

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

LCB File No. R113-98

August 13, 1998

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

AUTHORITY: §2, NRS 641B.160, §§3 and 4, NRS 641B.160 and 641B.280, §§5-8, NRS 641B.160, §9, NRS 641B.160 and NRS 641B.280, §§10 and 11, NRS 641B.160, §12, NRS 641B.160 and 641B.280, §§13-21, NRS 641B.160, §22, NRS 641B.160 and 641B.300, §§23-28, NRS 641B.160, §§29-36, NRS 641B.160 and 641B.280, §§37-42, NRS 641B.160.

Section 1. Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

Sec. 2. *“Client” means a person who seeks or receives social work services.*

Sec. 3. *“Instructor” means a person approved by the board to teach a program of continuing education.*

Sec. 4. *“Program of continuing education” means a course or program of education and training that is:*

1. Offered for the purpose of maintaining, improving or enhancing the practice of social work; and

2. Accredited by the board.

Sec. 5. *“Psychotherapeutic methods and techniques” means the methods of treatment that use a specialized, formal interaction between a clinical social worker and a client in which a therapeutic relationship is established and maintained to:*

1. Understand unconscious processes and intrapersonal, interpersonal and psychosocial dynamics; and

2. Diagnose and treat mental, emotional and behavioral disorders, conditions and addictions.

Sec. 6. *“Social work services” means any services that are related to the practice of social work or the practice of clinical social work.*

Sec. 7. *Any time a person provides social work services, the person shall carry evidence that is satisfactory to the board that he holds a license issued by the board.*

Sec. 8. *An internship certificate issued by the board must be prominently displayed at all times at the primary location of the internship.*

Sec. 9. *1. An application for restoration of an expired license must be completed on a form supplied by the board and submitted to the board within 5 years after the date on which the license expired.*

2. Except as otherwise provided in subsection 3, an application for restoration of an expired license must be accompanied by:

(a) The fee for restoration of the expired license;

(b) The renewal fee for each year the license has been expired;

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

(d) Evidence that the appropriate examination for licensure was passed by the applicant within the preceding 10 years.

3. After receiving an application for restoration of an expired license, the board may:

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

(b) For good cause, waive the requirements of subsection 2 regarding the examination and continuing education hours.

Sec. 10. *The provision of social work services to a client within this state through any means, including, without limitation, electronic means or by telephone, regardless of the location of the social worker, constitutes the practice of social work and is subject to the provisions of chapter 641B of NRS and any regulations adopted pursuant to that chapter.*

Sec. 11. 1. *An applicant who is licensed to provide social work services by another state may be licensed to provide social work services by the board without taking the examination prescribed by the board if the applicant has successfully passed a licensing examination within the preceding 10 years. Proof of the examination must accompany the application for licensure by reciprocity.*

2. An applicant for licensure by reciprocity 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 3, proof that the license issued by the other state or any other license or credential issued to the applicant by another state:

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

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

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

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

Sec. 12. 1. *A person may not teach a program of continuing education unless the person has been approved by the board as an instructor. A person will not be approved as an instructor unless the person is competent to teach a program of continuing education, as demonstrated by his educational, professional and teaching experience.*

2. *Except as otherwise provided in subsection 3, a person requesting approval as an instructor shall submit to the board an application containing information required by the board. The board will notify the applicant whether he has been approved as an instructor within 30 days after receipt of the application for approval by the board. If the board denies approval as an instructor, the applicant may, within 30 days after receiving notice of denial, request in writing that the board reconsider its decision.*

3. *A person may apply to the board for status as an approved instructor of continuing education. Upon receipt of sufficient evidence that the applicant possesses the ability, education and training to provide professional-quality instruction in programs of continuing education, the board will grant status as an approved instructor of continuing education. The board will develop an abbreviated procedure for the approved instructor of continuing education to be approved to teach a program of continuing education.*

Sec. 13. NAC 641B.005 is hereby amended to read as follows:

641B.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 641B.010 to 641B.065, inclusive, *and sections 2 to 6, inclusive, of this regulation* have the meanings ascribed to them in those sections.

