

LCB File No. R142-08

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

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

CHAPTER 641B - SOCIAL WORKERS

Section 1. Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Section 2. *“Administration” defined. “Administration” is methods used by those with administrative responsibility to plan and achieve organization goals that will enhance the client’s ability to function physically, social, and economically.*

Section 3. *“Case work” defined. “Case work” is a method to advocate, plan, provide, evaluate, coordinate, and monitor services from a variety of resources on behalf of and in collaboration with a client.*

Section 4. *“Consultation” defined. “Consultation” means a problem solving process in which expertise is offered to a client or colleague as defined in NAC 641B.017 to assist in learning how to solve problems and make decisions to enhance or restore their ability to function physically, socially and economically. Consultation includes the term counseling and may be ongoing or on a temporary ad hoc basic.*

Section 5. *“Community organization” defined. “Community organization” is an intervention process to deal with social problems and to enhance the public safety and welfare through planned collective action.*

Section 6. *“Group work” defined. “Group work” is an orientation and method of social work intervention in which small numbers of people who share similar problems can convene and engage in activities designed to achieve certain objectives.*

Section 7. *“Planning” defined. “Planning is defined as the process of specifying future objectives, evaluating the means for achieving them, and making deliberate choices about appropriate course of actions with or for the client.*

Section 8. *“Research” defined. “Research is defined as systematic procedures used in seeking facts or principles to assist clients in their ability to enhance or restore their ability to function.*

Section 9. NAC 641B.017 is hereby amended to read as follows:

NAC 641B.017 “Client” defined. (NRS 641B.160) “Client” means a natural person, couple, family, *group, organization, community*, governmental agency or political subdivision of this State *that seeks or* receives services from a social worker. *Client status is not dependent on billing or payment of fees for such services.*

(Added to NAC by Bd. of Exam’rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003)

Section 10 NAC 641B.052 is hereby amended to read as follows:

NAC 641B.052 “Program of continuing education” defined. (NRS 641B.160) “Program of continuing education” means a course or program of education and training that:

1. Is designed to maintain, improve or enhance a ~~person’s~~ *licensee’s* knowledge and competency in the practice of social work; and
2. Has been approved by the Board.

(Added to NAC by Bd. of Exam’rs for Social Workers by R113-98, eff. 1-13-99; A by R112-00, 1-17-2001; R079-02, 1-9-2003)

Section 11 NAC 641B.057 is hereby amended to read as follows:

NAC 641B.057 “Psychotherapeutic methods and techniques” defined. (NRS641B.160) “Psychotherapeutic methods and techniques” means the methods of treatment, *including but not limited to the use of individual, couples, family and group psychotherapy*, that use a specialized, formal interaction between a licensed 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.

(Added to NAC by Bd. of Exam’rs for Social Workers by R113-98, eff. 1-13-99; A by R079-02, 1-9-2003)

Section 12 NAC 641B.090 is hereby amended to read as follows:

NAC 641B.090 Application for licensure or renewal; conditions for waiver of examination. (NRS 641B.160, 641B.202)

1. An application for licensure or renewal must be submitted on a form provided by the Board.
2. For good cause, the Board may allow an applicant to present material at its meeting in addition to the materials which he has previously submitted to the Board.
3. By submitting his application, an applicant grants the Board full authority to make any investigation or personal contact necessary to verify the authenticity of, or to clarify an ambiguity in, the matters and information stated within his application. If the Board so requests, the applicant must supply to the Board information that will verify the authenticity or clarify any ambiguity in the application.
4. An applicant for initial licensure must submit to the Board to satisfy the requirements of NRS 641B.202:

- (a) Two sets of completed fingerprint cards;
 - (b) Written authorization for the Board to forward those cards to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and
 - (c) The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories.
5. If deemed necessary, the Board will appoint a member of the Board or a designee to examine an application, take the actions authorized pursuant to subsection 3 and make recommendations for the Board's action.
 6. If deemed necessary, the Board will require the personal appearance of the applicant. *The Board may approve or table the application pending further information or deny the license or renewal pursuant to NRS 641B.260(2).*
 7. The Board will waive the required examination for an applicant if:
 - (a) The applicant is not eligible for reciprocity **Endorsement** pursuant to NAC 641B.126;
 - (b) The applicant has passed an appropriate examination in another state within the 6 months immediately preceding the date on which he submits his application for licensure with the Board; and
 - (c) The examination that the applicant passed is equivalent to the examination that the applicant would otherwise be required to take pursuant to NAC 641B.105.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A11-8-95; R112-00, 1-17-2001; R079-02, 1-9-2003; R048-04, 5-25-2004)

