

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

DATE OF MEETING: Friday, February 9, 2024

Time: 8:00 a.m.

The meeting of the State of Nevada Board of Psychological Examiners (Board) will be conducted and may be attended through a remote technology system (video- or teleconference). To participate remotely, individuals are invited to enter the meeting from the Zoom website at <https://us06web.zoom.us/j/85841850252>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **858 4185 0252**. (The Board office recommends that individuals unfamiliar with ZOOM should 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 meeting may also be attended at the Board office, 4600 Kietzke Lane, Suite B-116, Reno, Nevada, 89502.

The Board will accept 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. Written public comments must be received prior to the start of the meeting and 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.

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) Public Hearing to Solicit Comments on a Regulation (Legislative Counsel Bureau File Number R051-23) Proposed for Adoption; Possible Action to Make Revisions to and/or Forward any/all the Proposed Regulation to the Legislative Counsel Bureau In Accordance with NRS Chapter 233B. (See Attached Public Notice for Information on the Draft Regulation)

4. Minutes. (For Possible Action) Discussion and Possible Approval of the Minutes of the State of Nevada Board of Psychological Examiners' January 22, 2024, Meeting

5. Financials

- A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2024 (July 1, 2023, through June 30, 2024).
- B. (For Possible Action) Discussion and Possible Action to Approve payment of the PsyPact 2023 State Assessment Fee in the amount of \$1,170.
- C. (For Possible Action) Discussion and Possible Action to designate board members and/or staff to attend Association of State and Provincial Psychology Boards (ASPPB) mid-year meeting, April 25-28, 2024, in Boston, Massachusetts in a combined total expenditure of not more than \$3,700.00.
- D. (For Possible Action) Discussion and Possible Action to Approve:
 - adding Administrative Director Sarah Restori to be an authorized signatory on the Board's Bank of America checking and savings accounts;

- adding Executive Director Laura M. Arnold to be an authorized signatory on the Board's Bank of America savings account; and
- removing former Board member John Krogh and former Executive Director Lisa Scurry as signatories on the Board's Bank of America checking and savings accounts.

6. Legislative Update

(For Possible Action) Report, Discussion and Possible Action on Legislative Activities, including the work of Interim Committees, of the Nevada Legislature, the Legislative Counsel Bureau, and any position or action the Board may take on or in response to Bills that have been signed into Law, Legislative Bills, and Bill Draft Requests that the Board is tracking, following, or that may impact the Board and its Operations.

7. Board Needs and Operations

- A. Report from the Nevada Psychological Association.
- B. Report From the Executive Director on Board Office Operations.

8. (For Possible Action) Discussion and Possible Action on Pending Consumer Complaints:

- A. Complaint #19-0626
- B. Complaint #22-0930
- C. Complaint #23-0303
- D. Complaint #23-0612
- E. Complaint #23-0801
- F. Complaint #23-0905
- G. Complaint #23-0918
- H. Complaint #24-0104

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

Dalea Alawar	Megan Farnsworth	Christine Kim	Rachel Powers
Mary Lou Ancheta	Leslie Feil	Donald Kincaid	Kilynda Ray
Robert Antonacci	Nichole Flowers	John King	Keri Ross
Erick Arguello	Judy Fluor Runels	Ashley Kirby-Ward	Taraneh Rostami
Quintin Bailey	Stephen Francis	Sandra Kubicki	Benjamin Rubin
John Barona	Gila Frank	Monica Larson	Malia Sanchez
Cortney Beasley	Vanessa Fuentes	Timothy Law	Mary Schuberg
Kimberly Bergman	Maiken Gale	George Lazo	David Shoup
Robert Bilder	Elena Gavrilova	Karen Levine	Nancy Small
Sarah Brennan	Teresa George	Jessica Liberman	Katelyn Steele
RaeLynn Brister	Matthew Gibbons	George Lough	Tricia Steeves
Robert Burr	Peter Grover	Vanessa Ma	Tony Strickland
Ramona Burroughs	Dehnad Hakimi	James Madero	Holly Summers
Jonathan Campos	Mary Herzog	Alexandra Matthews	Jessica Taverniti
Leandrea Caver	Chia-Chi Hu	Serena Mazzola	Donna Truong
Hu Chia-Chi	Clairissa Hunter	Jessica McClintock	John Tsanadis
Filippo Cieri	Rachel Irish	Paul McLaughlin	Michael Villanueva
Steven Covelluzzi	Saira Jhorn	Viola Mejia	Ina Von Ber
Candy Crawford	Lori Johnson	Samuel Montano	Ann Watters
Pegeen Cronin	Samantha Johnson	Alexandra Montesi	Jessica Weis
Osvelia Deeds	Margaret Jones	Luzviminda Morrow	Karen West
Nicola De Paul	Natalie Jones	Ana Ochoa	Michael Whitman
Kendra Devor	Ta Tanisha Jones	Akira Olsen	Andre Wielemaker
Adrienne DiFabio	William Kaiser	Stephanie Orbon	Jennifer Wilcox
Mark Dillon	Carolynne Karr	Jonathan Page	Michele Wilkens
Shannon Dillon	Patricia Keeler	So Park	Christine Winter
Alana Duschane	Daphne Kendricks	Kathryn Pesch	Jamie Wong
Christopher Estep	Kristopher Kern	Daniel Pott-Pepperman	Gordon Zilberman

PSYCHOLOGICAL ASSISTANTS

Jeffrey Aguiar	Ramy Bassioni	Andrew Buchanan	Rosy Chavez-Najera
Rachel Ballard	Brian Broomand	Candis Carswell	Taylor Chille

Ashley Colson
Althea Cook
Jessica Crellin
Kaleb Cusack
Samantha del Castillo
Emerson Epstein
Evan Fertel
Jacqueline Friar
Grady Gallagher
Michelle Gaston

Cori Gold
Milagro Gonzalez
Kimberly Gray
Jennifer Grimes-Vawters
Joseph Henrich
Akiko Hinds
Kelly Humphreys
Courtney Hutchinson
Kayla Kaiser
Richelle Konczak
Dorota Krotkiewicz

Taylor Levine
Alexandra Miguel
Desiree Misanko
Luzviminda Morrow
Blake Oldfield
Dylena Pierce
Eric Prince
Leilani Puentes
Jacquelyn Rinaldi
Shannon Rojas

Farnaz Samavi
Daniela Sandelin
Coreen Schwartz Starr
Sharon Simington
Katherine Stypulkowski
Holly Summers
Heather Thompson
Christine Vaughan
Marijo Villano
Kelsey Zaugg

PSYCHOLOGICAL INTERNS

Lorraine Apodaca
Shannon Colon
Mario De Souza
Paola Garcia Betancourt
Sussan Fung
Michelle Gaston
Michelle Harden

Tiffany Hunter
Jessica Jensen
Jeanine Johnson
Lauren Johnson
Shalini Kabeer
Kayla Kaiser

Erica Marino
Sherley Pierre
Coreen Schwartz
Ruby Sharma
Jasmin Smith
Barbara Sommer

Megan Tedrow
Candice Thomas
Richard Warmke
Charlotte Watley
Rachel Wiggins

PSYCHOLOGICAL TRAINEES

Marissa Alvarez
Vanni Arcaina
Glenn Blessington
Dominque Cheung
Adaeze Chike-Okoli
Kieffer Christianson
Anna Cole
Aimee D'Errico
Erin Dunn
Jacqueline Eddy

Kinsey Ellis
Michael Fensken
Leila Gail
Paola Garcia Betancourt
Grace Goodwin
Kaelyn Griffin
Brandon Hunley
Madison Hurley
Bianca Islas
Todd Jennings

Jessica Jensen
Cynthia Johnston
Lee Haeun
Julia Maranville
Nicole Martinez
Michael McNamara
Sara Moore
Karisa Deandra Odrunia
Ananda Peixoto-Couto
Bianca Reaves

Jason Sadora
Shannon Sagert
Christine Salva
Mary Smirnova
Madison Thomasson
Teresa Walker
Bailey Way
Jessica Woodyatt

- A. (For Possible Action) Discussion and Possible Action on Dr. Desiree Misanko's request to extend her registration as a Psychological Assistant.
- B. (For Possible Action) Discussion and Possible Action on Dr. Jacquelyn Johnson's application to reinstate her license.

10. (For Possible Action) Discussion and Possible Action on proposed revisions to the Board's Disciplinary and Complaints Policy.

11. (For Possible Action) Discussion and Possible Action on proposed revisions to the Board's Employment, Compensation, and Review Policy and its Staff Performance Evaluation Procedure.

12. (For Possible Action) Discussion and Possible Action to Approve beginning the process of revising NAC 641.019 to increase biennial renewal fees from \$600 to \$650.

13. (For Possible Action) Discussion and Possible Action on an announcement of the upcoming vacancy on the Board.

14. (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 regular meeting of the Nevada Board of Psychological Examiners is currently scheduled for Friday, March 8, 2024, beginning at 8:00 a.m.

15. Requests for Future Board Meeting Agenda Items (No Discussion Among the Members will Take Place on this Item)

16. 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)

17. (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 4 p.m. on Thursday, February 8, 2024.

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

or in writing at Board of Psychological Examiners, 4600 Kietzke Lane, Suite B-116, Reno, Nevada 89502.

In accordance with NRS 241.020, this public meeting notice was properly posted at or before 8 a.m. on Tuesday, February 6, 2024, at the following locations:

- Board office located at 4600 Kietzke Lane, Bldg. B-116, Reno;
- Nevada Public Notice website: <https://notice.nv.gov/>; and
- Board's website at https://psyexam.nv.gov/Board/2023/2023_BOARD_MEETINGS/.

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).

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the adoption of Regulations of the State of Nevada Board of Psychological Examiners

The State of Nevada Board of Psychological Examiners will hold a public hearing at 8:05 a.m. on February 9, 2024. The hearing may be attended through a remote technology system (video- or teleconference). To participate remotely, individuals are invited to enter the meeting from the Zoom website at <https://us06web.zoom.us/j/85841850252>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **858 4185 0252**. (The Board office recommends that individuals unfamiliar with ZOOM should 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 hearing may also be attended at the Board office, 4600 Kietzke Lane, Suite B-116, Reno, Nevada, 89502.

The purpose of the hearing is to receive comments from all interested persons regarding the revisions to regulations that pertain to chapter 641 of the Nevada Administrative Code. The Board will accept 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. Written public comments must be received prior to the start of the hearing and will be forwarded to the Board for their consideration.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

LCB File No. R051-23: A REGULATION relating to the Board of Psychological Examiners; removing and repealing provisions relating to the regulation of behavior analysts, assistant behavior analysts and the practice of applied behavior analysis; making conforming changes and updating certain references and information; and providing other matters properly relating thereto.

2. If the proposed regulation(s) is a temporary regulation, either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved. If the proposed regulation(s) is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

A copy of the proposed regulations can be obtained at the Boards website by going to www.psyexam.nv.gov, or by contacting the Board of Psychological Examiners at 775-688-1268 or 4600 Kietzke Lane, Bldg B-116, Reno, NV 89502. A reasonable fee for copying may be charged.

3. A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.

A request for input regarding impact was posted and made available to the public and licensees of the Board of Psychological Examiners. A workshop to present the proposed changes and hear public input was held on May 12, 2023.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

(a) Both adverse and beneficial effects; and

There should be no adverse effects to Psychologists in Nevada. The beneficial effects of removing and repealing provisions relating to the regulation of behavior analysts, assistant behavior analysts and the practice of applied behavior analysis, which the Board no longer governs, will allow for greater ease of reference to and navigation of NAC Chapter 641.

(b) Both immediate and long-term effects.

Once the regulation revisions are approved and codified into NAC Chapter 641, the benefits stated above will be immediate and long term.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The Board does not believe there will be a cost for enforcement of the proposed revisions, as the proposed revisions do not require enforcement.

6. A description of the citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Board is not aware of any overlapping or duplicating of federal or state regulations.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Board is not aware of any requirement to federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There should be no duplication of a federal regulation.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

The regulation revisions do not establish a new fee or an increase in an existing fee.

