university located in a foreign country, or*
30 *the equivalent of a baccalaureate degree or master's degree in*
31 *social work from such a college or university, if the applicant*
32 *includes in his or her application the documentation required by*
33 *section 10 of this act; and*

34 (b) Passes an examination prescribed by the Board.

35 2. The Board shall grant a license to engage in social work as a
36 social worker to an applicant licensed as an associate in social work
37 who:

38 (a) Possesses the preliminary qualifications set forth in
39 NRS 641B.200;

40 (b) Possesses a baccalaureate degree or master's degree in a
41 related field, or has completed equivalent course work in a related
42 field;

43 (c) Completes 3,000 hours of employment in Nevada as an
44 associate in social work; and

45 (d) Passes an examination prescribed by the Board.



1 3. A person who is granted a license to engage in social work
2 as a social worker pursuant to subsection 1 or 2 may supervise
3 another person engaged in the practice of social work.

4 **Sec. 15.** NRS 641B.230 is hereby amended to read as follows:

5 641B.230 1. The Board shall grant a license to engage in
6 social work as an independent social worker to any applicant who
7 possesses the preliminary qualifications set forth in NRS 641B.200
8 and who:

9 (a) Possesses a master's or doctoral degree in social work from
10 ~~and~~:

11 (1) A college or university accredited by the Council on
12 Social Work Education, *or its successor organization*, or which is a
13 candidate for such accreditation ~~and~~; *or*

14 (2) *A college or university located in a foreign country, or*
15 *the equivalent of a master's or doctoral degree in social work from*
16 *such a college or university, if the applicant includes in his or her*
17 *application the documentation required by section 10 of this act.*

18 (b) Completes 3,000 hours of supervised, postgraduate social
19 work approved by the Board.

20 (c) Passes an examination prescribed by the Board.

21 2. A person licensed as an independent social worker may:

22 (a) Engage in social work independently or within an agency;
23 ~~and~~

24 (b) *Engage in clinical social work as part of an internship*
25 *program approved by the Board to complete the supervised clinical*
26 *social work required for licensure as a clinical social worker*
27 *pursuant to NRS 641B.240; and*

28 (c) Supervise other persons engaging in the practice of social
29 work.

30 **Sec. 16.** NRS 641B.240 is hereby amended to read as follows:

31 641B.240 1. The Board shall grant a license to engage in
32 social work as a clinical social worker to any applicant who
33 possesses the preliminary qualifications set forth in NRS 641B.200
34 and who:

35 (a) Possesses a master's or doctoral degree in social work from
36 ~~and~~:

37 (1) A college or university accredited by the Council on
38 Social Work Education, *or its successor organization*, or which is a
39 candidate for such accreditation ~~and~~; *or*

40 (2) *A college or university located in a foreign country, or*
41 *the equivalent of a master's or doctoral degree in social work from*
42 *such a college or university, if the applicant includes in his or her*
43 *application the documentation required by section 10 of this act.*

44 (b) Completes 3,000 hours of supervised, postgraduate, clinical
45 social work approved by the Board.



- 1 (c) Passes an examination prescribed by the Board.
2 2. A person licensed as a clinical social worker may:
3 (a) Engage in social work independently or within an agency;
4 ~~and~~
5 (b) *Engage in clinical social work; and*
6 (c) Supervise other persons engaging in the practice of social
7 work.

8 **Sec. 17.** NRS 641B.260 is hereby amended to read as follows:

9 641B.260 1. The Board may hold hearings and conduct
10 investigations into any matter related to an application for licensure.
11 The Board may require the presentation of evidence.

12 2. The Board may refuse to issue a license to an applicant if the
13 applicant:

14 (a) Is not of good moral character as it relates to the practice of
15 social work;

16 (b) Has submitted any false credential to the Board;

17 (c) Has been disciplined in another state in connection with the
18 practice of social work *or a related profession* or has committed any
19 act in another state which is a violation of this chapter; ~~or~~

20 (d) *Has committed an act that constitutes grounds for*
21 *initiating disciplinary action pursuant to NRS 641B.400;*

22 (e) *Has entered a plea of guilty, guilty but mentally ill or nolo*
23 *contendere to, been found guilty or guilty but mentally ill of, or*
24 *been convicted, in this State or any other jurisdiction, of a crime*
25 *arising out of, in connection with or related to the activities of*
26 *such a person in such a manner as to demonstrate his or her*
27 *unfitness to engage in social work, and the time for appeal has*
28 *elapsed or the judgment of conviction has been affirmed on*
29 *appeal; or*

30 (f) Fails to comply with any other requirements for licensure.

