

**PUBLIC NOTICE OF A MEETING FOR  
STATE OF NEVADA BOARD OF PSYCHOLOGICAL EXAMINERS**

DATE OF MEETING: Friday, June 11, 2021      Time: 8:30 a.m.

The physical meeting location is the Office of the State of Nevada Board of Psychological Examiners (Board), 4600 Kietzke Lane, Suite B-116, Reno, Nevada, 89502. The meeting may also be attended by video- or teleconferencing through *Zoom*. To participate remotely, individuals are invited to enter the meeting from the Zoom website at: <https://zoom.us/j/92926181260>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: 929 2618 1260.

The Board office recommends that individuals unfamiliar with ZOOM visit the website in advance to familiarize themselves with the format by viewing the online tutorials and reading the FAQs. To learn more about Zoom, go to <https://zoom.us/>.

The Board will also receive public comment via email. Those wishing to make public comment should email their public comments to the Board office at [nbop@govmail.state.nv.us](mailto:nbop@govmail.state.nv.us). Written public comments received prior to the start of the meeting will be forwarded to the Board for their consideration. Public comments will be included in the public record (meeting minutes) but will not necessarily be read aloud during the meeting. In compliance with Nevada Revised Statutes (NRS) Chapter 241 (Open Meeting Law), the Board is precluded from taking action on items raised by public comment which are not already on the agenda.

Please Note: The Board may take items out of order, combine items for consideration, and items may be pulled or removed from the agenda at any time. Public comment will be taken at the beginning and end of the meeting. The public may provide comment on any matter whether or not that matter is a specific topic on the agenda. However, prior to the commencement and conclusion of a contested case or quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment on that item. (NRS 233B.126) Public comment that is willfully disruptive is prohibited, and individuals who willfully disrupt the meeting may be removed from the meeting. (NRS 241.030(5)(b)) The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030). Once all items on the agenda are completed, the meeting will adjourn.

**AGENDA**

1. Call To Order/Roll Call to Determine the Presence of a Quorum.
2. Public Comment. Note: Public comment is welcomed by the Board and may be limited to three minutes per person at the discretion of the Board President. Public comment will be allowed at the beginning and end of the meeting, as noted on the agenda. The Board President may allow additional time to be given a speaker as

time allows and in their sole discretion. Comments will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken (NRS 241.020)

3. (For Possible Action) Discussion and Possible Approval of the Minutes of the Meeting of the State of Nevada Board of Psychological Examiners from May 14, 2021.
4. Financial Report
  - A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for F/Y 2021 (July 1, 2020, Through June 30, 2021).
  - B. (For Possible Action) Discussion and Possible Action to Approve the Renewal of the Independent Contractor Agreement of Michelle Fox to perform Bookkeeper Services for Fiscal Year 2022 in an Amount not to Exceed \$2,000
  - C. (For Possible Action) Discussion and Possible Action to Provide Direction to the Executive Director Related to obtaining the services of an accounting firm to perform the Fiscal Year 2021 external auditor, including approval of the potential cost at not more than \$12,000
  - D. (For Possible Action) Discussion and Possible Action to Approve a Pay Raise of Not Less than 2% of the Current Annual Salary for Executive Director Lisa Scurry Beginning July 1, 2021 for Fiscal Year 2022
5. Board Needs and Operations
  - A. (For Possible Action) Discussion and Possible Action to Select Officers for the State of Nevada Board of Psychological Examiners for a One-Year Term from July 1, 2021, through June 30, 2022, from the Current Board Membership. Officers to be Selected may Include President, Secretary/Treasurer, Continuing Education Officer, and Exam Officer.
  - B. (For Possible Action) Discussion and Possible Action to Renew the Current ATEAM Members (Whitney Owens, Stephanie Holland, Stephanie Woodard) for an additional One-Year Term from July 1, 2021, through June 30, 2022.
  - C. (For Possible Action) Discussion and Possible Action to Select the PsyPact Commissioner from Current Board Membership or Other Licensed Psychologists in the State of Nevada for a One-Year Term Beginning July 1, 2021, and Ending June 30, 2022, from the Current Board Membership.
  - D. Update and Report from the Nevada Psychological Association
  - E. Update on the Activities of the Application, Tracking Equivalency, and Mobility (ATEAM) Committee

F. Report From the Executive Director on Board Office Operations

6. (For Possible Action) Discussion and Possible Action to Provide Guidance on Matters Related to the Covid-19 Pandemic and Governor Sisolak's Directive 011. Discussion May Include Licensure Renewal, Continuing Education Credits, Temporary Licensure, Supervision Concerns, Obtaining Clinical Hours for Licensure, and the Use of Telepsychology and Interjurisdictional Practice.
7. (For Possible Action) Discussion and Possible Action to Consider Options for Temporary Licensure to Ensure Continuity of Care for Patients Being Seen by Out-Of-State Providers when the Provisions of Directive 011 Expire
8. (For Possible Action) Review, Discussion, and Possible Action on Pending Consumer Complaints:
  - A. Complaint #19-0626
  - B. Complaint #19-0709
  - C. Complaint #19-1106
  - D. Complaint #19-1223
  - E. Complaint #20-0501
  - F. Complaint #20-0818
  - G. Complaint #20-0819
9. (For Possible Action) Review and Possible Action on Applications for Licensure as a Psychologist or Registration as a Psychological Assistant, Intern or Trainee. The Board May Convene in Closed Session to Receive Information Regarding Applicants, Which May Involve Considering the Character, Alleged Misconduct, Professional Competence or Physical or Mental Health of the Applicant (NRS 241.030). All Deliberation and Action Will Occur in an Open Session. *Note: Applicant names are listed on the agenda to allow the Board to discuss applicants when necessary to move the applicant through the licensure process. The listing of an applicant's name on the agenda indicates only that an application for licensure/registration has been received. It does not mean that the application has been approved or that the applicant must appear at the meeting in order for the applicant's application to move forward through the licensure process. If an applicant needs to attend the meeting for the Board to take action, the applicant will be notified in writing prior to the meeting. Please, direct questions or comments regarding licensure applications to the Board office.*

PSYCHOLOGISTS

Liana Abascal  
Irina Abramians  
Jodi Abramowitz  
Michael Abrams  
Danielle Agnello  
Catherine Aisner  
Gera Anderson

Tony Angelo  
Jose Arauz  
Nats Babel  
Hope Bagley  
Cherly Ballou  
John Barona  
Stephanie Bellusa

Luke Bigler  
Mantsha Boikanyo  
Amanda Borlenghi  
Beth Borosh Gissane  
Adam Bradford  
Latoya Brogdon  
Jodi Cabrera

Tyler Camaione  
Cynthia Cameron  
Jonathan Campos  
Sylvia Chang  
Si Arthur Chen  
Dana Chidekel  
Richard Coder  
Tanya Crabb  
Oral Custer  
Matthew Damon  
Edward DeAnda  
Marie Ehrler  
Marissa Elpidama  
Anthony Francisco  
Howard Friedman  
Miriam Funtowicz  
Marlene Garza  
Dana Gionta  
Jonathan Gould  
Kalana Greer  
Aleesha Grier-Rogers  
Lisa Hancock  
Jill Hayes Barbee  
Sarah Henry  
Bernadette Hinojos  
Billie Ivra  
Carolyne Karr

Kathryn Kimball  
Laura LaPiana  
Beth Lavin  
Timothy Law  
Karen Lehman  
Rose Leung  
Bertrand Levesque  
Jodi Lovejoy  
Leigh Lustig  
Mavis Major  
Melissa Marrapese  
Regina Marshall  
Patricia McGuire  
Shanna Mohler  
Luzviminda Morrow  
Monica Mousa  
Michellane Mouton  
Patrick Murphy  
Heather Neill  
Lyle Noisy Hawk  
Raymond Nourmand  
Ariel Ogilvie McSweeney  
Rhea Pobuda  
Katherine Pruzan  
Shehroo Pudumjee  
Vesna Radojevic  
Maxwell Rappaport

Rory Reid  
Kristina Reynoso  
Danielle Richards  
Anthony Rodriguez  
Vincent Rodriguez  
Amber Rose  
Jesse Scott  
Shweta Sharma  
Christopher Shewbarran  
Nicole Steiner-Pappalardo  
Vahe Sukiasyan  
La Tanya Takla  
Ashley Taylor  
Alisa Turner-Augustyn  
Aaron Van Smith  
Angela Waldrop  
John Walker  
Meghan Walls  
Nicolle Walters  
Dale Watson  
Kiara Wesley  
Yvonne Westover  
Brenda Wiederhold  
Carrie Wilkens  
Brenda Worrell  
Michelle Zochowski

## PSYCHOLOGICAL ASSISTANTS

Tawnya Ayim  
Abigail Baily  
Michelle Berumen  
Shannon Burns-Darden  
Rachel Butler Pagnotti  
Nicholas Carfagno  
Jena Casas  
Leandrea Caver  
Nino Chkhaidze  
Althea Clark  
Jessica Crellin  
Lucas Cylke  
Georgia Dalto  
Nicole Dionisio  
Alicia Doman  
Deva Dorris  
Melanie Duckworth  
Daphne Fowler

Alyssa Garcia  
Stacy Graves  
Jennifer Grimes Vawters  
Andrew Hickman  
Bernadette Hinojos  
Kelly Hughes  
Kelly Humphreys  
Sharlene Jeffers  
Elysse Kompaniez-Dunigan  
Cynthia Lancaster  
Patrice Leverett  
Vanessa Ma  
James Maltzahn  
Carolina Meza Perez  
Desiree Misanko  
Candis R. Mitchell  
Crystal Moon  
Carolina Morales Alicea

Luzviminda Morrow  
Blanca Naudin  
Kellie Nesto  
Rory Newlands  
Gabriela Olavarrieta  
Dylena Pierce  
Amanda Powers  
Richard Pratt  
January Prince  
Elizabeth Pritchard  
Sarah Ramos  
David Robinson  
Mariah Schwan  
Jesse Scott  
Gerald Shorty  
Cyndy Soto-Lopez  
Marquez Wilson  
Lauren Wing

Jaime Wong

## PSYCHOLOGICAL INTERNS

Luke Allen  
Lynne Ballard  
Amanda Barone  
Leslie Bautista  
Katie Biggers  
Shantay Coleman  
Linda Curtis  
Matthew Danbrook  
Chad Davis  
Bryon Gallant  
Kimberly Gray  
Jennifer Guttman

Laurie Harris  
Shanel Harris  
Joseph Henrich  
Michael Hobbs  
Monica Jackson  
Dorota Krotkiewicz  
Angela Lewis  
Elisabeth Lischer  
Isra Malik  
Desiree Misanko-Louvat  
Tracy Moore  
Kelly Nelson

Kellie Nesto  
Jeffery Newell  
Chelsea Powell  
Ximena Radienovic  
Dana Schmidt  
Sharon Simington  
Alexis Sliva  
Barbara Sommer  
Sean Traynor  
Alexandro Velez  
Melina Yaraghchi  
Qingqing Zhu

## PSYCHOLOGICAL TRAINEES

Yen-Ling Chen  
Leila Gail  
Jaqueline Green  
Erica Marino  
Mollie McDonald

Kelly Parker  
Nicky Petersen  
Samantha Sherwood  
Cory Stanton  
Holly Summers

Sherri Tschida  
Charlotte Watley  
Kayli Wrenn

- A. (For Possible Action) Discussion and Possible Action to Approve Bernadette Hinojos, Psy.D., For A One-Year Extension of Her Registration as a Psychological Assistant Through July 1, 2022, and a One-Year Extension of her Application for Licensure through October 1, 2022
- B. (For Possible Action) Discussion and Possible Action to Approve Jamie Wong, Ph.D. For A One-Year Extension of Her Registration as a Psychological Assistant Through July 1, 2022
- C. (For Possible Action) Discussion and Possible Action to Approve the Application for Licensure of Leigh Lustig, Psy.D., as Recommended by the Application Tracking Equivalency and Mobility (ATEAM) Committee on May 25, 2021, and Contingent Upon the Satisfactory Completion of all Other Licensure Requirements
10. (For Possible Action) Discussion and Possible Action to Create a Masters' Degree Level License
11. (For Possible Action) Discussion and Possible Action to Create a Psychological Assistant (Post-Doctoral) License

12. (For Possible Action) Discussion and Possible Action to Adopt Procedures Related to Registration and Supervision of Psychological Assistants in accordance with Nevada Administrative Code (NAC) Chapter 641
13. Legislative Update
  - A. (For Possible Action) Discussion and Possible Action Related to the 2021 Session of the Nevada Legislature, Including Next Steps for Implementation of New and/or Revised Statutes
  - B. (For Possible Action) Discussion and Possible Action on Assembly Bill 366 Which Clarifies the 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. (For Possible Action) Discussion and Possible Action on Senate Bill 44 Related to Licensure by Endorsement.
14. (For Possible Action) Discussion and Update on Regulations Previously Submitted to the Legislative Counsel Bureau (LCB) For Changes to Nevada Administrative Code (NAC) Chapter 641.
  - A. R057-19: Fees
  - B. R058-19: Endorsement Language
  - C. R114-19: Foreign Graduates
  - D. R115-19: Supervision, payment of psychological assistant, Closure of a Practice
  - E. R173-20 (Previously R131-15): Requires those teaching or engaging in research to be licensed if providing supervision in a university setting.
  - F. R174-20: Code of Conduct
  - G. R175-20: Removal of "Moral"
  - H. Language Related to Behavior Analysts (No Number Assigned)
15. (For Possible Action) Discussion of U.S. District Court Case 2:20-Cv-00651-Kjd-Vcf Where the State of Nevada Board Psychological Examiners is a Named Defendant.
16. Recognition of Outgoing Board Member John H. Krogh, Ph.D.
17. (For Possible Action) Schedule of Future Board Meetings, Hearings, and Workshops. The Board May Discuss and Decide Future Meeting Dates, Hearing Dates, and Workshop Dates
  - A. The next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, July 9, 2021, at 8:30 a.m.
18. Requests for Future Board Meeting Agenda Items (No Discussion Among the Members will Take Place on this Item)

19. Public Comment - Public comment is welcomed by the Board and may be limited to three minutes per person at the discretion of the Board President. Public comment will be allowed at the beginning and end of the meeting, as noted on the agenda. The Board President may allow additional time to be given a speaker as time allows and in his sole discretion. Comments will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken (NRS 241.020))
  20. (For Possible Action) Adjournment
- 

The Board may recess for lunch for approximately one hour, at a time to be determined.

The Board is pleased to make reasonable accommodations for members of the public who are disabled and wish to participate in the meeting. If such arrangements are necessary, please contact the board office at (775) 688-1268 no later than noon on Thursday, June 10, 2021.

For supporting materials, visit the Board's website at <http://psyexam.nv.gov/Board/2021/2021/> or contact the Board office by telephone (775-688-1268) or e-mail ([nbop@govmail.state.nv.us](mailto:nbop@govmail.state.nv.us)).

In accordance with NRS 241.020, this public meeting notice has been properly posted on or before 9 a.m. on Tuesday, June 8, 2021 at the following locations (if open): the Board office located at 4600 Kietzke Lane, Bldg. B-116, Reno; the Grant Sawyer Building, 555 E. Washington Ave., Las Vegas; Washoe County Library, 301 S. Center St., Reno; Carson City City Hall, 200 N. Carson St., Carson City; the Nevada Public Notice website: <https://notice.nv.gov/>; and posted on the Board's website at <http://psyexam.nv.gov/Board/2021/2021/>. In addition, this public meeting notice has been sent to all persons on the Board's meeting notice list, pursuant to NRS 241.020(3)(c).

## NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS

### Meeting Minutes

Friday, May 14, 2021

#### **1. Call to Order/Roll Call to Determine the Presence of a Quorum.**

**Call to Order:** The meeting of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, PsyD, at 8:30 a.m. at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste B-116, Reno, Nevada 89502. Due to COVID-19 and Governor Sisolak's Emergency Mandate to Stay at Home for Nevada, this meeting was also conducted online via "Zoom."

**Roll Call:** Board President Whitney Owens, PsyD, Secretary/Treasurer John Krogh, Ph.D. and Members Stephanie Holland, PsyD, Monique McCoy, LCSW, Soseh Esmaeili, PsyD, and Stephanie Woodard were present at roll call.

Also present were Harry B. Ward, Deputy Attorney General, Gary Lenkeit, Board Investigator, Sheila Young, Board Investigator, Lisa Scurry, Executive Director, and members of the public: James Tenney, Michelle Zochowski, Brian Lech, Sarah Ahmad, Kellie Nesto, Sara Hunt, Donald Hoier, Michael Pauldine, and Brian Hager.

#### **2. Public Comment**

There was no public comment at this time. Lisa Scurry, Executive Director, stated no public comment had been received by the Board Office as of the start of the meeting.

#### **3. (For Possible Action) Discussion and Possible Approval of the Minutes of the Meetings of the Nevada State Board of Psychological Examiners from April 9, 2021.**

There was no discussion nor recommended changes to the minutes.

**On motion by Soseh Esmaeili, second by John Krogh, the Nevada State Board of Psychological Examiners approved the meeting minutes from April 9, 2021.** (Yea: Whitney Owens, John Krogh, Stephanie Holland, Monique McCoy, Soseh Esmaeili. Not Present at Vote: Stephanie Woodard) Motion Carries: 5-0

#### **4. Financial Report**

##### **A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report For F/Y 2021 (July 1, 2020, Through June 30, 2021).**

Secretary/Treasurer Dr. John Krogh presented the financial report. He noted that fiscal year 2021 is nearing the end. Overall, the revenues were at 99% of what was budgeted. Expenditures, to date, were just under 75% of what was budgeted leaving the Board in a positive financial position.



**On motion by Monique McCoy, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the treasurer's report for Fiscal Year 2021.** (Yea: Whitney Owens, John Krogh, Stephanie Holland, Monique McCoy, Soseh Esmaeili. Not Present at Vote: Stephanie Woodard) Motion Carries: 5-0

**B. (For Possible Action) Discussion and Possible Action to Make Adjustments to The Fiscal Year 2022 Budget**

Lisa Scurry, Executive Director, presented proposed changes to the Fiscal Year 2022 budget. She explained that the purpose of the revision was to more accurately reflect the projected revenues and expenditures, based on the current year numbers. She added that this will help in future years in establishing the budget. Areas changed included adjustments for office and investigator salaries based on the established salary schedules; money to hire temporary staff, if needed, for projects; the PERS (retirement) expense; and adjustments to certain revenue line items.

**On motion by John Krogh, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the revisions to the Fiscal Year 2022 Budget as presented.** (Yea: Whitney Owens, John Krogh, Stephanie Holland, Monique McCoy, Soseh Esmaeili. Not present at Vote: Stephanie Woodard) Motion Carries: 5-0

**5. Board Needs and Operations**

**A. Update and Report from the Nevada Psychological Association (NPA)**

Sara Hunt, current past president of the NPA, announced that as of May 1, 2021, Dr. Tara Borsh became the new president of NPA. The association is also working on its strategic plan.

President Owens noted that she and Ms. Scurry recently collaborated with NPA to conduct a training for supervisors of psychological trainees, interns, and assistants. She stated that the training was offered as a service to licensees.

**B. Report from The Executive Director on Board Office Operations**

Lisa Scurry, Executive Director, presented an update on Board office operations. Over the past 3 months: 13 applicants have received licenses with 2 pending receipt of the final fees; and 21 new applications have been received. The office has registered 9 non-resident consultants and 345 registrants under Directive 011. Since the Board approved a new process for reviewing background check findings, 3 have been referred to the established review team with none of them being referred to the Board. Lastly, 31 continuing education course applications have been approved in 2021.

Ms. Scurry updated the Board on several ongoing projects including revision of the State Exam Candidate Guide, update of the Board's website, and plans to digitally scan licensee files which is scheduled to begin during the summer.

Ms. Scurry presented, for the Board's information, a new form created for those applicants who need to request permission to take the EPPP or state exam a 4<sup>th</sup> time. As such requests require a study plan and approval by the Board, the application was developed to provide consistency and guidelines for those applicants.

**6. (For Possible Action) Discussion and Possible Action to Provide Guidance on Matters Related to The Covid-19 Pandemic and Governor Sisolak's Directive 011. Discussion May Include Licensure Renewal, Continuing Education Credits, Temporary Licensure, Supervision Concerns, Obtaining Clinical Hours for Licensure, and the Use of Telepsychology and Interjurisdictional Practice.**

There was no discussion on this item.

**7. (For Possible Action) Discussion and Possible Action on Potential Implementation of Proposed Legislation, Including Senate Bill 326 That Would Take the Place of the Governor's Directive 011 and Allow For Temporary Registration Of Out-Of-State Providers To Practice Via Telehealth**

Lisa Scurry, Executive Director, explained that Senate Bill 326 was still pending in the Legislative Session. Although the bill passed through the Senate, it had not been heard in the Assembly. It was of interest to the Board because it would effectively take the place of Directive 011, allowing licensed psychologists in other jurisdictions to practice in Nevada using telehealth but on a temporary basis. Ms. Scurry explained that on the chance that the bill passed, she has developed a new registration process that would allow registrants an expedited path to licensure should they choose to pursue it. She asked the Board for authority to implement the extended registration process, in line with the proposed provisions of SB326, should that bill pass.

President Owens added that she supported the process because it would be a streamlined registration process but that it also added protections for the public. The registration process would include questions about complaints or legal issues in any other jurisdictions in which the psychologist was licensed.

**On motion by Stephanie Holland, second by John Krogh, the Nevada State Board of Psychological Examiners directed the executive director to create a registration application that mirrors that of licensure to be ready should Senate Bill 326 become enacted.** (Yea: Whitney Owens, John Krogh, Stephanie Holland, Monique McCoy, Soseh Esmaeili. Not present at Vote: Stephanie Woodard)  
Motion Carries: 5-0

**8. (For Possible Action) Review, Discussion, And Possible Action on Pending Consumer Complaints:**

Harry Ward, Deputy Attorney General, provided an update on the matters listed below:

- A. Complaint #19-0626.** Discovery, including depositions, is ongoing. Mr. Ward explained that the matter will likely go to a hearing later in the summer of 2021.
- B. Complaint #19-0709.** This matter is pending.
- C. Complaint #19-1106.** This matter is pending.
- D. Complaint #19-1223.** This matter is pending.
- E. Complaint #20-0501.** This matter is pending.
- F. Complaint #20-0728**

Dr. Gary Lenkeit, Board investigator, explained that the complainant participated in a therapeutic session with her daughter and the psychologist via FaceTime. During the session, the Respondent and the Complainant's daughter were located in Nevada while the Complainant was located in Indiana. The complaint alleged that the session resulted in increased damage to her relationship with her daughter due to the Respondent's incompetent care. She further alleged that the Respondent lacked objectivity and sensitivity, as well as knowledge about individual and family therapy. As a result, the Complainant alleged that standards of care were not met. The Complainant also alleged that the psychologist was practicing family therapy across state lines without a license in Indiana.

The Respondent disputed the nature of the session as it was not intended to be a family session but part of the individual therapy with her client. The Respondent stated that the Complainant was included in the therapy as a collateral participant for the purposes of establishing a visitation schedule. The Respondent provided the investigator a document entitled, "Collateral Agreement for Psychotherapy Services" which was signed by her client. That document described the nature of the session and the complainant's role in the session. The Respondent denied all allegations in the complaint.

Dr. Lenkeit described the three issues raised by the complaint. The first issue was whether this was an independent session with collateral involvement or a family therapy session. Dr. Lenkeit provided his conclusion that this was an independent session with collateral involvement.

The second issue was whether the session could be conducted across state lines. Dr. Lenkeit acknowledged that a family therapy session could not be conducted across state lines without a license as the family would be the client. In this case, treatment was of the individual in Nevada, with the individual in Indiana being collateral. For that reason, there was no inappropriate practice across state lines.

The third issue was whether the Respondent's alleged bias violated the standard of care for the practice of psychology. The psychologist is expected to provide advocacy for their client while maintaining a professional level of objectivity. Dr. Lenkeit stated his

belief that statements by the psychologist included in the complaint could be seen as advocacy for her client and were appropriate. The Respondent's client submitted a letter to the Board stating her satisfaction with her treatment. There were no indications provided of sub-standard care.

Dr. Lenkeit stated his opinion that there was no violation of law or the APA Code of Ethics. As a result, he recommended the Board dismiss the matter. There were no questions or comments from the Board members.

**On motion by John Krogh, second by Stephanie Holland, the Nevada State Board of Psychological Examiners dismissed Complaint #20-0728.** (Yea: Whitney Owens, John Krogh, Stephanie Holland, Monique McCoy, and Soseh Esmaeili. Not Present at Vote: Stephanie Woodard) Motion Carries: 5-0

This item will be removed from future agendas.

