

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

LCB File No. R103-23

January 24, 2024

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

AUTHORITY: §§ 1, 2, 4, 5, 7, 8, 17, 21, 22 and 24, NRS 641B.160; § 3, NRS 641B.160 and 641B.295; § 6, NRS 641B.130 and 641B.160; § 9, NRS 641B.160, 641B.225 and 641B.250; §§ 10 and 11, NRS 641B.160 and 641B.290; § 12, NRS 641B.160 and 641B.275; § 13, NRS 641B.160, 641B.295 and 641B.300; § 14, NRS 641B.160 and 641B.270; § 15, NRS 641B.160 and 641B.230; § 16, NRS 641B.160 and 641B.240; §§ 18-20, NRS 641B.160 and 641B.280, as amended by section 7 of Assembly Bill No. 267, chapter 202, Statutes of Nevada 2023, at page 1181; § 23, NRS 641B.160 and 641B.400.

A REGULATION relating to social workers; establishing requirements for licensure as a master social worker; prescribing procedures relating to the placement of a license on inactive status and reinstatement of such a license; making confidential certain personal information collected by the Board of Examiners for Social Workers; authorizing a licensed clinical social worker to perform certain tasks; revising requirements governing the examination of applicants for licensure; revising the time period within which a person may apply for the restoration of an expired license; revising provisions relating to provisional licensure; revising provisions governing internships; revising provisions governing continuing education; prohibiting a licensee from providing services through telehealth to a client outside the State of Nevada in certain circumstances; revising the circumstances under which a licensee must notify the Board of an event that may impact his or her ability to practice social work; revising provisions relating to professional incompetence; repealing the requirement that a person carry evidence of a license to practice social work; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Senate Bill No. 44 of the 2021 Legislative Session established master social worker as a new licensure category for social workers who possess a master's or doctoral degree in social work and have passed an examination. (Section 9 of chapter 522, Statutes of Nevada 2021, at page 3492 (NRS 641B.225)) Existing law authorizes a master social worker to: (1) engage in social work independently as part of an internship program to complete the supervised social work required for licensure as an independent social worker or a clinical social worker; and (2) supervise other persons engaging in the practice of social work. (NRS 641B.240) **Section 2** of

this regulation defines the term “licensed master social worker” for the purposes of the provisions of the Nevada Administrative Code regulating the practice of social work. **Sections 4 and 5** of this regulation add that term to the definitions of the terms “licensee” and “social worker,” respectively, thereby including master social workers within those terms. **Sections 8, 9, 13, 14 and 18** of this regulation expand the applicability of existing provisions governing provisional licensure, examinations, fees, licensure by endorsement and continuing education to include master social workers.

Existing law requires the Board of Examiners for Social Workers to adopt regulations prescribing the: (1) procedures for submitting an application to have a license placed on inactive status; and (2) procedures and terms upon which a person whose license has been placed on inactive status may have his or her license returned to active status. (NRS 641B.295) **Section 3** of this regulation prescribes such procedures. **Section 13** adds specific fees for the renewal of an inactive license.

Existing law requires the Board to maintain a list of the names and addresses of each person licensed to practice social work. (NRS 641B.130) Existing regulations authorize a person to obtain a copy of the list of names and professional addresses of each person licensed to practice social work. (NAC 641B.085) **Section 6** of this regulation provides that addresses, telephone numbers and electronic mail addresses of licensees on file with the Board are confidential.

Existing regulations establish the requirements for a licensed clinical social worker to make the certifications for emergency admission or involuntary court-ordered admission of a person to a mental health facility and the release of a person from emergency admission. (NAC 641B.093) Senate Bill No. 70 of the 2021 Legislative Session added a requirement that the Board adopt regulations establishing reasonable standards for the psychiatric training and experience necessary for a clinical social worker to be authorized to: (1) make a sworn statement or declaration for involuntary assisted outpatient treatment; and (2) perform the evaluation associated with such a sworn statement or declaration. (Section 73 of chapter 481, Statutes of Nevada 2021, at page 3115 (NRS 641B.160)) **Section 7** of this regulation authorizes a licensed clinical social worker who has the training and experience required for licensure as a clinical social worker to make such sworn statements or declarations and perform such evaluations. **Section 18** of this regulation makes conforming changes to continuing education requirements relating to such statements and evaluations.

Existing law requires an applicant for a license to engage in social work to pass an examination concerning his or her knowledge of the practice of social work. (NRS 641B.250) **Section 9** of this regulation revises the required examination for an applicant who holds a master’s degree in social work, including master social workers.

Existing regulations authorize an applicant for licensure to retake a failed examination every 90 days after the failed examination. (NAC 641B.105) **Section 9** authorizes an applicant to retake a failed examination less than 90 days after the date of the examination if the testing administrator provides a process allowing the applicant to do so.