31 **Sec. 18.** NRS 641B.275 is hereby amended to read as follows:

32 641B.275 1. The Board shall grant a provisional license to
33 engage in social work as a social worker to a person:

34 (a) Who applies to take the next available examination and who
35 is otherwise eligible to be a social worker pursuant to subsection 1
36 of NRS 641B.220; or

37 (b) Who:

38 (1) Possesses a baccalaureate degree or a master's degree in a
39 related field of study from ~~an~~:

40 (I) *An* accredited college or university recognized by the
41 Board; *or*

42 (II) *A college or university located in a foreign country,*
43 *or the equivalent of a baccalaureate degree or a master's degree in*
44 *a related field from such a college or university, if the applicant*



1 *includes in his or her application the documentation required by*
2 *section 10 of this act;* and

3 (2) Presents evidence of enrollment in a program of study
4 leading to a degree in social work at [a]:

5 (I) A college or university accredited by the Council on
6 Social Work Education or which is a candidate for such
7 accreditation and which is approved by the Board [f]; or

8 (II) A college or university located in a foreign country,
9 or a program of study leading to the equivalent of a degree in
10 social work from such a college or university, if the applicant
11 includes in his or her application the documentation required by
12 section 10 of this act.

13 2. The Board shall grant a provisional license to engage in
14 social work as an independent social worker to a person who applies
15 to take the next available examination and who is otherwise eligible
16 to be an independent social worker pursuant to subsection 1 of
17 NRS 641B.230.

18 3. The Board shall grant a provisional license to engage in
19 social work as a clinical social worker to a person who applies to
20 take the next available examination and who is otherwise eligible to
21 be a clinical social worker pursuant to subsection 1 of
22 NRS 641B.240.

23 4. *If the Board requires an applicant for a license as a social*
24 *worker, master social worker, independent social worker or*
25 *clinical social worker to submit official transcripts as proof of his*
26 *or her educational qualifications, the Board may grant a*
27 *provisional license to an applicant who has:*

28 (a) *Met all requirements for licensure except for the*
29 *submission of official transcripts; and*

30 (b) *Submitted a copy of his or her unofficial transcripts to the*
31 *Board.*

32 5. The Board shall establish by regulation the period during
33 which a provisional license issued pursuant to ~~[this section]~~
34 *subsection 1, 2 or 3* will be valid. The period must be:

35 (a) No longer than 9 months for a person who is granted a
36 provisional license to engage in social work pursuant to paragraph
37 (a) of subsection 1 or subsection 2 or 3; and

38 (b) No longer than 3 years for a person who is granted a
39 provisional license to engage in social work pursuant to paragraph
40 (b) of subsection 1.

41 6. *A provisional license issued pursuant to subsection 4*
42 *expires 6 months after the date of issuance and may not be*
43 *renewed.*



1 **Sec. 19.** NRS 641B.280 is hereby amended to read as follows:
2 641B.280 1. ~~Every~~ *Except as otherwise provided in NRS*
3 *641B.275, every* holder of a license issued pursuant to this chapter
4 may renew his or her license annually by:

- 5 (a) Applying to the Board for renewal;
- 6 (b) Paying the annual renewal fee set by the Board;
- 7 (c) Submitting evidence to the Board of completion of the
8 required continuing education as set forth in regulations adopted by
9 the Board; and
- 10 (d) Submitting all information required to complete the renewal.

11 2. ~~The~~ *Except as otherwise provided in section 11 of this*
12 *act, the* Board shall, as a prerequisite for the renewal of a license,
13 require the holder to comply with the requirements for continuing
14 education adopted by the Board, which must include, without
15 limitation, a requirement that every 2 years the holder receive at
16 least 2 hours of instruction on evidence-based suicide prevention
17 and awareness or another course of instruction on suicide prevention
18 and awareness that is approved by the Board which the Board has
19 determined to be effective and appropriate.