**G. Complaint #20-0818.** This matter is pending.

**H. Complaint #20-0819.** This matter is pending.

**9. (For Possible Action) Discussion and Possible Action of Appointment of a Hearing Officer in Case #19-0626 to Conduct the Hearing in the Matter**

Harry Ward, Deputy Attorney General, explained that the Board may not be able to establish a quorum of members if Case #19-0626 matter goes to a hearing. Several of the members have expressed to Mr. Ward that they would need to recuse themselves. As a result, Mr. Ward suggested that the Board appoint a hearing officer under the authority established by Nevada Revised Statutes (NRS) 641.240. He explained that he was not asking at that time specifically for the appointment of a hearing officer, only for the ability to do so.

President Owens recused herself from the matter and Mr. Ward stated that Secretary/Treasurer Krogh would take her place.

Mr. Ward stated that any motions that could come forward would be held until a hearing officer is in place. One motion that is likely is a Motion for a More Definite Statement. That would be a preliminary motion asking the hearing officer to make a decision whether the complaint is sufficient enough to go forward, and whether there are sufficient factual allegations that the Respondent can present a defense.

Lastly, Mr. Ward stated that as the hearing officer will be paid there will be a cost incurred in the matter.

President Owens asked the Board for action to appoint a hearing officer in the matter of Complaint #19-0626. Mr. Ward suggested President Owens recuse herself from such action.

**On motion by John Krogh, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the appointment of a hearing officer in Case #19-0626.** (Yea: John Krogh, Stephanie Holland, Monique McCoy, Soseh Esmaeili. Not Present at Vote: Stephanie Woodard. Recused: Whitney Owens) Motion Carries: 4-0

**10. (For Possible Action) Review and Possible Action on Applications for Licensure as a Psychologist or Registration as a Psychological Assistant, Intern or Trainee.** The board may convene in closed session to receive information regarding applicants, which may involve considering the character, alleged misconduct, professional competence or physical or mental health of the applicant (NRS 241.030). All deliberation and action will occur in an open session.

(This item was taken out order.)

President Owens read the names of the applicants being considered for licensure, contingent upon satisfactory completion of all licensure requirements: Gera Anderson, Si Arthur Chen, Edward De Anda, Howard Friedman, Carlyne Karr, Bertrand Levesque, Jodi Lovejoy, Melissa Marrapese, Michellane Mouton, Patrick Murphy, Jesse Scott, and Michelle Zochowski.

**On motion by John Krogh, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved the following applicants for licensure, contingent upon satisfactory completion of all licensure requirements:** Gera Anderson, Si Arthur Chen, Edward De Anda, Howard Friedman, Carlyne Karr, Bertrand Levesque, Jodi Lovejoy, Melissa Marrapese, Michellane Mouton, Patrick Murphy, Jesse Scott, and Michelle Zochowski. (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Woodard, and Stephanie Holland) Motion Carries: 6-0

(This item was taken out order.)

Lisa Scurry, Executive Director, presented an appeal by Kellie Nesto regarding the start date for the collection of her post-doctoral training hours. She explained that the application for registration was received by the Board office on February 15, 2021. The rest of the application packet was received at the beginning of April. Ms. Scurry stated that, in general, the soonest registration can be completed is two weeks after applying and suggested a compromise of March 1 to begin counting the hours.

President Owens asked what the state laws and regulations state with regard to registration of a psychological assistant. Ms. Scurry replied that NRS 641.226 reads that registration must be completed with the Board to gather post-doctoral hours. She added that the following components must be submitted to the Board office prior to registration being completed: PLUS application, proof of fingerprinting and background check waiver, Supervised Program Plan and employment agreement, and the registration fee.

President Owens reviewed potential options: begin the hours the date the application was submitted on February 15, begin the hours the date the application was completed on April 8, or compromise with a date in the middle.

Member Dr. Holland stated the Board has given a grace period of 2 months in the past. She suggested creating consistent messaging and process related to the application and registration period.

President Owens agreed and stated she would support allowing the hours to begin on the application date of February 15, 2021.

Member Dr. Holland stated she would abstain from the vote.

**On motion by John Krogh, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved the request of Kellie Nesto that the collection of her post-doctoral training hours begin February 15, 2021.**

(Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Woodard. Abstain: Stephanie Holland) Motion Carries: 5-0

Member Dr. Woodard suggested that the Board place discussion of the process for registration of psychological assistants on a future agenda. She added that consistent and formal processes should be put in place.

**A. (For Possible Action) Discussion and Possible Action to Approve Jennifer Grimes-Vawters For a One-Year Extension of Her Registration as a Psychological Internship Through June 18, 2022**

(This item was taken out order.)

Lisa Scurry, Executive Director, explained that Jennifer Grimes-Vawters registration as a psychological intern will end on June 18, 2021. She lost her supervisor in 2020 and was not able to complete the required hours. She is requesting a one-year extension through June 18, 2022.

As Ms. Grimes-Vawters had previously indicated to the Board office that she did not currently have a new supervisor, there was discussion about whether to approve the extension or wait until a new supervisor was in place. Discussion included approving the extension contingent upon finding a supervisor.

Member Dr. Holland suggested that review of the supervised plan and employment agreement should be received prior to the extension beginning. Member Dr. Krogh agreed with providing an extension but added that all other provisions should be approved prior to the start date.

**On motion by John Krogh, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved a one-year extension for Jennifer Grimes-Vawters of her registration as a psychological intern beginning and contingent upon submission of a satisfactory Supervised Practice Plan and**



**Employment Agreement to the Board office.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

**B. (For Possible Action) Discussion and Possible Action to Approve the Application for Licensure of Danielle Richards, as Recommended by the ATEAM Committee on March 23, 2021, and Contingent Upon the Satisfactory Completion of All Other Licensure Requirements Including Passage Of The EPPP Parts 1 And 2**

(This item was taken out of order.)

Lisa Scurry, Executive Director, presented the application of Dr. Danielle Richards. Dr. Richards' application was reviewed by the Application Tracking Equivalency and Mobility (ATEAM) Committee on March 23, 2021. Dr. Richards attended a non-APA educational institution resulting in review by the Committee. After finding the education was substantially equivalent, the Committee recommended approval by the Board of the application for licensure contingent upon completion of the licensure requirements. The Committee recommended Dr. Richards take and pass the EPPP Parts 1 and 2 as she had been outside of clinical practice for a number of years.

**On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the recommendation of the ATEAM Committee to approve the application of Dr. Danielle Richards contingent upon completion of the requirements for licensure including passing both the EPPP Parts 1 and 2.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

**C. (For Possible Action) Discussion and Possible Action to Approve the Application for Licensure of Janina Scarlet, as Recommended by the ATEAM Committee on March 23, 2021, and Contingent Upon the Satisfactory Completion of all Other Licensure Requirements**

(This item was taken out of order.)

Lisa Scurry, Executive Director, presented the application by endorsement of Dr. Janina Scarlet. Dr. Scarlet's application was reviewed by the Application Tracking Equivalency and Mobility (ATEAM) Committee on March 23, 2021. The Committee reviewed both the education as well as the training experience. As Dr. Scarlet had been in practice for more than 5 years, approval was recommended based on the provisions of Nevada Administrative Code (NAC) 641.080 which allows for a reduction in training hours to 1,500 for the internship and 1,500 for post-doctoral training. The Committee recommended approval by the Board of the application for licensure contingent upon completion of the licensure requirements.

**On motion by Stephanie Holland, second by John Krogh, the Nevada State Board of Psychological Examiners approved the recommendation of the**

**ATEAM Committee to approve the application of Dr. Janina Scarlet contingent upon completion of the requirements for licensure.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard)  
Motion Carries: 6-0

**D. (For Possible Action) Discussion and Possible Action to Approve the Application for Licensure of Raymond Nourmand, as Recommended by The ATEAM Committee on April 20, 2021, And Contingent Upon The Satisfactory Completion Of All Other Licensure Requirements**

(This item was taken out of order.)

Lisa Scurry, Executive Director, presented the application by endorsement of Dr. Raymond Nourmand. Dr. Nourmand's application was reviewed by the Application Tracking Equivalency and Mobility (ATEAM) Committee on April 20, 2021. The Committee reviewed both the education as well as the training experience. As Dr. Nourmand had been in practice for more than 5 years, approval was recommended based on the provisions of NAC 641.080 which allow for a reduction in training hours to 1,500 for internship and 1,500 for the postdoctoral experience. The Committee recommended approval by the Board of the application for licensure contingent upon completion of the licensure requirements.

**On motion by John Krogh, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the recommendation of the ATEAM Committee to approve the application of Dr. Raymond Nourmand contingent upon completion of the requirements for licensure.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

**11. (For Possible Action) Discussion and Possible Action to Grant Dr. Michael Pauldine a Waiver of Nevada Administrative Code (NAC) 641.1519(2) Which Requires a Supervisor of a Psychological Assistant be Licensed to Practice Psychology for 3 Years or More**

Dr. Michael Pauldine requested a waiver of NAC 641.1519 which requires he be licensed for 3 years or more to serve as a supervisor of a psychological assistant. Dr. Pauldine's license was effective October 11, 2019.

President Owens inquired when supervision of the post-doctoral student would begin. Dr. Pauldine explained the post-doc would start in September, leaving him one year and one month short of the 3-year requirement.

Member Dr. Krogh asked what the precedent has been in the past for allowing a waiver of the 3-year requirement. Investigator Dr. Lenkeit stated he did not believe the Board had allowed a waiver of anyone with less than 2 years 6 months licensure but added that the reasons for the request were also considered. Member Dr. Holland agreed but



stated her recollection was 2 years and 9 months unless there were extenuating circumstances.

Dr. Pauldine explained he is the assessment coordinator at the University of Nevada. As such, he is the lead in the area in which the psychological assistant would be focused.

There was discussion about option such as having an alternative primary supervisor, with Dr. Pauldine serving as the secondary. The members also discussed whether the primary supervisor must be employed by the University.

Dr. Pauldine provided a detailed explanation of his experience as a supervisor, including: In grad school, he taught the graduate level labs on assessment; he has sought practicums and internship experiences that were assessment focused; and, since being hired as the assessment coordinator at the University, he has been secondary supervisor to three post-doctoral students, and supervisor to 8 interns and 6 practicum students.

President Owens stressed it was important to be consistent with past practice but that ensuring good supervisors are installed was equally important. She suggested the Board review the regulation in the future to allow for experience of the supervisor. She added that experience and training of a supervisor may be more important than the number of years licensed.

**On motion by Stephanie Holland, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the request of Dr. Michael Pauldine for a waiver of Nevada Administrative Code (NAC) 641.1519(2), allowing him to serve as the supervisor of a psychological assistant due to his unique set of circumstances.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

Member Dr. Woodard noted that the Board approval was due to Dr. Pauldine's stated extensive supervision experience.

## **12. (For Possible Action) Discussion and Possible Action on Implementation of The EPPP Part-2, Including Concerns Expressed by Candidates Related to the Beta Test and Potential Delays to Licensure**

(This item was taken out of order.)

Lisa Scurry, Executive Director, provided background to the item stating that Nevada is an early adopter of the EPPP Part-2. The Board took action in November 2020 that any new applicants for licensure as of November 1, 2020 would be subject to that part of the exam, in addition to the EPPP Part-1. She stated that the Association of State and Provincial Psychology Boards (ASPPB) extended the beta testing of the exam into the summer. As a result, any candidate who takes the exam from implementation through May 31, 2021 will not receive the score until after the black out period, currently

scheduled for June/July 2021. Anyone who has not taken the exam by May 31, will have to wait until after the same black out period.

At the May meeting of the Board, it was requested that this item be discussed by the Board because there are applicants whose licensure may be delayed as a result of these circumstances.

Drs. Michelle Zochowski, Julie Beasley, and Brian Hager were present to request a waiver of the EPPP Part-2 requirement for Dr. Zochowski. Dr. Zochowski explained that she had taken the exam but will not receive a score until late summer. She has a position waiting for her once licensure is received. Without the EPPP Part-2, she stated she would have been on track to be licensed by July 1, 2021.

Dr. Julie Beasley, Dr. Zochowski's supervisor, stated her agency has a position open as of July 1. The delay being discussed will create several issues, particularly if issuance of the license is delayed 3-6 months.

At President Owen's inquiry, Harry Ward, Deputy Attorney General, stated the law does not authorize the Board to issue a provisional license. Instead, he suggested the Board could make an exception or issue a waiver of the exam requirement to accommodate the needs of an applicant.

President Owens stated a concern with issuing a license would be that if Dr. Zochowski fails the exam, the license would have already been issued. Member Dr. Esmaili asked for clarification on what a waiver would do, if it would be specific to this requestor, and what would happen if a passing score was not obtained.

Dr. Beasley explained the credentialing concerns with not having Dr. Zochowski licensed, including working with Medicaid patients and private insurers. She added that she is on-site full-time and would be willing to continue to be a supervisor if that is what the Board requests. Funding Dr. Zochowski without a license would be an obstacle to the agency.

Dr. Lenkeit, Board investigator, asked if anyone will be able to be licensed prior to the black-out period. He asked if the Board should consider waiving the EPPP Part-2 requirement until after the black-out period.

Dr. Esmaili asked if the license could be issued with the conditions that Dr. Zochowski would be supervised until the EPPP Part-2 is passed. Mr. Ward stated the Board has the authority to make decisions as long as they are not in opposition to the law and can justify their reasons.

President Owens suggested providing licensure but still requiring the test be taken. She questioned if other applicants will have the ability to retain a supervisor and what will happen if an applicant fails the exam but has already received the license.

Member Dr. Krogh shared his concern about waiving the exam as the Board adopted Part-2 after long and thoughtful consideration. He added similar concerns about the impact on someone who learns they failed the exam after having received the license.

Public Comment.

Dr. Brian Lech made comment to ask if the Board if they would consider suspending the requirement for 90 days. He added that both the EPPP Part-1 and the State Exam would still be in effect. In that way, there would be no concern about someone failing who had been practicing under a license.

Dr. Beasley made comment thanking the Board for having the conversation and gave support to Dr. Lech's suggestion in order to keep the licensure process moving forward. She added that Dr. Zochowski had taken the test but that there were no supports in place, such as a practice test.

President Owens inquired of Mr. Ward if the Board had the authority to review each applicant on a case-by-case basis. Mr. Ward responded that, although it was not an official attorney general opinion, he believed the Board would have that authority.

Ms. Scurry stated there were currently five candidates that had already taken Part-2 or made an appointment to take it.

There was discussion about the Board being flexible and considering each candidate on a case-by-case basis.

Dr. Holland stated she agreed conceptually but was concerned about suspending the exam.

President Owens suggested temporarily waiving the requirement to have a passing score but not waiving the requirement to take the exam. For Dr. Zochowski, President Owens proposed temporarily waiving the requirement of a passing score on the EPPP Part-2 prior to licensing with the understanding that she will remain under the supervision of Dr. Beasley until a passing score is received. For others, review of their circumstances would determine the plan for that candidate.

Ms. Scurry stated that, per ASPPB, Part-2 will be administered through May 31, 2021. The test will be suspended for a black out period in June and July. Those who took the test prior to the black out period are expected to have their score within 2 weeks of the end of the beta test or approximately mid-August.

**On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved a waiver for Dr. Zochowski to be license eligible with the caveat that she remains under the supervision of Dr. Beasley until she receives a passing score on the EPPP Part-2.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, and Stephanie Holland. Not Present at Vote: Stephanie Woodard) Motion Carries: 5-0

### **13. (For Possible Action) Discussion and Possible Action on the Status of the State Examination, Including Data Related to Administration and Proctoring of the Exam**

Lisa Scurry, Executive Director, provided an update on the administration of the State Examination. At a past meeting, the Board suggested that protocols be implemented to ensure the security of the examination. After conducting research, it was found that many of the online security systems were either expensive, would not meet the Board's intent, or both. Instead, Ms. Scurry suggested proctoring the exam using online meeting software. The Board provided her the authority to do so and requested a follow-up report to ensure the Board's intent was being met while not causing any disruption to the administration of the test.

To date, 26 candidates have taken the exam and none expressed concerns with the process. Ms. Scurry explained that the test taker receives the meeting link a few days in advance and the link to the test once the "meeting" has begun.

Ms. Scurry suggested, and Dr. Holland, the Board's Testing Coordinator, agreed, the item return for further discussion once 50 tests have been administered in this manner. That should provide enough data to evaluate the exam and administration process.

Lastly, Ms. Scurry stated that proctoring the exam in this way is slightly disruptive to daily operations and testing dates will be limited to two days each month. She requested an extension from the Board to continue administration of the exam using online meeting software. The procedures will be re-evaluated once 50 candidates have taken the exam.

**On motion by Soseh Esmaeili, second by John Krogh, the Nevada State Board of Psychological Examiners directed the Executive Director to continue proctoring the state exam using online meeting software; and to bring data related to the state exam once 50 or more tests have been administered.**

(Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, and Stephanie Holland. Not Present at Vote: Stephanie Woodard) Motion Carries: 5-0

### **14. (For Possible Action) Discussion and Possible Action to Create a Masters' Degree Level License**

President Owens described conversations that are occurring at the national level to establish a master's degree level license in clinical psychology. Other states, such as Texas and Virginia, have such a license in place. The American Psychological Association (APA) appears to be in favor of such licensure. President Owens brought the item to the Board in order to begin discussion about what such a license would entail, how oversight would occur, etc.

Member Dr. Woodard asked if either APA or the Association of State and Provincial Psychology Boards (ASPPB) have distributed their opinions on expectations related to education and training. President Owens responded that a model is being created.

Member Dr. Esmaeili inquired about the Board's monitoring role for that licensing level.

President Owens stated that the Board would set the licensing standards, create the title and license description, etc., according to the APA Model. She added that legislation about licensure by endorsement is already pushing Nevada's standards of licensure equivalency. Having a master's level license would allow the Board to provide a license to individuals coming from states, such as Texas and Virginia, that do not have equivalent standards for licensure, such as the doctorate requirement.

Member Dr. Holland asked about the reasons for implementing a master's level license. She commented that in Texas, for example, it appeared that only the education would be different as 3,000 supervised hours are still required post-graduation.

President Owens stated that the Texas information was provided only for reference and not to advocate for following that model. She stated that the Board could potentially create language that is substantially equivalent to our current standards.

Dr. Woodard commented on other professionals where this pipeline to licensure has been developed and utilized, such as nursing. She added that it makes sense in a state like Nevada that has a workforce shortage to enable them to practice under a limited scope. If the scope is not limited it diminishes the licensed psychologist designation and the additional education and training that comes with that credential.

This item will return on future agendas.

### **15. (For Possible Action) Discussion and Possible Action to Create a Psychological Assistant (Post-Doctoral) License**

President Owens presented this item, which was previously discussed several months ago. Currently, post-doctoral students are unable to seek commercial insurance reimbursement for their services. This creates a limitation and reduces the number of individuals available to provide mental health care. Licensing these individuals could help eradicate some of those concerns.

It was suggested that individual Board members could check with their insurance companies and Executive Director Scurry will research the way Social Workers in Nevada gain licensure at that level.

Member Dr. Holland stated that Medicaid allows for reimbursement for psychological interns and assistants who are part of group that is a Medicaid provider. She added that she believed that Social Workers are able to bill insurance separately from their supervisors.

Member McCoy spoke of her experience as a Social Worker. After completing the Master's Degree, there is an exam to apply to be a clinical intern of social work. There are 3,200 hours to complete plus supervision hours. Then there is another clinical exam to be clinically licensed. While an intern they can bill Medicaid but must be under

a clinical supervisor who is licensed. She did not believe they were able to bill commercial insurance.

**16. (For Possible Action) Discussion and Possible Action to Approve Revisions to the Supervised Practice Plan Form for Psychological Intern Candidates to Align to NAC 641.1519, Qualifications of Supervisor**

Lisa Scurry, Executive Director, presented proposed changes to the to the Supervised Practice Plan Form for Psychological Intern Candidates to Align to Nevada Administrative Code (NAC) 641.1519, Qualifications of Supervisor. NAC 641.1519 was revised in 2019 but the form was not updated.

Changes to the form included removal of language that the supervisor must be licensed for 3 years; addition of an area for information about the qualifications of the secondary supervisor; and change of the term "wages" to "stipend."

**On motion by Soseh Esmaeili, second by Monique McCoy, the Nevada State Board of Psychological Examiners approved changes to the Supervised Practice Plan form for Psychological Intern candidates to align to NAC 641.1519, Qualifications of Supervisor.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

**17. Legislative Update**

**A. (For Possible Action) Discussion and Possible Action Related to the 2021 Session of the Nevada Legislature**

Lisa Scurry, Executive Director, informed the Board that Senate Bill 376 appeared on the verge of adoption. It will require continuing education credits in cultural competency.

**B. (For Possible Action) 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.**

President Owens described the process for moving the Board's Bill, Assembly Bill 366, forward toward adoption. In the Assembly, there was little discussion. On the Senate side, however, there were many questions regarding putting standards in place related to how records are used, destroyed, etc. Some revised language will be provided and the bill is expected to move toward adoption.



**C. (For Possible Action) 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.**

Ms. Scurry updated the Board on the status of Senate Bill 44. That bill would revise the process for applications for licensure by endorsement, including issuance of a provisional license pending completion of the licensure requirements. Several changes were proposed over the past weeks, but the bill seemed to be getting back to the original intent. It was scheduled to be heard in committee later that day.

**18. (For Possible Action) 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**

Lisa Scurry, Executive Director, presented a proposal to schedule a workshop to discuss removal of all references to behavior analysts in Chapter 641 of Nevada Administrative Code. She added that the behavior analysts have their own chapter in NRS and NAC. Any language still in Chapter 641 could potentially create a conflict.

**On motion by Soseh Esmaeili, second by John Krogh, the Nevada State Board of Psychological Examiners directed the executive director to schedule a public workshop for the purpose of considering changes to NAC Chapter 641 to remove language related to behavioral analysts.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard)  
Motion Carries: 6-0

**19. (For Possible Action) Discussion of U.S. District Court Case 2:20-Cv-00651-Kjd-Vcf Where the State of Board Psychological Examiners is a Named Defendant.**

Harry Ward, Deputy Attorney General, provided an update on the federal case where a licensee has sued the Board and the former executive director. The case is currently in the process of discovery and production of documents. The plaintiff is representing herself in the matter.

Mr. Ward added that another matter has arisen that could create a conflict for him as legal counsel. He offered to conduct a legal meeting, under the provisions of NRS 641.015, following the Board meeting.

**20. (For Possible Action) Discussion and Possible Action to Review, Make Adjustments to and/or Approve the Performance Evaluation of Executive Director Lisa Scurry**

President Owens presented the draft of the performance evaluation of Executive Director Lisa Scurry. The overall finding of the evaluation was Above Average. President Owens stated that there were several individual findings of Average but

added that those were generally a result of it being Ms. Scurry's first year in the position and there being a steep learning curve.

Member Dr. Woodard stated that Ms. Scurry began under chaotic conditions but has worked to create structure where there was none before. This was reflected in the way Board meetings are organized, as well as the work with the ATEAM Committee.

President Owens made comment that the evaluation calls for consideration next year of including health benefits as part of salary package. She added that, based on the evaluation rating, the Board's policy would call for at least a 2% raise for the upcoming fiscal year.

There were no questions or comments by the Board members or Director Scurry.

**On motion by Stephanie Woodard, second by John Krogh, the Nevada State Board of Psychological Examiners approved the performance evaluation of Executive Director Lisa Scurry as presented with an overall rating of Above Average.** (Yea: Whitney Owens, John Krogh, Monique McCoy, Soseh Esmaili, Stephanie Holland, and Stephanie Woodard) Motion Carries: 6-0

**21. (For Possible Action) Schedule of Future Board Meetings, Hearings, and Workshops. The Board May Discuss and Decide Future Meeting Dates, Hearing Dates, and Workshop Dates**

- A. The next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, June 11, 2021 at 8:30 a.m.

President Owens inquired if, given the changes related to physical distancing, there should be a physical location provided for future Board meetings? She added that the online format has made it easier for both Board member and the public to attend.

Member Dr. Krogh agreed that using the Zoom application is convenient. He added that the Board office should be the physical location and that hearings should be in person.

President Owens stated that for the June meeting, the Board will be noted as the physical location and the meeting will be conducted via Zoom. Mr. Ward confirmed there were no hearings scheduled for that meeting.

**22. Requests For Future Board Meeting Agenda Items (No Discussion Among the Members Will Take Place on this Item)**

Member Dr. Woodard requested discussion related to timelines for registration and accrual of hours for psychological assistants.

At President Owen's earlier suggestion, Ms. Scurry stated that a future item will be review of the 3-year licensure requirement for supervisors of psychological assistants.



President Owens asked that election of officers on the Board be placed on the June agenda.

### **23. Public Comment**

Member Dr. John Krogh informed the Board that he will not be renewing for a 2<sup>nd</sup> term on the Board. He expressed his appreciation for being on the Board and for the work done by the Board.

Dr. James Tenney thanked the Board for the guidance provided during the COVID pandemic. He added his appreciation for the use of Zoom for meetings.