Existing law authorizes a person whose license has expired to apply to the Board for restoration of the license. (NRS 641B.290) Existing regulations authorize a person whose license has expired to apply within 2 years after the date on which the license expired to regain the right to practice social work at the same level of licensure by applying for restoration of the license. (NAC 641B.110, 641B.111) **Sections 10 and 11** of this regulation reduce this period from 2 years to 1 year after the date on which the license expired. **Section 11** also removes a

requirement that an application for the restoration of an expired license be accompanied by evidence that the applicant passed the appropriate examination for licensure.

Existing law requires the Board, under certain circumstances, to grant a provisional license to a person to engage in social work as a social worker. (NRS 641B.275) **Section 12** of this regulation revises the requirements relating to provisional licenses. **Section 12** also removes a requirement that the holder of a provisional license to engage in social work practice under the supervision of a licensed social worker. **Section 13** replaces references to a repealed section of the Nevada Revised Statutes relating to expedited licensure by endorsement.

Existing law requires the Board to grant a license to engage in social work as an independent social worker or a clinical social worker if the applicant meets certain requirements. (NRS 641B.230, 641B.240) Existing regulations require an applicant for licensure as an independent social worker or clinical social worker to complete an internship in a program approved by the Board. Under existing regulations, the Board is authorized to withdraw its approval of a particular program for good cause, including the inability of the program to sustain after 2 full, consecutive calendar quarters, the minimum hours necessary to complete the program as required. (NAC 641B.140, 641B.150) **Sections 15 and 16** of this regulation change this timeframe from 2 full, consecutive calendar quarters to 2 full, consecutive 6-month reporting periods.

Under existing regulations, an applicant for licensure as an independent social worker who is currently licensed in Nevada or elsewhere as a social worker or associate in social work may apply to the Board for approval and acceptance of supervised, postgraduate hours completed in an agency that provides social work services if the applicant meets certain conditions. Existing regulations also authorize an applicant who is not licensed as a social worker or an associate social worker to submit certain work hours for approval and acceptance toward the hours of supervision that are required for licensure if the Board determines that the work experience meets certain conditions. (NAC 641B.140) **Section 15** eliminates these provisions.

Existing regulations provide that, under certain circumstances, an applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in another jurisdiction within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work if: (1) a licensing board that accepted the work submits verification of the hours of work to the Board; and (2) 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 such work in the State of Nevada. (NAC 641B.150) **Section 16** eliminates the latter requirement. **Sections 15 and 16** also prohibit a person who is participating in an approved internship as an applicant for licensure as an independent social worker or a clinical social worker from: (1) holding a postgraduate internship in another jurisdiction; or (2) engaging in the practice of social work outside the State of Nevada.

Section 17 of this regulation removes a requirement that a supervisor of an intern meet in person with the intern at the site at which the intern practices social work at least once every month.

Existing law requires the Board to establish certain continuing education requirements relating to cultural competency and diversity, equity and inclusion as a prerequisite for the renewal of a license. (NRS 641B.280, as amended by section 7 of Assembly Bill No. 267, chapter 202, Statutes of Nevada 2023, at page 1181) **Section 18** establishes such continuing education requirements. **Section 19** of this regulation requires a licensee's application for

renewal, beginning with the second such application, to include the certificate evidencing proof of compliance with those continuing education requirements.

Existing regulations authorize the Board to waive certain continuing education requirements upon the request of a licensee who is at least 65 years of age and is retired from the practice of social work. (NAC 641B.187) **Section 18** lowers the minimum age for such a waiver from 65 years of age to 60 years of age.

Existing regulations generally require the Board to approve a program of continuing education for social workers. However, existing regulations provide that a course or program approved by the National Association of Social Workers or the Association of Social Work Boards is deemed approved by the Board, and a provider or participant is not required to submit such a course or program to the Board for approval. (NAC 641B.189) **Section 20** of this regulation provides that a course or program approved by a national behavioral health board, certain licensing boards in this State or a nationally recognized behavioral health association is also deemed approved by the Board. **Sections 20 and 21** of this regulation change references to the National Association for Social Workers to instead refer to the National Association of Social Workers to reflect the current name of the association.

Section 22 of this regulation prohibits a licensee from providing services through telehealth to a client located outside this State unless the licensee is authorized to do so under the laws of the jurisdiction where the client is located.

Existing regulations, under certain circumstances, require a licensee to notify the Board in writing within 30 days after an event that may impact his or her ability to practice social work. (NAC 641B.200) **Section 22** requires a licensee to notify the Board when: (1) the licensee has a sanction, restriction or disciplinary action filed against him or her by an insurer, other third party or regulatory entity; or (2) the licensee is arrested.