Sec. 14. NAC 641B.010 is hereby amended to read as follows:

641B.010 “Applicant” means a person who applies for any privilege, license, *approval* or authority from the board.

Sec. 15. NAC 641B.027 is hereby amended to read as follows:

641B.027 “Continuing education hour” means ~~[50]~~ *60* minutes of instruction devoted to ~~[any material, course or program which is accredited by the board]~~ *a program of continuing education.*

Sec. 16. NAC 641B.045 is hereby amended to read as follows:

641B.045 “Licensee” means a person holding a license ~~[under]~~ *or provisional license pursuant to* this chapter as an associate in social work, social worker, independent social worker or clinical social worker.

Sec. 17. NAC 641B.056 is hereby amended to read as follows:

641B.056 “Provider” means a person approved by the board to ~~[present any material, course or]~~ *provide a* program of continuing education. ~~[which is accredited by the board.]~~

Sec. 18. NAC 641B.080 is hereby amended to read as follows:

641B.080 A license issued by the board must be prominently displayed *at all times* at the ~~[licensee’s]~~ *primary* place of employment or practice ~~[.]~~ *of the licensee.*

Sec. 19. NAC 641B.100 is hereby amended to read as follows:

641B.100 1. An applicant for licensure *or provisional licensure* as:

- (a) A social worker;
- (b) An independent social worker; or
- (c) A clinical social worker,

must cause the college or university from which he graduated to forward directly to the board a certified transcript of his educational course work [showing] *which sets forth* the degree awarded.

2. A graduate of a foreign social work program shall submit the appropriate forms and documentation to the Council on Social Work Education for evaluation of foreign credentials.

Sec. 20. NAC 641B.110 is hereby amended to read as follows:

641B.110 1. Except for a provisional license issued pursuant to NRS 641B.275 [.] *and as otherwise provided in this subsection*, each initial license issued will [expire] *become delinquent* on the last day of the month of birth of the licensee [, *except that no*] *and will expire 60 days thereafter. No* initial license will [expire] *become delinquent or expire* less than 1 year after the date of initial licensure. Thereafter, each license will [expire] *become delinquent* annually on the last day of the [licensee's] month of birth [.] *of the licensee and will expire 60 days thereafter.*

2. Except as otherwise provided in this subsection, an application for the renewal of an expiring license must be completed on forms supplied by the board and submitted to the board on or before the last day of the [licensee's] month of birth [.] *of the licensee*. An application for the renewal of a provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 must be submitted to the board annually on or before the last day of the month

in which the license was initially issued, until the expiration of the 3-year period of licensure *[.] or the license is no longer valid.*

3. If an application for renewal and the required fee are not postmarked on or before the *[expiration date of the license,] last day of the month of birth of the licensee,* the license becomes delinquent.

Sec. 21. NAC 641B.112 is hereby amended to read as follows:

641B.112 1. A provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 is no longer valid:

- (a) If the licensee fails to provide evidence satisfactory to the board that he is:
 - (1) Enrolled in a program of study leading to a degree in social work; and
 - (2) Making satisfactory progress toward the degree;
- (b) If the licensee fails to comply with the renewal requirements;
- (c) If the licensee fails to submit to the board in a timely manner all materials required for the application for renewal; or
- (d) Three years after *[the]* :
 - (1) *The* initial issuance of the license *[.] ; or*
 - (2) *The licensee graduates from a program of study leading to a degree in social work, whichever occurs first.*

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

- (a) The licensee fails the prescribed examination and does not apply for or is no longer eligible to take the next available examination; or

(b) The provisional licensing period of 9 months expires,
whichever occurs first.