### **24. Adjournment**

There being no further business before the Board, President Owens adjourned the meeting at 11:26 a.m.

	FY21 Budget	FY21 Actual	FY21 Difference as of 3/19/2021	% of actual to budget
<b>RESERVE * not including Savings</b> (as of app. July 1, 2020)	\$61,024.89	\$43,010.49		
<b>INCOME</b>				
Deferred Revenue (License Renewal)		\$322,233.77	\$322,233.77	
License Fees - Psychological				
Initial (4010, 40100, 40201, 40202, 40203)	\$350,000.00	\$44,233.35	-\$16,467.12	104.70%
Psych Assistants (40101, 40281)	\$7,500.00	\$4,426.50	\$3,073.50	59.02%
Psych Intern (40102, 40282)	\$5,000.00	\$2,316.30	\$2,683.70	46.33%
Trainee (40103, 40283)		\$1,775.70	\$1,775.70	
Non-Resident Consultant (4030)	\$2,000.00	\$1,000.00	\$1,000.00	50.00%
<b>Total Licensing Fees</b>	<b>\$364,500.00</b>	<b>\$375,985.62</b>	<b>\$314,299.55</b>	103.15%
State Examination (4015)	\$6,000.00	\$8,176.58	-\$2,176.58	136.28%
Cost Recovered (disciplinary - 4078)	\$1,000.00	\$750.00	\$250.00	75.00%
Mediation Review	\$500.00	\$0.00	\$500.00	0.00%
Other Income		\$0.00	\$0.00	
Wall License (4025, 40251, 40252)	\$4,000.00	\$1,747.40	\$2,252.60	43.69%
Late Fees (4050)	\$2,400.00	\$200.00	\$2,200.00	8.33%
CE Fees (4040)	\$5,000.00	\$1,357.84	\$3,642.16	27.16%
Verification (4045)	\$700.00	\$327.64	\$372.36	46.81%
Misc (4999)	\$1,000.00	\$48.56	\$951.44	4.86%
<b>Total Other Income</b>	<b>\$14,600.00</b>	<b>\$4,431.44</b>	<b>\$10,168.56</b>	30.35%
<b>TOTAL INCOME/RESERVE</b>	<b>\$385,100.00</b>	<b>\$388,593.64</b>	<b>\$322,291.53</b>	100.91%

	FY21	FY21	FY21	% of actual to
	Budget	Actual	Difference as of	
<b>EXPENSES</b>				
Payroll				
Board Staff (Wages)	\$60,000.00	\$55,392.00	\$4,608.00	92.32%
Investgators (51753)	\$21,600.00	\$7,200.00	\$14,400.00	33.33%
Employer Medicare	\$1,200.00	\$0.00	\$1,200.00	0.00%
Employer FICA (941/944)	\$2,250.00	\$550.80	\$1,699.20	24.48%
PERS (5300, Retirement)	\$24,000.00	\$32,269.90	-\$8,269.90	134.46%
Workers Comp (5250)	\$3,000.00	\$1,266.90	\$1,733.10	42.23%
Board Per Diem (5100)	\$13,000.00	\$7,500.00	\$5,500.00	57.69%
Other	\$2,500.00	\$0.00	\$2,500.00	0.00%
<b>TOTAL PAYROLL</b>	<b>\$127,550.00</b>	<b>\$104,179.60</b>	<b>\$23,370.40</b>	81.68%
Professional Services (Auditor, Lobbyist-8055, Bookkeeper-8050)	\$25,000.00	\$23,489.25	\$1,510.75	93.96%
Out of State Travel	\$2,500.00	\$0.00	\$2,500.00	0.00%
In State Travel (6200)	\$1,000.00	\$1,106.87	-\$106.87	110.69%
Office Expenses (shredding-85100, 7020-water, alarm)	\$5,000.00	\$479.95	\$4,520.05	9.60%
Postage (7100)	\$2,000.00	\$490.60	\$1,509.40	24.53%
Telephone & Internet (7290, 72901, 72902)	\$3,000.00	\$2,156.28	\$843.72	71.88%
Printing & Copying (7040)	\$750.00	\$1,031.31	-\$281.31	137.51%
Copy Lease (7500)	\$2,000.00	\$1,442.62	\$557.38	72.13%
Office Equipment	\$1,000.00	\$0.00	\$1,000.00	0.00%
Office Supplies (7015)	\$500.00	\$71.63	\$428.37	14.33%
Legal (8000, 8010)	\$40,000.00	\$28,773.10	\$11,226.90	71.93%
Tort Claim (8015)	\$3,000.00	\$769.32	\$2,230.68	25.64%
Rent (7050)	\$15,000.00	\$13,572.00	\$1,428.00	90.48%
Bank Charges (9001, 9002, 9011)	\$200.00	\$7,515.97	-\$7,315.97	3757.99%
Web Services (307910, 7210)	\$4,200.00	\$1,448.99	\$2,751.01	34.50%
Database & Software (7770)	\$5,750.00	\$1,984.87	\$3,765.13	34.52%
Dues & Registration (8250, 8255)	\$5,000.00	\$2,946.00	\$2,054.00	58.92%
Miscellaneous	\$1,000.00	\$364.20	\$635.80	36.42%
Administrative Services (7111, 8500, 8520)	\$5,000.00	\$6,810.36	-\$1,810.36	136.21%

	FY21	FY21	FY21	% of
	Budget	Actual	Difference as of	actual to
Payroll Expenses	\$3,500.00	\$2,044.95	\$1,455.05	58.43%
Exam Administration	\$2,000.00	\$19.00	\$1,981.00	0.95%
Hospitality	\$1,000.00	\$0.00	\$1,000.00	0.00%
<b>TOTAL EXPENSES</b>	<b>\$128,400.00</b>	<b>\$96,517.27</b>	<b>\$31,882.73</b>	75.17%
<b>TOTAL ALL EXPENSES</b>	<b>\$255,950.00</b>	<b>\$200,696.87</b>	<b>\$55,253.13</b>	78.41%
<b>NET BALANCE</b>	<b>\$129,150.00</b>	<b>\$187,896.77</b>	<b>\$267,038.40</b>	
<b>Amount Rolled Over from FY20</b>	\$61,024.89	\$43,010.49	\$43,010.49	
<b>GRAND TOTAL</b>	<b>\$190,174.89</b>	<b>\$230,907.26</b>	<b>\$310,048.89</b>	

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

Balance Sheet  
 As of June 7, 2021

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
1100 Cash in Bank	266,958.70
3309 Savings	104,958.11
<b>Total Bank Accounts</b>	<b>\$371,916.81</b>
Accounts Receivable	
1200 Accounts Receivable	0.00
<b>Total Accounts Receivable</b>	<b>\$0.00</b>
Other Current Assets	
1103 Prepaid Expenses	0.00
12000 Undeposited Funds	0.00
12100 Inventory Asset	0.00
Uncategorized Asset	-144.98
<b>Total Other Current Assets</b>	<b>\$ -144.98</b>
<b>Total Current Assets</b>	<b>\$371,771.83</b>
Other Assets	
1300 Deferred outflows of resources	94,485.33
<b>Total Other Assets</b>	<b>\$94,485.33</b>
<b>TOTAL ASSETS</b>	<b>\$466,257.16</b>

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

Balance Sheet  
 As of June 7, 2021

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
1106 Accounts Payable	10,176.38
<b>Total Accounts Payable</b>	<b>\$10,176.38</b>
Other Current Liabilities	
2100 Federal Income Withholding	-97.67
2100 Payroll Liabilities	-971.08
Federal Taxes (941/944)	0.00
NV Unemployment Tax	0.00
PERS	35,844.79
<b>Total 2100 Payroll Liabilities</b>	<b>34,873.71</b>
2101 Federal FICA Withholding	0.00
2102 Federal Medicare Withhold	0.00
2105 Employment Security	0.00
2110 Direct Deposit Liabilities	25,500.51
2200 Unearned Revenue	78,582.00
2450 Deferred inflow-pension	10,210.00
2455 Net pension liability	129,905.00
Deferred Revenue	324,024.25
Direct Deposit Payable	-23,407.10
<b>Total Other Current Liabilities</b>	<b>\$579,590.70</b>
<b>Total Current Liabilities</b>	<b>\$589,767.08</b>
<b>Total Liabilities</b>	<b>\$589,767.08</b>
Equity	
3000 Opening Bal Equity	-4,349.53
3900 2550 Fund Balance	21,577.27
Net Income	-140,737.66
<b>Total Equity</b>	<b>\$ -123,509.92</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$466,257.16</b>

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

Profit and Loss  
 July 1, 2020 - June 7, 2021

	TOTAL
Income	
4010 Psychologist Application	305.10
40100 Psychologist Application	15,781.80
40101 PA Application	3,076.50
40102 Intern Application	2,166.30
40103 Trainee Application	1,685.70
<b>Total 4010 Psychologist Application</b>	<b>23,015.40</b>
4015 Psychologist State Exam	8,176.58
4020 Psych Biennial	
40201 Prorated Psych Biennial	20,345.45
40202 Inactive Psych Biennial	7,301.00
40203 Reinstatement of Psych	500.00
<b>Total 4020 Psych Biennial</b>	<b>28,146.45</b>
4025 Psychologist Licensing Fee	426.05
40251 New License	1,114.55
40252 Change/Duplicate/Reinstatement	206.80
<b>Total 4025 Psychologist Licensing Fee</b>	<b>1,747.40</b>
4028 Registration Fee	
40281 Psych Asst fee	1,350.00
40282 Psych Intern Fee	150.00
40283 Psych Trainee	90.00
<b>Total 4028 Registration Fee</b>	<b>1,590.00</b>
4030 Non-Resident Consultant	1,000.00
4040 CE App Fee	1,357.84
4045 Verification of Licensure	327.64
4050 Renewal Late Fee	200.00
4078 Legal Fines recovered	750.00
4999 Interest	48.56
<b>Total Income</b>	<b>\$66,359.87</b>
<b>GROSS PROFIT</b>	<b>\$66,359.87</b>
Expenses	
307910 7210 Dolt Web SVb	423.58
5100	450.00
5100 Board Sal	7,050.00
5175 Board Staf	
51753 Investigator Salary	7,200.00
<b>Total 5175 Board Staf</b>	<b>7,200.00</b>
5250 Workers Compensation	1,266.90

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

Profit and Loss  
 July 1, 2020 - June 7, 2021

	TOTAL
5300 PERS	15,891.75
6200 In State Travel	789.92
6250 Air Tvl	316.95
<b>Total 6200 In State Travel</b>	<b>1,106.87</b>
7015 Supplies	35.91
70151 Supplies FG/SE	35.72
<b>Total 7015 Supplies</b>	<b>71.63</b>
7020 Office Expense	257.95
7040 Print-Copy	1,031.31
7050 Rent	13,572.00
85100 Shredding	222.00
<b>Total 7020 Office Expense</b>	<b>15,083.26</b>
7100 Postage	490.60
7111 Property & Contents Insur	4.53
7200 Utilities	
7210 Dolt Web SV	1,025.41
7290 Telephone	724.75
72901 Long Distance	289.93
72902 Internet	1,141.60
<b>Total 7290 Telephone</b>	<b>2,156.28</b>
<b>Total 7200 Utilities</b>	<b>3,181.69</b>
7500 Copy Lease	1,442.62
7770 Software	1,719.87
7777 Database	265.00
8000 Legal & Professional Fees	1,651.66
8010 Legal	27,121.44
8015 Tort Claim	769.32
<b>Total 8000 Legal &amp; Professional Fees</b>	<b>29,542.42</b>
8050 Prof Servs	12,030.00
8055 Lobbyist	11,459.25
<b>Total 8050 Prof Servs</b>	<b>23,489.25</b>
8100 Exam Administration	19.00
8250 Dues & Reg	970.00
8255 Membership	1,976.00
<b>Total 8250 Dues &amp; Reg</b>	<b>2,946.00</b>
8500 Admin Serv	5,316.12
8520 LCB	1,489.71
<b>Total 8500 Admin Serv</b>	<b>6,805.83</b>



FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

Profit and Loss  
 July 1, 2020 - June 7, 2021

	TOTAL
9001 Banking Fees	5,329.03
9002 Bank Crgs	1,511.01
9011 Fees Coll	675.93
<b>Total 9001 Banking Fees</b>	<b>7,515.97</b>
90100 Miscellaneous Expense	310.20
Payroll Expenses	2,044.95
Company Contributions	
Retirement	16,202.16
<b>Total Company Contributions</b>	<b>16,202.16</b>
Taxes	
Federal Taxes (941/944)	550.80
NV Unemployment Tax	0.00
<b>Total Taxes</b>	<b>550.80</b>
Wages	55,392.00
<b>Total Payroll Expenses</b>	<b>74,189.91</b>
PERS	175.99
<b>Total Expenses</b>	<b>\$200,642.87</b>
<b>NET OPERATING INCOME</b>	<b>\$ -134,283.00</b>
Other Income	
3390 Refund	0.00
<b>Total Other Income</b>	<b>\$0.00</b>
Other Expenses	
Reconciliation Discrepancies-1	54.00
<b>Total Other Expenses</b>	<b>\$54.00</b>
<b>NET OTHER INCOME</b>	<b>\$ -54.00</b>
<b>NET INCOME</b>	<b>\$ -134,337.00</b>

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
<b>3309 Savings</b>							
	Beginning Balance						104,953.65
05/28/2021	Deposit		Interest		4999 Interest	4.46	104,958.11
<b>Total for 3309 Savings</b>						<b>\$4.46</b>	
<b>1100 Cash in Bank</b>							
	Beginning Balance						273,239.22
05/03/2021	Deposit				-Split-	743.59	273,982.81
05/07/2021	Deposit				-Split-	960.00	274,942.81
05/10/2021	Bill Payment (Check)	7257	Soseh Esmaeili		1106 Accounts Payable	-450.00	274,492.81
05/11/2021	Expense		PERS		5300 PERS	-2,025.27	272,467.54
05/13/2021	Tax Payment		IRS	Tax Payment for Period: 04/01/2021-04/30/2021	2100 Federal Income Withholding	-1,418.94	271,048.60
05/17/2021	Payroll Check	DD	Lisa Scurry	Pay Period: 04/30/2021-05/13/2021	Direct Deposit Payable	-2,044.95	269,003.65
05/28/2021	Payroll Check	DD	Lisa Scurry	Pay Period: 05/14/2021-05/27/2021	Direct Deposit Payable	-2,044.95	266,958.70
<b>Total for 1100 Cash in Bank</b>						<b>\$ -</b>	<b>6,280.52</b>
<b>Uncategorized Asset</b>							
	Beginning Balance						-144.98
<b>Total for Uncategorized Asset</b>							
<b>1300 Deferred outflows of resources</b>							
	Beginning Balance						94,485.33
<b>Total for 1300 Deferred outflows of resources</b>							
<b>1106 Accounts Payable</b>							
	Beginning Balance						3,857.57
05/04/2021	Bill		Bank of America Credit Card		-Split-	402.57	4,260.14
05/04/2021	Bill		Legislative Counsel Bureau-Printing Divis		7020 Office Expense:7040 Print-Copy	344.26	4,604.40
05/10/2021	Bill Payment (Check)	7257	Soseh Esmaeili		1100 Cash in Bank	-450.00	4,154.40
05/12/2021	Bill		AT&T		7200 Utilities:7290 Telephone:72902 Internet	69.64	4,224.04
05/12/2021	Bill		AT&T		7200 Utilities:7290 Telephone:72901 Long Distance	63.04	4,287.08
05/14/2021	Bill		Ray Morgan Company		7500 Copy Lease	4.22	4,291.30
05/18/2021	Bill		Information Technology		-Split-	416.34	4,707.64
05/20/2021	Bill		Canon Financial Services, Inc.		7500 Copy Lease	111.93	4,819.57
05/20/2021	Bill		Information Technology		307910 7210 DoIt Web SVb	110.67	4,930.24
05/20/2021	Bill		Kathleen Laxalt		8050 Prof Servs:8055 Lobbyist	1,041.75	5,971.99
05/26/2021	Bill		Michelle Fox		8050 Prof Servs	160.00	6,131.99
06/04/2021	Bill		Nevada Attorney General		8000 Legal & Professional Fees:8010 Legal	4,044.39	10,176.38
<b>Total for 1106 Accounts Payable</b>						<b>\$6,318.81</b>	
<b>2100 Payroll Liabilities</b>							
	Beginning Balance						-971.08
<b>Total for 2100 Payroll Liabilities</b>							
<b>NV Unemployment Tax</b>							
05/14/2021	Payroll Check	DD	Lisa Scurry	NV Unemployment Tax	Direct Deposit Payable	0.00	0.00
05/28/2021	Payroll Check	DD	Lisa Scurry	NV Unemployment Tax	Direct Deposit Payable	0.00	0.00
<b>Total for NV Unemployment Tax</b>						<b>\$0.00</b>	

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

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General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
PERS							
Beginning Balance							34,494.61
05/14/2021	Payroll Check	DD	Lisa Scurry	PERS - Company Contribution	Direct Deposit Payable	675.09	35,169.70
05/28/2021	Payroll Check	DD	Lisa Scurry	PERS - Company Contribution	Direct Deposit Payable	675.09	35,844.79
<b>Total for PERS</b>							<b>\$1,350.18</b>
<b>Total for 2100 Payroll Liabilities with subs</b>							<b>\$1,350.18</b>
2110 Direct Deposit Liabilities							
Beginning Balance							25,500.51
<b>Total for 2110 Direct Deposit Liabilities</b>							
2450 Deferred inflow-pension							
Beginning Balance							10,210.00
<b>Total for 2450 Deferred inflow-pension</b>							
2455 Net pension liability							
Beginning Balance							129,905.00
<b>Total for 2455 Net pension liability</b>							
2100 Federal Income Withholding							
Beginning Balance							795.17
05/13/2021	Tax Payment		IRS	Federal Taxes (941/944)	1100 Cash in Bank	-1,418.94	-623.77
05/14/2021	Payroll Check	DD	Lisa Scurry	Federal Taxes (941/944)	Direct Deposit Payable	263.05	-360.72
05/28/2021	Payroll Check	DD	Lisa Scurry	Federal Taxes (941/944)	Direct Deposit Payable	263.05	-97.67
<b>Total for 2100 Federal Income Withholding</b>							<b>\$ -892.84</b>
2200 Unearned Revenue							
Beginning Balance							78,582.00
<b>Total for 2200 Unearned Revenue</b>							
Deferred Revenue							
Beginning Balance							324,024.25
<b>Total for Deferred Revenue</b>							
Direct Deposit Payable							
Beginning Balance							-23,407.10
05/14/2021	Payroll Check	DD	Lisa Scurry	Pay Period: 04/30/2021-05/13/2021	-Split-	2,044.95	-21,362.15
05/17/2021	Payroll Check	DD	Lisa Scurry	Direct Deposit	1100 Cash in Bank	-2,044.95	-23,407.10
05/28/2021	Payroll Check	DD	Lisa Scurry	Direct Deposit	1100 Cash in Bank	-2,044.95	-25,452.05
05/28/2021	Payroll Check	DD	Lisa Scurry	Pay Period: 05/14/2021-05/27/2021	-Split-	2,044.95	-23,407.10
<b>Total for Direct Deposit Payable</b>							<b>\$0.00</b>
3000 Opening Bal Equity							
Beginning Balance							-4,349.53
<b>Total for 3000 Opening Bal Equity</b>							
3900 2550 Fund Balance							
Beginning Balance							21,577.27
<b>Total for 3900 2550 Fund Balance</b>							
4010 Psychologist Application							
Beginning Balance							305.10
<b>Total for 4010 Psychologist Application</b>							
40100 Psychologist Application							
Beginning Balance							14,241.00
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	155.10	14,396.10
05/07/2021	Deposit			Deposit	1100 Cash in Bank	150.00	14,546.10

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
<b>Total for 40100 Psychologist Application</b>						<b>\$305.10</b>	
40101 PA Application							
Beginning Balance							
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	155.10	2,616.30
05/07/2021	Deposit			Deposit	1100 Cash in Bank	150.00	2,766.30
<b>Total for 40101 PA Application</b>						<b>\$305.10</b>	
40102 Intern Application							
Beginning Balance							
<b>Total for 40102 Intern Application</b>							2,166.30
40103 Trainee Application							
Beginning Balance							
<b>Total for 40103 Trainee Application</b>							1,375.50
<b>Total for 4010 Psychologist Application with subs</b>						<b>\$610.20</b>	
4015 Psychologist State Exam							
Beginning Balance							
05/07/2021	Deposit			Deposit	1100 Cash in Bank	200.00	7,356.96
05/07/2021	Deposit			Deposit	1100 Cash in Bank	200.00	7,556.96
<b>Total for 4015 Psychologist State Exam</b>						<b>\$400.00</b>	
4020 Psych Biennial							
40201 Prorated Psych Biennial							
Beginning Balance							
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	504.85	16,350.90
<b>Total for 40201 Prorated Psych Biennial</b>						<b>\$504.85</b>	
40202 Inactive Psych Biennial							
Beginning Balance							
<b>Total for 40202 Inactive Psych Biennial</b>							7,301.00
40203 Reinstatement of Psych							
Beginning Balance							
<b>Total for 40203 Reinstatement of Psych</b>							500.00
<b>Total for 4020 Psych Biennial</b>						<b>\$504.85</b>	
4025 Psychologist Licensing Fee							
Beginning Balance							
<b>Total for 4025 Psychologist Licensing Fee</b>							426.05
40251 New License							
Beginning Balance							
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	25.00	914.55
<b>Total for 40251 New License</b>						<b>\$25.00</b>	
40252 Change/Duplicate/Reinstatement							
Beginning Balance							
<b>Total for 40252 Change/Duplicate/Reinstatement</b>							206.80
<b>Total for 4025 Psychologist Licensing Fee with subs</b>						<b>\$25.00</b>	
4028 Registration Fee							
40281 Psych Asst fee							
Beginning Balance							
<b>Total for 40281 Psych Asst fee</b>							1,350.00
40282 Psych Intern Fee							

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
	Beginning Balance						150.00
<b>Total for 40282 Psych Intern Fee</b>							
	40283 Psych Trainee Beginning Balance						60.00
05/07/2021	Deposit			Deposit	1100 Cash in Bank	30.00	90.00
<b>Total for 40283 Psych Trainee</b>							<b>\$30.00</b>
<b>Total for 4028 Registration Fee</b>							<b>\$30.00</b>
	4030 Non-Resident Consultant Beginning Balance						800.00
05/07/2021	Deposit			Deposit	1100 Cash in Bank	100.00	900.00
05/07/2021	Deposit			Deposit	1100 Cash in Bank	100.00	1,000.00
<b>Total for 4030 Non-Resident Consultant</b>							<b>\$200.00</b>
	4040 CE App Fee Beginning Balance						1,327.84
05/07/2021	Deposit			Deposit	1100 Cash in Bank	30.00	1,357.84
<b>Total for 4040 CE App Fee</b>							<b>\$30.00</b>
	4045 Verification of Licensure Beginning Balance						307.64
<b>Total for 4045 Verification of Licensure</b>							
	4050 Renewal Late Fee Beginning Balance						200.00
<b>Total for 4050 Renewal Late Fee</b>							
	4078 Legal Fines recovered Beginning Balance						750.00
<b>Total for 4078 Legal Fines recovered</b>							
	4999 Interest Beginning Balance						44.10
05/28/2021	Deposit	Interest		Interest Earned	3309 Savings	4.46	48.56
<b>Total for 4999 Interest</b>							<b>\$4.46</b>
	307910 7210 Dolt Web SVb Beginning Balance						312.91
05/20/2021	Bill		Information Technology	Invoice 343718	1106 Accounts Payable	110.67	423.58
<b>Total for 307910 7210 Dolt Web SVb</b>							<b>\$110.67</b>
	5100 Beginning Balance						450.00
<b>Total for 5100</b>							
	5100 Board Sal Beginning Balance						7,050.00
<b>Total for 5100 Board Sal</b>							
	5175 Board Staf 51753 Investigator Salary Beginning Balance						7,200.00
<b>Total for 51753 Investigator Salary</b>							
<b>Total for 5175 Board Staf</b>							
	5250 Workers Compensation Beginning Balance						1,220.67

