

ASSEMBLY HEALTH AND WELFARE COMMITTEE MINUTES
Wednesday, April 6, 1977

MEMBERS PRESENT: Assemblyman Chaney, Weise, Schofield,
Kissam, Bennett, Ross
Gomes, Dreyer,

MEMBER ABSENT: Assemblyman Robinson

GUESTS PRESENT: See Exhibit "A"

CHAIRMAN CHANEY: We have a quorum. We'll first take up AB 553.

LOU BEERMAN: Mr. Chairman, Committee members, I'm Lou Beerman, representing the Division of Mental Hygiene and Mental Retardation. I'm here to speak in support of Assembly Bill 553. Currently, the present statute, NRS 435.330, states that the administrator shall work with the court to establish criteria and procedures for commitment. This bill speaks to that issue. The proposed statute more closely observes the client's rights and follows recent judicial mandates. The provision, in this bill, for a seven day notification to the administrator, we feel, will serve both the clients and the agencies in evaluating the client's needs and determining the most appropriate and least restrictive environment possible. At present, a person can be committed with no involvement with division professionals.

The admission criteria also states elsewhere in the current statute, the nationally recognized definition of mental retardation as a prerequisite to admission. Non-retarded persons have, in the past, been voluntarily committed or judicially committed to mental retardation facilities. Provision is also made for a time limited evaluation of a child upon order of a juvenile court having jurisdiction. The age restriction of 2 years is removed and a maximum 90 day evaluation is available to any child if there is need.

CHAIRMAN CHANEY: Mr. Dreyer.

MR. DREYER: Is there any reason why committing a child of two years old was eliminated?

BEERMAN: We felt that there were some children under two years of age who could use our services, so we eliminated that from the statute, suggested it.

CHAIRMAN CHANEY: Mrs. Gomes.

MRS. GOMES: As a person who spent a long time getting the provision into the law, what has changed since two years was put in that would make you want to accept a child under two into an institution?

BEERMAN: I really don't know all the background connected with that but it seemed to us that that would be an undue hardship on parents with the younger child who needed some evaluation services.

MRS. GOMES: But you're talking about institutionalizing them.

BEERMAN: No, that would be for perhaps evaluation or respite care for parents who had a developmentally disabled mentally retarded child.

GOMES: Then what would you do with this child?

BEERMAN: Well, that would depend on the evaluation of the child.

GOMES: Then the child could go in.

CHAIRMAN CHANEY: Mr. Kissam.

KISSAM: I missed the statement you made concerning what the present qualifications to put a child into one of these private facilities are now in that all this new language...what was in there before?

BEERMAN: What's currently in NRS 435.330 is the administrator shall work with the court to establish criteria and procedures for committment. That was sort of glossed over in our bill two years ago and this is an attempt to get that spelled out and part of the statute.

KISSAM: Is this done on an individual case basis?

BEERMAN: Yes, it is at the current time.

KISSAM: This does spell it out.

BEERMAN: Yes, it does.

CHAIRMAN CHANEY: Thank you. Anybody else like to testify on AB 553? Anybody who would like to speak against 553? Next bill we'll consider is 556. Mr. Kissam.

KISSAM: For the record, my name is Bill Kissam, Assemblyman, Las Vegas. This bill, AB 556, has been requested by the Clark County Health Department. This bill is a housekeeping measure that, for the sake of time, I've requested go on the Consent Calendar. Instead, I have here today, to speak on behalf of the Clark County Health Division, I have Wanda Turpin. She is the Assistant Deputy Registrar and works alongside of Dr. Otto Ravenholt who is the Deputy Registrar. That's part of the Clark County Vital Statistics Office of the Clark County Health Department. Wanda will be happy to answer any questions. She has a prepared statement to hand into Phyllis and I'll leave it up to you, Wanda.

MS. TURPIN: I'm here to speak on behalf of bill 556 concerning the procedures for changing certificates of birth following adoptions and the problems that we come up against. The intent of this bill is to see that the attorneys and the clerk of courts will follow up on their adoptions so that the State Office of Vital Statistics can type up a new birth certificate after the child has been adopted and the legal paper work has gone through with the attorney and the courts.

An attorney, with his petitioner, will draw up the adoption decree, this is the problem that we have. They get it recorded with the Clerk of Courts. Then the attorney feels satisfied most of the time that his work is done. The petitioner feels like the child has been legally adopted. The paper work is filed over at the Clerk of Courts, certified, but the paper work has never gone to the State. Now, several attorneys are very much aware that the paper work should go on up to the State, and I have notified several myself, because two or three years later, a person will come in to purchase their child's birth certificate and I just cannot find it. So then I query them and ask them if the child had ever been adopted or how old the child was, just to make sure they give me the correct year.

Then when they tell me the child was adopted, well, then, I just immediately know, because I've been working with this for five years and I am the only one that works with it, with the Clark County Vital Statistics Office. So then I ask them who their lawyer was and then I get on the phone and ask them to please finish up the paper work so that it will be sent to Carson City and type up a new birth certificate.

Now all of the marriage certificates are sent up to the State office and all of the divorce certificates are sent up to the State office, but the adoptions on the birth certificates, there's nothing in the NRS that says that it should be sent up to be re-typed. That is the problem that we have and it is definitely a problem. I spoke with two of the Senators and they have agreed because one of the Senators I've even had to call myself because the paper work was not completed three years ago. I've spoken with Loretta Bowman. Now her only objection, which will be amended by Mr. Kissam, is where the Clerk of Courts feels that the attorney should submit this form, the VS 15 form, not that the Clerk of Courts should type up this form to send to Carson City. It's a very simple piece of paper. I have them at my office and the State office has them. Any questions, that's all I can say.

CHAIRMAN CHANEY: Before we get into questions, I'd like to mention that we have had a call from Alex Coon, Clerk of Washoe County, who also expressed some concern about AB 556 regarding an amendment that would change on line 4 substituting "attorney" for "clerk" Mr. Coon said that the clerk would be doing the work second-hand. The attorney has affidavit forms available and they just think that the job would be better done by the attorney.

KISSAM: That is the very nature of the amendment that Mrs. Turpin is talking about, to change the word "clerk" in two different places on lines 4 and line 15. That will be changed from "clerk" to "attorney". That's the very amendment that I will personally take care of. That is the amendment that has been suggested by the Washoe District that was referred to and that is the very amendment that was suggested by Loretta Bowman, down in Las Vegas.

CHAIRMAN CHANEY: I just wanted you to know that Loretta Bowman has agreed with this. I didn't know what the amendment was. 163

MS. TURPIN: Loretta and I both agreed with that. We discussed it before I came up here but it was too late to change any paper work, that's why we're introducing it here.

CHAIRMAN CHANEY: Are there any questions of the committee?
Mrs. Gomes.

MRS. GOMES: This still assures confidentiality?

MS. TURPIN: Yes, it does, it certainly does. I certainly abide by that in my office. I've gotten in a lot of trouble a lot of times, but I have that law behind me and I certainly go along with it.

CHAIRMAN CHANEY: Any other questions? Thank you very much. Anybody else to testify on AB 556?

MICHAEL DUNN: My name is Michael Dunn. I'm the medical service representative for the Division of Health, Section of Vital Statistics and the Section of Vital Statistics would like to go on record in full support of this bill. We feel it's something that is necessary for the reasons that were stated before.

CHAIRMAN CHANEY: Any questions? Mr. Kissam.

KISSAM: What do you think about the amendments?

DUNN: The amendments, also, we'll go along with those. Those are perfectly all right on lines 4 and 15.

CHAIRMAN CHANEY: Any other questions? Thank you, sir. Anybody else like to speak to 556? Is there any opposition to 556? If not,

MR. WEISE: The Carson City Clerk, I was just going to ask if he was in agreement? Vaughn, do you agree with those amendments?

VAUGHN SMITH: Yes, that's what I was here for, to suggest just exactly that. I'm not sure whether you should also include line 10, where the clerk has to keep the original, when they certify, if that's the proper procedure.

MS. TURPIN: I know that it's certified in the court, but I don't know how many originals the attorney gives out, whether there's one,

(Chairman Chaney asked Mr. Smith to come to the microphone)

VAUGHN SMITH: The amendment, as suggested, would be proper in my mind and in the eyes of the other clerks of the counties in Nevada. The suggestion I had on certification was on line 10, where it says that this report must be certified by the clerk of the court, and then, of course, the clerk has to keep that original in the file. I'm not sure whether Vital Statistics wants that original or if a certified copy is sufficient for their use.

MS. TURPIN: I believe the court keeps, the clerk of court, keeps the certified copy and then the original goes to Carson City and stays in a file in an envelope and it is not to be opened unless there is a court order.

MR. SMITH: Adoption proceedings are all sealed.

MS. TURPIN: Yes, after they've been sent up to the State office, that's where they stay on file permanently, and they are sealed and if there is any reason why they should be opened again, they could get a court order.

MR. SMITH: My question there was, Mr. Chairman, if we certify to a document, we keep the original. That is the proper procedure. A certified copy would then go to whomever is was required.

