



STATE OF NEVADA
BOARD OF PSYCHOLOGICAL EXAMINERS
Board Meeting Staff Report

Item:

17. LEGISLATIVE UPDATE:

- A. DISCUSSION AND POSSIBLE ACTION RELATED TO THE 2021 SESSION OF THE NEVADA LEGISLATURE
- B. DISCUSSION AND POSSIBLE ACTION ON ASSEMBLY BILL 366 (PREVIOUSLY BDR 456) WHICH PROPOSES CHANGES TO NEVADA REVISED STATUTES TO CLARIFY PURPOSE, SCOPE OF USE, AND USE OF AUDIO AND VIDEO RECORDINGS IN THERAPY AND ASSESSMENT TRAINING FOR PSYCHOLOGICAL TRAINEES, PSYCHOLOGICAL INTERNS AND PSYCHOLOGICAL ASSISTANTS.
- C. DISCUSSION AND POSSIBLE ACTION ON SENATE BILL 44 IN WHICH PROVISIONS OF NRS CHAPTER 641, PSYCHOLOGISTS, ARE PROPOSED FOR REVISION RELATED TO DATA COLLECTION AND LICENSURE BY ENDORSEMENT.

Summary:

The Board will be provided an update on status of relevant bills being considered by the Nevada State Legislature. This may include, but is not limited to:

- 1. Assembly Bill 327 - Assembly Bill 327 requires certain mental health professionals to complete two hours of instruction relating to cultural competency and diversity, equity, and inclusion, which must be completed biennially as part of their continuing education. A health care provider who receives cultural competency training as part of his or her employment at a health care facility may use that training to satisfy his or her continuing education requirement. To date, the bill has passed out of the Assembly and received an Amend and Do Pass in the Senate Committee on Commerce and Labor.
- 2. Assembly Bill 366 - Assembly Bill 366 seeks to exempt recordings of certain training activities from requirements concerning the retention of health care records. The bill made it through the Assembly with no revision. The Senate Committee on Commerce and Labor has recommended revision.
- 3. Senate Bill 44 - Senate Bill 44 was proposed by the Rural Health Board. It seeks to expedite licensure for applicants by endorsement by granting a provisional license under certain conditions. The bill made it through the Senate and is now in the Assembly Committee on Commerce and Labor.

SENATE AGENDA
for the
**COMMITTEE ON COMMERCE
AND LABOR**

Day: Wednesday Date: May 12, 2021

Start Time: 9 a.m.*

Room: 2134

Online and in Room 2134 of the Legislative Building, 401 S. Carson St., Carson City, NV.

[A.B. 327](#) (R1) Requires certain mental health professionals to complete continuing education relating to cultural competency. (BDR 54-175)

ASSEMBLY BILL 327 (R1)

Requires certain mental health professionals to complete continuing education relating to cultural competency. (BDR 54-175)

Sponsored By: Assembly Members Torres, Nguyen, Brown-May and Senator Donate, et al.

Date Heard: May 4, 2021

Fiscal Notes: Effect on Local Government: No.
Effect on the State: No.

Assembly Bill 327 requires certain mental health professionals to complete two hours of instruction relating to cultural competency and diversity, equity, and inclusion, which must be completed biennially as part of their continuing education. A health care provider who receives cultural competency training as part of his or her employment at a health care facility may use that training to satisfy his or her continuing education requirement.

Amendments:

Senator Spearman, proposes the following conceptual amendments (attached):

1. Add Senator Spearman as a joint sponsor.
2. Amend Sections 1 through 7.5 to require that the curriculum for the required training be based upon a range of research drawn from diverse sources and that the instruction address persons who have certain different cultural backgrounds.

Proposed Conceptual Amendment for Assembly Bill No. 327 (First Reprint)

(Prepared for Senator Spearman)

This proposed conceptual amendment would make the following changes to A.B. 327:

- Add Senator Spearman as a Joint Sponsor.
- Amend Sections 1 to 7.5, inclusive, of the bill, each in a similar manner, to:
 - (1) Provide that the curriculum for the required instruction for the applicable licensees or certificate holders must be based upon a range of research drawn from diverse sources.
 - (2) Provide, in a manner similar to NRS 449.103, that the required instruction must address persons who have different cultural backgrounds, including, without limitation, persons who are:
 - (a) From various gender, racial and ethnic backgrounds;
 - (b) From various religious backgrounds;
 - (c) Lesbian, gay, bisexual, transgender or questioning persons;
 - (d) Children or senior citizens;
 - (e) Veterans;
 - (f) Persons with a mental illness;
 - (g) Persons with an intellectual disability, developmental disability or physical disability;
 - or
 - (h) Part of any other population that the applicable licensees or certificate holders may need to better understand, as determined by the applicable Board.

ACTION TAKEN: **AMEND DO PASS** – NO-HARDY, PICKARD, SETTELMAYER



ASSEMBLY BILL NO. 366—ASSEMBLYWOMAN TOLLES

MARCH 22, 2021

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing mental health records. (BDR 54-456)

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

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

AN ACT relating to mental health; exempting recordings of certain training activities from requirements concerning the retention, maintenance and disclosure of health care records; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law imposes various requirements concerning the retention,
2 maintenance and disclosure of health care records, including the patient or client
3 records of a psychologist, marriage and family therapist, clinical professional
4 counselor, social worker, independent social worker, clinical social worker, clinical
5 alcohol and drug counselor, alcohol and drug counselor or problem gambling
6 counselor. (NRS 629.051-629.069) This bill provides that a program of education
7 for such mental health professionals approved by the applicable licensing board, a
8 mental health professional or a person receiving training for mental health
9 professionals is not required to retain a recording of the provision of services by
10 such a mental health professional to a patient if: (1) the recording is used for a
11 training activity; (2) the patient has provided informed consent to the use of the
12 recording in the training activity; and (3) discarding the recording does not result in
13 the maintenance of incomplete patient records.

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

1 **Section 1.** NRS 629.021 is hereby amended to read as follows:
2 629.021 “Health care records” means any reports, notes,
3 orders, photographs, X-rays or other recorded data or information
4 whether maintained in written, electronic or other form which is



1 received or produced by a provider of health care, or any person
2 employed by a provider of health care, and contains information
3 relating to the medical history, examination, diagnosis or treatment
4 of the patient. *The term does not include a recording used for a*
5 *training activity by a program of education for mental health*
6 *professionals that is not required to be retained pursuant to*
7 *section 2, 3, 4 or 5 of this act.*

8 **Sec. 2.** Chapter 641 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *1. A program of education for mental health professionals*
11 *approved by the Board, a mental health professional or a person*
12 *receiving training for mental health professionals is not required*
13 *to retain a recording of the provision of mental health services by*
14 *a psychologist to a patient if:*

15 *(a) The recording is used for a training activity that is part of a*
16 *program of education for mental health professionals approved by*
17 *the Board;*

18 *(b) The patient has provided informed consent to the use of the*
19 *recording in the training activity; and*

20 *(c) Discarding the recording does not result in noncompliance*
21 *with the obligations described in subsection 2.*

22 *2. The provisions of this section do not abrogate, alter or*
23 *otherwise affect the obligation of a psychologist to retain records*
24 *concerning the mental health services that he or she provides to*
25 *patients in accordance with NRS 629.051 to 629.069, inclusive.*

26 *3. As used in this section, "mental health professional"*
27 *means a psychologist, marriage and family therapist, clinical*
28 *professional counselor, social worker, independent social worker,*
29 *clinical social worker, clinical alcohol and drug counselor,*
30 *alcohol and drug counselor or problem gambling counselor.*

31 **Sec. 3.** Chapter 641A of NRS is hereby amended by adding
32 thereto a new section to read as follows:

33 *1. A program of education for mental health professionals*
34 *approved by the Board, a mental health professional or a person*
35 *receiving training for mental health professionals is not required*
36 *to retain a recording of the provision of mental health services by*
37 *a marriage and family therapist or clinical professional counselor*
38 *to a client if:*

39 *(a) The recording is used for a training activity that is part of a*
40 *program of education for mental health professionals approved by*
41 *the Board;*

42 *(b) The client has provided informed consent to the use of the*
43 *recording in the training activity; and*

44 *(c) Discarding the recording does not result in noncompliance*
45 *with the obligations described in subsection 2.*



1 2. *The provisions of this section do not abrogate, alter or*
2 *otherwise affect the obligation of a marriage and family therapist*
3 *or clinical professional counselor to retain records concerning the*
4 *mental health services that he or she provides to clients in*
5 *accordance with NRS 629.051 to 629.069, inclusive.*

6 3. *As used in this section, "mental health professional"*
7 *means a psychologist, marriage and family therapist, clinical*
8 *professional counselor, social worker, independent social worker,*
9 *clinical social worker, clinical alcohol and drug counselor,*
10 *alcohol and drug counselor or problem gambling counselor.*

11 **Sec. 4.** Chapter 641B of NRS is hereby amended by adding
12 thereto a new section to read as follows:

13 1. *A program of education for mental health professionals*
14 *approved by the Board, a mental health professional or a person*
15 *receiving training for mental health professionals is not required*
16 *to retain a recording of the provision of mental health services by*
17 *a social worker, independent social worker or clinical social*
18 *worker to a client if:*

19 (a) *The recording is used for a training activity that is part of a*
20 *program of education for mental health professionals approved by*
21 *the Board;*

22 (b) *The client has provided informed consent to the use of the*
23 *recording in the training activity; and*

24 (c) *Discarding the recording does not result in noncompliance*
25 *with the obligations described in subsection 2.*

26 2. *The provisions of this section do not abrogate, alter or*
27 *otherwise affect the obligation of a social worker, independent*
28 *social worker or clinical social worker to retain records*
29 *concerning the mental health services that he or she provides to*
30 *clients in accordance with NRS 629.051 to 629.069, inclusive.*

31 3. *As used in this section, "mental health professional"*
32 *means a psychologist, marriage and family therapist, clinical*
33 *professional counselor, social worker, independent social worker,*
34 *clinical social worker, clinical alcohol and drug counselor,*
35 *alcohol and drug counselor or problem gambling counselor.*

36 **Sec. 5.** Chapter 641C of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 1. *A program of education for mental health professionals*
39 *approved by the Board, a mental health professional or a person*
40 *receiving training for mental health professionals is not required*
41 *to retain a recording of the provision of mental health services by*
42 *a clinical alcohol and drug counselor, alcohol and drug counselor*
43 *or problem gambling counselor to a client if:*



1 (a) *The recording is used for a training activity that is part of a*
2 *program of education for mental health professionals approved by*
3 *the Board;*

4 (b) *The client has provided informed consent to the use of the*
5 *recording in the training activity; and*

6 (c) *Discarding the recording does not result in noncompliance*
7 *with the obligations described in subsection 2.*

8 2. *The provisions of this section do not abrogate, alter or*
9 *otherwise affect the obligation of a clinical alcohol and drug*
10 *counselor, alcohol and drug counselor or problem gambling*
11 *counselor to retain records concerning the mental health services*
12 *that he or she provides to clients in accordance with NRS 629.051*
13 *to 629.069, inclusive.*

14 3. *As used in this section, "mental health professional"*
15 *means a psychologist, marriage and family therapist, clinical*
16 *professional counselor, social worker, independent social worker,*
17 *clinical social worker, clinical alcohol and drug counselor,*
18 *alcohol and drug counselor or problem gambling counselor.*

19 **Sec. 6.** This act becomes effective on July 1, 2021.



Proposed Conceptual Amendment for Assembly Bill No. 366

(Prepared for Senator Spearman)

This proposed conceptual amendment would: (1) add Senator Spearman as a Joint Sponsor; and (2) similarly amend sections 2, 3, 4 and 5 of the bill to:

1. Require the informed consent specified in subsection 1(b) to be:
 - (a) In writing;
 - (b) On a form which complies with regulations adopted by the applicable board; and
 - (c) Retained by the applicable mental health professional for not less than the length of time specified by the applicable board in regulation.
2. Require the destruction of the recording before the expiration of a length of time specified by the applicable board in regulation.
3. Require that the recording comply with all HIPAA requirements to ensure that these recordings cannot be reproduced, copied or stolen.
4. Require that the recording not contain any identifiable information relating to the patient unless the patient provides specific written consent for the inclusion of identifiable information.
5. Require the applicable board to adopt regulations which:
 - (a) Set forth: (1) requirements for the form which must be used to obtain the informed consent specified in subsection 1(b); and (2) any other requirements deemed appropriate by the board with regard to obtaining the informed consent;
 - (b) Specify the minimum length of time the applicable mental health professional must retain the informed consent specified in subsection 1(b);
 - (c) Specify the maximum length of time that the applicable mental health professional may retain the recording before the recording must be destroyed; and
 - (d) Define “training activity” for the purposes of a program of education for mental health professionals.
6. Expressly state that the provisions of the section do not abrogate, alter or otherwise affect the obligation of a mental health professional to adhere to all other provisions provided in Chapter 629 of NRS.
7. Provide that the bill is effective upon passage and approval for the purposes of adopting regulations and engaging in any other preparatory administrative tasks. This proposed conceptual amendment would retain the July 1, 2021, effective date for all other purposes.

MOCK-UP

PROPOSED AMENDMENT 3325 TO SENATE BILL NO. 44

PREPARED FOR SENATOR GOICOECHEA
APRIL 29, 2021

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) **orange double underlining** is deleted language in the original bill proposed to be retained in this amendment.

Legislative Counsel's Digest:

Existing law ~~authorizes~~ **establishes educational requirements for** the issuance of : (1) a ~~provisional~~ license as a psychologist, clinical professional counselor, **marriage and family therapist, marriage and family therapist intern, clinical professional counselor intern,** social worker, clinical social worker, independent social worker, clinical alcohol and drug counselor, ~~or~~ **clinical alcohol and drug counselor intern,** alcohol and drug counselor ~~or~~ ; (2) **registration as a psychological intern, psychological assistant or psychological trainee;** or (3) a ~~provisional~~ certificate as an alcohol and drug counselor ~~or~~ **alcohol and drug counselor,** problem gambling counselor ~~under certain circumstances. (NRS 641.196, 641A.242, 641B.272, 641B.275, 641C.320, 641C.3306, 641C.356, 641C.396, 641C.433) Sections 2, 5, 18 and 25 of this bill additionally provide for the issuance of a nonrenewable provisional license or certificate, as applicable, in those professions to a person who has: (1) met all of the requirements for licensure or certification except for the submission of an official transcript; and (2) submitted an unofficial transcript. Sections 4, 7 and 19 of this bill make conforming changes to clarify that such a provisional license is nonrenewable.~~

Existing law requires the issuance of a license by endorsement as a psychologist, marriage and family therapist, clinical professional counselor, social worker, clinical social worker, independent social worker, clinical alcohol and drug counselor, or alcohol and drug counselor, or a certificate by endorsement as an alcohol and drug counselor or problem gambling counselor to a person who is licensed or certified, as applicable, in another jurisdiction of the United States and meets certain other requirements. (NRS 641.195, 641.196, 641A.241, 641A.242, 641B.271, 641B.272, 641C.3305, 641C.3306, 641C.355, 641C.356, 641C.395, 641C.396, 641C.432, 641C.433) **or problem gambling counselor intern. (NRS 641.170, 641.226, 641A.220, 641A.231, 641A.287, 641A.288, 641B.220-641B.240, 641C.330, 641C.340, 641C.350, 641C.390, 641C.420, 641C.430, 641C.440) If**

the Board of Psychological Examiners, the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, the Board of Examiners for Social Workers or the Board of Examiners for Alcohol, Drug and Gambling Counselors requires the submission of official transcripts as proof of those educational qualifications, sections 2, 5, 11.3 and 22.5 of this bill require those boards to provide an alternate means for an applicant to submit official transcripts if: (1) the college or university from which the applicant graduated has closed or has merged with another institution; and (2) the provision of official transcripts by ordinary means is not available or possible.

1 Existing law requires the Board of Psychological Examiners, the Board of
2 Examiners for Marriage and Family Therapists and Clinical Professional Counselors,
3 the Board of Examiners for Social Workers and the Board of Examiners for Alcohol,
4 Drug and Gambling Counselors to adopt regulations prescribing standards
5 concerning the electronic supervision of persons obtaining supervised experience for
6 licensure, including interns. (NRS 641.100, 641A.160, 641B.160, 641C.200) Sections
7 2.5, 5.5, 11.7 and 23.5 of this bill require those boards to adopt regulations authorizing
8 remote supervision, including electronic supervision, and prescribing standards for
9 such remote supervision. Sections 2.7, 5.7, 11.7 and 23.5 additionally require those
10 Boards to adopt regulations prescribing a list of crimes, if any, that would disqualify a
11 person from obtaining a license or certificate from the boards.

12 Existing law requires the Board of Psychological Examiners, the Board of Examiners
13 for Marriage and Family Therapists and Clinical Professional Counselors, the Board of
14 Examiners for Social Workers and the Board of Examiners for Alcohol, Drug and
15 Gambling Counselors to report certain information concerning investigations of misconduct
16 and applications for licensure or certification to the Legislative Committee on Health Care.
17 (NRS 641.145, 641A.183, 641B.165, 641C.230) Sections 3, 6, 12 and 24 of this bill: (1)
18 require those licensing boards to ~~+~~(1) submit those reports to the Chair of each regional
19 behavioral health policy board; and (2) ~~include in those reports certain information~~
20 ~~concerning applications for licensure or certification by endorsement. Section 32 of this bill~~
21 ~~requires the Legislative Committee on Health Care to study the processes for licensure or~~
22 ~~certification in professions regulated by those licensing boards and identify barriers to~~
23 ~~licensure or certification. Section 32 also requires those licensing boards to implement~~
24 ~~strategies to eliminate each barrier to licensure or certification identified by the Legislative~~
25 ~~Committee on Health Care unless the licensing board to which the barrier applies concludes~~
26 ~~that the barrier is necessary to maintain the quality of services provided by the holders of~~
27 ~~licenses or certificates, as applicable.) authorize the submission of the report to the~~
28 Chair of each regional behavioral health policy board in a written format.

29 Existing law authorizes the issuance of a license by endorsement as a psychologist,
30 marriage and family therapist, clinical professional counselor, social worker, clinical
31 social worker, independent social worker, clinical alcohol and drug counselor, or
32 alcohol and drug counselor, or a certificate by endorsement as an alcohol and drug
33 counselor or problem gambling counselor to a person who is licensed or certified, as
34 applicable, in another jurisdiction of the United States and meets certain other
35 requirements. (NRS 641.195, 641A.241, 641B.271, 641C.3305, 641C.355, 641C.395,
36 641C.432) Existing law: (1) prescribes similar requirements for the issuance of an
37 expedited license or certificate, as applicable, by endorsement to practice in those
38 professions to an applicant who is an active member of, or the spouse of an active
39 member of, the Armed Forces of the United States, a veteran or the surviving spouse
40 of a veteran; and (2) authorizes the issuance of a provisional license to such an
41 applicant before making a final decision. (NRS 641.196, 641A.242, 641B.272,
42 641C.3306, 641C.356, 641C.396, 641C.433) Existing law reduces certain fees for such
43 applicants. (NRS 641.228, 641A.290, 641B.300, 641C.470) Sections 3.6, 6.8, 17.5 and
44 25.2-25.8 and 33.5 of this bill combine sections governing expedited licensure or
45 certification by endorsement for a general applicant with sections governing licensure
46 or certification by endorsement for an active member of, or the spouse of an active

1 member of, the Armed Forces of the United States, a veteran or the surviving spouse
 2 of a veteran. The combined provisions: (1) require the issuance of a license or
 3 certificate by endorsement when the statutory requirements are met; (2) revise
 4 various requirements for the issuance of licenses and certificate by endorsement; (3)
 5 require the issuance of a provisional license or certificate pending the results of a
 6 background check; and (4) authorize the issuance of a provisional license or certificate
 7 for any other reason. Sections 3.3, 6.2-6.6 and 24.5 of this bill make conforming
 8 changes remove references to repealed sections. Sections 4.5, 7.5, 20 and 25.9 make
 9 conforming changes so that active members of, or the spouses of active members of,
 10 the Armed Forces of the United States, veterans and the surviving spouses of veterans
 11 continue to receive reductions in fees.

12 Existing law authorizes the Board of Examiners for Social Workers to issue a license
 13 as: (1) a social worker to an applicant who possesses a baccalaureate degree or master's
 14 degree in social work and passes an examination; (2) an independent social worker to an
 15 applicant who possesses a master's or doctoral degree in social work, completes at least
 16 3,000 hours of supervised, postgraduate social work and passes an examination; and (3) a
 17 clinical social worker to an applicant who possesses a master's or doctoral degree in social
 18 work, completes at least 3,000 hours of supervised, postgraduate clinical social work and
 19 passes an examination. (NRS 641B.220, 641B.230, 641B.240) **Section 9** of this bill
 20 additionally authorizes the Board to issue a license as a master social worker to an applicant
 21 who possesses a master's or doctoral degree in social work and passes an examination.
 22 **Sections 9 and 22** of this bill authorize a master social worker to engage in independent
 23 social work or clinical social work as part of an approved internship program to complete
 24 the requirements for licensure as an independent or clinical social worker, as applicable.
 25 **Section 9** additionally authorizes a master social worker to supervise other persons
 26 engaging in the practice of social work. **Section 20** ~~of this bill~~ establishes the maximum
 27 fees that the Board is authorized to charge and collect for the issuance and renewal of a
 28 license as a master social worker. **Sections 1, 13, 26 and 28-31** of this bill make
 29 conforming changes to ensure that a master social worker is treated similarly to other types
 30 of social worker in various circumstances.

31 **Sections 9, 10, 14-16 and 18** of this bill authorize the Board of Examiners for Social
 32 Workers to issue a license as a social worker, master social worker, independent social
 33 worker, or clinical social worker, or a provisional license as a social worker to an applicant
 34 who has graduated from a foreign college or university if the applicant submits certain
 35 documentation concerning his or her degree and meets the other requirements for licensure.
 36 **Section 11** of this bill authorizes the Board to put a license on inactive status for not more
 37 than 5 years upon the application of a licensee who is in good standing. **Sections 11 and 19**
 38 of this bill exempt a licensee who holds an inactive license from the requirement to
 39 complete continuing education, and **sections 11 and 22** of this bill prohibit an inactive
 40 licensee from engaging in the practice of social work. **Section 17** of this bill revises the
 41 conditions under which the Board is authorized to refuse to issue a license. **Section 21** of
 42 this bill requires an employee of the Board who is aware that grounds for disciplinary
 43 action may exist against a person practicing social work to submit a complaint to the Board.

44 Existing law makes it a misdemeanor for a person to engage in: (1) the independent
 45 practice of social work unless he or she is licensed as an independent social worker or a
 46 clinical social worker; or (2) the clinical practice of social work unless he or she is licensed
 47 as a clinical social worker. (NRS 641B.505) **Section 22** of this bill additionally makes it a
 48 misdemeanor to engage in the practice of social work unless a person is licensed as an
 49 associate in social work, social worker, master social worker, independent social worker or
 50 clinical social worker. **Sections 15 and 22** of this bill authorize an independent social
 51 worker to engage in clinical social work as part of an approved internship program to
 52 complete the requirements for licensure as a clinical social worker.

53 Existing law authorizes a clinical social worker to engage in the practice of counseling
 54 persons with alcohol or other substance use disorders and counseling persons with an
 55 addictive disorder related to gambling with the authorization of the Board of Examiners for

1 Social Workers. (NRS ~~458A.057, 458A.200, 458A.220, 458A.230, 458A.240,~~ 641C.130)
2 ~~Section 23 and 27~~ of this bill additionally ~~authorize~~ **authorizes** a person who
3 is licensed as a master social worker or independent social worker and engaging in clinical
4 social work as part of an approved internship program to engage in such counseling with
5 the authorization of the Board.

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

6 **Section 1.** NRS 629.031 is hereby amended to read as follows:
7 629.031 Except as otherwise provided by a specific statute:
8 1. "Provider of health care" means:
9 (a) A physician licensed pursuant to chapter 630, 630A or 633 of NRS;
10 (b) A physician assistant;
11 (c) A dentist;
12 (d) A licensed nurse;
13 (e) A person who holds a license as an attendant or who is certified as
14 an emergency medical technician, advanced emergency medical technician
15 or paramedic pursuant to chapter 450B of NRS;
16 (f) A dispensing optician;
17 (g) An optometrist;
18 (h) A speech-language pathologist;
19 (i) An audiologist;
20 (j) A practitioner of respiratory care;
21 (k) A licensed physical therapist;
22 (l) An occupational therapist;
23 (m) A podiatric physician;
24 (n) A licensed psychologist;
25 (o) A licensed marriage and family therapist;
26 (p) A licensed clinical professional counselor;
27 (q) A music therapist;
28 (r) A chiropractor;
29 (s) An athletic trainer;
30 (t) A perfusionist;
31 (u) A doctor of Oriental medicine in any form;
32 (v) A medical laboratory director or technician;
33 (w) A pharmacist;
34 (x) A licensed dietitian;
35 (y) An associate in social work, a social worker, *a master social*
36 *worker*, an independent social worker or a clinical social worker licensed
37 pursuant to chapter 641B of NRS;
38 (z) An alcohol and drug counselor or a problem gambling counselor
39 who is certified pursuant to chapter 641C of NRS;

- 1 (aa) An alcohol and drug counselor or a clinical alcohol and drug
- 2 counselor who is licensed pursuant to chapter 641C of NRS; or
- 3 (bb) A medical facility as the employer of any person specified in this
- 4 subsection.

5 2. For the purposes of NRS 629.400 to 629.490, inclusive, the term

6 includes:

- 7 (a) A person who holds a license or certificate issued pursuant to
- 8 chapter 631 of NRS; and
- 9 (b) A person who holds a current license or certificate to practice his or
- 10 her respective discipline pursuant to the applicable provisions of law of
- 11 another state or territory of the United States.

12 **Sec. 2.** Chapter 641 of NRS is hereby amended by adding thereto a

13 new section to read as follows:

14 ~~1. If the Board requires an applicant for a license ~~as a~~~~
 15 ~~psychologist or registration pursuant to this chapter to submit official~~
 16 ~~transcripts as proof of his or her educational qualifications, the Board~~
 17 ~~may issue a provisional license as a psychologist to an applicant who~~
 18 ~~has:~~

19 ~~—(a) Met all requirements for licensure except for the submission of~~
 20 ~~official transcripts; and~~

21 ~~—(b) Submitted a copy of his or her unofficial transcripts to the Board.~~

22 ~~2. A provisional license issued pursuant to this section expires 6~~
 23 ~~months after the date of issuance and may not be renewed. must provide~~
 24 ~~an alternate means for the applicant to submit official transcripts if:~~

25 ~~1. The college or university from which the applicant graduated has~~
 26 ~~closed or has merged with another institution; and~~

27 ~~2. The provision of official transcripts by ordinary means is not~~
 28 ~~available or possible.~~

29 **Sec. 2.5. NRS 641.100 is hereby amended to read as follows:**

30 641.100 1. The Board shall adopt regulations ~~;~~ ~~prescribing~~

31 (a) ~~Uniform~~ Prescribing uniform standards concerning the locations

32 at which persons obtaining supervised experience that is required for

33 licensure by the Board provide services;

34 (b) ~~Standards concerning~~ Authorizing the remote supervision,

35 including, without limitation, electronic supervision, of persons obtaining

36 supervised experience that is required for licensure by the Board who are

37 working at remote sites ~~;~~ and prescribing standards concerning such

38 remote supervision;

39 (c) ~~A~~ Prescribing a manner by which the qualifications for the

40 issuance or renewal of a license under the provisions of this chapter will be

41 made available to the public such that those qualifications are clearly

42 defined and easily understood ~~;~~ and

43 (d) Prescribing lists of each crime for which a conviction disqualifies

44 or may disqualify a person from obtaining a license from the Board, if

1 *the Board disqualifies persons from obtaining such a license on the basis*
2 *of criminal convictions.*

3 2. The Board may make and promulgate any other rules and
4 regulations not inconsistent with the provisions of this chapter governing
5 its procedure, the examination and licensure of applicants, the granting,
6 refusal, revocation or suspension of licenses, the registration of persons as
7 psychological assistants, psychological interns or psychological trainees
8 and the practice of psychology.

9 3. On the date that the Board gives notice pursuant to NRS 233B.060
10 of its intent to adopt, amend or repeal a regulation, the Board shall submit
11 the regulation to the Commission on Behavioral Health for review. The
12 Commission shall review the regulation and make recommendations to the
13 Board concerning the advisability of adopting, amending or repealing the
14 regulation and any changes that the Commission deems advisable.

15 **Sec. 3.** NRS 641.145 is hereby amended to read as follows:

16 641.145 1. On or before February 1 of each year, the Board shall
17 submit to the Legislative Committee on Health Care and to the Chair of
18 each regional behavioral health policy board created by NRS 433.429 a
19 report which must include:

20 ~~1+1~~ (a) The number of complaints received, investigations completed,
21 cases dismissed, cases settled and cases for which hearings were held
22 within the immediately preceding calendar year; and

23 ~~1-2+~~ (b) The number of applications for the issuance or renewal of a
24 license or registration received by the Board during the immediately
25 preceding calendar year and the number of those applications for which the
26 Board conducted additional review beyond the standard review regularly
27 conducted by the Board. ~~f+ and~~

28 ~~3. The number of applications for the issuance of a license by~~
29 ~~endorsement received by the Board pursuant to NRS 641.195 and~~
30 ~~641.196 during the immediately preceding calendar year, the number of~~
31 ~~those applications that were denied and the reasons for denial.~~

32 2. The report submitted pursuant to this section to the Chair of each
33 regional behavioral health policy board created by NRS 433.429 may be
34 submitted in a written format.

35 **Sec. 3.3.** NRS 641.170 is hereby amended to read as follows:

36 641.170 1. Except as otherwise provided in NRS ~~{641.195 and}~~
37 641.196, each application for licensure as a psychologist must be
38 accompanied by evidence satisfactory to the Board that the applicant:

39 (a) Is at least 21 years of age.