## NV State Board of Psychological Examiners

General Ledger

May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
05/04/2021	Bill		Bank of America Credit Card	State Farm	1106 Accounts Payable	46.23	1,266.90
<b>Total for 5250 Workers Compensation</b>						<b>\$46.23</b>	
5300 PERS							
Beginning Balance							
05/11/2021	Expense		PERS	TRANSFER NV BOARD OF PSYCHOLO:Public Employee's Re Confirmation# 0673180317	1100 Cash in Bank	2,025.27	15,891.75
<b>Total for 5300 PERS</b>						<b>\$2,025.27</b>	
6200 In State Travel							
Beginning Balance							
<b>Total for 6200 In State Travel</b>							789.92
6250 Air Tvl							
Beginning Balance							
<b>Total for 6250 Air Tvl</b>							316.95
<b>Total for 6200 In State Travel with subs</b>							
7015 Supplies							
Beginning Balance							
<b>Total for 7015 Supplies</b>							35.91
70151 Supplies FG/SE							
Beginning Balance							
<b>Total for 70151 Supplies FG/SE</b>							35.72
<b>Total for 7015 Supplies with subs</b>							
7020 Office Expense							
Beginning Balance							
<b>Total for 7020 Office Expense</b>							257.95
7040 Print-Copy							
Beginning Balance							
05/04/2021	Bill		Legislative Counsel Bureau-Printing Divis	Psychologist Licenses (INV15860)	1106 Accounts Payable	344.26	1,031.31
<b>Total for 7040 Print-Copy</b>						<b>\$344.26</b>	
7050 Rent							
Beginning Balance							
<b>Total for 7050 Rent</b>							13,572.00
85100 Shredding							
Beginning Balance							
<b>Total for 85100 Shredding</b>							222.00
<b>Total for 7020 Office Expense with subs</b>						<b>\$344.26</b>	
7100 Postage							
Beginning Balance							
05/04/2021	Bill		Bank of America Credit Card	Certified Mail of 2 subpoenas	1106 Accounts Payable	15.30	490.60
<b>Total for 7100 Postage</b>						<b>\$15.30</b>	
7111 Property & Contents Insur							
Beginning Balance							
<b>Total for 7111 Property &amp; Contents Insur</b>							4.53
7200 Utilities							
7210 Dolt Web SV							
Beginning Balance							
<b>Total for 7200 Utilities</b>							1,025.41

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
<b>Total for 7210 Dolt Web SV</b>							
7290 Telephone							
Beginning Balance							724.75
<b>Total for 7290 Telephone</b>							
72901 Long Distance							
Beginning Balance							226.89
05/12/2021	Bill		AT&T	Long distance	1106 Accounts Payable	63.04	289.93
<b>Total for 72901 Long Distance</b>							<b>\$63.04</b>
72902 Internet							
Beginning Balance							655.62
05/12/2021	Bill		AT&T	Internet	1106 Accounts Payable	69.64	725.26
05/18/2021	Bill		Information Technology	292464	1106 Accounts Payable	110.67	835.93
05/18/2021	Bill		Information Technology	292723	1106 Accounts Payable	41.76	877.69
05/18/2021	Bill		Information Technology	307934	1106 Accounts Payable	110.67	988.36
05/18/2021	Bill		Information Technology	326091	1106 Accounts Payable	1.01	989.37
05/18/2021	Bill		Information Technology	338515	1106 Accounts Payable	41.56	1,030.93
05/18/2021	Bill		Information Technology	338654	1106 Accounts Payable	110.67	1,141.60
<b>Total for 72902 Internet</b>							<b>\$485.98</b>
<b>Total for 7290 Telephone with subs</b>							<b>\$549.02</b>
<b>Total for 7200 Utilities</b>							<b>\$549.02</b>
7500 Copy Lease							
Beginning Balance							1,219.53
05/04/2021	Bill		Bank of America Credit Card	Canon Copier lease	1106 Accounts Payable	106.94	1,326.47
05/14/2021	Bill		Ray Morgan Company	Invoice 3306398	1106 Accounts Payable	4.22	1,330.69
05/20/2021	Bill		Canon Financial Services, Inc.	Invoice 26727991	1106 Accounts Payable	111.93	1,442.62
<b>Total for 7500 Copy Lease</b>							<b>\$223.09</b>
7770 Software							
Beginning Balance							1,430.90
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	69.99	1,500.89
05/04/2021	Bill		Bank of America Credit Card	Google Suite	1106 Accounts Payable	60.00	1,560.89
05/04/2021	Bill		Bank of America Credit Card	Jotform - online applications	1106 Accounts Payable	19.00	1,579.89
<b>Total for 7770 Software</b>							<b>\$148.99</b>
7777 Database							
Beginning Balance							265.00
<b>Total for 7777 Database</b>							
8000 Legal & Professional Fees							
Beginning Balance							1,651.66
<b>Total for 8000 Legal &amp; Professional Fees</b>							
8010 Legal							
Beginning Balance							23,077.05
06/04/2021	Bill		Nevada Attorney General	Statement no 100151	1106 Accounts Payable	4,044.39	27,121.44

FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
<b>Total for 8010 Legal</b>						<b>\$4,044.39</b>	
	8015 Tort Claim						
	Beginning						769.32
	Balance						
<b>Total for 8015 Tort Claim</b>							
<b>Total for 8000 Legal &amp; Professional Fees with subs</b>						<b>\$4,044.39</b>	
	8050 Prof Servs						
	Beginning						11,870.00
	Balance						
05/26/2021	Bill		Michelle Fox	Invoice 115	1106 Accounts Payable	160.00	12,030.00
<b>Total for 8050 Prof Servs</b>						<b>\$160.00</b>	
	8055 Lobbyist						
	Beginning						10,417.50
	Balance						
05/20/2021	Bill		Kathleen Laxalt	May	1106 Accounts Payable	1,041.75	11,459.25
<b>Total for 8055 Lobbyist</b>						<b>\$1,041.75</b>	
<b>Total for 8050 Prof Servs with subs</b>						<b>\$1,201.75</b>	
	8100 Exam Administration						
	Beginning						19.00
	Balance						
<b>Total for 8100 Exam Administration</b>							
	8250 Dues & Reg						
	Beginning						970.00
	Balance						
<b>Total for 8250 Dues &amp; Reg</b>							
	8255 Membership						
	Beginning						1,976.00
	Balance						
<b>Total for 8255 Membership</b>							
<b>Total for 8250 Dues &amp; Reg with subs</b>							
	8500 Admin Serv						
	Beginning						5,316.12
	Balance						
<b>Total for 8500 Admin Serv</b>							
	8520 LCB						
	Beginning						1,489.71
	Balance						
<b>Total for 8520 LCB</b>							
<b>Total for 8500 Admin Serv with subs</b>							
	9001 Banking Fees						
	Beginning						5,329.03
	Balance						
<b>Total for 9001 Banking Fees</b>							
	9002 Bank Crgs						
	Beginning						1,511.01
	Balance						
<b>Total for 9002 Bank Crgs</b>							
	9011 Fees Coll						
	Beginning						499.83
	Balance						
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	1.20	501.03
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	15.67	516.70
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	4.80	521.50
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	4.80	526.30
<b>Total for 9011 Fees Coll</b>						<b>\$26.47</b>	
<b>Total for 9001 Banking Fees with subs</b>						<b>\$26.47</b>	



FINANCIAL REPORT  
**NV State Board of Psychological Examiners**

ITEM 4A

General Ledger  
 May 3 - June 7, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
<b>90100 Miscellaneous Expense</b>							
	Beginning Balance						155.10
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	-31.17	123.93
05/03/2021	Deposit			PAYPAL DES:TRANSFER ID:XXXXX29454865 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	31.17	155.10
05/04/2021	Bill		Bank of America Credit Card	PayPal - Test of Online Application (amount was refunded)	1106 Accounts Payable	155.10	310.20
<b>Total for 90100 Miscellaneous Expense</b>						<b>\$155.10</b>	
<b>Payroll Expenses</b>							
	Beginning Balance						2,044.95
<b>Total for Payroll Expenses</b>							
<b>Company Contributions</b>							
<b>Retirement</b>							
	Beginning Balance						14,851.98
05/14/2021	Payroll Check	DD	Lisa Scurry	Employer Retirement Contribution	Direct Deposit Payable	675.09	15,527.07
05/28/2021	Payroll Check	DD	Lisa Scurry	Employer Retirement Contribution	Direct Deposit Payable	675.09	16,202.16
<b>Total for Retirement</b>						<b>\$1,350.18</b>	
<b>Total for Company Contributions</b>						<b>\$1,350.18</b>	
<b>Taxes</b>							
<b>Federal Taxes (941/944)</b>							
	Beginning Balance						550.80
<b>Total for Federal Taxes (941/944)</b>							
<b>NV Unemployment Tax</b>							
05/14/2021	Payroll Check	DD	Lisa Scurry	NV SUI Employer	Direct Deposit Payable	0.00	0.00
05/14/2021	Payroll Check	DD	Lisa Scurry	NV Career Enhancement Program	Direct Deposit Payable	0.00	0.00
05/28/2021	Payroll Check	DD	Lisa Scurry	NV SUI Employer	Direct Deposit Payable	0.00	0.00
05/28/2021	Payroll Check	DD	Lisa Scurry	NV Career Enhancement Program	Direct Deposit Payable	0.00	0.00
<b>Total for NV Unemployment Tax</b>						<b>\$0.00</b>	
<b>Total for Taxes</b>						<b>\$0.00</b>	
<b>Wages</b>							
	Beginning Balance						50,776.00
05/14/2021	Payroll Check	DD	Lisa Scurry	Gross Pay - This is not a legal pay stub	Direct Deposit Payable	2,308.00	53,084.00
05/28/2021	Payroll Check	DD	Lisa Scurry	Gross Pay - This is not a legal pay stub	Direct Deposit Payable	2,308.00	55,392.00
<b>Total for Wages</b>						<b>\$4,616.00</b>	
<b>Total for Payroll Expenses with subs</b>						<b>\$5,966.18</b>	
<b>PERS</b>							
	Beginning Balance						175.99
<b>Total for PERS</b>							
<b>Reconciliation Discrepancies-1</b>							
	Beginning Balance						54.00
<b>Total for Reconciliation Discrepancies-1</b>							

**4B. (For Possible Action) Discussion and Possible Action to Approve the Renewal of the Independent Contractor Agreement of Michelle Fox to perform Bookkeeper Services for Fiscal Year 2022 in an Amount not to Exceed \$2,000**

Presenter: Lisa Scurry, Executive Director

Staff Report: The proposed independent contractor agreement for fiscal year 2022 mirrors that of fiscal year 2021 with one change. It is recommended that the hourly rate for Michelle Fox, the Board's Bookkeeper, would increase from \$40 an hour to \$42.50 an hour for a total amount not to exceed \$2,000. Based on the amount spent during fiscal year 2021, this amount should stay within the budget.

Proposed Motion: That the Board of Psychological Examiners approves the Independent Contractor Agreement with Michelle Fox, Bookkeeper, in an amount not to exceed \$2,000.00 for fiscal year 2022, allowing for an hourly rate increase from \$40/hour to \$42.50/hour.

## ***INDEPENDENT CONTRACTOR AGREEMENT***

This Independent Contractor Agreement (this "Agreement") is made effective as of July 01, 2021, by and between State of Nevada Board of Psychological Examiners (the "Recipient"), of 4600 Kietzke Lane, Bldg B-116, Reno, Nevada 89502, and Michelle Fox (the "Contractor"), of 1704 Maple Creek Lane, Carson City, Nevada 89701. In this Agreement, the party who is contracting to receive the services shall be referred to as "Recipient", and the party who will be providing the services shall be referred to as "Contractor."

**1. DESCRIPTION OF SERVICES.** Beginning the date this agreement is executed through June 30, 2022, the Contractor will provide the following services (collectively, the "Services"):

Scope of work to be performed: Close out Fiscal Year 2021 and support Fiscal year 2022; Enter and/or review financial transactions; Reconcile all Bank Accounts; Set-up filing system for all relative documents.

**2. PAYMENT FOR SERVICES.** The Recipient will pay compensation to the Contractor for the Services. Payments will be made as follows: \$42.50 per hour payable upon receipt of invoice for services rendered. Amount not to exceed \$1,999.99.

No other fees and/or expenses will be paid to the Contractor, unless such fees and/or expenses have been approved in advance by the appropriate executive on behalf of the Recipient in writing. The Contractor shall be solely responsible for any and all taxes, Social Security contributions or payments, disability insurance, unemployment taxes, and other payroll type taxes applicable to such compensation.

**3. TERM/TERMINATION.** This Agreement may be terminated by either party upon 30 days' written notice to the other party.

A regular, ongoing relationship of indefinite term is not contemplated. The Recipient has no right to assign services to the Contractor other than as specifically contemplated by this Agreement.

However, the parties may mutually agree that the Contractor shall perform other services for the Recipient, pursuant to the terms of this Agreement.

**4. RELATIONSHIP OF PARTIES.** It is understood by the parties that the Contractor is an independent contractor with respect to the Recipient, and not an employee of the Recipient. The Recipient will not provide fringe benefits, including health insurance benefits, paid vacation, or any other employee benefit, for the benefit of the Contractor.

It is contemplated that the relationship between the Contractor and the Recipient shall be a

non-exclusive one. The Contractor also performs services for other organizations and/or individuals.

The Recipient has no right to further inquire into the Contractor's other activities.

**5. RECIPIENT'S CONTROL.** The Recipient has no right or power to control or otherwise interfere with the Contractor's mode of effecting performance under this Agreement. The Recipient's only concern is the result of the Contractor's work, and not the means of accomplishing it. Except in extraordinary circumstances and when necessary, the Contractor shall perform the Services without direct supervision by the Recipient.

**6. PROFESSIONAL CAPACITY.** The Contractor is a professional who uses his or her own professional and business methods to perform services. The Contractor has not and will not receive training from the Recipient regarding how to perform the Services.

**7. PERSONAL SERVICES NOT REQUIRED.** The Contractor is not required to render the Services personally and may employ others to perform the Services on behalf of the Recipient without the Recipient's knowledge or consent. If the Contractor has assistants, it is the Contractor's responsibility to hire them and to provide materials for them.

**8. NO LOCATION ON PREMISES.** The Contractor has no desk or other equipment either located at or furnished by the Recipient. Except to the extent that the Contractor works in a territory as defined by the Recipient, his or her services are not integrated into the mainstream of the Recipient's business.

**9. NO SET WORK HOURS.** The Contractor has no set hours of work. There is no requirement that the Contractor work full time or otherwise account for work hours.

**10. EXPENSES PAID BY CONTRACTOR.** The Contractor's business and travel expenses are to be paid by the Contractor and not by the Recipient.

**11. CONFIDENTIALITY.** Contractor may have had access to proprietary, private and/or otherwise confidential information ("Confidential Information") of the Recipient. Confidential Information shall mean all non-public information which constitutes, relates or refers to the operation of the business of the Recipient, including without limitation, all financial, investment, operational, personnel, sales, marketing, managerial and statistical information of the Recipient, and any and all trade secrets, customer lists, or pricing information of the Recipient. The nature of the information and the manner of disclosure are such that a reasonable person would understand it to be confidential. The Contractor will not at any time or in any manner, either directly or indirectly, use for the personal benefit of the Contractor, or divulge, disclose, or communicate in any manner any Confidential Information. The Contractor will protect such information and treat the Confidential Information as strictly confidential. This provision shall continue to be effective after the termination of this Agreement. Upon termination of this Agreement, the Contractor will return to the Recipient all Confidential Information, whether physical or electronic, and other items that were used, created, or controlled by the Contractor during the term of

this Agreement.

This Agreement is in compliance with the Defend Trade Secrets Act and provides civil or criminal immunity to any individual for the disclosure of trade secrets: (i) made in confidence to a federal, state, or local government official, or to an attorney when the disclosure is to report suspected violations of the law; or (ii) in a complaint or other document filed in a lawsuit if made under seal.

**12. NO RIGHT TO ACT AS AGENT.** An "employer-employee" or "principal-agent" relationship is not created merely because (1) the Recipient has or retains the right to supervise or inspect the work as it progresses in order to ensure compliance with the terms of the contract or (2) the Recipient has or retains the right to stop work done improperly. The Contractor has no right to act as an agent for the Recipient and has an obligation to notify any involved parties that it is not an agent of the Recipient.

**13. ENTIRE AGREEMENT.** This Agreement constitutes the entire contract between the parties. All terms and conditions contained in any other writings previously executed by the parties regarding the matters contemplated herein shall be deemed to be merged herein and superseded hereby. No modification of this Agreement shall be deemed effective unless in writing and signed by the parties hereto.

**14. WAIVER OF BREACH.** The waiver by the Recipient of a breach of any provision of this Agreement by Contractor shall not operate or be construed as a waiver of any subsequent breach by Contractor.

**15. SEVERABILITY.** If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

**16. APPLICABLE LAW.** This Agreement shall be governed by the laws of the State of Nevada.

**17. SIGNATORIES.** This Agreement shall be signed by Dr. Whitney Owens, Board President, on behalf of Recipient, and by Michelle Fox as Contractor. This Agreement is effective as of the date signed below.

RECIPIENT:

State of Nevada Board of Psychological Examiners

By: \_\_\_\_\_  
Whitney Owens, Psy.D.,  
Board President

Dated

By: \_\_\_\_\_  
Harry B. Ward, J.D.  
Deputy Attorney General

Dated

CONTRACTOR:

Michelle Fox

By: \_\_\_\_\_

Dated

DRAFT

**4D. (For Possible Action) Discussion and Possible Action to Approve a Pay Raise of Not Less than 2% of the Current Annual Salary for Executive Director Lisa Scurry Beginning July 1, 2021 for Fiscal Year 2022**

Presenter: Lisa Scurry, Executive Director

Staff Report: The performance evaluation for Executive Director Lisa Scurry was performed at the May 14, 2021, meeting of the board. The overall rating of the evaluation was Above Average. Board Policy "Executive Director Employment, Compensation, and Evaluation" section 2(b)(iii) states the "Executive Director shall be eligible for an annual merit salary increase if the annual performance evaluation is rated as average or better. Such increase shall not be less than 2% of the annual salary."

As Director Scurry's annual salary is \$60,000, a 2% pay increase would equal an annual increase of \$1,200.

Proposed Motion: That the Board of Psychological Examiners approves a salary increase for Lisa Scurry, Executive Director beginning July 1, 2021, of 2% of the current annual salary or \$1,200 annually.



## **POLICY OF THE NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS**

### **Executive Director Employment, Compensation, and Evaluation**

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#### **Purpose**

In accordance with Nevada state law (NRS 641.045), the Nevada State Board of Psychological Examiners ("Board") shall establish policy "concerning compensation and reviewing the performance of the staff of the Board." This policy, and any accompanying procedures, shall define and describe the course and scope of employment of an Executive Director of the Board.

#### **Procedure**

##### **1. General Provisions**

- a. The Board shall recruit, employ, and retain an Executive Director without regard to actual or perceived race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin, native language, age (against individuals 40 years of age or older), sexual orientation, gender identity or expression, genetic information, veterans or military status, political affiliation, marital status, disability, lawful use of any product when not at work, or opposing unlawful employment practices.
- b. This policy applies to all opportunities and privileges of employment including but not limited to hiring, termination, compensation, and training.
- c. The Board may adopt administrative procedures as necessary to implement the provisions of this document.
- d. The Executive Director shall comply with actions of the Board, including approved policies and procedures, as well as applicable state laws and regulations. Failure to do so may result in disciplinary action. Executive Director is accountable to the Board as a whole and not to individual members of the Board.

##### **2. Employment**

- a. Probationary Period/Status of Appointment. The probationary period of the Executive Director shall be six months from the date of hire. During the probationary period, the conduct and job performance may be reviewed by the Board at the request of the Board President. Dismissal may be made at any time during the probationary period. Once the



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probationary period has been successfully completed, the Executive Director will have attained permanent status.

- b. Compensation. See Addendum A for salary schedule
  - i. The Board shall pay Executive Director a gross annual salary incrementally as it is earned at the Board's regular payroll intervals, less any deductions required by law or authorized by Executive Director ("Salary").
  - ii. Executive Director shall receive and be subject to such annual cost of living adjustments ("COLA") as determined by the Board. S
  - iii. Merit Pay Increase. Executive Director shall be eligible for an annual merit salary increase if the annual performance evaluation is rated as average or better. Such increase shall be not less than 2% of the annual salary.
  - iv. Payroll. Payroll shall be distributed on a bi-weekly basis.
- c. Fringe Benefits.
  - i. Insurance. Executive Director shall not receive Board-paid group medical, dental, vision, or life insurance plans.
  - ii. Retirement Program. Executive Director shall receive full payment by the Board of normal contributions to the Nevada Public Employees Retirement System (PERS).
  - iii. Paid Vacation and Sick Leave. Executive Director shall accrue and be entitled to use paid vacation and sick leave as follows.
    - 1. Accrual shall be at the rate of 1.25 days of vacation time and 1.25 days of sick leave for each full month worked. Executive Director may earn a total of fifteen (15) vacation days and fifteen (15) sick leave days per fiscal year.
    - 2. Upon separation from employment with the Board, Executive Director shall be entitled to payment for any unused vacation days and one-third (1/3) of any unused sick days.
    - 3. Executive Director may save unused vacation days and/or sick leave days to the next year up to a maximum of thirty (30) vacation days or sick leave days.
    - 4. If Executive Director is absent from official duties, Executive Director shall notify the Board President or the Board President's designee in advance.

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- iv. Leave without Pay. Leave without pay may be taken at the discretion of the Executive Director or Board.
  - d. Holidays. Executive Director shall receive payment for eleven recognized state holidays per year (New Year's Day, Martin Luther King Jr.'s Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Nevada Day, Veterans Day, Thanksgiving Day / Family Day, and Christmas Day)
  - e. Travel. Executive Director may be required to travel in connection with official duties.
    - i. If appropriate, Executive Director shall receive an allowance for meals and lodging in accordance with the rate established by the U.S. General Services Administration or State of Nevada.
    - ii. If, in the course of official duties, Executive Director is required to use their own personal vehicle (e.g. travel to State Legislature), reimbursement will be made at the mileage rate authorized by the current federal rate as determined by the U.S. Internal Revenue Service.
  - f. Background Check. The Executive Director shall undergo a background check with fingerprints upon his/her initial employment. Any findings in the background check shall be disclosed to the Board President who shall determine if the Board of the Whole should review and/or take action.
  - g. Termination.
    - i. Termination by Resignation. Executive Director may terminate employment at any time and is encouraged to provide at least 30 days' advance written notice to the Board.
    - ii. Involuntary Termination. Executive Director's employment may be terminated by the Board at any time for any not unlawful reason or no reason, with or without Cause, as follows:
      - 1. Termination by the Board Without Cause. The Board may terminate Executive Director's employment at-will, at any time, for any not unlawful reason or no stated reason, without Cause (as defined below), upon providing Executive Director at least 5 working days personal notice or 21 working days written notice sent certified U.S. Mail to Executive Director's last known residence address on file with the Board.
      - 2. Termination by the Board for Cause. Executive Director's employment as Executive Director may be terminated at any

time for Cause upon a majority vote of the Board. "Cause" shall be defined as: (1) any act of dishonesty, fraud, malfeasance, embezzlement, theft, unethical conduct, or for gross negligence in the performance of the Executive Director's duties and responsibilities under this document; (2) Executive Director's substantial neglect of or refusal to discharge Executive Director's duties; (3) Executive Director's willful refusal to follow a lawful order or instruction of the Board.

- iii. In the event of termination, the Board shall pay Executive Director: (1) earned Salary through the last day of employment; (2) any accrued and unused paid vacation; (3) One-third of any accrued and unused sick leave; (4) and any unreimbursed appropriate expenses.

h. Confidentiality.

- i. Executive Director agrees to hold as confidential information defined as confidential and gained during employment. Such information may include, but is not limited to, personally identifiable information related to licensees, registrants, and applicants, and information deemed as non-public under state and/or federal law including information protected by the ADA and HIPPA.
  - ii. This agreement shall continue upon Executive Director's separation from employment.
- i. Executive Director shall not take for personal use any items purchased by the Board including electronic equipment and office supplies. This includes upon separation from employment.

3. Employee Dispute Resolution

- a. Mediation. In the event a conflict arises between the Executive Director and a Board member or other staff of the Board, mediation shall be available as a voluntary and informal means of reaching a resolution to a particular situation. The mediation process shall generally be conducted under the direction of the Board President. Where the Board President is a party in the mediation, the Board shall designate an alternative.
- b. Grievance and Complaint Procedure.
  - i. If Executive Director is aggrieved by an action that relates, but is not limited, to such issues as working conditions, discipline, a report on performance, or the inconsistent application of policies and procedures, he/she may file a written grievance to the Board. Before

filing a grievance, an attempt to resolve the situation through informal discussions with the Board President is recommended.

- ii. A grievance must be filed with the Board within 20 working days after the date of the event being grieved or the date that Executive Director learned of the event. The specified period to resolve a grievance may be extended by mutual agreement. A grievance shall include a proposed resolution.

c. Appeal

- i. In the event the Board moves to discipline, demote, or dismiss Executive Director, Executive Director shall be provided at least 10 working days' written notice of such action. Executive Director shall be provided the findings of the Board in writing.
- ii. Executive Director shall have the opportunity to appeal a decision of the Board in a publicly noticed meeting.