Existing regulations interpret the term “professional incompetence” to include malpractice and gross negligence. (NAC 641B.225) **Section 23** of this regulation expands the meaning of “professional incompetence” to include impairment under certain circumstances.

Section 24 of this regulation repeals a requirement that a person carry evidence of a license to practice social work any time the person is engaged in such practice.

Section 1. Chapter 641B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Licensed master social worker” means a person licensed by the Board pursuant to NRS 641B.225 to engage in the practice of social work as a master social worker.*

Sec. 3. 1. *An application to place a license on inactive status pursuant to NRS 641B.295 must be complete before the Board will process the application. The Board will consider such an application to be complete if:*

(a) The application is submitted on a form provided by the Board; and

(b) All the information requested has been provided in accordance with the instructions on the form.

2. After the end of the period prescribed in subsection 3 of NRS 641B.295, an inactive license shall be deemed to be expired. If the licensee wishes to practice social work in this State after the expiration of the license, the licensee must submit a new application for licensure pursuant to NAC 641B.090 to 641B.105, inclusive.

3. A license that has been placed on inactive status may be reinstated to active status before the end of the period prescribed in subsection 3 of NRS 641B.295 if the licensee submits a completed application to the Board. The Board will consider such an application to be complete if:

(a) The application is submitted on a form provided by the Board;

(b) The application includes proof of compliance with the continuing education requirements set forth in paragraph (a) or (b), as applicable, of subsection 1 of NAC 641B.187 within the 12 months immediately preceding the filing of an application to reinstate the license; and

(c) All the information requested has been provided in accordance with the instructions on the form.

Sec. 4. NAC 641B.045 is hereby amended to read as follows:

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

Sec. 5. NAC 641B.065 is hereby amended to read as follows:

641B.065 “Social worker” means a licensed associate in social work or a person holding a license or provisional license as a licensed social worker, *a licensed master social worker*, a licensed independent social worker or a licensed clinical social worker unless the context specifically refers solely to a person licensed as a licensed social worker pursuant to NRS 641B.220.

Sec. 6. NAC 641B.085 is hereby amended to read as follows:

641B.085 1. A copy of the list of names and professional addresses of each person licensed pursuant to this chapter may be obtained from the Board upon written request and payment of the cost of reproduction.

2. Each licensee shall furnish the Board with written notice of his or her home and professional address within 30 days after moving.

3. The addresses, telephone numbers and electronic mail addresses of licensees on file with the Board are confidential and may not be obtained pursuant to subsection 1.

Sec. 7. NAC 641B.093 is hereby amended to read as follows:

641B.093 1. A licensed clinical social worker must apply to the Board for authorization to make the certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS *433A.162*, 433A.170, 433A.195 and 433A.200.

2. The application required pursuant to subsection 1 must be submitted to the Board on a form approved by the Board and must include, without limitation, evidence which is satisfactory to the Board that the applicant:

(a) Has not had a lapse in his or her license as a clinical social worker or his or her practice of social work as a clinical social worker for a minimum of 5 years;

(b) Does not have a professional license or credential that is currently revoked or suspended by an agency of another state and is not currently subject to other disciplinary action by the Board or with regard to a professional license or registration that was issued by another state; and

(c) Has at least 3 years' experience in a mental health setting in the practice of clinical social work or the supervision of clinical social work. The experience in a mental health setting must have been obtained after the applicant was licensed as a clinical social worker.

3. A licensed clinical social worker who is authorized by the Board to make the certifications for an emergency admission, release from an emergency admission or involuntary court-ordered admission described in NRS **433A.162**, 433A.170, 433A.195 and 433A.200, and who is not otherwise covered under a policy of professional liability insurance shall maintain a policy of professional liability insurance.

4. A licensed clinical social worker who has the training and experience required by this chapter and chapter 641B of NRS for licensure as a clinical social worker, including, without limitation, licensure by endorsement, may make the sworn statement or declaration and perform the evaluation for assisted outpatient treatment described in NRS 433A.335.

Sec. 8. NAC 641B.100 is hereby amended to read as follows:

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

(a) A licensed social worker;

(b) A ***licensed master social worker***;

(c) A licensed independent social worker; or

~~***(e)***~~ ***(d)*** A licensed clinical social worker,

↪ must cause the college or university from which he or she graduated to forward directly to the Board a certified transcript of his or her educational course work which sets forth the degree awarded.

2. A graduate of a foreign social work program must:

(a) Submit the appropriate forms and documentation to the Council on Social Work Education for evaluation of foreign credentials; and

(b) If the Council on Social Work Education determines that his or her foreign program was equivalent to a program that it would accredit in the United States, submit to the Board a copy of his or her transcript and cause the documentation from the Council on Social Work Education to be submitted to the Board.