40 (b) Is of good moral character as determined by the Board.

41 (c) Has earned a doctorate in psychology from an accredited
42 educational institution approved by the Board, or has other doctorate-level
43 training from an accredited educational institution deemed equivalent by
44 the Board in both subject matter and extent of training.

1 (d) Has at least 2 years of experience satisfactory to the Board, 1 year
2 of which must be postdoctoral experience in accordance with the
3 requirements established by regulations of the Board.

4 2. Except as otherwise provided in NRS ~~641.195 and~~ 641.196,
5 within 120 days after receiving an application and the accompanying
6 evidence from an applicant, the Board shall:

7 (a) Evaluate the application and accompanying evidence and determine
8 whether the applicant is qualified pursuant to this section for licensure; and
9 (b) Issue a written statement to the applicant of its determination.

10 3. The written statement issued to the applicant pursuant to subsection
11 2 must include:

12 (a) If the Board determines that the qualifications of the applicant are
13 insufficient for licensure, a detailed explanation of the reasons for that
14 determination.

15 (b) If the applicant for licensure as a psychologist has not earned a
16 doctorate in psychology from an accredited educational institution
17 approved by the Board and the Board determines that the doctorate-level
18 training from an accredited educational institution is not equivalent in
19 subject matter and extent of training, a detailed explanation of the reasons
20 for that determination.

21 **Sec. 3.6. NRS 641.196 is hereby amended to read as follows:**

22 641.196 1. The Board ~~may~~ **shall** issue a license by endorsement as
23 a psychologist to an applicant who meets the requirements set forth in this
24 section. An applicant may submit to the Board an application for such a
25 license if the applicant ~~+~~

26 ~~—(a) Holds~~ **holds** a corresponding valid and unrestricted license as a
27 psychologist in the District of Columbia or any state or territory of the
28 United States. ~~+~~ **and**

29 ~~—(b) Is an active member of, or the spouse of an active member of, the~~
30 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
31 ~~veteran.~~

32 2. An applicant for a license by endorsement pursuant to this section
33 must submit to the Board with his or her application:

34 (a) Proof satisfactory to the Board that the applicant:

35 (1) Satisfies the requirements of subsection 1;
36 (2) Has not been disciplined or investigated by the corresponding
37 regulatory authority of the District of Columbia or the state or territory in
38 which the applicant holds a license as a psychologist; and
39 (3) Has not been held civilly or criminally liable for malpractice in
40 the District of Columbia or any state or territory of the United States;

41 (b) ~~+~~ **Except as otherwise provided in subsection 3, a** complete set
42 of fingerprints and written permission authorizing the Board to forward the
43 fingerprints in the manner provided in NRS 641.160;

44 (c) An affidavit stating that the information contained in the
45 application and any accompanying material is true and correct;

1 (d) The fee prescribed by the Board pursuant to NRS 641.228 for the
2 issuance of an initial license; and

3 (e) Any other information required by the Board.

4 3. If the applicant for a license by endorsement pursuant to this
5 section is an active member of the Armed Forces of the United States, the
6 applicant is not required to submit a complete set of fingerprints and
7 written permission pursuant to paragraph (b) of subsection 2.

8 4. Not later than 15 business days after receiving an application for a
9 license by endorsement as a psychologist pursuant to this section, the
10 Board shall provide written notice to the applicant of any additional
11 information required by the Board to consider the application. ~~Unless~~
12 Except as otherwise provided in subsection 6, unless the Board denies the
13 application for good cause, the Board shall approve the application and
14 issue a license by endorsement as a psychologist to the applicant not later
15 than ~~45~~

16 ~~(a) Forty-five~~ 45 days after receiving all the additional information
17 required by the Board to complete the application. ~~45 or~~

18 ~~(b) Ten days after the Board receives a report on the applicant's~~
19 ~~background based on the submission of the applicant's fingerprints,~~
20 ~~whichever occurs later.~~

21 ~~4.~~ 5. A license by endorsement as a psychologist may be issued at a
22 meeting of the Board or between its meetings by the President of the
23 Board. Such an action shall be deemed to be an action of the Board.

24 ~~5. At~~ 6. If the report on the applicant's background based on the
25 submission of the applicant's fingerprints is pending 45 days after the
26 Board receives the application, the Board shall not deny or approve the
27 application and shall instead issue a provisional license authorizing the
28 applicant to practice as a psychologist. A provisional license issued
29 pursuant to this subsection expires upon:

30 (a) The receipt by the Board of the report on the applicant's
31 background based on the submission of the applicant's fingerprints; and

32 (b) The decision by the Board to deny or approve the application.

33 7. At any time before making a final decision on an application for a
34 license by endorsement pursuant to this section, the Board may, for any
35 reason, grant a provisional license authorizing an applicant to practice as a
36 psychologist in accordance with regulations adopted by the Board.

37 ~~6. As used in this section, "veteran" has the meaning ascribed to it in~~
38 ~~NRS 417.005.~~

39 **Sec. 4.** ~~NRS 641.220 is hereby amended to read as follows:~~

40 ~~641.220 1. To renew a license issued pursuant to this chapter,~~
41 ~~except a provisional license issued pursuant to section 2 of this act, each~~
42 ~~person must, on or before the first day of January of each odd-numbered~~
43 ~~year:~~

44 ~~(a) Apply to the Board for renewal;~~

45 ~~(b) Pay the biennial fee for the renewal of a license;~~

1 ~~=(c) Submit evidence to the Board of completion of the requirements for~~
2 ~~continuing education as set forth in regulations adopted by the Board; and~~

3 ~~=(d) Submit all information required to complete the renewal.~~

4 ~~=2. Upon renewing his or her license, a psychologist shall declare his~~
5 ~~or her areas of competence, as determined in accordance with NRS~~
6 ~~641.112.~~

7 ~~=3. The Board shall, as a prerequisite for the renewal of a license,~~
8 ~~require each holder to comply with the requirements for continuing~~
9 ~~education adopted by the Board.~~

10 ~~=4. The requirements for continuing education adopted by the Board~~
11 ~~pursuant to subsection 3 must include, without limitation, a requirement~~
12 ~~that the holder of a license receive at least 2 hours of instruction on~~
13 ~~evidence based suicide prevention and awareness or another course of~~
14 ~~instruction on suicide prevention and awareness that is approved by the~~
15 ~~Board which the Board has determined to be effective and appropriate. The~~
16 ~~hours of instruction required by this subsection must be completed within~~
17 ~~2 years after initial licensure and at least every 4 years thereafter.]~~

18 **(Deleted by amendment.)**

19 **Sec. 4.5. NRS 641.228 is hereby amended to read as follows:**

20 641.228 1. The Board shall charge and collect not more than the
21 following fees respectively:

22
23 For the national examination, in addition to the actual cost to the Board of
24 the examination \$100

25 For any other examination required pursuant to the provisions of
26 subsection 1 of NRS 641.180, in addition to the actual costs to the Board
27 of the examination 100

28 For the issuance of an initial license 25

29 For the issuance of an initial license by endorsement 125

30 For the biennial renewal of a license of a psychologist 850

31 For the restoration of a license suspended for the nonpayment of the
32 biennial fee for the renewal of a license 200

33 For the restoration of a license suspended for the nonsubmission of
34 evidence to the Board of completion of the requirements for continuing
35 education as required for the renewal of the license 200

36 For the registration of a firm, partnership or corporation which engages in
37 or offers to engage in the practice of psychology 300

38 For the registration of a nonresident to practice as a consultant 100

39 For the initial registration of a psychological assistant, psychological intern
40 or psychological trainee 250

41 For the renewal of a registration of a psychological assistant, psychological
42 intern or psychological trainee 150

43
44 2. An applicant who passes the national examination and any other
45 examination required pursuant to the provisions of subsection 1 of NRS

1 641.180 and who is eligible for a license as a psychologist shall pay the
2 biennial fee for the renewal of a license, which must be prorated for the
3 period from the date the license is issued to the end of the biennium.

4 3. ~~Except as otherwise provided in subsections 4 and 5 and NRS~~
5 ~~641.195, in~~ In addition to the fees set forth in subsection 1, the Board may
6 charge and collect a fee for the expedited processing of a request or for any
7 other incidental service it provides. The fee must not exceed the cost to
8 provide the service.

9 4. ~~##~~ Except as otherwise provided in subsection 5, if an applicant
10 submits an application for a license by endorsement pursuant to NRS
11 ~~641.195,~~ 641.196, the Board shall charge and collect:

12 (a) Not more than the fee specified in subsection 1 for the issuance of
13 an initial license by endorsement; and

14 (b) The biennial fee for the renewal of a license, which must be
15 prorated for the period from the date the license is issued to the end of the
16 biennium.

17 5. If an ~~applicant~~ active member of, or the spouse of an active
18 member of, the Armed Forces of the United States, a veteran or the
19 surviving spouse of a veteran submits an application for a license by
20 endorsement pursuant to NRS 641.196, the Board shall collect not more
21 than one-half of the fee set forth in subsection 1 for the initial issuance of
22 the license by endorsement.

23 6. If an applicant submits an application for initial registration as a
24 psychological assistant, psychological intern or psychological trainee
25 pursuant to NRS 641.226 and the applicant has previously been registered
26 as a psychological assistant, psychological intern or psychological trainee,
27 the Board must waive the fee set forth in subsection 1 for the initial
28 registration.

29 7. As used in this section, "veteran" has the meaning ascribed to it
30 in NRS 417.005.

31 **Sec. 5.** Chapter 641A of NRS is hereby amended by adding thereto a
32 new section to read as follows:

33 ~~##~~ If the Board requires an applicant for a license to practice as a
34 marriage and family therapist or clinical professional counselor to
35 submit official transcripts as proof of his or her educational
36 qualifications, the Board ~~may issue a provisional license as a marriage~~
37 ~~and family therapist or clinical professional counselor, as applicable, to~~
38 ~~an applicant who has:~~

39 ~~(a) Met all requirements for licensure except for the submission of~~
40 ~~official transcripts; and~~

41 ~~(b) Submitted a copy of his or her unofficial transcripts to the Board.~~

42 ~~2. A provisional license issued pursuant to this section expires 6~~
43 ~~months after the date of issuance and may not be renewed.~~ must provide
44 an alternate means for the applicant to submit official transcripts if:

1 1. The college or university from which the applicant graduated has
2 closed or has merged with another institution; and

3 2. The provision of official transcripts by ordinary means is not
4 available or possible.

5 **Sec. 5.5. NRS 641A.160 is hereby amended to read as follows:**

6 641A.160 1. The Board shall adopt regulations not inconsistent with
7 the provisions of this chapter governing its procedure, the examination and
8 licensing of applicants, the granting, refusal, revocation or suspension of
9 licenses, and the practice of marriage and family therapy and the practice
10 of clinical professional counseling as those practices apply to this chapter.

11 2. The regulations adopted pursuant to subsection 1 must :
12 ~~prescribe:~~

13 (a) ~~Uniform~~ Prescribe uniform standards concerning the locations at
14 which interns provide services;

15 (b) ~~Standards concerning~~ Authorize the remote supervision,
16 including, without limitation, electronic supervision , of interns working
17 at remote sites ~~and~~ and prescribe standards concerning such supervision;

18 (c) ~~A~~ Prescribe a manner by which the qualifications for the issuance
19 or renewal of a license under the provisions of this chapter will be made
20 available to the public such that those qualifications are clearly defined and
21 easily understood ~~and~~ ; ~~and~~

22 (d) Prescribe lists of each crime for which a conviction disqualifies
23 or may disqualify a person from obtaining a license from the Board, if
24 the Board disqualifies persons from obtaining such a license on the basis
25 of criminal convictions.

26 3. On the date that the Board gives notice pursuant to NRS 233B.060
27 of its intent to adopt, amend or repeal a regulation, the Board shall submit
28 the regulation to the Commission on Behavioral Health for review. The
29 Commission shall review the regulation and make recommendations to the
30 Board concerning the advisability of adopting, amending or repealing the
31 regulation and any changes that the Commission deems advisable.

32 **Sec. 6. NRS 641A.183 is hereby amended to read as follows:**

33 641A.183 On or before February 1 of each year, the Board shall
34 submit to the Legislative Committee on Health Care and to the Chair of
35 each regional behavioral health policy board created by NRS 433.429 a
36 report which must include:

37 ~~1~~ (a) The number of complaints received, investigations completed,
38 cases dismissed, cases settled and cases for which hearings were held
39 within the immediately preceding calendar year; and

40 ~~2~~ (b) The number of applications for the issuance or renewal of a
41 license received by the Board during the immediately preceding calendar
42 year and the number of those applications for which the Board conducted
43 additional review beyond the standard review regularly conducted by the
44 Board ~~;~~ ; ~~and~~

~~3. The number of applications for the issuance of a license by endorsement received by the Board pursuant to NRS 641A.241 and 641A.242 during the immediately preceding calendar year, the number of those applications that were denied and the reasons for denial.~~

2. The report submitted pursuant to this section to the Chair of each regional behavioral health policy board created by NRS 433.429 may be submitted in a written format.

Sec. 6.2. NRS 641A.220 is hereby amended to read as follows:

641A.220 Except as otherwise provided in NRS ~~641A.241 and~~ 641A.242, each applicant for a license to practice as a marriage and family therapist must furnish evidence satisfactory to the Board that the applicant:

1. Is at least 21 years of age;
2. Is of good moral character;
3. Has completed residency training in psychiatry from an accredited institution approved by the Board, has a graduate degree in marriage and family therapy, psychology or social work from an accredited institution approved by the Board or has completed other education and training which is deemed equivalent by the Board;
4. Has:
 - (a) At least 2 years of postgraduate experience in marriage and family therapy; and
 - (b) At least 3,000 hours of supervised experience in marriage and family therapy, of which at least 1,500 hours must consist of direct contact with clients; and
5. Holds an undergraduate degree from an accredited institution approved by the Board.

Sec. 6.4. NRS 641A.230 is hereby amended to read as follows:

641A.230 1. Except as otherwise provided in subsection 2 and NRS ~~641A.241 and~~ 641A.242, each qualified applicant for a license to practice as a marriage and family therapist must pass a written examination given by the Board on his or her knowledge of marriage and family therapy. Examinations must be given at a time and place and under such supervision as the Board may determine.

2. The Board shall accept receipt of a passing grade by a qualified applicant on the national examination sponsored by the Association of Marital and Family Therapy Regulatory Boards in lieu of requiring a written examination pursuant to subsection 1.

3. In addition to the requirements of subsections 1 and 2, the Board may require an oral examination. The Board may examine applicants in whatever applied or theoretical fields it deems appropriate.

Sec. 6.6. NRS 641A.231 is hereby amended to read as follows:

641A.231 Except as otherwise provided in NRS ~~641A.241 and~~ 641A.242, each applicant for a license to practice as a clinical professional counselor must furnish evidence satisfactory to the Board that the applicant:

- 1 1. Is at least 21 years of age;
- 2 2. Is of good moral character;
- 3 3. Has:
 - 4 (a) Completed residency training in psychiatry from an accredited
 - 5 institution approved by the Board;
 - 6 (b) A graduate degree from a program approved by the Council for
 - 7 Accreditation of Counseling and Related Educational Programs as a
 - 8 program in mental health counseling or community counseling; or
 - 9 (c) An acceptable degree as determined by the Board which includes
 - 10 the completion of a practicum and internship in mental health counseling
 - 11 which was taken concurrently with the degree program and was supervised
 - 12 by a licensed mental health professional; and
- 13 4. Has:
 - 14 (a) At least 2 years of postgraduate experience in professional
 - 15 counseling;
 - 16 (b) At least 3,000 hours of supervised experience in professional
 - 17 counseling which includes, without limitation:
 - 18 (1) At least 1,500 hours of direct contact with clients; and
 - 19 (2) At least 100 hours of counseling under the direct supervision of
 - 20 an approved supervisor of which at least 1 hour per week was completed
 - 21 for each work setting at which the applicant provided counseling; and
 - 22 (c) Passed the National Clinical Mental Health Counseling
 - 23 Examination which is administered by the National Board for Certified
 - 24 Counselors.

25 **Sec. 6.8. NRS 641A.242 is hereby amended to read as follows:**

- 26 641A.242 1. The Board ~~may~~ **shall** issue a license by endorsement
- 27 to practice as a marriage and family therapist or clinical professional
- 28 counselor to an applicant who meets the requirements set forth in this
- 29 section. An applicant may submit to the Board an application for such a
- 30 license if the applicant ~~is~~
- 31 ~~—(a) Holds~~ **holds** a corresponding valid and unrestricted license as a
- 32 marriage and family therapist or clinical professional counselor, as
- 33 applicable, in the District of Columbia or any state or territory of the
- 34 United States. ~~is; and~~
- 35 ~~—(b) Is an active member of, or the spouse of an active member of, the~~
- 36 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
- 37 ~~veteran.~~
- 38 2. An applicant for a license by endorsement pursuant to this section
- 39 must submit to the Board with his or her application:
- 40 (a) Proof satisfactory to the Board that the applicant:
- 41 (1) Satisfies the requirements of subsection 1;
- 42 (2) Has not been disciplined or investigated by the corresponding
- 43 regulatory authority of the District of Columbia or the state or territory in
- 44 which the applicant holds a license as a marriage and family therapist or
- 45 clinical professional counselor, as applicable; and

1 (3) Has not been held civilly or criminally liable for malpractice in
2 the District of Columbia or any state or territory of the United States;

3 (b) Except as otherwise provided in subsection 3, a complete set of
4 fingerprints and written permission authorizing the Board to forward the
5 fingerprints to the Central Repository for Nevada Records of Criminal
6 History for submission to the Federal Bureau of Investigation for a
7 report on the applicant's background, and to such other law enforcement
8 agencies as the Board deems necessary for a report on the applicant's
9 background;

10 (c) An affidavit stating that the information contained in the
11 application and any accompanying material is true and correct;

12 ~~(d)~~ (d) The fees prescribed by the Board pursuant to NRS 641A.290
13 for the application for an initial license and for the initial issuance of a
14 license; and

15 ~~(d)~~ (e) Any other information required by the Board.

16 3. If the applicant for a license by endorsement pursuant to this
17 section is an active member of the Armed Forces of the United States, the
18 applicant is not required to submit a complete set of fingerprints and
19 written permission pursuant to paragraph (b) of subsection 2.

20 4. Not later than 15 business days after receiving an application for a
21 license by endorsement to practice as a marriage and family therapist or
22 clinical professional counselor pursuant to this section, the Board shall
23 provide written notice to the applicant of any additional information
24 required by the Board to consider the application. ~~Unless~~ Except as
25 otherwise provided in subsection 6, unless the Board denies the
26 application for good cause, the Board shall approve the application and
27 issue a license by endorsement to practice as a marriage and family
28 therapist or clinical professional counselor, as applicable, to the applicant
29 not later than 45 days after receiving all the additional information
30 required by the Board to complete the application.

31 ~~4~~ 5. A license by endorsement to practice as a marriage and family
32 therapist or clinical professional counselor may be issued at a meeting of
33 the Board or between its meetings by the President of the Board. Such an
34 action shall be deemed to be an action of the Board.

35 ~~5. A~~ 6. If the report on the applicant's background based on the
36 submission of the applicant's fingerprints is pending 45 days after the
37 Board receives the application, the Board shall not deny or approve the
38 application and shall instead issue a provisional license authorizing the
39 applicant to practice as a marriage and family therapist or clinical
40 professional counselor, as applicable. A provisional license issued
41 pursuant to this subsection expires upon:

42 (a) The receipt by the Board of the report on the applicant's
43 background based on the submission of the applicant's fingerprints; and

44 (b) The decision by the Board to deny or approve the application.

1 7. At any time before making a final decision on an application for a
2 license by endorsement pursuant to this section, the Board may ,for any
3 reason, grant a provisional license authorizing an applicant to practice as a
4 marriage and family therapist or clinical professional counselor, as
5 applicable, in accordance with regulations adopted by the Board.

6 ~~16. As used in this section, "veteran" has the meaning ascribed to it in~~
7 ~~NRS 417.005.~~

8 ~~Sec. 7. NRS 641A.260 is hereby amended to read as follows:~~

9 ~~641A.260 1. To renew a license to practice as a marriage and family~~
10 ~~therapist or clinical professional counselor issued pursuant to this chapter,~~
11 ~~except for a provisional license issued pursuant to section 5 of this act,~~
12 ~~each person must, on or before 10 business days after the date of expiration~~
13 ~~of his or her current license:~~

14 ~~—(a) Apply to the Board for renewal;~~

15 ~~—(b) Pay the fee for the biennial renewal of a license set by the Board;~~

16 ~~—(c) Submit evidence to the Board of completion of the requirements for~~
17 ~~continuing education as set forth in regulations adopted by the Board,~~
18 ~~unless the Board has granted a waiver pursuant to NRS 641A.265; and~~

19 ~~—(d) Submit all information required to complete the renewal.~~

20 ~~2. Except as otherwise provided in NRS 641A.265, the Board shall,~~
21 ~~as a prerequisite for the renewal of a license to practice as a marriage and~~
22 ~~family therapist or clinical professional counselor, require each holder to~~
23 ~~comply with the requirements for continuing education adopted by the~~
24 ~~Board, which must include, without limitation, a requirement that the~~
25 ~~holder receive at least 2 hours of instruction on evidence-based suicide~~
26 ~~prevention and awareness or another course of instruction on suicide~~
27 ~~prevention and awareness that is approved by the Board which the Board~~
28 ~~has determined to be effective and appropriate. (Deleted by amendment.)~~

29 Sec. 7.5. NRS 641A.290 is hereby amended to read as follows:

30 641A.290 1. Except as otherwise provided in subsection 2, the
31 Board shall establish a schedule of fees for the following items which must
32 not exceed the following amounts:

33
34 Application for an initial license \$150

35 Initial issuance of a license 60

36 Biennial renewal of a license to practice as a marriage and family therapist
37 or clinical professional counselor 450

38 Fee for late payment of the biennial renewal 125

39 Placement of a license to practice as a marriage and family therapist or
40 clinical professional counselor on inactive status 200

41 Renewal of an intern's license 150

42 Issuance of a duplicate license 10

43 Reevaluation of an applicant's course work 50

44 Application for approval as a supervisor 75

45 Approval of a course or program of continuing education 25

1 Approval of a provider of continuing education 150

2
3 2. If an ~~applicant~~ active member of, or the spouse of an active
4 member of, the Armed Forces of the United States, a veteran or the
5 surviving spouse of a veteran submits an application for a license by
6 endorsement pursuant to NRS 641A.242, the Board shall collect not more
7 than one-half of the fee established pursuant to subsection 1 for the
8 application for and initial issuance of the license.

9 3. As used in this section, "veteran" has the meaning ascribed to it
10 in NRS 417.005.

11 **Sec. 8.** Chapter 641B of NRS is hereby amended by adding thereto
12 the provisions set forth as sections 9 ~~[10 and 11]~~ to 11.3, inclusive, of
13 this act.

14 **Sec. 9. 1.** *The Board shall grant a license to engage in social*
15 *work as a master social worker to any applicant who possesses the*
16 *preliminary qualifications set forth in NRS 641B.200 and who:*

17 *(a) Possesses a master's or doctoral degree in social work from:*

18 *(1) A college or university accredited by the Council on Social*
19 *Work Education, or its successor organization, or which is a candidate*
20 *for such accreditation; or*

21 *(2) A college or university located in a foreign country, or the*
22 *equivalent of a master's or doctoral degree in social work from such a*
23 *college or university, if the applicant includes in his or her application*
24 *the documentation required by section 10 of this act; and*

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

26 **2.** *A person licensed as a master social worker may:*

27 *(a) Engage in social work independently as part of an internship*
28 *program approved by the Board to complete the supervised social work*
29 *required for licensure as an independent social worker pursuant to NRS*
30 *641B.230;*

31 *(b) Engage in clinical social work as part of an internship program*
32 *approved by the Board to complete the supervised, postgraduate, clinical*
33 *social work required for licensure as a clinical social worker pursuant to*
34 *NRS 641B.240; and*

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

36 **Sec. 10. 1.** *If an applicant for a license to engage in social work is*
37 *a graduate of a college or university located in a foreign country or*
38 *currently enrolled in program of study leading to a degree in social work*
39 *at such a college or university, the application must include:*

40 *(a) Proof that the applicant possesses the degree required by NRS*
41 *641B.220, 641B.230, 641B.240 or 641B.275 or section 9 of this act, as*
42 *applicable, or is enrolled in a program of study that meets the*
43 *requirements of NRS 641B.275, as applicable; and*

44 *(b) If applicable, a written statement or other proof from the Council*
45 *on Social Work Education or its successor organization that the degree*

1 *is equivalent to a degree issued by a college or university accredited by*
2 *the Council on Social Work Education or its successor organization.*

3 2. *Except as otherwise provided in this subsection, the proof*
4 *required by paragraph (a) of subsection 1 must be provided to the Board*
5 *directly by the college or university that granted the degree. If the college*
6 *or university is unable to provide such proof, the Board may accept proof*
7 *from another source specified by the Board.*

8 **Sec. 11. 1.** *An associate in social work, social worker, master*
9 *social worker, independent social worker or clinical social worker may*
10 *apply to the Board to have his or her license placed on inactive status.*
11 *The Board may grant the application if the license is in good standing*
12 *and the licensee has met all requirements for the issuance or renewal of*
13 *a license as of the date of the application.*

14 2. *If the application is granted:*

15 (a) *The licensee must not engage in social work in this State unless*
16 *the license is returned to active status; and*

17 (b) *The licensee is not required to complete continuing education*
18 *unless his or her license is returned to active status.*

19 3. *The inactive status of a license is valid for 5 years after the date*
20 *that the inactive status is granted.*

21 4. *If a license is placed on inactive status, the Board must not*
22 *refund any portion of the renewal fee that was paid before the license*
23 *was placed on inactive status.*

24 5. *The Board shall adopt regulations prescribing the:*

25 (a) *Procedures for making an application pursuant to this section;*

26 (b) *Procedures and terms upon which a person whose license has*
27 *been placed on inactive status may have his or her license returned to*
28 *active status; and*

29 (c) *Fees for the renewal of the inactive status of a license.*

30 **Sec. 11.3.** *If the Board requires an applicant for a license pursuant*
31 *to this chapter to submit official transcripts as proof of his or her*
32 *educational qualifications, the Board must provide an alternate means*
33 *for the applicant to submit official transcripts if:*

34 1. *The college or university from which the applicant graduated has*
35 *closed or has merged with another institution; and*

36 2. *The provision of the official transcripts by ordinary means is not*
37 *available or possible.*

38 **Sec. 11.7.** *NRS 641B.160 is hereby amended to read as follows:*

39 641B.160 1. The Board shall adopt:

40 (a) Such regulations as are necessary or desirable to enable it to carry
41 out the provisions of this chapter;

42 (b) Regulations establishing reasonable standards for the psychiatric
43 training and experience necessary for a clinical social worker to be
44 authorized to make the certifications described in NRS 433A.170,
45 433A.195 and 433A.200;

1 (c) Regulations prescribing uniform standards concerning the locations
2 at which interns provide services;

3 (d) Regulations ~~prescribing standards concerning~~ authorizing the
4 remote supervision, including, without limitation, electronic supervision,
5 of interns working at remote sites ~~and~~ and prescribing standards
6 concerning such remote supervision;

7 (e) Regulations prescribing the manner by which the qualifications for
8 the issuance or renewal of a license under the provisions of this chapter
9 will be made available to the public such that those qualifications are
10 clearly defined and easily understood ~~and~~ ; and

11 (f) Regulations prescribing lists of each crime for which a conviction
12 disqualifies or may disqualify a person from obtaining a license from the
13 Board, if the Board disqualifies persons from obtaining such a license on
14 the basis of criminal convictions.

15 2. On the date that the Board gives notice pursuant to NRS 233B.060
16 of its intent to adopt, amend or repeal a regulation, the Board shall submit
17 the regulation to the Commission on Behavioral Health for review. The
18 Commission shall review the regulation and make recommendations to the
19 Board concerning the advisability of adopting, amending or repealing the
20 regulation and any changes that the Commission deems advisable.

21 **Sec. 12.** NRS 641B.165 is hereby amended to read as follows:

22 641B.165 On or before February 1 of each year, the Board shall
23 submit to the Legislative Committee on Health Care and to the Chair of
24 each regional behavioral health policy board created by NRS 433.429 a
25 report which must include:

26 ~~and~~ (a) The number of complaints received, investigations completed,
27 cases dismissed, cases settled and cases for which hearings were held
28 within the immediately preceding calendar year; and

29 ~~2.~~ (b) The number of applications for the issuance or renewal of a
30 license received by the Board during the immediately preceding calendar
31 year and the number of those applications for which the Board conducted
32 additional review beyond the standard review regularly conducted by the
33 Board ~~and~~

34 ~~3. The number of applications for the issuance of a license by~~
35 ~~endorsement received by the Board pursuant to NRS 641B.271 and~~
36 ~~641B.272 during the immediately preceding calendar year, the number~~
37 ~~of those applications that were denied and the reasons for denial.~~

38 2. The report submitted pursuant to this section to the Chair of each
39 regional behavioral policy board created by NRS 433.429 may be
40 submitted in a written format.

41 **Sec. 13.** NRS 641B.206 is hereby amended to read as follows:

42 641B.206 1. In addition to any other requirements set forth in this
43 chapter:

44 (a) An applicant for the issuance of a license to engage in social work
45 as an associate in social work, a social worker, a master social worker, an

1 independent social worker or a clinical social worker shall include the
2 social security number of the applicant in the application submitted to the
3 Board.

4 (b) An applicant for the renewal of a license to engage in social work
5 as an associate in social work or the issuance or renewal of a license to
6 engage in social work as a social worker, *a master social worker*, an
7 independent social worker or a clinical social worker shall submit to the
8 Board the statement prescribed by the Division of Welfare and Supportive
9 Services of the Department of Health and Human Services pursuant to
10 NRS 425.520. The statement must be completed and signed by the
11 applicant.