Persons wishing to comment upon the proposed action of the State of Nevada Board of Psychological Examiners may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to State of Nevada Board of Psychological Examiners, 4600 Kietzke Lane, Bldg B-116, Reno, NV 89502. Written submissions must be received by the State of Nevada Board of Psychological Examiners on or before February 8, 2024 at 5:00 p.m. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State of Nevada Board of Psychological Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted will be available at the State of Nevada Board of Psychological Examiners for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and online at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been sent to persons on the agenda's mailing list, licensed psychologists, posted at the Board's website at <http://psyexam.nv.gov> and the State of Nevada website (<https://notice.nv.gov/>) and the office of the Board of Psychological Examiners (4600 Kietzke Lane, Bldg B-116, Reno, NV).

Posted January 8, 2024

**Nevada Board of Psychological Examiners
Board Meeting Staff Report**

DATE: February 9, 2024

ITEM:

3 - (For Possible Action) Public Hearing to Solicit Comments on a Regulation (Legislative Counsel Bureau File Number R051-23) Proposed for Adoption; Possible Action to Make Revisions to and/or Forward the Proposed Regulation to the Legislative Counsel Bureau in Accordance with NRS Chapter 233B.

SUMMARY:

In response to the Governor's Executive Order 2023-003, the Board submitted a report to his office that details various Nevada Administrative Code Provisions in Chapter 641 that can be revised or removed to ensure that they provide for the general welfare of the State without unnecessarily inhibiting economic growth. In its report, the Board identified all of NAC Chapter 641's regulations that reference Behavior Analysts, which the Board no longer governs. The Board addressed which of those regulations were appropriate to be repealed and those that required revisions in order to remove from NAC Chapter 641 all language that references Behavior Analysts.

The Board held its workshop on those revisions on May 12, 2023, after which the Board office submitted its draft of the revisions to the Legislative Counsel Bureau and requested an LCB draft and file number. The LCB having prepared its draft and assigned file number R051-23 to that draft, it is now before this Board for a hearing, notice of which has been timely provided and this agenda item having been noticed for that purpose.

**PROPOSED REGULATION OF THE
BOARD OF PSYCHOLOGICAL EXAMINERS**

LCB File No. R051-23

December 21, 2023

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

AUTHORITY: §§ 1-25, NRS 641.100.

A REGULATION relating to the Board of Psychological Examiners; removing and repealing provisions relating to the regulation of behavior analysts, assistant behavior analysts and the practice of applied behavior analysis; making conforming changes and updating certain references and information; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the regulation of psychological assistants, psychological interns, psychological trainees and the practice of psychology by the Board of Psychological Examiners. (NRS 641.100) Existing law previously also provided for the regulation of behavior analysts, assistant behavior analysts and the practice of applied behavior analysis by the Board of Psychological Examiners; however, Senate Bill No. 286 of the 2017 Legislative Session transferred the responsibility for such regulation from the Board of Psychological Examiners to the Board of Applied Behavior Analysis. (NRS 641.100, as amended by section 60 of Senate Bill No. 286, chapter 588, Statutes of Nevada 2017, at page 4246, and NRS 641D.240 and 641D.600)

Sections 2, 7-9 and 13-22 of this regulation accordingly remove references to behavior analysts, assistant behavior analysts and the practice of applied behavior analysis from the existing regulations of the Board of Psychological Examiners that are otherwise applicable to psychologists. **Sections 3, 4, 6, 10, 11 and 24** of this regulation make conforming changes by renumbering certain provisions because of the removal of such references.

Section 25 of this regulation repeals the provisions of the existing regulations of the Board that pertain only to behavior analysts, assistant behavior analysts and the practice of applied behavior analysis. **Sections 1, 7, 8, 13, 21 and 23** of this regulation make conforming changes by removing references to such repealed sections.

Section 2 of this regulation updates a reference to a provision of the Nevada Revised Statutes that was renumbered by Senate Bill No. 286 of the 2017 Legislative Session and Assembly Bill No. 275 of the 2019 Legislative Session. (NRS 641.170, as amended by section 62 of Senate Bill No. 286, chapter 588, Statutes of Nevada 2017, at page 4247, and section 63 of Assembly Bill No. 275, chapter 627, Statutes of Nevada 2019, at page 4301) **Sections 4, 5, 12, 23 and 24** of this regulation update certain Internet addresses of the American Psychological Association at which a person is able to access certain information and publications.

Section 1. NAC 641.001 is hereby amended to read as follows:

641.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC ~~641.003~~ **641.005** to 641.011, inclusive, and sections 2 and 3 of ~~this regulation~~ **LCB File No. R074-18** have the meanings ascribed to them in those sections.

Sec. 2. NAC 641.050 is hereby amended to read as follows:

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

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

~~3.~~ For the purposes of ~~subsections~~ **subsection 1** ~~, 2 and 3~~ of NRS 641.170, the Board considers the following to be accredited educational institutions:

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

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

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

Sec. 3. NAC 641.061 is hereby amended to read as follows:

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

2. The applicant must present to the Board:

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

(b) Proof of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to paragraph (a) of subsection ~~131~~ 2 of NAC 641.050.

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

(d) Proof that the program:

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

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

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

- (4) Has an identifiable body of students who are matriculated in the program for a degree.
- (5) Includes supervised practical, internship, field or laboratory training appropriate to the practice of psychology.
 - (e) Proof that the curriculum encompasses at least 3 academic years of full-time graduate study, not including any internships. The Board will count only 12 semester hours or 18 quarter hours of preparation of a dissertation toward the 3 academic years of full-time graduate study.
 - (f) Proof that the program requires at least 60 semester hours or 90 quarter hours of credit in courses in substantive psychology. Dissertation hours may be counted toward the minimum hours required.
 - (g) Proof that the applicant, while in the program, completed the equivalent of courses consisting of 3 semester hours in the following areas:
 - (1) Scientific and professional ethics and standards.
 - (2) Research design and methodology.
 - (3) Statistics.
 - (4) Psychometrics.
 - (5) Biological bases of behavior, which may be satisfied by at least one of the following courses:
 - (I) Physiological psychology;
 - (II) Comparative psychology;
 - (III) Neuropsychology;
 - (IV) Psychopharmacology; or
 - (V) Human sexuality.

(6) Cognitive-affective bases of behavior, which may be satisfied by at least one of the following courses:

- (I) Learning;
- (II) Memory;
- (III) Perception;
- (IV) Cognition;
- (V) Thinking;
- (VI) Motivation; or
- (VII) Emotion.

(7) Social bases of behavior, which may be satisfied by at least one of the following courses:

- (I) Social psychology;
- (II) Cultural, ethnic and group processes;
- (III) Sex roles; or
- (IV) Organizational and systems theory.

(8) Individual differences, which may be satisfied by at least one of the following courses:

- (I) Personality theory;
- (II) Human development;
- (III) Abnormal psychology; or
- (IV) Psychology of persons with disabilities.

(h) The evaluation of the academic credentials of the applicant conducted pursuant to subsection 3 or 4.

3. Except as otherwise provided in subsection 4, to determine whether the content of the courses and the supervised practical, internship, field or laboratory training taken by an applicant are equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by:

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

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

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

6. If the title of any course submitted by an applicant pursuant to paragraph (g) of subsection 2 does not adequately describe its content, the Board or subcommittee, as applicable, may require the applicant to submit additional information regarding the contents of the course,

including, without limitation, a syllabus, a university catalog description or a statement from the instructor of the course.

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

Sec. 4. NAC 641.062 is hereby amended to read as follows:

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

2. The applicant must submit to the Board:

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

Association, which is available, free of charge, at the Internet address

~~<http://www.apa.org/ed/accreditation/index.aspx;>~~ <https://accreditation.apa.org/policies;> and

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

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

(a) Of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to paragraph (a) of subsection ~~3~~ 2 of NAC 641.050.

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

(1) The integration of empirical evidence and practice;

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

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

(c) That the program:

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

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

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

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

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

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

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

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

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

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

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

(d) That the program requires a student to complete successfully at least 3 academic years, or the equivalent, of full-time graduate study which includes at least 2 years, or the equivalent, of academic training and at least 1 year, or the equivalent, in full-time residence. A person seeking to satisfy the requirement for 1 year in full-time residence based on equivalent experience must demonstrate that the experience achieved all the purposes of the requirement, including, without limitation, mentoring, supervision and evaluation regarding the development of professional competence. Experience in a program that was conducted entirely through electronic means may not be used to satisfy the requirements of this paragraph.

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

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

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

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

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

(a) The Association of State and Provincial Psychology Boards; or

(b) The director of clinical training of a doctoral program that is accredited by the American Psychological Association and approved by the Board of Psychological Examiners.

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

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

7. If the Board finds that the training program completed by an applicant pursuant to this section is not equivalent to a program accredited by the American Psychological Association, the applicant may petition the Board for reconsideration. A decision of the Board upon

reconsideration, or a decision of the Board to deny such a petition, is a final decision for the purposes of chapter 233B of NRS.

Sec. 5. NAC 641.080 is hereby amended to read as follows:

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

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

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

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

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

(2) Satisfy the requirements of subsection 6.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) The recruitment and selection of interns;
- (2) The required prior doctoral preparation and experiences;
- (3) Providing administrative and financial assistance to interns;

- (4) The requirements for successful internship performance;
 - (5) Performance evaluations, feedback, retention and termination decisions relating to interns;
 - (6) The identification and remediation of insufficient competence and problematic behavior by an intern;
 - (7) Grievance procedures for interns, including the provision of due process;
 - (8) The requirements for supervision of an intern as set forth in paragraphs (q), (r) and (s);
 - (9) Maintenance of records; and
 - (10) Nondiscrimination, including documentation of such policies and operating procedures.
- (e) Has policies and procedures that are consistent with the profession's current ethics code and which adhere to:
- (1) The regulations of the agency or institution; and
 - (2) All applicable local, state and federal laws regarding due process and fair treatment.
- (f) Requires the retention of records on the performance of interns and complaints and grievances against the program or persons associated with the program.
- (g) Ensures a welcoming, supportive and encouraging learning environment for all interns, including those from diverse and underrepresented communities.
- (h) Recognizes the right of interns, faculty and staff to be treated with courtesy and respect.
- (i) Recognizes science as the core of health service psychology and relies on the current evidence base in the training and assessment of interns.
- (j) Requires an intern to demonstrate competency in profession-wide competencies, including, without limitation:

- (1) Research;
 - (2) Ethical and legal standards;
 - (3) Individual and cultural diversity;
 - (4) Professional values, attitudes and behaviors;
 - (5) Communication and interpersonal skills;
 - (6) Assessment;
 - (7) Intervention;
 - (8) Supervision; and
 - (9) Consultation, interprofessional and interdisciplinary skills.
- (k) Demonstrates a clear and coherent plan for educational activities that support the achievement of interns in profession-wide and program-specific competencies.
- (l) Employs primarily an experiential training method that:
- (1) Involves the delivery of services by an intern in direct contact with recipients of those services; and
 - (2) Includes sufficient observation and supervision by doctoral-level licensed psychologists to facilitate the readiness of the intern to enter into the general practice of psychology upon completion of the training.
- (m) Follows a logical and cumulative training sequence that builds on the skills and competencies acquired by the intern during training and is graded in complexity in a manner consistent with that sequence.
- (n) Demonstrates that the tasks and duties associated with the delivery of service by an intern are primarily learning-oriented and that the training considerations of interns take precedence over the delivery of service and the generation of revenue.

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

- (1) Articulating the commitment of the program to attracting and training diverse clients;
- (2) Ensuring regular communication between the doctoral program and the doctoral internship program;
- (3) Ensuring that all communications with potential and current interns are informative, accurate and transparent;
- (4) Disclosing the status of the program with regard to accreditation; and
- (5) Demonstrating a commitment to public disclosure.

(p) Provides adequate financial support for:

- (1) Interns;
- (2) Faculty and staff; and
- (3) Sufficient and dependable training activities for the duration of the year or years of any contracts with interns.

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

- (1) Each intern has access to consultation and supervision during the times he or she is providing clinical services; and
- (2) Each intern receives not less than 4 hours per week of supervision, including not less than 2 hours per week of face-to-face individual supervision by one or more doctoral-level licensed psychologists who are involved in an ongoing supervisory relationship with the intern and have primary professional responsibility for the cases on which face-to-face individual supervision is provided.