4. Duties and Responsibilities. Executive Director shall well and faithfully perform all the normal duties and responsibilities of an Executive Director under Nevada law as the Chief Executive Officer of the Board, the specifically described duties set forth below, and any additional and reasonable duties as the Board may assign.

a. Executive Director's duties include, but are not limited to the following:

- i. Management of the daily operations of the Board Office;
- ii. Purchasing, Payroll, and other financial transactions;

b. The Executive Director shall work in conjunction with the Board President or the Board President's designee to ensure the Board functions properly, professionally, and appropriately.

c. The Board shall establish the general responsibilities and duties of the Executive Director. Unless otherwise directed through Board action, policy or procedure, or in accordance with state law, it shall be the duty of the Board President, or the Board's designee, to oversee the execution of the duties and responsibilities of the Executive Director.

d. When formal approval by the Board is not required in connection with the performance of duties, the Executive Director shall advise the Board President of all significant decisions related to the function of the Board and the Board Office.

e. The Executive Director shall be required and expected to perform the duties and responsibilities at a high professional level in order to meet the

various goals, objectives, and priorities established by the Board. The Executive Director shall be expected to meet and attain all such goals and objectives, as well as any other goals and objectives as the Board may otherwise set for the Executive Director after consultation with Executive Director.

- f. Attendance at Board and Significant Meetings. The Executive Director shall attend all regular, special, and closed meetings of the Board. Executive Director shall also attend other meetings as may be appropriate or necessary in his/her judgment or as directed by the Board, and may submit any recommendations on any business or issues being considered by the Board.
  - g. Communication. The Executive Director shall be responsible for keeping the Board updated in a timely manner with respect to developments, occurrences, and activities of the Board and the Board office.
  - h. The Board and the Executive Director shall maintain a collaborative and cooperative working relationship that is in the best interests of the Board as a whole. The Board shall provide the Executive Director with periodic opportunities to discuss their working relationship.
  - i. Confidentiality. Except as otherwise required by applicable law or order of a court or government agency of competent jurisdiction, Executive Director agrees:
    - i. to treat any Board confidential information as strictly confidential; and
    - ii. not to directly or indirectly use, copy, remove from the Board premises, disclose, publish, or communicate to any entity or person any Confidential Information except as required in the performance of Executive Director's duties and for the effective administration of The Board.
5. Training and Professional Development. The Board supports training programs and professional development to improve the efficiency and productivity of the Executive Director.
- a. The Executive Director is responsible for identifying necessary and appropriate orientation, on-the-job training, and any formal or specialized training in areas unique to the work environment and required by the Board. Such training may include that which is required or recommended by the State of Nevada, including the Division of Human Resource Management (e.g. courses in supervision, management, customer service, and business/finance/purchasing).

## 6. Evaluation of Performance.

- a. Evaluation of performance shall be conducted during an public meeting of the Board.
- b. Work Performance Standards are written statements of the results and/or behavior expected of the Executive Director when job elements are satisfactorily performed under existing working conditions. Standards should be provided annually.
- c. The Board and Executive Director shall meet annually, at a minimum to discuss progress toward annual performance goals. The Executive Director shall schedule his/her annual performance evaluation by the Board to take place no later than April 1 annually, unless otherwise mutually agreed to by the Parties. The Board shall evaluate the Executive Director's performance of the goals adopted by the Board with consultation and input from the Executive Director using an evaluation form and process determined solely by the Board after consultation with any input from the Executive Director. The Board shall provide the Executive Director with a copy of the completed performance evaluation form regarding the Executive Director's to which the Executive Director shall have the right to respond orally and/or in writing within 30 days of receipt of the form. Nothing in this document prohibits or limits the Board's ability to conduct formal or informal interim evaluations of the Executive Director's performance as deemed appropriate by the Board.
- d. Each evaluation will include a discussion between the Executive Director and the Board President, or other designee of the Board, to review and clarify goals and methods to achieve them. It will also include a written evaluation of the Executive Director's progress in the job. Evaluations will be made with reference to established work performance standards.
- e. If the Executive Director disagrees with the report on performance, a review by the Board may be requested. Such a request must be made in writing, identifying specific points of disagreement, and must be submitted within 10 days of the discussion of the report on performance between the Executive Director and the Board President, or other designee of the Board. An alternative member of the Board shall be assigned to review the report on performance.

## 7. Indemnification.

- a. The Board shall defend and hold Executive Director harmless from any demands, claims, suits, actions, and legal proceedings (including the cost of defending against such matters) ("Claims") brought against him/her,

- whether in his/her individual or in her official capacity as the Board's Executive Director, provided that he/she was acting within the course and scope of employment as Executive Director at the time of the alleged acts or omissions giving rise to the Claims, and excluding criminal litigation.
- b. The Board shall have the right to choose counsel to defend and hold Executive Director harmless from any Claims. Executive Director shall furnish such information and proper assistance to the Board as it may require in connection with any litigation or administrative proceeding in which the Board, the Board, or any the Board officers, employees, or agents is or may become a party, which arose during Executive Director's employment with the Board.
  - c. Nothing in this policy imposes an obligation upon any individual Board member to personally indemnify and/or hold the Executive Director harmless against any Claims.
  - d. Executive Director agrees to release and discharge the Board and the Board harmless and indemnify the Board and the Board for all liabilities, losses, demands, claims, accounts, actions and proceedings arising or resulting from Executive Director breaching this policy. This paragraph shall survive termination of the Executive Director's employment and shall be enforceable, in addition to other remedies provide by law or this policy, by injunctive relief issued by a court of competent jurisdiction.
8. State of Nevada Employee Handbook. As appropriate and applicable, the State of Nevada Employee Handbook, most recent edition, and/or Chapter 284 of Nevada Revised Statutes, State Personnel, may be referenced for any terms not specifically addressed in this document or any associated administrative procedure(s).

**Revision History**

Adopted February 12, 2021

**ADDENDUM A – Salary Schedule**

Executive Director Salary Schedule (2% annual increase)

Employer Contribution Plan

<b>STEP</b>	<b>PER YEAR</b>
01	\$60,000
02	\$61,200
03	\$62,424
04	\$63,672
05	\$64,946

Employer/Employee Contribution Plan

<b>STEP</b>	<b>PER YEAR</b>
01	\$68,827.50
02	\$70,204.50
03	\$73,039.74
04	\$68,979.00
05	\$74,535.59

Board Investigator Salary Schedule (2.5% annual increase)

<b>STEP</b>	<b>HOURLY</b> Maximum 6 Hours per month or 72 Hours per Year
01	\$150.00
02	\$153.75
03	\$158.00
04	\$162.00
05	\$166.00

Part-time Staff (2% annual increase; Not PERS eligible)

<b>STEP</b>	<b>HOURLY</b> Maximum 4 Hours per day or 20 Hours per Week
01	\$15.00
02	\$15.30
03	\$15.61
04	\$15.92
05	\$16.24



## 5. Board Needs and Operations

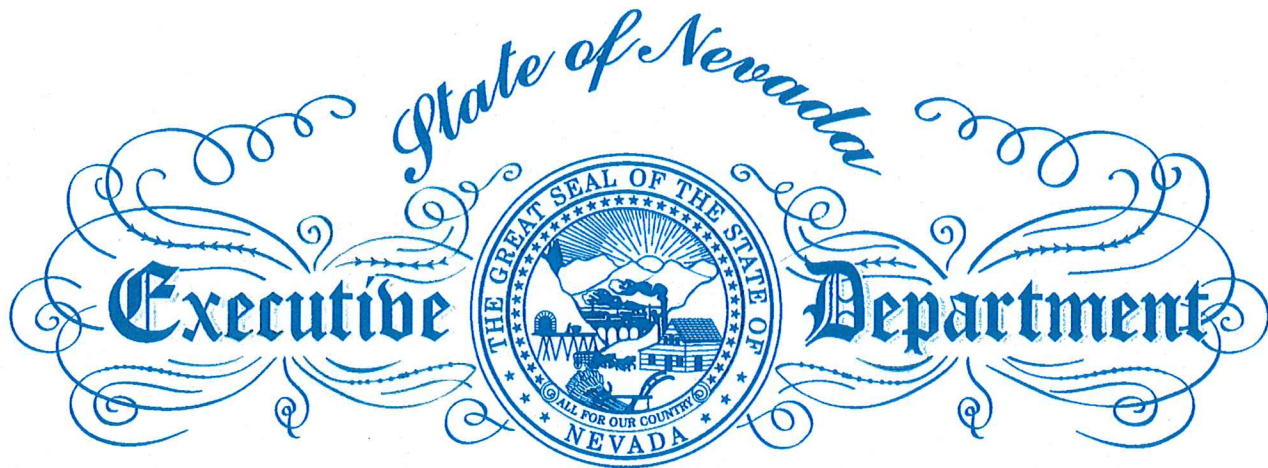
### 5F. Report from the Executive Director on Board Office Operations

#### 1. Office Stats, through June 9, 2021

Psychologist	<b>LICENSES</b> <ul style="list-style-type: none"> <li>• April: 6</li> <li>• May: 8</li> <li>• June: 3</li> </ul>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>• April: 9</li> <li>• May: 10</li> <li>• June: 2</li> </ul>
Psychological Assistants	<b>REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• April: 2</li> <li>• May: 0</li> <li>• June: 2</li> </ul>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>• April: 5</li> <li>• May: 2</li> <li>• June:</li> </ul>
Psychological Interns	<b>REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• April: 0</li> <li>• May: 1</li> <li>• June: 0</li> </ul>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>• April: 3</li> <li>• May: 0</li> <li>• June:</li> </ul>
Psychological Trainees	<b>REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• April: 1</li> <li>• May: 0</li> <li>• June: 0</li> </ul>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>• April: 0</li> <li>• May: 1</li> <li>• June: 0</li> </ul>
Non-Resident Consultants	<b>REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• April: 4</li> <li>• May: 2</li> <li>• June: 1</li> </ul>	
Directive 011	<b>TEMPORARY REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• TOTAL - 355 <ul style="list-style-type: none"> <li>• April: 20</li> <li>• May: 12</li> <li>• June: 3</li> </ul> </li> </ul>	
Background Checks Reviewed	<p>4 Background checks have been reviewed by the review group since the policy was adopted. All 4 were 10 years or older and none were felonies with convictions. None were recommended for review by the Board.</p>	
Continuing Education	<p>In 2021, 31 continuing education applications have been reviewed and approved</p>	
State Exams	<p>Since April, 37 attempts have been proctored.</p>	

**6. (For Possible Action) Discussion and Possible Action to Provide Guidance on Matters Related to the Covid-19 Pandemic and Governor Sisolak's Directive 011. Discussion May Include Licensure Renewal, Continuing Education Credits, Temporary Licensure, Supervision Concerns, Obtaining Clinical Hours for Licensure, and the Use of Telepsychology and Interjurisdictional Practice.**

**7. (For Possible Action) Discussion and Possible Action to Consider Options for Temporary Licensure to Ensure Continuity of Care for Patients Being Seen by Out-Of-State Providers when the Provisions of Directive 011 Expire**



## DECLARATION OF EMERGENCY

### DIRECTIVE 011

**WHEREAS**, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

**WHEREAS**, pursuant to NRS 414.070(6), the Governor may exercise the power "[t]o authorize providers of emergency medical services and providers of mental health services who are not licensed, certified or registered, as applicable, in this State but hold a license, certificate, registration or similar credential in good standing in another state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States to practice their profession within their scope of practice as if they were licensed, certified or registered, as applicable, in this State for the amount of time necessary to assist in responding to the emergency or disaster;" and

**WHEREAS**, pursuant to NRS 414.070(7), the Governor may perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

**WHEREAS**, NRS 414.110(1) provides that all functions under Chapter 414 and all other activities relating to emergency management are hereby declared to be governmental functions. Neither the State nor any political subdivision thereof nor other agencies of the State or political subdivision thereof, nor except in cases of willful misconduct, gross negligence, or bad faith, any worker complying with or reasonably attempting to comply with this chapter, or any order or regulation adopted pursuant to the provisions of this chapter, or pursuant to any ordinance relating to any necessary emergency procedures or other precautionary measures enacted by any political subdivision of the State, is liable for the death of or injury to persons, or for damage to property, as a result of any such activity.

**WHEREAS**, NRS 414.110(2) provides that any requirement for a license to practice any professional, mechanical or other skill does not apply to any authorized worker who, in the course of performing



his or her duties as such, practices that professional, mechanical or other skill during an emergency or disaster.

**WHEREAS**, NRS 414.110(3) defines “worker” to include without limitation any full-time or part-time paid, volunteer or auxiliary employee of this State, of any political subdivision thereof, of other states, territories, possessions or the District of Columbia, of the Federal Government, of any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing services for emergency management at any place in this State subject to the order or control of, or pursuant to a request of, the State Government or any political subdivision thereof; and

**WHEREAS**, Nevada must be prepared to expand its health care workforce to protect its citizens who require emergency care and services and ensure all critical medical resources are available to identify and treat those impacted by COVID-19 during this emergency;

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides: “The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;” and

**NOW THEREFORE**, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: The waiver of licensing provision of NRS 414.110 is hereby invoked. Professional licensing boards regulating providers of medical services shall temporarily waive certain licensing requirements to allow the practice of currently unlicensed skilled medical professionals during the pendency of the COVID-19 crisis. For the purposes of this Directive, a provider of medical services includes all categories of skilled personnel deemed necessary by the Governor’s COVID-19 Medical Advisory Team to augment and bolster Nevada’s healthcare workforce to the levels necessary to combat this pandemic, including without limitation, medical doctors, physician assistants, nurse practitioners, advanced practice registered nurses, registered nurses, licensed practical nurses, emergency medical technicians, advanced emergency medical technicians, respiratory care practitioners, paramedics, pharmacists, pharmacy technicians, medical students, nursing students, medical laboratory directors or technicians, and licensed or certified behavioral health professionals.

SECTION 2: The waiver and exemption of professional licensing requirements shall apply to qualified providers of medical services during this declared emergency who currently hold a valid license in good standing in another state, providers of medical services whose licenses currently stand suspended for licensing fee delinquencies, providers of medical services whose licenses currently stand suspended for failure to meet continuing medical education requirements, and providers of medical services who have retired from their practice in any state with their license in good standing. These waivers and exemptions shall not apply to persons whose licenses have been revoked or voluntarily surrendered as a result of disciplinary proceedings.

- SECTION 3: The Chief Medical Officer is authorized to approve the waiver and exemption of professional licensing requirements for any provider of medical services who has received training in another country but is not currently licensed in the United States, subject to verification of their credentials.
- SECTION 4: Individuals seeking waiver and exemption of professional licensing requirements are required to notify the applicable Nevada licensing board or agency and provide any requested information. Any medical facility as defined by NRS 449.0151, laboratory, or pharmacy employs or contracts with a provider of emergency medical services who is not licensed in Nevada during this declared emergency must ensure that the provider has notified the applicable Nevada license board or agency.
- SECTION 5: The Chief Medical Officer and, to the extent necessary, the appropriate professional licensing board shall expedite the processing and final disposition of all applications to practice under the terms of this Directive.
- SECTION 6: A provider of medical services during this emergency is authorized to supervise students in their profession to provide any emergency medical services as is appropriate to the student's knowledge and skill level without further licensure or certification.
- SECTION 7: All providers of medical services in the State of Nevada are authorized to practice outside the scope of their specialization, within the limits of their competency, to the extent necessary to augment and bolster Nevada's healthcare system during the COVID-19 crisis.
- SECTION 8: The Governor authorizes the Chief Medical Officer or his designee to review and approve the Crisis Standards of Care Guidance for COVID-19 promulgated by the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health, and the Governor's COVID-19 Medical Advisory Team.
- SECTION 9: All regulatory requirements for providers of medical services that are not compatible with the applicable Crisis Standards of Care approved by the Chief Medical Officer during this declared emergency will be suspended.
- SECTION 10: All providers of medical services related to COVID-19 are performing services for emergency management subject to the order or control of and at the request of State Government and shall be afforded the immunities and protections set forth in NRS 414.110, subject to the same exclusions therein.
- SECTION 11: All licensing fees assessed on providers of medical services by the State of Nevada or professional licensing boards shall be waived for all persons applying to practice in the State of Nevada pursuant to this Directive, for the duration that this Directive shall be in effect. Providers of medical services currently licensed by the State of Nevada may, at their election, delay submission of outstanding licensing fees for the period this Directive shall be in effect, except that no person who has paid the fee prior to the date of this Directive shall be entitled to a refund thereof by virtue of this order. No



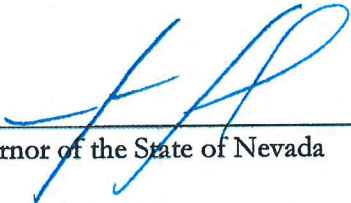
license for a provider of medical services shall be suspended for nonpayment of licensing fees while this Directive is in effect, and for a period of 60 days thereafter.

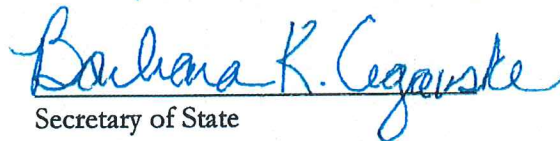
SECTION 12: No license for a provider of medical services shall be suspended for any administrative reasons, including without limitation, continuing education requirements while this Directive is in effect, and for a period of 60 days thereafter. This restriction shall not be construed to prohibit the suspension or revocation of licenses for reasons that jeopardize patient health, including without limitation, incompetency or malpractice.

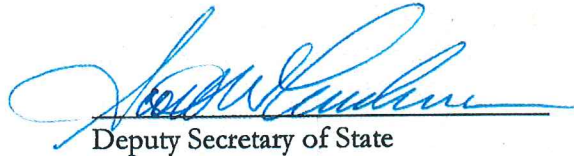
SECTION 13: This Directive shall remain in effect until specifically modified or terminated by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 1st day of April, in the year two thousand twenty.

  
\_\_\_\_\_  
Governor of the State of Nevada

  
\_\_\_\_\_  
Secretary of State

  
\_\_\_\_\_  
Deputy Secretary of State

## Directive 011 Registration Form

On April 1, 2020, Governor Steve Sisolak issued a Declaration of Emergency in response to the COVID-19 pandemic. Directive 011 of the declaration waives professional licensing requirements for qualified mental health professionals who “hold a valid license in good standing in another state, providers of medical services whose licenses currently stand suspended for licensing delinquencies, providers of medical services whose licenses currently stand suspended for failure to meet continuing medical education requirements, and providers of medical services who have retired from their practice in any state with their license in good standing. These waivers and exemptions shall not apply to persons whose licenses have been revoked or voluntarily surrendered as a result of disciplinary proceedings.” Section 4 of the Directive states that “Individuals seeking waiver and exemption of professional licensing requirements are required to notify the applicable Nevada licensing board or agency and provide any requested information.”

In order to practice psychology in Nevada under Directive 011, the Nevada Board of Psychological Examiners is requesting you provide the following information. Upon completion of this form, please scan and email this form to [nbop@govmail.state.nv.us](mailto:nbop@govmail.state.nv.us) Once the board office has received this form, you will be issued an electronic letter stating that you are eligible to engage in the practice of psychology during the period of the declared emergency only.

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Physical Address (No P.O. Box):

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Current Licensing State(s), License Number and Dates of Licensure:

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### Declaration of Statement

I declare under penalty of perjury that this information is true and correct, and that my license(s) is current and in good standing.

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Signature

Date

CONSUMER COMPLAINTS  
thru 6/9/2021

ITEM 8

Code # / Origin	Date Complaint Received	Investigator	Current Status	Complaint	Timeline	Comments
19-0626 Public	6/26/2019	SY	Forwarded to DAG	Inappropriate Conduct	6/26/2019	Recieved complaint
					6/26/2019	Forwarded to DAG and Investigator for further guidance. Additional investigation conducted prior to notifying Psychologist
					8/12/2019	Psychologist notified
					10/8/2019	Response received/Forwarded to Investigator
					11/8/2019	Report presented to Board; unable to vote due to recusals
					12/13/2019	Report presented to Board; forwarded to AG
					8/20/2020	Likely going to hearing at end of year
					12/17/2020	DAG will send notice to Respondent attorney to schedule a hearing.
					3/26/2021	In Discovery Process
19-0709 Public	7/9/2019	SY	Forwarded to DAG	Unethical Behavior	7/9/2019	Complaint Received
					7/9/2019	Forwarded to DAG and Investigator for further guidance. Additional investigation conducted prior to notifying Psychologist
					8/12/2019	Psychologist notified
					8/28/2019	Response received
					8/28/2019	Complaint Sent to Investigator
					11/8/2019	Report presented to Board. Voted to forward to AG
					11/13/2019	Pending New AG assigned
					8/20/2020	Likely going to hearing at end of year
					12/17/2020	DAG will send correspondence related to a lack of response by Respondent. Board Office provide last known mailing and email address from renewal
					3/26/2021	Expected to go to a hearing in late summer



CONSUMER COMPLAINTS  
thru 6/9/2021

ITEM 8

Code # / Origin	Date Complaint Received	Investigator	Current Status	Complaint	Timeline	Comments
19-1106 Public	11/6/2019	GL	Forwarded to DAG	Unlicensed activity	11/6/2019	Received complaint
					11/8/2019	Verified with DAG that new review policy in place
					11/14/2019	Forwarded to GL for initial review
					11/15/2019	Received request for further information from investigator for complainant.
					11/20/2019	Requested redacted report from complainant
					1/23/2020	Board voted to forward complaint to DAG
					5/6/2020	DAG is in process of and will send out a Cease & Desist letter in near future. Also, case referred to AG's investigators for possible Insurance Fraud.
					12/17/2020	Investigator recommends DAG send Cease and Dissist letter; then monitor activity
					1/8/2021	Cease and Desist Letter sent to Respondent from DAG; copy provided to Board members
					3/26/2021	Hearing scheduled; Matter continued
19-1223 Public	12/23/2019	SY	Pending receipt of Respondent's answer	Dual relationship	12/23/2019	Received complaint
					1/14/2020	Forwarded to SY for initial review
					1/15/2020	Requested response from psychologist
					2/11/2020	Respondents attorney requested additional time to respond
					8/20/2020	Pending
					11/13/2020	Bd Meeting - Flag renewal due to lack of response to communication
					11/16/2020	License is "expired" due to non-renewal. As of 3/1/2019 should have been made "suspended"
					3/26/2021	Hearing scheduled; Matter continued
20-0501 Public	5/1/2020	SY	Pending receipt of insurance report	Unprofessional Conduct	5/1/2020	Received complaint. Forwarded to investigator.
					5/26/2020	Response received from Respondent
					6/2/2020	Insurance Report requested of Complainant
					6/12/2020	Received requested information from Complainant
					6/25/2020	Follow-request to Complainant for final insurance investigation report
					11/16/2020	insurance company will be subpoenaed
20-0818 Public	8/18/2020	SY	Review of Complaint by Investigator	Unprofessional Conduct; HIPPA violation	8/18/2020	Received complaint; Forwarded to investigator
					8/18/2020	Contacted Complainant with records release

CONSUMER COMPLAINTS  
thru 6/9/2021

ITEM 8

Code # / Origin	Date Complaint Received	Investigator	Current Status	Complaint	Timeline	Comments
20-0819 Public	8/19/2020	SY	Review of Complaint by Investigator	Unprofessional or Unethical Conduct	8/19/2020	Received complaint. Forwarded to investigator
					8/19/2020	Request for formal complaint form with signature sent to Complainant



**9. (For Possible Action) Review and Possible Action on Applications for Licensure as a Psychologist or Registration as a Psychological Assistant, Intern or Trainee.** The Board May Convene in Closed Session to Receive Information Regarding Applicants, Which May Involve Considering the Character, Alleged Misconduct, Professional Competence or Physical or Mental Health of the Applicant (NRS 241.030). All Deliberation and Action Will Occur in an Open Session. *Note: Applicant names are listed on the agenda to allow the Board to discuss applicants when necessary to move the applicant through the licensure process. The listing of an applicant's name on the agenda indicates only that an application for licensure/registration has been received. It does not mean that the application has been approved or that the applicant must appear at the meeting in order for the applicant's application to move forward through the licensure process. If an applicant needs to attend the meeting for the Board to take action, the applicant will be notified in writing prior to the meeting. Please, direct questions or comments regarding licensure applications to the Board office.*