12 2. The Board shall include the statement required pursuant to
13 subsection 1 in:

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

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

17 3. A license to engage in social work as an associate in social work, a
18 social worker, *a master social worker*, an independent social worker or a
19 clinical social worker may not be issued or renewed by the Board if the
20 applicant:

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

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

27 4. If an applicant indicates on the statement submitted pursuant to
28 subsection 1 that the applicant is subject to a court order for the support of
29 a child and is not in compliance with the order or a plan approved by the
30 district attorney or other public agency enforcing the order for the
31 repayment of the amount owed pursuant to the order, the Board shall
32 advise the applicant to contact the district attorney or other public agency
33 enforcing the order to determine the actions that the applicant may take to
34 satisfy the arrearage.

35 **Sec. 14.** NRS 641B.220 is hereby amended to read as follows:

36 641B.220 1. The Board shall grant a license to engage in social
37 work as a social worker to any applicant who possesses the preliminary
38 qualifications set forth in NRS 641B.200 and who:

39 (a) Possesses a baccalaureate degree or master's degree in social work
40 from ~~fat~~:

41 (1) *A college or university accredited by the Council on Social*
42 *Work Education, or its successor organization, or which is a candidate*
43 *for such accreditation ~~H~~; or*

44 (2) *A college or university located in a foreign country, or the*
45 *equivalent of a baccalaureate degree or master's degree in social work*

1 *from such a college or university, if the applicant includes in his or her*
2 *application the documentation required by section 10 of this act; and*

- 3 (b) Passes an examination prescribed by the Board.
4 2. The Board shall grant a license to engage in social work as a social
5 worker to an applicant licensed as an associate in social work who:
6 (a) Possesses the preliminary qualifications set forth in
7 NRS 641B.200;
8 (b) Possesses a baccalaureate degree or master's degree in a related
9 field, or has completed equivalent course work in a related field;
10 (c) Completes 3,000 hours of employment in Nevada as an associate in
11 social work; and
12 (d) Passes an examination prescribed by the Board.

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

16 **Sec. 15.** NRS 641B.230 is hereby amended to read as follows:

17 641B.230 1. The Board shall grant a license to engage in social
18 work as an independent social worker to any applicant who possesses the
19 preliminary qualifications set forth in NRS 641B.200 and who:

20 (a) Possesses a master's or doctoral degree in social work from ~~the~~ :
21 *(1) A college or university accredited by the Council on Social*
22 *Work Education , or its successor organization, or which is a candidate*
23 *for such accreditation ~~the~~ ; or*

24 *(2) A college or university located in a foreign country, or the*
25 *equivalent of a master's or doctoral degree in social work from such a*
26 *college or university, if the applicant includes in his or her application*
27 *the documentation required by section 10 of this act.*

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

- 30 (c) Passes an examination prescribed by the Board.
31 2. A person licensed as an independent social worker may:
32 (a) Engage in social work independently or within an agency; ~~and~~
33 (b) *Engage in clinical social work as part of an internship program*
34 *approved by the Board to complete the supervised clinical social work*
35 *required for licensure as a clinical social worker pursuant to NRS*
36 *641B.240; and*

37 (c) Supervise other persons engaging in the practice of social work.

38 **Sec. 16.** NRS 641B.240 is hereby amended to read as follows:

39 641B.240 1. The Board shall grant a license to engage in social
40 work as a clinical social worker to any applicant who possesses the
41 preliminary qualifications set forth in NRS 641B.200 and who:

42 (a) Possesses a master's or doctoral degree in social work from ~~the~~ :
43 *(1) A college or university accredited by the Council on Social*
44 *Work Education , or its successor organization, or which is a candidate*
45 *for such accreditation ~~the~~ ; or*

1 *(2) A college or university located in a foreign country, or the*
2 *equivalent of a master's or doctoral degree in social work from such a*
3 *college or university, if the applicant includes in his or her application*
4 *the documentation required by section 10 of this act.*

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

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

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

9 (a) Engage in social work independently or within an agency; ~~and~~

10 (b) *Engage in clinical social work; and*

11 (c) Supervise other persons engaging in the practice of social work.

12 **Sec. 17.** NRS 641B.260 is hereby amended to read as follows:

13 641B.260 1. The Board may hold hearings and conduct
14 investigations into any matter related to an application for licensure. The
15 Board may require the presentation of evidence.

16 2. The Board may refuse to issue a license to an applicant if the
17 applicant:

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

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

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

24 (d) *Has committed an act that constitutes grounds for initiating*
25 *disciplinary action pursuant to NRS 641B.400;*

26 (e) *Has entered a plea of guilty, guilty but mentally ill or nolo*
27 *contendere to, been found guilty or guilty but mentally ill of, or been*
28 *convicted, in this State or any other jurisdiction, of a crime arising out*
29 *of, in connection with or related to the activities of such a person in such*
30 *a manner as to demonstrate his or her unfitness to engage in social*
31 *work, and the time for appeal has elapsed or the judgment of conviction*
32 *has been affirmed on appeal; or*

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

34 **Sec. 17.5.** NRS 641B.272 is hereby amended to read as follows:

35 641B.272 1. The Board ~~may~~ shall issue a license by endorsement
36 to engage in social work to an applicant who meets the requirements set
37 forth in this section. An applicant may submit to the Board an application
38 for such a license if the applicant ~~is~~

39 ~~—(a) Holds~~ holds a corresponding valid and unrestricted license to
40 engage in social work in the District of Columbia or any state or territory
41 of the United States. ~~is and~~

42 ~~—(b) Is an active member of, or the spouse of an active member of, the~~
43 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
44 ~~veteran.~~

1 2. An applicant for a license by endorsement pursuant to this section
2 must submit to the Board with his or her application:
3 (a) Proof satisfactory to the Board that the applicant:
4 (1) Satisfies the requirements of subsection 1;
5 (2) Has not been disciplined or investigated by the corresponding
6 regulatory authority of the District of Columbia or the state or territory in
7 which the applicant holds a license to engage in social work; and
8 (3) Has not been held civilly or criminally liable for malpractice in
9 the District of Columbia or any state or territory of the United States; ~~and~~
10 ~~(4) Is currently engaged in social work under the license held~~
11 ~~required by paragraph (a) of subsection 1;~~
12 (b) ~~A~~ Except as otherwise provided in subsection 3, a complete set
13 of fingerprints and written permission authorizing the Board to forward the
14 fingerprints in the manner provided in NRS 641B.202;
15 (c) An affidavit stating that the information contained in the
16 application and any accompanying material is true and correct; and
17 (d) The fee prescribed by the Board pursuant to NRS 641B.300 for
18 the initial application; and
19 (e) Any other information required by the Board.
20 3. If the applicant for a license by endorsement pursuant to this
21 section is an active member of the Armed Forces of the United States, the
22 applicant is not required to submit a complete set of fingerprints and a
23 written permission pursuant to paragraph (b) of subsection 2.
24 4. Not later than 15 business days after receiving an application for a
25 license by endorsement to engage in social work pursuant to this section,
26 the Board shall provide written notice to the applicant of any additional
27 information required by the Board to consider the application. ~~Unless~~
28 Except as otherwise provided in subsection 6, unless the Board denies the
29 application for good cause, the Board shall approve the application and
30 issue a license by endorsement to engage in social work to the applicant
31 not later than ~~45~~
32 ~~(a) Forty five~~ 45 days after receiving all the additional information
33 required by the Board to complete the application. ~~45 or~~
34 ~~(b) Ten days after the Board receives a report on the applicant's~~
35 ~~background based on the submission of the applicant's fingerprints,~~
36 ~~whichever occurs later.~~
37 ~~4.~~ 5. A license by endorsement to engage in social work may be
38 issued at a meeting of the Board or between its meetings by the President
39 of the Board. Such an action shall be deemed to be an action of the Board.
40 ~~5.~~ ~~A~~ 6. If the report on the applicant's background based on the
41 submission of the applicant's fingerprints is pending 45 days after the
42 Board receives the application, the Board shall not deny or approve the
43 application and shall instead issue a provisional license authorizing the
44 applicant to engage in social work. A provisional license issued pursuant
45 to this subsection expires upon:

1 (a) The receipt by the Board of the report on the applicant's
2 background based on the submission of the applicant's fingerprints; and
3 (b) The decision by the Board to deny or approve the application.

4 7. At any time before making a final decision on an application for a
5 license by endorsement pursuant to this section, the Board may , for any
6 reason, grant a provisional license authorizing an applicant to engage in
7 social work in accordance with regulations adopted by the Board.

8 ~~16. As used in this section, "veteran" has the meaning ascribed to it in~~
9 ~~NRS 417.005.~~

10 **Sec. 18.** NRS 641B.275 is hereby amended to read as follows:

11 641B.275 1. The Board shall grant a provisional license to engage
12 in social work as a social worker to a person:

13 (a) Who applies to take the next available examination and who is
14 otherwise eligible to be a social worker pursuant to subsection 1 of NRS
15 641B.220; or

16 (b) Who:

17 (1) Possesses a baccalaureate degree or a master's degree in a
18 related field of study from ~~the~~ :

19 (I) *An* accredited college or university recognized by the Board;
20 *or*

21 (II) *A college or university located in a foreign country, or the*
22 *equivalent of a baccalaureate degree or a master's degree in a related*
23 *field from such a college or university, if the applicant includes in his or*
24 *her application the documentation required by section 10 of this act; and*

25 (2) Presents evidence of enrollment in a program of study leading to
26 a degree in social work at ~~the~~ :

27 (I) *A* college or university accredited by the Council on Social
28 Work Education or which is a candidate for such accreditation and which
29 is approved by the Board ~~the~~; *or*

30 (II) *A college or university located in a foreign country, or a*
31 *program of study leading to the equivalent of a degree in social work*
32 *from such a college or university, if the applicant includes in his or her*
33 *application the documentation required by section 10 of this act.*

34 2. The Board shall grant a provisional license to engage in social
35 work as an independent social worker to a person who applies to take the
36 next available examination and who is otherwise eligible to be an
37 independent social worker pursuant to subsection 1 of
38 NRS 641B.230.

39 3. The Board shall grant a provisional license to engage in social
40 work as a clinical social worker to a person who applies to take the next
41 available examination and who is otherwise eligible to be a clinical social
42 worker pursuant to subsection 1 of
43 NRS 641B.240.

44 4. ~~If the Board requires an applicant for a license as a social~~
45 ~~worker, master social worker, independent social worker or clinical~~

1 ~~social worker to submit official transcripts as proof of his or her~~
2 ~~educational qualifications, the Board may grant a provisional license to~~
3 ~~an applicant who has:~~

- 4 ~~— (a) Met all requirements for licensure except for the submission of~~
5 ~~official transcripts; and~~
6 ~~— (b) Submitted a copy of his or her unofficial transcripts to the~~
7 ~~Board.]~~

8 5. The Board shall establish by regulation the period during which a
9 provisional license issued pursuant to this section ~~subsection 1, 2 or 3~~
10 will be valid. The period must be:

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

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

16 ~~16. A provisional license issued pursuant to subsection 4 expires 6~~
17 ~~months after the date of issuance and may not be renewed.]~~

18 **Sec. 19.** ~~[NRS 641B.280 is hereby amended to read as follows:~~
19 ~~641B.280 1. [Every] Except as otherwise provided in NRS~~
20 ~~641B.275, every holder of a license issued pursuant to this chapter may~~
21 ~~renew his or her license annually by:~~

- 22 ~~— (a) Applying to the Board for renewal;~~
23 ~~— (b) Paying the annual renewal fee set by the Board;~~
24 ~~— (c) Submitting evidence to the Board of completion of the required~~
25 ~~continuing education as set forth in regulations adopted by the Board; and~~
26 ~~— (d) Submitting all information required to complete the renewal.~~

27 ~~2. [The] Except as otherwise provided in section 11 of this act, the~~
28 ~~Board shall, as a prerequisite for the renewal of a license, require the~~
29 ~~holder to comply with the requirements for continuing education adopted~~
30 ~~by the Board, which must include, without limitation, a requirement that~~
31 ~~every 2 years the holder receive at least 2 hours of instruction on evidence-~~
32 ~~based suicide prevention and awareness or another course of instruction on~~
33 ~~suicide prevention and awareness that is approved by the Board which the~~
34 ~~Board has determined to be effective and appropriate.] (Deleted by~~
35 ~~amendment.)~~

36 **Sec. 20.** NRS 641B.300 is hereby amended to read as follows:
37 641B.300 1. The Board shall charge and collect fees not to exceed
38 the following amounts for:

39

40	Initial application.....	\$200
41	Provisional license.....	150
42	Initial issuance of a license as a social worker <i>or master</i>	
43	<i>social worker</i>	250
44	Initial issuance of a license as a clinical social worker or an	
45	independent social worker.....	350

1 Initial issuance of a license by endorsement 200
2 Annual renewal of a license as a social worker , *master*
3 *social worker* or an associate in social work..... 175
4 Annual renewal of a license as a clinical social worker or an
5 independent social worker..... 225
6 Restoration of a suspended license or reinstatement of a
7 revoked license..... 150
8 Restoration of an expired license 200
9 Renewal of a delinquent license 100

10
11 2. If an ~~applicant~~ *active member of, or the spouse of an active*
12 *member of, the Armed Forces of the United States, a veteran or the*
13 *surviving spouse of a veteran* submits an application for a license by
14 endorsement pursuant to NRS 641B.272, the Board shall collect not more
15 than one-half of the fee set forth in subsection 1 for the initial issuance of
16 the license.

17 3. As used in this section, "veteran" has the meaning ascribed to it
18 in NRS 417.005.

19 **Sec. 21.** NRS 641B.410 is hereby amended to read as follows:

20 641B.410 1. The Board, any ~~of its members~~ *member or employee*
21 *of the Board* or any member of a review panel of social workers who
22 becomes aware that any one or combination of the grounds for initiating
23 disciplinary action may exist as to a person practicing social work in this
24 State shall, and any other person who is so aware may, file a written
25 complaint specifying the relevant facts with the Board. The complaint
26 must specifically charge one or more of the grounds for initiating
27 disciplinary action.

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

31 **Sec. 22.** NRS 641B.505 is hereby amended to read as follows:

32 641B.505 1. Except as otherwise provided in this chapter, it is
33 unlawful for a person to engage in:

34 (a) The independent practice of social work unless he or she ~~is~~
35 ~~licensed~~ :

36 (1) *Holds an active license* as a clinical social worker or an
37 independent social worker pursuant to this chapter ~~+~~ ; or

38 (2) *Holds an active license as a master social worker pursuant to*
39 *this chapter and is engaging in the independent practice of social work*
40 *under the conditions prescribed in section 9 of this act.*

41 (b) The clinical practice of social work unless he or she ~~is licensed~~ :

42 (1) *Holds an active license* as a clinical social worker *issued*
43 pursuant to this chapter ~~+~~ ; or

44 (2) *Holds an active license as an independent social worker or*
45 *master social worker issued pursuant to this chapter and is engaging in*

1 *clinical social work under the conditions prescribed in NRS 641B.230 or*
2 *section 9 of this act, as applicable.*

3 *(c) The practice of social work unless he or she holds an active*
4 *license as an associate in social work, a social worker, a master social*
5 *worker, an independent social worker or a clinical social worker issued*
6 *pursuant to this chapter.*

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

10 **Sec. 22.5. Chapter 641C of NRS is hereby amended by adding**
11 **thereto a new section to read as follows:**

12 **If the Board requires an applicant for a license or certificate pursuant**
13 **to this chapter to submit official transcripts as proof of his or her**
14 **educational qualifications, the Board must provide an alternate means**
15 **for the applicant to submit official transcripts if:**

16 **1. The college or university from which the applicant has graduated**
17 **has closed or has merged with another institution; and**

18 **2. The provision of official transcripts by ordinary means is not**
19 **available or possible.**

20 **Sec. 23. NRS 641C.130 is hereby amended to read as follows:**

21 641C.130 The provisions of this chapter do not apply to:

22 1. A physician who is licensed pursuant to the provisions of chapter
23 630 or 633 of NRS;

24 2. A nurse who is licensed pursuant to the provisions of chapter 632
25 of NRS and is authorized by the State Board of Nursing to engage in the
26 practice of counseling persons with alcohol and other substance use
27 disorders or the practice of counseling persons with an addictive disorder
28 related to gambling;

29 3. A psychologist who is licensed pursuant to the provisions of
30 chapter 641 of NRS or authorized to practice psychology in this State
31 pursuant to the Psychology Interjurisdictional Compact enacted in NRS
32 641.227;

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

35 5. A marriage and family therapist or marriage and family therapist
36 intern who is licensed pursuant to the provisions of chapter 641A of NRS
37 and is authorized by the Board of Examiners for Marriage and Family
38 Therapists and Clinical Professional Counselors to engage in the practice
39 of counseling persons with alcohol and other substance use disorders or the
40 practice of counseling persons with an addictive disorder related to
41 gambling; or

42 6. A person who is ~~licensed as a~~ :

43 *(a) Licensed as:*

44 *(1) A clinical social worker pursuant to the provisions of chapter*
45 *641B of NRS ; or*

1 (2) *A master social worker or independent social worker pursuant*
2 *to the provisions of chapter 641B of NRS and is engaging in clinical*
3 *social work as part of an internship program approved by the Board of*
4 *Examiners for Social Workers; and ~~is authorized~~*

5 (b) *Authorized* by the Board of Examiners for Social Workers to
6 engage in the practice of counseling persons with alcohol and other
7 substance use disorders or the practice of counseling persons with an
8 addictive disorder related to gambling.

9 **Sec. 23.5. NRS 641C.200 is hereby amended to read as follows:**

10 641C.200 1. The Board shall adopt such regulations as are
11 necessary to carry out the provisions of this chapter, including, without
12 limitation, regulations that ~~;~~ ~~prescribe~~;

13 (a) ~~The~~ **Prescribe the** ethical standards for licensed and certified
14 counselors and certified interns;

15 (b) ~~The~~ **Prescribe the** requirements for continuing education for the
16 renewal, restoration or reinstatement of a license or certificate;

17 (c) ~~Uniform~~ **Prescribe uniform** standards concerning the locations at
18 which interns provide services;

19 (d) ~~Standards concerning~~ **Authorize the remote supervision,**
20 **including, without limitation,** electronic supervision, of interns working
21 at remote sites ~~;~~ and **prescribe standards concerning such remote**
22 **supervision;**

23 (e) ~~The~~ **Prescribe the** manner by which the qualifications for the
24 issuance or renewal of a license or certificate under the provisions of this
25 chapter will be made available to the public such that those qualifications
26 are clearly defined and easily understood ~~;~~ **and**

27 (f) **Prescribe lists of each crime for which a conviction disqualifies or**
28 **may disqualify a person from obtaining a license from the Board, if the**
29 **Board disqualifies persons from obtaining such a license on the basis of**
30 **criminal convictions.**

31 2. The Board may adopt regulations that prescribe:

32 (a) The contents of a written and oral examination concerning the
33 practice of counseling persons with an addictive disorder related to
34 gambling;

35 (b) The grounds for initiating disciplinary action against a certified
36 problem gambling counselor or certified problem gambling counselor
37 intern; and

38 (c) Disciplinary procedures for certified problem gambling counselors
39 and certified problem gambling counselor interns, including the
40 suspension, revocation and reinstatement of a certificate as a problem
41 gambling counselor or problem gambling counselor intern.

42 3. Any regulations adopted by the Board pursuant to this section must
43 be consistent with the provisions of chapter 622A of NRS.

44 4. On the date that the Board gives notice pursuant to NRS 233B.060
45 of its intent to adopt, amend or repeal a regulation, the Board shall submit

1 the regulation to the Commission on Behavioral Health for review. The
2 Commission shall review the regulation and make recommendations to the
3 Board concerning the advisability of adopting, amending or repealing the
4 regulation and any changes that the Commission deems advisable.

5 **Sec. 24.** NRS 641C.230 is hereby amended to read as follows:

6 641C.230 1. On or before February 1 of each year, the Board shall
7 submit to the Legislative Committee on Health Care *and to the Chair of*
8 *each regional behavioral health policy board created by NRS 433.429* a
9 report which must include:

10 ~~11~~ (a) The number of complaints received, investigations completed,
11 cases dismissed, cases settled and cases for which hearings were held
12 within the immediately preceding calendar year; and

13 ~~12~~ (b) The number of applications for the issuance or renewal of a
14 license or certificate received by the Board during the immediately
15 preceding calendar year and the number of those applications for which the
16 Board conducted additional review beyond the standard review regularly
17 conducted by the Board. ~~13 and~~

18 ~~14~~ ~~3. The number of applications for the issuance of a license or~~
19 ~~certificate by endorsement received by the Board pursuant to~~
20 ~~NRS 641C.3305, 641C.3306, 641C.355, 641C.356, 641C.395, 641C.396,~~
21 ~~641C.432 and 641C.433 during the immediately preceding calendar year,~~
22 ~~the number of those applications that were denied and the reasons for~~
23 ~~denial.~~

24 2. The report submitted pursuant to this section to the Chair of each
25 regional behavioral health policy board created by NRS 433.429 may be
26 submitted in a written format.

27 **Sec. 24.5.** NRS 641C.290 is hereby amended to read as follows:

28 641C.290 1. Except as otherwise provided in NRS 641C.300, ~~14~~
29 ~~641C.3305~~ and 641C.3306, each applicant for a license as a clinical
30 alcohol and drug counselor must pass a written and oral examination
31 concerning his or her knowledge of the clinical practice of counseling
32 persons with alcohol and other substance use disorders, the applicable
33 provisions of this chapter and any applicable regulations adopted by the
34 Board pursuant to the provisions of this chapter.

35 2. Except as otherwise provided in NRS 641C.300, ~~15~~
36 ~~641C.355~~,
37 641C.356 ~~16~~ ~~641C.395~~ and 641C.396, each applicant for a license or
38 certificate as an alcohol and drug counselor must pass a written and oral
39 examination concerning his or her knowledge of the practice of counseling
40 persons with alcohol and other substance use disorders, the applicable
41 provisions of this chapter and any applicable regulations adopted by the
42 Board pursuant to the provisions of this chapter.

43 3. Except as otherwise provided in NRS ~~17~~ ~~641C.432 and~~ 641C.433,
44 each applicant for a certificate as a problem gambling counselor must pass
45 a written and oral examination concerning his or her knowledge of the
practice of counseling persons with an addictive disorder related to

1 gambling, the applicable provisions of this chapter and any applicable
2 regulations adopted by the Board pursuant to the provisions of this chapter.

3 4. The Board shall:

- 4 (a) Examine applicants at least two times each year.
- 5 (b) Establish the time and place for the examinations.
- 6 (c) Provide such books and forms as may be necessary to conduct the
7 examinations.
- 8 (d) Except as otherwise provided in NRS 622.090, establish, by
9 regulation, the requirements for passing the examination.

10 5. The Board may employ other persons to conduct the examinations.

11 **Sec. 25.** ~~NRS 641C.320 is hereby amended to read as follows:~~

12 ~~641C.320 1. The Board may issue:~~

13 ~~(a) A provisional license as a clinical alcohol and drug counselor to a
14 person who has applied to the Board to take the examination for a license
15 as a clinical alcohol and drug counselor and is otherwise eligible for that
16 license pursuant to NRS 641C.330; or~~

17 ~~(b) A provisional license or certificate as an alcohol and drug
18 counselor to a person who has applied to the Board to take the examination
19 for a license or certificate as an alcohol and drug counselor and is
20 otherwise eligible for that license or certificate pursuant to NRS 641C.350
21 or 641C.390.~~

22 ~~2. If the Board requires an applicant for a license or certificate
23 pursuant to this chapter to submit official transcripts as proof of his or
24 her educational qualifications, the Board may issue a provisional license
25 or certificate to an applicant who has:~~

26 ~~(a) Met all requirements for licensure except for the submission of
27 official transcripts; and~~

28 ~~(b) Submitted a copy of his or her unofficial transcripts to the Board.~~

29 ~~3. A provisional license or certificate is valid for not more than 6
30 months and may not be renewed. (Deleted by amendment.)~~

31 **Sec. 25.2.** NRS 641C.3306 is hereby amended to read as follows:

32 641C.3306 1. The Board ~~may~~ shall issue a license by
33 endorsement as a clinical alcohol and drug counselor to an applicant who
34 meets the requirements set forth in this section. An applicant may submit
35 to the Board an application for such a license if the applicant ~~is~~

36 ~~(a) Holds~~ holds a corresponding valid and unrestricted license as a
37 clinical alcohol and drug counselor in the District of Columbia or any state
38 or territory of the United States. ~~is; and~~

39 ~~(b) Is an active member of, or the spouse of an active member of, the
40 Armed Forces of the United States, a veteran or the surviving spouse of a
41 veteran.~~

42 2. An applicant for a license by endorsement pursuant to this section
43 must submit to the Board with his or her application:

44 (a) Proof satisfactory to the Board that the applicant:

- 45 (1) Satisfies the requirements of subsection 1;

1 (2) Has not been disciplined or investigated by the corresponding
2 regulatory authority of the District of Columbia or the state or territory in
3 which the applicant holds a license as a clinical alcohol and drug
4 counselor; and

5 (3) Has not been held civilly or criminally liable for malpractice in
6 the District of Columbia or any state or territory of the United States;

7 (b) ~~1A~~ Except as otherwise provided in subsection 3, a complete set
8 of fingerprints and written permission authorizing the Board to forward the
9 fingerprints in the manner provided in NRS 641C.260;

10 (c) An affidavit stating that the information contained in the
11 application and any accompanying material is true and correct;

12 (d) The fees prescribed by the Board pursuant to NRS 641C.470 for
13 the initial application for and issuance of an initial license; and

14 (e) Any other information required by the Board.

15 3. If the applicant for a license by endorsement pursuant to this
16 section is an active member of the Armed Forces of the United States, the
17 applicant is not required to submit a complete set of fingerprints and
18 written permission pursuant to paragraph (b) of subsection 2.

19 4. Not later than 15 business days after receiving an application for a
20 license by endorsement as a clinical alcohol and drug counselor pursuant
21 to this section, the Board shall provide written notice to the applicant of
22 any additional information required by the Board to consider the
23 application. ~~Unless~~ Except as otherwise provided in subsection 6, unless
24 the Board denies the application for good cause, the Board shall approve
25 the application and issue a license by endorsement as a clinical alcohol and
26 drug counselor to the applicant not later than ~~15~~

27 ~~45~~ 45 days after receiving all the additional information
28 required by the Board to complete the application. ~~15 or~~

29 ~~(b) Ten days after the Board receives a report on the applicant's~~
30 ~~background based on the submission of the applicant's fingerprints,~~
31 ~~whichever occurs later.~~

32 ~~4.~~ A license by endorsement as a clinical alcohol and drug counselor
33 may be issued at a meeting of the Board or between its meetings by the
34 President of the Board. Such an action shall be deemed to be an action of
35 the Board.

36 ~~5. A~~ 6. If the report on the applicant's background based on the
37 submission of the applicant's fingerprints is pending 45 days after the
38 Board receives the application, the Board shall not deny or approve the
39 application and shall instead issue a provisional license authorizing the
40 applicant to practice as a clinical alcohol and drug counselor. A
41 provisional license issued pursuant to this subsection expires upon:

42 (a) The receipt by the board of the report on the applicant's
43 background based on the submission of the applicant's fingerprints; and

44 (b) The decision by the Board to deny or approve the application.

1 7. *At* any time before making a final decision on an application for a
2 license by endorsement pursuant to this section, the Board may grant a
3 provisional license authorizing an applicant to practice as a clinical alcohol
4 and drug counselor in accordance with regulations adopted by the Board.

5 ~~{6. As used in this section, "veteran" has the meaning ascribed to it in~~
6 ~~NRS 417.005.}~~

7 **Sec. 25.4. NRS 641C.356 is hereby amended to read as follows:**

8 641C.356 1. The Board ~~{may}~~ **shall** issue a license by endorsement
9 as an alcohol and drug counselor to an applicant who meets the
10 requirements set forth in this section. An applicant may submit to the
11 Board an application for such a license if the applicant ~~{}~~

12 ~~—(a) Holds}~~ **holds** a corresponding valid and unrestricted license as an
13 alcohol and drug counselor in the District of Columbia or any state or
14 territory of the United States. ~~{; and~~

15 ~~—(b) Is an active member of, or the spouse of an active member of, the~~
16 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
17 ~~veteran.}~~

18 2. An applicant for a license by endorsement pursuant to this section
19 must submit to the Board with his or her application:

20 (a) Proof satisfactory to the Board that the applicant:

21 (1) Satisfies the requirements of subsection 1;

22 (2) Has not been disciplined or investigated by the corresponding
23 regulatory authority of the District of Columbia or the state or territory in
24 which the applicant holds a license as an alcohol and drug counselor; and

25 (3) Has not been held civilly or criminally liable for malpractice in
26 the District of Columbia or any state or territory of the United States;

27 (b) ~~{A}~~ **Except as otherwise provided in subsection 3, a** complete set
28 of fingerprints and written permission authorizing the Board to forward the
29 fingerprints in the manner provided in NRS 641C.260;

30 (c) An affidavit stating that the information contained in the
31 application and any accompanying material is true and correct;

32 (d) The fees prescribed by the Board pursuant to NRS 641C.470 for
33 the initial application for and issuance of an initial license; and

34 (e) Any other information required by the Board.

35 3. **If the applicant for a license by endorsement pursuant to this**
36 **section is an active member of the Armed Forces of the United States, the**
37 **applicant is not required to submit a complete set of fingerprints and**
38 **written permission pursuant to paragraph (b) of subsection 2.**

39 4. Not later than 15 business days after receiving an application for a
40 license by endorsement as an alcohol and drug counselor pursuant to this
41 section, the Board shall provide written notice to the applicant of any
42 additional information required by the Board to consider the application.