Section 13 Section **NAC 641B. 105** is hereby amended to read as follows:

NAC 641B.105 Examinations. (NRS 641B.160, 641B.250)

1. An applicant for licensure as a licensed social worker, licensed independent social worker or licensed clinical social worker must pass *a two part examination consisting of:*
 - (a) ~~The~~ the appropriate examination given by the Association of Social Work Boards or another testing administrator that has been approved by the Board *as defined in section 2 of this provision and*
 - (b) *a state constructed examination which tests the knowledge of the applicant of this chapter, chapter 641B of NRS, and any other chapters of NRS or NAC relevant to the practice of social work.*
2. an applicant for licensure as:
 - (a) A licensed social worker must take the *Bachelor or* Basic Examination of the Association of Social Work Boards if the applicant holds a baccalaureate degree in social work as described in NRS 641B.220. If the applicant holds a master's degree in social work as described in NRS 641B.220, the applicant must take the *Bachelor or* Basic Examination; or *Master's or* Intermediate Examination of the Association of Social Work Boards.
 - (b) A licensed independent social worker must take the *Advanced Generalist or* Advanced Examination of the Association of Social Work Boards.
 - (c) A licensed clinical social worker must take the Clinical Examination of the Association of Social Work Boards.

3. Except as otherwise provided in this section, an applicant who is required to pass an examination pursuant to this section must satisfy the Board that he possesses the necessary requirements regarding age, citizenship, character, ~~and~~ education *and supervision, if required for the level of licensure he is applying for*, before he may take the examination. A student of social work currently enrolled in his last semester may take the examination before the award of his degree. For the purposes of this subsection, “student of social work” means a person enrolled in an undergraduate or graduate program of study leading to a degree in social work from a college or university accredited by the Council on Social Work Education or which is a candidate for such accreditation.
4. In addition to the requirements for offering examinations set forth in NRS 641B.250, examinations will be offered as deemed appropriate by the Board and as scheduled by the Association of Social Work Boards or another testing administrator that has been approved by the Board.
5. A failed examination may initially be retaken 90 days after the failed exam. ~~and the examination may be retaken only once within the year following the original examination.~~ Thereafter, only one examination ~~per year~~ *per six months* may be taken.

(Added to NAC by Bd. of Exam’rs for Social Workers, eff. 9-20-88; A11-28-89; 11-8-95; R112-00, 1-17-2001; R079-02, 1-9-2003)

Section 14 NAC 641B. 110 is hereby amended to read as follows:

NAC 641B.110 Expiration and renewal of license and provisional license.

(NRS 641B.160, 641B.280, 641B.290)

1. Except for a provisional license issued pursuant to NRS 641B.275:
 - (a) An initial license will not become delinquent less than 1 year after the date of issuance.
 - (b) After initial licensure, each license will become delinquent annually on the last day of the 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 a license must be completed on forms supplied by the Board and submitted to the Board on or before the last day of the 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 12th month after the month in which the license was initially issued, until the expiration of the 3-year period of licensure set forth in NAC 641B.112 or until the license is no longer valid pursuant to NAC 641B.112.
3. If an application for renewal and the required fee are not postmarked on or before the last day of the month of birth of the licensee, the license becomes delinquent. A licensee whose license becomes delinquent or expires may not engage in the practice of social work until the license has been renewed or restored, as applicable.
4. *When an application for renewal is pending further information due to a request from the Board, the existing license does not expire until the application has been finally determined by the Board. Such information requested by the Board must be submitted within 21 days of request of the Board or the application for renewal will automatically expire. The Board may grant a reasonable extension for the information request to be*

received upon written request if it deems necessary to allow applicant to gather the required information.

