

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS

Minutes of Meeting - March 21, 1975

The fifteenth meeting of the Health, Welfare and State Institutions Committee was held on March 21, 1975 at 12:00 p.m. in Room 323.

COMMITTEE MEMBERS PRESENT: Chairman Lee E. Walker
Senator Neal
Senator Gojack
Senator Herr
Senator Schofield
Senator Young

See Exhibit A for others present.

S.B. 316 - Amends provisions regulating marriage and family counselors.

Deputy Attorney General Bill Isaeff, representing the Nevada State Board of Marriage and Family Counselors, spoke in favor of the bill and advised that it represents the combined views of the Attorney General and the Board. The amendments to this act is based upon their experience in administering the law for approximately two years. Mr. Isaeff feels the need for a statutory definition of "advertising", in that it would help guide the Board in administering the advertising aspects. Section 3 of this bill would allow the Board to carry out what it has been doing on its own. Senator Walker commented that he feels the definition of "advertising" should be uniform throughout all statutes. Mr. Isaeff referred to page 2, Section 9, and explained that they are asking all the Boards to ask for an increase in fees because of current inflation. Mr. Isaeff explained that page 3, line 37 would allow the Board to designate persons as trainees in such cases where a person does not meet the educational requirements; such persons would be designated as "trainees" until such time as they have completed their education. Page 4, line 5 would provide the type of confidential communication which now exists between a patient and physician, or a lawyer and his client; this bill would create the same type of situation between the counselor and client.

Senator Young referred to page 1, section 2 and asked Mr. Isaeff if it was intended to exclude radio and t.v. advertising; Mr. Isaeff replied that this was a possible deficiency in the bill and it was not their intention to exclude such advertising.

Senator Young feels there may be problems with page 1, section 3 with respect to religious denominations. Senator Young also advised that page 4, line 5, should read "Confidential" communications,

Senate

Health, Welfare and State Institutions
Minutes of Meeting
March 21, 1975
Page Two

Senator Herr referred to page 3, section 11, and feels concerned in that the Board has the authority to call anyone a marriage counselor; there is nothing spelled out as to what his qualifications should be. Mr. Isaeff replied that this is to validate a practice the Board already has.

Senator Gojack asked how many served on the Board; Mr. Isaeff advised that there are 5 members: Carl Swain, Dale Rust, Judy Kosinski, James Moser and Wm. O'Caronan.

Upon request from Senator Walker, Mr. Isaeff agreed to check the definition of "advertising".

Dr. Ben Owen, Director of Counseling, UNLV, referred to previous questions regarding the trainees, and stated that in the training field, the Board would recognize that they should not certify a psychologist or a social worker but could certify family counselors and people in training could also become certified as marriage and family counselors upon graduation. The intent was that they would help people that are in training to establish a program that will lead into family counseling.

Senator Walker referred to page 2, line 5, and felt that it should be amended to read "..opinion, attitudes and skills, but only in cases pertaining to the relationship..." Dr. Owen had no objection to this additional language.

Joe Braswell, I.T.C., spoke in opposition of the bill and furnished the committee with a copy of his testimony (see Exhibit B).

Mr. Isaeff referred to page 1, section 3 and suggested that this language be left as it is and allow the Board to administer as written and see what results are obtained.

Mr. Robert Gilhart, Nevada Assn. for Marriage and Family, stated that page 2, line 4 refers to specific evaluation and not testing. Mr. Gilhart further stated that this is based upon a person's reactions .

Senator Neal asked what is the need for a trainee; Mr. Gilhart replied that the intent is to enable a person to practice and to enable them, while going through internship, to have a specific title while working under a licensed counselor.

Senate

208

Health, Welfare and State Institutions
Minutes of Meeting
March 21, 1975
Page Three

Mr. Robert Whittemore, Board of Psychological Examiners, spoke in opposition of the bill and stated that page 2, section 4 moves into the areas that are under the jurisdiction of the Board of Psychological Examiners. Mr. Whittemore feels that some counselors are not qualified to do this testing.

Senator Young advised that on page 1, line 19, the definition of psychologists is the same as contained in this bill as the definition of marriage and family counseling. Senator Young asked Mr. Whittemore how they would resolve this conflict. Mr. Whittemore stated that they have not been able to do so but will be having joint conferences to try to resolve this. Mr. Whittemore further stated that the wording "evaluation" on page 2, line 4 is much too inclusive and feels it should be amended to read "evaluation by interview only".