3. The holder of a provisional license may be subject to disciplinary action [,] *pursuant to NRS 641B.400*, including , *without limitation*, the revocation of his license . [, *pursuant to NRS 641B.400.*]

4. A provisional license that has been invalidated or revoked may not be reinstated or restored.

Sec. 22. NAC 641B.115 is hereby amended to read as follows:

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

1. Associate in social work:

- (a) Annual renewal of license [~~50~~] *60*
- (b) Restoration of revoked license [~~100~~] *150*
- (c) Restoration of expired license [~~100~~] *150*
- (d) Renewal of delinquent license [~~25~~] *30*

2. Social worker:

- (a) Initial application \$40
- (b) Initial issuance of license [~~50~~] *60*
- (c) Annual renewal of license [~~50~~] *60*
- (d) Restoration of revoked license [~~100~~] *150*
- (e) Restoration of expired license [~~100~~] *150*
- (f) Renewal of delinquent license [~~25~~] *30*
- (g) Reciprocal license without examination 100

(h) Initial issuance of provisional license	[50]	60
(i) Annual renewal of provisional license.....	[50]	60
3. Independent and clinical social worker:		
(a) Initial application		\$40
(b) Initial issuance of license.....		100
(c) Annual renewal of license.....	[100]	125
(d) Restoration of revoked license	[100]	150
(e) Restoration of expired license	[125]	150
(f) Renewal of delinquent license	[50]	60
(g) Reciprocal license without examination		100
(h) Initial issuance of provisional license		75
(i) <i>Annual renewal of provisional license</i>		75

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

Sec. 23. NAC 641B.120 is hereby amended to read as follows:

641B.120 1. Fees and remittances to the board must be *made* by *a* money order, bank draft or check payable to the board. Remittances in currency or coin are *made* wholly at the risk of the remitter and the board assumes no responsibility for *a* loss thereof. [Postage stamps will not be accepted.]

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

3. The board will establish bank accounts necessary for handling of fees and remittances.

The accounts will require for the transaction of business the signature of:

- (a) Two members of the board; or
- (b) Any member of the board and the executive [secretary] *director* of the board.

4. An application for licensure *on* which [is not completed within] *no action has been taken for* 1 year after its receipt by the board will be considered by the board to have lapsed.

The board will not refund any fee related to an application which has lapsed.

Sec. 24. NAC 641B.131 is hereby amended to read as follows:

641B.131 As used in NRS 641B.220 [, 641B.275 and section 50 of chapter 484, Statutes of Nevada 1987, as amended by section 6 of chapter 891, Statutes of Nevada 1989,] *and 641B.275*, “related field” has the meaning ascribed to it in NAC 641B.058.

Sec. 25. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. An applicant for licensure as an independent social worker must complete *an internship consisting of not less than* 3,000 hours of supervised, postgraduate social work.

Except as otherwise provided in subsection 2, the required work must be:

(a) Undertaken in a program *that is* approved by the board before the applicant [completes] *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.

(c) Conducted [*within the professional and ethical standards of practice of social work.*] *pursuant to the requirements and standards set forth by the board.* For good cause, the board will withdraw its approval of a particular program.

2. [*An applicant who, before July 1, 1990, has completed 3,000 hours of supervised, postgraduate social work in this state may submit evidence of his satisfactory completion of that work to the board for its consideration. The board will approve that work and accept it for licensure if the board determines that the experience of the applicant is substantially equivalent to the standards established by the board for those applicants who complete their work on or after July 1, 1990.*

3.] An applicant who has completed 3,000 hours of supervised, postgraduate social work in another state may submit evidence of his satisfactory completion of that work to the board for its consideration. The board will approve that work and accept it for licensure if the board determines that the experience of the applicant is substantially equivalent to the *current* standards established by the board for those applicants who complete their work in this state.

[4.] 3. 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 [stated] *set forth* on each contract, release, agreement for financial reimbursement and billing statement which [involves] *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 contracts with a nonemployee to do so;

(4) The appointed supervisor reviews the [applicant's] 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;] *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. 26. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. An applicant for licensure as a 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 [2,] 3, the required work must be:

(a) Undertaken in a program *that is* approved by the board before the applicant [completes] *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.

(c) Conducted [**within the professional and ethical standards of practice of social work.**] *pursuant to the requirements and standards set forth by the board.* For good cause, the board will withdraw its approval of a particular program.

2. [**An applicant who, before July 1, 1990, has completed 3,000 hours of supervised, postgraduate clinical social work in this state may submit evidence of his satisfactory completion of that work to the board for its consideration. The board will approve that work and accept it for licensure if the board determines that the experience of the applicant is substantially equivalent to the standards established by the board for those applicants who complete their work on or after July 1, 1990.**

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. The remaining hours may be completed in other areas of clinical social work.