MS. TURPIN: Well, this is all right, this is what I said. I'm not an attorney so I know that Carson City has a copy and I don't know who this gentleman is with or where he works, but I do know that the Clerk of courts, whether it's an original or a certified copy, I don't know, but they do have a copy, everyone that's supposed to have one.

MR. SMITH: The original stays with the court and a certified copy goes to Carson City.

KISSAM: Mr. Chairman, I'd like to ask Mr. Smith. Are you requesting an amendment to this or are you satisfied with the present wording on line 10?

SMITH: I'm satisfied with it, I just wanted to clarify it with the Health Department to make sure that they didn't have a problem.

CHAIRMAN CHANEY: Thank you very much. Would there be any further testimony on 556? If not, we will address 565. Mr. Kissam.

KISSAM: I personally requested this bill through the Bill Drafter's Office even though I asked for a committee introduction to assure myself of a public hearing, so that we could get some in-put to find out if the bill is even necessary. I'm not sure at this stage. I would like to request the people that are here, speaking for and against the bill, as it is written, who are a lot of the experts around from that field, orthopedic and prosthetic device field, they have been invited here to speak for or against this bill so that we could get some in-put. Mr. Chairman, may I defer any further remarks until we hear testimony? The bill speaks for itself.

CHAIRMAN CHANEY: Do we have anybody here to speak for AB 565? How about in opposition?

WALTER BENECKE: Mr. Chairman, I'm Walter Benecke of Reno, Nevada. I own and operate a orthodic-prosthetic facility. I am in opposition to this bill because there are six facilities in the State of Nevada and the bill specifically asks that the Nevada State

Board of Pharmacy license us. I believe that the Nevada State Board of Pharmacy knows nothing of our particular operation. For instance, if they received a prescription from a physician for a particular device, let's say a "Milwaukee Brace", for instance, they wouldn't know what they were, they could not fabricate it, they do not have the facilities. Therefore they could not license us. If the licensure system is to be set up, I believe a board should be set up from amongst the certified orthodontists-prosthetists within the State of Nevada. In 1948 a group of orthodontists-prosthetists got together, recognizing the responsibility they have, of self-licensure. They formed the American Board for Certification of the Orthodontic and Prosthetic industry and that today is very strong within the United States. For instance, on the books for the State of California, it says that an orthodontist and/or prosthodontist shall be certified in prosthetics or orthodontics by the American Board to do any state work, that is, vocational rehabilitation, crippled children's services, no matter what it is, Medical, etc.

I believe that that information should be put into a bill within the State of Nevada if a licensure type of thing is necessary. I have also with me a book of rules of the American Prosthetic and Orthodontic Association and can give you qualifications for a prosthodontist or orthodontist to pass the examination. There is another certified prosthodontist-orthodontist present. We took our examination together in the same year and to give you an example, the written examination was exactly 8 hours, the oral examination was 1 hour, the practical examination was 3 days, that we had to pass these examinations in order to become certified and it is done by this board which is comprised of the people in our own industry, testing ourselves.

I'm wondering why the need for such a bill. I find it not necessary. I'm open to any questions that any of you may have.

KISSAM: I'd like to start the questioning in that I have personal concern here. Mr. Benecke, I appreciate your being here at my invitation to answer questions that might be pertinent to the rest of the committee. First of all, what control do you have over somebody just setting up a surgical supply house or orthopedic device supply house? Are they required to go through your certification?

BENECKE: No, they are not. There is no law anywhere in any state in the United States except one that prevents anyone from setting up a prosthetic-orthodontic facility.

KISSAM: Would you be interested in having a law requiring them to have your certification?

BENECKE: That would be fine, yes.

KISSAM: What hardship would this present on the smaller supply houses around the state?

BENECKE: Well, there are two that are not certified as facilities.

There is only one in the State of Nevada does not have certified personnel within it.

KISSAM: Could I ask you which one this is?

BENECKE: Yes, it's a company called BrunBrace in Las Vegas, Nevada.

KISSAM: Who controls somebody like this Brunbrace?

BENECKE: A gentleman who owns the company is a man over 50 years of age, who learned his business, on-the-job training, as I did without the benefit of colleges as they now exist, who has been in business in another area and moved to Las Vegas because he desired to live there.

KISSAM: Well, I'm sure with years of experience, he would be qualified, wouldn't he?

BENECKE: He should be, yes.

KISSAM: Does he directly run and service all of his customers or does he allocate this authority to somebody else?

BENECKE: He can delegate that authority to other people in his employ, as we do in our employ.

KISSAM: That might not be so well trained?

BENECKE: That is correct.

KISSAM: Are you in favor of something more stringent than just forcing them to resort to your certification?

BENECKE: No, I am not unless it is state licensure within the State of Nevada and controlled by our particular certified people.

KISSAM: Do you think that that would serve to keep any people out of the business who should not be in there?

BENECKE: Probably so, but then we run into the question of are we getting a restraint of anyone from going into a particular business for a particular reason. For instance, an elderly gentleman, who has been in business for twenty years or thirty years, let's say, he may come to this state and just want to open up a business and would it be wrong for us to restrict a man from going into business who is qualified? It should go before a board to determine his qualification.

KISSAM: Well, that's my feeling. It should have some kind of qualifications involved here because you say restraint of trade or restraint of going into some kind of business, but yet the, your type of business of dealing directly with the public and is it not true, that an ill-fitted brace or device could do more damage than good?

BENECKE: I would say that it is possible for an ill-fitted device to do damage. I won't say more damage than good because it is, for instance, if a person comes to a facility with a compression fracture and a doctor orders a brace for hyperextension to hold him in a corrected position, it's difficult to determine that a man in our profession would fit that man with a brace that would do them damage which would cause them to go into a different position. It would be difficult for me to understand that in any way, shape or form.

KISSAM: Except if that person wasn't properly trained.

BENECKE: If the person didn't know what he was doing, he should refer that person who does know what they're doing.

KISSAM: Do you think he'd do this if he was in business for himself?

BENECKE: I've done it. I don't know about other people. I've been requested to provide something that I am really not trained in and I referred it to a facility that was trained in it. It happened to be in the Bay Area. I had to go that far to get training to get the personnel that is trained to take care of this man, but that's where I sent him.

KISSAM: Mr. Chairman, I've finished my questioning of Mr. Benecke.

CHAIRMAN CHANEY: Mr. Dreyer.

DREYER: Under Chapter 639, I just can't see anywhere in the world where this bill should fall under the licensing of the State Board of Pharmacy. Do you know why they put it there?

KISSAM: I do not. This was done by the Bill Drafter. I requested no specific Board to administer this. That was part of our feeling of why we are here today - where does it belong.

DREYER: Are you licensed at all by the State?

BENECKE: No, sir. In no way whatsoever. There was a bill submitted in the State of California to have this particular business licensed in California. It was defeated but it was at the request of the California State Board of Pharmacy.

DREYER: Is there any reason why they should be involved?

BENECKE: We can't understand why, no, sir.

KISSAM: Maybe I can answer that in that we have with us Mr. George Bennett. He's the secretary of the Nevada State Board of Pharmacy. Maybe he could shed some light on where it might belong if it doesn't belong in the Board of Pharmacy.

CHAIRMAN CHANEY: Any other questions?

GEORGE BENNETT: My name is George Bennett, I'm Secretary of the State Board of Pharmacy. I might give a clue to how the Legislative Counsel might have assigned this particular thing to the Board of Pharmacy. We happen to have authority under a couple of other sections, 454 and 453, wherein we do control the sale and licensure and issue a permit for the sale of hypodermic devices, that is needles and syringes. We also have control of poisons in the State. I would presume that someone in the Legislative Counsel might have thought that we would be in the health field and the logical one to assume this position.

I would agree with Mr. Benecke that we do not know anything about his profession and his field and should any licensing or permit be contemplated, it should come from within the ranks of that profession. We had no input into this, but I can see how it might logically have come about.

KISSAM: Mr. Bennett, do you have any knowledge as to where this might belong, if it was part of a state licensing?

BENNETT: I again would agree with Mr. Benecke that perhaps it was designed for permit or licensure that, say a board might be formed of their own profession to administer it like the Board of Medical Examiners to control the people in the profession because they're knowledgeable about what should be and what shouldn't be and what the degree of violations and the requirements for licensure might be, whereby our agency is not knowledgeable in this field.

KISSAM: Mr. Chairman, may I ask you a question. What's the procedure for making Mr. Benecke's organization need licensing for the certification.

DREYER: That would be through a bill setting up a, putting it either under one department...

CHANEY: We couldn't appoint him as part of the...

KISSAM: Oh, I know that, I'm just asking, to try to keep Mr. Benecke's wishes in order, mandating that, so you or I just can't go out and set up a surgical supply house that could do some damage that did need certification from these organizations.