(r) Ensures that any supervisory hours other than the 2 hours of face-to-face individual supervision required by subparagraph (2) of paragraph (q) are:

- (1) Consistent with the definition of supervision in the glossary of the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association;
- (2) Conducted by health care professionals who are appropriately credentialed; and
- (3) Interactive experiences in a group or individual format.

(s) Requires that overall responsibility for the supervision of interns, including oversight and integration of supervision provided by non-psychologist professionals, is maintained by doctoral-level licensed psychologists.

6. For the purposes of subparagraph (2) of paragraph (b) of subsection 2 and of paragraph (c) of subsection 3, supervised experience is credited only for:

(a) Professional work in a setting that provides an opportunity for interaction with colleagues and an opportunity for work with a broad range of clients, including, without limitation, a private practice and a public or private agency, institution or organization; and

(b) Work experience that is other than experience which is acquired in connection with a practicum for which graduate credits are granted and which complies with the following requirements:

(1) The number of hours required pursuant to paragraph (b) of subsection 2 or paragraph (a) of subsection 3 must be completed in not less than 10 months and not more than 3 years unless otherwise approved by the Board;

(2) Unless otherwise approved by the Board:

(I) At least 50 percent of the hours per week of the supervised experience must be spent providing clinical services, including, without limitation, psychological services rendered

directly to an individual, couple, family or group, psychological testing, and individual or group supervision relating to those services; and

(II) At least 15 percent of the hours per week of the supervised experience must be spent providing face-to-face client care;

(3) The hours per week of the supervised experience that are not spent in the manner set forth in subparagraph (2) must be spent engaging in an activity related to psychology, including, without limitation, teaching psychology, performing psychological research in a manner not covered by the provisions of subsection 8 and engaging in administrative activities related to psychology or in any other activity related to psychology; and

(4) At least 40 hours of the supervised experience must be spent receiving training in cultural, ethnic and group processes as social bases of behavior and at least 3 hours of individual face-to-face supervision must be spent focused on that area of psychology. Such hours may be obtained by, without limitation:

(I) Conducting clinical work directly with culturally diverse or underserved populations;

(II) Reading materials related to culturally diverse populations;

(III) Researching an issue related to culturally diverse populations;

(IV) Attending a workshop, conference or seminar concerning working with culturally diverse populations;

(V) Giving a presentation related to culturally diverse populations at a workshop, conference or seminar; and

(VI) Authoring a publication related to culturally diverse populations.

7. Unless an applicant is registered as a psychological assistant or psychological intern, he or she may not apply hours during which he or she practiced as another type of licensed medical or behavioral health provider toward the supervised experience that is required for licensure as a psychologist pursuant to this section.

8. For faculty hired at an accredited institution of higher education, hours spent engaged in activities related to clinical research involving the provision of treatment to test the efficacy or effectiveness of psychotherapeutic techniques or to test or identify different mechanisms of change or factors related to treatment outcome, may be used to meet the requirements set forth in subparagraph (2) of paragraph (b) of subsection 6. Such activities include, without limitation:

- (a) Supervision of the implementation of treatment protocols;
- (b) Direct implementation of treatment protocols;
- (c) Writing test results and other reports;
- (d) Note writing in connection with the provision of services;
- (e) Data monitoring for adverse effects;
- (f) Working with institutional review boards to ensure patient safety;
- (g) Developing and modifying study design and treatment protocols for the implementation of such studies;
- (h) Monitoring and reviewing treatment sessions during clinical trials for adherence to treatment protocols; and
- (i) Writing the results of such research.

Sec. 6. NAC 641.120 is hereby amended to read as follows:

641.120 1. The national examination constitutes one portion of the examination for licensure as a psychologist.

2. Except as otherwise provided in subsection 3, an applicant for a license may take the national examination after the applicant has graduated with a doctoral degree from:

(a) A training program which is accredited by the American Psychological Association or a program which meets the requirements of:

(1) NAC 641.061 if the applicant graduated from a program within the United States before January 1, 2018;

(2) NAC 641.062 if the applicant graduated from a program within the United States on or after January 1, 2018; or

(3) Section 4 of LCB File No. R114-19 if the applicant graduated from a program completed outside the United States; or

(b) An institution which meets the requirements of subsection ~~13~~ 2 of NAC 641.050.

3. An applicant who fails the national examination:

(a) Once or twice may retake the examination.

(b) Three times may not retake the examination unless the applicant requests permission and obtains approval from the Board to retake the examination for a fourth time. The applicant must submit to the Board a written request to retake the examination and a written plan explaining the steps the applicant will take to pass the examination. The Board will approve the request to retake the examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the examination.

(c) Four or more times may not retake the examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to NRS 641.160 or NAC 641.062 or section 4 of LCB File No. R114-19, as applicable, is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on

which he or she notified the Board that he or she failed the examination for the immediately preceding time, request permission in writing from the Board to reapply for licensure and retake the examination. The Board will, if good cause is shown, approve the request.

Sec. 7. NAC 641.132 is hereby amended to read as follows:

641.132 1. To renew his or her license, a psychologist ~~[, licensed behavior analyst or a licensed assistant behavior analyst]~~ must submit to the Board an application for renewal, the required fees and the form for the biennial report of continuing education required pursuant to subsection 2. The licensee shall retain evidence of the completion of the continuing education required by NAC 641.136 ~~[or 641.1363, as applicable,]~~ for at least 5 years after the completion of that continuing education. Evidence of completion of continuing education includes, without limitation, a letter signed by the instructor of the course or program or the agent of the sponsoring agency or organization, and a certificate of completion approved by the Board pursuant to NAC 641.138. Upon the request of the Board, the licensee must provide evidence of completion of the continuing education.

2. The Board will mail to each licensee, before the expiration of his or her license, a form for the biennial report of continuing education. Each applicant for renewal must sign the form certifying that:

(a) He or she has completed the continuing education required by NAC 641.136 ; ~~[or 641.1363, as applicable,]~~ and

(b) The evidence of completion of continuing education required pursuant to subsection 1 is true and accurate.

3. If a licensee misrepresents the completion of continuing education, he or she will be subject to disciplinary action, including, without limitation, suspension, revocation or

nonrenewal of his or her license. A licensee whose license has been suspended or not renewed must complete the continuing education required by NAC 641.136 ~~for 641.1363, as applicable,~~ before the Board will consider whether to reinstate his or her license.

4. If a licensee does not satisfy the continuing education requirement, his or her license will not be renewed and he or she will be subject to disciplinary action. The Board may grant a licensee a 60-day extension if the licensee submits to the Board, on or before December 1 immediately preceding the expiration of his or her license, a written request for an extension which includes a compelling explanation for his or her inability to complete the continuing education requirement during the immediately preceding 2 years.

Sec. 8. NAC 641.133 is hereby amended to read as follows:

641.133 1. Upon written request to the Board and payment of the fee prescribed by the Board, a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ may have his or her license placed on inactive status.

2. A person whose license is placed on inactive status shall not engage in the practice of psychology ~~for applied behavior analysis, as applicable,~~ during the period in which the license is on inactive status.

3. A person who wishes to renew a license that is placed on inactive status must submit to the Board:

- (a) An application for the renewal of the license; and
- (b) The fee for the biennial renewal of a license on inactive status.

4. A person whose license is placed on inactive status may apply to the Board to have the license restored to active status. The Board will restore the license to active status upon:

- (a) The submission of an application for the restoration of the license;

- (b) The payment of the appropriate fee as set forth in NAC 641.019 for the restoration to active status of a license on inactive status;
- (c) The submission of proof of completion of the requirements for continuing education for the 2 years immediately preceding the date of the application;
- (d) If the applicant has engaged in the practice of psychology ~~for applied behavior analysis, as applicable;~~ in another jurisdiction during the period his or her license was on inactive status, the submission of proof that he or she is in good standing and that there are no disciplinary proceedings pending against him or her in that jurisdiction;
- (e) Submission of any other proof the Board may require to determine whether the applicant is qualified and competent to engage in the practice of psychology ; ~~for applied behavior analysis, as applicable;~~ and
- (f) If the Board considers it necessary, the successful completion of the national examination or the state examination administered by the Board pursuant to NAC 641.112 . ~~for 641.113, as applicable.~~

Sec. 9. NAC 641.1503 is hereby amended to read as follows:

641.1503 1. An application for licensure as a psychologist shall be deemed withdrawn and all fees for the application are forfeited if:

(a) The application is not completed as described in NRS 641.170 within 2 years after the date on which the Board first received the application materials; or

(b) The applicant has not taken the national examination required pursuant to NRS 641.180 within 2 years after the date on which the Board first received the application materials.

2. ~~An application for licensure as a licensed behavior analyst or a licensed assistant behavior analyst shall be deemed withdrawn and all fees for the application are forfeited if the~~

~~application is not completed as described in NRS 641.170 within 2 years after the date on which the Board first received the application.~~

~~3.1~~ If an application is deemed withdrawn pursuant to this section, the applicant may reapply for such licensure and must pay any application fees in effect at the time of the reapplication.

Sec. 10. NAC 641.151 is hereby amended to read as follows:

641.151 1. A person must register with the Board as a psychological assistant if the person wishes to obtain any postdoctoral supervised experience that is required pursuant to paragraph (b) of subsection 2 of NAC 641.080 or paragraph (c) of subsection 3 of NAC 641.080 for licensure as a psychologist by submitting the appropriate application to the Board.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological assistant only after he or she graduates with a doctoral degree from:

(a) A training program which is accredited by the American Psychological Association or a program which meets the requirements of:

(1) NAC 641.061 if the applicant graduated before January 1, 2018; or

(2) NAC 641.062 if the applicant graduated on or after January 1, 2018; or

(b) An institution which meets the requirements of subsection ~~131~~ 2 of NAC 641.050.

3. Initial registration as a psychological assistant is valid for 1 year. Except as otherwise provided in subsection 4, 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 3 years unless otherwise approved by the Board.

4. A person who has obtained the amount of postdoctoral supervised experience required pursuant to paragraph (b) of subsection 2 of NAC 641.080 or paragraph (c) of subsection 3 of NAC 641.080 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 pursuant to this subsection 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.

Sec. 11. NAC 641.1515 is hereby amended to read as follows:

641.1515 1. Unless the person is participating in a federally-regulated internship program, a person may register with the Board as a psychological intern by submitting the appropriate application to the Board if the person wishes to obtain any predoctoral supervised experience that is required pursuant to paragraph (a) of subsection 2 of NAC 641.080 or paragraph (b) of subsection 3 of NAC 641.080.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological intern only after he or she has provided to the Board proof that he or she is currently enrolled on at least a part-time basis to obtain a doctoral degree from:

(a) A program which is accredited by the American Psychological Association or meets the requirements of NAC 641.061 or 641.062, as applicable; or

(b) An institution which meets the requirements of subsection ~~13~~ 2 of NAC 641.050.

3. Registration as a psychological intern is valid for 2 years unless otherwise approved by the Board.

4. After a psychological intern has obtained the amount of predoctoral supervised experience required pursuant to paragraph (a) of subsection 2 of NAC 641.080 or paragraph (b) of subsection 3 of NAC 641.080, he or she may not apply for renewal of his or her registration as a psychological intern.

Sec. 12. NAC 641.152 is hereby amended to read as follows:

641.152 1. Except as otherwise provided in subsection 5, a psychological assistant or psychological intern may work only under the supervision and control of a psychologist who satisfies the requirements of NAC 641.1519.

2. Except as otherwise provided in subsection 5, a psychological trainee may work only under the supervision and control of a supervisor who is formally assigned by his or her home doctoral training program in compliance with required practicum training elements set forth in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association and Section C of the *Implementing Regulations* of the Commission on Accreditation of the American Psychological Association.

3. Subject to the conditions set forth in subsection 5 and NAC 641.161:

(a) A psychological assistant may supervise a psychological intern or psychological trainee for the purposes of training in supervision in accordance with the national training standards set forth in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association, which is available, free of charge, at the Internet address

~~<http://www.apa.org/ed/accreditation/section-c-soa.pdf>~~

<https://www.apa.org/ed/accreditation/standards-of-accreditation.pdf>

(b) A psychological intern may supervise a psychological trainee for the purposes of training in supervision in accordance with the national training standards set forth in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association.

4. The supervisor of a psychological assistant, psychological intern or psychological trainee is responsible for:

(a) The adequate supervision of the psychological assistant, psychological intern or psychological trainee; and

(b) The care plan of each client and patient treated or assessed by a psychological intern or psychological trainee under the supervision of the psychological assistant or psychological intern, as applicable, pursuant to subsection 3.