Mr. Frank Brown, Director of Family Counseling Service in Las Vegas, feels that the problem is a difference in professions. Mr. Brown further stated that he is concerned with the language contained in section 12, page 4; would a counselor have the option to reveal communications if there was a situation where a client may be contemplating a harmful act. Senator Walker replied that he would have this option.

Mr. Dick Lewis, a certified psychologist and also licensed as a family counselor, commented that many individuals who are certified by family counselors have not had testing and specialized training. Under the present statutes, a psychologist is required to have a great deal of training in order to go out and evaluate persons. The public interest would not be protected if individuals with no training were allowed to go out and test children. To automatically give them this right without the training is not right.

Dr. Wayne Wisham, psychologist, feels there is a big loop-hole in the wording "evaluation" (page 2, line 4) and feels this section is not necessary.

Mr. Lou Maxey, a social worker at Alpine Mental Health, finds himself as a trainee with the family and marriage counselors and faces the prospect of being regulated with people who do not take his profession into account in their bill. Mr. Maxey asked why social workers are excluded from the language contained in Section 3, page 1.

Mr. Joe Braswell stated that if such a bill were passed, there would be the possibility of a person dealing with the same clientele but licensed by three different State agencies. Mr. Braswell feels that there should be one State board to control these three professions that so overlap in dealing with the lives of people.

Senate
Health, Welfare and State Institutions
Minutes of Meeting
March 21, 1975
Page Four

Senator Young asked if these groups could work together and come up with a satisfactory answer to this problem. Mr. Owen replied that the Board of Medical Examiners is attempting to meet with the Board of Psychological Examiners.

S.B. 346 - Creates board of social examiners; provides for licensing of social workers.

Mr. Craig Gilbert, Social Service Department of UNR, feels that Section 30, page 6, should be amended as follows: "It is unlawful for any person to represent himself as a social worker within the meaning of this chapter, except that any social worker employed by a public agency which has set explicit standards may represent himself by the title conferred upon him by such agency".

Senator Gojcek asked how many social workers are privately employed in the State; Mr. Gilbert replied that there are about 375 social workers in the State, and all of these people would be covered under this bill.

Mr. Joseph Paradise, supervisory social worker for the U.S. Government, spoke in favor of the bill and provided the committee with a copy of his testimony (see Exhibit C). Mr. Paradise also furnished the committee with a copy of an article from NASW News (see Exhibit D).

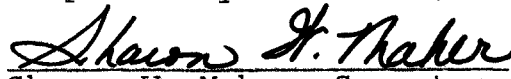
Mr. George Miller spoke in opposition of the bill and stated that the average social worker does not do anything that is that technical. Mr. Miller advised that Jim Carmody would like to go on record as concurring with Mr. Miller's statement. Mr. Miller further stated that if someone were having these kinds of problems, they should go to someone higher than a social worker.

Kay Shank, State Welfare, stated that she feels the solution to this is protecting the people with a Master's Degree in social work who have worked hard for this; they should be certified to practice privately.

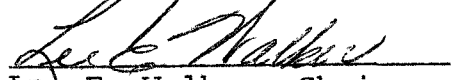
Judi Kosinski, Psychiatric Social Worker, provided the committee with input on S.B. 346 (see Exhibit E).

Being no further business at this time, the meeting was adjourned at 2:30 p.m.

Respectfully submitted,


Sharon W. Maher, Secretary

APPROVED:


Lee E. Walker, Chairman

ROOM # 323
DAY 3-21-75

DATE _____

NAME	ORGANIZATION	ADDRESS
Joe Braswell	association of American Indian social workers - C C	
Graig Gilbert	university of Nev., Las Vegas	4505 Maryland Pkwy.
Marcia Stapleton	University of Nevada, Reno	305 Wyoming Reno
Marilyn When	Family Counseling Serv.,	318 So. Maryland Pkwy LV.
Barbara J. Brady	Clark Co. Social Service L.V. Nev.	
Frank Cooper	Family counseling service	318 S. Maryland Pkwy L.V.
Lillian Mendenhall	Welfare C.O.	1912 Molly Dr
Gordon Copenberg	Dept. H.R. Dir. Off.	831 W. Park St
Kay Shank	"	47 Clear Creek, Carson City
George Miller	"	"
W. Johnson	"	"
Betty Madison	"	251 Jeanette Dr C C
Mark Ymasick	"	251 " " "
Robert G. Whelton	Psychologist	475 Ryland Reno
Wayne Wisker	"	1000 Ryland Reno
Dick Ellis	Psychologist	1000 RYLAND, RENO
Jessie Kame	Welfare Division	251 Jeanette Carson City
Jean Buchara	Welfare Division	251 Jeanette Carson
DENNIS BAUGHMAN	LAS VEGAS REVIEW-JOURNAL	
Ben Owen	State of Nevada	3647 Ottawa Cir
Robert P. Kulbert	Nat. Assoc. of Men & Family	5805 Bonanza Ave Las Vegas, Nev
Lee E. Mays	Alpine Mental Health	1000 Ryland Reno
Lydia Mendenhall	University of Nevada	3431 Exposition Reno Carson City
Joseph J. Lapanis	Nat. Assoc. Social Workers	1825 S. Geneva St Carson City
Charles A. Waterbury	Dept. of H.R.	Carson City
M. JAMES TOWER	N. A. S. W.	RENO, NEVADA
Fr. Louis Dimock	Franciscan Center	

My NAME IS JOSEPH PARADISE

I AM EMPLOYED BY THE UNITED STATES GOVERNMENT AS A SUPERVISORY SOCIAL WORKER AND I WORK IN THIS COUNTY.

I AM CERTIFIED BY THE STATE OF NEVADA AS A MARRIAGE AND FAMILY COUNSELOR

THE NEVADA STATE DEPARTMENT OF EDUCATION HAS CERTIFIED ME AS A PROFESSIONAL SCHOOL COUNSELOR AND AS A TEACHER.

I HAVE BEEN LICENSED AND CERTIFIED IN OTHER PROFESSIONS IN THIS STATE AND ELSEWHERE.

I HAVE LIVED IN NEVADA FOR 7 YEARS, OWN A HOME HERE IN CARSON CITY AND AS A PERMANENT RESIDENT OF THIS STATE I AM CONCERNED ABOUT THE QUALITY OF PROFESSIONAL SERVICE AVAILABLE TO MY FAMILY AND THE OTHER PEOPLE OF THIS STATE.

Confidential

differences in the quality of services

*social worker
counselor
psychologist
M.A. case
teacher
Hort. work.*

WHY PASSAGE OF THIS BILL IS IMERATIVE

1. OUR BASIC PREMISE IS SEC.2."" TO DENY/OR ATTACK/THIS PREMISE/ IS IN EFFECT/TALKING ABOUT SOMETHING THAT IS OTHER THAN TRUE SOCIAL WORK. RESIDENTS OF NEVADA/WHO NEED AND EMPLOY/THE PROFESSIONAL SERVICES OF SOCIAL WORK, NEED THE PROTECTION PROVIDED BY THIS BILL.

2. WHAT WILL BE PROVIDED BY THIS BILL, AND WHAT IS BEING REQUESTED BY THIS BILL IS ESSENTIALLY NO DIFFERENT IN INTENT FROM EXISTING LEGISLATION GOVERNING COMPORABLE PROFESSIONS IN THIS STATE. WE ARE NOT TALKING ABOUT SOMETHING RADICALLY NEW OR SOMETHING THAT HAS NOT ALREADY PROVEN TO BE NECESSARY AND BENEFICIAL TO THE RESIDENTS OF THIS STATE. *SB 250 SB 384*

3. NOW THAT ALL THE OTHER COMPORABLE AND ALLIED PROFESSIONS HAVE OBTAINED LICENBING AND/OR CERTIFICATION REQUIREMENTS, AN INCOMPETENT, UNSCRUPOUS, PHONEY WHO CAN'T GET AWAY WITH USING A TITLE IN THOSE DISCIPLINES CAN NOW SIMPLY HANG OUT A SHINGLE WITH SOME KIND OF IMPRESSIVE SOCIAL WORK TITLE *and* VICTIMIZE THE RESIDENTS OF THIS STATE.

proceed to

4. AS THE NUMBER OF STATES THAT REQUIRE A LICENSE RAPIDLY INCREASES, THE UNSKILLED, THE CRACK POTS, THE FRAUDS WILL GRAVITATE TO NEVADA AS A LUCRATIVE HAVEN TO MISTREAT THE UNPROTECTED CITIZENS OF THIS STATE.