EDWARDS: I think the confusion in the Bill Drafter's Office perhaps arose from one fact that these devices, whether it's a Milwaukee Brace or drop-foot brace, are often given on a prescription by a doctor and so they thought, well, that's Pharmacy. (laughter) I think they're frequently ordered by an RX, aren't they, usually, so perhaps that's where the confusion arose in the Bill Drafter's Office. I agree with Mr. Benecke that it should be under the orthotists and prosthetists themselves whether or not they need a bill for that. I think they regulate themselves quite well, but nobody else knows what they do. (laughter)

Assembly

169

DREYER: There's no way for the State to check on license and see

if it's done properly?

DR. CARR: I'm not sure.

CHAIRMAN CHANEY: I think all you'd be doing there is just allowing them to If they're going to be their own Board and they're doing that now

KISSAM: Right, and I agree with you and it sounds like they're doing an excellent job, hearing all this testimony. I'm puzzled how somebody else could open up a business and not have to go through some sort of certification. That's my only concern right at this moment.

CHAIRMAN CHANEY: It would be hard to pass it if they had to be the ones themselves.

KISSAM: There should be somebody, though. Not the State Pharmacy.

ASSEMBLYMAN BENNETT: I don't think it would be that difficult because the Board of Pharmacy, they told us themselves, we have a board of Chinese medicine, it just means that they'll just have to set up a new board which you probably won't get through this session, but it has to be somebody who is knowledgeable. There would have to be one or two of them.

KISSAM: A certification board - it sounds like it should be knowledgeable people in that profession. Is that right?

ASSEMBLYMAN BENNETT: Not necessarily now. Sometime they'll stick a label on it and come out with a consumer bill, but I'm talking about the pattern they use on these other boards. Every board and agency in this State is made up of the people who are involved in that particular profession, basically.

KISSAM: Mr. Benecke, do you think your organization has enough clout to persuade members that to keep from any legislation being formed that they should . . . your organization. What do you need to do this?

BENECKE: We would need a national law, not just a state law because our board is self-governing type of thing. Everything is voluntarily done for the benefit of our own industry. In other words, we're trying to upgrade ourselves as well as our complete industry. We have no leverage to force anyone to join us other than voluntarily.

May I make a couple statements? I heard the word "surgical supply". This, a surgical supply store, is not truly our business. A surgical supply store will dispense over the counter, will sell to doctors, plaster bandages, hypodermic syringes, thermometers, band-aids, blood pressure cuffs, etc. We do not dispense that merchandise. We custom manufacture orthotic and prosthetic devices which are braces and artificial limbs, etc. Our business is not connected with the surgical supply type of thing, although many of us do have durable medical equipment, wheelchairs, walkers, etc., within our facilities. I'd like to get that straightened around.

170

CHAIRMAN CHANEY: Why, if there's only six of you, has there ~~been~~ somebody

trying to come in, I mean, what's....?

KISSAM: Mr. Chairman, I thought I'd just declare my position and I did have a personal experience this summer while I was out campaigning. My mother broke a bone in her foot, I took her to a surgical supply house and to rent a pair of crutches, the person who rented myself the crutches for my mother who was standing there, would not fit them for her, they said they did not know how, I fitted them on my mother, I didn't know how and she did more damage to her arms through improper placement of these crutches. And this is what prompted this piece of legislation. A personal experience that I felt, if they could get away with this, and I saw all these devices sitting around the room that they could lease out or sell that could do more damage than good, then something should be done. They do not have at least somebody on the premises to at least fit and train in these devices. They need some certification. At that time, I didn't know about their certification organization that now I'm finding out. If I had known it, I would have written it in trying to go through their licensing board or their certification board because this organization that I went to that had this bad experience, it might have been isolated. It might have been just a chance occurrence that may never happen again. I hope it doesn't. If it was just a chance occurrence, I'm going to forget this whole thing now if you do police your own business.

BENECKE: Let me say that crutches are dispensed by many, many people. Every hospital in the State of Nevada dispenses crutches. Who dispenses them? An orderly? Are we to then assume that if licensure or certification is to be involved, is that person to be certified? If so, he could not qualify under our certification, in any way, shape, or form.

KISSAM: Then maybe he shouldn't be dispensing them. If he could fit them improperly, that could hurt a person.

BENECKE: Who's to say? It's difficult to understand every facet. In other words, can we control every phase of the medical industry by our licensure, by a board, or by somebody? I don't think it's possible, because, for instance, in the facility that I operate, I do not take care of everybody that comes in the door. I have a gentleman with me who is in my employ, who is a graduate, he has a Bachelor's Degree in orthotics and prosthetics, one of the few in the whole country. He is not yet certified because of the length of time lapse. During that time lapse, he must take care and have patient contact to measure, fabricate, fit these devices under my control, naturally. But then he can go up before the certification board to pass his examination. May I suggest that if you are in doubt, I will leave this with you: This is a registry of all the certified orthotic-prosthetic facilities and persons in the United States. There are three firms certified within the State of Nevada, two in Reno, one in Las Vegas. There are five certified individuals within the State of Nevada, three in Reno and two in Las Vegas.

KISSAM: Mr. Chairman, I want to forego the question and carry on with the meeting and it's me, that's all.

171

DREYER: To your knowledge, are there any laws in any other states governing your organization?

BENECKE: Yes, there is in the State of Georgia. There is a state licensure bill within the State of Georgia. I do not have a copy of that bill, but I can obtain a copy of said bill, if you so desire.

WEISE: I see problems in Lincoln County Hospital. They dispense crutches there, they don't have a doctor. (laughter) In fact, we have a full-fledged hospital in Lincoln County; it's got everything but a doctor.

CHAIRMAN CHANEY: Thank you very much. Now we shall take up 583. Have anybody to testify for 583?

MRS. GOMES: I'm Nancy Gomes, Assembly District 24. This bill asks that the Division of Maternal and Child Health Services include examinations for amblyopia. That's, if you read "Peanuts" about four years ago, they had a big series of, they called it "lazy eye", that's where they put a patch over one eye to make them use the other eye. It's determined by sort of a dimness in the vision and the earlier it's detected, of course, the better it is for the kids. As I understand it, there is a pre-kit available to test for this malfunction of the eye. I have no idea it might be for the Department of Health to administer it, but Dr. Carr is here today. I am in favor of the bill because the earlier, I think, you detect these things in childhood the better it is for the kid. It doesn't get any worse and it's a time to cure it. Dr. Carr is here as well as Ms. Hibbs who is with the Nurses Association who requested the bill and if you have any questions, I think they could do the technical aspects.

DR. CARR: I came mainly to find out what the thrust of the bill was, where it was supposed to go. Right now, our baby clinics test for amblyopia which just means decreased vision. So do the private physicians, our public health nurses, I believe they do this in school, they do this in the special children's clinic. I was just trying to find out where we weren't including it. I think that the idea of getting vision checked out prior to going to school or prior to trying to learn anything is valuable. I'm just unsure of what the intent was as to how to go about this.

MRS. GOMES: Well, it's my understanding, except for exceptional children, they don't always get to all children before school and I had thought that it was in your division that this best could be accomplished because, I'm not so sure about the larger areas, but certainly the rural areas, where there are public nurses, these are the people who know the families, know the children, long before they get to school and it would be not for me to say what division you should put it in, but it just seems to me that the testing has been done in other areas, why can't it be done by public health nurses and those that are, we couldn't put it in the schools, because they don't test pre-schoolers. It seems to me that it would be better to spend as much time as we can trying to identify it before they get to school.

DR. CARR: The administration isn't the problem; the problem is how to go about picking it up. The children that I have seen in the crippled children's clinic who come in with crossed eyes, say none of them

have ever been seen by a physician or a nurse, the only one that's ever seen it is the mother. Well, the problem is how to get her, it's almost an educational campaign, if your child's eyes aren't looking straight, come in and get seen. I'm not sure about how to dispense the testing apparatus, whatever it is.

CHAIRMAN CHANEY: How do you deal with it now?

DR. CARR: Our public health nurses and all health-related personnel are trained to make this observation and make this recommendation.

MRS. GOMES: My main concern is that we identify so much when a kid gets into kindergarten because that's the first time that you see a child, but I think there's some advantage to identifying these things before they get to kindergarten and if it's picked up 3 or 4 years before that, you'd be well ahead. I think somebody who has extremely crossed-eyes, somebody picks that up and it's taken care of, but for someone who might not have an extreme crossing of the eyes, you may not

MR. BENNETT: What is the treatment? Isn't that a long, involved process with all the stuff you have to do at home so they learn to use both eyes correctly?

DR. CARR: No, once we pick it up, we refer the child to an ophthalmologist and let him decide how bad the vision is and what's the best course of action to take - whether to patch the good eye, whether to, if the child is old enough, to be able to undertake eye exercises, or whether the child should have surgery for correction. The problem is getting it picked up. Very often a public health nurse will have seen a child in a rural area whose 14 months old and will have asked the mother, "how long have the child's eyes NOT been straight?" She'll say, well, I noticed it at about 3 or 4 months of age, but I kept hoping it would go away. Well, you know, no test is going to help that out, particularly.

CHAIRMAN CHANEY: Any further questions? Thank you. Do we have anybody else to testify on AB 583? I want to thank you for your testimony. We have to go into session at 11:00 so I'll ask those of you who are here to testify on 590, try and be brief. We'd like to first take some of the people who had to come here from Clark County or out of the area.