## PSYCHOLOGISTS

Liana Abascal	Edward DeAnda	Luzviminda Morrow
Irina Abramians	Marie Ehrler	Monica Mousa
Jodi Abramowitz	Marissa Elpidama	Michellane Mouton
Michael Abrams	Anthony Francisco	Patrick Murphy
Danielle Agnello	Howard Friedman	Heather Neill
Catherine Aisner	Miriam Funtowicz	Lyle Noisy Hawk
Gera Anderson	Marlene Garza	Raymond Nourmand
Tony Angelo	Dana Gionta	Ariel Ogilvie McSweeney
Jose Arauz	Jonathan Gould	Rhea Pobuda
Nats Babel	Kalana Greer	Katherine Pruzan
Hope Bagley	Aleesha Grier-Rogers	Shehroo Pudumjee
Cherly Ballou	Lisa Hancock	Vesna Radojevic
John Barona	Jill Hayes Barbee	Maxwell Rappaport
Stephanie Bellusa	Sarah Henry	Rory Reid
Luke Bigler	Bernadette Hinojos	Kristina Reynoso
Mantsha Boikanyo	Billie Ivra	Danielle Richards
Amanda Borlenghi	Carolyne Karr	Anthony Rodriguez
Beth Borosh Gissane	Kathryn Kimball	Vincent Rodriguez
Adam Bradford	Laura LaPiana	Amber Rose
Latoya Brogdon	Beth Lavin	Jesse Scott
Jodi Cabrera	Timothy Law	Shweta Sharma
Tyler Camaione	Karen Lehman	Christopher Shewbarran
Cynthia Cameron	Rose Leung	Nicole Steiner-Pappalardo
Jonathan Campos	Bertrand Levesque	Vahe Sukiasyan
Sylvia Chang	Jodi Lovejoy	La Tanya Takla
Si Arthur Chen	Leigh Lustig	Ashley Taylor
Dana Chidekel	Mavis Major	Alisa Turner-Augustyn
Richard Coder	Melissa Marrapese	Aaron Van Smith
Tanya Crabb	Regina Marshall	Angela Waldrop
Oral Custer	Patricia McGuire	John Walker
Matthew Damon	Shanna Mohler	Meghan Walls

Nicolle Walters  
Dale Watson  
Kiara Wesley

Yvonne Westover  
Brenda Wiederhold  
Carrie Wilkens

Brenda Worrell  
Michelle Zochowski

## PSYCHOLOGICAL ASSISTANTS

Tawnya Ayim  
Abigail Baily  
Michelle Berumen  
Shannon Burns-Darden  
Rachel Butler Pagnotti  
Nicholas Carfagno  
Jena Casas  
Leandrea Caver  
Nino Chkhaidze  
Althea Clark  
Jessica Crellin  
Lucas Cylke  
Georgia Dalto  
Nicole Dionisio  
Alicia Doman  
Deva Dorris  
Melanie Duckworth  
Daphne Fowler  
Alyssa Garcia

Stacy Graves  
Jennifer Grimes Vawters  
Andrew Hickman  
Bernadette Hinojos  
Kelly Hughes  
Kelly Humphreys  
Sharlene Jeffers  
Elysse Kompaniez-Dunigan  
Cynthia Lancaster  
Patrice Leverett  
Vanessa Ma  
James Maltzahn  
Carolina Meza Perez  
Desiree Misanko  
Candis R. Mitchell  
Crystal Moon  
Carolina Morales Alicea  
Luzviminda Morrow  
Blanca Naudin

Kellie Nesto  
Rory Newlands  
Gabriela Olavarrieta  
Dylena Pierce  
Amanda Powers  
Richard Pratt  
January Prince  
Elizabeth Pritchard  
Sarah Ramos  
David Robinson  
Mariah Schwan  
Jesse Scott  
Gerald Shorty  
Cyndy Soto-Lopez  
Marquez Wilson  
Lauren Wing  
Jaime Wong

## PSYCHOLOGICAL INTERNS

Luke Allen  
Lynne Ballard  
Amanda Barone  
Leslie Bautista  
Katie Biggers  
Shantay Coleman  
Linda Curtis  
Matthew Danbrook  
Chad Davis  
Bryon Gallant  
Kimberly Gray  
Jennifer Guttman

Laurie Harris  
Shanel Harris  
Joseph Henrich  
Michael Hobbs  
Monica Jackson  
Dorota Krotkiewicz  
Angela Lewis  
Elisabeth Lischer  
Isra Malik  
Desiree Misanko-Louvat  
Tracy Moore  
Kelly Nelson

Kellie Nesto  
Jeffery Newell  
Chelsea Powell  
Ximena Radienovic  
Dana Schmidt  
Sharon Simington  
Alexis Sliva  
Barbara Sommer  
Sean Traynor  
Alexandro Velez  
Melina Yaraghchi  
Qingqing Zhu

## PSYCHOLOGICAL TRAINEES

Yen-Ling Chen  
Leila Gail  
Jaqueline Green  
Erica Marino  
Mollie McDonald

Kelly Parker  
Nicky Petersen  
Samantha Sherwood  
Cory Stanton  
Holly Summers

Sherri Tschida  
Charlotte Watley  
Kayli Wrenn

- A.** (For Possible Action) Discussion and Possible Action to Approve Bernadette Hinojos, Psy.D., For A One-Year Extension of Her Registration as a Psychological Assistant Through July 1, 2022, and a One-Year Extension of her Application for Licensure through October 1, 2022
- B.** (For Possible Action) Discussion and Possible Action to Approve Jamie Wong, Ph.D. For A One-Year Extension of Her Registration as a Psychological Assistant Through July 1, 2022
- C.** (For Possible Action) Discussion and Possible Action to Approve the Application for Licensure of Leigh Lustig, Psy.D., as Recommended by the Application Tracking Equivalency and Mobility (ATEAM) Committee on May 25, 2021, and Contingent Upon the Satisfactory Completion of all Other Licensure Requirements

## **10. (For Possible Action) Discussion and Possible Action to Create a Masters' Degree Level License**

Attached is information from Texas and West Virginia, two states that offer a master's degree level license.

### **TEXAS**

#### **Licensed Psychological Associate**

Only a master's degree in psychology is required to become an associate, but the applicant must pass the EPPP and the Texas Jurisprudence Exam. In addition, the applicant must have at least six semester credit hours of supervised practicum experience or an internship.

As a licensed psychological associate, the candidate can also apply for independent practice once they have obtained 3,000 hours of post-graduate supervised experience (within a 24-48-month period).

The requirements for obtaining licensure as a psychologist are set forth in 22 TAC 463.10. Generally, these requirements include:

- a graduate degree in psychology, consisting of at least sixty (60) semester credit hours, with no more than twelve (12) hours of practicum, internship, or structured experience counted toward the total degree hour requirement. NOTE: A graduate degree consisting of 42 semester credit hours, with at least 27 hours in psychology will be accepted for licensure purposes through August 31, 2021, so long as the applicant began his or her graduate program leading to the degree before August 31, 2019;
- Six (6) semester credit hours of practicum, internship, or other structured experience within the graduate degree program, while under the supervision of a licensed psychologist;
- passage of the Examination for Professional Practice in Psychology; and
- passage of the Jurisprudence Examination.

The following are requirements for independent practice authority for licensed psychological associates:

- A minimum of 3,000 hours of post-graduate degree supervised experience obtained within 24-48 consecutive months, and in not more than three placements; and
- Application for independent practice authority to the Board.

## **WEST VIRGINIA**

(taken from the West Virginia Board website)

### **Master's Degree Requirements**

1. **Master's Degree Applicants** must possess a MA (Master's of Arts) or MS (Master's of Science) degree granted by an accredited institution of higher learning, the degree must have been completed in a department of psychology, a department of educational psychology, a department of education and psychology, or in a university department with the official designation containing the words "psychology" or "psychological."
2. **Accredited Graduate Degree Granting Institutions** must be accredited by one of the six nationally recognized regional accrediting agencies which include: North Central Association of Colleges and Schools, Western Association of Schools and Colleges, Southern Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Association of Schools and Colleges, Middle States Association of Schools and Colleges.
3. **Fifty (50) Hours** of graduate level psychology course work must be completed for a Master's degree to meet Board standards.
4. **On Campus Graduate Programs:** Master's degrees must include at least 80% course work earned from on campus classes and starting in July of 2018 the percentage will be 50%. Thus, Master's degrees from distance learning institutions do not meet educational requirements for licensure.
5. **Required Core Graduate Level Course** work includes, but is not limited to, all of the following areas: clinical interviewing, diagnosis and treatment planning, psychopathology, biological bases of behavior, ethics, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, and tests and measures.

### **SUPERVISION**

1. **Gold Card:** Once approved, the applicant will be issued a "Gold Card" which denotes that they are a Board Approved Supervised-Psychologist. It also designates the Board Approved Supervisor(s) for the Supervised-Psychologist. This card has an expiration date. It must be renewed on an annual basis via submission of a renewal form, continuing education certificates, CE Audit Form, and a fee.
2. **Adherence to Supervision Contract:** Supervised-Psychologists and their supervisors are expected to complete supervision in accordance with the tenants of the contract.

3. Year Supervision Requirement: Master's level Supervised-Psychologists are required to complete 5 years of supervised practice.
4. Quarterly Reports: Supervised-Psychologists are required to submit quarterly reports to the Board office 4 times per year. Additional information will be provided once an application is approved. Quarterly reports include face to face supervision hours and psychology work hours completed by the supervisee. Supervisors are also required to keep a supervision log, see the supervision contract for details.
5. Continuing Education: 10 hours of continuing education per full year is required for renewal of gold cards and 1.5 hours must be in ethics.

## **EXAMINATIONS**

1. EPPP: All Supervised-Psychologists are required to take the EPPP at least once during the first 12 months of their status as a supervised-psychologist. Masters Supervised-Psychologists must (a) pass the EPPP within 5 years, (b) must take the EPPP at least once per year, and (c) shall only take the EPPP a maximum of five (5) times during the 5-year supervision period. Those who fail to pass the EPPP within the designated periods will no longer be eligible for licensure. Those that do not meet this requirement must cease all psychological practice and must stop using the title of "Supervised-Psychologist."
2. Oral Examination: After completing the 5 years of full-time supervised work and the required number of face-to-face supervision hours, master's degree supervised psychologists are eligible to sit for an oral examination. Upon successful passage of the oral examination a WV psychology license will be issued to the candidate.



**11. (For Possible Action) Discussion and Possible Action to Create a Psychological Assistant (Post-Doctoral) License**



## **Summary - APA Assembly on the Value/Distinctiveness of the Doctoral Degree in Health Service Psychology**

Focused conversations were held with APA's Board of Directors and Council of Representatives in 2020 about the future of psychology practice and education. Based on feedback from those engagements, an Assembly of 40 diverse leaders gathered on January 28-30, 2021 to create a shared understanding of the value and distinctiveness of the psychology doctoral degree and license in the marketplace. *This Assembly was one important step as a professional community to define the future of practice and inform the training of future practitioners.*

Assembly participants considered questions regarding a) psychology's contributions to population health and society vis-à-vis other mental health professions, b) how psychology education and practice will be (or should be) different in the future to address emerging demands, and c) how the doctoral degree/license in psychology is distinctive and adds value to our multi-tiered profession, beyond the master's degree. This discussion took place within a context that acknowledged the challenges with equity and access to care and the probability of greater demand for psychological expertise and services as the repercussions of the pandemic unfold.

Participants were selected to represent diverse perspectives, which provided a foundation for rich and broad discussions. At the conclusion of the Assembly, participants shared a strong sense that this work is necessary, and the process was even-handed and meaningful. The Assembly identified a number of issues that are worthy of additional attention, and a clear and strong agreement emerged for the following:

1. The doctoral degree/license adds significant value within our multi-tiered profession. Doctoral psychologists have unique expertise in evaluation, specialty practice, leadership, interprofessional teamwork, and areas that include and go beyond direct service provision. Multiple tiers within the profession may be important to advance population health, wherein doctoral psychologists practice with a scope of greatest complexity in both breadth and depth.
2. An emphasis on science characterizes and distinguishes psychology, and it undergirds all education and practice. This results in doctoral professionals who are adept at understanding and utilizing science to make complex decisions to improve the health of the people and communities we serve.
3. Equity, diversity, and inclusion (EDI) is foundational to psychology and effective health care. It is essential for the psychology workforce to diversify and reflect the U.S. population. Developing and maintaining competence in EDI is essential across the professional lifespan of the psychology practitioner.

*Additional considerations:* Assembly participants discussed the need for consistent delineation of the multiple tiers of psychology practice across settings and jurisdictions, while also sufficiently distinguishing doctoral practice in regulations and the marketplace. Increasing the cohesiveness of professional identity as psychologists, consistency among training programs, preparation and credentialing for specialization, tracking workforce data, and recognition/expansion of the doctoral scope of practice are important considerations. This may include clarifying the scope and title for those trained with a master's degree and recognizing the greater complexity of doctoral scope in both breadth and depth. Lastly, the Assembly participants agreed it is essential to improve communication to colleagues, stakeholders, and the public about the important skills and abilities of doctoral psychologists, especially as specialists and leaders.

*Next steps:* To build on the work of the Assembly, a wide variety of colleagues across the discipline will be engaged to generate additional ideas and feedback. Key constituencies include governance leaders, state associations, training councils, regulatory representatives, divisions, students, and others. These efforts will lead to a broader Summit on the Future of Education and Practice to be held later in 2021. Pillars for the Summit will be based on this feedback and may include important matters such as diversifying the workforce, licensing and scope of practice, technology, access and levels of care - all with clear implications for education and psychology practice in the future.

# The Distinctiveness of the HSP Doctoral Degree

Mary A. Fernandes, MA

Nadya A. Fouad, PhD, ABPP

Michael L. Hendricks, PhD, ABPP

*Tri-Chairs, Practice/Education Steering Committee*

Lynn F. Bufka, PhD

Cathi L. Grus, PhD

*APA Staff*

Saturday, March 06, 2021 | Practice Leadership Conference



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# Why now?

## **Unmet societal needs**

- Significant untreated and undertreated mental/behavioral health concerns
- COVID-19 pandemic
- Health inequities

## **Psychology workforce must be prepared to lead**

- Improve population health
- Advance psychological science
- Develop EDI foundation for psychology discipline & profession

## **Align education/training models to evolution of the profession**

## **Clarify roles and value of doctoral psychologists in changing conditions**

- Independent of and in relation to other providers, including HSP masters' graduates

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# Process

- 7-member steering committee representing practice, education, students, and licensing boards
- Tri-Chairs: Education, Practice, Future
- Weekly planning meetings to define purpose and structure of Assembly
- Steering committee identified participants for Assembly
- Assembly
  - 34 participants *including steering committee*
  - 16 observers from various interested entities
  - 5 key staff, 5 other staff and APA leaders

# Attendees

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**Tri-Chairs:** *Mary Fernandes, Nadya Fouad, Michael Hendricks*

**Participants:** Blanka Angyal, *Deborah Bell*, Larry Beer, Sharon Bowman, *Mariann Burnett-Atwell*, Bhupin Butaney, Zeeshan Butt, Jean Carter, Timothy Cavell, Katelyn Coddair, Samuel Colbert, David Cox, Kristin Dempsey, Joy Wolfe Ensor, Lisa Grossman, Lisa Kearney, James Lichtenberg, Celeste Malone, *Mary Ann McCabe*, Robin McLeod, Michael Mobley, Patricia O'Connor, Andrew Riley, Beth Rom-Rymer, Ranak Trivedi, Jason Washburn, Risa Weisberg, Adrienne Williams, Erica Wise, Aleesha Young, *Jeffrey Zimmerman*

**Guests:** Jennifer Kelly

**Observers:** Jeff Baker, Theresa Coddington, Wally Dixon, Elena Eisman, Dwain Fehon, Eleanor Gil-Kashiwabara, Kim Gorgens, Kimberly Howard, Michelle Mlinac, Gilbert Newman, Peter Oppenheimer, Michael Scheel, Juliette Schweitzer, Paula Shear, Julie Takishima-Lacasa, Kendra Westerhaus

**APA Staff:** Maysa Akbar, Lynn Bufka<sup>^</sup>, Amanda Clinton, Arthur Evans, Cathi Grus<sup>^</sup>, Zelka Macrue, Greg Neimeyer<sup>^</sup>, Sarah Rose<sup>^</sup>, Jared Skillings<sup>^</sup>

<sup>^</sup> Key APA staff

*Practice/Education Steering Committee member*

# Questions

- How is the doctoral degree/license in psychology distinctive and add value to our multi-tiered profession, beyond the master's degree?
- What are psychology's contributions to population health and society vis-à-vis other mental health professions?
- How will/should psychology education and practice be different in the future to address emerging demands?

# Summary

## **The doctoral degree/license adds significant value within our multi-tiered profession.**

- Evaluation, specialty practice, leadership, interprofessional teamwork
- Areas that include and go beyond direct service provision
- Multiple tiers within the profession may be important to advance population health, wherein doctoral psychologists' practice with a scope of greatest complexity in both breadth and depth.

## **Science characterizes and distinguishes psychology, and it undergirds all education and practice.**

- Doctoral professionals are adept at understanding and utilizing science to make complex decisions to improve the health of the people and communities we serve.

## **Equity, diversity, and inclusion (EDI) is foundational to psychology and effective health care.**

- The psychology workforce must diversify and reflect the U.S. population.
- Developing and maintaining competence in EDI is essential across the professional lifespan of the psychology practitioner.



# Additional considerations

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Consistent delineation of the multiple tiers of psychology practice across settings and jurisdictions

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Sufficiently distinguishing doctoral practice in regulations and the marketplace

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Increase the cohesiveness of professional identity as psychologists

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- Consistency among training programs
  - Preparation and credentialing for specialization
  - Tracking workforce data
- 

Recognition/expansion of the doctoral scope of practice

# Next steps to a Summit

Gather additional ideas and feedback from colleagues across psychology

- Governance leaders, state associations, training councils, regulatory representatives, divisions, students, and others



Summit on the Future of Education and Practice to be held later in 2021

- Diversify the workforce
- Licensing and scope of practice
- Technology
- Access and levels of care
- Implications for education and psychology practice in the future

# Context

## Accreditation

- Council approved master's HSP accreditation standards

## Scope of Practice and Title

- Develop suggested master's scope & title
- Review doctoral scope. Ensure doctoral scope is more complex in breadth & depth.

## Education and Training

- BEA/BPA task force continue work on competencies for HSP master's
- Update doctoral HSP competencies
- Ensure competencies are tiered and aligned with efforts around scope and title

# Q&A

# Networking Lounges

*5:15 – 5:45pm ET*

- 1<sup>st</sup> Floor “Continuing the Discussion”
- Seat yourself at a table
- Establish a scribe to take notes on the questions:
  - How is the doctoral degree/license in psychology distinctive and add value to our multi-tiered profession, beyond the master’s degree?
  - What are psychology’s contributions to population health and society vis-à-vis other mental health professions?
  - How will/should psychology education and practice be different in the future to address emerging demands?
- Send notes to [optq@apa.org](mailto:optq@apa.org) by March 14, 2021

**12. (For Possible Action) Discussion and Possible Action to Adopt Procedures Related to Registration and Supervision of Psychological Assistants in accordance with Nevada Administrative Code (NAC) Chapter 641**



**POLICY OF THE NEVADA STATE  
BOARD OF PSYCHOLOGICAL EXAMINERS**

**Psychological Assistant (Post-Doctoral)  
Application and Registration Procedures**

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### **Purpose**

The Nevada State Board of Psychological Examiners ("Board") has established this policy, and any accompanying forms and procedures, to establish the process for application and registration as a psychological assistant.

### **Procedure**

#### **1. General**

- a. A person who wishes to obtain any postdoctoral supervised experience that is required for licensure as a psychologist must register with the Board as a psychological assistant. (NRS 641.226)
  - i. A person who has obtained the required amount of postdoctoral supervised experience in the District of Columbia or another state or territory of the United States, but has not completed the other requirements for licensure as a psychologist, must register as a psychological assistant. A psychological assistant may not renew his or her registration if it would cause the psychological assistant to be registered as a psychological assistant for more than 2 years unless otherwise approved by the Board.
- b. Eligible candidates must register as a psychological assistant under the license of a Nevada psychologist who will serve as the primary supervisor. Psychological services may not be provided by a psychological assistant unless they are supervised and registered properly.
- c. Candidates are encouraged to apply for registration once all requirements for the doctoral degree have been met and a supervisor found. Registration shall take a minimum of two weeks to complete and may take eight weeks or more.
- d. It is the responsibility of the candidate to ensure all provisions of Nevada state laws and regulations, as well as this policy, have been met prior to providing psychological services and accruing training hours. The Board may allow a 90-day grace period to complete the PLUS document to allow for the accrual of training hours if all other registration requirements have been met.

#### **2. Application.**

- a. The application for registration as a psychological assistant may be submitted online or in hard copy submitted by mail or in person. The application must be accompanied by the application fee of \$150.

- b. The application for initial registration is not considered complete until the Board receives information and/or documents that include, but are not limited to:
- i. Verification of fingerprinting;
  - ii. Registration fee (\$150) for the initial registration of a psychological assistant. The registration fee is separate from the application fee;
  - iii. Completed Psychology Licensure Universal System (PLUS) document;
  - iv. Supervised Practice Plan (SPP);
  - v. Employment Agreement; and
  - vi. Any other documents or information the Board deems necessary to make a determination of eligibility for registration. This may include, but is not limited to, educational transcripts, course guides, and/or course syllabi.

### 3. Registration Packet.

- a. PLUS Document. The Board shall verify the educational program, internship, and professional references through PLUS, administered by the Association of State and Provincial Psychology Boards (ASPPB). Any costs associated with the use of PLUS are the responsibility of the applicant.
- b. Background Check / Fingerprinting. In accordance with Nevada state law (NRS 641.226), all applicants are required to pass a criminal background check.
  - i. Fingerprints shall be taken at an approved location and at the candidate's own expense.
    1. Fingerprints taken in Nevada are generally submitted electronically to the Nevada Department of Public Safety (NDPS) by the agency taking the fingerprints.
    2. Applicants having their fingerprints taken outside of Nevada will be provided a fingerprint card and are responsible for submitting the fingerprint card and fee to the NDPS.
  - ii. A fingerprinting waiver (provided by the Board Office) and proof that the fingerprints were sent to the Nevada Department of Public Safety (NDPS) must be submitted to the Board office before registration will be completed. Without proof of fingerprinting, registration cannot be completed until the final background check report has been received by the Board office. Such reports generally take 4-8 weeks.
  - iii. A background check that reflects a finding of an arrest, conviction, or registration on the sexual offender's registry shall be reviewed by the



Board's background check review team, in accordance with established procedures.

- c. Supervised Practice Plan (SPP). The SPP shall document acknowledgement by the supervisee and supervisor of training requirements.
  - d. Employment Agreement (641.153).
    - i. An employment agreement is required to ensure appropriate standards are in place for the supervision of the candidate, that the supervisor is qualified, and that the supervisor and candidate have agreed to terms relating to salary, supervision, and workload.
    - ii. An employment agreement must acknowledge that such employment complies with regulations adopted by the Board relating to the practice of psychological assistants
    - iii. A psychological assistant is entitled to be paid a fixed wage on a periodic basis and may not be paid based on the number of clients treated or assessed, the amount of money reimbursed by an insurance plan, or a percentage of the fees received. A psychological assistant may not receive fees for professional services except as the agent of the employing supervisor or agency.
4. Review by the Application Tracking Equivalency and Mobility (ATEAM) Committee. If necessary, an application may be referred to the Board's ATEAM Committee prior to approving registration. Such referral shall be necessary when an applicant has attended an educational program that has not been accredited by the American Psychological Association (APA). The Committee shall review for equivalency with APA accreditation and in accordance with Nevada Administrative Code (NAC) 641.080.
5. Supervision
- a. A psychological assistant shall be employed by the supervisor. If not, the supervisee must be subject to the control and direction of a supervisor who is affiliated with the same agency or institution at which the supervisee works. Evidence of the supervisor's contractual relationship with the facility must be submitted to the Board.
  - b. A supervisor shall:
    - i. Employ methods of proper and diligent oversight of a psychological assistant who is under his/her/their supervision to meet his/her/their ethical and legal responsibilities. Such methods must include the implementation of policies and procedures that ensure the accessibility of the supervisor to the psychological assistant commensurate with the professional developmental level of the psychological assistant.