Sec. 9. NAC 641B.105 is hereby amended to read as follows:

641B.105 1. Except as otherwise provided in NAC 641B.090 and 641B.126, an applicant for licensure as a licensed social worker, *licensed master social worker*, licensed independent social worker or licensed clinical social worker must pass the appropriate examination, as described in subsection 2, given by the Association of Social Work Boards or another testing administrator that has been approved by the Board.

2. An applicant for licensure as:

(a) A licensed social worker must pass the Bachelors 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 pass the ~~{Bachelors Examination or}~~ Masters Examination of the Association of Social Work Boards.

(b) *A licensed master social worker must pass the Masters Examination of the Association of Social Work Boards.*

(c) A licensed independent social worker must pass the Advanced Generalist Examination of the Association of Social Work Boards.

~~(e)~~ (d) A licensed clinical social worker must pass 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 or she possesses the necessary requirements regarding age, character, education and, if applicable for the relevant license, supervisory experience before taking the examination. A student of social work currently enrolled in his or her last semester may take the examination before the award of his or her 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. An applicant for initial licensure as a licensed social worker *or licensed master social worker* who is required to pass an examination pursuant to this section must do so within ~~6~~ 9 months after satisfying the requirements set forth in subsection 3.

5. 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.

6. ~~(A)~~ *Except as otherwise provided in subsection 7, a* failed examination:

(a) For initial licensure as a licensed social worker may be retaken every 90 days after the failed examination until the application expires pursuant to NAC 641B.090.

(b) By a licensee in an internship undertaken pursuant to NAC 641B.140 or 641B.150 may be retaken every 90 days after the failed examination and thereafter.

7. If a testing administrator provides a process that allows an applicant to retake a failed examination less than 90 days after the failed examination pursuant to subsection 6, an applicant may retake the examination in accordance with that process.

Sec. 10. NAC 641B.110 is hereby amended to read as follows:

641B.110 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) Except as otherwise provided in subsection 4, 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 or received 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. Except as otherwise provided in this subsection, an application for renewal on which action is deferred pending the receipt by the Board of additional information concerning the application will expire if the additional information is not received by the Board within 21 days after the Board requests the additional information. The application will not expire if the Board, upon written request by an applicant, allows additional time as the Board deems reasonable and necessary to allow the applicant to gather the requested information. The license to which such an application pertains will not become delinquent or expire before the Board approves or denies the application.

5. A person whose license has expired may, within ~~2 years~~ *1 year* after the date on which the 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 ~~2 years~~ *1 year* 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 or her license and allows the license to expire, the Board will not consider the license to be delinquent for the purposes of NRS 641B.290.

Sec. 11. NAC 641B.111 is hereby amended to read as follows:

641B.111 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 ~~2 years~~ *1 year* 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 4, an application for restoration of an expired license must be accompanied by:

(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;

(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 report of criminal history;

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

(e) Evidence that ~~f~~

~~— (1) The appropriate examination for licensure was passed by the applicant; or~~

~~— (2) The~~ *the* licensee has maintained an equivalent license from another state in good standing.

3. If the State Controller has notified the Board pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency which has been assigned to the State Controller for collection pursuant to NRS 353C.195, the Board will not restore the applicant's expired license unless the Board receives notification from the State Controller that the applicant has:

(a) Satisfied the debt;

(b) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(c) Demonstrated that the debt is not valid.

4. 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 continuing education hours required pursuant to NAC 641B.187.

5. If the applicant has been the subject of a disciplinary action by the Board or any other licensing agency in this State or any other jurisdiction, the Board may hold a hearing on an application for the restoration of an expired license to consider, without limitation:

(a) The possible refusal to restore the expired license; and

(b) The restoration of the expired license and the imposition of disciplinary action.

Sec. 12. NAC 641B.112 is hereby amended to read as follows:

641B.112 1. *For purposes of paragraph (a) of subsection 1 of NRS 641B.275, an applicant must cause the college or university from which he or she graduated to forward directly to the Board:*

(a) Evidence of graduation from a program accredited by the Council on Social Work Education; and

(b) An official transcript for the educational coursework that also sets forth the degree awarded.

2. For purposes of paragraph (b) of subsection 1 of NRS 641B.275:

(a) An applicant must cause the college or university to forward directly to the Board the evidence of enrollment.

(b) The evidence of enrollment must include evidence, that is satisfactory to the Board, of formal admission to the program of study and ~~of~~ satisfactory ~~progress~~ *completion of two*

semesters or four quarters of the program toward the degree, indicating that the applicant will be able to obtain the degree in social work within 3 years.

~~12.1~~ 3. A provisional license issued pursuant to paragraph (b) of subsection 1 of NRS 641B.275 is no longer valid:

(a) If, upon request of the Board, the licensee fails to cause the college or university to forward directly to the Board evidence of enrollment that complies with subsection ~~11.1~~ 2.