43 ~~{Unless}~~ **Except as otherwise provided in subsection 6, unless** the Board
44 denies the application for good cause, the Board shall approve the

1 application and issue a license by endorsement as an alcohol and drug
2 counselor to the applicant not later than ~~15~~

3 ~~—(a) Forty five~~ 45 days after receiving all the additional information
4 required by the Board to complete the application. ~~15 or~~

5 ~~—(b) Ten days after the Board receives a report on the applicant's~~
6 ~~background based on the submission of the applicant's fingerprints,~~
7 ~~which ever occurs later.~~

8 ~~—4.~~ 5. A license by endorsement as an alcohol and drug counselor
9 may be issued at a meeting of the Board or between its meetings by the
10 President of the Board. Such an action shall be deemed to be an action of
11 the Board.

12 ~~15. A~~ 6. *If the report on the applicant's background based on the*
13 *submission of the applicant's fingerprints is pending 45 days after the*
14 *Board receives the application, the Board shall not deny or approve the*
15 *application and shall instead issue a provisional license authorizing an*
16 *applicant to practice as an alcohol and drug counselor. A provisional*
17 *license issued pursuant to this subsection expires upon:*

18 *(a) The receipt by the board of the report on the applicant's*
19 *background based on the submission of the applicant's fingerprints; and*

20 *(b) The decision by the Board to deny or approve the application.*

21 7. At any time before making a final decision on an application for a
22 license by endorsement pursuant to this section, the Board may , for any
23 reason, grant a provisional license authorizing an applicant to practice as
24 an alcohol and drug counselor in accordance with regulations adopted by
25 the Board.

26 ~~16. As used in this section, "veteran" has the meaning ascribed to it in~~
27 ~~NRS 417.005.~~

28 Sec. 25.6. NRS 641C.396 is hereby amended to read as follows:

29 641C.396 1. The Board ~~may~~ shall issue a certificate by
30 endorsement as an alcohol and drug counselor to an applicant who meets
31 the requirements set forth in this section. An applicant may submit to the
32 Board an application for such a certificate if the applicant ~~is~~

33 ~~—(a) Holds~~ holds a corresponding valid and unrestricted certificate as
34 an alcohol and drug counselor in the District of Columbia or any state or
35 territory of the United States. ~~15 and~~

36 ~~—(b) Is an active member of, or the spouse of an active member of, the~~
37 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
38 ~~veteran.~~

39 2. An applicant for a certificate by endorsement pursuant to this
40 section must submit to the Board with his or her application:

41 (a) Proof satisfactory to the Board that the applicant:

42 (1) Satisfies the requirements of subsection 1;

43 (2) Has not been disciplined or investigated by the corresponding
44 regulatory authority of the District of Columbia or the state or territory in

1 which the applicant holds a certificate as an alcohol and drug counselor;
2 and

3 (3) Has not been held civilly or criminally liable for malpractice in
4 the District of Columbia or any state or territory of the United States;

5 (b) ~~At~~ Except as otherwise provided in subsection 3, a complete set
6 of fingerprints and written permission authorizing the Board to forward the
7 fingerprints in the manner provided in NRS 641C.260;

8 (c) An affidavit stating that the information contained in the
9 application and any accompanying material is true and correct;

10 (d) The fees prescribed by the Board pursuant to NRS 641C.470 for
11 the initial application for and issuance of an initial certificate; and

12 (e) Any other information required by the Board.

13 3. If the applicant for a certificate by endorsement pursuant to this
14 section is an active member of the Armed Forces of the United States, the
15 applicant is not required to submit a complete set of fingerprints and
16 written permission pursuant to paragraph (b) of subsection 2.

17 4. Not later than 15 business days after receiving an application for a
18 certificate by endorsement as an alcohol and drug counselor pursuant to
19 this section, the Board shall provide written notice to the applicant of any
20 additional information required by the Board to consider the application.

21 ~~Unless~~ Except as otherwise provided in subsection 6, unless the Board
22 denies the application for good cause, the Board shall approve the
23 application and issue a certificate by endorsement as an alcohol and drug
24 counselor to the applicant not later than ~~45~~

25 ~~(a) Forty-five~~ 45 days after receiving all additional information
26 required by the Board to complete the application. ~~45~~ ~~or~~

27 ~~(b) Ten days after the Board receives a report on the applicant's~~
28 ~~background based on the submission of the applicant's fingerprints;~~
29 ~~whichever occurs later.~~

30 ~~4.~~ 5. A certificate by endorsement as an alcohol and drug counselor
31 may be issued at a meeting of the Board or between its meetings by the
32 President of the Board. Such an action shall be deemed to be an action of
33 the Board.

34 ~~5.~~ ~~At~~ 6. If the report on the applicant's background based on the
35 submission of the applicant's fingerprints is pending 45 days after the
36 Board receives the application, the Board shall not deny or approve the
37 application and shall instead issue a provisional certificate authorizing
38 the applicant to practice as an alcohol and drug counselor. A provisional
39 certificate issued pursuant to this subsection expires upon:

40 (a) The receipt by the board of the report on the applicant's
41 background based on the submission of the applicant's fingerprints; and

42 (b) The decision by the Board to deny or approve the application.

43 7. At any time before making a final decision on an application for a
44 certificate by endorsement pursuant to this section, the Board may for
45 any reason, grant a provisional certificate authorizing an applicant to

1 practice as an alcohol and drug counselor in accordance with regulations
2 adopted by the Board.

3 ~~{6. As used in this section, "veteran" has the meaning ascribed to it in~~
4 ~~NRS 417.005.}~~

5 **Sec. 25.8. NRS 641C.433 is hereby amended to read as follows:**

6 641C.433 1. The Board ~~{may}~~ **shall** issue a certificate by
7 endorsement as a problem gambling counselor to an applicant who meets
8 the requirements set forth in this section. An applicant may submit to the
9 Board an application for such a certificate if the applicant ~~{~~

10 ~~=(a) Holds}~~ **holds** a corresponding valid and unrestricted certificate as a
11 problem gambling counselor in the District of Columbia or any state or
12 territory of the United States. ~~{, and~~

13 ~~=(b) Is an active member of, or the spouse of an active member of, the~~
14 ~~Armed Forces of the United States, a veteran or the surviving spouse of a~~
15 ~~veteran.}~~

16 2. An applicant for a certificate by endorsement pursuant to this
17 section must submit to the Board with his or her application:

18 (a) Proof satisfactory to the Board that the applicant:

19 (1) Satisfies the requirements of subsection 1;

20 (2) Has not been disciplined or investigated by the corresponding
21 regulatory authority of the District of Columbia or the state or territory in
22 which the applicant holds a certificate as a problem gambling counselor;
23 and

24 (3) Has not been held civilly or criminally liable for malpractice in
25 the District of Columbia or any state or territory of the United States;

26 (b) ~~{A}~~ **Except as otherwise provided in subsection 3, a** complete set
27 of fingerprints and written permission authorizing the Board to forward the
28 fingerprints in the manner provided in NRS 641C.260;

29 (c) An affidavit stating that the information contained in the
30 application and any accompanying material is true and correct;

31 (d) The fees prescribed by the Board pursuant to NRS 641C.470 for
32 the initial application for and issuance of an initial certificate; and

33 (e) Any other information required by the Board.

34 3. **If the applicant for a certificate by endorsement pursuant to this**
35 **section is an active member of the Armed Forces of the United States, the**
36 **applicant is not required to submit a complete set of fingerprints and**
37 **written permission pursuant to paragraph (b) of subsection 2.**

38 4. Not later than 15 business days after receiving an application for a
39 certificate by endorsement as a problem gambling counselor pursuant to
40 this section, the Board shall provide written notice to the applicant of any
41 additional information required by the Board to consider the application.

42 ~~{Unless}~~ **Except as otherwise provided in subsection 6, unless** the Board
43 denies the application for good cause, the Board shall approve the
44 application and issue a certificate by endorsement as a problem gambling
45 counselor to the applicant not later than ~~{~~

1 ~~=(a) Forty-five~~ 45 days after receiving all the additional information
2 required by the Board to complete the application. ~~†, or~~

3 ~~=(b) Ten days after the Board receives a report on the applicant's~~
4 ~~background based on the submission of the applicant's fingerprints,~~
5 ~~† whichever occurs later.~~

6 ~~4~~ 5. A certificate by endorsement as a problem gambling counselor
7 may be issued at a meeting of the Board or between its meetings by the
8 President of the Board. Such an action shall be deemed to be an action of
9 the Board.

10 ~~†5. A~~ 6. If the report on the applicant's background based on the
11 submission of the applicant's fingerprints is pending 45 days after the
12 Board receives the application, the Board shall not deny or approve the
13 application and shall instead issue a provisional certificate authorizing
14 the applicant to practice as an alcohol and drug counselor. A provisional
15 certificate issued pursuant to this subsection expires upon:

16 (a) The receipt by the board of the report on the applicant's
17 background based on the submission of the applicant's fingerprints; and

18 (b) The decision by the Board to deny or approve the application.

19 7. At any time before making a final decision on an application for a
20 certificate by endorsement pursuant to this section, the Board may, for
21 any reason, grant a provisional certificate authorizing an applicant to
22 practice as a problem gambling counselor in accordance with regulations
23 adopted by the Board.

24 ~~†6. As used in this section, "veteran" has the meaning ascribed to it in~~
25 ~~NRS 417.005.†~~

26 **Sec. 25.9. NRS 641C.470 is hereby amended to read as follows:**

27 641C.470 1. The Board shall charge and collect not more than the
28 following fees:

29
30 For the initial application for a license or certificate, including a license or
31 certificate by endorsement \$150

32 For the issuance of a provisional license or certificate 125

33 For the issuance of an initial license or certificate, including a license or
34 certificate by endorsement 60

35 For the renewal of a license or certificate as an alcohol and drug counselor,
36 a license as a clinical alcohol and drug counselor or a certificate as a
37 problem gambling counselor 300

38 For the renewal of a certificate as a clinical alcohol and drug counselor
39 intern, an alcohol and drug counselor intern or a problem gambling
40 counselor intern 75

41 For the renewal of a delinquent license or certificate 75

42 For the restoration of an expired license or certificate 150

43 For the restoration or reinstatement of a suspended or revoked license or
44 certificate 300

45 For the issuance of a license or certificate without examination 150

1 For an examination 150
2 For the approval of a course of continuing education 150

3
4 2. ~~##~~ Except as otherwise provided in subsection 3, if an applicant
5 submits an application for a license or certificate by endorsement pursuant
6 to NRS ~~641C.3305, 641C.355, 641C.395 or 641C.432,~~ 641C.3306,
7 641C.356, 641C.396 or 641C.433, the Board shall charge and collect not
8 more than the fees specified in subsection 1 for the initial application for
9 and issuance of an initial license or certificate, as applicable.

10 3. If an ~~applicant~~ active member of, or the spouse of an active
11 member of, the Armed Forces of the United States, a veteran or the
12 surviving spouse of a veteran submits an application for a license or
13 certificate by endorsement pursuant to NRS 641C.3306, 641C.356,
14 641C.396 or 641C.433, as applicable, the Board shall collect not more than
15 one-half of the fee specified in subsection 1 for the initial issuance of the
16 license.

17 4. The fees charged and collected pursuant to this section are not
18 refundable.

19 5. As used in this section, "veteran" has the meaning ascribed to it
20 in NRS 417.005.

21 **Sec. 26.** NRS 62A.270 is hereby amended to read as follows:

22 62A.270 "Qualified professional" means:

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

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

26 3. A social worker holding a master's degree in social work and
27 licensed in this State as a *master social worker or* clinical social worker;

28 4. A registered nurse holding a master's degree in the field of
29 psychiatric nursing and licensed to practice professional nursing in this
30 State;

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

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

35 **Sec. 27.** ~~NRS 458A.057 is hereby amended to read as follows:~~

36 ~~458A.057 1. "Qualified mental health professional" means any of~~
37 ~~the following persons:~~

38 ~~(a) A person who is certified as a problem gambling counselor~~
39 ~~pursuant to the provisions of chapter 641C of NRS;~~

40 ~~(b) A person who is certified as a problem gambling counselor intern~~
41 ~~pursuant to the provisions of chapter 641C of NRS;~~

42 ~~(c) A physician who is licensed pursuant to the provisions of chapter~~
43 ~~630 or 633 of NRS.~~

1 ~~—(d) A nurse who is licensed pursuant to the provisions of chapter 632~~
2 ~~of NRS and is authorized by the State Board of Nursing to engage in the~~
3 ~~practice of counseling problem gamblers.~~

4 ~~—(e) A psychologist who is licensed pursuant to the provisions of~~
5 ~~chapter 641 of NRS or authorized to practice psychology in this State~~
6 ~~pursuant to the Psychology Interjurisdictional Compact enacted in NRS~~
7 ~~641.227, or a psychological assistant who is registered with the Board of~~
8 ~~Psychological Examiners pursuant to the provisions of chapter 641 of NRS~~
9 ~~and the regulations adopted pursuant thereto.~~

10 ~~—(f) A clinical professional counselor or clinical professional counselor~~
11 ~~intern who is licensed pursuant to chapter 641A of NRS.~~

12 ~~—(g) A marriage and family therapist or marriage and family therapist~~
13 ~~intern who is licensed pursuant to the provisions of chapter 641A of NRS~~
14 ~~and is authorized by the Board of Examiners for Marriage and Family~~
15 ~~Therapists and Clinical Professional Counselors to engage in the practice~~
16 ~~of counseling persons with an addictive disorder related to gambling.~~

17 ~~—(h) A person who is [licensed as a] :~~

18 ~~— **(1) Licensed as:**~~

19 ~~— **(I) A clinical social worker pursuant to the provisions of chapter**~~
20 ~~**641B of NRS ; or**~~

21 ~~— **(II) A master social worker or independent social worker**~~
22 ~~**pursuant to the provisions of chapter 641B of NRS and is engaging in**~~
23 ~~**clinical social work as part of an internship program approved by the**~~
24 ~~**Board of Examiners for Social Workers; and [is authorized].**~~

25 ~~— **(2) Authorized** by the Board of Examiners for Social Workers to~~
26 ~~engage in the practice of counseling persons with an addictive disorder~~
27 ~~related to gambling.~~

28 ~~— 2. As used in this section, “practice of counseling persons with an~~
29 ~~addictive disorder related to gambling” has the meaning ascribed to it in~~
30 ~~NRS 641C.105.] **(Deleted by amendment.)**~~

31 **Sec. 28.** NRS 689A.0485 is hereby amended to read as follows:

32 689A.0485 If any policy of health insurance provides coverage for
33 treatment of an illness which is within the authorized scope of the practice
34 of a licensed associate in social work, social worker, *master social worker*,
35 independent social worker or clinical social worker, the insured is entitled
36 to reimbursement for treatment by an associate in social work, social
37 worker, *master social worker*, independent social worker or clinical social
38 worker who is licensed pursuant to chapter 641B of NRS.

39 **Sec. 29.** NRS 689B.0385 is hereby amended to read as follows:

40 689B.0385 If any policy of group health insurance provides coverage
41 for treatment of an illness which is within the authorized scope of the
42 practice of a licensed associate in social work, social worker, *master social*
43 *worker*, independent social worker or clinical social worker, the insured is
44 entitled to reimbursement for treatment by an associate in social work,

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

3 **Sec. 30.** NRS 695B.1975 is hereby amended to read as follows:

4 695B.1975 If any contract for hospital or medical service provides
5 coverage for treatment of an illness which is within the authorized scope of
6 the practice of a licensed associate in social work, social worker, *master*
7 *social worker*, independent social worker or clinical social worker, the
8 insured is entitled to reimbursement for treatment by an associate in social
9 work, social worker, *master social worker*, independent social worker or
10 clinical social worker who is licensed pursuant to chapter 641B of NRS.

11 **Sec. 31.** NRS 695C.1775 is hereby amended to read as follows:

12 695C.1775 If any evidence of coverage provides coverage for
13 treatment of an illness which is within the authorized scope of the practice
14 of a licensed associate in social work, social worker, *master social worker*,
15 independent social worker or clinical social worker, the insured is entitled
16 to reimbursement for treatment by an associate in social work, social
17 worker, *master social worker*, independent social worker or clinical social
18 worker who is licensed pursuant to chapter 641B of NRS.

19 **Sec. 32.** ~~1. The Legislative Committee on Health Care shall~~
20 ~~conduct a study during the 2021-2022 interim concerning the processes for~~
21 ~~licensure and certification, including, without limitation, licensure and~~
22 ~~certification by endorsement, pursuant to chapters 641 to 641C, inclusive,~~
23 ~~of NRS. In conducting the study, the Legislative Committee on Health~~
24 ~~Care shall:~~

25 ~~—(a) Separately evaluate the processes for standard licensure or~~
26 ~~certification and licensure or certification by endorsement pursuant to~~
27 ~~those chapters; and~~

28 ~~—(b) Identify specific barriers to:~~

29 ~~—(1) Licensure or licensure by endorsement as a psychologist,~~
30 ~~marriage and family therapist, clinical professional counselor, social~~
31 ~~worker, master social worker, independent social worker, clinical social~~
32 ~~worker, clinical alcohol and drug counselor, or alcohol and drug counselor;~~

33 ~~—(2) Certification or certification by endorsement as an alcohol and~~
34 ~~drug counselor or problem gambling counselor; and~~

35 ~~—(3) Certification as a clinical alcohol and drug counselor intern,~~
36 ~~alcohol and drug counselor intern or problem gambling counselor intern.~~

37 ~~2. Not later than September 1, 2022, the Legislative Committee on~~
38 ~~Health Care shall submit a report of the results of the study conducted~~
39 ~~pursuant to this section and any recommendations to:~~

40 ~~—(a) The Board of Psychological Examiners, the Board of Examiners for~~
41 ~~Marriage and Family Therapists and Clinical Professional Counselors, the~~
42 ~~Board of Examiners for Social Workers and the Board of Examiners for~~
43 ~~Alcohol, Drug and Gambling Counselors;~~

44 ~~—(b) Each regional behavioral health policy board created by~~
45 ~~NRS 433.429;~~

1 ~~=(c) The Commission on Behavioral Health created by~~
2 ~~NRS 232.361; and~~

3 ~~=(d) The Director of the Legislative Counsel Bureau for transmittal to:~~

4 ~~=(1) The Sunset Subcommittee of the Legislative Commission; and~~

5 ~~=(2) The next regular session of the Legislature.~~

6 ~~=3. The Board of Psychological Examiners, the Board of Examiners~~
7 ~~for Marriage and Family Therapists and Clinical Professional Counselors,~~
8 ~~the Board of Examiners for Social Workers and the Board of Examiners~~
9 ~~for Alcohol, Drug and Gambling Counselors shall implement specific~~
10 ~~strategies to eliminate each barrier to licensure or certification identified in~~
11 ~~the report submitted pursuant to subsection 3 unless the licensing board to~~
12 ~~which the barrier applies concludes that the barrier is necessary to maintain~~
13 ~~the quality of services provided by the holders of licenses or certificates, as~~
14 ~~applicable.~~

15 ~~=4. In addition to the requirements of NRS 641.145, as amended by~~
16 ~~section 3 of this act, NRS 641A.183, as amended by section 6 of this act,~~
17 ~~NRS 641B.165, as amended by section 12 of this act, and NRS 641C.230,~~
18 ~~as amended by section 24 of this act, the reports submitted by the Board of~~
19 ~~Psychological Examiners, the Board of Examiners for Marriage and~~
20 ~~Family Therapists and Clinical Professional Counselors, the Board of~~
21 ~~Examiners for Social Workers and the Board of Examiners for Alcohol,~~
22 ~~Drug and Gambling Counselors pursuant to those sections after September~~
23 ~~1, 2022, and on or before February 1, 2025, must include, without~~
24 ~~limitation:~~

25 ~~=(a) Specific strategies that the licensing board is implementing~~
26 ~~pursuant to subsection 4 and a summary of the progress of the licensing~~
27 ~~board toward eliminating the barriers to licensure or certification identified~~
28 ~~in the report submitted pursuant to subsection 3; or~~

29 ~~=(b) If the licensing board is not implementing strategies to eliminate a~~
30 ~~barrier to licensure or certification identified in the report submitted~~
31 ~~pursuant to subsection 3, the specific reasons that the licensing board~~
32 ~~concluded that the barrier is necessary to maintain the quality of services~~
33 ~~provided by the holders of licenses or certificates, as applicable, and~~
34 ~~evidence to support that reasoning.} (Deleted by amendment.)~~

35 **Sec. 33.** Notwithstanding the amendatory provisions of section 22 of
36 this act, the holder of a license to engage in the practice of social work as a
37 social worker issued pursuant to NRS 641B.220 who:

38 1. Possesses a master's or doctoral degree in social work from a
39 college or university which is accredited by the Council on Social Work
40 Education, or its successor organization, or which is a candidate for such
41 accreditation; and

42 2. Is engaging in the independent practice of social work or the
43 practice of clinical social work as part of an internship program described
44 in subsection 2 of section 9 of this act on July 1, 2021,

45 ↪ may continue to do so for the current term of his or her license.

1 Sec. 33.5. NRS 641.195, 641A.241, 641B.271, 641C.3305,
2 641C.355, 641C.395 and 641C.432 are hereby repealed.

3 Sec. 34. 1. This ~~act~~ section becomes effective ~~it~~ upon passage
4 and approval.

5 2. Sections 1 to 33.5, inclusive, of this act become effective:

6 ~~it~~ (a) Upon passage and approval for the purposes of adopting
7 regulations and performing any preparatory administrative tasks that are
8 necessary to carry out the provisions of this act; and

9 ~~it~~ (b) On July 1, 2021, for all other purposes.

LEADLINES OF REPEALED SECTIONS

10 641.195 Expedited license by endorsement as psychologist:
11 Requirements; procedure for issuance; grounds for denial; regulations.

12 641A.241 Expedited license by endorsement: Requirements; procedure
13 for issuance.

14 641B.271 Expedited license by endorsement: Requirements; procedure
15 for issuance.

16 641C.3305 Expedited license by endorsement: Requirements; procedure
17 for issuance.

18 641C.355 Expedited license by endorsement: Requirements; procedure
19 for issuance.

20 641C.395 Expedited certificate by endorsement: Requirements;
21 procedure for issuance.

22 641C.432 Expedited certificate by endorsement: Requirements;
23 procedure for issuance.

24



**STATE OF NEVADA
BOARD OF PSYCHOLOGICAL EXAMINERS
Board Meeting Staff Report**

Item:

18. DISCUSSION AND POSSIBLE ACTION TO REMOVE LANGUAGE RELATED TO BEHAVIOR ANALYSTS FROM NEVADA ADMINISTRATIVE CODE CHAPTER 641 AND TO DIRECT SCHEDULING OF A PUBLIC WORKSHOP ON THE SAME

Summary:

Language related to behavior analysts shall be removed from Nevada Administrative Code (NAC) Chapter 641 as those provisions are no longer oversee by the Board of Psychological Examiners. On action by the Board, a public workshop will be scheduled to begin the process of revision the NAC.

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

[NAC-641 Revised Date: 12-17]

CHAPTER 641 - PSYCHOLOGISTS, ~~LICENSED BEHAVIOR ANALYSTS, LICENSED ASSISTANT BEHAVIOR ANALYSTS, AUTISM BEHAVIOR INTERVENTIONISTS,~~ PSYCHOLOGICAL ASSISTANTS, PSYCHOLOGICAL INTERNS AND UNLICENSED PERSONNEL

GENERAL PROVISIONS

- [641.001](#) Definitions.
- ~~[641.003](#) "Applied behavior analysis" defined.~~
- [641.005](#) "Board" defined.
- [641.007](#) "Distance education course" defined.
- ~~[641.008](#) "Licensed assistant behavior analyst" defined.~~
- ~~[641.0085](#) "Licensed behavior analyst" defined.~~
- [641.009](#) "National examination" defined.
- [641.011](#) "Psychological assistant" defined.
- [641.015](#) "Psychologist" defined.
- [641.018](#) Submission of standards by accredited educational institution or public agency that employs psychological scientist.

FEEES

- [641.019](#) Fees.

LICENSING REQUIREMENTS

- [641.020](#) Licensure or certification in another state not accepted when acquired through "grandfather" clause.
- [641.025](#) Issuance of license to psychologist licensed not less than 20 years in another state or Canada.
- [641.028](#) Issuance of license to psychologist licensed not less than 5 years in another jurisdiction.
- ~~[641.029](#) Issuance of license to behavior analyst; provisional licenses.~~
- ~~[641.031](#) Issuance of license to assistant behavior analyst; provisional licenses.~~

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

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- 641.050** **Education: Adoption of list of accredited programs; accredited educational institutions.**
- 641.061** **Educational requirements for psychologists: Submission of proof that unaccredited program completed before January 1, 2018, is equivalent to accredited program.**
- 641.062** **Educational requirements for psychologists: Submission of proof that unaccredited program completed on or after January 1, 2018, is equivalent to accredited program.**
- 641.0625** **Educational requirements for psychologists: Satisfaction of remaining requirements through program of respecialization or equivalent program.**
- ~~**641.063** **Educational requirements for behavior analysts and assistant behavior analysts: Submission of proof that unaccredited program is equivalent to accredited program.**~~
- 641.080** **Supervised experience: Applicant for licensure as psychologist.**
- ~~**641.083** **Supervision of licensed assistant behavior analysts and autism behavior interventionists.**~~
- 641.112** **State examination of applicant for licensure as a psychologist: Content; review of failed examination; reexamination; fee; prohibited acts.**
- ~~**641.113** **State examination of applicants for licensure as licensed behavior analyst or licensed assistant behavior analyst: Content; reexamination; fee; prohibited acts.**~~
- 641.120** **National examination: Use; prerequisite for taking; reexamination.**
- 641.132** **Renewal of license.**
- 641.133** **Placement of license on inactive status; renewal or restoration to active status.**
- 641.136** **Continuing education: Requirements for renewal of license as a psychologist; acceptance or approval of courses and programs by Board.**
- ~~**641.1363** **Continuing education: Requirements for renewal of license as a licensed behavior analyst or licensed assistant behavior analyst; courses and programs.**~~

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

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- [641.1365](#) Continuing education: Hours awarded for certain activities.
- [641.137](#) Continuing education: Requirements for course or program; subjects.
- [641.138](#) Continuing education: Request for approval of course or program.
- [641.139](#) Continuing education: Responsibilities of sponsor of course or program.
- [641.1395](#) Continuing education: Investigation of complaint regarding course or program.
- [641.150](#) Genuine collaboration.

APPLICATION FOR LICENSURE OR REGISTRATION AS PSYCHOLOGICAL ASSISTANT DEEMED WITHDRAWN

- [641.1503](#) Incomplete application; failure to take national examination; reapplication.

FIRMS, PARTNERSHIPS AND CORPORATIONS

- [641.1505](#) Registration; notification of certain changes; exemption from requirements.

PSYCHOLOGICAL ASSISTANTS, INTERNS AND UNLICENSED PERSONNEL

General Provisions

- [641.1507](#) "Supervisor" defined.
- Psychological Assistants and Interns**
- [641.151](#) Psychological assistants: Registration.
- [641.1515](#) Psychological interns: Registration.
- [641.1517](#) Psychological interns: Agreement between supervisor and doctoral training program.
- [641.1519](#) Qualifications of supervisor.
- [641.152](#) Supervision; assignment of psychological assistant to specialist.
- [641.153](#) Agreement regarding employment.
- [641.154](#) Wages; compensation of supervisor; emphasis of supervision.
- [641.156](#) Psychological assistants: Presence of supervisor.

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- [641.1565](#) **Supervision involving potential conflict of interest prohibited.**
- [641.1567](#) **Duties of supervisor regarding preparation and maintenance of records and notification of Board.**
- [641.157](#) **Duties of supervisor regarding weekly meetings and individual supervision; grounds for discipline of supervisor.**
- [641.158](#) **Limitations on number of assistants, interns and supervisors.**
- [641.159](#) **Log of experience.**
- [641.161](#) **Responsibility to inform clients of status of assistant or intern; ethical and legal responsibility of supervisor for professional activities of assistant or intern; advertising or listing.**

Unlicensed Personnel

- [641.168](#) **Psychological testing.**

NONRESIDENT PSYCHOLOGICAL CONSULTANTS

- [641.169](#) **Approval to practice.**

PRACTICE BEFORE THE BOARD OF PSYCHOLOGICAL EXAMINERS

- [641.170](#) **Requests for Board to adopt, file, amend or repeal regulations.**
- [641.172](#) **Informal disposition of complaints.**
- [641.173](#) **Pleadings.**
- [641.174](#) **Answer to formal complaint; motions.**
- [641.175](#) **Representation by attorney; conduct at hearing.**
- [641.176](#) **Withdrawal of attorney.**
- [641.177](#) **Disciplinary hearings: Procedure; continuances.**

STANDARDS OF CONDUCT

- [641.200](#) **Applicability.**
- [641.204](#) **Determination of organization as patient or client.**

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- 641.206** Authority of parent or legal guardian to make decisions concerning treatment; issues for which child or protected person is patient or client.
- 641.207** Child custody evaluation.
- 641.208** Scope of practice for psychologist: Competency required; acquisition and use of new service or technique; unnecessary treatment; referral of certain patients; basis for rendering formal professional opinion; provision of consultation, intervention and referrals relating to patient health; discussion or consultation regarding medication.
- ~~**641.209** Scope of practice for licensed behavior analyst or licensed assistant behavior analyst: Competency required; use of new method, service or technique; referral of certain clients; basis for rendering formal professional opinion.~~
- 641.210** Display of license by psychologist; communications with Board; notification of change of address or telephone number; professional fees; supervision of certain persons.
- ~~**641.213** Display of license by licensed behavior analyst or licensed assistant behavior analyst; response to communications from Board and availability of records relating to inquiries and complaints; notification of change of address or telephone number; professional fees; supervision of certain persons.~~
- 641.215** Disclosure to patient or legal representative; termination of services; care of patients and research subjects.
- 641.219** Maintenance and availability of records.
- 641.224** Confidential information.
- 641.229** Impairment of licensee; limitation on contact with current or former patient or client.
- 641.234** Assessment procedures: Communication of results to patient or client; limitations on use.
- 641.239** Misrepresentation of professional qualifications, affiliations, services, products or psychological findings.