5. ON THE OTHER HAND , HIGHLY COMPETENT, SKILLED, EXPERIENCED SOCIAL WORKERS WILL TEND TO AVOID PRACTINING THEIR PROFESSION IN THIS STATE AS LONG AS THE STATUS OF THEIR PROFESSION IS ESTEEMED IN THIS STATE ON A LEVEL WITH THE PROVERBIAL 'FECES ON A STICK.' HOW CAN THAT FACT BE DENIED, WHEN FOR EXAMELE A LARGE HOSPITAL REFUSES TO ALLOW THEIR SOCIAL WORKER TO USE THE TIFLE SOCIAL WORKER? AND PRIVATE NURSING HOMES CAN QUALIFY FOR STATE MONEY BY EMPLOYING HIGH SCHOOL DROP OUTS TO HAND OUT GAMES TO PATIENTS AND CALLING THOSE EMPLOYEES SOCIAL WORKERS?

6. HONORABLE SENATORS, THIS BILL WILL NOT ONLY PROVIDE PROTECTION BY INSURING MINIMUM STANDARDS, IT WILL ALSO PROVIDE YOUR FAMILY, MY FAMILY, OUR NEIGHBORS, WITH IMPROVED SERVICE BY PROMOTING PROFESSIONAL GROWTH WITHIN THE RANKS OF THOSE PRACTICING SOCIAL WORK.
7. IN CONCLUSION MAY I POINT OUT THAT IN OUR STATE A PERSON MAY NOT PRACTICE COSMOTOLOGY WITHOUT A LICENSE., BUT MAY PRACTICE SOCIAL WORK WITHOUT A LICENSE. I HOPE THAT EVERY PROFESSIONAL PERSON IN THIS ROOM, AND EVERY PROFESSIONAL PERSON WHO CONTACTS YOU REGARDING THIS BILL, WILL BE GENUINELY INTERESTED IN THE WELFARE OF ALL THE PEOPLE OF THIS STATE, AND NOT JUST THEIR CLIENTS, TO REOFESS THAT THE GENERAL WELL BEING AND THE WELL BEING OF OUR SOCIETY IS AS IMPORTANT AS PEOPLE'S HAIR, AND THAT OUR PEOPLE AND OUR SOCIETY *in* *this state* WILL BE GRANTED THE MEANS TO ATTAIN THAT WELL BEING.

I thank you.

To: Senator Jee Walker, Chairman + members of
Committee on Health, Welfare, and State Institutions. 209

Re: S.B. 346 - 3/6

While I am a member of the Association of American Indian Social Workers, I am presenting my views as an individual. I have had almost 23 years experience in the field of social work, including casework, supervision, and program administration. I also ~~have~~ had 17 years ministerial experience, during which I had occasion to counsel families and individuals regarding social and interpersonal problems. I hold a Master's Degree in Social Work.

I support the concept of some regulation and control over those who hold themselves to be social work practitioners. However, as a citizen I am concerned with the proliferation of governmental boards and commissions. Especially when the fields of work they purport to regulate so frequently overlap in many respects. I do not expect my views to be widely shared by others in my profession, nor those in allied fields. But I feel that they are worthy of your consideration.

I realize there are sometimes what can be referred to as "professional jealousies" among those who render human services under different names and using various techniques. There is also value in official recognition of professional expertise. However, I believe that professional recognition, as a status symbol, should be handled through the many and varied professional organizations already in existence. It is also my opinion that recognition of professional expertise by a state regulatory agency, board, or commission should not be directly tied to membership in or recognition by such a professional organization.

membership and recognition by such professional organizations and associations is not to be denigrated. Neither should it be a prerequisite for a person to receive state recognition and authority to perform in his or her chosen profession.