(b) If the licensee fails to renew his or her provisional license by:

(1) Submitting to the Board the application for renewal on a form supplied by the Board and the appropriate fee; and

(2) Causing the college or university to forward directly to the Board evidence of enrollment that complies with subsection ~~11.1~~ 2.

(c) Three years after:

(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.

~~13.1~~ 4. A person is not eligible for the issuance of a provisional license pursuant to paragraph (a) of subsection 1 of NRS 641B.275 if he or she has failed the prescribed examination within 5 years immediately preceding the date on which he or she submits his or her application.

~~14.1~~ 5. 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; or

(b) The provisional licensing period of 90 days expires,

↳ whichever occurs first.

~~15.1~~ 6. The holder of a provisional license may be subject to disciplinary action pursuant to NRS 641B.400, including, without limitation, the revocation of his or her license.

~~16.1~~ 7. A provisional license that has been invalidated or revoked may not be reinstated or restored. A person who has obtained a provisional license is not eligible for a second provisional license.

~~17.—The holder of a provisional license to engage in social work, to engage in social work as a licensed independent social worker or to engage in social work as a licensed clinical social worker shall practice under the supervision of a licensed social worker who is:
—(a) Licensed pursuant to chapter 641B of NRS; and
—(b) Authorized pursuant to the provisions of chapter 641B of NRS to practice in the setting in which the holder of the provisional license intends to practice.~~

Sec. 13. NAC 641B.115 is hereby amended to read as follows:

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

1. Licensed associate in social work:

(a) Annual renewal of license , *including, without limitation, an inactive*

license\$125.00

(b) Restoration of revoked license 150.00

(c) Restoration of expired license 200.00

(d) Renewal of delinquent license , *including, without limitation, an inactive*

license 100.00

2. Licensed social worker ~~1.1~~ *or licensed master social worker:*

(a) Initial application\$50.00

(b) Initial issuance of license other than license by endorsement.....	125.00
(c) Annual renewal of license , <i>including, without limitation, an inactive</i> <i>license</i>	125.00
(d) Restoration of revoked license	150.00
(e) Restoration of expired license	200.00
(f) Renewal of delinquent license , <i>including, without limitation, an inactive</i> <i>license</i>	100.00
(g) Initial <i>Except as otherwise provided in paragraph (h), initial</i> issuance of license by endorsement pursuant to NRS 641B.271 <i>641B.272</i>	125.00
(h) Initial issuance of license by endorsement pursuant to NRS 641B.272 <i>for</i> <i>a person described in subsection 2 of NRS 641B.300</i>	62.50
(i) Initial issuance of provisional license	93.75
(j) Annual renewal of provisional license	93.75
3. Licensed independent social worker and licensed clinical social worker:	
(a) Initial application.....	\$50.00
(b) Initial issuance of license other than license by endorsement.....	125.00
(c) Annual renewal of license , <i>including, without limitation, an inactive</i> <i>license</i>	187.50
(d) Restoration of revoked license	150.00
(e) Restoration of expired license	200.00
(f) Renewal of delinquent license , <i>including, without limitation, an inactive</i> <i>license</i>	100.00
(g) Initial <i>Except as otherwise provided in paragraph (h), initial</i> issuance	

of license by endorsement pursuant to NRS 641B.271 641B.272	125.00
(h) Initial issuance of license by endorsement pursuant to NRS 641B.272 <i>for</i> <i>a person described in subsection 2 of NRS 641B.300</i>	62.50
(i) Initial issuance of provisional license	93.75

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

Sec. 14. NAC 641B.126 is hereby amended to read as follows:

641B.126 1. An applicant for licensure as a social worker, *master social worker*, independent social worker or clinical social worker who holds, in the District of Columbia or any state or territory of the United States, a corresponding and valid license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board to engage in the practice of social work as a social worker, *master social worker*, independent social worker or clinical social worker in this State by the Board without taking the examination prescribed by the Board.

2. An applicant for licensure by endorsement pursuant to this section must submit to the Board:

- (a) An application on a form prescribed by the Board;
- (b) The applicable fee; and
- (c) Except as otherwise provided in subsection 3, proof that the license issued by the District of Columbia or the other state or territory or any other license or credential issued to the applicant by the District of Columbia or another state or territory:
 - (1) Is currently valid and in good standing; and

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

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

Sec. 15. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except for an applicant for licensure by endorsement, 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 3, the~~ *The* required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

(1) The inability of a program to sustain, after 2 full, consecutive ~~calendar quarters,~~ *6-month reporting periods*, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. *While participating in an approved internship in this State, pursuant to this section, an intern shall not:*

(a) Hold a postgraduate internship in another jurisdiction; or

(b) Engage in the practice of social work outside this State.

3. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

~~{3. Upon application to the Board by an applicant who is currently a social worker or an associate in social work licensed in this State, the District of Columbia or any other state or territory of the United States, the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:~~

- ~~—(a) Has been continually licensed as a social worker for the immediately preceding 10 years;~~
- ~~—(b) Provides evidence satisfactory to the Board of continuous supervision by a licensed master’s level social worker for at least 5 of the immediately preceding 10 years; and~~
- ~~—(c) Has passed an examination recognized and approved by the Board.~~
- ~~—4. The Board will approve work submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3 and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if the Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.~~

~~—5.]~~ 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 approved by the Board. The

Board will consider a person to be under the supervision of an agency if:

- (1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;
- (2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;
- (3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

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

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

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

Sec. 16. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except for an applicant for licensure by endorsement, 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 ~~5.1~~ 6, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

(1) An examination, if deemed necessary by the Board;

(2) An appropriate setting, as determined by the Board;

(3) Supervision of the applicant by a supervisor who has been approved by the Board; and

(4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, without limitation:

(1) The inability of a program to sustain, after 2 full, consecutive ~~calendar quarters,~~ **6-month reporting periods**, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. ***While participating in an approved internship in this State, pursuant to this section, an intern shall not:***

(a) Hold a postgraduate internship in another jurisdiction; or

(b) Engage in the practice of social work outside this State.

3. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

~~3.1~~ 4. 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 32 hours per week, not to exceed 416

hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

~~4.1~~ 5. At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be supervised by a licensed clinical social worker approved by the Board. The remaining hours required by subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.

~~5.1~~ 6. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in the District of Columbia or another state or territory of the United States within the immediately preceding 3 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work if ~~f:~~

~~—(a) A1~~ a licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board. ~~f: and~~

~~—(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.~~

~~6.1~~ 7. The following activities do not qualify as supervised, postgraduate clinical social work:

- (a) Instruction in techniques or procedures through classes, workshops or seminars.

- (b) Orientational programs.
- (c) Role-playing as a substitute for actual social work.
- (d) Psychotherapy of the intern himself or herself.
- (e) Practice which is not under the supervision of an agency approved by the Board. 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.

Sec. 17. NAC 641B.160 is hereby amended to read as follows:

641B.160 1. A supervisor of an intern is responsible for the practice of social work by the intern.

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 or her professional identity;

(d) The intern has gained the skills required to manage his or her 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 or her area of practice; and

(h) The intern provides services that are culturally and linguistically appropriate.

3. A supervisor of an intern shall:

(a) Except as otherwise provided in subsection 4, 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 or her practice;

(b) Unless waived by the Board for good cause, if the intern practices social work at a site at which the supervisor does not practice social work, visit the site at least once every month and as necessary consult with the on-site supervisor regarding the practice of social work by the intern;

(c) Prepare and submit to the Board progress reports every 6 months 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 or her 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. A supervisor of an intern may use telecommunication technologies to supervise an intern remotely, but the supervisor must ~~meet in person with the intern at the site at which the intern practices social work at least once every month.~~ *conduct weekly meetings with the intern either in person or using such technologies.*

5. Not more than 24 hours of the total supervision of the intern may be in the form of group supervision.

6. 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;
- (b) The notes of the intern; and
- (c) Process recordings prepared by the intern.

7. The Board may refuse to accept a progress report or final report submitted by a supervisor of an intern as required pursuant to paragraph (c) of subsection 3 if the report:

- (a) Does not satisfy the reporting requirements for the forms provided by the Board;
- (b) Does not include such additional information concerning the internship as requested by the Board; or
- (c) Is received by the Board after the date on which the report is due.

8. If the Board refuses to accept a progress report or final report pursuant to subsection 7, the Board will disallow credit for all hours of internship as reported on the report.

9. The Board will, if it deems appropriate, require additional hours of internship and supervision for an intern who fails to demonstrate the degree of competency expected at the end of an internship.

10. 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 (c) of subsection 3 regarding the progress of each intern under his or her supervision;
- (d) Without good cause or approval by the Board, fails to submit two consecutive reports as required pursuant to paragraph (c) of subsection 3;
- (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.

11. A person whose approval to supervise an intern has been withdrawn by the Board because he or she is subject to an order issued by the Board for disciplinary action may reapply for approval to supervise an intern after satisfactorily completing the requirements of the order.

12. If the Board withdraws its approval of the person supervising an intern:

- (a) The Board may disallow credit for all hours of internship as reported on progress reports and final reports submitted by the supervisor pursuant to paragraph (c) of subsection 3; and
- (b) The intern may apply to the Board for the:
 - (1) Assignment of another approved supervisor; and
 - (2) Approval of a new internship agreement and plan of supervision.