5. A person whose license has expired may, within 3 years after the date on which his license expired, regain the right to practice social work at the same level of licensure by applying for restoration pursuant to NAC 641B.111. A person whose license has expired and who, more than 3 years after the date on which it expired, wishes to regain the right to practice social work at the same level of licensure must apply for a license pursuant to NAC 641B.090 to 641B.105, inclusive.
6. If a licensee notifies the Board in writing that the licensee will not renew his license and he allows his license to expire, the Board will not consider the license to be delinquent for the purposes of NRS 641B.290.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A5-15-92; 10-25-93; 11-8-95; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003)

Section 15 NAC 641B. 111 is hereby amended to read as follows: NAC 641B.111 Restoration of expired license. (NRS 641B.160, 641B.280, 641B.290)

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 3 years after the date on which the license expired.
2. In addition to the requirements set forth in NRS 641B.290 and except as otherwise provided in subsection 3, an application for restoration of an expired license must be accompanied by:
 - (a) Evidence of the completion of all past continuing education hours; and
 - (b) Evidence that:
 - (1) The appropriate examination for licensure was passed by the applicant within the preceding ~~10~~ 15 years; or
 - (2) The licensee has maintained an equivalent license from another state in good standing.
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
4. For good cause, waive the requirements of subsection 2 regarding the examination and continuing education hours.

(Added to NAC by Bd. of Exam'rs for Social Workers by R113-98, eff. 1-13-99; A by R112-00, 1-17-2001)

Section 16 NAC 641B. 115 is hereby amended to read as follows:

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

1. Licensed associate in social work:
 - (a) Annual renewal of license 75
 - (b) Restoration of revoked license 150
 - (c) Restoration of expired license 150
 - (d) Renewal of delinquent license 40
2. Licensed social worker:
 - (a) Initial application 40

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

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A11-28-89; 10-25-93; 11-8-95; R113-98, 1-13-99; R079-02, 1-9-2003)

Section 17 Section NAC 641B. 126 is hereby amended to read as follows:

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

1. An applicant who holds at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS in another state may be licensed to engage in the practice of social work in this State by the Board without taking the examination prescribed by the Board if the applicant has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the preceding 15 years. Proof of the examination must be received by the Board before the Board will approve an applicant for licensure by ~~reciprocity~~ *endorsement*. *For the purposes of this section an "equivalent license" is defined as a license substantially equivalent to the requirements of NRS 641B.200; NRS 641.230 and subsection 641B.140 of this chapter, or NRS 641B.240 and subsection of 641B.240 of this chapter.*
2. *An applicant for endorsement may request a wavier of the examination requirement as described in subsection 2 of NAC 641B.105 if the applicant has passed the ASWB or a substantially equivalent exam in the state in which they were licensed; has been licensed for at least 20 years in the field of social work covered by that licensure; and can demonstrate that at least 50% of their practice over the last ten years was in providing social work services.*
3. *An applicant for endorsement as a clinical social worker license or independent social worker license who, before July 1, 1990, has completed 3000 hours of supervised, postgraduate may submit evidence of his satisfactory hours of that work to the board for its consideration. The Board may consider supervision completed under a licensed*

mental health practitioner other than a Licensed Clinical Social Worker as long as the hours are otherwise equivalent to what a person in this state would need to complete.

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

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

Section 18 NAC 641B.140 is hereby amended to read as follows:

NAC 641B.140 Licensed independent social worker: Internship or equivalent supervised hours required for licensure. (NRS 641B.160, 641B.230)

1. An applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in subsection 2, the required work must be:
 - (a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:
 - (1) An examination, if deemed necessary by the Board;
 - (2) An appropriate setting, as determined by the Board;
 - (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
 - (4) A plan of supervision that has been approved by the Board.
 - (b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period.
 - (c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program.
2. *An applicant who is currently licensed as a Licensed Social Worker or a Licensed Associate in Social pursuant to chapter 641 of NRS may apply to the Board to consider supervised hours completed in an agency that provides social work services if he has engaged in the practice of social worker for the previous 10 years, was continually licensed as a social worker during this period and can provide evidence of continuous supervision by a licensed social worker for at least 5 of those years.*
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 as defined under subsection 1 of this provision.