MARCIA STAPLETON: Ladies and gentlemen of the committee, I'm Marcia Stapleton. I'm the legislative co-chairman of the National Association of Social Workers, the Nevada chapter. I'm here to speak in support of AB 590. In the interest of time, I am speaking in support of the people who are here in this room, including Jerry Earl, who is a social worker in private practice in Las Vegas, Marge Belnap, who is a social worker in private practice in Reno, Efraim Estrada, who is the head of field services for the Inter-Tribal Council, Jim Toner, who is director of educational programs for the National College of Juvenile Justice, Brock Alexander, who is a psychiatric social worker

at the VA Hospital, Alice Drengson, who is a child welfare supervisor for the Inter-Tribal Council and Gary Waters, who is a social worker at the rural clinic, Department of Mental Hygiene.

May I first call to your attention that we urge very strongly that an amendment be passed and included in this bill to exempt all public employees from the provisions of this bill. (Ms. Stapleton's continued remarks are attached as Exhibit "B")

I have copies of my testimony and also copies of "Other Abuses" (Exhibit B₁) that I will leave with you. This is Clifford Alexander.

CLIFFORD ALEXANDER: Good morning, I'm Clifford Alexander, Assistant Professor of Social Services at UNLV. Mr. Chairman, members of this committee, I'm please to be here and to give whatever I can give in support of a licensing of social workers in private practice.

I can recall many, many examples from across the country, in the different states that I've worked in, where persons have misused and abused not only the title, but the practice itself, without having the very specific core course training that's necessary for one to call himself, or herself, a social worker. That whole accreditation concept is set up by a national board that's located in New York and has constant scrutiny done through and by and about it, by way of Washington, and who every year review those policies and procedures that tend to regulate what we know as the deliverers of social service in this country.

I would think that as legislators you would not find our state any different and I would think that you would also be concerned that our state had highly qualified people to deliver services to all its clients throughout this great state.

There have been questions, a number of people, have brought in different comments, made different kinds of phone calls, asked different kinds of questions. Most of those had to do with: Will my job be eliminated? Well, it's been clearly stated that the amendment attached says that it has to do with private practice only. The same as we regulate doctors, dentists and anybody else who gives crucial advice to the medical profession or to the service of an individual, we need to regulate them. We need to have some kind of control, and you, the legislative body, would have the greatest amount of control. If that person is in private practice and advised the wrong kind of advice or directs the wrong kind of service and caused a death or any other kind of deformity within that person's life, be it mental, physical, etc., then that is a stigma with that person the balance of his life.

The same way as the other professions are regulated and are directed, then this profession is asking that you regulate it likewise, that those persons who practice in private practice should be regulated. Workers who have jobs now and who call themselves social workers but who have not had the core training are not the ones to be affected in private practice, because no one would want to go to private practitioners if you hadn't had the training anyway because there are

specific core courses directed toward that end.

Social work is based on humanitarian, democratic ideas and the professional socialworkers are dedicated to the service and the welfare of mankind, to the disciplinary use and recognized body of knowledge about human beings and their interaction and the marshaling of community resources to promote the well-being of all without discrimination. For those who are concerned about the profession giving service to all persons, and there are those, perhaps those who are present, who will talk about this board not being organized to serve all people, I would say that that is far from the truth. There might be those who would suggest that the board has already been selected in somebody's mind, well, it isn't a bill, it hasn't come out of your committee yet and I doubt seriously anyone would have that kind of control over you or the Governor.

In light of all those facts that have been suggested to you by myself and by Miss Stapleton, there are those who are very concerned about the operation of other bills or certification boards. There are those who made comments about the ACSW and here in our State about the Drug Abuse committee and about the Family Counseling certification group. Well, this is not that group or those groups. This is the social work group and it has to do with regulating social services and the delivery of social services to people and that's all people and any program that's Federally funded can have its problems corrected by the Equal Rights Amendment, by Title VII and by many other Federal laws as well as state laws that automatically apply to the problems that might be encountered because of one being misdirected with services. Thank you very much.

CHAIRMAN CHANEY: Any Questions? Reverend Bennett.

BENNETT: It's my understanding that about 80% of the social workers in this state work for state agencies and also from what you said, whether you're _____ in public or in private, you have to be regulated and licensed. I'm just trying to understand the rationale that you're only concerned about 20% of the people. In other words, I think I'm entitled to good service whether it's in an institution or going into somebody's private office.

STAPLETON: Well, it is tradition. All of the other licensing boards do not require that state public employees...the doctors require they be licensed _____, but not licensed when they are working within a state institution. One of the traditions in this state is that people in the public sector are to be regulated by their personnel standards and this is basically the reason that we went along with that.

ALEXANDER: There's another piece of information, too, Assemblyman Bennett, and that is that in the private sector there is always the opportunity to go into business for oneself. There is always the opportunity to misuse the profession by hanging a sign over the door saying that they are certified, and many people not knowing that they

are certified and many people not knowing that they have been regulated and the public sector in most cases, the mere fact that proposals and foundations, Federal government and state government, have clearing house concepts that control that kind of operation and at any point the funds can be held up until that is corrected. The private sector is the only one that's not protected.

WEISE: I tend to agree with my Republican counterpart here.

(Chairman Chaney introduced a visiting class from Zephyr Cove Elementary School.)

WEISE: I think that the availability of abuse, personally, exists as much in government as it does in the private sector. We're looking at someone who can create a physical, mental or emotion problem injury and we're exempting 4/5ths of the people simple because they work for the government. No one is ever going to convince me that government is efficient and thorough. I don't understand, I can't buy that concept. If you want to license people, as we do doctors, and nurses and dentists and the other professional groups that we are discussing here, many of those people have to be licensed also to work for the state. Maybe it's a trend we should turn around right now and require more of these people that are exempted from licensing to have that requirement instituted against them. You're dealing with 80% of the people without those qualifications. I can't buy that handle, that just because someone is in the private sector they're going to go out and abuse it and these are the people that we have to nail down and yet government can go out with any qualifications they deem appropriate and maybe the qualifications in Winnemucca are going to be that the person is an eighth grade graduate and maybe in Las Vegas they have to have a Ph.D. in psychology, or something. It just doesn't make sense to me.

STAPLETON: In theory, I certainly agree with you, but in practical situations, it's very difficult to try and convince...

WEISE: I think the difficulty we're talking about is this: If we require this licensing of everybody, you're going to get a lot of phone calls from the 80% of the people who are involved in government. It's going to create havoc in the state welfare department and havoc in the local welfare department. But we can pass this regulation to the other 20% because they can't scream that much and they don't have the bureaucratic representation to defend them. I think that's what we're discussing here; we're certainly not discussing quality of care.

ALEXANDER: If I might speak to that, the other kind of problem attached to that idea is that not only do we have that whole 80% which might be the welfare group, but you have another kind of breakdown and the concern for continuing education which creates another problem, the price of licensing, the distribution of licensing, the make-up of the board, the distribution of the board, who determines and who suggests who should be on the board to the Governor, and that sort of thing. So it creates another kind of problem that's a bit beyond, I think, the ability of a board, non-paid in general funds, to operate,

because it would need police action and that would create some other problems.

CHAIRMAN CHANEY: Mr. Ross.

ROSS: I'm curious, Mr. Chairman, if there's anybody here to speak against the bill. Does that include the bill with the proposed amendment?

ALEXANDER: Yes.

CHAIRMAN CHANEY: Any further questions? Thank you for your testimony. Do we have anybody else to speak for or against AB 590?

LA BADIE: Thank you, Mr. Chairman. Bill LaBadie from State Welfare. I'll just take a second of your time, Mr. Chairman. I have a little concern because I'm not convinced that licensing proves competency and I don't think that this is going to prove anything really. I can't see where it's going to accomplish anything, from my own personal viewpoint. Excluding the other people in the state, fine, but I'm just not convinced that this is going to accomplish anything and that's my own personal opinion.

CHAIRMAN CHANEY: Do we have anybody else to speak against AB 590?

SAMUEL BUTLER: I'll be brief, Mr. Chairman. Mr. Chairman, members of the Health and Welfare Committee, my name is Samuel Butler from Las Vegas, professional employment is with the Clark County Juvenile Court as administrative officer, but I'm here representing the interests of the National Association of Black Social Workers, which differs from the originators of the bill and the act which is the National Association of Social Workers. I have a prepared statement which I don't think is necessary to read.

Some of the objections that the National Association of Black Social Workers have to the bill have been mentioned here. Another area, large area, that is of primary concern to them, is the possible elimination of practitioners and para-professionals in the field. It would not allow for their involvement in the delivery and provision of services. I agree with Assemblymen Weise and Bennett to the effect that the majority of social workers, meaning those under the egis of governmental agencies, would not come in for licensing or have any review for competence or appropriateness to function in the field. As such, the recommendation of the National Association of Black Social Workers is to return this bill to the originators for an assessment of social worker resources in the community and for re-development of it in terms of in-put from the consumers of services and the other entities that comprise the social work component in the state. Thank you.