13. As used in this section, “process recording” means a written record of an interaction with a client.

Sec. 18. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in subsection 3, during each reporting period:

(a) A licensee who is a licensed associate in social work , ~~for~~ a licensed social worker *or a licensed master social worker* must complete at least 30 continuing education hours, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications ~~for an emergency admission, release from an emergency admission or involuntary court-ordered admission~~ , *sworn statements, declarations and evaluations* described in NRS *433A.162*, *433A.170*, *433A.195* , ~~and~~ *433A.200* ~~;~~ *and 433A.335*, scope of practice, professional conduct, standards of care or impaired professionals, or any combination thereof;

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; ~~and~~

(3) *Six hours must relate to cultural competency and diversity, equity and inclusion and must be completed every 2 years as required pursuant to NRS 641B.280, as amended by section 7 of Assembly Bill No. 267, chapter 202, Statutes of Nevada 2023, at page 1181; and*

(4) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education, of which:

(1) Four hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality, dual relationships, documentation, billing, fraud, telehealth, supervision, social media, sexual harassment, exploitation of clients, managing job stress, social work laws and regulations, cultural competency and racial biases, risk management, mandated reporting, certifications ~~for an emergency admission, release from an emergency admission or involuntary court-ordered admission~~, *sworn statements, declarations and evaluations* described in NRS *433A.162*, *433A.170*, *433A.195*, ~~and~~ *433A.200* ~~and~~ *433A.335*, scope of practice, professional conduct, standards of care or impaired professionals, or any combination thereof;

(2) Two hours must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that has been approved by the Board, and must be completed every 2 years as required pursuant to NRS 641B.280; and

(3) *Six hours must relate to cultural competency and diversity, equity and inclusion and must be completed every 2 years as required pursuant to NRS 641B.280, as amended by section 7 of Assembly Bill No. 267, chapter 202, Statutes of Nevada 2023, at page 1181; and*

(4) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. Except as otherwise provided in subsection 6:

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least ~~65~~ 60 years of age and is retired from the practice of social work.

(b) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period if it finds good cause to do so.

(c) The Board may waive the continuing education hours required pursuant to subsection 1 for a reporting period during which a licensee is enrolled in a program leading to:

(1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

(2) A doctoral degree in social work.

↪ If the Board waives the continuing education requirements for a reporting period pursuant to this paragraph, the licensee must submit to the Board proof of such enrollment during the reporting period for which the continuing education requirements are waived.

4. A licensee may not take a program of continuing education which presents the same material he or she took during the immediately preceding reporting period.

5. A licensee is subject to disciplinary action if he or she:

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

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

6. The Board will not:

(a) Waive the continuing education concerning suicide prevention and awareness which is required pursuant to ~~{subparagraph}~~ :

(1) Subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable; or

(2) Subparagraph (3) of paragraph (a) or subparagraph (3) of paragraph (b) of subsection 1, as applicable; or

(b) Renew the license of a licensee who has not completed such continuing education.

Sec. 19. NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided in subsection 3 of NAC 641B.187, beginning with a licensee's second application for renewal of his or her license, and every 2 years thereafter, the licensee's application for renewal must be accompanied by:

(a) An affidavit evidencing the completion of the continuing education hours required pursuant to NAC 641B.187 during the reporting period immediately preceding the date of the application; and

(b) The ~~{certificate}~~ *certificates* provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to ~~{subparagraph}~~ *subparagraphs* (2) and (3) of paragraph (a) or ~~{subparagraph}~~ *subparagraphs* (2) and (3) of paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the 2 years immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.

2. The Board will randomly select affidavits and request proof from the affiant of the authenticity of the information contained therein.

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

Sec. 20. NAC 641B.189 is hereby amended to read as follows:

641B.189 1. Except as otherwise provided in subsection 3, a program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. Except as otherwise provided in this subsection, to obtain the approval of the Board, a continuing education program must provide independent verification that the licensee has successfully completed the program. A continuing education program may be in the form of:

(a) Workshops or conferences, including, without limitation, live or recorded presentations delivered using electronic means or telecommunication technologies;

(b) Except as otherwise provided in paragraph (d) of subsection 4, online learning courses;

(c) Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board, not to exceed 15 hours;

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

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

(f) Attendance by the licensee at a meeting, workshop or public hearing conducted by the Board, not to exceed 4 hours towards the ethics requirement; or

(g) Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.

2. A licensee may complete the required hours of continuing education with any combination of the actions set forth in paragraphs (a) to (g), inclusive, of subsection 1.

3. A course or program that has been approved by the National Association ~~for~~ of Social Workers , ~~for~~ the Association of Social Work Boards , *a national behavioral board, any board created by chapters 641 to 641D, inclusive, of NRS, or a nationally recognized behavioral health association* shall be deemed approved by the Board and is not required to be submitted to the Board by the provider or participant for approval pursuant to NAC 641B.190, 641B.191 or 641B.192.