I would recommend that this committee should give serious consideration to combining certain boards or commissions dealing in closely related or common fields of endeavor, rather than creating a new and separate board. The logic of this recommendation can be supported when you read the various sections of NRS and see how frequently they deal with persons trained in certain professions.

Joe Braswell

NASW NEWS

Licensure Critics Answered ²¹¹

(From Page 1)

Fact: The NASW model licensing statute proposes the use of "an examination prepared for this purpose"—which does not necessarily mean either a written or oral form, although it is generally conceded that a written exam can be more objective and less open to prejudice than an oral examination. NASW also supports the theory of professional validation of tests to insure that they are accurate measure of levels of competence.

Nevertheless, the recent NASW policy statement on licensing carries this open approach a step further and encourages the development of more effective means to determine the qualifications of those who apply for a license to practice. This clearly does not rule out incorporating the judgment of clients, but this judgment is less useful at the time the basic qualifications for practices are being assessed than they are as a means of insuring continued quality of service. Moreover, the provisions in every licensure act for accountability (re:charges of misconduct or malfeasance) are more important as protection against improper professional actions.

Argument: The NASW sponsored bills rely entirely upon education and academic credentials and ignore experiential learning.

Fact: As a profession, social work does, indeed, assert that the learning and preparation of the individual for practice should take place within an academic context, and that on-the-job learning is too limited in scope to substitute as total professional education. This is not the same as relying entirely upon academic credentials, however; the requirement for an examination, in addition to possession of a degree, is the evidence of that. Moreover, social work education relies upon field work training as a practical and supervised method of learning. NASW also believes strongly in the need for periodic renewal of license and for evidence of some form of continuing education to maintain competence.

It is our view that the individual with 'talent' in helping others, those who 'just naturally' are able to relate and be successful in working with people, have a responsibility to develop that ability by adding professional knowledge and values.

One of the tragedies of the antipoverty programs was the selling of the idea that the poor and disadvantaged could be helped by anyone who cared. The truth of the matter is that social service recipients want competent, professional help. If they were physically ill, they would seek out the best medical care available. The same principle holds true in the field of social services. It is essential to remember that empathy and good intentions do not serve as qualifications for competency.

The barriers that prevent an appropriate academic education are another problem and can be resolved

without giving up the standard of adequate professional preparation.

Argument: Licensing will serve only the pretensions to professionalism, will do nothing for clients, and will lead to discrimination against minorities.

Fact: If the goal were exclusiveness, rather than meeting the needs of clients for competent service, NASW would be on a different path altogether and would not be seeking bills to make the practice of the profession accountable to the public. For this reason, the association has consistently pressed for bills which would cover all levels* and settings, public and private, agency practice, as well as private practice.

To say that association licensing policy would lead to discrimination against minorities is a gross misrepresentation. On the contrary, the licensing requirements advocated by the association would protect minorities and all service recipients from the many unqualified, unsuited people who debase the social work profession. Licensing levels would help clients to recognize the true professional and guide them to appropriate assistance.

The proof of the value of licensure will be its improvement and assurance of the quality of practitioners providing services, although its value to practitioners as a means of certifying their qualifications is also clearly important and legitimate.

NASW is seeking licensure, rather than "registration" (title protection), because it is not the symbol of practice that we care about, but the substance, the reality of whether or not people get the help they need as they need it.

Considering the above arguments rationally, it seems that the problem lies not in whether the NASW sponsored bills can be successful, but rather in whether those opposing them want them to be successful. Do they really care about bills which will have an impact on the quality of service—or just about achieving legal sanction for their own practice? Do they want legislation which will advance the profession as a whole, or are they more interested in advancing their own piece of the whole? NASW does not profess attained perfection in the bills it has sponsored, but its members have worked long and hard to develop bills they believe will be good for both public and professional interests. And the association is always open to suggestions which might improve this effort.

* The three levels in the revised model statute consider distinctions in education and experience among the following:

- Persons with a master of social work degree and above—certified social workers.
- Bachelor degree holders with approved undergraduate social service education—social workers.
- Preprofessionals—social work associates.

Further specification at the topmost level is included for the private, independent practices of social work, specifying at least two years of experience in the method in which the private practitioner wishes to practice, as a certified social worker.