4. The following activities do not qualify as supervised, postgraduate social work:
 - (a) Instruction in techniques or procedures through classes, workshops or seminars.
 - (b) Orientational programs.
 - (c) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:
 - (1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;
 - (2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;
 - (3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;
 - (4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;
 - (5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and
 - (6) Any compensation for the services of the intern is provided directly by the agency.
 - (d) Any other activity that the Board determines is not within the scope of the practice of social work.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 10-25-93; R113-98, 1-13-99; R079-02, 1-9-2003)

Section 19 NAC 641B.150 is hereby amended to read as follow:

NAC 641B.150 Licensed clinical social worker: Internship required for licensure. (NRS 641B.160, 641B.240)

1. An applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection 3, the required work must be:
 - (a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:
 - (1) An examination, if deemed necessary by the Board;
 - (2) An appropriate setting, as determined by the Board;
 - (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
 - (4) A plan of supervision that has been approved by the Board.
 - (b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period.
 - (c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program.
2. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional

conditions. Unless otherwise approved by the Board, an average of 25 hours per week, not to exceed 325 hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

3. An applicant who has completed 3,000 hours of supervised, postgraduate clinical social work in another state *within the last 10 ten years and can provide evidence of an appropriate supervisor who is qualified to supervise in that 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.
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) Except as otherwise provided in subsection 5, practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:
 - (1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;
 - (2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;
 - (3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;
 - (4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;
 - (5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and
 - (6) Any compensation for the services of the intern is provided directly by the agency.
 - (f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.
5. Any supervised, postgraduate clinical social work completed before January 1, 1990, by an applicant who holds an equivalent license from another state that is in good standing to engage in the practice of clinical social work as described in this chapter and chapter 641B of NRS is not required to be completed under the supervision of an agency if the Board determines that:
 - (a) There is good cause for waiving the requirement that the practice be under the supervision of an agency; and
 - (b) The experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A5-15-92; 10-25-93; R113-98, 1-13-99; R079-02, 1-9-2003; R048-04, 5-25-2004)

Section 20 NAC 641B.155 is hereby amended to read as follows:

NAC 641B.155 Supervisors of interns: Generally. (NRS 641B.160)

1. To become a supervisor of an intern, a person must:
 - (a) Be approved by the Board to serve as the supervisor of an intern.
 - (b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker if supervising an intern who is seeking a license as a licensed 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 a licensed 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 licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques. The Board may waive the requirements of this paragraph if the Board determines that there is good cause, including, without limitation, practice within the last 2 years which is equivalent to the requirements of this paragraph.
 - ~~(e) [If deemed necessary by the Board, appear before the Board and successfully complete an oral examination.]~~
 - (f) If deemed necessary by the Board, successfully complete a written examination.
 - (g) If deemed necessary by the Board, successfully complete any training specified by the Board.
2. A person will not be approved as a supervisor of an intern if he is subject to an order issued by the Board for disciplinary action.
3. A supervisor must not:
 - (a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;
 - (b) Have had the intern as a client;
 - (c) Have had the intern as a supervisor; or
 - (d) Supervise more than three interns at one time without prior approval from the Board.
4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will provide, upon request, a copy of the list to any person who is applying to become an intern.
5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of NAC 641B.160 must be submitted to the Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.
6. A supervisor must keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a

record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:
 - (a) Under the supervision of a person who has not been approved by the Board to supervise interns; or
 - (b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A11-28-89; 5-15-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003)

Section 21 NAC 641B.160 is hereby amended to read as follows:

NAC 641B.160 Supervisors of interns: Duties; withdrawal of approval to supervise; reapplication for approval. (NRS 641B.160)

1. *A supervisor of an intern is legally and ethically accountable for the practice of their supervisees.*
2. 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;
 - (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;
 - (g) The intern is familiar with the current literature concerning those areas of social work relevant to his area of practice; and
 - (h) The intern provides services that are culturally and linguistically appropriate.
3. 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 performance of the intern in his practice;
 - (b) Must visit each site approved by the Board at least once a month if the supervisor is off-site and if necessary consult with the on-site supervisor on intern's social work practice. The board may consider a waiver of this requirement for good cause.*
 - (c) Prepare and submit to the Board quarterly reports and a final report, unless the Board specifically directs a different schedule or frequency for the reports, on forms provided by the Board, concerning the progress of the intern in his practice; and
 - (d) 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.
4. Not more than 24 hours of the *total* supervision, for the term of the internship, may be in the form of group supervision.
5. A supervisor of an intern shall analyze the performance of an intern through information obtained from:
 - (a) Observation or participation in the practice of the intern; ~~and~~
 - (b) The ~~notes~~ *documentation* of the intern *and*
 - (c) *Process recordings*.