5. For specific skill training, the supervisor of a psychological assistant, psychological intern or psychological trainee may assign the psychological assistant, psychological intern or psychological trainee to a specialist, including, without limitation, a person who is licensed in this State as a psychiatrist, behavior analyst, social worker, marriage and family therapist or clinical professional counselor or a person who is licensed or certified in this State as an alcohol and drug abuse counselor. The specialist must have clearly established practice and teaching skills that are demonstrable to the satisfaction of the Board. Not more than one-quarter of the number of supervised hours needed to fulfill the required year of postdoctoral experience may be accrued under the direction of specialists. Any services submitted by a supervisor for reimbursement under the State Plan for Medicaid that were rendered under the authorized scope of practice of a psychological assistant, psychological intern or psychological trainee pursuant to NRS 422.27239 while under the supervision of a specialist pursuant to this subsection must also be supervised by the supervisor.

6. A psychological assistant or psychological intern must be:

(a) An employee of the supervisor; or

(b) If the psychological assistant or psychological intern is not employed by the supervisor and the supervisor is not employed by the agency at which the psychological assistant or psychological intern is based, a party to a written agreement with the supervisor and agency specifying payment terms and the role of the supervisor or training committee over the training

of the psychological assistant or psychological intern, including, without limitation, acknowledgement by all parties that:

(1) The supervisor or training committee will have access to all patient medical records and full oversight and responsibility for the work and training plan of the psychological assistant or psychological intern; and

(2) The psychological assistant or psychological intern may not be an independent contractor of the supervisor or agency during the term of the contract.

Sec. 13. NAC 641.200 is hereby amended to read as follows:

641.200 1. The provisions of NAC 641.200 to ~~641.255,~~ **641.250**, inclusive, and section 3 of ~~this regulation;~~ **LCB File No. R115-19 and section 1 of LCB File No. R128-21:**

(a) Apply to the conduct of any licensee or any applicant for licensure pursuant to this chapter and chapter 641 of NRS, including conduct during any period of education, training or employment required for licensure.

(b) Constitute the standards of conduct which a psychologist ~~[-licensed behavior analyst or licensed assistant behavior analyst]~~ shall follow in the provision of services.

2. A violation of the provisions of NAC 641.200 to ~~641.255,~~ **641.250**, inclusive, and section 3 of ~~this regulation;~~ **LCB File No. R115-19 and section 1 of LCB File No. R128-21** constitutes unprofessional conduct and is a ground for disciplinary action or the denial of an application for an initial license or the renewal of a license.

Sec. 14. NAC 641.204 is hereby amended to read as follows:

641.204 An organization is a patient or client of a psychologist ~~[-licensed behavior analyst or licensed assistant behavior analyst]~~ if the professional contract between the organization and the psychologist ~~[-licensed behavior analyst or licensed assistant behavior analyst]~~ requires the

psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ to provide services primarily to the organization rather than to the persons in the organization.

Sec. 15. NAC 641.206 is hereby amended to read as follows:

641.206 If a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ is treating a child or protected person, the parent or legal guardian of the child or protected person is the patient or client for the purpose of making decisions concerning treatment. The child or protected person who is receiving services from the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ is also the patient or client for:

1. Issues directly affecting the physical or emotional safety of the child or protected person, including, without limitation, sexual relationships or other exploitive dual relationships.
2. Issues which the parent or legal guardian has specifically agreed, before the child or protected person receives professional services, must be reserved to the child or protected person, including, without limitation, confidential communications between the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ and the child or protected person during the course of the professional relationship.

Sec. 16. NAC 641.219 is hereby amended to read as follows:

641.219 1. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall maintain a record for each patient or client that includes:

- (a) The presenting problem or purpose or diagnosis;
- (b) The fee arrangement, if any;
- (c) The date and type of evaluation or treatment provided to the patient or client;
- (d) The results of tests or other evaluations and the data from which the results were derived;

(e) A description of any consultations with other professionals regarding the patient or client and the results of such consultations; and

(f) A copy of all tests and other evaluative reports which were prepared in the course of the professional relationship.

2. A psychologist ~~or licensed behavior analyst or licensed assistant behavior analyst~~ shall maintain the record of each patient or client for not less than 5 years after the last date that service was rendered to the patient or client, except that the record of a patient or client who is a minor must be maintained for not less than 5 years after the last date that service was rendered or 1 year after the patient or client reaches 21 years of age, whichever is longer. A psychologist ~~or licensed behavior analyst or licensed assistant behavior analyst~~ shall comply with all other state and federal laws and regulations concerning the maintenance of records, including a law or regulation which requires him or her to maintain records for a longer period than required by this subsection.

3. A psychologist ~~or licensed behavior analyst or licensed assistant behavior analyst~~ shall comply with all state and federal laws governing a patient's or client's right to have access to his or her records.

4. A psychologist ~~or licensed behavior analyst or licensed assistant behavior analyst~~ who provides supervision of a licensed behavior analyst or licensed assistant behavior analyst shall maintain for not less than 5 years after the last date of supervision, a record of the supervisory session, including, but not limited to, information regarding the type, place and general content of the session.

Sec. 17. NAC 641.224 is hereby amended to read as follows:

641.224 1. If a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ provides services to an organization, information he or she obtains in the course of providing the services is confidential, including any personal information concerning a person in the organization if the information was properly obtained within the scope of his or her professional contract with the organization. Personal information concerning a person in the organization is subject to the confidential control of the organization unless the person who disclosed the information had a reasonable expectation that the information was disclosed pursuant to a separate professional relationship with the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ and would not be disclosed to the organization.

2. During the course of a professional relationship with a patient or client and after the relationship is terminated, a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall protect all confidential information obtained in the course of his or her practice, teaching or research, or in the performance of any other services related to his or her profession. Except as otherwise provided in this section, a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information only if he or she obtains the informed written consent of the patient or client.

3. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information without the informed written consent of a patient or client if the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ believes that disclosure of the information is necessary to protect against a clear and substantial risk of imminent serious harm by the patient or client to the patient or client or another person and:

(a) The disclosure is limited to such persons and information as are consistent with the standards of the profession of psychology ~~for applied behavior analysis~~ in addressing such problems.

(b) If the patient or client is an organization, the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ has made a reasonable but unsuccessful attempt to correct the problems within the organization.

4. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ may disclose confidential information without the informed written consent of a patient or client if:

(a) A member of the judiciary, or a court magistrate or administrator to whom authority has been lawfully delegated, orders the disclosure; or

(b) Disclosure is required by a state or federal law or regulation, including a law or regulation that requires a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ to report the abuse of a child or elderly person.

5. If a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ renders services to more than one person, including services rendered to an organization, family, couple, group, or a child and a parent, the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall, before he or she begins to render the services, explain to each person the relevant limitations on confidentiality during the course of the professional relationship. If appropriate, the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall grant to each person an opportunity to discuss and accept the limitations on confidentiality that will apply.

6. If a patient or client is a child or has a legal guardian, a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall, before he or she renders services, inform the

patient or client to the extent that the patient or client can understand, of any legal limitations on the confidentiality of communications with the psychologist.

7. With the written consent of a patient, a psychologist ~~†, licensed behavior analyst or licensed assistant behavior analyst†~~ shall provide in a timely manner to another responsible professional who is treating the patient or client any information which is important for the professional to know in making decisions concerning the ongoing diagnosis and treatment of the patient or client.

8. If a psychologist ~~†, licensed behavior analyst or licensed assistant behavior analyst†~~ uses the case history of a patient or client in his or her teaching, research or published reports, he or she shall exercise reasonable care to ensure that all confidential information is appropriately disguised to prevent the identification of the patient or client.

9. A psychologist ~~†, licensed behavior analyst or licensed assistant behavior analyst†~~ shall:

- (a) Store and dispose of any written, electronic or other records in a manner which ensures the confidentiality of the content of the records;
- (b) Limit access to the records of his or her patients or clients to protect the confidentiality of the information contained in the records;
- (c) Ensure that all persons working under his or her authority comply with the requirements of this section to protect the confidentiality of each patient or client; and
- (d) Obtain the informed written consent of a patient or client before the psychologist ~~†, licensed behavior analyst or licensed assistant behavior analyst†~~ electronically records or allows another person to observe a diagnostic interview or therapeutic session with the patient or client.

10. As used in this section, “confidential information” means information disclosed by a patient or client to a psychologist ~~†, licensed behavior analyst or licensed assistant behavior~~

~~analyst~~ during the course of a professional relationship, or otherwise obtained by the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ during the course of the relationship, if there is a reasonable expectation that because of the relationship between the patient or client and the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ or the circumstances under which the information was obtained, the information will not be disclosed by the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ without the informed written consent of the patient or client.

Sec. 18. NAC 641.229 is hereby amended to read as follows:

641.229 1. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not begin or continue a professional relationship with a patient or client if the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ is impaired, or has received notification from the Board that the Board reasonably suspects him or her to be impaired, because of mental, emotional, physiological, pharmacological or substance abuse problems. If such a problem develops during the course of a professional relationship, the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall:

- (a) Terminate the relationship;
- (b) Notify the patient or client in writing of the termination; and
- (c) Assist the patient or client in obtaining services from another professional.

2. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not begin or continue a professional relationship with a patient or client if the objectivity or competency of the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ is impaired, or if the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ has received notification from the Board that the Board reasonably suspects his

or her objectivity or competency to be impaired, because the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ has or had a family, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the patient or client or a person associated with or related to the patient or client.

3. If a psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ has rendered professional services to a person, the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not:

(a) Engage in any verbal or physical behavior with the person which is sexually seductive, demeaning or harassing;

(b) Engage in sexual contact with the person; or

(c) Enter into a financial or other potentially exploitive relationship with the person, ↪ for at least 2 years after the termination of the professional relationship, or for an indefinite time if the person is clearly vulnerable to exploitive influence by the psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ because of an emotional or cognitive disorder.

Sec. 19. NAC 641.234 is hereby amended to read as follows:

641.234 1. If a psychologist ~~licensed behavior analyst~~ communicates the results of an assessment procedure to a patient or client or to the legal guardian, parents or agent of a patient or client, he or she shall:

(a) Use appropriate interpretive aids to explain the results in a manner which is understandable; and

(b) Include in the explanation any deficiencies of the assessment procedure and factors which may affect the validity, reliability or other interpretation of the results.

2. A psychologist ~~for licensed behavior analyst~~ shall not reproduce or describe in any popular publications, lectures or public presentations, psychological tests or other assessment procedures in a manner which may invalidate the tests or procedures.

3. If a psychologist ~~for licensed behavior analyst~~ offers to other professionals an assessment procedure or automated interpretation service, he or she shall:

(a) Provide a manual or other written material which fully describes the development of the procedure or service, the rationale therefor, evidence of the validity and reliability thereof, and characteristics of the group of persons which the procedure or service uses as a norm;

(b) Explicitly state the purpose and application for which the procedure or service is recommended;

(c) Identify special requirements which are necessary to administer and interpret the procedure or service properly; and

(d) Ensure that advertisements for the procedure or service provide an accurate description of the procedure or service.

Sec. 20. NAC 641.239 is hereby amended to read as follows:

641.239 1. A psychologist ~~for licensed behavior analyst or licensed assistant behavior analyst~~ shall not directly or by implication misrepresent:

(a) His or her professional qualifications, including the education he or she has received, the experience he or she has acquired or the areas of his or her professional competence.

(b) His or her affiliations or the purposes or characteristics of the institutions and associations with which he or she is associated.

2. A psychologist ~~for licensed behavior analyst or licensed assistant behavior analyst~~ shall correct any other person who the psychologist ~~for licensed behavior analyst or licensed assistant~~

~~behavior analyst~~ knows has misrepresented the professional qualifications or affiliations of the psychologist. ~~licensed behavior analyst or licensed assistant behavior analyst.~~

3. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not include false or misleading information in his or her public statements concerning the professional services he or she offers.

4. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not guarantee that satisfaction or a cure will result from the performance of his or her professional services.

5. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not associate with or permit his or her name to be associated with any service or product in a manner which misrepresents:

- (a) The service or product;
- (b) The degree of his or her responsibility for the service or product; or
- (c) The nature of his or her association with the service or product.