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- [641.241](#) **Aiding in unlawful practice of psychology ~~or applied behavior analysis~~; improper delegation of professional responsibilities; reporting of violation and exception.**
- [641.245](#) **Violation of law or regulation; use of fraud, misrepresentation or deception; improper filing of reports; violation of probation; failure to pay child support or to comply with certain warrants or subpoenas relating to determination of paternity or child support.**
- [641.250](#) ***Ethical Principles of Psychologists and Code of Conduct*: Adoption by reference; controlling provisions; revision.**
- ~~[641.255](#) **"Professional and Ethical Compliance Code for Behavior Analysts": Adoption by reference; controlling provisions; revision.**~~

GENERAL PROVISIONS

NAC 641.001 Definitions. ([NRS 641.100](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 641.003](#) to [641.015](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R209-09, 10-15-2010)

~~**NAC 641.003 "Applied behavior analysis" defined.** ([NRS 641.100](#)) "Applied behavior analysis" has the meaning ascribed to it in [NRS 689A.0435](#).
(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

NAC 641.005 "Board" defined. ([NRS 641.100](#)) "Board" means the Board of Psychological Examiners.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005)

NAC 641.007 "Distance education course" defined. ([NRS 641.100](#)) "Distance education course" means a course of instruction in which the student receives instruction at a location at which the instructor is not physically present. The term includes, without limitation, a course designed for home study and a course in which instruction is provided via CD-ROM, the Internet or videoconference.

(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)

~~**NAC 641.008 "Licensed assistant behavior analyst" defined.** ([NRS 641.100](#)) "Licensed assistant behavior analyst" has the meaning ascribed to it in [NRS 689A.0435](#).~~

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~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

~~—NAC 641.0085 "Licensed behavior analyst" defined. (NRS 641.100)~~

~~"Licensed behavior analyst" has the meaning ascribed to it in NRS 689A.0435.~~

~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

NAC 641.009 "National examination" defined. ([NRS 641.100](#)) "National examination" has the meaning ascribed to it in [NRS 641.0243](#).

(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)

NAC 641.011 "Psychological assistant" defined. ([NRS 641.100](#)) "Psychological assistant" means a person registered with the Board pursuant to [NAC 641.151](#).

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005)

NAC 641.015 "Psychologist" defined. ([NRS 641.100](#)) "Psychologist" has the meaning ascribed to it in [NRS 641.027](#).

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-24-90; A by R089-03, 1-18-2005)

NAC 641.018 Submission of standards by accredited educational institution or public agency that employs psychological scientist. ([NRS 641.100](#), [641.390](#)) Each accredited educational institution or public agency that employs a person pursuant to subsection 1 of [NRS 641.390](#) shall submit a copy of the explicit standards to the Board as soon as practicable. If the accredited educational institution or public agency revises the standards, it shall submit a copy of the revision to the Board within 30 days after the revision becomes effective.

(Added to NAC by Bd. of Psychological Exam'rs by R078-99, eff. 3-13-2000)

FEES

NAC 641.019 Fees. ([NRS 641.100](#), [641.110](#), [641.228](#))

1. The Board will charge and collect the following fees:

For an application for licensure.....	\$100
For the state examination for licensure administered by the Board pursuant to NAC 641.112 or 641.113	Actual costs to the Board plus \$100
.....	
For the issuance of an initial license.....	25

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For the biennial renewal or reinstatement of a license as a psychologist.....	500
For the biennial renewal or reinstatement of a license as a licensed behavior analyst.....	400
For the biennial renewal or reinstatement of a license as a licensed assistant behavior analyst.....	275
For the registration of a firm, partnership or corporation.....	300
For the placement of a license on inactive status.....	100
For the biennial renewal of a license on inactive status.....	100
For the restoration to active status of a license as a psychologist on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed.....	400
For the restoration to active status of a license as a psychologist on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed.....	150
For the restoration to active status of a license as a licensed behavior analyst on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed.....	300
For the restoration to active status of a license as a licensed behavior analyst on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed.....	100
For the restoration to active status of a license as a licensed assistant behavior analyst on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed.....	175
For the restoration to active status of a license as a licensed assistant behavior analyst on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed.....	40
For the registration of a nonresident consultant.....	100

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For reproduction and mailing of material for an application.....	25
For a dishonored check.....	15
For a change of name on a license.....	25
For a duplicate license.....	25
For copies of the provisions of NRS relating to the practice of psychology and applied behavior analysis and the rules and regulations adopted by the Board.....	25
For a letter of good standing.....	15
For the review and approval of a course or program of continuing education.....	25

2. The Board will annually determine the actual costs to the Board for the state examination administered by the Board pursuant to [NAC 641.112](#) or [641.113](#) for purposes of determining the fee charged and collected pursuant to subsection 1.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 7-7-82; A 8-24-90; 7-11-94; 12-28-95; R153-97, 12-19-97; R078-99, 3-13-2000; R090-01, 2-7-2002; R077-02, 7-25-2002; R131-09, 1-28-2010; R209-09, 10-15-2010; R127-14, 6-28-2016) — (Substituted in revision for NAC 641.135)

LICENSING REQUIREMENTS

NAC 641.020 Licensure or certification in another state not accepted when acquired through "grandfather" clause. ([NRS 641.100](#), [641.190](#)) It is the policy of the Board not to accept licensure or certification in another state for endorsement in Nevada if that licensure or certification was acquired through a "grandfather" clause.

[Bd. of Psychological Exam'rs, Policy No. 3, eff. 6-28-65] — (NAC A by R209-09, 10-15-2010)

NAC 641.025 Issuance of license to psychologist licensed not less than 20 years in another state or Canada. ([NRS 641.100](#), [641.110](#), [641.170](#), [641.190](#))

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

-
1. The Board may issue a license to practice as a psychologist to an applicant who:
 - (a) Has been licensed to practice psychology not less than 20 years in other states of the United States or in Canada, if that license was based on a doctoral degree which was earned from a regionally accredited program, accredited by a national regulatory body approved by the Board, and which relates primarily to psychology;
 - (b) Has not previously been convicted of a felony;
 - (c) Has not had the scope of the license to practice psychology limited by another jurisdiction;
 - (d) Has not previously been denied licensure by the Board;
 - (e) Has passed the state examination administered by the Board pursuant to [NAC 641.112](#);
 - (f) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant; and
 - (g) Complies with subsection 1 of [NRS 641.160](#) by submitting:
 - (1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or
 - (2) Verification to the Board that the applicant's fingerprints were so forwarded by the law enforcement agency or other authorized entity taking the fingerprints.

2. The Board may require the applicant to appear before the Board to demonstrate the applicant's:
 - (a) Moral character;
 - (b) Current fitness to practice psychology; or
 - (c) Intent to practice psychology in a manner consistent with his or her education, training and experience.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 1-24-94; A by R153-97, 12-19-97; R090-01, 2-7-2002; R117-08, 12-17-2008; R131-09, 1-28-2010; R209-09, 10-15-2010)

NAC 641.028 Issuance of license to psychologist licensed not less than 5 years in another jurisdiction. ([NRS 641.100](#), [641.190](#))

1. The Board will issue a license to practice as a psychologist to an applicant if the applicant:
 - (a) Has been licensed to practice psychology based on a doctoral degree that relates primarily to psychology and has been practicing psychology continuously for 5 years in a jurisdiction whose requirements have been determined by the Board to be at least equivalent to the requirements of [chapter 641](#) of NRS;
 - (b) Has been issued a Certificate of Professional Qualification in Psychology by the Association of State and Provincial Psychology Boards or holds a National Register of Health Service Psychologist credential from the National Register of Health Service Psychologists;

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(c) Successfully completes an examination prescribed by the Board to test the applicant's knowledge of the statutes and regulations of the State of Nevada governing the practice of psychology;

(d) Has not previously been convicted of a felony;

(e) Has not been subject to disciplinary action in another jurisdiction;

(f) Does not have any outstanding complaints or charges pending against him or her in another jurisdiction;

(g) Has not previously been denied licensure by the Board;

(h) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant; and

(i) Complies with subsection 1 of [NRS 641.160](#) by submitting:

(1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or

(2) Verification to the Board that the applicant's fingerprints were so forwarded by the law enforcement agency or other authorized entity taking the fingerprints.

2. The Board may require the applicant to appear before the Board to demonstrate the applicant's:

(a) Moral character;

(b) Current fitness to practice psychology; and

(c) Intent to practice psychology in a manner consistent with his or her education, training and experience.

(Added to NAC by Bd. of Psychological Exam'rs by R153-97, eff. 12-19-97; A by R131-09, 1-28-2010; R209-09, 10-15-2010; R127-14, 6-28-2016)

~~**NAC 641.029 Issuance of license to behavior analyst; provisional licenses. (NRS 641.100, 641.110, 641.160, 641.170)**~~

~~1. The Board will issue a license as a licensed behavior analyst to an applicant who:~~

~~(a) Meets the requirements of subsection 2 of [NRS 641.170](#);~~

~~(b) Has been certified as a behavior analyst by the Behavior Analyst Certification Board, Inc., or its successor organization;~~

~~(c) Has not been convicted of a felony;~~

~~(d) Has not been subject to disciplinary action as a behavior analyst in another jurisdiction;~~

~~(e) Does not have any outstanding complaints or charges pending against him or her as a behavior analyst in another jurisdiction;~~

~~(f) Has not previously been denied licensure by the Board;~~

~~(g) Has passed the state examination administered by the Board pursuant to [NAC 641.113](#);~~

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

~~— (h) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant; and~~

~~— (i) Complies with subsection 1 of NRS 641.160 by submitting:~~

~~— (1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or~~

~~— (2) Verification to the Board that the applicant's fingerprints were forwarded to the Central Repository by the law enforcement agency or other authorized entity taking the fingerprints.~~

~~— 2. The Board may require an applicant to appear before the Board to demonstrate the applicant's:~~

~~— (a) Moral character;~~

~~— (b) Current fitness to practice as a licensed behavior analyst; and~~

~~— (c) Intent to practice as a licensed behavior analyst in a manner consistent with the applicant's education, training and experience.~~

~~— 3. The Board may issue a provisional license to an applicant who has completed all the requirements for licensure pursuant to subsection 1 other than successful completion of the written examination required by paragraph (f) of subsection 2 of NRS 641.170. A provisional license is valid for not more than 1 year and may not be renewed.~~

~~— 4. The Board will, in addition to issuing a license to an applicant who meets the requirements of this section, issue to the applicant a copy of the license in the form of a card which is of a size to be carried in a wallet.~~

~~— (Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

~~**NAC 641.031 Issuance of license to assistant behavior analyst; provisional licenses.** (NRS 641.100, 641.110, 641.160, 641.170)~~

~~— 1. The Board will issue a license as a licensed assistant behavior analyst to an applicant who:~~

~~— (a) Meets the requirements of subsection 3 of NRS 641.170;~~

~~— (b) Has been certified as an assistant behavior analyst by the Behavior Analyst Certification Board, Inc., or its successor organization;~~

~~— (c) Has not previously been convicted of a felony;~~

~~— (d) Has not been subject to disciplinary action as an assistant behavior analyst in another jurisdiction;~~

~~— (e) Does not have any outstanding complaints or charges pending against him or her as an assistant behavior analyst in another jurisdiction;~~

~~— (f) Has not previously been denied licensure by the Board;~~

~~— (g) Has passed the state examination administered by the Board pursuant to NAC 641.113;~~

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- ~~—(h) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant; and~~
- ~~—(i) Complies with subsection 1 of NRS 641.160 by submitting:~~
- ~~—(1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or~~
- ~~—(2) Verification to the Board that the applicant's fingerprints were forwarded to the Central Repository by the law enforcement agency or other authorized entity taking the fingerprints.~~
- ~~—2. The Board may require an applicant to appear before the Board to demonstrate the applicant's:~~
- ~~—(a) Moral character;~~
- ~~—(b) Current fitness to practice as a licensed assistant behavior analyst; and~~
- ~~—(c) Intent to practice as a licensed assistant behavior analyst in a manner consistent with the applicant's education, training and experience.~~
- ~~—3. The Board may issue a provisional license to an applicant who has completed all the requirements for licensure pursuant to subsection 1 other than successful completion of the written examination required by paragraph (f) of subsection 3 of NRS 641.170. A provisional license is valid for not more than 1 year and may not be renewed.~~
- ~~—4. The Board will, in addition to issuing a license to an applicant who meets the requirements of this section, issue to the applicant a copy of the license in the form of a card which is of a size to be carried in a wallet.~~
- ~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

NAC 641.050 Education: Adoption of list of accredited programs; accredited educational institutions. ([NRS 641.100](#), [641.110](#), [641.170](#))

1. For the purposes of paragraph (d) of subsection 1 of [NRS 641.170](#), the Board adopts the current list of programs holding accreditation status from the American Psychological Association. This current list of programs may be obtained, free of charge, from the American Psychological Association, at the Internet address <http://www.apa.org/ed/accreditation>.

~~—2. For the purposes of paragraph (d) of subsection 2 of NRS 641.170, the Board adopts the current list of programs holding accreditation status from the Association for Behavior Analysis International. This list is available at the Internet address <http://www.abainternational.org/BA/education/Education.asp>.~~

3. For the purposes of subsections 1, 2 and 3 of [NRS 641.170](#), the Board considers the following to be accredited educational institutions:

(a) In the United States, all institutions which are regionally accredited by regulatory bodies approved by the Council for Higher Education Accreditation and the United States Department of Education;

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(b) In Canada, all institutions holding membership in the Association of Universities and Colleges of Canada; or

(c) In any other country, all institutions accredited by the respective official organization having such authority.

[Bd. of Psychological Exam'rs, § 641.040, eff. 12-14-78] — (NAC A 7-7-82; 8-3-88; 1-24-94; 12-28-95; R117-08, 12-17-2008; R209-09, 10-15-2010)

NAC 641.061 Educational requirements for psychologists: Submission of proof that unaccredited program completed before January 1, 2018, is equivalent to accredited program. ([NRS 641.100](#), [641.110](#), [641.170](#))

1. An applicant for licensure as a psychologist who, before January 1, 2018, has completed a training program not accredited by the American Psychological Association must establish to the satisfaction of the Board that the program is equivalent to a program accredited by the Association.

2. The applicant must present to the Board:

(a) Transcripts, a description of the training program, letters from the directors of the departments of the institution where the program is conducted or other suitable documents showing that the program substantially complies with the accreditation standards of the American Psychological Association.

(b) Proof of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to subsection 3 of [NAC 641.050](#).

(c) Proof that the primary purpose of the training program is the professional training of psychologists. Catalogs and brochures advertising the program must indicate that the program is intended to educate and train professional psychologists.

(d) Proof that the program:

(1) Is a recognizable, coherent organizational entity within the institution where the program is conducted.

(2) Is an integrated, organized sequence of study.

(3) Has an identifiable faculty composed primarily of psychologists and a psychologist who is responsible for the program.

(4) Has an identifiable body of students who are matriculated in the program for a degree.

(5) Includes supervised practical, internship, field or laboratory training appropriate to the practice of psychology.

(e) Proof that the curriculum encompasses at least 3 academic years of full-time graduate study, not including any internships. The Board will count only 12 semester hours or 18 quarter hours of preparation of a dissertation toward the 3 academic years of full-time graduate study.

(f) Proof that the program requires at least 60 semester hours or 90 quarter hours of credit in courses in substantive psychology. Dissertation hours may be counted toward the minimum hours required.

(g) Proof that the applicant, while in the program, completed the equivalent of courses consisting of 3 semester hours in the following areas:

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- (1) Scientific and professional ethics and standards.
 - (2) Research design and methodology.
 - (3) Statistics.
 - (4) Psychometrics.
 - (5) Biological bases of behavior, which may be satisfied by at least one of the following courses:
 - (I) Physiological psychology;
 - (II) Comparative psychology;
 - (III) Neuropsychology;
 - (IV) Psychopharmacology; or
 - (V) Human sexuality.
 - (6) Cognitive-affective bases of behavior, which may be satisfied by at least one of the following courses:
 - (I) Learning;
 - (II) Memory;
 - (III) Perception;
 - (IV) Cognition;
 - (V) Thinking;
 - (VI) Motivation; or
 - (VII) Emotion.
 - (7) Social bases of behavior, which may be satisfied by at least one of the following courses:
 - (I) Social psychology;
 - (II) Cultural, ethnic and group processes;
 - (III) Sex roles; or
 - (IV) Organizational and systems theory.
 - (8) Individual differences, which may be satisfied by at least one of the following courses:
 - (I) Personality theory;
 - (II) Human development;
 - (III) Abnormal psychology; or
 - (IV) Psychology of persons with disabilities.
 - (h) The evaluation of the academic credentials of the applicant conducted pursuant to subsection 3 or 4.
3. Except as otherwise provided in subsection 4, to determine whether the content of the courses and the supervised practical, internship, field or laboratory training taken by an applicant are equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by:
- (a) The Association of State and Provincial Psychology Boards; or
 - (b) The director of clinical training of a doctoral program that is accredited by the American Psychological Association and approved by the Board of Psychological Examiners.

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4. An applicant who is unable to obtain an evaluation as required in subsection 3 may, upon the approval of the Board, have his or her academic credentials evaluated by a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association.

5. The Board may establish a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. In determining whether to approve the academic credentials of an applicant pursuant to subsection 3 or 4, the Board will consider any recommendation from the Association of State and Provincial Psychology Boards, the director of clinical training of a doctoral program that is accredited by the American Psychological Association, or a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association, as applicable, and the recommendation of the subcommittee, if any, but is not bound to follow such recommendations.

6. If the title of any course submitted by an applicant pursuant to paragraph (g) of subsection 2 does not adequately describe its content, the Board or subcommittee, as applicable, may require the applicant to submit additional information regarding the contents of the course, including, without limitation, a syllabus, a university catalog description or a statement from the instructor of the course.

7. If the Board finds that the training program completed by an applicant pursuant to this section is not equivalent to a program accredited by the American Psychological Association, the applicant may petition the Board for reconsideration. A decision of the Board upon reconsideration, or a decision of the Board to deny such a petition, is a final decision for the purposes of [chapter 233B](#) of NRS.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A 8-24-90; 1-24-94; R117-08, 12-17-2008; R209-09, 10-15-2010; R038-16, 12-21-2016)

NAC 641.062 Educational requirements for psychologists: Submission of proof that unaccredited program completed on or after January 1, 2018, is equivalent to accredited program. ([NRS 641.100](#), [641.110](#), [641.170](#))

1. An applicant for licensure as a psychologist who, on or after January 1, 2018, has completed a training program that is not accredited by the American Psychological Association must establish to the satisfaction of the Board that the program is equivalent to a program accredited by the Association.

2. The applicant must submit to the Board:

(a) Transcripts, syllabi, university catalog descriptions, a description of the training program, professional competency evaluations conducted of the applicant while in the program, letters from the directors of the departments of the institution where the program is conducted or other suitable documents showing that the program substantially complies with the accreditation standards for doctoral programs in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/index.aspx>, and Section C of the *Implementing Regulations* of the Commission on Accreditation of the American

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Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/section-c-soa.pdf>; and

(b) The evaluation of the academic credentials of the applicant conducted pursuant to subsection 4 or 5.

3. For the purposes of paragraph (a) of subsection 2, a training program “substantially complies with the accreditation standards for doctoral programs” if the applicant submits to the Board, without limitation, proof:

(a) Of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to subsection 3 of [NAC 641.050](#).

(b) That the primary purpose of the training program is to provide broad and general training in scientific psychology and in the foundations of practice in health service psychology. The program materials must demonstrate:

(1) The integration of empirical evidence and practice;

(2) That the training is sequential, cumulative, graded in complexity and designed to prepare students for practice or further organized training; and

(3) That the program requires respect for and understanding of cultural and individual differences and diversity.

(c) That the program:

(1) Is a recognizable, coherent organizational entity within the institution where the program is conducted.

(2) Is an integrated, organized sequence of study.

(3) Has stable leadership provided by one or more designated doctoral-level psychologists who:

(I) Are members of an identifiable core faculty of the program; and

(II) Together with other core faculty of the program have primary responsibility for the program’s design, implementation, evaluation and quality.

(4) Has an identifiable body of students who are matriculated in the program for the purpose of earning a degree.

(5) Includes supervised practicums which must include, without limitation:

(I) Supervised experience working with diverse persons who display a variety of presenting problems, diagnoses and issues;

(II) Supervised experience in settings committed to training and providing experiences consistent with health service psychology competencies, including, without limitation, those competencies listed in paragraphs (e) and (f);

(III) Supervision provided by appropriately trained and credentialed persons; and

(IV) Practicum evaluations which are based, at least in part, on direct observation, which may occur in person or via electronic means.

(d) That the program requires a student to complete successfully at least 3 academic years, or the equivalent, of full-time graduate study which includes at least 2 years, or the equivalent, of academic training and at least 1 year, or the equivalent, in full-time residence. A person seeking to satisfy the requirement for 1 year in full-time residence based on equivalent experience must demonstrate that the experience achieved all the

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purposes of the requirement, including, without limitation, mentoring, supervision and evaluation regarding the development of professional competence. Experience in a program that was conducted entirely through electronic means may not be used to satisfy the requirements of this paragraph.

(e) That the applicant, while in the program, acquired and demonstrated substantial graduate-level understanding and competence in discipline-specific knowledge in the following areas:

- (1) The history and systems of psychology.
- (2) Affective aspects of behavior.
- (3) Biological aspects of behavior.
- (4) Cognitive aspects of behavior.
- (5) Social aspects of behavior.
- (6) Developmental aspects of behavior across the lifespan.
- (7) Advanced integrative knowledge in scientific psychology.
- (8) Research methods.
- (9) Quantitative methods.
- (10) Psychometrics.

(f) That the applicant, while in the program, achieved and demonstrated profession-wide competency in the following areas:

- (1) Research.
- (2) Ethical and legal standards.
- (3) Individual and cultural diversity.
- (4) Professional values, attitudes and behaviors.
- (5) Communication and interpersonal skills.
- (6) Assessment.
- (7) Intervention.
- (8) Supervision.
- (9) Consultation, interprofessional and interdisciplinary skills.

4. Except as otherwise provided in subsection 5, to determine whether the training program completed by an applicant is equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by:

- (a) The Association of State and Provincial Psychology Boards; or
- (b) The director of clinical training of a doctoral program that is accredited by the American Psychological Association and approved by the Board of Psychological Examiners.

5. An applicant who is unable to obtain an evaluation as required in subsection 4 may, upon the approval of the Board, have his or her academic credentials evaluated by a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association.

6. The Board may establish a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. In determining whether to approve the academic credentials of an applicant pursuant to subsection 4 or 5, the Board

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will consider any recommendation from the Association of State and Provincial Psychology Boards, the director of clinical training of a doctoral program that is accredited by the American Psychological Association, or a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association, as applicable, and the recommendation of the subcommittee, if any, but is not bound to follow such recommendations.

7. If the Board finds that the training program completed by an applicant pursuant to this section is not equivalent to a program accredited by the American Psychological Association, the applicant may petition the Board for reconsideration. A decision of the Board upon reconsideration, or a decision of the Board to deny such a petition, is a final decision for the purposes of [chapter 233B](#) of NRS.

(Added to NAC by Bd. of Psychological Exam'rs by R038-16, eff. 12-21-2016)

NAC 641.0625 Educational requirements for psychologists: Satisfaction of remaining requirements through program of respecialization or equivalent program. ([NRS 641.100](#), [641.110](#), [641.170](#)) To meet the educational requirements for licensure as a psychologist set forth in [NAC 641.061](#) or [641.062](#), as applicable, an applicant who:

1. Has not earned a doctoral degree in psychology from an accredited educational institution approved by the Board or completed doctoral-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and

2. Has met some of the educational requirements for licensure as a psychologist through the completion of doctoral-level training in a related field of study, and must satisfy the remaining educational requirements for licensure as a psychologist through the completion of a program of respecialization that is accredited by the American Psychological Association or a program deemed equivalent by the Board.

(Added to NAC by Bd. of Psychological Exam'rs by R038-16, eff. 12-21-2016)

~~— **NAC 641.063 Educational requirements for behavior analysts and assistant behavior analysts: Submission of proof that unaccredited program is equivalent to accredited program.** ([NRS 641.100](#), [641.170](#))~~

~~— 1. An applicant for licensure as a licensed behavior analyst or a licensed assistant behavior analyst who has completed a training program not accredited by the Board must establish to the satisfaction of the Board that the program is equivalent to a program accredited by the Association for Behavior Analysis International or its successor organization.~~

~~— 2. The applicant must present to the Board transcripts, a description of the training program, letters from the directors of the departments of the institution where the program is conducted or other documents deemed suitable by the Board showing that the program substantially complies with the standards of the Association for Behavior Analysis International or its successor organization, including, without limitation, proof that the program requires at least as many hours covering specific subjects as required~~

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~~for accreditation by the Association for Behavior Analysis International or its successor organization.~~

~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

NAC 641.080 Supervised experience: Applicant for licensure as psychologist. ([NRS 641.100](#), [641.110](#), [641.170](#))

1. Before an applicant is eligible for licensure as a psychologist, he or she must complete 2 years of supervised and documented experience that is the equivalent of full-time experience.

2. Except as otherwise provided in subsection 3, the 2 years of experience required pursuant to paragraph (e) of subsection 1 of [NRS 641.170](#) must be supervised experience and must comply with the following requirements:

(a) The first year must satisfy the requirements of subsection 4; and

(b) The second year must be postdoctoral, must consist of not less than 1,750 hours and must:

(1) Meet the guidelines established by the Association of State and Provincial Psychology Boards; or

(2) Satisfy the requirements of subsection 6.

3. If an applicant has been licensed for at least 5 years in another state and has had no disciplinary action or other adverse action taken against him or her by the regulatory body, the 2 years of experience required pursuant to paragraph (e) of subsection 1 of [NRS 641.170](#) must be supervised experience and must comply with the following requirements:

(a) Each year must consist of not less than 1,500 hours;

(b) One year must satisfy the requirements of subsection 4; and

(c) One year must be postdoctoral and must satisfy the requirements of subsection 6.

4. For the purposes of paragraph (a) of subsection 2 and paragraph (b) of subsection 3, 1 year of supervised experience must be satisfactorily completed in:

(a) A doctoral internship program approved by the American Psychological Association; or

(b) A doctoral internship that is equivalent to a doctoral internship in a program that is accredited by the American Psychological Association. An applicant, his or her proposed supervisor and a representative of the proposed agency or institution at which the internship will be conducted must submit to the Board a plan to meet the requirements of this paragraph and information showing that the proposed internship substantially complies with the accreditation standards for doctoral internship programs in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/index.aspx>, and Section C of the *Implementing Regulations* of the Commission on Accreditation of the American Psychological Association which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/section-c-soa.pdf>. Substantial

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compliance with such standards may be demonstrated by submission to the Board of information showing that the proposed doctoral internship:

(1) Requires completion of the internship in an agency or institution that provides services to a population sufficient in number and diversity to give the intern adequate experiential exposure to meet the purposes, aims and competencies of the internship.

(2) Requires the intern to complete a minimum of 2,000 hours of training, which must be completed:

(I) If on a full-time basis, in not less than 12 months; or

(II) If on a part-time basis, in not less than 24 months.

(3) Offers education and training conducted in a single-site or multiple-site setting that prepares interns for the practice of health service psychology.

(4) Includes a training program that meets the requirements set forth in subsection 5.

5. A proposed doctoral internship that is not approved by the American Psychological Association must include a training program that, without limitation:

(a) Is an integral part of the mission of the agency or institution in which the program is provided, with administrative and structural processes that facilitate systematic coordination, control, direction and organization of the training activities and resources of the program.

(b) Recognizes the importance of cultural and individual differences and diversity in the training of psychologists.

(c) Demonstrates the adequacy of its educational and training resources, including, without limitation, clerical and technical support, access to training materials and equipment that reflect the current knowledge base in the profession, and physical facilities that are appropriate for confidential interactions and are compliant with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto.

(d) Has policies and procedures that are consistent with those described in the accreditation standards for doctoral internship programs in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association, including, without limitation, policies relating to:

(1) The recruitment and selection of interns;

(2) The required prior doctoral preparation and experiences;

(3) Providing administrative and financial assistance to interns;

(4) The requirements for successful internship performance;

(5) Performance evaluations, feedback, retention and termination decisions relating to interns;

(6) The identification and remediation of insufficient competence and problematic behavior by an intern;

(7) Grievance procedures for interns, including the provision of due process;

(8) The requirements for supervision of an intern as set forth in paragraphs (q), (r) and (s);

(9) Maintenance of records; and

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(10) Nondiscrimination, including documentation of such policies and operating procedures.

(e) Has policies and procedures that are consistent with the profession's current ethics code and which adhere to:

(1) The regulations of the agency or institution; and

(2) All applicable local, state and federal laws regarding due process and fair treatment.

(f) Requires the retention of records on the performance of interns and complaints and grievances against the program or persons associated with the program.

(g) Ensures a welcoming, supportive and encouraging learning environment for all interns, including those from diverse and underrepresented communities.

(h) Recognizes the right of interns, faculty and staff to be treated with courtesy and respect.

(i) Recognizes science as the core of health service psychology and relies on the current evidence base in the training and assessment of interns.

(j) Requires an intern to demonstrate competency in profession-wide competencies, including, without limitation:

(1) Research;

(2) Ethical and legal standards;

(3) Individual and cultural diversity;

(4) Professional values, attitudes and behaviors;

(5) Communication and interpersonal skills;

(6) Assessment;

(7) Intervention;

(8) Supervision; and

(9) Consultation, interprofessional and interdisciplinary skills.