6. *The board may require additional hours of internship and supervision with an intern who fails to demonstrate the degree of competency expected at the conclusion of the internship.*
 7. The Board will, if it deems it appropriate, withdraw its approval of a person to supervise a particular intern or any intern if the supervisor:
 - (a) Fails to supervise an intern adequately;
 - (b) Fails to comply with each applicable provision of a statute or regulation;
 - (c) Fails to submit acceptable reports as required in paragraph (b) of subsection 2 regarding the progress of each intern under his supervision;
 - (d) *Fails to submit two consecutive reports without good cause or approval from the Board;*
 - (e) Fails to complete the training required by the Board pursuant to subsection 1 of NAC 641B.155; or
 - (f) Becomes subject to an order issued by the Board for disciplinary action.
 8. A person whose approval to supervise an intern has been withdrawn by the Board because he is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after he has satisfactorily completed the requirements of the order.
 9. If the Board withdraws its approval of the person supervising an intern, the intern may apply to the Board for the:
 - (a) Assignment of another approved supervisor; and
 - (b) Approval of a new internship agreement and plan of supervision.
- (Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-28-89; 5-15-92; 10-25-93; 4-27-94; R113-98, 1-13-99; R112-00, 1-17-2001; R122-06, 7-14-2006)

Section 21 NAC 641B.165 is amended to read as follows:

NAC 641B.165 Supervisors of interns: Requirements for provision or continuation of supervision. (NRS 641B.160) A supervisor of an intern may agree to provide or continue the supervision of an intern only if he believes that the intern will qualify for licensure pursuant to chapter 641B of NRS ~~and~~ *is competent and*, that, if licensed, the intern will uphold the professional and ethical standards of the practice of social work .

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

Section 22 NAC 641B.187 is amended to read as follows:

NAC 641B.187 Prerequisites and requirements for renewal of license; grounds for disciplinary action. (NRS 641B.160, 641B.280)

1. Except as otherwise provided in subsections 2 and 3, to renew his license,
 - (a) A licensee *who is a licensed as LASW or LSW* must complete at least 30 continuing education hours every 2 years, of which 2 hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within that practice *and 10 total of which must be in your field of practice unless the Board has approved a variance.*
 - (b) *If licensed as an Independent or Clinical Social Worker, a licensee must complete at least 35 continuing education hours every 2 years, of which 2 3 hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within*

that practice, and 12 total of which must be in your field of practice unless the Board has approved a variance.

(c) The continuing education hours *for all levels of licensure* must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

(d) A licensee who has reached the age of seventy and is retired from the practice of social work may request a waiver of the continuing education requirements.

2. The Board may renew the license of a licensee who fails to complete ~~130~~ *the required* 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 *of study* 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 ~~two~~ *one* renewal periods after graduation from the program *as long as licensure is granted within 6 months of graduation*. 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 not more than 30 additional continuing education hours during the next 2-year period.
5. A licensee may not take a program of continuing education which presents the same material he took during the previous 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.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A5-15-92; 10-25-93; 11-8-95; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R122-06, 7-14-2006)

Section 23 NAC 641B.189 is hereby amended to read as follows:

NAC 641B.189 Approval of program by Board; acceptable forms of program; unacceptable courses and programs. (NRS 641B.160, 641B.280)

1. A program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. To obtain the approval of the Board, a continuing education program must be limited in time, be interactive and provide independent verification that the licensee has successfully completed the program. *In special circumstances, a course that is not interactive or time limited may be considered if it meets specific criteria as set forth by the Board.* Such a program of continuing education may be in the form of:
 - (a) Workshops or conferences, including, without limitation, teleconferences;
 - (b) Distance learning courses;
 - (c) Home study *course*;