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- ii. Maintain primary responsibility for the care plan of each client and patient treated or assessed by the psychological assistant.
          - iii. Review and sign all clinical documentation, including, but not limited to, reports, treatment plans and progress notes, for all services provided by the psychological assistant, including, but not limited to, those services for which reimbursement will be sought under the State Plan for Medicaid.
          - iv. Be available to the psychological assistant while the psychological assistant is providing services to a client or patient. A supervisor shall arrange for the availability of another appropriate licensed medical or behavioral health provider to be on site in the case of the absence of the supervisor.
          - v. Provide a full-time psychological assistant with at least 1 hour of face-to-face individual supervision each week or a proportional level of supervision for a part-time psychological assistant.
  - c. Qualifications. The primary supervisor of a psychological assistant must:
    - i. have been licensed by the Board for at least three (3) years. Any exception must be approved by the Board.
    - ii. Had training in clinical supervisor (e.g., continuing education courses, independent study, formal coursework).
  - d. The Board does not preapprove supervisors and does not assist with finding a supervisor for a candidate.
  - e. Change of supervision. Any change of supervisor must be approved by the Board and a new SPP and employment agreement submitted.
6. Expiration, Renewal, Withdrawal of Registration
  - a. Expiration. Registration shall expire one (1) year after the date of registration unless the registration is renewed with the Board office.
  - b. Renewal. To renew, the registrant must, on or before the expiration of the registration, apply to the Board for renewal, pay the renewal fee, and submit any other information required to complete the renewal. Registration may not be renewed if the renewal would cause the psychological assistant to be registered for more than 3 years unless otherwise approved by the Board.
  - c. Withdrawal. An application for registration shall be deemed withdrawn and all fees for the application forfeited if registration is not completed within 2 years after the date on which the Board first received the application materials. If an application is deemed withdrawn, the applicant may reapply and must pay any application fees in effect at the time of the reapplication.
7. Requirements for Licensure as a Psychologist

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- a. Supervised Hours. To be considered for licensure, a psychological assistant shall accrue not less than 1,750 supervised hours. The Board shall monitor progress through the submission and review of quarterly hour logs. Logs may be submitted electronically, by mail, or in person at the Board office.
  - b. Exams
    - i. EPPP Part-1. Candidates may take the EPPP Part-1 at any time as a registered psychological intern or psychological assistant. Contact the Board office to request access to register for the exam.
    - ii. EPPP Part-2. Candidates who have passed the EPPP Part-1 and are a registered psychological assistant may request access to register for the EPPP Part-2.
    - iii. Nevada State Examination in Psychology (Jurisprudence and Ethics). Registered psychological assistants who have accrued at least 1,400 of the required 1,750 training hours may apply to take the state exam. Contact the Board office.
8. Failure to register may result in the following:
- a. Any hours accrued in Nevada prior to registration may not be accepted for licensure.
  - b. The Board may take action against a candidate for unlicensed practice in the state and the supervising psychologist for supporting unlicensed activity.

**Revision History**

Adopted TBD

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**ADDENDUM A – Employment Contract Guidelines**

1. An [employment] contract serves as the foundation for establishing the supervisory relationship by specifying the roles, tasks, responsibilities of supervisee and supervisor and performance expectations of the supervisee (Bernard & Goodyear, 2014; Osborn & Davis, 2009; Thomas, 2007, 2010).
2. Content
  - a. Content, method, and context of supervision— logistics, roles, and processes
    - i. who is the primary supervisor, who are the secondary supervisors (if any)
    - ii. When will supervision be held
    - iii. What is the method of supervision (individual, group, didactics)
  - b. Roles and expectations of the supervisee and the supervisor, and supervisee goals and tasks.
    - i. When is the supervisor available
    - ii. What are the clinical and non-clinical responsibilities of the supervisee
    - iii. What are the hours the supervisee will be expected in the office
    - iv. What are the training goals of the supervisee
  - c. Criteria for successful completion and processes of evaluation with sample evaluation instruments and competency documents.
    - i. How will you evaluate your supervisee's progress?
    - ii. How will you determine competency of your supervisee?
    - iii. This is Not needed for the board, but should be a part of your contract for informed consent of your student
  - d. Payment contract (Required)
    - i. What will your supervisee be paid for their work.
    - ii. What are the policies of your organization for time off, vacation, medical leave, and how your supervisee can request time off.
3. See the "APA Guidelines for Clinical Supervision in Health Service Psychology" for additional information.

### **13. Legislative Update**

- A.** (For Possible Action) Discussion and Possible Action Related to the 2021 Session of the Nevada Legislature, Including Next Steps for Implementation of New and/or Revised Statutes
- B.** (For Possible Action) Discussion and Possible Action on Assembly Bill 366 Which Clarifies the 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.** (For Possible Action) Discussion and Possible Action on Senate Bill 44 Related to Licensure by Endorsement.

Assembly Bill No. 327—Assemblymen Torres, Nguyen, Brown-May; Anderson, Benitez-Thompson, Bilbray-Axelrod, Considine, Duran, González, Gorelow, Leavitt, Martinez, Marzola, Brittney Miller, Orentlicher, Peters, Roberts, Thomas, Tolles and Watts

Joint Sponsors: Senators Donate and Spearman

CHAPTER.....

AN ACT relating to mental health; requiring certain mental health professionals to complete continuing education concerning cultural competency and diversity, equity and inclusion; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires behavior analysts, physicians, physician assistants, nurses, psychologists, marriage and family therapists, clinical professional counselors, social workers, clinical alcohol and drug counselors, alcohol and drug counselors and problem gambling counselors to complete certain continuing education as a condition to the renewal of a license or certificate. (NRS 437.225, 630.253, 632.343, 633.471, 641.220, 641A.260, 641B.280, 641C.450) Existing law requires certain facilities that provide health care to conduct training relating to cultural competency for any agent or employee of such a facility who provides care to a patient or resident of the facility. (NRS 449.103) **Sections 1-7.5** of this bill require a psychiatrist, physician assistant practicing under the supervision of a psychiatrist, nurse, marriage and family therapist, clinical professional counselor, social worker, clinical alcohol and drug counselor, alcohol and drug counselor, problem gambling counselor or behavior analyst to complete a certain number of hours of instruction concerning cultural competency and diversity, equity and inclusion as part of that continuing education. **Sections 1-7.5** authorize such a provider who receives training relating to cultural competency as the employee of a facility that provides health care to use that training to satisfy the requirement that such a provider complete a certain number of hours of instruction concerning cultural competency and diversity, equity and inclusion. **Sections 1-7.5** require such cultural competency training to address persons from different cultural backgrounds, including: (1) persons from various gender, racial and ethnic backgrounds; (2) persons from various religious backgrounds; (3) lesbian, gay, bisexual, transgender and questioning persons; (4) children and senior citizens; (5) veterans; (6) persons with mental illness; (7) persons with an intellectual disability, developmental disability or physical disability; and (8) other populations designated by the applicable licensing Board.

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

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

**Section 1.** NRS 630.253 is hereby amended to read as follows:  
630.253 1. The Board shall, as a prerequisite for the:



- (a) Renewal of a license as a physician assistant; or
- (b) Biennial registration of the holder of a license to practice medicine,  
↳ require each holder to submit evidence of compliance with the requirements for continuing education as set forth in regulations adopted by the Board.

2. These requirements:

(a) May provide for the completion of one or more courses of instruction relating to risk management in the performance of medical services.

(b) Must provide for the completion of a course of instruction, within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

(1) An overview of acts of terrorism and weapons of mass destruction;

(2) Personal protective equipment required for acts of terrorism;

(3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;

(4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and

(5) An overview of the information available on, and the use of, the Health Alert Network.

(c) Must provide for the completion by a holder of a license to practice medicine of a course of instruction within 2 years after initial licensure that provides at least 2 hours of instruction on evidence-based suicide prevention and awareness as described in subsection ~~5-1~~ 6.

*(d) Must provide for the biennial completion by each psychiatrist and each physician assistant practicing under the supervision of a psychiatrist of one or more courses of instruction that provide at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*



- (I) Persons from various gender, racial and ethnic backgrounds;*
- (II) Persons from various religious backgrounds;*
- (III) Lesbian, gay, bisexual, transgender and questioning persons;*
- (IV) Children and senior citizens;*
- (V) Veterans;*
- (VI) Persons with a mental illness;*
- (VII) Persons with an intellectual disability, developmental disability or physical disability; and*
- (VIII) Persons who are part of any other population that a psychiatrist or a physician assistant practicing under the supervision of a psychiatrist may need to better understand, as determined by the Board.*

~~{→}~~

3. The Board may ~~{thereafter}~~ determine whether to include in a program of continuing education ~~{additional}~~ courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction ~~{→}~~ *in addition to the course of instruction required by paragraph (b) of subsection 2.*

~~{3→}~~ 4. The Board shall encourage each holder of a license who treats or cares for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology, including such topics as:

- (a) The skills and knowledge that the licensee needs to address aging issues;
- (b) Approaches to providing health care to older persons, including both didactic and clinical approaches;
- (c) The biological, behavioral, social and emotional aspects of the aging process; and
- (d) The importance of maintenance of function and independence for older persons.

~~{4→}~~ 5. The Board shall encourage each holder of a license to practice medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a drug is prescribed included on the label attached to the container of the drug.

~~{5→}~~ 6. The Board shall require each holder of a license to practice medicine to receive as a portion of his or her continuing education at least 2 hours of instruction every 4 years on





evidence-based suicide prevention and awareness, which may include, without limitation, instruction concerning:

(a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

~~6.~~ **7.** The Board shall encourage each holder of a license to practice medicine or as a physician assistant to receive, as a portion of his or her continuing education, training and education in the diagnosis of rare diseases, including, without limitation:

(a) Recognizing the symptoms of pediatric cancer; and

(b) Interpreting family history to determine whether such symptoms indicate a normal childhood illness or a condition that requires additional examination.

~~7.~~ **8.** A holder of a license to practice medicine may not substitute the continuing education credits relating to suicide prevention and awareness required by this section for the purposes of satisfying an equivalent requirement for continuing education in ethics.

~~8.~~ **9.** A holder of a license to practice medicine may substitute not more than 2 hours of continuing education credits in pain management or care for persons with an addictive disorder for the purposes of satisfying an equivalent requirement for continuing education in ethics.

~~9.~~ **10.** As used in this section:

(a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.

(b) "Biological agent" has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

(e) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

**Sec. 2.** NRS 632.343 is hereby amended to read as follows:

632.343 1. The Board shall not renew any license issued under this chapter until the licensee has submitted proof satisfactory to the Board of completion, during the 2-year period before renewal of the license, of 30 hours in a program of continuing education



approved by the Board in accordance with regulations adopted by the Board. Except as otherwise provided in subsection 3, the licensee is exempt from this provision for the first biennial period after graduation from:

- (a) An accredited school of professional nursing;
- (b) An accredited school of practical nursing;
- (c) An approved school of professional nursing in the process of obtaining accreditation; or
- (d) An approved school of practical nursing in the process of obtaining accreditation.

2. The Board shall review all courses offered to nurses for the completion of the requirement set forth in subsection 1. The Board may approve nursing and other courses which are directly related to the practice of nursing as well as others which bear a reasonable relationship to current developments in the field of nursing or any special area of practice in which a licensee engages. These may include academic studies, workshops, extension studies, home study and other courses.

3. The program of continuing education required by subsection 1 must include:

(a) For a person licensed as an advanced practice registered nurse, a course of instruction to be completed within 2 years after initial licensure that provides at least 2 hours of instruction on suicide prevention and awareness as described in subsection ~~5.1~~ 6.

(b) For each person licensed pursuant to this chapter, a course of instruction, to be completed within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

- (1) An overview of acts of terrorism and weapons of mass destruction;
- (2) Personal protective equipment required for acts of terrorism;
- (3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;
- (4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and
- (5) An overview of the information available on, and the use of, the Health Alert Network.

*(c) For each person licensed pursuant to this chapter, one or more courses of instruction that provide at least 2 hours of*



*instruction relating to cultural competency and diversity, equity and inclusion to be completed biennially. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*

*(IV) Children and senior citizens;*

*(V) Veterans;*

*(VI) Persons with a mental illness;*

*(VII) Persons with an intellectual disability, developmental disability or physical disability; and*

*(VIII) Persons who are part of any other population that a person licensed pursuant to this chapter may need to better understand, as determined by the Board.*

~~[→]~~

4. The Board may ~~[thereafter]~~ determine whether to include in a program of continuing education ~~[additional]~~ courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction ~~[ ]~~ *in addition to the course of instruction required by paragraph (b) of subsection 3.*

~~[4.]~~ 5. The Board shall encourage each licensee who treats or cares for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology, including such topics as:

(a) The skills and knowledge that the licensee needs to address aging issues;

(b) Approaches to providing health care to older persons, including both didactic and clinical approaches;

(c) The biological, behavioral, social and emotional aspects of the aging process; and

(d) The importance of maintenance of function and independence for older persons.

~~[5.]~~ 6. The Board shall require each person licensed as an advanced practice registered nurse to receive as a portion of his or her continuing education at least 2 hours of instruction every 4 years



on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.

~~6.7~~ 7. The Board shall encourage each person licensed as an advanced practice registered nurse to receive, as a portion of his or her continuing education, training and education in the diagnosis of rare diseases, including, without limitation:

- (a) Recognizing the symptoms of pediatric cancer; and
- (b) Interpreting family history to determine whether such symptoms indicate a normal childhood illness or a condition that requires additional examination.

~~7.7~~ 8. As used in this section:

(a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.

(b) "Biological agent" has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

(e) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

**Sec. 3.** NRS 633.471 is hereby amended to read as follows:

633.471 1. Except as otherwise provided in subsection ~~1.0~~ **II** and NRS 633.491, every holder of a license issued under this chapter, except a temporary or a special license, may renew the license on or before January 1 of each calendar year after its issuance by:

- (a) Applying for renewal on forms provided by the Board;
- (b) Paying the annual license renewal fee specified in this chapter;
- (c) Submitting a list of all actions filed or claims submitted to arbitration or mediation for malpractice or negligence against the holder during the previous year;
- (d) Submitting evidence to the Board that in the year preceding the application for renewal the holder has attended courses or programs of continuing education approved by the Board in accordance with regulations adopted by the Board totaling a number of hours established by the Board which must not be less than 35 hours nor more than that set in the requirements for continuing medical education of the American Osteopathic Association; and
- (e) Submitting all information required to complete the renewal.



2. The Secretary of the Board shall notify each licensee of the requirements for renewal not less than 30 days before the date of renewal.

3. The Board shall request submission of verified evidence of completion of the required number of hours of continuing medical education annually from no fewer than one-third of the applicants for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant. Upon a request from the Board, an applicant for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant shall submit verified evidence satisfactory to the Board that in the year preceding the application for renewal the applicant attended courses or programs of continuing medical education approved by the Board totaling the number of hours established by the Board.

4. The Board shall require each holder of a license to practice osteopathic medicine to complete a course of instruction within 2 years after initial licensure that provides at least 2 hours of instruction on evidence-based suicide prevention and awareness as described in subsection 8.

5. The Board shall encourage each holder of a license to practice osteopathic medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a drug is prescribed included on the label attached to the container of the drug.

6. The Board shall encourage each holder of a license to practice osteopathic medicine or as a physician assistant to receive, as a portion of his or her continuing education, training and education in the diagnosis of rare diseases, including, without limitation:

(a) Recognizing the symptoms of pediatric cancer; and

(b) Interpreting family history to determine whether such symptoms indicate a normal childhood illness or a condition that requires additional examination.

7. The Board shall require, as part of the continuing education requirements approved by the Board, the biennial completion by a holder of a license to practice osteopathic medicine of at least 2 hours of continuing education credits in ethics, pain management or care of persons with addictive disorders.

8. The Board shall require each holder of a license to practice osteopathic medicine to receive as a portion of his or her continuing education at least 2 hours of instruction every 4 years on



evidence-based suicide prevention and awareness which may include, without limitation, instruction concerning:

(a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

9. A holder of a license to practice osteopathic medicine may not substitute the continuing education credits relating to suicide prevention and awareness required by this section for the purposes of satisfying an equivalent requirement for continuing education in ethics.

10. *The Board shall require each psychiatrist or a physician assistant practicing under the supervision of a psychiatrist to biennially complete one or more courses of instruction that provide at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:*

*(a) May include the training provided pursuant to NRS 449.103, where applicable.*

*(b) Must be based upon a range of research from diverse sources.*

*(c) Must address persons of different cultural backgrounds, including, without limitation:*

*(1) Persons from various gender, racial and ethnic backgrounds;*

*(2) Persons from various religious backgrounds;*

*(3) Lesbian, gay, bisexual, transgender and questioning persons;*

*(4) Children and senior citizens;*

*(5) Veterans;*

*(6) Persons with a mental illness;*

*(7) Persons with an intellectual disability, developmental disability or physical disability; and*

*(8) Persons who are part of any other population that a psychiatrist or physician assistant practicing under the supervision of a psychiatrist may need to better understand, as determined by the Board.*

11. Members of the Armed Forces of the United States and the United States Public Health Service are exempt from payment of the annual license renewal fee during their active duty status.



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

641.220 1. To renew a license issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

- (a) Apply to the Board for renewal;
- (b) Pay the biennial fee for the renewal of a license;
- (c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and
- (d) Submit all information required to complete the renewal.

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

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

4. The requirements for continuing education adopted by the Board pursuant to subsection 3 must include, without limitation ~~[, a]~~:

*(a) A requirement that the holder of a license receive at least 2 hours of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate. The hours of instruction required by this ~~[subsection]~~ paragraph must be completed within 2 years after initial licensure and at least every 4 years thereafter.*

*(b) A requirement that the holder of a license must biennially receive at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*

*(IV) Children and senior citizens;*

*(V) Veterans;*

*(VI) Persons with a mental illness;*



*(VII) Persons with an intellectual disability, developmental disability or physical disability; and*

*(VIII) Persons who are part of any other population that the holder of a license may need to better understand, as determined by the Board.*

**Sec. 5.** NRS 641A.260 is hereby amended to read as follows:

641A.260 1. To renew a license to practice as a marriage and family therapist or clinical professional counselor issued pursuant to this chapter, each person must, on or before 10 business days after the date of expiration of his or her current license:

(a) Apply to the Board for renewal;

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

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

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

2. Except as otherwise provided in NRS 641A.265, the Board shall, as a prerequisite for the renewal of a license to practice as a marriage and family therapist or clinical professional counselor, require each holder to comply with the requirements for continuing education adopted by the Board, which must include, without limitation ~~[, a]~~:

*(a) A requirement that the holder receive at least 2 hours of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.*

*(b) A requirement that the holder receive at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*





- (IV) Children and senior citizens;*
- (V) Veterans;*
- (VI) Persons with a mental illness;*
- (VII) Persons with an intellectual disability, developmental disability or physical disability; and*
- (VIII) Persons who are part of any other population that a marriage and family therapist or clinical professional counselor may need to better understand, as determined by the Board.*

**Sec. 6.** NRS 641B.280 is hereby amended to read as follows:

641B.280 1. Every holder of a license issued pursuant to this chapter may renew his or her license annually by:

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

2. The Board shall, as a prerequisite for the renewal of a license, require the holder to comply with the requirements for continuing education adopted by the Board, which must include, without limitation ~~[a]~~:

*(a) A requirement that every 2 years the holder receive at least 2 hours of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.*

*(b) A requirement that every 2 years the holder receive at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*

*(IV) Children and senior citizens;*

*(V) Veterans;*

*(VI) Persons with a mental illness;*



*(VII) Persons with an intellectual disability, developmental disability or physical disability; and*

*(VIII) Persons who are part of any other population that the holder of a license issued pursuant to this chapter may need to better understand, as determined by the Board.*

**Sec. 7.** NRS 641C.450 is hereby amended to read as follows:

641C.450 Except as otherwise provided in NRS 641C.310, 641C.320, 641C.440 and 641C.530, a person may renew his or her license or certificate by submitting to the Board:

1. An application for the renewal of the license or certificate .

~~§~~

2. The fee for the renewal of a license or certificate prescribed in NRS 641C.470 . ~~§~~

3. Evidence of completion of the continuing education required by the Board, which must include, without limitation ~~§-a~~ :

*(a) A requirement that the applicant receive at least 1 hour of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate for each year of the term of the applicant's licensure or certification . ~~§~~*

*(b) A requirement that the applicant receive at least 1 hour of instruction relating to cultural competency and diversity, equity and inclusion for each year of the term of the applicant's licensure or certification. Such instruction:*

*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*

*(IV) Children and senior citizens;*

*(V) Veterans;*

*(VI) Persons with a mental illness;*

*(VII) Persons with an intellectual disability, developmental disability or physical disability; and*



***(VIII) Persons who are part of any other population that the holder of a license or certificate may need to better understand, as determined by the Board.***

4. If the applicant is a certified intern, the name of the licensed or certified counselor who supervises the applicant.  ~~[, and]~~

5. All information required to complete the renewal.

**Sec. 7.5.** NRS 437.225 is hereby amended to read as follows:

437.225 1. To renew a license as a behavior analyst or assistant behavior analyst or registration as a registered behavior technician, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the Division for renewal;

(b) Pay the biennial fee for the renewal of a license or registration;

(c) Submit evidence to the Division:

(1) Of completion of the requirements for continuing education as set forth in regulations adopted by the Board, if applicable; and

(2) That the person's certification or registration, as applicable, by the Behavior Analyst Certification Board, Inc., or its successor organization, remains valid and the holder remains in good standing; and

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

2. In addition to the requirements of subsection 1, to renew registration as a registered behavior technician for the third time and every third renewal thereafter, a person must submit to an investigation of his or her criminal history in the manner prescribed in paragraph (b) of subsection 1 of NRS 437.200.

3. The Board shall adopt regulations that require, as a prerequisite for the renewal of a license as a behavior analyst or assistant behavior analyst, each holder to complete continuing education, which must:

(a) Be consistent with nationally recognized standards for the continuing education of behavior analysts or assistant behavior analysts, as applicable.  ~~[, and]~~

(b) Include, without limitation, a requirement that the holder of a license receive at least 2 hours of instruction on evidence-based suicide prevention and awareness.

***(c) Include, without limitation, a requirement that the holder of a license as a behavior analyst receive at least 2 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:***



*(1) May include the training provided pursuant to NRS 449.103, where applicable.*

*(2) Must be based upon a range of research from diverse sources.*

*(3) Must address persons of different cultural backgrounds, including, without limitation:*

*(I) Persons from various gender, racial and ethnic backgrounds;*

*(II) Persons from various religious backgrounds;*

*(III) Lesbian, gay, bisexual, transgender and questioning persons;*

*(IV) Children and senior citizens;*

*(V) Veterans;*

*(VI) Persons with a mental illness;*

*(VII) Persons with an intellectual disability, developmental disability or physical disability; and*

*(VIII) Persons who are part of any other population that a behavior analyst may need to better understand, as determined by the Board.*

4. The Board shall not adopt regulations requiring a registered behavior technician to receive continuing education.

**Sec. 8.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 7.5, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2022, for all other purposes.



Assembly Bill No. 366–Assemblywoman Tolles

Joint Sponsor: Senator Spearman

CHAPTER.....

AN ACT relating to mental health; exempting recordings of certain training activities from requirements concerning the retention, maintenance and disclosure of health care records under certain circumstances; requiring the destruction of such a recording after a certain period of time; prescribing certain additional requirements governing such a recording; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law imposes various requirements concerning the retention, maintenance and disclosure of health care records, including the patient or client records of a psychologist, marriage and family therapist, clinical professional counselor, social worker, independent social worker, clinical social worker, clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor. (NRS 629.051-629.069) This bill provides that a program of education for such mental health professionals approved by the applicable licensing board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of services by such a mental health professional to a patient if: (1) the recording is used for a training activity; (2) the patient has provided informed written consent to the use of the recording in the training activity; (3) destroying the recording does not result in the maintenance of incomplete patient records; and (4) the recording is destroyed after a period of time prescribed by the licensing board responsible for regulating the mental health professional. This bill requires such a recording to meet certain federal requirements designed to prevent the reproduction, copying or theft of the recording. This bill also prohibits the inclusion of personally identifiable information concerning a patient or client unless the patient or client, as applicable, has provided specific informed written consent to the inclusion of that information in the recording.

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

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

**Section 1.** NRS 629.021 is hereby amended to read as follows:  
629.021 “Health care records” means , *except as otherwise provided in section 2, 3, 4 or 5 of this act*, any reports, notes, orders, photographs, X-rays or other recorded data or information whether maintained in written, electronic or other form which is received or produced by a provider of health care, or any person employed by a provider of health care, and contains information



relating to the medical history, examination, diagnosis or treatment of the patient.