BENNETT: Tell me, approximately how many states license social workers?

ANSWERS FROM AUDIENCE: Twenty states.

WEISE: Mr. Butler, since you are involved in you said, Juvenile Court, my sister was a social worker for awhile. I'm somewhat familiar with the nature of the job, as well as what might be the qualifications. When I first read the bill, my first reaction against it was this: Many of the people who are involved in social work, most of whom are employed by government agencies, are employed because of their, you might call it, their natural ability, their ability to relate to people, understand problems, to mesh in with the individuals involved, get involved with their problems and try to effect some positive result to assist them. I suppose we want to put together some guidelines to put competent people out in the field. The thing that troubles me is how do you develop a test and how do you license someone for these kind of attributes? That I don't understand. That, to me, is much more important than the individual being able to pass a certain test or take certain courses, or accomplish those kinds of requirements. Your general feeling, which is more important, the technical qualification or the personal ability?

BUTLER: In answer to that, Mr. Weise, I'd like to preface my answer by saying, nothing that I have said or that the National Association represents should be construed to mean that they do not believe social workers should be licensed. They do believe so, and, further, that considerations or contingencies as you have mentioned should be incorporated into it, such as experience being equated out to "x" number of years of formal education, that type of thing. So it isn't that they're opposed unalterably to licensing for social workers. They just feel that the criteria by which social workers are licensed should be broader and should be subject to a greater input from a variety of other agencies. But that's definitely something that should be considered and is not reflected in the stipulations of the bill here.

CHAIRMAN CHANEY: Do you have any recommendations that, in case this bill was passed, that you'd like to see go into it?

BUTLER: Yes, we have about four pages of changes, deletions, additions, etc.

CHAIRMAN CHANEY: I'm talking about amendments that could be worked out to make the bill work.

BUTLER: Considering the number of oppositions to the various sections, no, I don't just have any general recommendations that would be agreeable or any amendments that would be acceptable to the Association because their objections are fairly extensive as it is written.

CHAIRMAN CHANEY: I thought that if you had some recommendations, we could work together to see if we could compromise on the bill. Maybe it might be suitable for both sides.

BUTLER: Unfortunately, Mr. Chairman, no, I don't have any general amendments.

WEISE: Possibly Mr. Butler could furnish us, at his convenience, with copies of those, what you would have in mind for the bill, and we could go over those individually and maybe consider them at our next meeting.

JERRY EARL: I'd like to make a comment to Mr. Weise's statement a minute ago. My name is Jerry Earl and I'm in private practice in Las Vegas. Mr. Weise, what you were saying about testing and education a minute ago, was that, it sounded like an either/or situation, that people were either technically qualified or...

WEISE: No, I just think that some weight has to be given this... I know one individual who was extremely well qualified technically, academically. They'd go out and meet people and handle problems with people, this individual got so upset that I'm sure that more harm was done and that individual was subject to a nervous breakdown. Finally, she was a friend of my sister's, she packed her bags and went down and went to work for a secretarial agency because she couldn't handle the emotional involvement, but academically and technically, she's pass any test that was ever put together.

JERRY EARL: One of the things I'm aware of that the schools of social work strive for is sorting those people who are talented, as well as academically talented. I think that what we would be looking for, too, if we establish a board, is an evaluation of technical competency as well as just the art of doing social work, which I see is being described in the literature, as "the art and science", instead of an either/or kind of thing.

WEISE: Experience is something that has to be given consideration, too.

EARL: I agree with you and that is written into the bill. Thank you.

CHAIRMAN CHANEY: I wish to thank everybody for their testimony. We're going to ask you, Mr. Butler, to furnish this sub-committee with a copy of the recommendations that you'd like to see. We'd like for you to have somebody to work with the committee. I realize that you have to be in Clark County. So if there's somebody up here that you know who will represent your organization, I would like to appoint a committee of Mr. Bennett, Mr. Weise and Mr. Schofield, who will be chairman of this committee, and work out something that would be hopefully suitable to you and your group and to the sponsors of this bill.

SCHOFIELD: When will you have a copy available?

BUTLER: I have a copy here that I can leave with your secretary.

SCHOFIELD: Will you see that I get it.

GOMES: I just wanted to say briefly that I think an interim study on the financing of public assistance would clear up, for future legislators, a big problem, because we always end up with, well, should the county do this, or should the state do this, or do we need federal dollars. There's not been a study done and I think

I sent you the memo which was very briefjust spend more time if you're in agreement with it and perhaps work with Russ MacDonald and somebody from Clark County to be very specific with the parameters of such a study. I really think it would be a lot of use because otherwise we're eventually going to complete federalization or not and in the meantime, I think counties are being strapped by

ROSS: I would move for such a study.

CHAIRMAN CHANEY: Do you plan to draw such a resolution?

GOMES: Yes, I would like to have it introduced by this committee.

SCHOFIELD: I second the motion.

The meeting was adjourned at 11:00 a.m.

Respectfully submitted,

PHYLLIS BERKSON, Secretary

NOTE: Amendment proposed by National Association of Social Workers is attached as Exhibit "C". Additional information offered by the Association is attached as Exhibit "D".

Amendments offered by the National Association of Black Social Workers is attached as Exhibit "E".

GUEST LIST

Efraim Estrada	Inter-Tribal Council of Nevada
Alice Drengson	Self
Gary Waters	Self
Mike Tobey	Self
Wanda Turpin	Clark County Health District
Dr. Louis Beermann	Mental Health & Mental Retardation
Dan Beerman	Self
Tom Beerman	Self
Jim Jackson	Nevada State Board of Physical Therapy Examiners
Barbara Guzman	Developmental Disabilities
Chris Lamphere	Rehabilitation
Samuel Butler	National Association Board, Social Workers
Earl Yamashita	Welfare Division
William LaBadie	Welfare Division
Ace Martell	Welfare Division
Jim Joyce	Nevada Hospital Association
Michael Dunn	Health Division
George Bennett	State Board Pharmacy
Tony Cruz	Prosthetics, Orthonics
John Cruz	Prosthetics, Orthonics
Marcia Stapleton	National Association of Social Workers
Joseph Paradise	Bureau of Indian Affairs
Tom Moore	Burge-Lloyd Surgical Co.
Walter Benecke	Burge-Lloyd Surgical Co.
David Hoy	Burge-Lloyd Surgical Co.
Frank Holzhauer	Human Resources
Jerry Earl	National Association of Social Workers
Clifford Alexander	Legislative Action Committee, Clark County Central Committee

SOCIAL WORK LICENSING BILL

May I first call to your attention Section 7, Page 2, line 28, which states that "Expenses of the Board and its members shall be paid out of the funds derived from fees paid to the Board under the provisions of this Chapter and no part thereof may be paid from the general fund."

Secondly, I would like to bring Section to your attention. This section, at line states that public employes are exempted from the provisions of this Bill

Social Workers deal directly and continuously with people and the social forces affecting their lives. The purpose of the profession of social work is to change, improve or restore a person's capacity for social, emotional, economic or physical functioning. The settings in which social workers perform are quite diverse - from program for child abuse, to nursing homes, family and community agencies, hospitals, juvenile facilities and private counseling practices to name a few in Nevada.

Social workers' special and close involvement with the lives of the people of this State necessitates the setting and maintaining of specific requirements for people calling themselves social workers - so as to guarantee to the consumers of social work services a basic level of education, experience and competence in the person helping him deal with complex problems.

Consumers of social work services come from all walks of life - from a couple wanting to adopt a child, to an adolescent girl at the Home of the Good Shephard in Las Vegas getting help with problem behavior. Private nursing homes are required by the Federal

Government to provide social work services to patients and their families as they try to deal with the serious social effects of chronic illnesses. General practitioners and psychiatrists hire medical and psychiatric social workers to help their patients cope with the social and emotional problems caused by their illnesses.

The Catholic Church staffs its Welfare Bureau with social workers and the Mormon Church has a long tradition of hiring professional social workers to run their Relief Societies.

There are several levels of competence and experience within the profession of social work and this Bill in Section 12, Page 3, line 17, provides for four levels of licensing. Initially, there is a grandfather clause; Section 28, Page 6, line 10 in effect for one year, waiving examination and academic requirements for those people who have been doing social work in this State for at least one year. The beginning level of practice is the "social work associate", defined in Section 12, Page 3, line 17. This is a person with a degree in a field related to social work and one year's experience in social work. The second level requires that a person have a bachelors degree with a major in social services from an undergraduate program accredited by the Council on Social Work Education. There are such programs at both UNLV and UNR. There are also 190 programs across the country providing this training. The other two levels require that a person have a Masters Degree in Social Work (MSW) which requires two years of training beyond the bachelors degree and involves extensive on the job experience and supervision. The levels differ, in that in the fourth, the person must have two more years of supervised experience after the MSW and is then allowed to practice independently - to set-up a private

consulting business for example. This conforms with the standards of NASW.