- (d) A self-directed learning program which has been approved by the Board before the licensee begins the program;
 - (e) Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board;
 - (f) *First time* presentation of an academic course, in-service training workshop or seminar by the licensee (*Limit to 15 hours*);
 - (g) Successful completion of an academic course of instruction at a regionally accredited college or university;
 - (h) Attendance by the licensee at a workshop or public hearing conducted by the Board; or
 - (i) Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.
2. A licensee may apply for not more than ~~7.5~~ **10** hours of continuing education credit *if licensed as a LASW or LSW and 18 hours of continuing education credit if licensed as a LISW or LCSW* for distance learning courses, home study *courses* and self-directed learning programs during a 2-year period, except that the Board may approve additional hours of such continuing education if the licensee can demonstrate good cause for the approval of the additional hours.
 3. *The Board may limit approval of continuing education programs based on an identified tier level system of approval.*
 4. A licensee may apply for not more than 2 hours (*for LASW/LSW*) or 4 hours (*LISW/LCSW*) of continuing education credit relating to ethics for any period in which the licensee serves as a member of a committee or board of review that:
 - (a) Considers issues or applies any policy, law or regulation relating to ethics; and
 - (b) Is approved by the Board.
 5. The following courses and programs will be deemed unacceptable as a program of continuing education:
 - (a) An orientation program for new employees.
 - (b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.
 - (c) A home study course that includes audio or video tapes which is not interactive, which is not limited by time and for which there is no independent verification of successful completion.
 - (d) A program for self-improvement.
 - (e) A distance learning course which is not interactive, which is not limited by time and for which there is no independent verification of successful completion.
 - (f) A self-directed learning program:
 - (1) Which is not interactive, which is not limited by time and for which there is no independent verification of successful completion; or
 - (2) Which covers the same material as a previous program approved for the licensee for self-directed learning or which is not preapproved by the Board.
 6. As used in this section, “interactive” means any two-way communication in which each participant in the communication is able to interact in a manner which elicits or may elicit a response from a provider or any other participant in that communication. The term includes, without limitation, any discussion or homework. The term does not include any test that is conducted before or after a program of continuing education.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R079-02, 1-9-2003; R122-06, 7-14-2006)

Section 24 NAC 641B.190 is hereby amended to read as follows:

NAC 641B.190 Approval: General requirements. (NRS 641B.160, 641B.280)

1. Before the Board approves a course or program, the Board must be satisfied that the course or program:
 - (a) Will be taught by a competent instructor as demonstrated by his educational, professional and teaching experience, unless the course or program is proposed by a licensee pursuant to subsection 2 of NAC 641B.192 and does not include the use of an instructor;
 - (b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;
 - (c) Is of professional quality;
 - (d) Is appropriately designed for instructional purposes;
 - (e) Is supported entirely or partially by evidence that is based on research; and
 - (f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.
2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, correspondence courses through an accredited college or university which do not lead to a degree, and on-the-job training programs offered by an agency shall be deemed "appropriately designed for instructional purposes," as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.
3. The subject matter of a course or program which addresses one or more of the following areas:
 - (a) Theories or concepts of human behavior and the social environment;
 - (b) Social work methods of intervention and delivery of services;
 - (c) Social work research, including, without limitation, the evaluation of programs or practices;
 - (d) Management, administration or social policy;
 - (e) Social work ethics;
 - (f) Services that are culturally and linguistically appropriate;
 - (g) *Social work theories or concepts of addictions in the social environment* or
 - (h) Other areas directly related to the field of practice of the licensee, shall be deemed to reflect "current and relevant educational material concerning social work" and be "applicable to the practice of social work," as those terms are used in subsection 1.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A by R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R122-06, 7-14-2006)

Section 25 NAC 641B.193 is hereby amended to read as follows:

NAC 641.193 Complaint regarding program of continuing education or provider: Investigation by Board; denial or withdrawal of approval. (NRS 641B.160, 641B.280)

1. If the Board receives a complaint regarding a course or program of continuing education or a provider, the Board will investigate the complaint. The investigation may include, without limitation:

- (a) Requesting a written response from the provider; and
- (b) Reviewing all relevant documents.

If no response is provided within 30 days, the Board may deny any future programs submitted by the provider.