6. A psychologist shall not distort, misuse or suppress any psychological finding, and shall attempt to prevent, using all reasonable means, the distortion, misuse or suppression of any psychological finding by any institution of which he or she is an employee.

Sec. 21. NAC 641.241 is hereby amended to read as follows:

641.241 1. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not aid or abet another person in misrepresenting the person's professional credentials or illegally engaging in the practice of psychology. ~~or applied behavior analysis.~~

2. A psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ shall not delegate any of his or her professional responsibilities to a person he or she knows, or has reason to know, is not qualified because of a lack of adequate education, training or experience.

3. If a psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ has substantial reason to believe that another person has violated any provision of this chapter or chapter 641 of NRS, he or she shall inform the Board in writing of the violation, except that if the psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ has knowledge of the violation because of his or her professional relationship with a patient or client, he or she may report the violation only if he or she has the informed written consent of the patient or client. The provisions of NAC 641.200 to ~~{641.255,}~~ **641.250**, inclusive, do not relieve a psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ of the duty to file any report otherwise required by state or federal law or regulation.

Sec. 22. NAC 641.245 is hereby amended to read as follows:

641.245 1. A psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ shall not violate any law or regulation which governs the practice of psychology . ~~{or applied behavior analysis, as applicable.}~~

2. A psychologist ~~{, licensed behavior analyst or licensed assistant behavior analyst}~~ shall not use fraud, misrepresentation or deception:

- (a) To obtain a license or pass an examination required for licensure;
- (b) To assist another person in obtaining a license or passing an examination required for licensure;
- (c) In billing a patient or client or other person who is responsible for payment;
- (d) In providing his or her professional services;

(e) In reporting the results of any evaluation or service related to the practice of psychology ;
~~for applied behavior analysis, as applicable;~~ or

(f) To conduct any other activity related to the practice of psychology . ~~for applied behavior analysis, as applicable.~~

3. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not willfully make or file any false report, fail to file any report required by law or by the Board, willfully impede or obstruct any such filing, or induce another person to engage in any act prohibited by this subsection.

4. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not violate any condition, limitation or term of probation imposed upon him or her by the Board.

5. A psychologist ~~licensed behavior analyst or licensed assistant behavior analyst~~ shall not:

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.

Sec. 23. NAC 641.250 is hereby amended to read as follows:

641.250 1. The provisions set forth in the most recent edition of the *Ethical Principles of Psychologists and Code of Conduct* adopted by the American Psychological Association are hereby adopted by reference and incorporated herein, unless the Board gives notice that the most recent edition is not suitable for this State pursuant to subsection 3 and except to the extent that those provisions conflict with the provisions of NAC 641.200 to ~~641.255;~~ **641.250**, inclusive,

in which case the provisions of NAC 641.200 to ~~{641.255,}~~ **641.250**, inclusive, are controlling. A copy of the publication ~~{may be obtained}~~ **is available**, free of charge, ~~{from the American Psychological Association at 750 First Street, N.E., Washington, D.C., 20002-4242, Attention: Service Center,}~~ at the Internet address ~~{http://www.apa.org/ethics/code.html or by telephone at (202) 336-5500.}~~ **https://www.apa.org/ethics/code.**

2. The provisions set forth in the most recent edition of the *Code of Conduct* adopted by the Association of State and Provincial Psychology Boards are hereby adopted by reference and incorporated herein, unless the Board gives notice that the most recent edition is not suitable for this State pursuant to subsection 3 and except to the extent that those provisions conflict with the provisions of NAC 641.200 to ~~{641.255,}~~ **641.250**, inclusive, in which case the provisions of NAC 641.200 to ~~{641.255,}~~ **641.250**, inclusive, are controlling. A copy of the publication ~~{may be obtained}~~ **is available**, free of charge, ~~{from the Association of State and Provincial Psychology Boards at 215 Market Road, Tyrone, GA 30290, Attention: Member Services,}~~ at the Internet address **http://www.asppb.net .** ~~{or by telephone at (678) 216-1175.}~~

3. If the publication adopted by reference pursuant to subsection 1 or 2 is revised, the Board will review the revision to ensure its suitability for this State. If the Board determines that the revision is not suitable for this State, the Board will hold a public hearing to review its determination within 6 months after the date of publication of the revision and give notice of that hearing. If, after the hearing, the Board does not revise its determination, the Board will give notice within 30 days after the hearing that the revision is not suitable for this State. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1 or 2.

Sec. 24. Section 4 of LCB File No. R114-19 is hereby amended to read as follows:

Sec. 4. 1. An applicant for licensure as a psychologist who has completed a training program outside the United States that is not accredited by the American Psychological Association must establish to the satisfaction of the Board that the program is equivalent to a program accredited by the Association.

2. The applicant must submit to the Board:

(a) An original diploma or other certificate of graduation from the training program, which will be returned to the applicant, and a photocopy of the document, which will be retained by the Board.

(b) A transcript or other appropriate document of all coursework completed in the training program.

(c) Satisfactory evidence of the completion of the supervised and documented experience required by NAC 641.080.

(d) A statement, based on the documents listed in this subsection, that describes the chronological sequence of studies, training and research engaged in by the applicant. This statement must be comparable to and communicate the same information as a transcript issued by a university in the United States and must highlight how the education and doctoral internship experience of the applicant conforms to the educational requirements set forth in this section.

(e) Suitable documents showing that the training program completed by the applicant substantially complies with the accreditation standards for doctoral programs in the *Standards of Accreditation for Health Service Psychology* of the American Psychological Association, which is available, free of charge, at the Internet address

~~<http://www.apa.org/ed/accreditation/index.aspx>~~

<https://www.apa.org/ed/accreditation/standards-of-accreditation.pdf>, and Section C of the *Implementing Regulations* of the Commission on Accreditation of the American Psychological Association, which is available, free of charge, at the Internet address ~~<http://www.apa.org/ed/accreditation/index.aspx>~~ <https://accreditation.apa.org/policies>.

(f) A certified translation of any documents submitted pursuant to this subsection which is written in a language other than English.

(g) The evaluation of the academic credentials of the applicant conducted pursuant to subsection 4, except as otherwise provided in subsection 5.

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

(a) Of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to paragraph (b) or (c) of subsection ~~1~~ 2 of NAC 641.050.

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

(1) The integration of empirical evidence and practice;

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

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

(c) That the program:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Research.
- (2) Ethical and legal standards.
- (3) Individual and cultural diversity.

- (4) Professional values, attitudes and behaviors.
- (5) Communication and interpersonal skills.
- (6) Assessment.
- (7) Intervention.
- (8) Supervision.
- (9) Consultation, interprofessional and interdisciplinary skills.

4. Except as otherwise provided in subsection 5, to determine whether the training program completed by an applicant is equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by the National Register of Health Service Psychologists. Information regarding obtaining a review is available, free of charge, at the Internet address **<https://www.nationalregister.org/apply/credentialing-requirements/national-register-doctoral-degree-guidelines/>**. Upon completion of the evaluation the applicant shall cause the National Register of Health Service Psychologists to submit the evaluation directly to the Board. The Board will review the evaluation and determine whether the program completed by the applicant is equivalent to a program that is accredited by the Association.

5. The Board may, upon written request, waive the requirement for an applicant to obtain an evaluation of his or her academic credentials pursuant to subsection 4 if the applicant graduated from a doctoral program that is accredited by the accreditation panel of the Canadian Psychological Association.

6. The Board may establish a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. In determining whether to approve the academic credentials of an applicant pursuant to subsection 4 or 5, the Board will consider any recommendation from the National Register of Health Service Psychologists and the recommendation of the subcommittee, if any, but is not bound to follow such recommendations.

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

8. The applicant is responsible for paying all fees and costs incurred to obtain an evaluation or translation of his or her academic records.

9. It is the responsibility of the applicant to sufficiently demonstrate that the training program completed by the applicant is equivalent to a program accredited by the American Psychological Association.

Sec. 25. NAC 641.003, 641.008, 641.0085, 641.029, 641.031, 641.063, 641.083, 641.113, 641.1363, 641.209, 641.213 and 641.255 are hereby repealed.

TEXT OF REPEALED SECTIONS

641.003 “Applied behavior analysis” defined. (NRS 641.100) “Applied behavior analysis” has the meaning ascribed to it in NRS 689A.0435.

641.008 “Licensed assistant behavior analyst” defined. (NRS 641.100) “Licensed assistant behavior analyst” has the meaning ascribed to it in NRS 689A.0435.

641.0085 “Licensed behavior analyst” defined. (NRS 641.100) “Licensed behavior analyst” has the meaning ascribed to it in NRS 689A.0435.

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

1. The Board will issue a license as a licensed behavior analyst to an applicant who:
 - (a) Meets the requirements of subsection 2 of NRS 641.170;
 - (b) Has been certified as a behavior analyst by the Behavior Analyst Certification Board, Inc., or its successor organization;
 - (c) Has not been convicted of a felony;
 - (d) Has not been subject to disciplinary action as a behavior analyst in another jurisdiction;
 - (e) Does not have any outstanding complaints or charges pending against him or her as a behavior analyst in another jurisdiction;
 - (f) Has not previously been denied licensure by the Board;
 - (g) Has passed the state examination administered by the Board pursuant to NAC 641.113;

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

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

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

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

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

(a) Moral character;

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

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

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

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

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

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

- (a) Meets the requirements of subsection 3 of NRS 641.170;
- (b) Has been certified as an assistant behavior analyst by the Behavior Analyst Certification Board, Inc., or its successor organization;
- (c) Has not previously been convicted of a felony;
- (d) Has not been subject to disciplinary action as an assistant behavior analyst in another jurisdiction;
- (e) Does not have any outstanding complaints or charges pending against him or her as an assistant behavior analyst in another jurisdiction;
- (f) Has not previously been denied licensure by the Board;
- (g) Has passed the state examination administered by the Board pursuant to NAC 641.113;
- (h) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant; and
- (i) Complies with subsection 1 of NRS 641.160 by submitting:
 - (1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or

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

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

(a) Moral character;

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

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

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

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

641.063 Educational requirements for behavior analysts and assistant behavior analysts: Submission of proof that unaccredited program is equivalent to accredited program. (NRS 641.100, 641.170)

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

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

641.083 Supervision of licensed assistant behavior analysts and autism behavior interventionists. (NRS 641.100, 641.110, 641.395)

1. A licensed assistant behavior analyst must be supervised by a psychologist or a licensed behavior analyst during at least 5 percent of the hours he or she works each month.
2. A psychologist, a licensed behavior analyst or a licensed assistant behavior analyst who supervises an autism behavior interventionist must supervise the autism behavior interventionist during at least 10 percent of the hours the autism behavior interventionist works each month.
3. The supervision required by subsections 1 and 2 must include, without limitation:
 - (a) At least 1 hour each month of one-on-one supervision; and
 - (b) At least 4 hours each month of additional direct supervision, which may include, without limitation:
 - (1) Videoconferencing, except that this must not constitute more than one-half of the time supervised each month; and
 - (2) Group meetings of not more than 10 persons, including each licensed assistant behavior analyst or autism behavior interventionist who is being supervised by the supervisor.

641.113 State examination of applicants for licensure as licensed behavior analyst or licensed assistant behavior analyst: Content; reexamination; fee; prohibited acts. (NRS 641.100, 641.110, 641.170, 641.172)

1. The Board will administer a state examination to each applicant for a license as a licensed behavior analyst or a licensed assistant behavior analyst.

2. The state examination will consist of questions addressing the practice of applied behavior analysis, including, without limitation, federal and state laws, ethical principles and codes of professional conduct relevant to the practice of applied behavior analysis in this State. At least 30 days before the state examination is administered, the Board will furnish a description of the content to be covered in the examination to each applicant.

3. An applicant who fails the state examination:

(a) Once or twice may retake the state examination.

(b) Three times may not retake the state examination unless the applicant requests permission and obtains approval from the Board to retake the state examination for a fourth time. The applicant must submit to the Board a written request to retake the state examination and a written plan explaining the steps the applicant will take to pass the state examination. The Board will approve the request to retake the state examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the state examination.