[4.] 3. An applicant who has completed 3,000 hours of supervised, postgraduate clinical social work in another state may submit evidence of his satisfactory completion of that work to the board for its consideration. The board will approve that work and accept it for licensure if

the board determines that the experience of the applicant is substantially equivalent to *or exceeds* the *current* standards established by the board for those applicants who complete their work in this state.

[5.] 4. 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.
- (e) Practice which is not under the supervision of an agency. The board will consider a

person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly [stated] *set forth* on each contract, release, agreement for financial reimbursement and billing statement which [involves] *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 contracts with a nonemployee to do so;

(4) The appointed supervisor reviews the [intern's] work *of the intern* in the manner required for supervisors of interns;

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

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

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

Sec. 27. 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) Hold a license as an independent or clinical social worker if supervising an intern who is seeking a license as an independent social worker, or hold a license as a clinical social worker if supervising an intern who is seeking a license as a clinical social worker . [;]

(c) Have at least 3 years of experience as a licensed clinical social worker or licensed independent social worker or have equivalent experience acceptable to the board . [;]

(d) *Demonstrate to the board that his current practice:*

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

(2) If he is supervising an intern who is seeking a license as a 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, appear before the board and successfully complete an oral examination . [;]

(e)] (f) If deemed necessary by the board, successfully complete a written examination . [; and

(f)] (g) If deemed necessary by the board, successfully complete any training specified by the board.

2. A supervisor must not:

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

(b) Have had the intern as a client; [or]

(c) *Require an intern to perform duties that are unrelated to the practice of social work; or*

(d) Supervise more than [four] *three* interns at one time without prior approval from the board.

3. 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.

4. Each agreement relating to the supervision of an intern 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.

5. 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. 28. NAC 641B.160 is hereby amended to read as follows:

641B.160 1. A supervisor of an intern shall ensure that:

- (a) The work of the intern is conducted in an appropriate professional setting;
- (b) The work of the intern is consistent with the standards of the profession; **[and]**
- (c) *The intern is assisted with the development of his professional identity;*
- (d) *The intern has gained the skills required to manage his practice;*
- (e) *The intern has gained the skills required for continuing competency;*
- (f) *The intern has gained knowledge of the laws and regulations applicable to the practice of social work; and*
- (g) The intern is familiar with the current literature concerning those areas of social work relevant to his area of practice.

2. A supervisor of an intern shall:

- (a) Meet in person with the intern *on an individual basis* for at least 1 hour every week, unless the board specifically directs a different schedule or frequency for the meetings, to discuss and evaluate the **[intern's]** performance *of the intern* in his practice;
- (b) Prepare and submit to the board quarterly reports and a final report, on forms provided by the board, concerning the **[intern's]** progress *of the intern* in *his* practice; and
- (c) Be available to consult with the board concerning the record, competence in practice, emotional and mental stability or professional and ethical conduct of the intern.

3. *Not more than 24 hours of the supervision of the intern may be in the form of group supervision.*

4. A supervisor of an intern shall analyze the performance of an intern through information obtained from:

(a) Observation or participation in the ~~[intern's practice;]~~ *practice of the intern;* and

(b) The ~~[intern's notes.~~

~~4.]~~ *notes of the intern.*

5. The board will, if it deems it appropriate, withdraw its approval of a person to supervise interns if the supervisor fails to:

(a) Supervise an intern adequately;

(b) Comply with each applicable provision of *a* statute or regulation;

(c) Submit for two reporting periods the reports required regarding the progress of ~~[any]~~ *each* intern under his supervision; or

(d) Complete the training required by the board pursuant to subsection 1 of NAC 641B.155.

~~[5.]~~ 6. If the board withdraws its approval of the person supervising an intern, the intern may apply to the board for the:

(a) Assignment of another approved supervisor; and

(b) Approval of a new internship agreement.