20 **Sec. 20.** NRS 641B.300 is hereby amended to read as follows:
21 641B.300 1. The Board shall charge and collect fees not to
22 exceed the following amounts for:

| | | |
|----|--|-------|
| 23 | | |
| 24 | Initial application..... | \$200 |
| 25 | Provisional license..... | 150 |
| 26 | Initial issuance of a license as a social worker <i>or</i> | |
| 27 | <i>master social worker</i> | 250 |
| 28 | Initial issuance of a license as a clinical social worker | |
| 29 | or an independent social worker..... | 350 |
| 30 | Initial issuance of a license by endorsement | 200 |
| 31 | Annual renewal of a license as a social worker , | |
| 32 | <i>master social worker</i> or an associate in social | |
| 33 | work | 175 |
| 34 | Annual renewal of a license as a clinical social | |
| 35 | worker or an independent social worker | 225 |
| 36 | Restoration of a suspended license or reinstatement | |
| 37 | of a revoked license..... | 150 |
| 38 | Restoration of an expired license | 200 |
| 39 | Renewal of a delinquent license | 100 |
| 40 | | |

41 2. If an applicant submits an application for a license by
42 endorsement pursuant to NRS 641B.272, the Board shall collect not
43 more than one-half of the fee set forth in subsection 1 for the initial
44 issuance of the license.



1 **Sec. 21.** NRS 641B.410 is hereby amended to read as follows:
2 641B.410 1. The Board, any ~~{of its members}~~ *member or*
3 *employee of the Board* or any member of a review panel of social
4 workers who becomes aware that any one or combination of the
5 grounds for initiating disciplinary action may exist as to a person
6 practicing social work in this State shall, and any other person who
7 is so aware may, file a written complaint specifying the relevant
8 facts with the Board. The complaint must specifically charge one or
9 more of the grounds for initiating disciplinary action.

10 2. The Board shall retain all complaints filed with the Board
11 pursuant to this section for at least 10 years, including, without
12 limitation, any complaints not acted upon.

13 **Sec. 22.** NRS 641B.505 is hereby amended to read as follows:

14 641B.505 1. Except as otherwise provided in this chapter, it
15 is unlawful for a person to engage in:

16 (a) The independent practice of social work unless he or she ~~is~~
17 ~~licensed~~ :

18 (1) *Holds an active license* as a clinical social worker or an
19 independent social worker pursuant to this chapter ~~{}~~ ; or

20 (2) *Holds an active license as a master social worker*
21 *pursuant to this chapter and is engaging in the independent*
22 *practice of social work under the conditions prescribed in section*
23 *9 of this act.*

24 (b) The clinical practice of social work unless he or she ~~is~~
25 ~~licensed~~ :

26 (1) *Holds an active license* as a clinical social worker *issued*
27 pursuant to this chapter ~~{}~~ ; or

28 (2) *Holds an active license as an independent social worker*
29 *or master social worker issued pursuant to this chapter and is*
30 *engaging in clinical social work under the conditions prescribed*
31 *in NRS 641B.230 or section 9 of this act, as applicable.*

32 (c) *The practice of social work unless he or she holds an active*
33 *license as an associate in social work, a social worker, a master*
34 *social worker, an independent social worker or a clinical social*
35 *worker issued pursuant to this chapter.*

36 2. As used in this section, “independent practice of social
37 work” means the unsupervised practice of social work, other than
38 for a public employer, for compensation.

39 **Sec. 23.** NRS 641C.130 is hereby amended to read as follows:

40 641C.130 The provisions of this chapter do not apply to:

41 1. A physician who is licensed pursuant to the provisions of
42 chapter 630 or 633 of NRS;

43 2. A nurse who is licensed pursuant to the provisions of chapter
44 632 of NRS and is authorized by the State Board of Nursing to
45 engage in the practice of counseling persons with alcohol and other



1 substance use disorders or the practice of counseling persons with
2 an addictive disorder related to gambling;

3 3. A psychologist who is licensed pursuant to the provisions of
4 chapter 641 of NRS or authorized to practice psychology in this
5 State pursuant to the Psychology Interjurisdictional Compact
6 enacted in NRS 641.227;

7 4. A clinical professional counselor or clinical professional
8 counselor intern who is licensed pursuant to chapter 641A of NRS;