(k) Demonstrates a clear and coherent plan for educational activities that support the achievement of interns in profession-wide and program-specific competencies.

(l) Employs primarily an experiential training method that:

(1) Involves the delivery of services by an intern in direct contact with recipients of those services; and

(2) Includes sufficient observation and supervision by doctoral-level licensed psychologists to facilitate the readiness of the intern to enter into the general practice of psychology upon completion of the training.

(m) Follows a logical and cumulative training sequence that builds on the skills and competencies acquired by the intern during training and is graded in complexity in a manner consistent with that sequence.

(n) Demonstrates that the tasks and duties associated with the delivery of service by an intern are primarily learning-oriented and that the training considerations of interns take precedence over the delivery of service and the generation of revenue.

(o) Maintains appropriate and transparent communication practices, including, without limitation:

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(1) Articulating the commitment of the program to attracting and training diverse clients;

(2) Ensuring regular communication between the doctoral program and the doctoral internship program;

(3) Ensuring that all communications with potential and current interns are informative, accurate and transparent;

(4) Disclosing the status of the program with regard to accreditation; and

(5) Demonstrating a commitment to public disclosure.

(p) Provides adequate financial support for:

(1) Interns;

(2) Faculty and staff; and

(3) Sufficient and dependable training activities for the duration of the year or years of any contracts with interns.

(q) Provides supervision in a regularly scheduled manner and ensures that:

(1) Each intern has access to consultation and supervision during the times he or she is providing clinical services; and

(2) Each intern receives not less than 4 hours per week of supervision, including not less than 2 hours per week of individual supervision by one or more doctoral-level licensed psychologists who are involved in an ongoing supervisory relationship with the intern and have primary professional responsibility for the cases on which individual supervision is provided.

(r) Ensures that any supervisory hours other than the 2 hours of individual supervision required by subparagraph (2) of paragraph (q) are:

(1) Consistent with the definition of supervision in the glossary of the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association;

(2) Conducted by health care professionals who are appropriately credentialed; and

(3) Interactive experiences in a group or individual format.

(s) Requires that overall responsibility for the supervision of interns, including oversight and integration of supervision provided by non-psychologist professionals, is maintained by doctoral-level licensed psychologists.

6. For the purposes of subparagraph (2) of paragraph (b) of subsection 2 and of paragraph (c) of subsection 3, supervised experience is credited only for:

(a) Professional work in a setting that provides an opportunity for interaction with colleagues and an opportunity for work with a broad range of clients, including, without limitation, a private practice and a public or private agency, institution or organization; and

(b) Work experience that is other than experience which is acquired in connection with a practicum for which graduate credits are granted and which complies with the following requirements:

(1) The number of hours required pursuant to paragraph (b) of subsection 2 or paragraph (a) of subsection 3 must be completed in not less than 10 months and not more than 3 years unless otherwise approved by the Board;

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(2) Unless otherwise approved by the Board, at least 50 percent of the hours per week of the supervised experience must be spent providing clinical services, including, without limitation, psychological services rendered directly to an individual, couple, family or group, psychological testing, and individual or group supervision relating to those services;

(3) The hours per week of the supervised experience that are not spent in the manner set forth in subparagraph (2) must be spent engaging in an activity related to psychology, including, without limitation, teaching psychology, researching psychology and engaging in administrative activities related to psychology or in any other activity related to psychology; and

(4) At least 40 hours of the supervised experience must be spent receiving training in cultural, ethnic and group processes as social bases of behavior and at least 3 hours of individual supervision must be spent focused on that area of psychology. Such hours may be obtained by, without limitation:

(I) Conducting clinical work directly with culturally diverse or underserved populations;

(II) Reading materials related to culturally diverse populations;

(III) Researching an issue related to culturally diverse populations;

(IV) Attending a workshop, conference or seminar concerning working with culturally diverse populations;

(V) Giving a presentation related to culturally diverse populations at a workshop, conference or seminar; and

(VI) Authoring a publication related to culturally diverse populations.

[Bd. of Psychological Exam'rs, § 641.100, eff. 12-14-78] — (NAC A 7-7-82; 8-24-90; 1-24-94; 12-28-95; R077-02, 7-25-2002; R089-03, 1-18-2005; R038-16, 12-21-2016)

REVISER'S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on December 21, 2016 (LCB File No. R038-16), which amended this section, contains the following provision not included in NAC:

"Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of [NAC 641.080](#) until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.080](#), [641.1567](#), [641.158](#) and section 2 of this regulation [[NAC 641.1517](#)] until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.156](#) and [641.158](#) until his or her supervision of the psychological assistant is completed or terminated."

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~~**NAC 641.083 Supervision of licensed assistant behavior analysts and autism behavior interventionists. (NRS 641.100, 641.110, 641.395)**~~

~~1. A licensed assistant behavior analyst must be supervised by a psychologist or a licensed behavior analyst during at least 5 percent of the hours he or she works each month.~~

~~2. A psychologist, a licensed behavior analyst or a licensed assistant behavior analyst who supervises an autism behavior interventionist must supervise the autism behavior interventionist during at least 10 percent of the hours the autism behavior interventionist works each month.~~

~~3. The supervision required by subsections 1 and 2 must include, without limitation:~~

~~(a) At least 1 hour each month of one on one supervision; and~~

~~(b) At least 4 hours each month of additional direct supervision, which may include, without limitation:~~

~~(1) Videoconferencing, except that this must not constitute more than one half of the time supervised each month; and~~

~~(2) Group meetings of not more than 10 persons, including each licensed assistant behavior analyst or autism behavior interventionist who is being supervised by the supervisor.~~

~~(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010; A by R127-14, 6-28-2016)~~

NAC 641.112 State examination of applicant for licensure as a psychologist: Content; review of failed examination; reexamination; fee; prohibited acts. (NRS 641.100, 641.110, 641.180)

1. The Board will administer a state examination to each applicant for a license as a psychologist.

2. The state examination will consist of questions addressing the practice of professional psychology, including, without limitation, federal and state laws, ethical principles and codes of professional conduct relevant to the practice of psychology in this State. At least 30 days before the state examination, the Board will furnish a description of the content to be covered in the state examination to each applicant.

3. An applicant who fails the state examination may review his or her state examination upon written request submitted to the Board. The written request must be submitted within 10 days after receiving written notice of the failure.

4. An applicant who fails the state examination:

(a) Once or twice may retake the state examination.

(b) Three times may not retake the state examination unless the applicant requests permission and obtains approval from the Board to retake the state examination for a fourth time. The applicant must submit to the Board a written request to retake the state examination and a written plan explaining the steps the applicant will take to pass the state examination. The Board will approve the request to retake the state examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the state examination.

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(c) Four or more times may not retake the state examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to [NRS 641.160](#) is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on which he or she is notified by the Board that he or she failed that state examination for the immediately preceding time, request permission in writing from the Board to reapply for licensure and retake the state examination. The Board will, if good cause is shown, approve the request.

5. The fee for the state examination must be paid before the state examination is administered. A fee must be paid each time the applicant takes the state examination.

6. An applicant shall not:

(a) Remove any notes taken during the state examination;

(b) Record the state examination by electronic or other means; or

(c) Engage in any other conduct that results in the disclosure of the contents of the state examination.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 7-11-94; A by R078-99, 3-13-2000; R131-09, 1-28-2010; R209-09, 10-15-2010; R127-14, 6-28-2016)

~~— **NAC 641.113 State examination of applicants for licensure as licensed behavior analyst or licensed assistant behavior analyst: Content; reexamination; fee; prohibited acts.** (NRS 641.100, 641.110, 641.170, 641.172)~~

~~— 1. The Board will administer a state examination to each applicant for a license as a licensed behavior analyst or a licensed assistant behavior analyst.~~

~~— 2. The state examination will consist of questions addressing the practice of applied behavior analysis, including, without limitation, federal and state laws, ethical principles and codes of professional conduct relevant to the practice of applied behavior analysis in this State. At least 30 days before the state examination is administered, the Board will furnish a description of the content to be covered in the examination to each applicant.~~

~~— 3. An applicant who fails the state examination:~~

~~— (a) Once or twice may retake the state examination.~~

~~— (b) Three times may not retake the state examination unless the applicant requests permission and obtains approval from the Board to retake the state examination for a fourth time. The applicant must submit to the Board a written request to retake the state examination and a written plan explaining the steps the applicant will take to pass the state examination. The Board will approve the request to retake the state examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the state examination.~~

~~— (c) Four or more times may not retake the state examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to [NRS 641.160](#) is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on which he or she is notified by the Board that he or she failed that state examination for the immediately preceding time, request permission in writing from the Board to reapply for licensure and retake the state examination. The Board will, if good cause is shown, approve the request.~~

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

~~— 4. The fee for the state examination must be paid before the examination is administered. A fee must be paid each time the applicant takes the state examination.~~

~~— 5. An applicant shall not:~~

~~— (a) Remove any notes taken during the state examination;~~

~~— (b) Record the state examination by electronic or other means; or~~

~~— (c) Engage in any other conduct that results in the disclosure of the contents of the state examination.~~

~~— (Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010; A by R127-14, 6-28-2016)~~

NAC 641.120 National examination: Use; prerequisite for taking; reexamination. ([NRS 641.100](#), [641.180](#))

1. The national examination constitutes one portion of the examination for licensure as a psychologist.

2. Except as otherwise provided in subsection 3, an applicant for a license may take the national examination after the applicant has graduated with a doctoral degree from:

(a) A training program which is accredited by the American Psychological Association or a program which meets the requirements of:

(1) [NAC 641.061](#) if the applicant graduated before January 1, 2018; or

(2) [NAC 641.062](#) if the applicant graduated on or after January 1, 2018; or

(b) An institution which meets the requirements of subsection 3 of [NAC 641.050](#).

3. An applicant who fails the national examination:

(a) Once or twice may retake the examination.

(b) Three times may not retake the examination unless the applicant requests permission and obtains approval from the Board to retake the examination for a fourth time. The applicant must submit to the Board a written request to retake the examination and a written plan explaining the steps the applicant will take to pass the examination. The Board will approve the request to retake the examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the examination.

(c) Four or more times may not retake the examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to [NRS 641.160](#) or [NAC 641.062](#), as applicable, is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on which he or she notified the Board that he or she failed the examination for the immediately preceding time, request permission in writing from the Board to reapply for licensure and retake the examination. The Board will, if good cause is shown, approve the request.

[Bd. of Psychological Exam'rs, § 641.070, eff. 12-14-78] — (NAC A 7-7-82; 8-24-90; R089-03, 1-18-2005; R131-09, 1-28-2010; R209-09, 10-15-2010; R127-14, 6-28-2016; R038-16, 12-21-2016)

NAC 641.132 Renewal of license. ([NRS 641.100](#), [641.110](#), [641.220](#), [641.232](#))

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

1. To renew his or her license, a psychologist, ~~licensed behavior analyst or a licensed assistant behavior analyst~~ must submit to the Board an application for renewal, the required fees and the form for the biennial report of continuing education required pursuant to subsection 2. The licensee shall retain evidence of the completion of the continuing education required by [NAC 641.136](#) or [641.1363](#), as applicable, for at least 5 years after the completion of that continuing education. Evidence of completion of continuing education includes, without limitation, a letter signed by the instructor of the course or program or the agent of the sponsoring agency or organization, and a certificate of completion approved by the Board pursuant to [NAC 641.138](#). Upon the request of the Board, the licensee must provide evidence of completion of the continuing education.

2. The Board will mail to each licensee, before the expiration of his or her license, a form for the biennial report of continuing education. Each applicant for renewal must sign the form certifying that:

(a) He or she has completed the continuing education required by [NAC 641.136](#) or [641.1363](#), as applicable; and

(b) The evidence of completion of continuing education required pursuant to subsection 1 is true and accurate.

3. If a licensee misrepresents the completion of continuing education, he or she will be subject to disciplinary action, including, without limitation, suspension, revocation or nonrenewal of his or her license. A licensee whose license has been suspended or not renewed must complete the continuing education required by [NAC 641.136](#) or [641.1363](#), as applicable, before the Board will consider whether to reinstate his or her license.

4. If a licensee does not satisfy the continuing education requirement, his or her license will not be renewed and he or she will be subject to disciplinary action. The Board may grant a licensee a 60-day extension if the licensee submits to the Board, on or before December 1 immediately preceding the expiration of his or her license, a written request for an extension which includes a compelling explanation for his or her inability to complete the continuing education requirement during the immediately preceding 2 years.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R090-01, 2-7-2002; R209-09, 10-15-2010)

NAC 641.133 Placement of license on inactive status; renewal or restoration to active status. ([NRS 641.100](#), [641.110](#), [641.160](#), [641.170](#))

1. Upon written request to the Board and payment of the fee prescribed by the Board, a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ may have his or her license placed on inactive status.

2. A person whose license is placed on inactive status shall not engage in the practice of psychology ~~or applied behavior analysis, as applicable,~~ during the period in which the license is on inactive status.

3. A person who wishes to renew a license that is placed on inactive status must submit to the Board:

(a) An application for the renewal of the license; and

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(b) The fee for the biennial renewal of a license on inactive status.

4. A person whose license is placed on inactive status may apply to the Board to have the license restored to active status. The Board will restore the license to active status upon:

(a) The submission of an application for the restoration of the license;

(b) The payment of the appropriate fee as set forth in [NAC 641.019](#) for the restoration to active status of a license on inactive status;

(c) The submission of proof of completion of the requirements for continuing education for the 2 years immediately preceding the date of the application;

(d) If the applicant has engaged in the practice of psychology ~~or applied behavior analysis, as applicable,~~ in another jurisdiction during the period his or her license was on inactive status, the submission of proof that he or she is in good standing and that there are no disciplinary proceedings pending against him or her in that jurisdiction;

(e) Submission of any other proof the Board may require to determine whether the applicant is qualified and competent to engage in the practice of psychology ~~or applied behavior analysis, as applicable;~~ and

(f) If the Board considers it necessary, the successful completion of the national examination or the state examination administered by the Board pursuant to [NAC 641.112](#) or [641.113](#), as applicable.

(Added to NAC by Bd. of Psychological Exam'rs by R078-99, eff. 3-13-2000; A by R090-01, 2-7-2002; R131-09, 1-28-2010; R209-09, 10-15-2010)

NAC 641.136 Continuing education: Requirements for renewal of license as a psychologist; acceptance or approval of courses and programs by Board. ([NRS 641.100](#), [641.110](#), [641.220](#))

1. To renew his or her license, a psychologist must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, he or she has completed 30 hours of continuing education in courses approved by the Board pursuant to subsection 2 or [NAC 641.138](#). At least 6 hours must include instruction in scientific and professional ethics and standards, and common areas of professional misconduct. At least 2 hours must include instruction in evidence-based suicide prevention and awareness. Not more than 15 hours may be obtained from an approved distance education course. A licensee may not receive credit for continuing education for a course in which he or she is the instructor.

2. Except as otherwise provided in subsection 3, the Board will accept the following types of continuing education courses or programs:

(a) Formally organized workshops, seminars or classes which maintain an attendance roster and are conducted by or under the auspices of an accredited institution of higher education offering graduate instruction.

(b) Workshops, seminars or classes which maintain an attendance roster and are certified or recognized by a state, national or international accrediting agency, including, but not limited to:

(1) The American Psychological Association;

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- (2) The American Psychiatric Association;
 - (3) The American Medical Association;
 - (4) The American Association for Marriage and Family Therapy;
 - (5) The American Counseling Association;
 - (6) The International Congress of Psychology; or
 - (7) The National Association of Social Workers.

(c) Other workshops, classes, seminars and training sessions in psychology or a closely related discipline which have a formal curriculum and attendance roster and receive approval by the Board.

(d) Distance education courses in psychology or a closely related discipline that are approved by the Board.

3. Before a licensee may receive credit for continuing education for a course in scientific and professional ethics and standards and common areas of professional misconduct or a course in evidence-based suicide prevention and awareness, the licensee must submit information concerning the course to the Board for approval of the course unless the Board has previously approved the course. The Board will make available at its office a list of courses and programs that are currently approved by the Board.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R090-01, 2-7-2002; R117-08, 12-17-2008; R209-09, 10-15-2010; R038-16, 12-21-2016)

~~— **NAC 641.1363 Continuing education: Requirements for renewal of license as a licensed behavior analyst or licensed assistant behavior analyst; courses and programs.** (NRS 641.100, 641.110, 641.220)~~

~~— 1. To renew his or her license, a licensed behavior analyst or licensed assistant behavior analyst must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, the applicant has completed 30 hours of continuing education that is approved by the Board. At least 6 hours must include instruction in scientific and professional ethics and standards, and common areas of professional misconduct. At least 2 hours must include instruction in evidence-based suicide prevention and awareness. Not more than 15 hours may be obtained from an approved distance education course.~~

~~— 2. A licensed behavior analyst or licensed assistant behavior analyst may not receive continuing education credit for a workshop, seminar, class or course in which he or she is the instructor.~~

~~— 3. Except as otherwise provided in subsection 4, the continuing education required pursuant to this section may include, without limitation:~~

~~— (a) A workshop, seminar, class or distance education course in psychology, applied behavior analysis or a closely related discipline which maintains an attendance roster and which is:~~

~~— (1) Conducted under the auspices of an accredited college or university offering undergraduate or graduate level instruction; or~~

~~— (2) Certified or recognized by a state, regional, national or international accrediting agency, including, without limitation:~~

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~~(I) The American Association for Marriage and Family Therapy;~~
~~(II) The American Counseling Association;~~
~~(III) The American Medical Association;~~
~~(IV) The American Psychiatric Association;~~
~~(V) The American Psychological Association;~~
~~(VI) The Association for Behavior Analysis International;~~
~~(VII) The Behavior Analyst Certification Board, Inc.;~~
~~(VIII) The International Congress of Psychology; and~~
~~(IX) The National Association of Social Workers; or~~
~~(b) A workshop, seminar, class or distance education course in psychology, applied behavior analysis or a closely related discipline which is approved by the Board.~~
~~4. Before a licensed behavior analyst or a licensed assistant behavior analyst may receive credit for continuing education for a course in scientific and professional ethics and standards, and common areas of professional misconduct or a course in evidence-based suicide prevention and awareness, he or she must submit information concerning the course to the Board for approval of the course, unless the Board has previously approved the course. The Board will make available at its office a list of courses and programs that are currently approved by the Board.~~
~~(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010; A by R038-16, 12-21-2016)~~

NAC 641.1365 Continuing education: Hours awarded for certain activities. ([NRS 641.100](#), [641.220](#)) The Board will award not more than 8 hours of continuing education within a 2-year period to any person licensed by the Board who is appointed by the Board to:

1. Conduct or develop an examination; or
2. Serve on a committee approved by the Board.

(Added to NAC by Bd. of Psychological Exam'rs by R078-99, eff. 3-13-2000; A by R131-09, 1-28-2010)

NAC 641.137 Continuing education: Requirements for course or program; subjects. ([NRS 641.100](#), [641.220](#))

1. A continuing education course or program must be approved by the Board pursuant to [NAC 641.136](#) or [641.138](#) and:

- (a) Be presented in accordance with accepted educational principles at a doctoral or postdoctoral level which is appropriate for professional psychologists;
- (b) Be at least 1 hour in length, not including breaks; and
- (c) Be primarily related to the study of psychology or have a potential application to the practice of psychology.

2. The subjects acceptable for a continuing education course or program include, but are not limited to:

- (a) Scientific and professional ethics and standards;
- (b) Forensic issues;

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- (c) Research design and methodology;
 - (d) Tests and measurements;
 - (e) Psychotherapeutic techniques;
 - (f) Biological bases of behavior, including physiological psychology, comparative psychology, neuropsychology, human sexuality and psychopharmacology;
 - (g) Cognitive and emotional bases of behavior, including learning, memory, perception, cognition, thinking, motivation and emotion;
 - (h) Social bases of behavior, including social, group, cultural and ethnic processes, sex roles, and organization and systems therapy;
 - (i) Differences in persons, including personality therapy, human development, abnormal psychology, psychopathology and the psychology of persons with disabilities; and
 - (j) Evidence-based suicide prevention and awareness.
- (Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R090-01, 2-7-2002; R038-16, 12-21-2016)

NAC 641.138 Continuing education: Request for approval of course or program. ([NRS 641.100](#), [641.220](#))

1. The Board will evaluate a written request for the approval of a continuing education course or program which is submitted by the sponsoring organization or agency on a form provided by the Board at least 30 days before the first day of the course or program. If the Board does not approve a course or program, the sponsoring organization or agency may, within 30 days after it receives notice of the Board's disapproval, submit to the Board a written request for reconsideration. A request for reconsideration will be considered by the Board at its next regularly scheduled meeting.

2. A written request for approval must include, without limitation:

- (a) The name, address and telephone number of the person submitting the application;
- (b) The name of the sponsoring organization or agency;
- (c) The title of the continuing education course or program;
- (d) The date, time and location of the course or program;
- (e) The number and type of persons expected to attend the course or program and the maximum enrollment, if any;
- (f) The number of hours of instruction, excluding breaks;
- (g) The subjects that the course or program will cover;
- (h) For each instructor:
 - (1) His or her name, address and daytime telephone number; and
 - (2) His or her professional affiliations, educational background and work history which is relevant to the course or program;
- (i) A description of:
 - (1) The goal or purpose of the course or program;
 - (2) The content of the course or program;
 - (3) The objectives of the course or program;

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- (4) The amount of time which will be allotted for each objective of the course or program;
 - (5) The instructor who will teach each objective of the course or program;
 - (6) The method of teaching each objective of the course or program; and
 - (7) The evaluation process which will be used to determine whether the participants achieved the objectives of the course or program;
 - (j) A copy of the refund form for the course or program which includes a statement of the refund policy;
 - (k) A copy of the certificate of completion for the course or program which must include space for:
 - (1) The name of the sponsoring organization;
 - (2) The name and signature of each instructor;
 - (3) The name of the person who completed the course or program and his or her license number;
 - (4) The title of the course or program;
 - (5) The number of hours of the course or program;
 - (6) The date and location of the course or program; and
 - (7) The signature of a person who represents the sponsoring organization; and
 - (l) A copy of the brochure or advertising material, if any, for the course or program.
- (Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95)

NAC 641.139 Continuing education: Responsibilities of sponsor of course or program. ([NRS 641.100](#), [641.220](#)) A sponsoring agency or organization of a continuing education course or program shall provide to the Board:

1. The attendance roster for the course or program; and
2. Written documentation for each licensee who successfully completed the objectives of the course or program.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95)

NAC 641.1395 Continuing education: Investigation of complaint regarding course or program. ([NRS 641.100](#), [641.220](#)) If the Board receives a written complaint concerning an instructor of a continuing education course or program, a sponsoring agency or organization, or both, the Board may investigate the complaint. The investigation may include a determination of the relevant facts and an investigation of the materials and records of the instructor for the course or program.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95)

NAC 641.150 Genuine collaboration. ([NRS 641.100](#)) A psychologist who practices psychotherapy shall be deemed to have engaged in "genuine collaboration" if:

1. The client has not had a recent physical examination and the psychologist refers the client to a qualified physician for such evaluation.
2. The patient's symptoms or complaints may have a physical basis and the psychologist refers the client to a qualified physician for consultation and evaluation.

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3. Medication or hospitalization are considered as possibilities for treatment of the client and the psychologist refers the client to a qualified physician for a decision and possible treatment.

[Bd. of Psychological Exam'rs, Policy No. 4, eff. 6-28-65]

APPLICATION FOR LICENSURE OR REGISTRATION AS PSYCHOLOGICAL ASSISTANT DEEMED WITHDRAWN

NAC 641.1503 Incomplete application; failure to take national examination; reapplication. ([NRS 641.100](#), [641.110](#), [641.170](#), 641.172)

1. An application for licensure as a psychologist shall be deemed withdrawn and all fees for the application are forfeited if:

(a) The application is not completed as described in [NRS 641.170](#) within 2 years after the date on which the Board first received the application materials; or

(b) The applicant has not taken the national examination required pursuant to [NRS 641.180](#) within 2 years after the date on which the Board first received the application materials.

~~—2. An application for licensure as a licensed behavior analyst or a licensed assistant behavior analyst shall be deemed withdrawn and all fees for the application are forfeited if the application is not completed as described in [NRS 641.170](#) within 2 years after the date on which the Board first received the application.~~

3. An application for registration as a psychological assistant shall be deemed withdrawn if the application is not completed within 2 years after the date on which the Board first received the application materials.

4. If an application is deemed withdrawn pursuant to this section, the applicant may reapply for such licensure or registration and must pay any application fees in effect at the time of the reapplication.

(Added to NAC by Bd. of Psychological Exam'rs by R117-08, eff. 12-17-2008; A by R209-09, eff. 10-15-2010; R127-14, 6-28-2016)

FIRMS, PARTNERSHIPS AND CORPORATIONS

NAC 641.1505 Registration; notification of certain changes; exemption from requirements. ([NRS 641.100](#), [641.113](#))

1. Except as otherwise provided in subsection 3, a firm, partnership or corporation that engages in or offers to engage in the practice of psychology must register with the Board and pay the fee for registration before it commences to engage in or offer to engage in the practice of psychology.

2. A firm, partnership or corporation shall notify the Board of any change in ownership or of the addition or departure of any psychologist associated with the firm, partnership or corporation within 30 days after the change. The firm, partnership or corporation must complete a new registration for any change in ownership.

3. The following entities are exempt from the requirements of this section:

(a) A federal, state or local governmental agency or institution.

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(b) A firm or corporation that bears the name of a psychologist who is the only person practicing under the name of the firm or corporation.

(c) A firm, partnership or corporation that is formed for the sole purpose of sharing administrative expenses, including, without limitation, rent, services for billing patients and clerical support, if:

(1) The place of business of the firm, partnership or corporation is not identified by the name of the firm, partnership or corporation;

(2) Records of patients, correspondence concerning patients and materials for billing patients do not display the name of the firm, partnership or corporation;

(3) The name of the firm, partnership or corporation is not used in any advertising by the firm, partnership or corporation;

(4) The firm, partnership or corporation does not hold a business license issued by a county, city or town to engage in the practice of psychology; and

(5) Professional liability insurance is not held in the name of the firm, partnership or corporation.

(Added to NAC by Bd. of Psychological Exam'rs by R153-97, eff. 12-19-97; A by R077-02, 7-25-2002; R089-03, 1-18-2005)

PSYCHOLOGICAL ASSISTANTS, INTERNS AND UNLICENSED PERSONNEL

General Provisions

NAC 641.1507 "Supervisor" defined. ([NRS 641.100](#)) As used in [NAC 641.1507](#) to [641.168](#), inclusive, "supervisor" means a psychologist who supervises a psychological assistant or psychological intern pursuant to this chapter.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R209-09, 10-15-2010; R111-13, 10-24-2014) — (Substituted in revision for NAC 641.017)

Psychological Assistants and Interns

NAC 641.151 Psychological assistants: Registration. ([NRS 641.100](#), [641.110](#), [641.170](#))

1. A person must register with the Board as a psychological assistant if the person wishes to obtain any postdoctoral supervised experience that is required pursuant to paragraph (b) of subsection 2 of [NAC 641.080](#) or paragraph (c) of subsection 3 of [NAC 641.080](#) for licensure as a psychologist by submitting the appropriate application to the Board.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological assistant only after he or she graduates with a doctoral degree from:

(a) A training program which is accredited by the American Psychological Association or a program which meets the requirements of:

(1) [NAC 641.061](#) if the applicant graduated before January 1, 2018; or

(2) [NAC 641.062](#) if the applicant graduated on or after January 1, 2018; or

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(b) An institution which meets the requirements of subsection 3 of [NAC 641.050](#).

3. Registration as a psychological assistant is for 3 years unless otherwise approved by the Board.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A 8-24-90; 1-24-94; 12-28-95; R089-03, 1-18-2005; R117-08, 12-17-2008; R209-09, 10-15-2010; R038-16, 12-21-2016)

NAC 641.1515 Psychological interns: Registration. ([NRS 641.100](#), [641.170](#))

1. Unless the person is participating in a federally-regulated internship program, a person must register with the Board as a psychological intern by submitting the appropriate application to the Board if the person wishes to obtain any predoctoral supervised experience that is required pursuant to paragraph (a) of subsection 2 of [NAC 641.080](#) or paragraph (b) of subsection 3 of [NAC 641.080](#).

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological intern only after he or she has provided to the Board proof that he or she is currently enrolled to obtain a doctoral degree from:

(a) A program which is accredited by the American Psychological Association or meets the requirements of [NAC 641.061](#) or [641.062](#), as applicable; or

(b) An institution which meets the requirements of subsection 3 of [NAC 641.050](#).

3. Registration as a psychological intern is for 2 years unless otherwise approved by the Board.

(Added to NAC by Bd. of Psychological Exam'rs by R111-13, eff. 10-24-2014; A by R038-16, 12-21-2016)

NAC 641.1517 Psychological interns: Agreement between supervisor and doctoral training program. ([NRS 641.100](#), [641.110](#), [641.170](#)) A supervisor shall provide to the Board a copy of a written agreement between the supervisor and the doctoral training program of each psychological intern whom he or she supervises. The agreement must include, without limitation:

1. An outline of the skill level of the psychological intern at the beginning of the supervised experience.

2. The goals for the supervised experience of the psychological intern.

3. A format and procedure for reporting to the doctoral training program the following information concerning the psychological intern:

(a) His or her progress in building skills;

(b) His or her progress toward meeting the goals specified in subsection 2; and

(c) Any areas requiring continued growth.

4. An acknowledgment that the written agreement must be in place in order for the psychological intern to:

(a) Have lawful and ethical access to clients and the protected health information of clients; and

(b) Use his or her supervised experience to make progress toward a degree, certification or license.