Sec. 29. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsections 2 and 3, to renew his license, a licensee must [, after July 1, 1990,] complete at least 30 continuing education hours every 2 years [.] , *of which 2 hours must be in the area of ethics or confidentiality.*

2. The board may renew the license of a licensee who fails to complete 30 continuing education hours during a 2-year period if it finds good cause to do so.

3. The board will renew the license of a licensee during the period in which he is enrolled in a program leading to:

(a) 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) A doctoral degree in social work,
and for [2] *two* renewal periods 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.

4. If the board renews the license of a licensee pursuant to subsection 2, it may require the licensee to complete [as many as] *not more than* 30 additional continuing education hours during the next 2-year period.

5. A licensee may not take a [course or] program *of continuing education* which presents the same material he took during the previous [licensing] *2-year* period.

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

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

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

Sec. 30. NAC 641B.189 is hereby amended to read as follows:

641B.189 A **[provider may not present any material, course or program which is not accredited.]** *program of continuing education must be accredited by the board.* The following **[materials,]** courses and programs will be deemed unacceptable for accreditation:

1. An orientation program for new employees.
2. 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.
3. An audio/video learning tape **[when]** *or home study course for which* there is no independent verification of **[attendance.]** *successful completion.*
4. *A program for self-improvement.*

Sec. 31. NAC 641B.190 is hereby amended to read as follows:

641B.190 1. Before the board accredits **[any material,]** *a* course or program, **[it]** *the board* must be satisfied that the **[material,]** course or program:

(a) Will be **[presented]** *taught* by a competent instructor as demonstrated by his educational, professional and teaching experience;

(b) *Will be taught by an instructor approved by the board to teach the program of continuing education;*

(c) Contains current *and relevant* educational material concerning social work and is applicable to the practice of social work;

[(c)] (d) Is of professional quality;

[(d)] (e) Is appropriately designed for instructional purposes; and

[(e)] (f) Includes a written evaluation of the content and presentation of the course or program and its relevance to continuing education for each licensee to complete.

2. [Any material,] A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, correspondence courses which do not lead to a degree [,] and on-the-job training programs offered by an agency will be deemed appropriately designed for instructional purposes. The provider is responsible for the format and presentation of [materials,] 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 [any material,] 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; or

(f) Other areas directly related to the field of practice of the licensee,

will be deemed to reflect current *and relevant* educational material concerning social work and be applicable to the practice of social work.

Sec. 32. NAC 641B.191 is hereby amended to read as follows:

641B.191 1. Except as otherwise provided in subsection 4, a provider requesting accreditation of **[any material,]** *a* course or program shall submit to the board an application containing the information required by the board.

2. The board will notify the provider whether the **[material,]** course or program has been accredited or denied accreditation within 30 days after receipt of the completed application for accreditation by the board.

3. If the board approves the **[material,]** course or program for accreditation, the notice of accreditation must state the number of continuing education hours for which the **[material]** *course or program* is accredited. Accreditation of the **[material,]** course or program will:

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

4. A provider may apply to the board for status as an approved provider of continuing education. Upon receipt of sufficient evidence that the provider possesses the consistent ability to provide professional-quality programs of continuing education , **[for social workers,]** the board will grant status as an approved provider. The board will develop an abbreviated procedure for the approval of any *course or* program offered by **[a person who holds the status of]** *an* approved provider.

5. If the board denies accreditation *of a course or program* or status as an approved provider, the applicant may, within 30 days after receiving notice of the denial, request in writing that the board reconsider its decision.

Sec. 33. NAC 641B.192 is hereby amended to read as follows:

641B.192 A licensee may request *the* accreditation of [any material,] a course or program which has not been submitted *for accreditation* by a provider by submitting to the board an application containing the information required by the board for its review pursuant to NAC 641B.190. The [material,] course or program is subject to the same criteria used to evaluate the [material,] course or program submitted by a provider seeking accreditation.

Sec. 34. NAC 641B.193 is hereby amended to read as follows:

641B.193 1. If the board receives a complaint regarding a [course] *program of continuing education, an instructor* or a provider, the board will investigate the complaint. The investigation may include [such actions as:] , *without limitation:*

- (a) Requesting a written response from the *instructor or* provider [.] *and;*
- (b) Reviewing all relevant documents.