(c) Four or more times may not retake the state examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to NRS 641.160 is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on which he or she is notified by the Board that he or she failed that state examination for the immediately preceding time, request permission in writing from the

Board to reapply for licensure and retake the state examination. The Board will, if good cause is shown, approve the request.

4. The fee for the state examination must be paid before the examination is administered. A fee must be paid each time the applicant takes the state examination.

5. An applicant shall not:

- (a) Remove any notes taken during the state examination;
- (b) Record the state examination by electronic or other means; or
- (c) Engage in any other conduct that results in the disclosure of the contents of the state examination.

641.1363 Continuing education: Requirements for renewal of license as a licensed behavior analyst or licensed assistant behavior analyst; courses and programs. (NRS 641.100, 641.110, 641.220)

1. To renew his or her license, a licensed behavior analyst or licensed assistant behavior analyst must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, the applicant has completed 30 hours of continuing education that is approved by the Board. At least 6 hours must include instruction in scientific and professional ethics and standards, and common areas of professional misconduct. At least 2 hours must include instruction in evidence-based suicide prevention and awareness. Not more than 15 hours may be obtained from an approved home study course.

2. A licensed behavior analyst or licensed assistant behavior analyst may not receive continuing education credit for a workshop, seminar, class or course in which he or she is the instructor.

3. Except as otherwise provided in subsection 4, the continuing education required pursuant to this section may include, without limitation:

(a) A workshop, seminar, class or home study course in psychology, applied behavior analysis or a closely related discipline which maintains an attendance roster and which is:

(1) Conducted under the auspices of an accredited college or university offering undergraduate- or graduate-level instruction; or

(2) Certified or recognized by a state, regional, national or international accrediting agency, including, without limitation:

(I) The American Association for Marriage and Family Therapy;

(II) The American Counseling Association;

(III) The American Medical Association;

(IV) The American Psychiatric Association;

(V) The American Psychological Association;

(VI) The Association for Behavior Analysis International;

(VII) The Behavior Analyst Certification Board, Inc.;

(VIII) The International Congress of Psychology; and

(IX) The National Association of Social Workers; or

(b) A workshop, seminar, class or home study course in psychology, applied behavior analysis or a closely related discipline which is approved by the Board.

4. Before a licensed behavior analyst or a licensed assistant behavior analyst may receive credit for continuing education for a course in scientific and professional ethics and standards, and common areas of professional misconduct or a course in evidence-based suicide prevention and awareness, he or she must submit information concerning the course to the Board for

approval of the course, unless the Board has previously approved the course. The Board will make available at its office a list of courses and programs that are currently approved by the Board.

641.209 Scope of practice for licensed behavior analyst or licensed assistant behavior analyst: Competency required; use of new method, service or technique; referral of certain clients; basis for rendering formal professional opinion. (NRS 641.100, 641.232, 641.395)

A licensed behavior analyst or licensed assistant behavior analyst:

1. Shall limit his or her practice and supervision to the areas in which he or she has acquired competence through education, training and experience.
2. Shall not, except in an emergency in which the life or health of a person is in danger, practice or offer to practice beyond the scope of his or her license, or perform any professional service which the licensed behavior analyst or licensed assistant behavior analyst knows, or has reason to know, that he or she is not competent to perform.
3. Shall not engage in conduct in the practice of applied behavior analysis which evidences moral unfitness to practice the profession.
4. Shall maintain competence in the areas in which he or she practices through continuing education, consultation or other methods, in conformance with current standards of scientific and professional knowledge.
5. Shall use every reasonable effort to ensure that all services provided to clients are adequate in degree and scope, and conform to the highest professional standards.
6. Shall, if acquiring experience in a method, service or technique for treatment or evaluation that is either new to the licensed behavior analyst or licensed assistant behavior analyst or new to the profession:

(a) Engage in continuing consultation with other licensed behavior analysts or licensed assistant behavior analysts or relevant professionals;

(b) Seek appropriate education and training in the new method, service or technique for treatment or evaluation; and

(c) Inform clients of the innovative nature and known risks of the new method, service or technique for treatment or evaluation to provide the clients with the freedom of choice concerning applied behavior analysis services.

7. Shall not claim or use any secret or special method, service or technique for treatment or evaluation not previously disclosed to the Board.

8. Shall not, except for the purpose of research, use any method, service or technique for treatment or evaluation for which there is no adequate basis in research.

9. If a referral is clearly in the best interest of the client or upon request of a client, shall refer or recommend referral of a client to:

(a) Another professional; or

(b) Appropriate technical or administrative resources.

10. Shall not render a formal professional opinion about a person who is not a client without having had direct and substantial professional contact with the person or without having made a formal assessment of the person.

641.213 Display of license by licensed behavior analyst or licensed assistant behavior analyst; response to communications from Board and availability of records relating to inquiries and complaints; notification of change of address or telephone number; professional fees; supervision of certain persons. (NRS 641.100, 641.232)

1. A licensed behavior analyst or licensed assistant behavior analyst:

(a) Shall display his or her license in a conspicuous place on the premises of his or her office or place of employment. A licensed behavior analyst or licensed assistant behavior analyst practicing outside of an office must have his or her wallet card, obtained pursuant to NAC 641.029 or 641.031 available for production upon request.

(b) Shall respond within 30 days after receiving communication from the Board and shall make available any relevant records with respect to an inquiry or complaint about his or her professional conduct.

(c) Shall notify the Board in writing of a change of address or telephone number within 30 days after the change.

(d) Shall not mislead or withhold from a client, prospective client or other person who will be responsible for payment of the services of the licensed behavior analyst or licensed assistant behavior analyst information concerning the fee for professional services.

(e) Shall not directly or indirectly offer, give, solicit, receive or agree to receive any fee or other consideration for the referral of a client.

2. A licensed behavior analyst or licensed assistant behavior analyst who is a supervisor:

(a) Shall exercise appropriate supervision over any person who is authorized to practice applied behavior analysis under his or her supervision.

(b) Shall not exploit a person who is authorized to practice applied behavior analysis under his or her supervision.

641.255 “Professional and Ethical Compliance Code for Behavior Analysts”: Adoption by reference; controlling provisions; revision. (NRS 641.100, 641.232)

1. The provisions which set forth the guidelines for conduct for behavior analysts which are contained in the most recent version of the “Professional and Ethical Compliance Code for

Behavior Analysts” provided by the Behavior Analyst Certification Board, Inc., or its successor organization, are hereby adopted by reference and incorporated herein, unless the Board gives notice that the most recent version is not suitable for this State pursuant to subsection 2, and except to the extent that those provisions conflict with the provisions of NAC 641.200 to 641.255, inclusive, in which case the provisions of NAC 641.200 to 641.255, inclusive, will control. A copy of the publication may be obtained free of charge from the Behavior Analyst Certification Board, Inc., at the Internet address <http://bacb.com/ethics-code/>.

2. If the publication adopted by reference in subsection 1 is revised, the Board will review the revision to ensure its suitability for this State. If the Board determines that the revision is not suitable for this State, the Board will hold a public hearing to review its determination within 6 months after the date of publication of the revision and give notice of that hearing to all licensed behavior analysts and licensed assistant behavior analysts. If, after the hearing, the Board does not revise its determination, the Board will give notice within 30 days after the hearing that the revision is not suitable for this State. If the Board does not give such notice, the revision becomes part of the publication adopted by reference in subsection 1.

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

January 22, 2024

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

The meeting of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, Psy.D., at 12:02 p.m. on January 22, 2024, online via "Zoom" and physically at the office of the Board of Psychological Examiners, 4600 Kietzke Lane, Ste. B-116, Reno, Nevada 89502.

Roll Call: Board President, Whitney Owens, Psy.D., and members Monique Abarca, LCSW, Lorraine Benuto, Ph.D., Soseh Esmaeili, Psy.D., Stephanie Holland, Psy.D., and Stephanie Woodard, Psy.D. were present at roll call. Board members Catherine Pearson, Ph.D. was absent at roll call. There was a quorum of the Board members.

Also present were Deputy Attorney General (DAG) Harry Ward; Executive Director Laura Arnold; Donald Hoier (private citizen), Dr. Jennifer Grimes-Vawters, Brian Joseph, and Dr. Casha Kaufer.

- 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).

There was no public comment at this time.

DAG Ward states those who wish to comment may access this Zoom meeting with the number **882 1900 1830**.

3. Minutes. (For Possible Action) Discussion and Possible Approval of the Minutes of the Regular Meeting of the State of Nevada Board of Psychological Examiners on December 15, 2023.

There were no comments or changes suggested for the minutes of the December 15, 2023, Regular Meeting of the State of Nevada Board of Psychological Examiners.

On motion by Soseh Esmaeili, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners approved the meeting minutes of the Regular Meeting of the Board held on December 15, 2023. Stephanie Holland, Stephanie Woodard, and Monique Abarca approved the minutes as to form, but not content. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

4. Financials

A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2024 (July 1, 2023, through June 30, 2024).

The executive director stated that as of December 31, 2023, the checking account balance was \$323,134.92. She explained that December 2023 was the end of the second biennium quarter, and it was the last month on which the Board operated on the almost \$81,000.00 net revenue for the second biennium quarter deferred income distribution as well as about \$22,000.00 from the other deferred revenue distributions such as late renewal fees, new licensures, and registrations. She said that as of January 2024, the Board will be operating on the next \$81,000.00 net revenue and other deferred revenue that is allocated to the third biennium quarter (January – June 2024).

The executive director went on to state that the savings account balance, which is the Board's reserve account, was \$105,070.03. With the end of December 2023 marking the half-way point for both FY 2024 and the 2023-2024 biennium, she said that the Board is about 42% of budgeted expenditures and just over 51% of expected revenue – most of which is the deferred income allocated to this biennium quarter. The Board ended the first and second quarters of the 2023-2024 biennium with \$21,150 and almost \$26,500, respectively, of budgeted income that it did not use.

The executive director went on to state that something she has done for the treasurer's report this time is to have our bookkeeper, Michelle Fox, verify and validate the

information. She said Michelle's written validation is part of the meeting materials, and would be something she will be doing moving forward.

On motion by Soseh Esmaeili, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the treasurer's report for FY 2024. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

B. (For Possible Action) Discussion and Possible Action to Approve revisions to the Budget for Fiscal Year 2024 (July 1, 2023, through June 30, 2024).

The executive director started by stating that the end of December was halfway through fiscal year 2024 and half way through the current 2023-2024 biennium. With the first of January came the distribution of the deferred income going forward from a few sources. They are:

- the third distribution from the renewal fees received by December 31, 2022,
- the second distribution of the renewal fees received in January and February 28, 2023,
- the second distribution of the new licensure, registration, and reinstatements received during the first biennium quarter (January 1, 2023, through June 30, 2023), and
- the first distribution of the new licensure, registration, and reinstatement fees received during the second biennium quarter (July 1, 2023, through December 31, 2023).

The executive director noted that the amount the Board received in the last category of deferred revenue during the second biennium quarter (\$16,718.47) far exceeded the \$6,000 that was projected.

The executive director went on to share that because of the next financial agenda item, she wanted to make some adjustments and revisions to the budget that reflect the income on which the Board is now operating and to tighten the budget up a bit based on real numbers from the first half of the biennium and first half of the fiscal year.

The executive director explained that the adjustments and revisions were all highlighted in yellow in the spreadsheet she shared, and were made as of January 1, 2024. She stated that at the top of the spreadsheet are the revised numbers that are the Board's current income from deferred revenue. She went on to explain that to the left side of

the black divider, which is the current fiscal year budget, there are a number of adjustments to the regular revenue and expenses based upon the first half of the fiscal year and the biennium. She said that while the percentages generally still reflect revenue that is above what is budgeted and expenses that are below what is budgeted, it tightens up the percentages she believed reflects what is more realistic.

The executive director continued by noting the columns to the right of the black divider, which depict the four biennium quarters and the two halves of FY2024. She said she put in the actual numbers for the first half of the fiscal year that is finished (the darker green), and then simply subtracted those actual numbers from the budgeted amount for the fiscal year (to the left) so that the information in the left and right related to the fiscal year matched up. Looking at the Board's actual financial performance in the last 2 biennium quarters, the executive director also made a few adjustments moving forward into the fourth biennium quarter – also reflected in yellow. She said the revisions at this point are primarily to reflect the deferred income projection based upon the revised distribution from the deferred revenue that actually came in during Q3 of the biennium, and there are some adjustments in the expenses that more closely reflect real numbers.