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

(Added to NAC by Bd. of Psychological Exam'rs by R038-16, eff. 12-21-2016)

REVISER'S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on December 21, 2016 (LCB File No. R038-16), which amended this section, contains the following provision not included in NAC:

"Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of [NAC 641.080](#) until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.080](#), [641.1567](#), [641.158](#) and section 2 of this regulation [[NAC 641.1517](#)] until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.156](#) and [641.158](#) until his or her supervision of the psychological assistant is completed or terminated."

NAC 641.1519 Qualifications of supervisor. ([NRS 641.100](#), [641.170](#))

1. A psychologist who wishes to serve as a supervisor of a psychological assistant must:

(a) Except as otherwise approved by the Board, be licensed by the Board to practice psychology;

(b) Except as otherwise approved by the Board, have been licensed by the Board to practice psychology for 3 years or more; and

(c) Have had training in clinical supervision, including, without limitation, the completion of continuing education courses, other courses or courses of independent study relating to clinical supervision.

2. A supervisor of a psychological assistant shall maintain, and provide to the Board upon request, documentation substantiating that he or she satisfies the requirements set forth in subsection 1.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R117-08, 12-17-2008; R038-16, 12-21-2016) — (Substituted in revision for NAC 641.1563)

NAC 641.152 Supervision; assignment of psychological assistant to specialist. ([NRS 641.100](#), [641.170](#))

1. A psychological assistant or psychological intern may work only under the supervision and control of a psychologist who satisfies the requirements of [NAC 641.1519](#).

2. The supervisor of a psychological assistant or psychological intern is responsible for the adequate supervision of the psychological assistant or psychological intern.

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3. For specific skill training, the supervisor may assign a psychological assistant to a specialist, including, without limitation, a person who is licensed in this State as a psychiatrist, social worker or marriage and family therapist or a person who is licensed or certified in this State as an alcohol and drug abuse counselor. The specialist must have clearly established practice and teaching skills that are demonstrable to the satisfaction of the Board. Not more than one-quarter of the number of supervised hours needed to fulfill the required year of postdoctoral experience may be accrued under the direction of specialists.

4. A psychological assistant or psychological intern must be:

(a) An employee of the supervisor; or

(b) Subject to the control and direction of a supervisor who is affiliated with the same agency or institution at which the psychological assistant or psychological intern, as applicable, works.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A 8-24-90; R089-03, 1-18-2005; R111-13, 10-24-2014)

NAC 641.153 Agreement regarding employment. ([NRS 641.100](#), [641.170](#))

An employment agreement which is proposed to be entered into by a psychological assistant or psychological intern and his or her employing supervisor or agency must be:

1. In writing; and

2. Submitted to and approved by the Board.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R111-13, 10-24-2014)

NAC 641.154 Wages; compensation of supervisor; emphasis of supervision. ([NRS 641.100](#), [641.170](#))

1. Except as otherwise provided in this subsection, a psychological assistant or psychological intern is entitled to be paid a fixed wage on a periodic basis, and may not be paid based on a percentage of the fees received. An employment agreement which is proposed to be entered into by a psychological assistant or psychological intern and does not provide for the payment of a wage may be approved by the Board pursuant to [NAC 641.153](#) if the Board determines that the agreement is in the best interest of the psychological assistant or psychological intern.

2. A psychological assistant or psychological intern may not receive fees for professional services except as the agent of his or her employing supervisor or agency.

3. Except as otherwise provided in this subsection, a supervisor may not accept compensation from a psychological assistant or psychological intern for his or her supervision. In extenuating circumstances, the Board may approve the acceptance of such compensation by a supervisor. Any agreement concerning compensation of a supervisor by a psychological assistant or psychological intern for his or her supervision must be approved by the Board before it becomes effective.

4. A supervisor shall ensure that the emphasis of the supervised experience of a psychological assistant or psychological intern whom he or she supervises is on training

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the psychological assistant or psychological intern, as applicable, rather than on the raising of revenue by the psychological assistant or psychological intern, as applicable.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R089-03, 1-18-2005; R111-13, 10-24-2014)

NAC 641.156 Psychological assistants: Presence of supervisor. ([NRS 641.100](#), [641.170](#))

1. Unless otherwise approved by the Board, a supervisor must be physically present on the premises where qualifying professional activities are undertaken by a psychological assistant at least one-half of the time during which the activities are performed.

2. Except as otherwise provided in [NAC 641.152](#), a supervisor who supervises a psychological assistant must have clinical responsibility for all cases in which the psychological assistant provides services.

3. A mental health professional licensed or certified in this State must be available on the premises at all times when a psychological assistant is providing services to a client.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R089-03, 1-18-2005; R111-13, 10-24-2014; R038-16, 12-21-2016)

REVISER'S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on December 21, 2016 (LCB File No. R038-16), which amended this section, contains the following provision not included in NAC:

"Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of [NAC 641.080](#) until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.080](#), [641.1567](#), [641.158](#) and section 2 of this regulation [[NAC 641.1517](#)] until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.156](#) and [641.158](#) until his or her supervision of the psychological assistant is completed or terminated."

NAC 641.1565 Supervision involving potential conflict of interest prohibited. ([NRS 641.100](#), [641.170](#))

1. A supervisor shall not supervise a psychological assistant or psychological intern if that supervision involves a potential conflict of interest, including, without limitation, supervision of a psychological assistant or psychological intern:

(a) Who is a member of the supervisor's household;

(b) Who is related to the supervisor by blood, adoption or marriage, within the third degree of consanguinity or affinity;

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(c) With whom the supervisor has had or is having a dating relationship;

(d) With whom the supervisor has a financial or business relationship, including, without limitation, an agreement concerning compensation of the supervisor by the psychological assistant or psychological intern for his or her supervision, unless the financial or business relationship is approved by the Board or authorized by [NAC 641.154](#); and

(e) With whom the supervisor has a psychologist-patient relationship.

2. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R111-13, 10-24-2014)

NAC 641.1567 Duties of supervisor regarding preparation and maintenance of records and notification of Board. ([NRS 641.100](#), [641.170](#))

1. A supervisor shall prepare records that will enable him or her to:

(a) Effectively train and evaluate each psychological assistant or psychological intern whom he or she supervises; and

(b) Accurately determine the number of hours of supervised experience obtained by each psychological assistant or psychological intern whom he or she supervises.

2. A supervisor shall maintain all records relating to the supervision of a psychological assistant or psychological intern, including, without limitation, the records required to be maintained pursuant to [NAC 641.1517](#), [641.157](#), [641.159](#) and [641.219](#), for not less than 5 years after the last date of supervision. Upon request, such records must be available for inspection by the Board.

3. A supervisor shall notify the Board within 10 days after his or her supervision of a psychological assistant or psychological intern is completed or terminated.

4. A supervisor shall notify the Board of any change in his or her residential address or business address within 30 days after the change.

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R111-13, 10-24-2014; R038-16, 12-21-2016)

REVISER'S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on December 21, 2016 (LCB File No. R038-16), which amended this section, contains the following provision not included in NAC:

"Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of [NAC 641.080](#) until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC](#)

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[641.080](#), [641.1567](#), [641.158](#) and section 2 of this regulation [[NAC 641.1517](#)] until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.156](#) and [641.158](#) until his or her supervision of the psychological assistant is completed or terminated.”

NAC 641.157 Duties of supervisor regarding weekly meetings and individual supervision; grounds for discipline of supervisor. ([NRS 641.100](#), [641.170](#))

1. A supervisor shall meet with the psychological assistant or psychological intern whom he or she supervises at least once each week to discuss and critique the performance of the psychological assistant or psychological intern, as applicable.

2. A supervisor shall provide a psychological assistant whom he or she supervises with at least 4 hours of individual supervision each month.

3. A supervisor shall provide a psychological intern whom he or she supervises with at least the number of hours of individual supervision each week required pursuant to subparagraph (2) of paragraph (q) of subsection 5 of [NAC 641.080](#).

4. The supervisor shall document the hours of individual supervision provided pursuant to subsections 2 and 3.

5. A psychologist who does not adequately supervise a psychological assistant or psychological intern is subject to disciplinary action by the Board for committing an unethical practice contrary to the interest of the public.

(Added to NAC by Bd. of Psychological Exam’rs, eff. 7-7-82; A 8-3-88; R089-03, 1-18-2005; R111-13, 10-24-2014; R038-16, 12-21-2016)

NAC 641.158 Limitations on number of assistants, interns and supervisors. ([NRS 641.100](#), [641.170](#))

1. A psychologist may serve as a supervisor to:

(a) Not more than three psychological assistants;

(b) Not more than two psychological interns;

(c) A combination of not more than three psychological assistants and one psychological intern; or

(d) A combination of not more than two psychological assistants and not more than two psychological interns,
Ê at the same time.

2. A psychological assistant or psychological intern may not be employed by more than two supervisors at the same time.

(Added to NAC by Bd. of Psychological Exam’rs, eff. 8-3-88; A by R089-03, 1-18-2005; R111-13, 10-24-2014; R038-16, 12-21-2016)

REVISER’S NOTE.

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The regulation of the Board of Psychological Examiners filed with the Secretary of State on December 21, 2016 (LCB File No. R038-16), which amended this section, contains the following provision not included in NAC:

“Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of [NAC 641.080](#) until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.080](#), [641.1567](#), [641.158](#) and section 2 of this regulation [[NAC 641.1517](#)] until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of [NAC 641.156](#) and [641.158](#) until his or her supervision of the psychological assistant is completed or terminated.”

NAC 641.159 Log of experience. ([NRS 641.100](#), [641.170](#))

1. A supervisor and his or her psychological assistant or psychological intern shall keep a regular log of supervised professional experience intended to meet the requirements of paragraph (e) of subsection 1 of [NRS 641.170](#).

2. The log must show:

(a) The nature of the professional activities and services rendered by the psychological assistant or psychological intern;

(b) The population or clients served; and

(c) Any supervisory contacts.

3. Entries to the log must be verified by the supervisor and the psychological assistant or psychological intern.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R089-03, 1-18-2005; R111-13, 10-24-2014)

NAC 641.161 Responsibility to inform clients of status of assistant or intern; ethical and legal responsibility of supervisor for professional activities of assistant or intern; advertising or listing. ([NRS 641.100](#), [641.170](#))

1. A supervisor and his or her psychological assistant or psychological intern are responsible for informing clients of the status of the psychological assistant or psychological intern.

2. The supervisor is ethically and legally responsible for all professional activities undertaken by the psychological assistant or psychological intern.

3. A psychological assistant or psychological intern may not advertise or be listed on any roster, panel or directory of psychologists other than that published by the Board.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R111-13, 10-24-2014)

Unlicensed Personnel

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NAC 641.168 Psychological testing. ([NRS 641.100](#))

1. A licensed psychologist may have personnel who are not licensed pursuant to [chapter 641](#) of NRS perform the following types of psychological testing under the psychologist's direct supervision and periodic observation:

(a) Objective written psychological tests may be administered and scored only by a person who has successfully completed training to administer and score such tests.

(b) Objective tests that require a response other than in writing may be administered and scored only by a school psychologist or a person who has completed the training in psychometrics that is required for a master's degree.

(c) Projective tests may be administered and scored only by a psychological assistant or a psychological intern who has successfully completed training to administer and score such tests.

2. The results of a psychological test may be interpreted only by a psychological assistant or a psychological intern who has successfully completed training to interpret such a test.

3. The supervising psychologist is responsible at all times for the actions of the personnel who administer, score and interpret such psychological tests.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 7-11-94)

NONRESIDENT PSYCHOLOGICAL CONSULTANTS

NAC 641.169 Approval to practice. ([NRS 641.100](#), [641.410](#))

1. A psychologist who is invited to practice in Nevada pursuant to [NRS 641.410](#) shall submit to the Board:

(a) An application for approval to practice as a consultant in this State. The application must be submitted at least 30 days before the psychologist intends to begin practice in this State.

(b) A letter from the inviting psychologist stating that he or she will have primary responsibility for the professional conduct of the invited psychologist.

(c) A sworn statement by the invited psychologist that he or she will only practice as a consultant in this State.

2. An invited psychologist must obtain the approval of the Board before practicing as a consultant in this State.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 7-11-94) — (Substituted in revision for NAC 641.180)

PRACTICE BEFORE THE BOARD OF PSYCHOLOGICAL EXAMINERS

NAC 641.170 Requests for Board to adopt, file, amend or repeal regulations. ([NRS 641.100](#)) Any interested person or agency may request that the Board adopt, file, amend or repeal any of these regulations by letter addressed to the President or Secretary-Treasurer of the Board.

[Bd. of Psychological Exam'rs, § 641.020, eff. 12-14-78]

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NAC 641.172 Informal disposition of complaints. ([NRS 641.100](#)) If, after investigating a complaint, the Attorney General determines that the complaint does not justify or require formal disciplinary proceedings, the President or a person designated by the President may consider and resolve the complaint through informal conferences, meetings, agreements or other informal action as may be appropriate under the circumstances. Such informal action is held without prejudice to the Board, and formal proceedings may be instituted subsequently by the Board, the President or a person designated by the President for the same or related matters. If new evidence is discovered, the matter may, at any time, be reopened and investigated further if the circumstances so warrant.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

NAC 641.173 Pleadings. ([NRS 641.100](#))

1. Each pleading or paper filed with the Board in connection with a proceeding for a disciplinary action must be designated as an application, petition, complaint, answer or motion.

2. All pleadings, other than motions and complaints, brought by the Board on its own motion must be verified.

3. The Board may allow any pleading to be amended or corrected or any omission therein to be supplied.

4. Pleadings will be liberally construed and defects that do not affect substantial rights of the parties will be disregarded.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

NAC 641.174 Answer to formal complaint; motions. ([NRS 641.100](#))

1. An answer to a formal complaint reported to the Board by the Attorney General must be filed with the Board and service thereof made on parties of record within 15 days after service of the complaint, unless the Board for good cause extends the time by which the answer must be filed. Any matter that is alleged as an affirmative defense must be separately stated and numbered.

2. A respondent who fails to answer a complaint in a timely manner pursuant to subsection 1 shall be deemed to have denied the allegations set forth in the complaint generally and, unless otherwise allowed by the Board, is precluded from establishing any affirmative defense at the hearing. The Board will proceed with the matter based solely upon the issues set forth in the complaint unless the matter is continued by the Board.

3. Any motion upon the complaint must be filed before the answer is due. If it is not so filed, the objection must be raised in the answer.

4. If a motion is directed toward an answer, the motion must be filed within 5 days after service of the answer.

5. All other motions must be timely filed.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

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NAC 641.175 Representation by attorney; conduct at hearing. ([NRS 641.100](#))

1. A respondent may be represented by an attorney licensed to practice law in this State. If the attorney is not licensed to practice law in this State, he or she must be associated with an attorney who is so licensed. The respondent may appear on his or her own behalf.

2. An attorney appearing in a hearing before the Board shall ensure that his or her conduct complies with the Nevada Rules of Professional Conduct.

3. All persons appearing in a hearing before the Board shall conform to the standards of ethical and courteous conduct required in the courts of this State.

4. If a person fails to conform his or her conduct to the standards required by this section, the Board may:

- (a) Limit the evidence presented by that person; or
- (b) Exclude the person or his or her representative from the hearing.

5. Any action taken by the Board pursuant to this section and the specific reasons for that action will be stated on the record.

6. The respondent shall pay the cost for representation by his or her attorney at a hearing before the Board.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

NAC 641.176 Withdrawal of attorney. ([NRS 641.100](#)) An attorney may withdraw from representation of a respondent upon notice to the respondent and the Board. The notice must include the reason for the requested withdrawal. The Board may deny permission to withdraw if the withdrawal would unreasonably delay the hearing.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

NAC 641.177 Disciplinary hearings: Procedure; continuances. ([NRS 641.100](#), [641.280](#))

1. The Board will convene a disciplinary hearing at the time and place specified in the complaint and notice of hearing. The person presiding at the hearing may grant a continuance only upon:

- (a) A joint stipulation of the parties;
- (b) The existence of an emergency condition; or
- (c) A written request by a party filed at least 5 days before the date of the hearing and a showing by the party of good cause for the continuance. For the purpose of this paragraph, "good cause" must be narrowly construed.

2. A party requesting a continuance must appear on the date of the hearing and be prepared to proceed unless the request for a continuance has been made pursuant to a joint stipulation.

3. The hearing must proceed in the following manner unless the Board for good cause or to prevent manifest injustice orders otherwise:

- (a) An opening statement may be made on behalf of the Board or be waived.

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(b) An opening statement on behalf of the respondent may be made, reserved until the close of the Board's case or waived.

(c) Presentation of the Board's case, followed by cross-examination.

(d) Presentation of the respondent's case, followed by cross-examination.

(e) Rebuttal, which must be limited to issues previously raised. No new matter may be presented upon rebuttal unless the Board for good cause so permits.

(f) Argument on behalf of the Board, unless waived.

(g) Argument on behalf of the respondent, unless waived.

(h) Submittal of the matter for decision.

4. After the matter is submitted, the Board will render a decision and its order.

(Added to NAC by Bd. of Psychological Exam'rs by R077-02, eff. 7-25-2002)

STANDARDS OF CONDUCT

NAC 641.200 Applicability. ([NRS 641.100](#), [641.232](#))

1. The provisions of [NAC 641.200](#) to [641.255](#), inclusive:

(a) Apply to the conduct of any licensee or any applicant for licensure pursuant to this chapter and [chapter 641](#) of NRS, including conduct during any period of education, training or employment required for licensure.

(b) Constitute the standards of conduct which a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall follow in the provision of services.

2. A violation of the provisions of [NAC 641.200](#) to [641.255](#), inclusive, constitutes unprofessional conduct and is a ground for disciplinary action or the denial of an application for an initial license or the renewal of a license.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-24-90; A 12-28-95; R090-01, 2-7-2002; R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.204 Determination of organization as patient or client. ([NRS 641.100](#), [641.232](#)) An organization is a patient or client of a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ if the professional contract between the organization and the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ requires the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ to provide services primarily to the organization rather than to the persons in the organization.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.206 Authority of parent or legal guardian to make decisions concerning treatment; issues for which child or protected person is patient or client. ([NRS 641.100](#), [641.232](#)) If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ is treating a child or protected person, the parent or legal guardian of the child or protected person is the patient or client for the purpose of making decisions concerning treatment. The child or protected person who is receiving services

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from the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ is also the patient or client for:

1. Issues directly affecting the physical or emotional safety of the child or protected person, including, without limitation, sexual relationships or other exploitive dual relationships.

2. Issues which the parent or legal guardian has specifically agreed, before the child or protected person receives professional services, must be reserved to the child or protected person, including, without limitation, confidential communications between the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ and the child or protected person during the course of the professional relationship.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R153-97, 12-19-97; R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.207 Child custody evaluation. ([NRS 641.100](#))

1. A psychologist who performs a child custody evaluation shall:

(a) Ensure that his or her primary concerns in completing the child custody evaluation are the psychological interests and well-being of the child;

(b) Remain impartial and objective throughout the child custody evaluation;

(c) Not have or have had a relationship with the child, surrogate, parent or other legal guardian of the child other than as a psychologist performing the child custody evaluation unless ordered to perform such an evaluation by a court of competent jurisdiction that has knowledge that such a relationship exists or existed;

(d) Provide a child custody evaluation that is fair and unbiased;

(e) Gather and maintain the information necessary to complete the child custody evaluation, including, without limitation, information relating to:

(1) Each significant setting in which the child spends time;

(2) The recency and nature of the interactions of the child with each parental figure and other significant person in the child's life; and

(3) The developmental needs of the child;

(f) Provide an opportunity for the child to meet privately with the psychologist and express any concerns he or she may have;

(g) Determine whether other psychologists are evaluating the child and, if so, coordinate, to the extent possible, with those psychologists to minimize the possibility of conducting redundant child custody evaluations;

(h) Base his or her determination of the scope of the child custody evaluation on the best interests of the child, regardless of whether a request was made to evaluate only one aspect of the custody of the child;

(i) Before performing the child custody evaluation:

(1) Obtain the informed written consent of each adult being assessed who is participating in the child custody evaluation and, to the extent practicable, of the child who is the subject of the child custody evaluation;

(2) Inform each participant in the child custody evaluation, including, to the extent practicable, the child who is the subject of the child custody evaluation, of the conditions

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set forth in subsections 2, 3 and 4 of [NAC 641.224](#) pursuant to which the psychologist will disclose confidential information relating to the child custody evaluation;

(3) Inform each participant in the child custody evaluation, including, to the extent practicable, the child who is the subject of the child custody evaluation, of the limitations on the confidentiality of communications with the psychologist as required pursuant to subsections 5 and 6 of [NAC 641.224](#); and

(4) Clarify the cost of the child custody evaluation and obtain an agreement concerning the payment of fees;

(j) Base an opinion relating to child custody on the integration of all the information obtained as part of the child custody evaluation without placing an inappropriate emphasis on data relating to clinical assessment and after taking into consideration any limitations in the information obtained or the methods used to obtain the information; and

(k) Complete the child custody evaluation in a timely manner.

2. Except as otherwise provided in this subsection, a psychologist shall not render any opinion concerning the psychological functioning of any person who has not been personally evaluated by the psychologist for a child custody evaluation. A psychologist may report what a person personally evaluated by the psychologist in a child custody evaluation has stated about a person who has not been so evaluated or may address theoretical or hypothetical questions concerning such a person so long as the limited basis of the information is noted.

3. As used in this section:

(a) "Child custody evaluation" means any evaluation which is performed by a psychologist and which is intended to affect the legal relationship between a child and:

(1) The biological parent, adoptive parent or foster parent of the child;

(2) A surrogate; or

(3) Any other legal guardian of the child.

(b) "Surrogate" has the meaning ascribed to it in [NRS 126.045](#).

(Added to NAC by Bd. of Psychological Exam'rs by R090-01, eff. 2-7-2002; A by R077-02, 7-25-2002)

NAC 641.208 Scope of practice for psychologist: Competency required; acquisition and use of new service or technique; unnecessary treatment; referral of certain patients; basis for rendering formal professional opinion; provision of consultation, intervention and referrals relating to patient health; discussion or consultation regarding medication. ([NRS 641.100](#), [641.112](#)) A psychologist:

1. Shall limit his or her practice and supervision to the areas in which he or she has acquired competence through education, training and experience.

2. Shall not, except in an emergency in which the life or health of a person is in danger, practice or offer to practice beyond the scope of his or her license, or accept or perform any professional service which he or she knows, or has reason to know, he or she is not competent to perform.

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3. Shall not engage in conduct in the practice of psychology which evidences moral unfitness to practice the profession.

4. Shall maintain competence in the areas in which he or she practices through continuing education, consultation or other methods, in conformance with current standards of scientific and professional knowledge.

5. Shall, if employed by an agency, organization or institution, use every reasonable effort to assure that all services provided for patients are adequate in degree and scope, and conform to the highest professional standards.

6. Shall, if acquiring experience in a service or technique that is either new to the psychologist or new to the profession:

(a) Engage in continuing consultation with other psychologists or relevant professionals;

(b) Seek appropriate education and training in the new area; and

(c) Inform his or her patients of the innovative nature and known risks of the new service or technique to provide his or her patients with the freedom of choice concerning psychological services.

7. Shall not claim or use any secret or special method of treatment or evaluation not previously divulged to the Board.

8. Shall not, except for the purpose of research, use any method or technique of treatment or evaluation for which there is no adequate basis in research.

9. Shall not order any test or treatment, or the use of any facility for treatment, not warranted by the condition of the patient.

10. Shall refer or recommend referral of a patient to:

(a) Another professional; or

(b) Technical or administrative resources,

Ê if a referral is clearly in the best interests of the patient.

11. Shall, upon the request of a patient, refer the patient to another professional.

12. Shall not render a formal professional opinion about a person, including an opinion concerning the fitness of a parent in a child custody hearing, without having had direct and substantial professional contact with the person or without having made a formal assessment of the person.

13. May, within the scope of his or her license and competence, provide a patient with:

(a) Consultation and intervention regarding behavioral health and associated factors, including, without limitation, engagement in appropriate health behaviors and compliance with recommended treatment plans; and

(b) Referrals to appropriate health care providers for patient concerns of a medical or physical nature.

14. May, within the scope of his or her license and competence, discuss medications with a patient or consult with a physician regarding medication to be prescribed for the patient.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R127-14, 6-28-2016)

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

~~— **NAC 641.209 Scope of practice for licensed behavior analyst or licensed assistant behavior analyst: Competency required; use of new method, service or technique; referral of certain clients; basis for rendering formal professional opinion.** (NRS 641.100, 641.232, 641.395) — A licensed behavior analyst or licensed assistant behavior analyst:~~

~~— 1. Shall limit his or her practice and supervision to the areas in which he or she has acquired competence through education, training and experience.~~

~~— 2. Shall not, except in an emergency in which the life or health of a person is in danger, practice or offer to practice beyond the scope of his or her license, or perform any professional service which the licensed behavior analyst or licensed assistant behavior analyst knows, or has reason to know, that he or she is not competent to perform.~~

~~— 3. Shall not engage in conduct in the practice of applied behavior analysis which evidences moral unfitness to practice the profession.~~

~~— 4. Shall maintain competence in the areas in which he or she practices through continuing education, consultation or other methods, in conformance with current standards of scientific and professional knowledge.~~

~~— 5. Shall use every reasonable effort to ensure that all services provided to clients are adequate in degree and scope, and conform to the highest professional standards.~~

~~— 6. Shall, if acquiring experience in a method, service or technique for treatment or evaluation that is either new to the licensed behavior analyst or licensed assistant behavior analyst or new to the profession:~~

~~— (a) Engage in continuing consultation with other licensed behavior analysts or licensed assistant behavior analysts or relevant professionals;~~

~~— (b) Seek appropriate education and training in the new method, service or technique for treatment or evaluation; and~~

~~— (c) Inform clients of the innovative nature and known risks of the new method, service or technique for treatment or evaluation to provide the clients with the freedom of choice concerning applied behavior analysis services.~~

~~— 7. Shall not claim or use any secret or special method, service or technique for treatment or evaluation not previously disclosed to the Board.~~

~~— 8. Shall not, except for the purpose of research, use any method, service or technique for treatment or evaluation for which there is no adequate basis in research.~~

~~— 9. If a referral is clearly in the best interest of the client or upon request of a client, shall refer or recommend referral of a client to:~~

~~— (a) Another professional; or~~

~~— (b) Appropriate technical or administrative resources.~~

~~— 10. Shall not render a formal professional opinion about a person who is not a client without having had direct and substantial professional contact with the person or without having made a formal assessment of the person.~~

~~— (Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010)~~

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

NAC 641.210 Display of license by psychologist; communications with Board; notification of change of address or telephone number; professional fees; supervision of certain persons. ([NRS 641.100](#)) A psychologist:

1. Shall display his or her license in a conspicuous place on the premises of his or her office or place of employment.

2. Shall, except as otherwise provided in this subsection, respond within 30 days after receiving any written communication from the Board and shall make available any relevant record with respect to an inquiry or complaint about his or her professional conduct. If a communication is mailed to a psychologist by the Board, he or she shall respond to the communication within 30 days after it is mailed to him or her at the address shown on the records of the Board.

3. Shall notify the Board in writing of a change of address or telephone number within 30 days after the change.

4. Shall not mislead or withhold from a patient, prospective patient or other person who will be responsible for payment of the psychologist's services, information concerning the fee for the professional services of the psychologist.

5. Shall not directly or indirectly offer, give, solicit, receive or agree to receive any fee or other consideration for the referral of a patient.

6. Shall not permit any person, other than:

(a) A partner, employee or associate in his or her professional firm or corporation;

(b) A psychologist retained as a subcontractor or consultant; or

(c) A properly registered psychological assistant or psychological intern practicing under his or her supervision, except as otherwise provided in subsections 1 and 2 of [NAC 641.154](#),

to share in a fee for professional services. The prohibition of this subsection includes any arrangement or agreement whereby the amount paid for office space, facilities, equipment or personal services used by the psychologist is based upon the income or receipts of his or her practice.

7. Shall exercise appropriate supervision over any person who is authorized to practice psychological services under his or her supervision.

8. Shall not exploit a person who is authorized to practice psychological services under his or her supervision.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-24-90; A 12-28-95; R117-08, 12-17-2008; R111-13, 10-24-2014)

~~—NAC 641.213 Display of license by licensed behavior analyst or licensed assistant behavior analyst; response to communications from Board and availability of records relating to inquiries and complaints; notification of change of address or telephone number; professional fees; supervision of certain persons. (NRS 641.100, 641.232)~~

~~—1. A licensed behavior analyst or licensed assistant behavior analyst:~~

~~—(a) Shall display his or her license in a conspicuous place on the premises of his or her office or place of employment. A licensed behavior analyst or licensed assistant~~

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~~behavior analyst practicing outside of an office must have his or her wallet card, obtained pursuant to [NAC 641.029](#) or [641.031](#) available for production upon request.~~

~~—(b) Shall respond within 30 days after receiving communication from the Board and shall make available any relevant records with respect to an inquiry or complaint about his or her professional conduct.~~

~~—(c) Shall notify the Board in writing of a change of address or telephone number within 30 days after the change.~~

~~—(d) Shall not mislead or withhold from a client, prospective client or other person who will be responsible for payment of the services of the licensed behavior analyst or licensed assistant behavior analyst information concerning the fee for professional services.~~

~~—(e) Shall not directly or indirectly offer, give, solicit, receive or agree to receive any fee or other consideration for the referral of a client.~~

~~—2. A licensed behavior analyst or licensed assistant behavior analyst who is a supervisor:~~

~~—(a) Shall exercise appropriate supervision over any person who is authorized to practice applied behavior analysis under his or her supervision.~~

~~—(b) Shall not exploit a person who is authorized to practice applied behavior analysis under his or her supervision.~~

~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010; A by R127-14, 6-28-2016)~~

NAC 641.215 Disclosure to patient or legal representative; termination of services; care of patients and research subjects. ([NRS 641.100](#)) A psychologist:

1. Shall, in an appropriate manner, explain a patient's condition clearly and truthfully to the patient or the person responsible for the care of the patient.

