

SENATE BILL NO. 61—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

(ON BEHALF OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS)

PREFILED DECEMBER 15, 2010

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Makes various changes relating to social work.
(BDR 54-506)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to social work; providing for licensure of certain persons as masters social workers; recognizing degrees in social work issued by foreign colleges and universities under certain circumstances; authorizing the Board of Examiners for Social Workers to refuse to issue licenses under certain circumstances; requiring members of the staff of the Board to report certain acts committed by licensees; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Board of Examiners for Social Workers to license
2 persons who, depending on their education and experience, meet the qualifications
3 as an associate in social work, a social worker, an independent social worker or a
4 clinical social worker. (NRS 641B.210-641B.240) **Section 2** of this bill requires the
5 Board to issue a license as a masters social worker to a person who possesses
6 certain preliminary qualifications, holds a master's degree in social work and
7 passes an examination prescribed by the Board. A person licensed as a masters
8 social worker must comply with existing provisions concerning the discipline of
9 persons engaged in social work and is responsible for the payment of fees related to
10 licensure.

11 **Section 3** of this bill sets forth the documentation that must be submitted to the
12 Board if an applicant for a license was issued a degree by a college or university
13 located in a foreign country.

14 **Section 8** of this bill authorizes the Board to refuse to issue a license to an
15 applicant who, in addition to the grounds set forth in existing law, has committed
16 any act which constitutes grounds for initiating disciplinary action by the Board or



17 has been convicted of or entered a plea of guilty, guilty but mentally ill or nolo
18 contendere to a crime that demonstrates that the applicant is unfit to practice social
19 work.

20 **Section 10** of this bill requires an employee of the Board who becomes aware
21 that a licensee may have engaged in activities that would constitute grounds for
22 disciplinary action to report such facts and information to the Board.

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

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

3 **Sec. 2. 1.** *The Board shall grant a license to engage in*
4 *social work as a masters social worker to any applicant who*
5 *possesses the preliminary qualifications set forth in NRS 641B.200*
6 *and who:*

7 (a) *Possesses a master's degree in social work from a college*
8 *or university:*

9 (1) *Accredited by the Council on Social Work Education or*
10 *which is a candidate for such accreditation; or*

11 (2) *Located in a foreign country if the application includes*
12 *the documentation required by section 3 of this act.*

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

14 2. *A person licensed as a masters social worker may:*

15 (a) *Engage in independent social work or clinical social work*
16 *as part of an internship program approved by the Board to*
17 *complete the 3,000 hours of supervised, postgraduate social*
18 *work required for licensure as an independent social worker*
19 *pursuant to NRS 641B.230 or a clinical social worker pursuant to*
20 *NRS 641B.240;*

21 (b) *Engage in clinical social work within an agency and under*
22 *the supervision of a clinical social worker, with the approval of the*
23 *Board; and*

24 (c) *Supervise other persons engaging in the practice of social*
25 *work.*

26 **Sec. 3.** *If an applicant for a license to engage in social work*
27 *is a graduate of a college or university located in a foreign*
28 *country, the application must include:*

29 1. *Proof that the applicant has received the degree of social*
30 *work or its equivalent, as determined by the Board. The proof of*
31 *the degree of social work or its equivalent must be submitted*
32 *directly to the Board by the college or university. If proof of the*
33 *degree is unavailable from the college or university that granted*
34 *the degree, the Board may accept proof from any other source*
35 *specified by the Board.*



1 **2. A written statement or other proof from the Council on**
2 **Social Work Education recognizing that the degree is equivalent**
3 **to a degree issued by a college or university accredited by the**
4 **Council on Social Work Education.**

5 **Sec. 4.** NRS 641B.206 is hereby amended to read as follows:

6 641B.206 1. In addition to any other requirements set forth in
7 this chapter:

8 (a) An applicant for the issuance of a license to engage in social
9 work as an associate in social work, a social worker, **a masters**
10 **social worker**, an independent social worker or a clinical social
11 worker shall include the social security number of the applicant in
12 the application submitted to the Board.