2. As a result of such a complaint or on its own motion, the board will deny or withdraw accreditation if it finds that [the course] :

(a) *The program of continuing education* is not in the best interest of the [customer or the provider]:

(a)] *licensee; or*

(b) *The instructor or provider:*

(1) Fails to furnish any material as advertised;

[(b)] (2) Engages in any misleading, deceptive or unethical business or professional practice;

[(c)] (3) Fails to furnish any material required by law; or

[(d)] (4) Fails to comply with [the laws or regulations governing continuing education for social work in this state.] *any provision of chapter 641B of NRS or any regulation adopted pursuant to that chapter.*

Sec. 35. NAC 641B.194 is hereby amended to read as follows:

641B.194 Each provider [of any material, course or program which is accredited by the board] *and instructor of a program of continuing education* shall:

1. Keep records of:

- (a) Each licensee who participates in the [course or] program;
- (b) The [course or] program attended by each licensee; and
- (c) The number of continuing education hours completed by each licensee.

2. Maintain the records for 3 years after completion of the [course or] program.

3. Furnish each licensee who completes a [course or] program *of continuing education* with a certificate [containing:] *that sets forth:*

- (a) The name of the licensee;
- (b) The name of the provider *and instructor* of the [course or] program;
- (c) The title of the [course or] program;
- (d) The number of continuing education hours assigned to the [course or] program by the board;
- (e) The date and location of the [continuing education course or] program; and
- (f) The original signature of the [provider.] *instructor.*

Sec. 36. NAC 641B.195 is hereby amended to read as follows:

641B.195 Within 30 days after presenting a [course or program accredited by the board,] *program of continuing education*, the provider *or instructor* shall transmit to the board:

1. The title of the [course or] program.
2. The date, time and location of the [presentation.] *program*.
3. The names and total number of licensees completing the [course or] program.
4. The number of continuing education hours assigned to the [course or] program by the board.
5. *The accreditation number assigned to the program by the board.*

Sec. 37. NAC 641B.200 is hereby amended to read as follows:

641B.200 1. The status of a [licensed social worker] *licensee* must not be used to support any claim, promise or guarantee of successful service, nor may the license be used to imply that [he] *the licensee* has competence in another profession. The licensee shall not misrepresent , *directly or by implication*, his own professional qualifications, affiliations and licenses, nor those of the institutions and organizations with which he is associated. *A licensee shall provide accurate information concerning his credentials, education, training and experience upon request from a client or potential client.* If [he] *the licensee* holds more than one occupational license, he shall disclose to his client orally and in writing which of the licenses apply to the service he is rendering to that client. *If a licensee is providing services that are not social work services, the licensee must disclose to the client orally and in writing the type of service that he is providing and that the service is not within the scope of the practice of social work.*

2. A licensee shall not misrepresent, in advertising [.] *or otherwise*, his *education, training, type of license*, qualifications, competence, service or the results to be achieved.

3. *A licensee shall not practice social work while:*

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

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

4. A licensee shall not use his relationship with a client to further his own personal, religious, political or business interests.

[4. A licensee shall not offer or accept payment for a referral.]

5. *A licensee is responsible for setting and maintaining professional boundaries with clients, interns and persons who are supervised by the licensee.*

6. *A licensee shall not give or receive, directly or indirectly, a fee, commission, rebate or other compensation for professional services that the licensee has not actually and personally rendered.*

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

[6.] 8. Except as otherwise provided in subsection [10.] 12, a licensee shall not disparage the qualifications of any colleague.

[7.] 9. A licensee shall not attempt to diagnose, prescribe for, treat or advise on any problem outside his field of competence.

[8.] 10. A licensee shall base his practice upon recognized knowledge relevant to social work.

[9.] 11. A licensee shall critically examine and keep current with emerging knowledge relevant to social work.

[10.] 12. A licensee shall report to the board any unlicensed, unauthorized, unqualified or unethical practice of social work.