2. Shall keep each patient fully informed of the purpose and nature of any evaluation, treatment or other procedure and the patient's right to choose the services provided.

3. Shall not perform any professional service that has not been authorized by the patient or his or her legal representative.

4. Shall explain clearly to a patient:

(a) The basis and extent of all contemplated services, fees and charges;

(b) The extent of the patient's personal responsibility for those fees; and

(c) The prospective benefits to be derived from and the known risks of such services.

5. Shall, upon termination of services to a patient, offer to make reasonable arrangements for the continuation of care, if such care is necessary.

6. Shall, if it is reasonably clear that a patient is not benefiting from the professional services provided by the psychologist, terminate the professional relationship with the patient after adequately preparing the patient for the termination.

7. Shall, during foreseeable periods of absence, make arrangements for another competent professional to provide emergency care for the patients under the care of the psychologist.

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8. Shall not abandon or neglect a patient under and in need of immediate professional care without making reasonable arrangements for the continuation of care.

9. Shall not abandon a professional employment by a group practice, hospital, clinic or other health care facility without reasonable notice.

10. Shall not impose on a patient any stereotypes of behavior, values or roles related to age, gender, religion, race, disability, nationality or sexual preference which would interfere with the objective provision of psychological services to the patient.

11. Shall not willfully harass, abuse or intimidate any patient or other person to whom he or she has a professional responsibility. The use of any lawful procedure or process for the collection of an unpaid fee is not a violation of this subsection.

12. Shall not exercise undue influence upon any patient or promote the sale to a patient of any service, good, appliance or drug in such a way as to exploit the patient for the financial gain of the psychologist or another person.

13. Shall, in the conduct of psychological research:

(a) Respect the dignity and protect the welfare of his or her research subjects;

(b) Comply with all relevant laws and regulations concerning the treatment of research subjects;

(c) Fully inform each person who is a prospective subject of research, or his or her authorized representative, of any danger of serious aftereffects before the person is used as a subject; and

(d) Use reasonable efforts to remove any possible harmful aftereffects of emotional stress as soon as the design of the research permits.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95)

NAC 641.219 Maintenance and availability of records. ([NRS 641.100](#), [641.232](#))

1. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall maintain a record for each patient or client that includes:

(a) The presenting problem or purpose or diagnosis;

(b) The fee arrangement, if any;

(c) The date and type of evaluation or treatment provided to the patient or client;

(d) The results of tests or other evaluations and the data from which the results were derived;

(e) A description of any consultations with other professionals regarding the patient or client and the results of such consultations; and

(f) A copy of all tests and other evaluative reports which were prepared in the course of the professional relationship.

2. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall maintain the record of each patient or client for not less than 5 years after the last date that service was rendered to the patient or client, except that the record of a patient or client who is a minor must be maintained for not less than 5 years after the last date that service was rendered or 1 year after the patient or client reaches 21 years of age, whichever is longer. A psychologist, ~~licensed behavior analyst or licensed assistant~~

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~~behavior analyst~~ shall comply with all other state and federal laws and regulations concerning the maintenance of records, including a law or regulation which requires him or her to maintain records for a longer period than required by this subsection.

3. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall comply with all state and federal laws governing a patient's or client's right to have access to his or her records.

~~4. A psychologist, licensed behavior analyst or licensed assistant behavior analyst who provides supervision of a licensed behavior analyst or licensed assistant behavior analyst shall maintain for not less than 5 years after the last date of supervision, a record of the supervisory session, including, but not limited to, information regarding the type, place and general content of the session.~~

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R089-03, 1-18-2005; R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.224 Confidential information. ([NRS 641.100](#), [641.232](#))

1. If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ provides services to an organization, information he or she obtains in the course of providing the services is confidential, including any personal information concerning a person in the organization if the information was properly obtained within the scope of his or her professional contract with the organization. Personal information concerning a person in the organization is subject to the confidential control of the organization unless the person who disclosed the information had a reasonable expectation that the information was disclosed pursuant to a separate professional relationship with the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ and would not be disclosed to the organization.

2. During the course of a professional relationship with a patient or client and after the relationship is terminated, ~~a psychologist, licensed behavior analyst or licensed assistant behavior analyst~~ shall protect all confidential information obtained in the course of his or her practice, teaching or research, or in the performance of any other services related to his or her profession. Except as otherwise provided in this section, a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information only if he or she obtains the informed written consent of the patient or client.

3. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information without the informed written consent of a patient or client if the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ believes that disclosure of the information is necessary to protect against a clear and substantial risk of imminent serious harm by the patient or client to the patient or client or another person and:

(a) The disclosure is limited to such persons and information as are consistent with the standards of the profession of psychology ~~or applied behavior analysis~~ in addressing such problems.

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(b) If the patient or client is an organization, the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has made a reasonable but unsuccessful attempt to correct the problems within the organization.

4. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information without the informed written consent of a patient or client if:

(a) A member of the judiciary, or a court magistrate or administrator to whom authority has been lawfully delegated, orders the disclosure; or

(b) Disclosure is required by a state or federal law or regulation, including a law or regulation that requires a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ to report the abuse of a child or elderly person.

5. If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ renders services to more than one person, including services rendered to an organization, family, couple, group, or a child and a parent, the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall, before he or she begins to render the services, explain to each person the relevant limitations on confidentiality during the course of the professional relationship. If appropriate, the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall grant to each person an opportunity to discuss and accept the limitations on confidentiality that will apply.

6. If a patient or client is a child or has a legal guardian, a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall, before he or she renders services, inform the patient or client to the extent that the patient or client can understand, of any legal limitations on the confidentiality of communications with the psychologist.

7. With the written consent of a patient, a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall provide in a timely manner to another responsible professional who is treating the patient or client any information which is important for the professional to know in making decisions concerning the ongoing diagnosis and treatment of the patient or client.

8. If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ uses the case history of a patient or client in his or her teaching, research or published reports, he or she shall exercise reasonable care to ensure that all confidential information is appropriately disguised to prevent the identification of the patient or client.

9. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall:

(a) Store and dispose of any written, electronic or other records in a manner which ensures the confidentiality of the content of the records;

(b) Limit access to the records of his or her patients or clients to protect the confidentiality of the information contained in the records;

(c) Ensure that all persons working under his or her authority comply with the requirements of this section to protect the confidentiality of each patient or client; and

(d) Obtain the informed written consent of a patient or client before the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ electronically records or

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allows another person to observe a diagnostic interview or therapeutic session with the patient or client.

10. As used in this section, "confidential information" means information disclosed by a patient or client to a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ during the course of a professional relationship, or otherwise obtained by the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ during the course of the relationship, if there is a reasonable expectation that because of the relationship between the patient or client and the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ or the circumstances under which the information was obtained, the information will not be disclosed by the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ without the informed written consent of the patient or client.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R089-03, 1-18-2005; R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.229 Impairment of licensee; limitation on contact with current or former patient or client. ([NRS 641.100](#), [641.232](#))

1. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not begin or continue a professional relationship with a patient or client if the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ is impaired, or has received notification from the Board that the Board reasonably suspects him or her to be impaired, because of mental, emotional, physiological, pharmacological or substance abuse problems. If such a problem develops during the course of a professional relationship, the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall:

- (a) Terminate the relationship;
- (b) Notify the patient or client in writing of the termination; and
- (c) Assist the patient or client in obtaining services from another professional.

2. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not begin or continue a professional relationship with a patient or client if the objectivity or competency of the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ is impaired, or if the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has received notification from the Board that the Board reasonably suspects his or her objectivity or competency to be impaired, because the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has or had a family, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the patient or client or a person associated with or related to the patient or client.

3. If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has rendered professional services to a person, the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not:

- (a) Engage in any verbal or physical behavior with the person which is sexually seductive, demeaning or harassing;

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(b) Engage in sexual contact with the person; or

(c) Enter into a financial or other potentially exploitive relationship with the person, for at least 2 years after the termination of the professional relationship, or for an indefinite time if the person is clearly vulnerable to exploitive influence by the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ because of an emotional or cognitive disorder.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R117-08, 12-17-2008; R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.234 Assessment procedures: Communication of results to patient or client; limitations on use. ([NRS 641.100](#), [641.232](#))

1. If a psychologist ~~or licensed behavior analyst~~ communicates the results of an assessment procedure to a patient or client or to the legal guardian, parents or agent of a patient or client, he or she shall:

(a) Use appropriate interpretive aids to explain the results in a manner which is understandable; and

(b) Include in the explanation any deficiencies of the assessment procedure and factors which may affect the validity, reliability or other interpretation of the results.

2. A psychologist ~~or licensed behavior analyst~~ shall not reproduce or describe in any popular publications, lectures or public presentations, psychological tests or other assessment procedures in a manner which may invalidate the tests or procedures.

3. If a psychologist ~~or licensed behavior analyst~~ offers to other professionals an assessment procedure or automated interpretation service, he or she shall:

(a) Provide a manual or other written material which fully describes the development of the procedure or service, the rationale therefor, evidence of the validity and reliability thereof, and characteristics of the group of persons which the procedure or service uses as a norm;

(b) Explicitly state the purpose and application for which the procedure or service is recommended;

(c) Identify special requirements which are necessary to administer and interpret the procedure or service properly; and

(d) Ensure that advertisements for the procedure or service provide an accurate description of the procedure or service.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R209-09, 10-15-2010)

NAC 641.239 Misrepresentation of professional qualifications, affiliations, services, products or psychological findings. ([NRS 641.100](#), [641.232](#))

1. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not directly or by implication misrepresent:

(a) His or her professional qualifications, including the education he or she has received, the experience he or she has acquired or the areas of his or her professional competence.

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(b) His or her affiliations or the purposes or characteristics of the institutions and associations with which he or she is associated.

2. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall correct any other person who the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ knows has misrepresented the professional qualifications or affiliations of the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~.

3. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not include false or misleading information in his or her public statements concerning the professional services he or she offers.

4. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not guarantee that satisfaction or a cure will result from the performance of his or her professional services.

5. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not associate with or permit his or her name to be associated with any service or product in a manner which misrepresents:

- (a) The service or product;
- (b) The degree of his or her responsibility for the service or product; or
- (c) The nature of his or her association with the service or product.

6. A psychologist shall not distort, misuse or suppress any psychological finding, and shall attempt to prevent, using all reasonable means, the distortion, misuse or suppression of any psychological finding by any institution of which he or she is an employee.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.241 Aiding in unlawful practice of psychology ~~or applied behavior analysis~~; improper delegation of professional responsibilities; reporting of violation and exception. ([NRS 641.100](#), [641.232](#))

1. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not aid or abet another person in misrepresenting the person's professional credentials or illegally engaging in the practice of psychology ~~or applied behavior analysis~~.

2. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not delegate any of his or her professional responsibilities to a person he or she knows, or has reason to know, is not qualified because of a lack of adequate education, training or experience.

3. If a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has substantial reason to believe that another person has violated any provision of this chapter or [chapter 641](#) of NRS, he or she shall inform the Board in writing of the violation, except that if the psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ has knowledge of the violation because of his or her professional relationship with a patient or client, he or she may report the violation only if he or she has the informed written consent of the patient or client. The provisions of [NAC 641.200](#) to [641.255](#),

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inclusive, do not relieve a psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ of the duty to file any report otherwise required by state or federal law or regulation.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R209-09, 10-15-2010; R127-14, 6-28-2016)

NAC 641.245 Violation of law or regulation; use of fraud, misrepresentation or deception; improper filing of reports; violation of probation; failure to pay child support or to comply with certain warrants or subpoenas relating to determination of paternity or child support. ([NRS 641.100](#), [641.232](#))

1. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not violate any law or regulation which governs the practice of psychology ~~or applied behavior analysis, as applicable~~.

2. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not use fraud, misrepresentation or deception:

(a) To obtain a license or pass an examination required for licensure;

(b) To assist another person in obtaining a license or passing an examination required for licensure;

(c) In billing a patient or client or other person who is responsible for payment;

(d) In providing his or her professional services;

(e) In reporting the results of any evaluation or service related to the practice of psychology ~~or applied behavior analysis, as applicable~~; or

(f) To conduct any other activity related to the practice of psychology ~~or applied behavior analysis, as applicable~~.

3. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not willfully make or file any false report, fail to file any report required by law or by the Board, willfully impede or obstruct any such filing, or induce another person to engage in any act prohibited by this subsection.

4. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not violate any condition, limitation or term of probation imposed upon him or her by the Board.

5. A psychologist, ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not:

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 12-28-95; A by R153-97, 12-19-97; R209-09, 10-15-2010; R127-14, 6-28-2016)

Note: This document was downloaded from the online Nevada Law Library and may not include all changes adopted since January 2019. For the purposes of deleting references to behavior analysis and behavior analysts, the information is correct.

NAC 641.250 *Ethical Principles of Psychologists and Code of Conduct*: Adoption by reference; controlling provisions; revision. ([NRS 641.100](#))

1. The provisions set forth in the most recent edition of the *Ethical Principles of Psychologists and Code of Conduct* adopted by the American Psychological Association are hereby adopted by reference and incorporated herein, unless the Board gives notice that the most recent edition is not suitable for this State pursuant to subsection 2 and except to the extent that those provisions conflict with the provisions of [NAC 641.200](#) to [641.255](#), inclusive, in which case the provisions of [NAC 641.200](#) to [641.255](#), inclusive, are controlling. A copy of the publication may be obtained free of charge from the American Psychological Association at 750 First Street, N.E. Washington, D.C., 20002-4242, Attention: Service Center, at the Internet address <http://www.apa.org/ethics/code.html> or by telephone at (202) 336-5500.

2. If the publication adopted by reference pursuant to subsection 1 is revised, the Board will review the revision to ensure its suitability for this State. If the Board determines that the revision is not suitable for this State, the Board will hold a public hearing to review its determination within 6 months after the date of publication of the revision and give notice of that hearing. If, after the hearing, the Board does not revise its determination, the Board will give notice within 30 days after the hearing that the revision is not suitable for this State. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-24-90; A 12-28-95; R089-03, 1-18-2005)

~~— **NAC 641.255 "Professional and Ethical Compliance Code for Behavior Analysts": Adoption by reference; controlling provisions; revision. ([NRS 641.100](#), [641.232](#))**~~

~~— 1. The provisions which set forth the guidelines for conduct for behavior analysts which are contained in the most recent version of the "Professional and Ethical Compliance Code for Behavior Analysts" provided by the Behavior Analyst Certification Board, Inc., or its successor organization, are hereby adopted by reference and incorporated herein, unless the Board gives notice that the most recent version is not suitable for this State pursuant to subsection 2, and except to the extent that those provisions conflict with the provisions of [NAC 641.200](#) to [641.255](#), inclusive, in which case the provisions of [NAC 641.200](#) to [641.255](#), inclusive, will control. A copy of the publication may be obtained free of charge from the Behavior Analyst Certification Board, Inc., at the Internet address <http://bacb.com/ethics-code/>.~~

~~— 2. If the publication adopted by reference in subsection 1 is revised, the Board will review the revision to ensure its suitability for this State. If the Board determines that the revision is not suitable for this State, the Board will hold a public hearing to review its determination within 6 months after the date of publication of the revision and give notice of that hearing to all licensed behavior analysts and licensed assistant behavior analysts. If, after the hearing, the Board does not revise its determination, the Board will give notice within 30 days after the hearing that the revision is not suitable for this State. If~~

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~~the Board does not give such notice, the revision becomes part of the publication adopted by reference in subsection 1.~~

~~—(Added to NAC by Bd. of Psychological Exam'rs by R209-09, eff. 10-15-2010; A by R127-14, 6-28-2016)~~



STATE OF NEVADA
BOARD OF PSYCHOLOGICAL EXAMINERS
Board Meeting Staff Report

Item:

19. DISCUSSION OF U.S. DISTRICT COURT CASE 2:20-CV-00651-KJD-VCF WHERE THE STATE OF BOARD PSYCHOLOGICAL EXAMINERS IS A NAMED DEFENDANT.

Summary:

An update, if any, on the status of this matter shall be presented.



STATE OF NEVADA
BOARD OF PSYCHOLOGICAL EXAMINERS
Board Meeting Staff Report

Item:

20. DISCUSSION AND POSSIBLE ACTION TO REVIEW, MAKE ADJUSTMENTS TO AND/OR APPROVE THE PERFORMANCE EVALUATION OF EXECUTIVE DIRECTOR LISA SCURRY

Summary:

Board President, Dr. Whitney Owens, has drafted the performance evaluation of Executive Director Lisa Scurry and will present it to the Board for their consideration and approval.



**NEVADA STATE
BOARD OF PSYCHOLOGICAL EXAMINERS**

Executive Director Performance Evaluation Instrument

NAME: Lisa Scurry _____

1. The overall rating must be consistent with the factor rating and comments, but there is no prescribed formula for computing the overall rating.
 - a. Rating System
 - i. Outstanding. Performance significantly exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Significantly above-standard performance may be exhibited by consistently completing assignments in advance of deadlines; implementing plans and/or procedures to increase efficiency or effectiveness of work; working independently with little direction; and consistently meeting Board goals.
 - ii. Above Average. Performance exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Performance is beyond what is expected of an Executive Director in this position.
 - iii. Average. Performance meets the minimum expectations of the Board. The Executive Director adequately performs the duties and responsibilities of the position.
 - iv. Needs Improvement. The Executive Director's performance fails to meet the Board's minimum expectations due to lack of effort and/or ability when considering the job in its entirety. Performance requires improvement in numerous and/or important aspects of the position.
 - v. Not Applicable. Rater is unable to assess the Executive Director in this area, or the area is not applicable to the employee's job.
 - b. Evaluation Tool Instructions
 - i. To indicate the rating of any performance factor, an "X" mark should be placed in the appropriate rating column and in the "Overall Rating" column on each page. Additional spaces have been provided to accommodate other critical performance factors identified by the Board.
 - ii. Comments may:
 1. Include factual examples of work especially well or poorly done, and
 2. Provide suggestions as to how performance can be improved.
 - iii. The Overall Ratings must be consistent with the factor ratings and comments, but there is no prescribed formula for computing the overall rating.
 - iv. Overall Comments may consist of a summary of comments from specific categories, general comments, or comments on other job-related factors which the rater wishes to discuss. Additional pages may be attached.

OVERALL RATING:

Outstanding Above Average Average Needs Improvement

Overall Comments (Attach additional pages, if necessary)

Ms Scurry came in to her position as the Executive Director during a global pandemic and with no training other than board members who have never directly worked in the board office. She stepped into an empty office, and after a year, has recreated more streamlined processes, increased the confidence of our licensees and applicants, and has created identifiable organization in the board office. While Ms. Scurry has had close oversight and guidance from the board president and the board, she has begun to emerge as a leader of the board and has increased her understanding and knowledge of the regulation of the psychology profession in Nevada.

Ms. Scurry is a pleasure to work with. She is consistent, timely, open to feedback, and pushes herself to learn, grow, and evolve with evolving needs. She has worked to innovate office processes, while being mindful of our budgetary limitations and needs. Ms. Scurry has worked to develop healthy working relationships with board staff, investigators, and members. Ms. Scurry will continue to grow her relationships with the board and the public, as the world reopens from COVID-19.

This review is a reflection of Ms. Scurry’s hard work and dedication to learning this new position. Any “Average” scores are a reflection of a steep learning curve and areas where we would like to see her grow over the following year. These are not currently areas in need of remediation and are not a cause for concern at this time. I am confident that Ms. Scurry will continue to learn and grow into her job as our Executive Director over the following year.

I have participated in a discussion of overall job performance:

Executive Director

I, _____

Agree Disagree, with the rating(s) expressed in this performance

review. (additional documents/evidence may be attached, as necessary)

Signature: _____ Date: _____

Board President

Signature: _____ Date: _____

	1. Relationship with the Board	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Maintains respect and trust of Board members.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Provides Board with advice during consideration of issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Keeps Board informed of progress of Board programs on a regular basis.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Remains impartial and treats all Board members in a professional manner.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Functions as effective liaison between Board and Board Staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Provides Board with complete, clear, and accurate reports, minutes, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Responds promptly to requests for information.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Is readily available to Board members.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Responds to constructive suggestions or criticism.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OVERALL RATING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Relationship with the Board

Comments: (Attach additional pages, if necessary.)

Ms. Scurry keeps board staff very well informed of changes in the board office. She often brings ideas and changes that allow for board meetings to run more efficiently and smoothly. She appears to care deeply for the board members and their ideas and needs, and works hard to accommodate to them. Ms. Scurry's meeting minutes are clear, thorough, and have helped the board stay on track from month to month. She organizes board business in a comprehensive way that allows for ease of access in the virtual platform.

One of Ms. Scurry's strengths is her ability to accept critical feedback. She is open to feedback from board members and the public, and quickly makes suggested changes, even when it is difficult to do so. She specifically apologizes and takes accountability for her mistakes and remedies them without elaborate coaching from others.

The board would benefit from Ms. Scurry gaining more confidence in sharing her ideas and opinions with the board during discussions, especially as it relates to legislation, another area of strength for Ms. Scurry. I imagine that as she becomes more knowledgeable about the profession and regulation of psychology, she will feel more confident to share her opinions and beliefs.

	2. Execution of Board Policy	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Understands and complies with the overall policies, laws, and regulations of the Board.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Implements Board policies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Efforts lead toward successful accomplishment of goals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Ensures effective and efficient management of enforcement and licensing programs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Keeps Board apprised of licensing and enforcement program and process developments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Manages Board legislative program and efforts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Manages sunset review process.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OVERALL RATING:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Execution of Board Policy

Comments: (Attach additional pages, if necessary.)

Ms. Scurry has taken on a huge task of learning the ins and outs of processing 6-8 different levels of licensure and the process for each of them. This is a highly technical task that has many shades of gray, and it has taken time to learn and master each of them. Additionally, Ms. Scurry has assisted the president in streamlining these processes over the past year. Given that she did not receive training on how to complete licensure from start to finish, she has come a significant way in the past year in learning this part of her job.

Ms. Scurry has done a great job of solidifying processes and procedures for the board office. On an almost monthly basis, she has written a new policy for the board to review to ensure that we have a centralized location for our policies and a way to review them and update them when necessary. She is a rule follower, which suits her well in this role.

As this was Ms. Scurry's first sunset review, she did well with the information she had. I imagine our sunset review this year will be a much smoother process. I would like to see Ms. Scurry gain more confidence in her communication of legislative concerns to the board, as her understanding of the law and legislation is a major strength of hers.

	3. Administrative Functions	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Plans, organizes and directs Board administrative functions and staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Provides oversight, direction, and management of the Board's annual budget, expenditures and revenues.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Keeps Board apprised of budget developments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Identifies, recommends and, as directed, seeks necessary changes to laws and regulations through proposed legislation and/or the Office of Administrative Law.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Ensures compliance and enforcement of departmental, state, and federal policies and procedures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Develops and executes sound personnel practices and procedures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OVERALL RATING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Administrative Functions

Comments: (Attach additional pages, if necessary.)

Ms. Scurry has consistently updated the board about budget concerns and issues. She works closely with the bookkeeper to keep good record of our income and expenditures that is easy to read and follow for the board and the public. She has done an incredible job of solidifying processes and procedures that are recreatable and understandable. Ms. Scurry has immediately remediated any areas where the board office has been out of compliance of state or federal policies or procedures, and has created a way of ensuring future compliance.

Ms. Scurry will likely continue to do better with our budget in the future as she continues to learn and identify needs for the board office.

As a board concerned with the health and welfare of public health, we need to identify a path for Ms. Scurry to be able to access basic health care through paying or partially paying for her health insurance.

	4. Public Liaison	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Represents the Board before the public.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Directs consumer outreach programs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Manages Board's public relations effort.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Directs liaison with educational institutions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Solicits and gives attention to problems and opinions of all groups and individuals.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Represents the Board before industry associations to provide information regarding the Board's laws, regulations, programs, and policies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OVERALL RATING:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Public Liaison

Comments: (Attach additional pages, if necessary.)

Ms. Scurry came into this position during a global pandemic. Even still, she has created good working relationships with our licensees, applicants, LCB, ASPPB staff, and other mental health boards. As Ms. Scurry continues to learn her position and is able to attend more functions in person, she will continue to grow relationships and be able to be a reliable source about the regulation of psychologists in Nevada.

It will be helpful for Ms. Scurry to gain more experience in testifying about our bills and about legislation. Additionally, it will be helpful for Ms. Scurry to increase her skill in communicating to licensees through the database to provide up-to-date information on a regular basis. Neither of these are criticisms, but opportunities for growth as she becomes more and more familiar with regulation concerns for psychologists.

	5. Board Office	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Keeps Board informed of Board issues, problems, and accomplishments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Maintains a positive working relationship with other state agencies and programs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Keeps the Board apprised of key budget issues.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Provides oversight, direction, and management of Board staff's recruitments, development, and performance. Follows sound personnel practices and procedures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Conforms to State and Board mandated trainings and other administrative requirements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Monitors validity/defensibility of examinations and provides appropriate recommendations for action.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Manages sunset review process.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OVERALL RATING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Board Office

Comments: (Attach additional pages, if necessary.)

Ms. Scurry has done an incredible job with communicating with the board on a regular basis. She does not shy away from communicating everything with the board and the board president, even when it does not make her look good. Her openness to learning and growing is her best trait. Ms. Scurry has excelled in keeping the board office organized and developing procedures to ensure continued efficiency and ease of operating the office.

Ms. Scurry has been a key player in her management of the state exam. She has been open and willing to work with the exam chair, contracted staff, and the president to work towards an exam process that is efficient, effective, and allows for quicker turnaround times for applicants. We are lucky to have had her through this process this year.



**NEVADA STATE
BOARD OF PSYCHOLOGICAL EXAMINERS
Staff Performance Evaluation Procedure**

Purpose

In accordance with Nevada state law (NRS 641.045), this procedure describes the process for reviewing the performance of the staff of the Nevada State Board of Psychological Examiners ("Board").

Definitions

1. "Staff member" refers to a permanent staff member(s) in the Board office. It does not include Board investigators, temporary employees, or independent contractors/consultants.
2. "Work Performance Standards" are written statements of the results and/or behavior expected of an employee when the job elements are satisfactorily performed under existing working conditions. Standards are required for all positions, and employees will be provided with a copy of the standards for their positions.

Procedure

1. The staff performance evaluation process is based on the principle that performance should be evaluated on a regular basis in order to provide recognition of effective performance and as a tool to provide guidance in improving future performance.
2. Executive Director Performance Evaluation
 - a. Evaluation of the Executive Director shall be conducted by the Board President. If the Board President is not able or available to conduct the evaluation, the Secretary-Treasurer shall conduct the evaluation.
 - b. The Executive Director shall have the opportunity to provide a self-evaluation and to comment on the evaluation prior to review by the Board. The Board President will discuss the evaluation with the Executive Director and provide him/her with a copy.
 - c. The Executive Director shall sign the final evaluation, indicating that he/she has reviewed the document and discussed it with the Board President. The signature does not indicate agreement with the ratings or comments.
 - d. The Board shall formally review and take action on the annual evaluation in a publicly noticed meeting.

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- e. The performance review of the Executive Director shall be conducted on an annual basis, generally in March/April for review by the Board in May/June.
 - i. In the Executive Director's first year of employment, the Board President may conduct informal performance reviews on a quarterly basis until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.
 - f. If an evaluation rating of "Needs Improvement" is given, another evaluation must be completed within 90 days. The rating may affect adjustments in salary based on merit and longevity pay.
 - g. Rating System
 - i. Outstanding. Performance significantly exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Significantly above-standard performance may be exhibited by consistently completing assignments in advance of deadlines; implementing plans and/or procedures to increase efficiency or effectiveness of work; working independently with little direction; and consistently meeting Board goals.
 - ii. Above Average. Performance exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Performance is beyond what is expected of an Executive Director in this position.
 - iii. Average. Performance meets the minimum expectations of the Board. The Executive Director adequately performs the duties and responsibilities of the position.
 - iv. Needs Improvement. The Executive Director's performance fails to meet the Board's minimum expectations due to lack of effort and/or ability when considering the job in its entirety. Performance requires improvement in numerous and/or important aspects of the position.
 - v. Not Applicable. Rater is unable to assess the Executive Director in this area, or the area is not applicable to the employee's job.

3. Office Staff Performance Evaluation

- a. Evaluation of other office staff shall be conducted by the Executive Director.

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- b. Staff shall have the opportunity to provide a self-evaluation and to comment on his/her evaluation prior to review and discussion with the Executive Director. The Executive Director will discuss the evaluation with the staff member and provide him/her with a copy.
 - c. The staff member shall sign the final evaluation, indicating that he/she has reviewed the document and discussed it with the Executive Director. The signature does not indicate agreement with the ratings or comments.
 - d. The Board shall formally review and take action on the annual evaluation in a publicly noticed meeting.
 - e. The performance review shall be conducted on an annual basis, generally in March/April for review by the Board in May/June.
 - i. In a staff member's first year of employment, the Executive Director may conduct informal performance reviews on a quarterly basis until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.
 - f. Rating System. The rating system for office staff shall mirror that of the executive director using the ratings categories of Outstanding, Above Average, Average, Needs Improvement, and Not Applicable.
 - g. The performance review of staff shall be conducted on an annual basis, generally in April.
 - i. Employees in their first year of employment shall be considered probationary and will be every three months until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.
4. Disputes
- a. The Executive Director may discuss any concerns or questions related to the evaluation conducted by the Board President with the Board during the publicly noticed meeting. The finding of the Board is final, and no further appeal of the evaluation is available.
 - b. Staff may bring any concerns or questions related to the evaluation conducted by the Executive Director to the Board during the publicly noticed meeting. The finding of the Board is final, and no further appeal of the evaluation is available.
5. Records Retention. The original copy of any evaluation will be maintained by the Board Office, in the Executive Officer or other staff member's Personnel File.

6. See Board Policy "Employment, Compensation, and Evaluation" for information related to annual pay increases and disputes related to performance evaluation.