With the information from the proposed revised budget, and to also help conceptualize what we would be discussed in the next agenda item, the executive director shared that she wanted to simplify it by painting a picture of moving forward into the next two biennium quarters. In so doing, she stated that what has not been talked a lot about is the budgeted income and expenses in relation to the total amount of money the Board has, and she wanted to show the Board what this looks like (assuming the proposed revisions to the budget are approved).

The executive director stated that, as of January 1, 2024, the Board had a total of \$428,000. That is the checking and savings combined. She explained that the savings account is this Board's reserve account, the minimum of which should be 6 months of total expenses, calculated by averaging the last 3 quarters (or 18 months) of total expenses. She highlighted that the Board has the minimum required by the Board policy, as 6 months of expenses as calculated by an average of the last 3 biennium quarters (or 18 months) of expenses is \$102,000.

The executive director went on to show that the blue and red boxes in the visual she shared represent the budgeted income and expenses for the next two biennium quarters, both of which are less than the amount of money in the Board's checking account, that difference being \$63,000. To that end, she stated that the Board's budget is well within the amount of money it has overall. This is consistent with what Mr. Hines told the Board about its financial health and there being money left over after the last two fiscal years.

There were no questions regarding the proposed revisions to the budget moving forward.

On motion by Stephanie Holland, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the revisions to the budget for FY 2024. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

C. (For Possible Action) Discussion and Possible Action to Approve:

Executive Director started by sharing that during the Board's strategic planning meeting in November, one of the items the Board discussed was office staff development and the need for the Board office to have more than just one person staffing it. During that meeting, the executive director discussed her vision for having two primary, executive level roles, one that is generally administrative and the other the continues Board office oversight and is focused on legal and policy. She noted that the Board approved that strategic planning item during the December 15, 2023, meeting and said that she is ready to start making that happen.

The executive director shared graphs that helped paint a bigger picture for this new development. This graph generally depicted the number of new licensees for each biennium since 1993. The blue bars indicated the new licensees for each particular biennium, and the gray bars shown since 2013 depict attrition (those being expired and inactive licenses). Because the Board was only half way through the current biennium, the top section of the blue bar for the current biennium was the projection of new licensees for 2024, that projection being based on the new licensees the Board received in 2023 and the prior biennium.

The executive director highlighted a general pattern of increase, especially over the last 10 years, or 5 biennia, and that that the increase appeared to be at an increasing rate. Conversely, the attrition, while a bit up and down, was generally in a downward trend, and the attrition realized during renewal for the 2023-2024 biennium was lowest.

The executive director went on to state that this growth in new licensees biennium over biennium and the rate at which it appears to be increasing puts significant increased demand on the Board office. The scope of what is required and requested of the Board office is very broad. The executive director stated that, while she had prepared a list of examples of what the role requires, she elected not to include that list in the interest of time for the abbreviated meeting, but emphasized the nature and scope of what is currently required of the Board office's sole staff member. She went on to state that

the nature and scope of the role does not include unexpected tasks, such as what the Governor required of this Board early last year or that the Board is now in a renewal year and facing that process at the end of the year. She went on to share that the work she does for the Board meets what she wanted in seeking out this role, which was to make a career shift and do something different and meaningful and shared that in that sense, it does not disappoint. She went on to explain, however, that the demand on the Board office is just way too much for one person, and requires a lot more than the 40 hour work week the job contemplates. For that reason, it is a recipe for burnout for the one person trying to do it all, shared that feelings of burnout are creeping in.

The executive director went on to state that as discussed during the strategic planning meeting in November, there is a need for two somewhat parallel executive roles. As a starting point, she stated that her vision is for those two roles to be the Executive Director role and an Administrative Director role. The Executive Director's role would be to maintain oversight of the Board office while bringing on and training an Administrative Director to take on the Board office's substantive and many administrative tasks, and to primarily staff the Board office. She shared that her focus, in addition to Board office oversight, would shift to this Board's legal and policy work, the complaints process, and maintaining its budget and finances.

The executive director stated that she has been lucky enough to have had a phenomenal candidate for the proposed new Administrative Director role recommended to her and that the Board office is in financial position to add another full time role. To that end, she shared the budget spreadsheet with the adjustments the Board just approved incorporated, and now with the additional adjustments for the new role and moving the Board office. Executive Director showed where she added the new role and the expenses associated with it, which are benefits through the Public Employees Benefit Program and PERS. The adjustments that go along with it are zeroing out, for now, what was budgeted for the part time role and adjusting for rent to make the transition to Las Vegas. She further explained that what the rent adjustment will require is a one-time situation in which it will need to pay double rent for a month or two while one office is closed down and the other gets set up. Under this scenario, the Board will need to pay its current rent in Reno on a month-to-month basis after January, and will likely be charged an additional 25% to do so. The executive director stated that she also added to the miscellaneous expenses for some expenses regarding moving the Board office to Las Vegas.

The executive director showed that what is proposed results in a negative balance for Q3 and Q4 of this biennium. However, by adjusting those negative amounts with the budgeted money the Board did not use during Q1 and Q2, there is more than enough

to absorb the expense, and allows for the budget for the biennium to continue to be balanced along the biennium.

The executive director went on to state that the Board is able to use money that is carrying over to invest in its Board office, and still have money left over. What this scenario represents is getting the Board through the end of this year and through the regular renewal period (October through December 2024). She also noted that the Board's Reserve Policy, which is included in the meeting materials, permits the Board to use money that is in the Board's reserves to, for instance, invest in Board office staff and/or infrastructure. Under the Board's current budget for this biennium, the Board does not have to do that. It can use money it has that was not previously used and still have a cushion between the budget and the reserves. The executive director stated that going back to the graph that shows the rate of new licensee growth, the Board can expect in this biennium to exceed the number of new licenses that were issued during the prior biennium.

The executive director went on to share another graph depicting renewal projections. She explained that the bar on the left on the visual is the revenue from renewals that the board received for this biennium. The amount includes active and inactive renewals, but identifies the number of active renewals. She stated that the bar on the right is the projection of active renewals based upon the projected number of new licensees this biennium minus the approximate attrition identified in the new licensee chart. The difference at the current renewal rate of \$600 is an additional \$50,000 for the next biennium, or \$12,500 each 2025-2026 biennium quarter. The executive director stated that if the Board would consider raising renewal fees to \$650, that would bring an additional \$35,000, for a total of \$85,000, or just over \$21,000 per 2025-2026 biennium quarter, which completely absorbs the cost to the Board of the new Administrative Director role.

The executive director stated those numbers are just revenue from renewals and it does not include the Board's additional income from late fees received during the January and February that follows the renewal period, or the application, registration, state exam, new licensure, and other fees the Board receives throughout the biennium. She said that for this biennium, the board received \$3,600 in late fees, and is expected to realize a total of about \$115,000 in those other fees. Assuming the Board would realize at least the same income from those fees in the next biennium, that would provide about an additional \$29,000 cushion per biennium quarter that would allow the Board office to continue to grow with the continuing increase of new licensees and the demand that puts on the Board office, and to do what may be required to maintain and/or attract qualified and dedicated professional staff to serve the Board's needs.

The executive director stated the Board is in a position during this biennium quarter to add the Administrative Director position and move the Board office with the ability to evaluate and make adjustments as may be necessary after renewals for the 2025-2026 biennium are complete and that revenue is known.

Dr. Woodard shared that having served as Treasurer for the Board, this presentation has been very thorough. She went on to share that it has been historically hard to recruit personnel for the Board office from Northern Nevada, and that it seems there is greater opportunity to recruit from Las Vegas and move the office there.

The executive director shared that having had the concept of this role for the Board office for some time, she has had her feelers out to her professional and administrative contacts for recommendations of someone with the professional qualifications she thinks are appropriate for the role. She went on to share that those efforts were to no avail, the general feedback being that she would probably struggle to find who she was looking for in the current labor market and for what the Board could offer.

The executive director went on to share that having no luck with that effort, she spoke with Dr. Owens about it to pivot her search focus to contacts she may have. President Dr. Owens provided a potential candidate for the role, an administrative professional she knows who would probably be willing to come on under the Board's part time framework and transition to the full time role, once approved. Her name is Sarah Restori, and she has been an administrative professional in the psychology profession for a decade. She shared that she has met with Sarah in person and on Zoom, and being in a career transition herself, she is very excited about this opportunity and was willing to come on part time. The executive director shared she went on to hire Sarah for the part time role, and that Sarah is not only excited about the proposed administrative director role, she is very enthusiastic about staffing the board office and providing the level of service that she has tried to make this Board's brand. The executive director stated that Sarah is perfectly on-brand, she has impressive and meaningful initiative, and that Dr. Owens recommended her could not be a better source. To that end, the executive director asked that this Board approve the creation of the Administrative Director role.

There were no questions from the Board regarding the creation of the Administrative Director position and moving the Board office to Las Vegas.

On motion by Lorraine Benuto, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the creation of an Administrative Director role that reports to the Executive Director. (Yea:

Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Dr. Whitney Owens abstained from the vote. Motion Carried: 5-0.

On motion by Soseh Esmaeili, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved the Board office's move to Las Vegas and giving the Executive Director the authority to secure office space when a suitable location is found. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

5. (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.*

The following applicants are recommended for approval of licensure contingent upon completion of licensure requirements: Cortney Beasley, Andre Wielemaker, Jessica McClintock, Robert Bilder, Kendra Devor, Holly Summers, Chia-Chi Hu, Paul McLaughlin.

On motion by Stephanie Woodard, second by Monique Abarca, the Nevada State Board of Psychological Examiners approved the following applicants for licensure contingent upon completion of licensure requirements: Cortney Beasley, Andre Wielemaker, Jessica McClintock, Robert Bilder, Kendra Devor, Holly Summers, Chia-Chi Hu, Paul McLaughlin. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

A. (For Possible Action) Discussion and Possible Action on the ATEAM's recommendation to approve Paola Garcia Betancourt's application

to register as a Psychological Intern, retroactive to December 4, 2023.

The executive director stated that Paola Garcia Betancourt has applied with the Board to register as a Psychological Intern. According to her PLUS report, she is attending Walden University's clinical psychology program, which is not APA-accredited. Ms. Garcia Betancourt was previously registered with the Board as a Psychological Trainee (PT042) under Dr. Sarah Ahmad's supervision.

The executive director went on to share that Ms. Garcia Betancourt has submitted documentation required for registration, including the form from her director of clinical training and her supervised practice plan. She said that she is being supervised by Dr. Sarah Ahmad (PY0700), her secondary supervisor being Dr. Dallas Boyce (PY1157). Because the Board office did not receive the required documentation prior to the ATEAM's October 13, 2023, meeting, and because the November 3, 2023, meeting was a special meeting specific to one applicant, Ms. Garcia Betancourt's application could not be brought before the ATEAM until the December 15, 2023, meeting. However, in anticipation of being approved, Ms. Garcia Betancourt's employment began on December 4, 2023. With that, Ms. Garcia Betancourt requested that, should her application be recommended for approval, the approval be retroactive to December 4, 2023.

During its December 15, 2023, meeting, the ATEAM recommended that Ms. Garcia Betancourt's application to register as a psychological intern be approved retroactive to December 4, 2023.

There were no questions or comments regarding Ms. Garcia Betancourt's application.

On motion by Soseh Esmaeili, second by Stephanie Woodard, the Nevada State Board of Psychological Examiners approved Paola Garcia Betancourt's application to register as a Psychological Intern, and that her registration be retroactive to December 4, 2023. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, and Stephanie Woodard.) Dr. Stephanie Holland abstained from the vote. Motion Carried: 5-0.

B. (For Possible Action) Discussion and Possible Action on the ATEAM's recommendation to approve Dr. Jennifer Grimes-Vawters' application to register as a Psychological Assistant.

The executive director stated Dr. Grimes-Vawters' application was initially brought for the ATEAM's review during the July 14, 2023, ATEAM meeting, but due to there being too many questions relating to the PLUS report and Dr. Grimes-Vawters not being at

the meeting to answer them, the ATEAM postponed further consideration until its next meeting so that Dr. Grimes-Vawters could be available to answer the ATEAM's questions.