13 (b) An applicant for the renewal of a license to engage in social
14 work as an associate in social work or the issuance or renewal of a
15 license to engage in social work as a social worker, **a masters social**
16 **worker**, an independent social worker or a clinical social worker
17 shall submit to the Board the statement prescribed by the Division of
18 Welfare and Supportive Services of the Department of Health and
19 Human Services pursuant to NRS 425.520. The statement must be
20 completed and signed by the applicant.

21 2. The Board shall include the statement required pursuant to
22 subsection 1 in:

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

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

26 3. A license to engage in social work as an associate in social
27 work, a social worker, **a masters social worker**, an independent
28 social worker or a clinical social worker may not be issued or
29 renewed by the Board if the applicant:

30 (a) Fails to submit the statement required pursuant to subsection
31 1; or

32 (b) Indicates on the statement submitted pursuant to subsection
33 1 that the applicant is subject to a court order for the support of a
34 child and is not in compliance with the order or a plan approved by
35 the district attorney or other public agency enforcing the order for
36 the repayment of the amount owed pursuant to the order.

37 4. If an applicant indicates on the statement submitted pursuant
38 to subsection 1 that the applicant is subject to a court order for the
39 support of a child and is not in compliance with the order or a plan
40 approved by the district attorney or other public agency enforcing
41 the order for the repayment of the amount owed pursuant to the
42 order, the Board shall advise the applicant to contact the district
43 attorney or other public agency enforcing the order to determine the
44 actions that the applicant may take to satisfy the arrearage.



1 **Sec. 5.** NRS 641B.220 is hereby amended to read as follows:

2 641B.220 1. The Board shall grant a license to engage in
3 social work as a social worker to any applicant who possesses the
4 preliminary qualifications set forth in NRS 641B.200 and who:

5 (a) Possesses a baccalaureate degree or master's degree in social
6 work from a college or university ~~accredited~~ :

7 (1) *Accredited* by the Council on Social Work Education or
8 which is a candidate for such accreditation ~~+~~ ; or

9 (2) *Located in a foreign country if the application includes*
10 *the documentation required by section 3 of this act.*

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

12 2. The Board shall grant a license to engage in social work as a
13 social worker to an applicant licensed as an associate in social work
14 who:

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

17 (b) Possesses a baccalaureate degree or master's degree in a
18 related field, or has completed equivalent course work in a related
19 field;

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

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

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

26 **Sec. 6.** NRS 641B.230 is hereby amended to read as follows:

27 641B.230 1. The Board shall grant a license to engage in
28 social work as an independent social worker to any applicant who
29 possesses the preliminary qualifications set forth in NRS 641B.200
30 and who:

31 (a) Possesses a master's or doctoral degree in social work from a
32 college or university ~~accredited~~ :

33 (1) *Accredited* by the Council on Social Work Education or
34 which is a candidate for such accreditation ~~+~~ ; or

35 (2) *Located in a foreign country if the application includes*
36 *the documentation required by section 3 of this act.*

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

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

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

41 (a) Engage in social work independently or within an agency;
42 and

43 (b) Supervise other persons engaging in the practice of social
44 work.



1 **Sec. 7.** NRS 641B.240 is hereby amended to read as follows:

2 641B.240 1. The Board shall grant a license to engage in
3 social work as a clinical social worker to any applicant who
4 possesses the preliminary qualifications set forth in NRS 641B.200
5 and who:

6 (a) Possesses a master's or doctoral degree in social work from a
7 college or university ~~faccredited~~;

8 (1) *Accredited* by the Council on Social Work Education or
9 which is a candidate for such accreditation ~~+~~; or

10 (2) *Located in a foreign country if the application includes*
11 *the documentation required by section 3 of this act.*

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

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

15 2. A person licensed as a clinical social worker may:

16 (a) Engage in social work independently or within an agency;
17 and

18 (b) Supervise other persons engaging in the practice of social
19 work.

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

21 641B.260 1. The Board may hold hearings and conduct
22 investigations into any matter related to an application for licensure.
23 The Board may require the presentation of evidence.