9 5. A marriage and family therapist or marriage and family
10 therapist intern who is licensed pursuant to the provisions of chapter
11 641A of NRS and is authorized by the Board of Examiners for
12 Marriage and Family Therapists and Clinical Professional
13 Counselors to engage in the practice of counseling persons with
14 alcohol and other substance use disorders or the practice of
15 counseling persons with an addictive disorder related to gambling;
16 or

17 6. A person who is ~~licensed as a~~ :

18 (a) *Licensed as:*

19 (1) *A clinical social worker pursuant to the provisions of*
20 *chapter 641B of NRS ; or*

21 (2) *A master social worker or independent social worker*
22 *pursuant to the provisions of chapter 641B of NRS and is*
23 *engaging in clinical social work as part of an internship program*
24 *approved by the Board of Examiners for Social Workers; and ~~is~~*
25 *authorized*

26 (b) *Authorized* by the Board of Examiners for Social Workers to
27 engage in the practice of counseling persons with alcohol and other
28 substance use disorders or the practice of counseling persons with
29 an addictive disorder related to gambling.

30 **Sec. 24.** NRS 641C.230 is hereby amended to read as follows:

31 641C.230 On or before February 1 of each year, the Board
32 shall submit to the Legislative Committee on Health Care *and each*
33 *regional behavioral health policy board created by NRS 433.429* a
34 report which must include:

35 1. The number of complaints received, investigations
36 completed, cases dismissed, cases settled and cases for which
37 hearings were held within the immediately preceding calendar year;
38 ~~and~~

39 2. The number of applications for the issuance or renewal of a
40 license or certificate received by the Board during the immediately
41 preceding calendar year and the number of those applications for
42 which the Board conducted additional review beyond the standard
43 review regularly conducted by the Board ~~;~~ *;* ~~and~~

44 3. *The number of applications for the issuance of a license or*
45 *certificate by endorsement received by the Board pursuant to*



1 *NRS 641C.3305, 641C.3306, 641C.355, 641C.356, 641C.395,*
2 *641C.396, 641C.432 and 641C.433 during the immediately*
3 *preceding calendar year, the number of those applications that*
4 *were denied and the reasons for denial.*

5 **Sec. 25.** NRS 641C.320 is hereby amended to read as follows:
6 641C.320 1. The Board may issue:

7 (a) A provisional license as a clinical alcohol and drug counselor
8 to a person who has applied to the Board to take the examination for
9 a license as a clinical alcohol and drug counselor and is otherwise
10 eligible for that license pursuant to NRS 641C.330; or

11 (b) A provisional license or certificate as an alcohol and drug
12 counselor to a person who has applied to the Board to take the
13 examination for a license or certificate as an alcohol and drug
14 counselor and is otherwise eligible for that license or certificate
15 pursuant to NRS 641C.350 or 641C.390.

16 2. *If the Board requires an applicant for a license or*
17 *certificate pursuant to this chapter to submit official transcripts as*
18 *proof of his or her educational qualifications, the Board may issue*
19 *a provisional license or certificate to an applicant who has:*

20 (a) *Met all requirements for licensure except for the*
21 *submission of official transcripts; and*

22 (b) *Submitted a copy of his or her unofficial transcripts to the*
23 *Board.*

24 3. A provisional license or certificate is valid for not more than
25 6 months and may not be renewed.

26 **Sec. 26.** NRS 62A.270 is hereby amended to read as follows:

27 62A.270 “Qualified professional” means:

28 1. A psychiatrist licensed to practice medicine in this State and
29 certified by the American Board of Psychiatry and Neurology, Inc.;

30 2. A psychologist licensed to practice in this State;

31 3. A social worker holding a master’s degree in social work
32 and licensed in this State as a *master social worker or* clinical social
33 worker;

34 4. A registered nurse holding a master’s degree in the field of
35 psychiatric nursing and licensed to practice professional nursing in
36 this State;

37 5. A marriage and family therapist licensed in this State
38 pursuant to chapter 641A of NRS; or

39 6. A clinical professional counselor licensed in this State
40 pursuant to chapter 641A of NRS.

41 **Sec. 27.** NRS 458A.057 is hereby amended to read as follows:

42 458A.057 1. “Qualified mental health professional” means
43 any of the following persons:

44 (a) A person who is certified as a problem gambling counselor
45 pursuant to the provisions of chapter 641C of NRS.