Senator Lee Walker
Chairman

212

SENATE BILL 346

1. ~~There is no distinction in the proposed legislation between private or public agencies or between individual practitioners and those working for agencies.~~

2. ~~Governmental employing agencies (where the majority of social workers are employed) are charged with the responsibility of having adequate internal standards and supervision to protect the public without the necessity of establishing an outside regulatory board to carry out the mandate for which the agencies were established in the first place.~~

3. Educational requirements:

One cannot be certified as a "master social worker" or engage in specialty areas unless he or she has a master's in social work which could only be obtained out-of-state since Nevada does not offer a graduate program in social work. If one holds a master's degree in a related area (i.e., psychology, counseling, etc.) that person could only be licensed as a "baccalaureate social worker" and could not engage in private practice or a specialty area. A master's degree in a related area is seen as equivalent to a bachelor's degree in a related area *(or in social work)*

4. State personnel practices provide a vehicle for someone to move to higher level social work positions whereas this legislation does not. There is not enough flexibility in the proposed legislation and it would, in fact, lock many competent people out of jobs simply because they hold degrees in related areas rather than specifically in social work.

5. The language in this bill contains contradictions and in certain areas is seen as very cumbersome and lacking clarity...

209

SENATE BILL 346

Section 2. - "SUBJECT TO PROTECTION AND REGULATION BY THE STATE"

There is ~~no~~ distinction in this proposed legislation between private or public agencies or between individual practitioners and those working for agencies. The vast majority of social workers work in public agencies and these governmental employing agencies are charged with the responsibility for setting standards and practices designed to protect the public. If it can be demonstrated that public agencies are not hiring qualified personnel in their social service positions, then it seems to me that this is an intra-governmental problem that's best handled by changes within the agencies themselves. In short, there should be adequate internal standards and supervision within public agencies to protect the public without the necessity of establishing an outside regulatory board to carry out the mandate for which the agencies were established in the first place.

Section 3. - Line 9 "PRACTICE OF SOCIAL WORK"

This definition is very broad and would most certainly include other disciplines (i.e., mental health technicians working in rural areas who are involved in community organization and delivery of health care, psychiatric nurses, psychologists, etc.)

Section 9. (FISCAL NOTE)

As a member of the Board of Marriage and Family Counselor Examiners, I am well aware of fiscal problems that have resulted with that particular board. We are currently asking the legislature for inclusion in the state budget in order to meet the expenses of enforcing regulation (i.e., investigation services by attorney general's office, possible court cases, etc.)

Section 11. 4 (c) "ESTABLISHING CLASSES OF SOCIAL WORK SPECIALTIES"

Question: Does this mean that only those with a master's degree in social work would be able to work in specialties?
(Refer to Section 20 - Line 42 which indicates that a license in a social work specialty could be given to someone who meets the academic requirements for licensing as a master social worker (or qualifies for an exemption).

Section 14. - "LEGAL RESIDENT OF THE STATE OF NEVADA OR IS EMPLOYED IN THE STATE OF NEVADA"

Question: What about the problem of recruiting and hiring personnel from out-of-state?

Section 16. - "THE BOARD SHALL ISSUE THE FOLLOWING LICENSES:"

There is no provision for granting a license to someone holding a master's degree in a related field (would they be licensed at all and if so, at what level of licensure?)

Section 16. (CONTINUED)

A social worker associate license could not be given to someone just graduating since they need one year experience -- where are they going to get it?

Section 17. - "THE BOARD MAY ISSUE TEMPORARY PERMITS UNDER EXTENUATING CIRCUMSTANCES"

What does this mean? Needs more clarification.

Section 20. 2 - "BOARD SHALL WAIVE EXAMINATION AND ACADEMIC REQUIREMENTS AND GRANT..."

According to this provision, someone holding a master's degree in a related area would be licensed as a "baccalaureate social worker" rather than a "master social worker." This is the same level of licensure which would be given to someone holding a bachelor's degree in social work. In other words, a master's degree in any other field but social work is apparently seen as equivalent to a bachelor's degree in social work (or a bachelor's degree in a related field). The equivalencies are unequal. Also, the educational requirements for people being grandfathered in as a 'baccalaureate social worker' (Section 20-Subsection 2) are different than educational requirements for persons being licensed as a 'baccalaureate social worker.' (Section 16-Subsection 2)

Currently there is proposed legislation (S.B. 346) to create an act relating to social work in order to regulate this discipline and require licensure to engage in this practice. The stated purpose of this proposed social work bill is to: "protect the public by setting standards of qualification, training, and experience for those who seek to practice social work..."