24 2. The Board may refuse to issue a license to an applicant if the
25 applicant:

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

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

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

32 (d) *Has committed any act which constitutes grounds for*
33 *initiating disciplinary action pursuant to NRS 641B.400;*

34 (e) *Has entered a plea of guilty, guilty but mentally ill or nolo*
35 *contendere to, been found guilty or guilty but mentally ill of, or*
36 *been convicted, in this State or any other jurisdiction, of a crime*
37 *arising out of, in connection with or related to the activities of the*
38 *applicant in such a manner as to demonstrate the unfitness of the*
39 *applicant to engage in social work, and the time for appeal has*
40 *elapsed or the judgment of conviction has been affirmed on*
41 *appeal; or*

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

43 **Sec. 9.** NRS 641B.275 is hereby amended to read as follows:

44 641B.275 1. The Board shall grant a provisional license to
45 engage in social work as a social worker to a person:



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

4 (b) Who:

5 (1) Possesses a baccalaureate degree or a master's degree in a
6 related field of study from an accredited college or university
7 recognized by the Board ~~[]~~ *or from a college or university located*
8 *in a foreign country if the application includes the documentation*
9 *required by section 3 of this act;* and

10 (2) Presents evidence of enrollment in a program of study
11 leading to a degree in social work at a college or university
12 accredited by the Council on Social Work Education or which is a
13 candidate for such accreditation and which is approved by the Board
14 ~~[]~~ *or at a college or university located in a foreign country if the*
15 *application includes the documentation required by section 3 of*
16 *this act.*

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

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

27 4. The Board shall establish by regulation the period during
28 which a provisional license issued pursuant to this section will be
29 valid. The period must be:

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

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

36 **Sec. 10.** NRS 641B.410 is hereby amended to read as follows:

37 641B.410 1. The Board, any ~~[of its members]~~ *member of the*
38 *Board, any employee of the Board* or any member of a review panel
39 of social workers who becomes aware that any one or combination
40 of the grounds for initiating disciplinary action may exist as to a
41 person practicing social work in this State shall, and any other
42 person who is so aware may, file a written complaint specifying the
43 relevant facts with the Board. The complaint must specifically
44 charge one or more of the grounds for initiating disciplinary action.



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

4 **Sec. 11.** NRS 641B.505 is hereby amended to read as follows:
5 641B.505 1. Except as otherwise provided in this chapter, it
6 is unlawful for a person to engage in:

7 (a) The independent practice of social work unless he or she is
8 licensed as a ~~clinical~~:

9 (1) *Clinical* social worker or an independent social worker
10 pursuant to this chapter ~~§~~; *or*

11 (2) *Masters social worker pursuant to section 2 of this act*
12 *as part of an internship program approved by the Board.*

13 (b) The clinical practice of social work unless he or she is
14 licensed as a ~~clinical~~:

15 (1) *Clinical* social worker pursuant to this chapter ~~§~~; *or*

16 (2) *Masters social worker pursuant to section 2 of this act if*
17 *he or she is approved by the Board to work within an agency and*
18 *under the supervision of a clinical social worker or as part of an*
19 *internship program approved by the Board.*

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

23 **Sec. 12.** NRS 641C.130 is hereby amended to read as follows:
24 641C.130 The provisions of this chapter do not apply to:

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

27 2. A nurse who is licensed pursuant to the provisions of chapter
28 632 of NRS and is authorized by the State Board of Nursing to
29 engage in the practice of counseling alcohol and drug abusers or the
30 practice of counseling problem gamblers;

31 3. A psychologist who is licensed pursuant to the provisions of
32 chapter 641 of NRS;

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

35 5. A marriage and family therapist or marriage and family
36 therapist intern who is licensed pursuant to the provisions of chapter
37 641A of NRS and is authorized by the Board of Examiners for
38 Marriage and Family Therapists and Clinical Professional
39 Counselors to engage in the practice of counseling alcohol and drug
40 abusers or the practice of counseling problem gamblers; or

41 6. A person who *engages in clinical social work as part of an*
42 *internship program approved by the Board of Examiners for*
43 *Social Workers* or is licensed as a clinical social worker pursuant to
44 the provisions of chapter 641B of NRS and *the person* is authorized
45 by the Board of Examiners for Social Workers to engage in the



1 practice of counseling alcohol and drug abusers or the practice of
2 counseling problem gamblers.