1 (b) A person who is certified as a problem gambling counselor
2 intern pursuant to the provisions of chapter 641C of NRS.

3 (c) A physician who is licensed pursuant to the provisions of
4 chapter 630 or 633 of NRS.

5 (d) A nurse who is licensed pursuant to the provisions of chapter
6 632 of NRS and is authorized by the State Board of Nursing to
7 engage in the practice of counseling problem gamblers.

8 (e) A psychologist who is licensed pursuant to the provisions of
9 chapter 641 of NRS or authorized to practice psychology in this
10 State pursuant to the Psychology Interjurisdictional Compact
11 enacted in NRS 641.227, or a psychological assistant who is
12 registered with the Board of Psychological Examiners pursuant to
13 the provisions of chapter 641 of NRS and the regulations adopted
14 pursuant thereto.

15 (f) A clinical professional counselor or clinical professional
16 counselor intern who is licensed pursuant to chapter 641A of NRS.

17 (g) A marriage and family therapist or marriage and family
18 therapist intern who is licensed pursuant to the provisions of chapter
19 641A of NRS and is authorized by the Board of Examiners for
20 Marriage and Family Therapists and Clinical Professional
21 Counselors to engage in the practice of counseling persons with an
22 addictive disorder related to gambling.

23 (h) A person who is ~~licensed as a~~ :

24 (1) *Licensed as:*

25 (I) *A clinical social worker pursuant to the provisions of*
26 *chapter 641B of NRS ; or*

27 (II) *A master social worker or independent social*
28 *worker pursuant to the provisions of chapter 641B of NRS and is*
29 *engaging in clinical social work as part of an internship program*
30 *approved by the Board of Examiners for Social Workers; and ~~is~~*
31 *authorized*

32 (2) *Authorized* by the Board of Examiners for Social
33 Workers to engage in the practice of counseling persons with an
34 addictive disorder related to gambling.

35 2. As used in this section, “practice of counseling persons with
36 an addictive disorder related to gambling” has the meaning ascribed
37 to it in NRS 641C.105.

38 **Sec. 28.** NRS 689A.0485 is hereby amended to read as
39 follows:

40 689A.0485 If any policy of health insurance provides coverage
41 for treatment of an illness which is within the authorized scope of
42 the practice of a licensed associate in social work, social worker,
43 *master social worker*, independent social worker or clinical social
44 worker, the insured is entitled to reimbursement for treatment by an
45 associate in social work, social worker, *master social worker*,



1 independent social worker or clinical social worker who is licensed
2 pursuant to chapter 641B of NRS.

3 **Sec. 29.** NRS 689B.0385 is hereby amended to read as
4 follows:

5 689B.0385 If any policy of group health insurance provides
6 coverage for treatment of an illness which is within the authorized
7 scope of the practice of a licensed associate in social work, social
8 worker, *master social worker*, independent social worker or clinical
9 social worker, the insured is entitled to reimbursement for treatment
10 by an associate in social work, social worker, *master social worker*,
11 independent social worker or clinical social worker who is licensed
12 pursuant to chapter 641B of NRS.

13 **Sec. 30.** NRS 695B.1975 is hereby amended to read as
14 follows:

15 695B.1975 If any contract for hospital or medical service
16 provides coverage for treatment of an illness which is within the
17 authorized scope of the practice of a licensed associate in social
18 work, social worker, *master social worker*, independent social
19 worker or clinical social worker, the insured is entitled to
20 reimbursement for treatment by an associate in social work, social
21 worker, *master social worker*, independent social worker or clinical
22 social worker who is licensed pursuant to chapter 641B of NRS.

23 **Sec. 31.** NRS 695C.1775 is hereby amended to read as
24 follows:

25 695C.1775 If any evidence of coverage provides coverage for
26 treatment of an illness which is within the authorized scope of the
27 practice of a licensed associate in social work, social worker, *master*
28 *social worker*, independent social worker or clinical social worker,
29 the insured is entitled to reimbursement for treatment by an
30 associate in social work, social worker, *master social worker*,
31 independent social worker or clinical social worker who is licensed
32 pursuant to chapter 641B of NRS.