In January, 1978, the UNLV is going to establish the first graduate school of social work in this State. This will provide access to both the third and fourth levels of licensing for those already doing social work in Nevada. It will also attract more social workers to the State, and as the program matures, produce more social workers to the State to serve our growing population and to deal with our concurrently growing social problems. We urgently need a legal method of insuring to the people of Nevada that those representing themselves as social workers are qualified to do so.

Much of the social work done in Nevada, as you are probably aware, is done in the public sector. However, we recognize administrative and organizational realities in this State and recommend exempting social workers in the public sector. We do know that many of these people will participate voluntarily in this licensing program. Currently, those social workers required by this bill to be licensed would number about 65. However, with the enthusiastic response we have gotten to this Bill across the State, I would estimate that 150 - 200 people would be licensed during the first year. Many people in the public sector assure us that they want to have an independent assessment of their competence and experience and licensing would give them this.

Currently, psychologists and marriage and family counselors are licensed by this State. Social workers are licensed by Bills similar to this one in 20 states, including four with proximity to Nevada - Utah, Colorado, California and Idaho. People who can either

not acquire a license as a psychologist or as a marriage and family counselor in Nevada, or those who have failed the social work licensing process in the surrounding states can easily come here and advertise themselves as social workers and there is nothing the profession can do to control this.

There are growing number of private insurance companies who will pay for the services of social workers in the field of mental health, if they are licensed by the State to practice independently. CHAMPAS, the government health insurance offered to military and retired military personnel and their families, also currently pays for services offered by social workers in private practice. In 1975 CHAMPAS cut out their payment temporarily to marriage and family counselors. In this State, several immediately began to bill CHAMPAS under the title of "Psychiatric Social Worker", although they were not social workers. CHAMPAS administrators eventually saw through this, but social workers had no legal recourse to protect their title or expertise.

Private nursing homes in Nevada are required by the Federal Government to have a social worker on their staffs, if they are receiving Federal money, which they all are. Some have hired people with some social work background but many have made do with some untrained person from their staffs, whom they have arbitrarily called "social worker." In one situation in Reno that person started off at the nursing home as a chef, was then a nurses aide and is now carrying the title of social worker, without any further education or experience. If any of you have had to deal with the serious and sometimes tragic situation of having a loved one with an illness so debilitating as to require nursing home care, I should think that you would want someone with

training and skill in understanding the strains that chronic illness places on a family and its resources and not someone designated "social worker" for convenience sake.

The continuing education requirement for maintaining this license will also provide a guarantee to the public that those people calling themselves social workers have at least minimally kept up with the exploding knowledge in the entire field of human behavior. Hopefully, this knowledge will then be translated into better understanding and service in dealing with the problems of the people of this State.

One of the problems we face is that, to many in this State, "social worker" is a very vague title. However, for more than 60 years there have been graduate programs across the country that require two years of professional training beyond the bachelor's degree to learn the skills necessary to solve problems occurring when people interact with their environment. Now, more than ever, as our society becomes more complex, this profession needs to be clearly and legally defined to insure to the people of Nevada experienced and competent service.

Marcia Stapleton, MSW

OTHER ABUSES

1. In an alcoholism treatment program there is a person titled "social worker" who has no education or experience in social work. His responsibilities are vital to the success of the program-- to involve the families of the people in the treatment program in the therapeutic process. Without family understanding and support the rate of recidivism among alcoholics is extremely high. This person called "social worker" has no training in these skills and cannot do the job expected of a social worker.
2. There is a person in private practice in the state, calling himself a "psychiatric social worker" without training in social work, who, in the past, is known to have encouraged his clients to engage with him in very unethical behavior, including the use of illegal drugs and sexual activity.
3. There is a person with no degree or training, calling himself a "social worker" and conducting Gestalt Therapy groups. This type

of therapy, done correctly, deals with very intense feelings and involves many years of training for the therapist to learn how to deal with these very strong emotions. If these feelings are not dealt with correctly, it can be devastating to the group participants.

Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	Amendments to Assembly / Senate Bill / Joint Resolution No. <u>599</u> (BDR51-1223) Proposed by <u>Committee on Health and Welfare</u>
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	

977 Amendment N^o 652 A

Amend section 1, page 1, line 2, delete "25," and insert "26,".

Amend section 26, page 5, line 19, after "Sec. 26." insert:

"This chapter does not apply to any person who is engaged in the practice of social work for an agency of this state or any political subdivision of this state.

Sec. 27."

AS Form 1a (Amendment Blank) 3044A

Drafted by LP:ml Date 4-2-77.

To Journal (3) CFB

EX. C

Amend section 27, page 5, line 42, delete "Sec. 27." and insert "Sec. 28."

Amend section 27, page 5, line 45, delete "25," and insert "26,"

Amend section 28, page 6, line 10, delete "Sec. 28." and insert "Sec. 29."

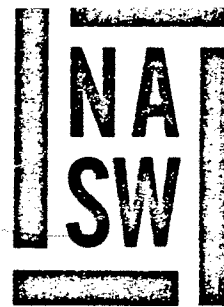
Amend section 29, page 6, line 37, delete "Sec. 29." and insert "Sec. 30."

Amend section 30, page 6, delete line 46 and insert:

"Sec. 31. 1. Section 28 of this act shall become effective at 12:01 a.m."

NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.

1425 H St., N.W., Suite 600, Washington, D.C. 20005 (202) 628-6800



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April 1, 1977

Assemblyman Lonnie Cheney
Chairman
Assembly Health and Welfare Committee
Carson City, Nevada 89701

Dear Assemblyman Cheney:

The National Association of Social Workers (NASW), representing 75,000 trained professional social workers, both compliments you and supports the passage of AB 590 which will establish important legal regulations for the protection of consumer interests.

Twenty States now have legal regulation of social work practice in order to guarantee that the public will receive quality service with those personal and social problems which have such a great impact on individuals and their families. An additional twenty-five States now are moving to complete legal regulation of social work practice with the same forward step that is now being taken in Nevada.

We hope you will continue your significant influence in obtaining the passage of AB 590 in order to guarantee the provision of the most efficient and economical services.

If the NASW National Office, in conjunction with its Nevada State Chapter can provide additional information or consultation, we would be pleased to do so.

Sincerely,

Chauncey A. Alexander
Chauncey A. Alexander, ACSW, CAE
Executive Director

CAA:emm



UNIVERSITY OF NEVADA

RENO

DEPARTMENT OF SOCIAL SERVICES
AND CORRECTIONS
ROOM 315, MSS
RENO CAMPUS 89557

April 1, 1977

Assemblyman Lonnie Cheney
Chairman of The Assembly Health
& Welfare Committee
Nevada State Assembly
Carson City, Nevada 89701

Dear Assemblyman Cheney:

I am writing on behalf of the Department of Social Services and Corrections at the University of Nevada, Reno. We would like to express our support for the Social Work Licensure Bill #AB590. It is our feeling that licensure is in the best interest of the public being served by social workers in the State of Nevada.

Sincerely,

Barbara W. Larsen, Chairperson
Department of Social Services & Corrections

BWL:ks



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

STEWART BOARDING SCHOOL.

Stewart, Nevada 89437

IN REPLY REFER TO:

April 4, 1977

Assemblyman Mr. Lonni Cheney
Chairman, Health & Welfare Committee
Nevada State Assembly
Carson City, Nevada 89701

Re: AB 590

Dear Sir:

Your support of AB 590 is being requested because you and I have an opportunity to meet our responsibility to those persons whose well being has been entrusted to us by reason of our professions and our offices. The many facets of Social Work seriously affect not only the lives of our constituents and clients, but also our loved ones and even ourselves. The personal-social problems resulting from physical illness, death, adoption, child abuse, schooling, crime, old age, unemployment, accidents, natural disasters, divorce, mental illness, economic crisis, drug abuse, divorce, etc. have a profound influence on the lives of the persons affected and reaches over into the lives of persons close to them.

Our primary concern is the physical, emotional, social, mental well being of people. However, pragmatically, the defeat or passage of AB 590 translates into dollars wasted or dollars saved in terms of state and county budgets and programs. Therefore, it behooves us to support a Bill which will serve all persons in society by promoting a higher standard of needed human services while protecting and promoting the economic status of our community. AB 590 will do much to protect all persons in our state from unscrupulous, incompetent, and harmful frauds vicimizing an uninformed and unprotected public. By providing responsible, skilled Social Work practioners, AB 590 will be enhancing the services delivered by allied professions that collaborate with Social Work; such as Psychiatrist, Psychologist, Medical Professionals, Courts, public and private agencies.

Social Work is the one segment of the Human Behavioral services that is completely without regulation in our state. AB 590 will be a necessary means to correct this deficiency.



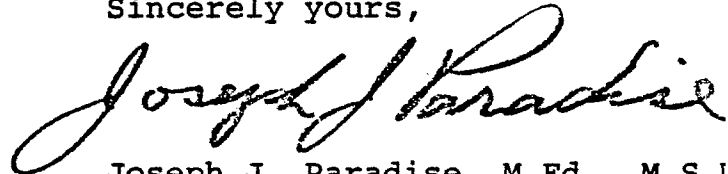
April 4, 1977

- 2 -

Personally I have lived in Clark County for five years and in Carson County for five years. My professional duties have taken me throughout the state. It is my professional judgement that AB 590 is urgently needed to serve and protect the people of our state and it will prove to be in the best interest of our entire state.