4. The following courses and programs will be deemed unacceptable as a program of continuing education:

(a) An orientation program for new employees.

(b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.

(c) A program for self-improvement.

(d) An online learning course which does not require participants to complete an examination after completing the course and for which there is no independent verification of successful completion.

Sec. 21. NAC 641B.192 is hereby amended to read as follows:

641B.192 A licensee may request the approval of a course or program which has not been:

1. Submitted for approval by a provider; or

2. Approved by the National Association ~~for~~ of Social Workers or the Association of Social Work Boards,

↳ by submitting to the Board an application containing the information required by the Board for its review pursuant to NAC 641B.190. The course or program is subject to the same criteria used to evaluate the course or program submitted by a provider seeking approval.

Sec. 22. NAC 641B.200 is hereby amended to read as follows:

641B.200 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 or her own professional qualifications, competency, affiliations and licenses, or those of the institutions and organizations with which he or she is associated. A licensee shall provide accurate information concerning his or her credentials, education, training and experience upon request from a client or potential client.

3. If a licensee holds more than one occupational license, he or she shall disclose to his or her 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 or her from practicing safely.

5. A licensee shall not use his or her 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 or her 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. Except as otherwise provided by law, 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. If a licensee is supervising the work of an intern or employee, any billing or documentation of the work must clearly show that the licensee supervised the work and did not personally render 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 or her 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 or she cannot perform the services competently. A licensee may assume duties and responsibilities within the practice of social work, except for the duties and responsibilities described in NAC 641B.093, for which he or she cannot currently perform the services competently if he or she prepares a reasonable written plan demonstrating the manner in which he or she will acquire the competence necessary to perform the services competently. Such a plan must be completed under the supervision of or with the consultation of a professionally qualified person who can demonstrate competency in the area of study. 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 or her 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 or her clients which:

(a) Sets forth his or her assessment of the problems, issues or concerns of the client, the course of treatment or plan of care for the client and the scope of the licensee's services to that client, including, without limitation, any interventions, consultations or mandated reporting; 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;

(3) A record of each contact with the client which includes the date and time of the contact; and

(4) All other documents required by law or legal documents regarding 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.

(c) Bill for services not rendered or supported by documentation.

(d) 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 in accordance with NRS 629.051.

17. 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.

18. 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.

19. A licensee shall not provide services through telehealth to a client located outside the State of Nevada unless the licensee is authorized to do so under the laws of the jurisdiction where the client is located.

~~19.~~ 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 or herself out as having expertise in a field in which he or she is not qualified.

~~20.~~ 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.

~~21.~~ 22. A licensee shall notify the Board in writing within 30 days after:

(a) An action is taken against a professional 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;~~ *The licensee has a sanction, restriction or disciplinary action filed against him or her by an insurer, other third party or regulatory entity;*

(c) The licensee is *arrested for*, charged with or convicted of a criminal offense other than a misdemeanor traffic offense, including, without limitation, driving under the influence of alcohol or a controlled substance;

(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;

(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; or

(f) The licensee has entered into a program for the treatment of a substance use disorder or any other behavioral disorder that affects his or her ability to deliver essential social work services.

~~{22.}~~ **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.

~~{23.}~~ **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.

~~{24.}~~ **25.** A licensee shall not knowingly obstruct an investigation conducted by the Board.

26. *As used in this section:*

(a) *“Insurer” has the meaning ascribed to it in NRS 679A.100.*

(b) *“Third party” means any insurer, governmental entity or other organization providing health coverage or benefits in accordance with state or federal law.*

Sec. 23. NAC 641B.225 is hereby amended to read as follows:

641B.225 1. “Professional incompetence” as that term is used in NRS 641B.400 will be interpreted by the Board to mean a lack of knowledge, skill or ability in discharging a professional obligation and includes malpractice , ~~and~~ gross negligence ~~+~~ ***and impairment.***

2. For the purposes of this section, “malpractice” in the practice of social work means conduct which falls below the standard of care required of a licensee under the circumstances and which proximately causes damage to a client.

3. For the purposes of this section, “gross negligence” in the practice of social work means conduct which represents an extreme departure from the standard of care required of a licensee under the circumstances and which proximately causes damage to a client.

4. For purposes of this section, “impairment” in the practice of social work means the failure of a licensee to act in a manner consistent with the established or customary standard of care required of a licensee, with or without good cause, due to the physical, mental or emotional condition of a licensee.

Sec. 24. NAC 641B.075 is hereby repealed.

TEXT OF REPEALED SECTION

641B.075 Evidence of license. (NRS 641B.160) Any time a person engages in the practice of social work, the person shall carry evidence that is satisfactory to the Board that he or she holds a license issued by the Board.