33 **Sec. 32.** 1. The Legislative Committee on Health Care shall
34 conduct a study during the 2021-2022 interim concerning the
35 processes for licensure and certification, including, without
36 limitation, licensure and certification by endorsement, pursuant to
37 chapters 641 to 641C, inclusive, of NRS. In conducting the study,
38 the Legislative Committee on Health Care shall:

39 (a) Separately evaluate the processes for standard licensure or
40 certification and licensure or certification by endorsement pursuant
41 to those chapters; and

42 (b) Identify specific barriers to:

43 (1) Licensure or licensure by endorsement as a psychologist,
44 marriage and family therapist, clinical professional counselor, social
45 worker, master social worker, independent social worker, clinical



1 social worker, clinical alcohol and drug counselor, or alcohol and
2 drug counselor;

3 (2) Certification or certification by endorsement as an
4 alcohol and drug counselor or problem gambling counselor; and

5 (3) Certification as a clinical alcohol and drug counselor
6 intern, alcohol and drug counselor intern or problem gambling
7 counselor intern.

8 2. Not later than September 1, 2022, the Legislative Committee
9 on Health Care shall submit a report of the results of the study
10 conducted pursuant to this section and any recommendations to:

11 (a) The Board of Psychological Examiners, the Board of
12 Examiners for Marriage and Family Therapists and Clinical
13 Professional Counselors, the Board of Examiners for Social
14 Workers and the Board of Examiners for Alcohol, Drug and
15 Gambling Counselors;

16 (b) Each regional behavioral health policy board created by
17 NRS 433.429;

18 (c) The Commission on Behavioral Health created by
19 NRS 232.361; and

20 (d) The Director of the Legislative Counsel Bureau for
21 transmittal to:

22 (1) The Sunset Subcommittee of the Legislative
23 Commission; and

24 (2) The next regular session of the Legislature.

25 3. The Board of Psychological Examiners, the Board of
26 Examiners for Marriage and Family Therapists and Clinical
27 Professional Counselors, the Board of Examiners for Social
28 Workers and the Board of Examiners for Alcohol, Drug and
29 Gambling Counselors shall implement specific strategies to
30 eliminate each barrier to licensure or certification identified in the
31 report submitted pursuant to subsection 3 unless the licensing board
32 to which the barrier applies concludes that the barrier is necessary to
33 maintain the quality of services provided by the holders of licenses
34 or certificates, as applicable.

35 4. In addition to the requirements of NRS 641.145, as amended
36 by section 3 of this act, NRS 641A.183, as amended by section 6 of
37 this act, NRS 641B.165, as amended by section 12 of this act, and
38 NRS 641C.230, as amended by section 24 of this act, the reports
39 submitted by the Board of Psychological Examiners, the Board of
40 Examiners for Marriage and Family Therapists and Clinical
41 Professional Counselors, the Board of Examiners for Social
42 Workers and the Board of Examiners for Alcohol, Drug and
43 Gambling Counselors pursuant to those sections after September 1,
44 2022, and on or before February 1, 2025, must include, without
45 limitation:



1 (a) Specific strategies that the licensing board is implementing
2 pursuant to subsection 4 and a summary of the progress of the
3 licensing board toward eliminating the barriers to licensure or
4 certification identified in the report submitted pursuant to subsection
5 3; or

6 (b) If the licensing board is not implementing strategies to
7 eliminate a barrier to licensure or certification identified in the
8 report submitted pursuant to subsection 3, the specific reasons that
9 the licensing board concluded that the barrier is necessary to
10 maintain the quality of services provided by the holders of licenses
11 or certificates, as applicable, and evidence to support that reasoning.

12 **Sec. 33.** Notwithstanding the amendatory provisions of section
13 22 of this act, the holder of a license to engage in the practice of
14 social work as a social worker issued pursuant to NRS 641B.220
15 who:

16 1. Possesses a master's or doctoral degree in social work from
17 a college or university which is accredited by the Council on Social
18 Work Education, or its successor organization, or which is a
19 candidate for such accreditation; and

20 2. Is engaging in the independent practice of social work or the
21 practice of clinical social work as part of an internship program
22 described in subsection 2 of section 9 of this act on July 1, 2021,
23 ↪ may continue to do so for the current term of his or her license.

24 **Sec. 34.** This act becomes effective:

25 1. Upon passage and approval for the purposes of adopting
26 regulations and performing any preparatory administrative tasks that
27 are necessary to carry out the provisions of this act; and

28 2. On July 1, 2021, for all other purposes.