Therefore, professionally and as a resident of Nevada I completely endorse AB 590 and urge you to consider the merits this Bill and I do hope you will promote passage of AB 590.

Sincerely yours,



Joseph J. Paradise, M.Ed., M.S.W.
Supervisory Social Worker
Director Pupil Personnel Services



NEVADA PSYCHIATRIC ASSOCIATION

R. EDWARD QUASS, M.D.
PRESIDENT

1700 E. DESERT INN ROAD
LAS VEGAS, NEVADA 89109
TEL. (702) 734-9786

THOMAS R. STAPLETON, M.D.
SECRETARY-TREASURER

647 N. ARLINGTON AVENUE
RENO, NEVADA 89503
TEL. (702) 786-1826

April 1, 1977

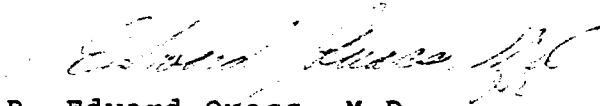
Assemblyman Lonnie Cheney
Chairman of Assembly Health & Welfare
Nevada State Assembly
Carson City, Nevada 89107

Re: AB 590

Dear Assemblyman Cheney:

The Nevada Psychiatric Association would like to recommend passage of AB 590, the Social Worker's Licensing Bill. This Bill would give statutory recognition in Nevada to a profession which is widely respected throughout the nation and it would give the consumer some assurance that person's held out to them as "Social Workers" did meet certain requirements with regard to training and experience.

Sincerely,


R. Edward Quass, M.D.
President

REQ/jh



WASHOE MEDICAL CENTER

77 PRINGLE WAY

RENO, NEVADA 89502

785-4100/CODE 702

TELEX NO. 354454 (WSHOMEDCTR RNO)

Over One Hundred Years of Community Service

5 April 1977

Honorable Lonnie Chaney
Chairman, Assembly Committee on Health and Welfare
Nevada Legislature Building
Carson City, Nevada 89701

Dear Assemblyman Chaney:

The undersigned members of the Department of Medical Social Services at Washoe Medical Center are expressing our support of A.B. 590 with this letter. We feel licensure of persons engaged in social work practice is essential to insure the continuance of a high quality of care for our clients.

As you will note, we are employees of a public institution, and we see no reason why public employees should be exempted from licensure. If licensure is available, we feel we must be part of that process as factual evidence of our ongoing commitment to excellence in service to our clients.

Sincerely,

Michael J. Hoover
Michael J. Hoover, Director
Medical Social Services

James W. Moser
James W. Moser, M.S.W.
Medical Social Services

Betsy Lane
Medical Social Services

Betsy Lane

Colleen Crane
Colleen Crane
Medical Social Services

196

CARROLL W. OGREN, Administrator

BOARD OF TRUSTEES

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MARK B. RAYMOND, M.D.

DWIGHT A. NELSON



RENO MENTAL HEALTH CENTER
360 MILL STREET
RENO, NEVADA 89502

MIKE O'CALLAGHAN
GOVERNOR

TELEPHONE 784-6425, 784-6426

April 4, 1977


Assemblyman Lonie Chaney
Legislative Building
Carson City, NV 89701

Dear Assemblyman Chaney:

This letter is in support of A.B. 495. I am a social worker, and I am concerned that at the present time there is no regulatory provisions or consumer protection in Nevada. Your bill, I feel, will allow for protection and upgrading the practice of social workers.

Thank you for your efforts.

Sincerely,


Ray J. Howard, A.C.S.W.
Program Director, Adult Unit
Reno Mental Health Center

RJH:dmm



Nevada Nurses' Association

3660 Baker Lane Reno, Nevada 89509 (702) 825-3555

April 5, 1977

STATEMENT OF SUPPORT - REGULATING PRACTICE OF SOCIAL WORK

Licensing professional persons is a positive method of showing that the licensing boards recognize competent people in implementing necessary services.

A consumer of needed services must have the protection of these professional regulatory boards.

Sincerely,

Janet L. Zintek,
President
NEVADA NURSES' ASSOCIATION

RSVP

RETIRED SENIOR VOLUNTEER PROGRAM

4600 KIETZKE LANE • SUITE A 106 • RENO, NEVADA 89502 • (702) 784-4071

April 4, 1977

Loni Chaney, Chairman
Assembly Health & Welfare Committee
Nevada State Legislature
Carson City NV 89701

Re: AB 590

Dear Assemblyman Chaney:

As a practicing baccalaureate social worker, I am highly interested in the passage of AB 590 which would regulate the practice of social work in Nevada.

I am at present the Project Director of the Washoe Retired Senior Volunteer Program under local sponsorship of the State of Nevada Division of Mental Hygiene & Mental Retardation. Our prime purpose is to utilize often-long-dormant skills and expertise of seniors, 60 years old and better, in volunteer service to our community; last year, 250 older adults worked in over 50 agencies and programs serving more than 63,000 hours of service. As in other aging social service programs, we also are highly involved with information and referral to seniors and advocacy for improved services to meet the increasing needs of our older population, which is also increasing.

Although I am not as involved with Skilled Nursing Facilities and other group-care homes now as when I was employed by the Welfare Division, this particular area of concern comes to mind in thinking of social work regulation. I had observed at that time employment of Activities Directors or Recreation people in the guise of a Social Worker in order to meet the federal regulations regarding Medicare and/or Medicaid requirements for vendor payments. These people may have had very good intentions, but I sincerely felt they were not qualified to perform as a social work professional. The ultimate loser, therefore, was the older resident of a nursing home. I hope this employment practice has lessened in our area; but with the wages known to be paid in care facilities, I doubt it.

Social work regulation is also a prime area of concern for the National Association of Social Workers, of which I am a member. NASW has cited many "horror" stories of misrepresentation, and again, poor service to clients. This, in turn, makes it more difficult for qualified social workers to perform the community service they were educated to do.

In addition, I would also like to express my appreciation for your introduction of the Family Planning legislation which would require this education in our



ANOTHER ACTION PROGRAM

Sponsor: DIVISION OF MENTAL HYGIENE AND MENTAL RETARDATION

199

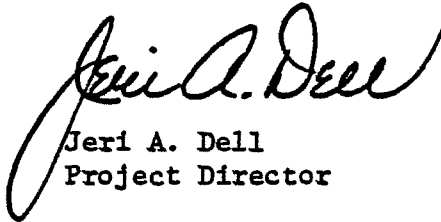


Chaney/Dell
Re: AB 590
April 4, 1977
Page 2

middle schools as well as the high-school level. As a parent of a teen-aged daughter, I can only see this education as a preventative measure that could help some children avoid the need for VD treatment or, worse, abortion. Thank you for your concern.

If you have any questions regarding my view on social work legislation, please feel free to call me at 784-4071. I appreciate your consideration.

Sincerely,



Jeri A. Dell
Project Director



KE O'CALLAGHAN
GOVERNOR

STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES
RURAL CLINICS
ADMINISTRATIVE OFFICES
4600 KIETZKE PLAZA, SUITE 104
RENO, NEVADA 89502
(702) 784-6417



ROGER GLOVER, MSW
CLINIC ADMINISTRATOR

April 4, 1977

Lonie Chaney, Chairman
Committee on Health and Welfare
Nevada State Legislature
Carson City, Nevada 89710

Dear Mr. Chaney:

I am writing in support of Assembly Bill 590 regarding the regulation of the practice of Social Work. For a number of years, the Profession of Social Work has been concerned with upgrading the services that members of the profession provide to the public. Assembly Bill 590 represents the efforts of social workers here in Nevada to upgrade and regulate the profession in accordance with standards set by the National Association of Social Workers.

As a Professional Social Worker and Administrator of a State of Nevada Mental Health Program, I support Assembly Bill 590 with one exception. The State of Nevada, through its personnel and supervisory systems, regulates the activity of its social work employees. I therefore believe that public employees should be exempt from the requirements of this act and should not be subject to licensure and its associated fees.

These requirements would impose a significant financial burden on State employees, as well as making it practically impossible for the State to hire Social Workers as continued employment would be dependent on passing the exams. It is my understanding that Assembly Bill 590 is to be ammended to exempt public employees. Should this happen, I believe that the best interests of the people of the State of Nevada are served by passage of this legislation.

Sincerely,

Roger Glover, MSW
Clinic Director



VETERANS ADMINISTRATION
HOSPITAL
1000 LOCUST STREET
RENO, NEVADA 89502

April 1, 1977

IN REPLY
REFER TO: 654/122

Honorable Lonnie Cheney
Chairman Nevada Assembly
Health & Welfare Committee
Carson City, NV 89701

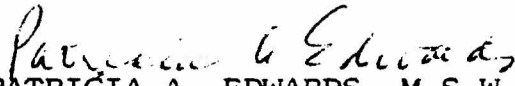
Re: Bill AB-590

Dear Mr. Cheney:

I am writing to support AB-590 in the State of Nevada. Even though the Veterans Administration Agency will not be directly affected, a bill licensing social workers in the private sector would provide consumer protection for the residents in this state. The clients served as consumers would also provide an impetus for set standards in the practice of professional social work in the State of Nevada.