[11.] 13. Based upon recognized knowledge and standards of practice for social work, a licensee shall prepare and maintain in a timely manner a record regarding each of his clients which [sets] :

(a) Sets forth his assessment of the [client's] problems *of the client* and his related course of treatment to that client [.

12.] ; and

(b) Includes, without limitation, copies of:

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

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

(3) All other legal documents regarding the client.

14. A licensee shall complete and submit any reports required pursuant to chapter 641B of NRS and any regulations adopted pursuant to that chapter in a timely manner.

15. A licensee shall comply with [:

(a) All of] all the provisions of the statutes and regulations governing the practice of social work *that are* set forth in this chapter and chapter 641B of NRS and all similar federal laws and regulations . [; and

(b) All state and federal laws related to the grounds for initiating disciplinary action as set forth in NRS 641B.400.

13.] 16. A licensee shall not authorize a person under the supervision of the licensee to perform services outside of the [supervised person's] training or experience *of the person who is supervised* or allow that person to hold himself out as having expertise in a field in which he is not qualified.

17. *A licensee shall notify the board in writing within 10 days after:*

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

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

(c) *A licensee is convicted of a criminal offense, other than a misdemeanor traffic offense;*

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

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

Sec. 38. NAC 641B.205 is hereby amended to read as follows:

641B.205 1. A licensee shall serve clients with professional skill and competence.

2. [When] *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 own best interest, the licensee shall safeguard the interests and rights of that client.

3. [When] *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 [client's] 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, [mental] *diagnosis* or physical [handicap,] *disability*, or any preference or personal characteristic, condition or status.

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

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

7. A licensee shall seek advice and counsel of colleagues and supervisors whenever such consultation is in the best interest 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 [client's] needs or interests [.] *of the client*.

9. A licensee shall not withdraw *his 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 [client's] needs and preferences [.

11. A licensee who is serving a client who is psychologically or financially dependent upon the licensee] *of the client*.

11. *Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence [the] a client in any manner which [will] could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature [, including sexual activity,] from the client [. The board will presume that the client is dependent upon the licensee if the sexual activities occur or other benefits are received during the time the client is receiving professional service from the licensee or within 6 months after termination of those] during the time that the client is receiving professional services and for 2 years after the termination of such 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 enter into a dual relationship with a client, intern or person who is supervised by the licensee if it is foreseeable that such a relationship would harm or exploit the client, intern or person who is supervised within 2 years after the termination of the professional relationship, internship or period of supervision.*

Sec. 39. NAC 641B.220 is hereby amended to read as follows:

641B.220 1. A licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, is guilty of unprofessional conduct.

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

3. *The revocation, suspension or other disciplinary action taken by another state on the license, certificate or registration to practice social work or a related field that was issued by that state is grounds for disciplinary action against the licensee by the board for unprofessional conduct.*

4. *The failure of a licensee to comply with a stipulation, agreement, advisory opinion or order issued by the board constitutes unprofessional conduct.*

Sec. 40. NAC 641B.240 is hereby amended to read as follows:

641B.240 1. Each licensee shall use his title designated in this chapter in all communications with the board.

2. An applicant for licensure as an independent social worker or as a clinical social worker who is in a program to complete the required hours of supervised, postgraduate training shall, during the course of the program of internship, use the title “intern” in all communications *made within the scope of his practice, including, without limitation, all communications* with the board and with his respective clients.

Sec. 41. NAC 641B.435 is hereby amended to read as follows:

641B.435 After the board renders its declaratory order or advisory opinion, the executive **[secretary]** *director* will give notice of it to the petitioner.

Sec. 42. NAC 641B.445 is hereby amended to read as follows:

641B.445 1. A petition for adoption, amendment or repeal of a regulation must be in writing and be prepared in a form approved by the board.

2. If the board receives a petition within 30 days before its next regular meeting, the petition will be placed on the agenda for discussion to determine whether the petition should be denied or procedures for adoption of a regulation should be commenced.

3. If a petition is received by the board during any period in which a regular meeting is not scheduled within 30 days, the executive [secretary] *director* will place the petition on the agenda of the next regularly scheduled meeting.

4. The board may call a special meeting to consider a petition.