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

*1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a psychologist to a patient that meets the requirements of subsection 2 if:*

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

*(b) The patient has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;*

*(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and*

*(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.*

*2. A recording of the provision of mental health services by a psychologist to a patient used for the purpose described in paragraph (a) of subsection 1:*

*(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted thereto, that are designed to prevent the reproduction, copying or theft of the recording; and*

*(b) Must not contain any personally identifiable information relating to the patient unless the patient has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.*

*3. The Board shall adopt regulations:*

*(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:*

*(1) The form on which such informed written consent must be provided; and*

*(2) The length of time that a psychologist who obtains such informed written consent must maintain the informed written consent;*



*(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a psychologist to a patient for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and*

*(c) Defining “training activity” for the purposes of this section.*

*4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a psychologist to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to patients in accordance with NRS 629.051 to 629.069, inclusive.*

*5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a psychologist to a patient that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.*

*6. As used in this section, “mental health professional” means a psychologist, marriage and family therapist, clinical professional counselor, social worker, independent social worker, clinical social worker, clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor.*

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

*1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client that meets the requirements of subsection 2 if:*

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

*(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;*



*(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and*

*(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.*

*2. A recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client used for the purpose described in paragraph (a) of subsection 1:*

*(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted thereto, that are designed to prevent the reproduction, copying or theft of the recording; and*

*(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.*

*3. The Board shall adopt regulations:*

*(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:*

*(1) The form on which such informed written consent must be provided; and*

*(2) The length of time that a marriage and family therapist or clinical professional counselor who obtains such informed written consent must maintain the informed written consent;*

*(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and*

*(c) Defining "training activity" for the purposes of this section.*

*4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a marriage and family therapist or clinical professional counselor to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.*

*5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a*





*marriage and family therapist or clinical professional counselor to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.*

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

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

*1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a social worker, independent social worker or clinical social worker to a client that meets the requirements of subsection 2 if:*

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

*(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;*

*(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and*

*(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.*

*2. A recording of the provision of mental health services by a social worker, independent social worker or clinical social worker to a client used for the purpose described in paragraph (a) of subsection 1:*

*(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted thereto, that are designed to prevent the reproduction, copying or theft of the recording; and*

*(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.*



3. *The Board shall adopt regulations:*

(a) *Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:*

(1) *The form on which such informed written consent must be provided; and*

(2) *The length of time that a social worker, independent social worker or clinical social worker who obtains such informed written consent must maintain the informed written consent;*

(b) *Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a social worker, independent social worker or clinical social worker to a client for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and*

(c) *Defining "training activity" for the purposes of this section.*

4. *The provisions of this section do not abrogate, alter or otherwise affect the obligation of a social worker, independent social worker or clinical social worker to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.*

5. *Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a social worker, independent social worker or clinical social worker to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.*

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

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

1. *A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by*



*a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor to a client that meets the requirements of subsection 2 if:*

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

*(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;*

*(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and*

*(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.*

*2. A recording of the provision of mental health services by a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor to a client used for the purpose described in paragraph (a) of subsection 1:*

*(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted thereto, that are designed to prevent the reproduction, copying or theft of the recording; and*

*(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.*

*3. The Board shall adopt regulations:*

*(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:*

*(1) The form on which such informed written consent must be provided; and*

*(2) The length of time that a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor who obtains such informed written consent must maintain the informed written consent;*

*(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor to a client for the purposes described*



*in paragraph (a) of subsection 1 may retain the recording before destroying it; and*

*(c) Defining “training activity” for the purposes of this section.*

*4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.*

*5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.*

*6. As used in this section, “mental health professional” means a psychologist, marriage and family therapist, clinical professional counselor, social worker, independent social worker, clinical social worker, clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor.*

**Sec. 6.** 1. This section becomes effective upon passage and approval.

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

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

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



CHAPTER.....

AN ACT relating to behavioral health; requiring an alternate means for an applicant for certain licenses and certificates to submit official transcripts if certain conditions are satisfied; requiring the adoption of regulations that authorize the remote supervision of certain persons; requiring licensing boards that regulate various professions relating to behavioral health to report certain information; revising provisions governing certain licenses by endorsement; providing for the issuance of a license as a master social worker to an applicant who meets certain qualifications; authorizing a master social worker or independent social worker to engage in certain activities; prescribing required documentation for an applicant for a license to engage in social work who is the graduate of a foreign college or university; authorizing the Board of Examiners for Social Workers to place a license to engage in social work on inactive status and refuse to issue a license under certain circumstances; requiring an employee of the Board to submit a complaint against a licensee to the Board under certain circumstances; prohibiting a person from engaging in the unlicensed practice of social work; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes educational requirements for the issuance of: (1) a 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, clinical alcohol and drug counselor intern or alcohol and drug counselor; (2) a registration as a psychological intern, psychological assistant or psychological trainee; or (3) a certificate as a clinical alcohol and drug counselor intern, alcohol and drug counselor, alcohol and drug counselor intern, problem gambling counselor 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.

Existing law requires 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 and the Board of Examiners for Alcohol, Drug and Gambling Counselors to adopt regulations prescribing standards concerning the electronic supervision of persons obtaining supervised experience for licensure, including interns. (NRS 641.100, 641A.160, 641B.160, 641C.200) **Sections 2.5, 5.5, 11.7 and 23.5** of this bill require those boards to adopt regulations authorizing remote supervision, including electronic supervision, and prescribing standards for such remote supervision.

Existing law requires 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 and the Board of Examiners for Alcohol, Drug and Gambling Counselors to report certain information concerning investigations of misconduct and applications for licensure or certification to the Legislative Committee on Health Care. (NRS 641.145, 641A.183, 641B.165, 641C.230) **Sections 3, 6, 12 and 24** of this bill: (1) require those licensing boards to submit those reports to the Chair of each regional behavioral health policy board; (2) require those reports to include certain information concerning applications for licensure or certification by endorsement; and (3) authorize the submission of those reports to the Chair of each regional behavioral health policy board in a written format.

Existing law authorizes 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, 641A.241, 641B.271, 641C.3305, 641C.355, 641C.395, 641C.432) Existing law: (1) prescribes similar requirements for the issuance of an expedited license or certificate, as applicable, by endorsement to practice in those professions to an applicant who is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran; and (2) authorizes the issuance of a provisional license to such an applicant before making a final decision. (NRS 641.196, 641A.242, 641B.272, 641C.3306, 641C.356, 641C.396, 641C.433) Existing law reduces certain fees for such applicants. (NRS 641.228, 641A.290, 641B.300, 641C.470) **Sections 3.6, 6.8, 17.5, 25.2-25.8 and 33.5** of this bill combine sections governing expedited licensure or certification by endorsement for a general applicant with sections governing licensure or certification by endorsement for an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran. The combined provisions: (1) authorize the issuance of a license or certificate by endorsement when the statutory requirements are met; (2) revise various requirements for the issuance of licenses and certificates by endorsement; and (3) authorize the issuance of a provisional license or certificate for any reason. **Sections 3.3, 6.2-6.6 and 24.5** of this bill make conforming changes which remove references to repealed sections. **Sections 4.5, 7.5, 20 and 25.9** of this bill make conforming changes so that active members of, or the spouses of active members of, the Armed Forces of the United States, veterans and the surviving spouses of veterans continue to receive reductions in fees.

Existing law authorizes the Board of Examiners for Social Workers to issue a license as: (1) a social worker to an applicant who possesses a baccalaureate degree or master's degree in social work and passes an examination; (2) an independent social worker to an applicant who possesses a master's or doctoral degree in social work, completes at least 3,000 hours of supervised, postgraduate social work and



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

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

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

Existing law authorizes a clinical social worker to engage in the practice of counseling persons with alcohol or other substance use disorders and counseling persons with an addictive disorder related to gambling with the authorization of the Board of Examiners for Social Workers. (NRS 641C.130) **Section 23** of this bill additionally authorizes a person who is licensed as a master social worker or independent social worker and engaging in clinical social work as part of an approved internship program to engage in such counseling with the authorization of the Board.



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

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

**Section 1.** NRS 629.031 is hereby amended to read as follows:  
629.031 Except as otherwise provided by a specific statute:

1. “Provider of health care” means:
  - (a) A physician licensed pursuant to chapter 630, 630A or 633 of NRS;
  - (b) A physician assistant;
  - (c) A dentist;
  - (d) A licensed nurse;
  - (e) A person who holds a license as an attendant or who is certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS;
  - (f) A dispensing optician;
  - (g) An optometrist;
  - (h) A speech-language pathologist;
  - (i) An audiologist;
  - (j) A practitioner of respiratory care;
  - (k) A licensed physical therapist;
  - (l) An occupational therapist;
  - (m) A podiatric physician;
  - (n) A licensed psychologist;
  - (o) A licensed marriage and family therapist;
  - (p) A licensed clinical professional counselor;
  - (q) A music therapist;
  - (r) A chiropractor;
  - (s) An athletic trainer;
  - (t) A perfusionist;
  - (u) A doctor of Oriental medicine in any form;
  - (v) A medical laboratory director or technician;
  - (w) A pharmacist;
  - (x) A licensed dietitian;
  - (y) An associate in social work, a social worker, *a master social worker*, an independent social worker or a clinical social worker licensed pursuant to chapter 641B of NRS;
  - (z) An alcohol and drug counselor or a problem gambling counselor who is certified pursuant to chapter 641C of NRS;
  - (aa) An alcohol and drug counselor or a clinical alcohol and drug counselor who is licensed pursuant to chapter 641C of NRS; or





(bb) A medical facility as the employer of any person specified in this subsection.

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

(a) A person who holds a license or certificate issued pursuant to chapter 631 of NRS; and

(b) A person who holds a current license or certificate to practice his or her respective discipline pursuant to the applicable provisions of law of another state or territory of the United States.

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

*If the Board requires an applicant for a license or registration pursuant to this chapter to submit official transcripts as proof of his or her educational qualifications, the Board must provide an alternate means for the 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.*

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

641.100 1. The Board shall adopt regulations : ~~{prescribing:}~~

(a) ~~{Uniform}~~ *Prescribing uniform* standards concerning the locations at which persons obtaining supervised experience that is required for licensure by the Board provide services;

(b) ~~{Standards concerning}~~ *Authorizing the remote supervision, including, without limitation,* electronic supervision , of persons obtaining supervised experience that is required for licensure by the Board who are working at remote sites ~~{:}~~ and *prescribing standards concerning such remote supervision; and*

(c) ~~{A}~~ *Prescribing a* manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.

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

3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral



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

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

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

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

~~and~~

~~—2.]~~ **(b)** The number of applications for the issuance or renewal of a license or registration received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board ~~1.] ;~~ *and*

*(c) The number of applications for the issuance of a license by endorsement received by the Board pursuant to NRS 641.196 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. 3.3.** NRS 641.170 is hereby amended to read as follows:

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

(a) Is at least 21 years of age.

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

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

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



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

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for licensure; and

(b) Issue a written statement to the applicant of its determination.

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

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

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

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

641.196 1. The Board may issue a license by endorsement as a psychologist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant ~~is~~:

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

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

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

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

(1) Satisfies the requirements of subsection 1;

(2) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a psychologist; and

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



(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641.160;

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

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

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a psychologist pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a psychologist to the applicant not later than ~~45~~

~~—(a) Forty five] 45 days after receiving all the additional information required by the Board to complete the application. [; or —(b) Ten days after the Board receives a report on the applicant’s background based on the submission of the applicant’s fingerprints, whichever occurs later.]~~

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

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

~~[6. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.]~~

**Sec. 4.** (Deleted by amendment.)

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

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

For the national examination, in addition to the actual cost to the Board of the examination .....	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination .....	100
For the issuance of an initial license.....	25



For the issuance of an initial license by endorsement .....	\$125
For the biennial renewal of a license of a psychologist.....	850
For the restoration of a license suspended for the nonpayment of the biennial fee for the renewal of a license.....	200
For the restoration of a license suspended for the nonsubmission of evidence to the Board of completion of the requirements for continuing education as required for the renewal of the license.....	200
For the registration of a firm, partnership or corporation which engages in or offers to engage in the practice of psychology .....	300
For the registration of a nonresident to practice as a consultant .....	100
For the initial registration of a psychological assistant, psychological intern or psychological trainee.....	250
For the renewal of a registration of a psychological assistant, psychological intern or psychological trainee.....	150

2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

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

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

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



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

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

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

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

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

*If the Board requires an applicant for a license to practice as a marriage and family therapist or clinical professional counselor to submit official transcripts as proof of his or her educational qualifications, the Board must provide an alternate means for the 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.*

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

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

2. The regulations adopted pursuant to subsection 1 must : ~~{prescribe:}~~

(a) ~~{Uniform}~~ *Prescribe uniform* standards concerning the locations at which interns provide services;

(b) ~~{Standards concerning}~~ *Authorize* the *remote supervision, including, without limitation,* electronic supervision , of interns



working at remote sites ~~H~~ and *prescribe standards concerning such remote supervision; and*

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

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

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

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

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

~~and~~

~~—2.]~~ *(b)* The number of applications for the issuance or renewal of a license received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board ~~H~~; *and*

*(c) The number of applications for the issuance of a license by endorsement received by the Board pursuant to NRS 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. Is at least 21 years of age;

2. Is of good moral character;

3. Has:

(a) Completed residency training in psychiatry from an accredited institution approved by the Board;

(b) A graduate degree from a program approved by the Council for Accreditation of Counseling and Related Educational Programs





as a program in mental health counseling or community counseling;  
or

(c) An acceptable degree as determined by the Board which includes the completion of a practicum and internship in mental health counseling which was taken concurrently with the degree program and was supervised by a licensed mental health professional; and

4. Has:

(a) At least 2 years of postgraduate experience in professional counseling;

(b) At least 3,000 hours of supervised experience in professional counseling which includes, without limitation:

(1) At least 1,500 hours of direct contact with clients; and

(2) At least 100 hours of counseling under the direct supervision of an approved supervisor of which at least 1 hour per week was completed for each work setting at which the applicant provided counseling; and

(c) Passed the National Clinical Mental Health Counseling Examination which is administered by the National Board for Certified Counselors.

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

641A.242 1. The Board may issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant ~~is~~:

~~—(a) Holds~~ **holds** a corresponding valid and unrestricted license as a marriage and family therapist or clinical professional counselor, as applicable, in the District of Columbia or any state or territory of the United States . ~~is~~; and

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

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

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

(1) Satisfies the requirements of subsection 1;

(2) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a marriage and family therapist or clinical professional counselor, as applicable; and



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

(b) *A complete set of fingerprints and 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 for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background;*

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

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

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

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a marriage and family therapist or clinical professional counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor, as applicable, to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

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

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

~~[6. — As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.]~~

Sec. 7. (Deleted by amendment.)



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

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

Application for an initial license .....	\$150
Initial issuance of a license.....	60
Biennial renewal of a license to practice as a marriage and family therapist or clinical professional counselor.....	450
Fee for late payment of the biennial renewal .....	125
Placement of a license to practice as a marriage and family therapist or clinical professional counselor on inactive status.....	200
Renewal of an intern’s license.....	150
Issuance of a duplicate license .....	10
Reevaluation of an applicant’s course work.....	50
Application for approval as a supervisor.....	75
Approval of a course or program of continuing education .....	25
Approval of a provider of continuing education .....	150

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

3. *As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.*

**Sec. 8.** Chapter 641B of NRS is hereby amended by adding thereto the provisions set forth as sections 9 to 11.3, inclusive, of this act.

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

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



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

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

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

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

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

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

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

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

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

*(b) If applicable, a written statement or other proof from the Council on Social Work Education or its successor organization that the degree is equivalent to a degree issued by a college or university accredited by the Council on Social Work Education or its successor organization.*

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

**Sec. 11. 1.** *An associate in social work, social worker, master social worker, independent social worker or clinical social worker may apply to the Board to have his or her license placed on*



*inactive status. The Board may grant the application if the license is in good standing and the licensee has met all requirements for the issuance or renewal of a license as of the date of the application.*

*2. If the application is granted:*

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

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

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

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

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

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

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

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

**Sec. 11.3.** *If the Board requires an applicant for a license pursuant to this chapter to submit official transcripts as proof of his or her educational qualifications, the Board must provide an alternate means for the 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 the official transcripts by ordinary means is not available or possible.*

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

641B.160 1. The Board shall adopt:

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

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

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

(d) Regulations ~~[prescribing standards concerning]~~ *authorizing the remote supervision, including, without limitation,* electronic



supervision , of interns working at remote sites ~~[H]~~ and *prescribing standards concerning such remote supervision; and*

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

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

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

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

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

~~—2.]~~ *(b)* The number of applications for the issuance or renewal of a license received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board ~~[H]~~; *and*

*(c) The number of applications for the issuance of a license by endorsement received by the Board pursuant to NRS 641B.272 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. 13.** NRS 641B.206 is hereby amended to read as follows:

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

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



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

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

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

(b) A separate form prescribed by the Board.

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

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

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

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

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

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

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

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

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



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

(b) Passes an examination prescribed by the Board.

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

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

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

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

(d) Passes an examination prescribed by the Board.

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

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

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

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

~~and~~:

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

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

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

(c) Passes an examination prescribed by the Board.

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

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

~~and~~

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





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

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

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

(a) Possesses a master's or doctoral degree in social work from ~~the~~:

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

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

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

(c) Passes an examination prescribed by the Board.

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

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

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

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

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

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

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

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

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

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

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

(e) *Has entered a plea of guilty, guilty but mentally ill or nolo contendere to, been found guilty or guilty but mentally ill of, or been convicted, in this State or any other jurisdiction, of a crime arising out of, in connection with or related to the activities of*



*such a person in such a manner as to demonstrate his or her unfitness to engage in social work, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal; or*

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

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

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

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

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

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

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

(1) Satisfies the requirements of subsection 1;

(2) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to engage in social work; *and*

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

~~—(4) Is currently engaged in social work under the license held required by paragraph (a) of subsection 1;]~~

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641B.202;

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

(d) *The fee prescribed by the Board pursuant to NRS 641B.300 for the initial application; and*

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in social work pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause,



the Board shall approve the application and issue a license by endorsement to engage in social work to the applicant not later than ~~f~~

~~—(a) Forty five]~~ **45** days after receiving all the additional information required by the Board to complete the application. ~~]; or~~  
~~—(b) Ten days after the Board receives a report on the applicant’s background based on the submission of the applicant’s fingerprints, whichever occurs later.]~~

4. A license by endorsement to engage in social work may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

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

~~[6.—As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.]~~

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

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

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

(b) Who:

(1) Possesses a baccalaureate degree or a master’s degree in a related field of study from ~~[am]~~ :

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

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

(2) Presents evidence of enrollment in a program of study leading to a degree in social work at ~~[a]~~ :

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

**(II) A college or university located in a foreign country, or a program of study leading to the equivalent of a degree in social work from such a college or university, if the applicant**



*includes in his or her application the documentation required by section 10 of this act.*

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

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

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

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

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

**Sec. 19.** NRS 641B.280 is hereby amended to read as follows:

641B.280 1. Every holder of a license issued pursuant to this chapter may renew his or her license annually by:

(a) Applying to the Board for renewal;

(b) Paying the annual renewal fee set by the Board;

(c) ~~Submitting~~ *Except as otherwise provided in section 11 of this act, submitting* evidence to the Board of completion of the required continuing education as set forth in regulations adopted by the Board; and

(d) Submitting all information required to complete the renewal.

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

**Sec. 20.** NRS 641B.300 is hereby amended to read as follows:

641B.300 1. The Board shall charge and collect fees not to exceed the following amounts for:



Initial application.....	\$200
Provisional license.....	150
Initial issuance of a license as a social worker <i>or</i> <i>master social worker</i> .....	250
Initial issuance of a license as a clinical social worker or an independent social worker .....	350
Initial issuance of a license by endorsement .....	200
Annual renewal of a license as a social worker , <i>master social worker</i> or an associate in social work.....	175
Annual renewal of a license as a clinical social worker or an independent social worker .....	225
Restoration of a suspended license or reinstatement of a revoked license.....	150
Restoration of an expired license .....	200
Renewal of a delinquent license .....	100

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

3. *As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.*

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

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

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

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

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

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



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

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

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

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

*(2) Holds an active license as an independent social worker or master social worker issued pursuant to this chapter and is engaging in clinical social work under the conditions prescribed in NRS 641B.230 or section 9 of this act, as applicable.*

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

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

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

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

- 1. The college or university from which the applicant has graduated has closed or has merged with another institution; and*
- 2. The provision of official transcripts by ordinary means is not available or possible.*

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

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

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

3. A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this



State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

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

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

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

(a) *Licensed as:*

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

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

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

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

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

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

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

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

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

(e) ~~The~~ *Prescribe the* manner by which the qualifications for the issuance or renewal of a license or certificate under the



provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.

2. The Board may adopt regulations that prescribe:

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

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

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

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

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

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

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

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

~~and~~

~~2.]~~ (b) The number of applications for the issuance or renewal of a license or certificate received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board ~~1.]~~ ;

*and*

*(c) The number of applications for the issuance of a license or certificate by endorsement received by the Board pursuant to NRS 641C.3306, 641C.356, 641C.396 and 641C.433 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. 24.5.** NRS 641C.290 is hereby amended to read as follows:

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

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

3. Except as otherwise provided in NRS ~~[641C.432 and]~~ 641C.433, each applicant for a certificate as a problem gambling counselor must pass a written and oral examination concerning his or her knowledge of the practice of counseling persons with an addictive disorder related to gambling, the applicable provisions of this chapter and any applicable regulations adopted by the Board pursuant to the provisions of this chapter.

4. The Board shall:

- (a) Examine applicants at least two times each year.
- (b) Establish the time and place for the examinations.
- (c) Provide such books and forms as may be necessary to conduct the examinations.

(d) Except as otherwise provided in NRS 622.090, establish, by regulation, the requirements for passing the examination.

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

**Sec. 25.** (Deleted by amendment.)



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

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

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

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

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

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

(1) Satisfies the requirements of subsection 1;

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

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

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

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

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

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a clinical alcohol and drug counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a clinical alcohol and drug counselor to the applicant not later than ~~is~~:

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



~~—(b) Ten days after the Board receives a report on the applicant’s background based on the submission of the applicant’s fingerprints, whichever occurs later.]~~

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

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

~~[6. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.]~~

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

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

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

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

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

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

(1) Satisfies the requirements of subsection 1;

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

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

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

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



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

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as an alcohol and drug counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as an alcohol and drug counselor to the applicant not later than ~~15~~

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

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

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

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

~~[6. — As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.]~~

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

641C.396 1. The Board may issue a certificate by endorsement as an alcohol and drug counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant ~~15~~

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

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

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

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



- (1) Satisfies the requirements of subsection 1;
- (2) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a certificate as an alcohol and drug counselor; and
- (3) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;
  - (b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;
  - (c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;
  - (d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial certificate; and
  - (e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as an alcohol and drug counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as an alcohol and drug counselor to the applicant not later than ~~15~~:

- ~~—(a) Forty five] 45~~ days after receiving all additional information required by the Board to complete the application . ~~15; or~~
- ~~—(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints, whichever occurs later.]~~

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

5. At any time before making a final decision on an application for a certificate by endorsement pursuant to this section, the Board may , *for any reason*, grant a provisional certificate authorizing an applicant to practice as an alcohol and drug counselor in accordance with regulations adopted by the Board.

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



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

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

~~—(a) Holds~~ **holds** a corresponding valid and unrestricted certificate as a problem gambling counselor in the District of Columbia or any state or territory of the United States. ~~is; and~~

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

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

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

(1) Satisfies the requirements of subsection 1;

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

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

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

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

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

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as a problem gambling counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as a problem gambling counselor to the applicant not later than ~~is~~

~~—(a) Forty five~~ **45** days after receiving all the additional information required by the Board to complete the application. ~~is; or~~



~~—(b) Ten days after the Board receives a report on the applicant’s background based on the submission of the applicant’s fingerprints, whichever occurs later.]~~

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

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

~~[6. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.]~~

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

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

For the initial application for a license or certificate, including a license or certificate by endorsement .....	\$150
For the issuance of a provisional license or certificate.....	125
For the issuance of an initial license or certificate, including a license or certificate by endorsement .....	60
For the renewal of a license or certificate as an alcohol and drug counselor, a license as a clinical alcohol and drug counselor or a certificate as a problem gambling counselor .....	300
For the renewal of a certificate as a clinical alcohol and drug counselor intern, an alcohol and drug counselor intern or a problem gambling counselor intern .....	75
For the renewal of a delinquent license or certificate.....	75
For the restoration of an expired license or certificate.....	150
For the restoration or reinstatement of a suspended or revoked license or certificate .....	300
For the issuance of a license or certificate without examination .....	150
For an examination.....	150
For the approval of a course of continuing education .....	150



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

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

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

*5. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.*

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

62A.270 “Qualified professional” means:

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

2. A psychologist licensed to practice in this State;

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

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

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

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

**Sec. 27.** (Deleted by amendment.)

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

689A.0485 If any policy of health insurance provides coverage for treatment of an illness which is within the authorized scope of the practice of a licensed associate in social work, social worker, *master social worker,* independent social worker or clinical social worker, the insured is entitled to reimbursement for treatment by an associate in social work, social worker, *master social worker,*





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

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

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

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

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

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

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

**Sec. 32.** (Deleted by amendment.)

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

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



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

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

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

**Sec. 34.** 1. This section becomes effective upon passage and approval.

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

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

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



**16. Recognition of Outgoing Board Member John H. Krogh, Ph.D.**

**17. (For Possible Action) Schedule of Future Board Meetings, Hearings, and Workshops. The Board May Discuss and Decide Future Meeting Dates, Hearing Dates, and Workshop Dates**

- The next regularly scheduled meeting of the Nevada Board of Psychological Examiners is Friday, July 9, 2021, at 8:30 a.m.
- The Annual Meeting of the Association of State and Provincial psychological Boards (ASPPB) has been scheduled for October 15-16, 2021. The meeting will be held virtually.

# ***Save The Date!***



**What: 61<sup>st</sup> Annual Meeting of Delegates**

**When: October 15<sup>th</sup> & 16<sup>th</sup>, 2021**

**Where: Virtual**

**Focus: Public Protection Through Prevention**