3 **Sec. 13.** NRS 62A.270 is hereby amended to read as follows:

4 62A.270 “Qualified professional” means:

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

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

8 3. A social worker holding a master’s degree in social work
9 and licensed in this State as a *masters social worker or* clinical
10 social worker;

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

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

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

18 **Sec. 14.** NRS 458A.057 is hereby amended to read as follows:

19 458A.057 1. “Qualified mental health professional” means
20 any of the following persons:

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

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

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

27 (d) A nurse who is licensed pursuant to the provisions of chapter
28 632 of NRS and is authorized by the State Board of Nursing to
29 engage in the practice of counseling problem gamblers.

30 (e) A psychologist who is licensed pursuant to the provisions of
31 chapter 641 of NRS or a psychological assistant who is registered
32 with the Board of Psychological Examiners pursuant to the
33 provisions of chapter 641 of NRS and the regulations adopted
34 pursuant thereto.

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

37 (g) A marriage and family therapist or marriage and family
38 therapist intern who is licensed pursuant to the provisions of chapter
39 641A of NRS and is authorized by the Board of Examiners for
40 Marriage and Family Therapists and Clinical Professional
41 Counselors to engage in the practice of counseling problem
42 gamblers.

43 (h) A person who is *engaged in clinical social work as part of*
44 *an internship program approved by the Board of Examiners for*
45 *Social Workers or* licensed as a clinical social worker pursuant to



1 the provisions of chapter 641B of NRS and *the person* is authorized
2 by the Board of Examiners for Social Workers to engage in the
3 practice of counseling problem gamblers.

4 2. As used in this section, “practice of counseling problem
5 gamblers” has the meaning ascribed to it in NRS 641C.105.

6 **Sec. 15.** NRS 689A.0485 is hereby amended to read as
7 follows:

8 689A.0485 If any policy of health insurance provides coverage
9 for treatment of an illness which is within the authorized scope of
10 the practice of a licensed associate in social work, social worker,
11 *masters social worker*, independent social worker or clinical social
12 worker, the insured is entitled to reimbursement for treatment by an
13 associate in social work, social worker, *masters social worker*,
14 independent social worker or clinical social worker who is licensed
15 pursuant to chapter 641B of NRS.

16 **Sec. 16.** NRS 689B.0385 is hereby amended to read as
17 follows:

18 689B.0385 If any policy of group health insurance provides
19 coverage for treatment of an illness which is within the authorized
20 scope of the practice of a licensed associate in social work, social
21 worker, *masters social worker*, independent social worker or
22 clinical social worker, the insured is entitled to reimbursement for
23 treatment by an associate in social work, social worker, *masters*
24 *social worker*, independent social worker or clinical social worker
25 who is licensed pursuant to chapter 641B of NRS.

26 **Sec. 17.** NRS 695B.1975 is hereby amended to read as
27 follows:

28 695B.1975 If any contract for hospital or medical service
29 provides coverage for treatment of an illness which is within the
30 authorized scope of the practice of a licensed associate in social
31 work, social worker, *masters social worker*, independent social
32 worker or clinical social worker, the insured is entitled to
33 reimbursement for treatment by an associate in social work, social
34 worker, *masters social worker*, independent social worker or
35 clinical social worker who is licensed pursuant to chapter 641B of
36 NRS.

37 **Sec. 18.** NRS 695C.1775 is hereby amended to read as
38 follows:

39 695C.1775 If any evidence of coverage provides coverage for
40 treatment of an illness which is within the authorized scope of the
41 practice of a licensed associate in social work, social worker,
42 *masters social worker*, independent social worker or clinical social
43 worker, the insured is entitled to reimbursement for treatment by an
44 associate in social work, social worker, *masters social worker*,



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

3 **Sec. 19.** 1. This act becomes effective upon passage and
4 approval.

5 2. Section 4 of this act expires by limitation on the date on
6 which the provisions of 42 U.S.C. § 666 requiring each state to
7 establish procedures under which the state has authority to withhold
8 or suspend, or to restrict the use of professional, occupational and
9 recreational licenses of persons who:

10 (a) Have failed to comply with a subpoena or warrant relating to
11 a proceeding to determine the paternity of a child or to establish or
12 enforce an obligation for the support of a child; or

13 (b) Are in arrears in the payment for the support of one or more
14 children,

15 ➔ are repealed by the Congress of the United States.