I urge you to support AB-590.

Sincerely yours,


PATRICIA A. EDWARDS, M.S.W.
Chief, Social Work Service

TORREY PINES

CARE CENTER

April 4, 1977

The Honorable Lonnie Chaney
Chairman, Health and Welfare Committee
Nevada State Legislature
Carson City, Nevada

Dear Mr. Chaney:

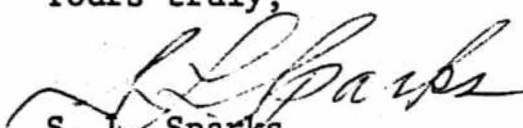
Your strong support for AB590 would, in my judgment, be in the best interest to the people of Nevada.

As a nursing home administrator concerned with the quality of care, I believe this bill would be a positive instrument in seeking that goal. Social workers have a long history of effective involvement in delivery of medical care in university medical centers and private hospitals across the country. Their concern for helping the individual live to the maximal extent of their physical, emotional and social capacity is nowhere more necessary than in the commitment provided by long term care health facilities.

Public legal regulation is essential for any profession to meet its commitment to the public as well as to its members. AB590, when enacted, would define the practice of social work and the competence required for practice based on specific standards for education, tested knowledge, experience, skills and disciplined behavior. The protection for the consumer of social work services and the mandate for development of continued high standards for the profession itself make the bill well worth passage.

Again, may I urge your support for AB590.

Yours truly,


S. L. Sparks
Administrator

Dwain S. Peterson
4505 Maryland Parkway
Las Vegas, Nevada 89154

March 30, 1977

Mr. Lonie Chaney, Assemblyman
Chairman Health and Welfare
Nevada State Legislature
Carson City, Nevada

Dear Mr. Chairman:

Following are some examples of situations that have occurred in which individuals are alleged to have abused their position of social worker. These situations could be better controlled if a social work licensing bill were in effect.

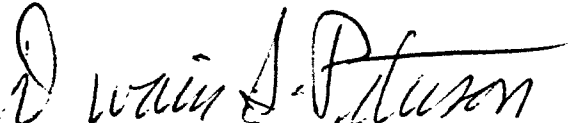
One case demonstrates two issues. A person worked in a state agency with a job title of Psychiatric Social Worker II even though he had a B.A. in a related degree and no formal social work training. He terminated with the state and obtained a city license as a social worker. In practice he was alleged to have used illegal drugs as part of a therapeutic procedure. A bill regulating social work would provide recourse in both the use of the title of social worker and handling the allegations of abuses in private practice.

Two allegations have been heard regarding people in state agencies identified as social workers, but without social work credentials. In one case, a juvenile boy was coerced into homosexual activity by a staff member on several occasions. In another case, a worker coerced several female patients to go to his home for sexual purposes by deceiving them to believe this was the only way they could earn a discharge. These situations should be evaluated by a licensing board for maximum protection of the public.

March 30, 1977

The bill is designed primarily to regulate social work practice by private agencies or individuals. In Clark County there are at least 12 private agencies that provide a social work service. In addition, there are that many individuals who do private social work practice either part or full time. The public will be benefited by this additional protection against misrepresentation and malpractice.

Sincerely,


Dwain S. Peterson, ACSW
President, NASW

DP/jm

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Las Vegas, Nevada 89154

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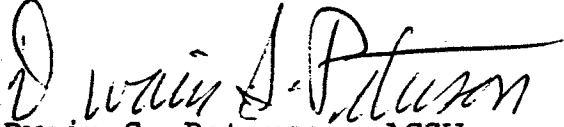
Mr. Lonie Chaney

-2-

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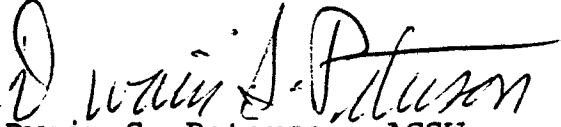
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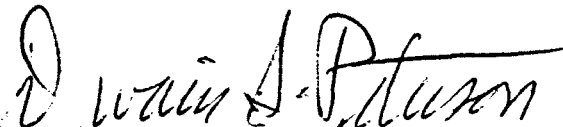
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Sincerely,


Dwain S. Peterson, ACSW
President, NASW

DP/jm

The Las Vegas Chapter of the
NATIONAL ASSOCIATION OF BLACK SOCIAL WORKERS
 in accordance with the Code of Ethics

Social work is based on humanitarian, democratic ideals. Professional social workers are dedicated to service for the welfare of mankind; to the disciplined use of a recognized body of knowledge about human beings and their interactions, and to the marshaling of community resources to promote the well-being of all without discrimination.

Social work practice is a public trust that requires of its practitioners integrity, compassion, belief in the dignity and worth of human beings, respect for individual differences, a commitment to service, and a dedication to truth. It requires mastery of a body of knowledge and skill gained through professional education and experience. It requires also recognition of the limitations of present knowledge and skill and of the services we are now equipped to give. The end sought is the performance of a service with integrity and competence.

Each member of the profession carries responsibility to maintain and improve social work service; constantly to examine, use, and increase the knowledge upon which practice and social policy are based; and to develop further the philosophy and skills of the profession.

We hereby make the following recommendations for changes in the Social Work Licensing Bill to be introduced at the 1977 legislative session.

SEC. 5. 1. The board shall consist of seven members appointed by the governor that represent a cross-section of the population.

3. (a) One member shall be a consumer of social work services from the ~~lower~~ socio-economic status.

(b) Two members shall be social service workers.

(c) One paraprofessional - a person who is employed in a social work position with less than a B.A. degree.

SEC. 6. 1. Change three members to five members.

SEC. 11. 3. ADD: That the examination shall be relevant to actual job experiences as well as the cultural diversities that exist within the population of the State of Nevada.

4. (a) ADD: as stated in the title of the bill.

(c) ADD: (Specify the meaning)

(d) STRIKE.

SEC. 15. ADD: (See Section 20, part 5)

SEC. 14. 1. ADD: that one should be stricken.

SEC. 14. ADD: as stated in Sec. 11, part 3. (after first sentence).

ADD: rotating in specific state geographic areas (at the end).

SEC. 16. STRIKE parts 1 and 2.

3. ADD: and/or candidacy status (before school of social work).

4. CHANGE to: Has had one year of post-masters (delete the word "full-time").

5. Strike parts (a) and (b).

(a) ADD: and/or candidacy status (before school of social work).

(d) ADD: or volunteering (after is practicing)

(e) ADD: or para-professional (after social worker.)

(3) Delete last sentence.

(4) ADD: (Specify number of weeks and number of years) and: Workshop seminars, in-service and professional meetings; any examination of the six, every five years.

7. DELETE parts (a) and (b)

(a) ADD: or in candidacy status (after school accredited)

(d) CHANGE to: And who is engaged in beginning level practice skills under the aegis of an agency or institution.

SEC. 10. ADD: Providing that the examination has been given in or near your geographical area (at the end).

SEC. 21. The first part after (a) should read: (1) Para-professional licensee.

The next part should be (2), and ADD: is employed as a para-professional social worker (after 1577), and ADD: or related titles (at the end).

The next part should be changed to (3), and the last part should be changed to (4), and CHANGE (after "and who meets the") requirements for licensing and has had one year experience in the specialty.

SEC. 22. 1. DELETE "to merit the public trust."

3. DELETE totally this part,

4. CHANGE TO: Unprofessional conduct as defined by the Code of Ethics of WASH.

5. DELETE totally this part.

SEC. 23 The last sentence shall read: Such notice shall specify the time and place in the geographic area of the defendant of the hearing and shall be

SEC. 24. 1. SHALL BE CHANGED... supplied at his own expense. The Board shall compel the production of witnesses and documents, and the defendant shall be given adequate opportunity to confront the witnesses against him and to review all documents prior to the hearing and testify and introduce the testimony of witness in his behalf.

SEC. 25. 1. CHANGE: ...of the hearing...no later than 60 days, the board...

SEC. 25. Change One year to Six months. Change second sentence to: The Board shall review all applications for reinstatement as specified in Section 11 and may require a reexamination for such reinstatement.

SEC. 26. 1. Add to the top of application fees: Application fee for a Non-professional - \$10-50. At the end of this part ADD: The initial application fee for persons employed as of July 1 and applying before Dec. 31, 1977, shall be no more than \$50 unless waived.

ADD PART 3. Fees shall be waived for persons employed in community health-care agencies according to the government poverty guidelines.

SEC. 27 DELETE the word "character" from this section.

SEC. 28. CHANGE: ... as nonprofit institutions engaged in the providing of para-professional social service business or graduated courses meeting the standards

... or job experience leading to a degree in social work...

SEC. 37. 1. (add a part (c)). Para-professional means anyone who is employed in a social work position with less than a B.A. degree.