2. As a result of a complaint regarding a program of continuing education or a provider or on its own motion, the Board will deny or withdraw approval of the course or program if it finds that:

- (a) The course or program of continuing education is not in the best interest of the licensee; or
- (b) The provider of the course or program:
 - (1) Fails to furnish any material as advertised;
 - (2) Engages in any misleading, deceptive or unethical business or professional practice;
 - (3) Fails to furnish any material required by law; or
 - (4) Fails to comply with any provision of chapter 641B of NRS or any regulation adopted pursuant to that chapter.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 11-28-89; A 5-15-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003)

Section 26 NAC 641B.200 is hereby amended to read as follows:

NAC 641B.200 Professional responsibility. (NRS 641B.160)

1. The status of a licensee must not be used to support any claim, promise or guarantee of successful service, nor may the license be used to imply that the licensee has competence in another profession.
2. A licensee shall not misrepresent, directly or by implication, his own professional qualifications, competency, affiliations and licenses, or 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.
3. If a licensee holds more than one occupational license, he shall disclose to his client orally and in writing the type of practice of social work in which the licensee is engaged and which of the licenses apply to the practice of social work the licensee is providing to that client. If a licensee is engaged in a practice that is not the practice of social work, the licensee shall disclose to the client orally and in writing the type of practice in which the licensee is engaged and that the practice is not within the scope of the practice of social work. If the licensee fails to disclose to the client that the practice in which the licensee is engaged is a practice other than the practice of social work, the Board, in evaluating whether the licensee is in compliance with the standards of professional responsibility, will presume that the practice in which the licensee was engaged was intended to be the practice of social work.
4. A licensee shall not engage in the practice of 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.
- 5. A licensee shall not use his relationship with a:
 - (a) Client;
 - (b) Person with significant personal ties to a client, whether or not related by blood; or
 - (c) Legal representative of the client, to further his own personal, religious, political or business interests.
- 6. A licensee is responsible for setting and maintaining professional boundaries with:
 - (a) Each client;
 - (b) Each person with significant personal ties to a client, whether or not related by blood;
 - (c) The legal representative of the client;
 - (d) Each intern; and
 - (e) Persons who are supervised by the licensee.
- 7. 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 *except as provided by law. If licensee is supervising an intern or employee, any billing or documentation under the supervisor license for such work must clearly show that the licensee supervised the work of the intern or employee and did not actually and personally render the services.*
- 8. 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.
- 9. Except as otherwise provided in subsection 13, a licensee shall not disparage the qualifications of any colleague.
- 10. A licensee shall not attempt to diagnose, prescribe for, treat or advise on any problem outside his field of competence. Except as otherwise provided in this subsection, a licensee shall not assume duties and responsibilities within the practice of social work if he cannot perform the services competently. A licensee may assume duties and responsibilities within the practice of social work for which he cannot currently perform the services competently if he prepares a reasonable written plan demonstrating the manner in which he will acquire the competence necessary to perform the services competently. Such a plan must be completed under the supervision ~~{of a licensee who is competent}~~ *or consultation of a professionally qualified person who can demonstrate competency in the area of study.* ~~{to perform the services competently or under the supervision of another professionally qualified person who is licensed to practice in this State and is competent to perform the services competently.}~~ A copy of a plan prepared pursuant to this subsection must be provided to the Board upon request by the Board.
- 11. A licensee shall base his practice upon recognized knowledge relevant to social work.
- 12. A licensee shall critically examine and keep current with emerging knowledge relevant to social work.
- 13. A licensee shall report to the Board any unlicensed, unauthorized, unqualified or unethical practice of social work.
- 14. 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:
 - (a) Sets forth his assessment of the problems, *course of treatment or plan of care*, issues or concerns of the client and the scope of the licensee's services to that client

- including but not limited to any interventions, consultation or mandated reporting;*
and
- (b) Includes, without limitation *but not limited to*, 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
 - (4) Any documents required by law.*
 - (5) A record, including date and time, of each contact with the client.*
15. A licensee shall not:
- (a) Inaccurately record, falsify or otherwise alter or destroy any client's records unless specifically authorized by law.
 - (b) Falsify billing records *or bill for services not rendered or supported by documentation.*
 - (c) Refuse to release a client's records upon request by the client unless otherwise specifically authorized by law.
16. A licensee shall maintain each client's records for at least 10 years unless otherwise specifically authorized by law.
17. *When a social worker or social work practice ceases operation as a result of suspension, retirement, death, sale or other cause, the licensee, or other individual responsible for supervising the disposition of the practice, must notify the board in writing shall make every effort to notify the clients of their right to retrieve records for a period of six months using all of the following methods:*
- (a) Publication, at least weekly for one month, in a newspaper whose circulation encompasses the major area of a practitioner's former practice, of a notice advising clients of the right to retrieve their records for a six month period; and*
 - (b) If applicable, a sign placed at the practice location informing clients of the right and procedures to retrieve their records.*
18. A licensee shall adequately complete and submit to the Board any reports required pursuant to chapter 641B of NRS, any regulations adopted pursuant to that chapter and any order, rule or instruction of a court of competent jurisdiction in a timely manner.
19. A licensee shall comply with 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. A licensee shall comply with any state or federal law or regulation that is relevant to the practice of social work.
20. A licensee shall not authorize a person under the supervision of the licensee to perform services outside of the level of licensure, 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.
21. A licensee shall not order or knowingly allow a person under the supervision of the licensee to engage in any illegal or unethical act related to social work.
22. A licensee shall notify the Board in writing within ~~10~~ **21** days after:
- (a) An action is taken against a license, certification, registration or credential of the licensee issued by any state or territory of the United States;
 - (b) A criminal charge is filed against the licensee;
 - (c) The licensee is *arrested or* 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