It should be noted that -- with few exceptions -- almost all social workers are employed in public agencies. Hence, it is the exception rather than the rule to find social workers working independently without standards and supervision imposed by their employing governmental bodies.

There is no distinction in the proposed legislation between private or public agencies or between individual practitioners and those working for agencies. For the small minority of social workers who work in private agencies or work as sole practitioners and who, in fact, collect a fee from the public for such services, an argument for regulating this practice could be sustained as in this case the public does need protection since there is no governmental body exercising control over these services. However, in the vast majority of cases -- social workers in public agencies -- governmental employing agencies are charged with the responsibility for setting standards and practices designed to protect the public.

If it can be demonstrated that public agencies are not hiring qualified personnel in their social service positions, then it seems to me that this is an intra-governmental problem that's best handled by changes within the agencies themselves. Instead of establishing a regulatory body to carry out this function, a more reasonable approach would be to encourage or, if necessary, mandate changes within the agencies. In short, there should be adequate internal standards and supervision within public agencies to protect the public without the necessity of establishing

an outside regulatory board to carry out the mandate for which the agencies were established in the first place. An appropriate posture for social workers who are concerned with upgrading standards and supervision within these public institutions would be to act as advisory resource persons and make recommendations to the agencies, personnel division or legislative commission for needed change without instituting legislation which in my view is unnecessary and does not fall in the proper domain of an outside board.

If one accepts the premise that it is proper and essential for an external board to dictate to public agencies that their supervisory social workers must be licensed according to that board's standards (as the current legislation proposes), the next logical step is that all social workers in public agencies should be licensed as well and that, finally, areas of responsibility and duties to be performed may also be prescribed by such a board. The current proposed legislation is only suggesting the first step, but if one accepts the legitimacy of a board integrally involved with some of the practices of public agencies, it would reasonably follow that the board would eventually become involved in other areas.

The proposed legislation suggests that persons who hold degrees in social work are more qualified in that field than others who come from related fields. An example of this posture is shown in the proposed "breakdown" of licensure. Thus if one holds a Master's degree in an allied area, he or she would be licensed as a "baccalaureate social worker" rather than a "master social worker." This is the same level of licensure which would be given to someone holding a baccalaureate degree in social work. In other words, a master's degree in any other field but social work is apparently seen as equivalent to a bachelor's degree in social work. I believe this assumption does not parallel fact.

At the present time there are competent people holding positions as social workers

who come from related fields. I submit that people with degrees in psychology, counseling, marriage and the family, etc. are no less qualified necessarily as someone holding a degree in social work. I believe that if the current proposed legislation concerning social work is enacted, many professionals will be locked out of positions simply because they have allied degrees rather than a degree specifically in social work. It should be noted that we do not even have a graduate degree social work program in Nevada, but do in fact, offer other graduate degree programs (i.e. psychology, counseling). I am not convinced that a degree in social work is any more qualifying than a degree from a related field and, in some instances, may even be less qualifying. An examination of curriculum from various disciplines would, I think, reflect a basic commonality of coursework designed to develop understanding and skills in human behavior, and would not reflect the discipline of social work as anymore desirable than other related disciplines.

In summary, I do not believe that the proposed legislation contained in S.B. 346 is necessary to protect the people of the State of Nevada. I believe that there are adequate safeguards presently available to achieve the bill's stated objectives.

As a social worker, myself, I am very committed to upgrading the profession. However, I question the means promulgated by this tentative legislation. Professional associations within the field can -- and do -- stimulate the goals of professionalization that this legislation seeks. An example of this is the Academy of Certified Social Workers which allows a social worker to use the designation of ACSW behind one's name if, in fact, that person has met specified standards set by the profession of social work. This designation conveys to the public a recognition of meaningful standards and practices.

Hence, in response to the two stated purposes of this legislation -- protecting

the public and upgrading the profession -- I do not believe that a regulatory board is necessary or desirable.

Judi Havas Kosinski, M.A.
Psychiatric Social Worker

322-6961
EXT 336
or 359-1762