(f) Has been placed in a diversionary program;

(g) Has entered into an impaired practitioner program.

23. A licensee shall not supervise any person who engages in the practice of social work if that person has not satisfied the appropriate requirements for licensure pursuant to this chapter and chapter 641B of NRS.

24. A licensee shall not provide any services, including, without limitation, any diagnosis, therapeutic counseling, therapy or other clinical services, to an intern or other person over whom the licensee has administrative, educational or supervisory authority.

25. A licensee shall not knowingly obstruct an investigation conducted by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92; 11-9-92; 10-25-93; R113-98, 1-13-99; R112-00, 1-17-2001; R079-02, 1-9-2003; R048-04, 5-25-2004; R122-06, 7-14-2006)

Section 27 NAC 641B.210 is hereby amended to read as follows:

NAC 641B.210 Confidentiality of records. (NRS 641B.160)

1. Records showing a client's problems and the scope of the licensee's services and information obtained from or about a client, including the licensee's personal knowledge of the client, must be maintained in a manner that ensures security and confidentiality. No confidential records or information contained therein or information obtained from or about a client, including the licensee's personal knowledge of the client, may be released except:

(a) By written consent of the client;

(b) In accordance with a subpoena issued by the Board;

(c) Pursuant to an investigation by the Board; or

(d) As otherwise provided by law.

2. A licensee is responsible for informing his client *of confidentiality policy, applicable confidentially or privacy statutes or regulations and* of the limits of confidentiality.

3. Except as otherwise provided by law, information deemed to be confidential pursuant to subsection 1 must not be communicated to others without the client's consent unless there is clear and immediate danger to some person or to society, and then only to the appropriate family members, professional workers, public authorities or, if there is a clear and immediate danger to a specific person or persons, to that person or persons.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 11-8-95; R112-00, 1-17-2001)

Section 28 NAC 641B.350 is hereby amended to read as follows:

NAC 641B.350 Failure to appear. (NRS 641B.160)

1. If a party fails to appear at a hearing scheduled by the Board and no continuance has been requested or granted, the Board may hear testimony of witnesses who have appeared and proceed to consider the matter and dispose of it on the basis of the evidence before it.

2. Where, because of accident, sickness or other reasonable cause, a person fails to appear for a hearing or request a continuance thereof, he may, within a reasonable time but not more than ~~15~~ 30 days after the date originally set for the hearing, apply to the Board to reopen the proceedings. Upon finding the cause sufficient and reasonable, the Board will set a new time and place for hearing and give the person notice thereof. Witnesses who have previously testified may not be required to appear at the second hearing unless so directed by the Board.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88)

Section 29 NAC 641B.405 is hereby amended to read as follows:

NAC 641B.405 Petition for rehearing. (NRS 641B.160)

1. Within ~~15~~ 30 days after the Board has made a decision or issued an order, the aggrieved party may apply for a rehearing by filing a written petition setting forth the grounds for the rehearing. The only grounds for rehearing which will be considered by the Board are:
 - (a) Material mistake or fraud affecting the decision; or
 - (b) The discovery of previously unavailable material evidence.
2. The Board will act upon a petition for rehearing within 30 days after receiving it. If no action is taken by the Board within the 30-day period, the petition is deemed denied.

(Added to NAC by Bd. of Exam'rs for Social Workers, eff. 9-20-88; A 5-15-92)