The executive director went on to state that the next time Dr. Grimes-Vawters's application came before the ATEAM was during the September 8, 2023, ATEAM meeting, at which Dr. Vawters appeared and participated. During that meeting, the ATEAM stated that her coursework was fine, but noted that there was a significant amount of information in Dr. Grimes-Vawters' PLUS report that was not applicable to her application and created a lot of confusion and "noise" for the ATEAM in its efforts to try to work through it. As a result, the ATEAM requested that Dr. Grimes-Vawters clean up her PLUS report by removing any internship hours and other employment information that is not specific to her predoctoral Psychology internship experience, and to provide consistent reference to her degree program (being in counseling, not clinical, psychology).

The executive director further stated that after Dr. Grimes-Vawters was able to clear up and revise her PLUS report with updated, verified internship information that reflected what the ATEAM requested and worked with the ASPPB to correctly identify her degree program (counseling psychology not previously being an option to choose on the PLUS application), her application went before the ATEAM again on December 15, 2023. After its review of Dr. Grimes-Vawters' revised PLUS report and confirming that her coursework and internship are appropriate for a determination that they are equivalent and that her transcripts confirmed the residency requirement, the ATEAM recommended that her application to register as a Psychological Assistant be approved.

There were no questions or comments regarding Dr. Grimes-Vawters' application.

On motion by Stephanie Holland, second by Soseh Esmaeili, the Nevada State Board of Psychological Examiners approved Dr. Jennifer Grimes-Vawters' application to register as a Psychological Assistant. (Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

C. (For Possible Action) Discussion and Possible Action on Dr. Jodi Lovejoy's request to retake the EPPP a fourth time.

This agenda item was tabled from the prior month's meeting. To recap, Dr. Jodi Lovejoy is an applicant for licensure, whose application went before the ATEAM during 2022 for an equivalency review. While Dr. Lovejoy's training hours had been approved at an ATEAM meeting earlier in 2022, during the December 16, 2022, ATEAM meeting,

which Dr. Lovejoy attended, the ATEAM committee members and Dr. Lovejoy had a question and answer session regarding Dr. Lovejoy's coursework – Dr. Lovejoy having provided transcripts and associated documents relating to her education. As a result of that dialog, the ATEAM recommended that Dr. Lovejoy take the EPPP-1 as a measure of competency in knowledge and stated that, if she passes the EPPP-1, her application was to return to the ATEAM for further review and determination.

It was noted that noted that Dr. Lovejoy took and passed the Nevada State Exam in September 2021.

Dr. Lovejoy has submitted an application to retake the EPPP a fourth time, having not passed the exam in her first three attempts.

Dr. Lovejoy's application explained how she is approaching her study schedule and program, the practice tests she intends to take, the fact that she now has a private coach, the study groups with which she intends to engage, the areas in which she intends to focus, and additional information regarding the test accommodations that this Board previously approved for her during its December 2, 2022, meeting.

Dr. Lovejoy has paid a \$150 application extension fee, which allows her application to remain active until April 2024 (an additional year beyond when it expired in April 2023).

Dr. Lovejoy's application was tabled from last month's meeting to this meeting because of questions the Board had about using the EPPP-1 as a measure of competency in knowledge, and because one of the ATEAM members who participated in the December 2022 ATEAM meeting was not present during the December 15, 2023, Board meeting to provide additional information and help answer the Board's questions.

President Dr. Owens started by sharing that the ATEAM was established around 2018 and the purpose of that committee was to help provide a pathway to licensure for those applicants that do not meet the requirements set by NRS and NAC. Dr. Owens went on to on to state that while she was reviewing Dr. Lovejoy's application, it appeared that Dr. Lovejoy was applying based on the success of a previous applicant that had the same credentials as Dr. Lovejoy. Dr. Owens stated that upon her review, it did not appear that Dr. Lovejoy meets the educational requirements for Nevada. Following this, President Dr. Owens opened the floor to the ATEAM to discuss.

Dr. Esmaeili shared that this case was initially confusing with the educational requirements being the most concerning. Dr. Esmaeili went on to share that most of the ATEAM's questions regarding her application had been answered.

Dr. Holland recalls the conversation around whether or not Dr. Lovejoy's educational requirements would suffice.

President Dr. Owens stated that if Dr. Lovejoy's educational requirements are not equivalent, then it doesn't make sense to take the EPPP a fourth time. Thus, her recommendation would be to deny the request to take the EPPP a fourth time.

Dr. Benuto shared that she agreed with President Dr. Owens and agreed with Dr. Owens' assessment and does not have a dissenting opinion.

Dr. Holland asked to clarify if Dr. Lovejoy was denied the request to take the EPPP a fourth time, could she go back and take the courses that she's missing and thus gain the competency in the educational requirement area and then she could request to take the EPPP a fourth time? To this, President Dr. Owens stated an applicant could go back and attain the educational requirements and then come back and make a new application to the Board to determine if they're applicable for licensure. Dr. Owens went on to state if the Board denies Dr. Lovejoy's request to take the EPPP a fourth time, the Board is essentially denying the application based on the fact that she does not have equivalent coursework.

Dr. Holland informed she did not have a dissenting opinion.

Dr. Woodard asked if it is the opinion of the ATEAM that she does not meet substantial equivalency or that she would need someone else to complete an educational equivalency review. To this, President Dr. Owens stated that is something the Board could offer, though she has already reviewed the coursework and there are too many holes and her educational equivalency is not close enough to equivalency where it makes sense to offer that. Dr. Holland shared that there were significant gaps when she reviewed her educational requirements, and that she did share this option of a formal educational equivalency review with Dr. Lovejoy.

On motion by Stephanie Holland, second by Lorraine Benuto, the Nevada State Board of Psychological Examiners denied Dr. Lovejoy's application to retake the EPPP-1 a fourth time [and that Dr. Lovejoy's application return to the ATEAM for further consideration].

(Yea: Whitney Owens, Monique Abarca, Lorraine Benuto, Soseh Esmaeili, Stephanie Holland, and Stephanie Woodard.) Motion Carried: 6-0.

6. (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 regular meeting of the Nevada Board of Psychological Examiners is currently scheduled for Friday, February 9, 2024, beginning at 8:00 a.m.

7. Requests for Future Board Meeting Agenda Items (No Discussion Among the Members will Take Place on this Item)

There were no requests for future Board Meeting agenda items.

- 8. 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)

There was no public comment at this time.

9. (For Possible Action) Adjournment

There being no further business before the Board, President Dr. Owens adjourned the meeting at 12:56 p.m.

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

5A - (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2024 (July 1, 2023, through June 30, 2024).

SUMMARY:

As of January 31, 2024, the checking account balance was \$ 307,630.46. As of January 1, 2024, the Board is operating on the nearly \$161,500.00 in net revenue from the first and second biennium quarter deferred income distributions, and the nearly \$52,500.00 from other deferred revenue distributions such as late renewal fees, new licensures, and registrations that are allocated to the third biennium quarter (January – June 2024).

The savings account balance, which is the Board's reserve account, was \$105,073.59.

With the end of January 2024 being a little more than the half-way point for FY 2024, the Board is 48% of budgeted expenditures and 95% of expected revenue – most of which is the deferred income allocated to this biennium quarter.

The Board's bookkeeper, Michelle Fox, has verified and validated the information being provided in this Treasurer's report.

**NV State Board of Psychological Examiners
Budget to Actual - Fiscal Year 2024**

1/31/24

		FY24 Budgeted Amount	FY24 Actual	% actual to budget		FY23-2 Biennial-Q1 January 2023-June 2023 Actual	FY24-1 Biennial-Q2 July 2023-December 2023 Actual	FY24-2 Biennial-Q3 January 2024 - June 2024 Budgeted	FY25-1 Biennial-Q4 July 2024-December 2024 Budgeted
INCOME									
Deferred Revenue									
	Renewals - 7/1/23 and 1/1/24	161,460.66	161,460.66	100.00%	Renewals 23-24 biennium (1/1/23)	80,730.33	80,730.33	80,730.33	80,730.33
	Late Renewals - 7/1/23	31,639.96	31,639.96	100.00%	Late Renewals 23-24 biennium (7/1/23)		15,819.98	15,819.98	15,819.98
	New Licensure and Registrations	20,823.25	20,823.25	100.00%	New Licensure, Registrations, Reinstatements		6,233.25	14,589.99	18,389.98
Regular Revenue	23-24 Biennium Q4 New Licensure and Registrations								1,800.00
	Applications								
	Psychologist Application	12,500.00	7,451.66	59.61%		10,001.18	6,586.36	5,913.64	6,000.00
	PA Application	3,500.00	2,010.53	57.44%		2,474.49	1,860.53	1,639.47	1,750.00
	Intern Application	1,100.00	770.40	70.04%		465.30	615.30	484.70	500.00
	Trainee Application	900.00	455.10	50.57%		2,420.40	155.10	744.90	450.00
	Non-Resident Consultant	600.00	505.90	84.32%		400.00	302.95	297.05	300.00
	CE App Fee	540.00	453.92	84.06%		822.75	331.54	208.46	300.00
	Other								
	Late Fees					3,600.00	0.00	0.00	0.00
	Psychologist State Exam	12,000.00	7,545.98	62.88%		7,372.56	6,326.06	5,673.94	6,000.00
	New and Duplicate License	1,750.00	1,175.00	67.14%		872.67	1,150.00	600.00	850.00
	Verification of Licensure	250.00	242.95	97.18%		81.33	161.77	88.23	100.00
	Cost Recovered (Disciplinary)		350.00			0.00	350.00	0.00	0.00
	Interest, Misc	35.00	21.18	60.51%		17.38	17.61	17.50	25.00

Total Income		\$247,098.87	\$234,906.49	95.07%	Income	\$ 109,241.01	\$ 120,640.78	\$ 126,808.19	\$ 133,015.29
Payroll Expenses		FY24 Budgeted Amount	FY24 Actual	% actual to budget		FY23-2 Biennial-Q1 January 2023-June 2023 Actual	FY24-1 Biennial-Q2 July 2023-December 2023 Actual	FY24-2 Biennial-Q3 January 2024 - June 2024 Budgeted	FY25-1 Biennial-Q4 July 2024-December 2024 Budgeted
	Board Salary/Per Diem	9,000.00	3,600.00	40.00%		3,750.00	3,450.00	5,550.00	4,500.00
	Executive Director (net)	50,000.00	27,011.43	54.02%		27,181.81	23,420.09	26,579.91	30,600.00
	Administrative Director	16,700.00	0.00	0.00%				16,700.00	25,000.00
	Staff Salary (Part-Time)	7,500.00	2,962.20	39.50%		798.83	2,037.70	3,500.00	0.00
	Staff Benefits	2,000.00		0.00%		0.00	0.00	2,000.00	3,750.00
	Investigator Salary	12,000.00	7,555.76	62.96%		4,273.31	5,722.05	6,277.95	6,500.00
	Workers Compensation	1,000.00	402.48	40.25%		604.52	402.48	597.52	500.00
	PERS	32,000.00	17,154.40	53.61%		9,137.96	14,374.84	16,000.00	17,500.00
	Payroll Taxes (SS, Medicare)	10,000.00	3,987.38	39.87%		8,642.42	3,351.75	6,648.25	5,000.00
	Other Payroll Expenses	875.00	505.00	57.71%		320.00	430.00	445.00	450.00
	Total Payroll	141,075.00	63,178.65	44.78%		54,708.85	53,188.91	84,298.63	93,800.00
Operating Expenses		FY24 Budgeted Amount	FY24 Actual	% actual to budget		FY23-2 Biennial-Q1 January 2023-June 2023 Actual	FY24-1 Biennial-Q2 July 2023-December 2023 Actual	FY24-2 Biennial-Q3 January 2024 - June 2024 Budgeted	FY25-1 Biennial-Q4 July 2024-December 2024 Budgeted
	Out of State	6,500.00	2,718.11	41.82%		2,590.32	2,718.11	3,781.89	3,500.00
	Meals								
	Lodging								
	Airfare								
	In-State Travel	1,000.00	418.19	41.82%			402.27	597.73	1,500.00
	Supplies	750.00	316.01	42.13%		340.28	316.01	433.99	375.00
	Office Expense (Office Furniture, Shredding, Office Equipment)	4,000.00	2,778.55	69.46%		484.18	2,591.39	1,408.61	1,000.00
	Print-Copy	100.00	18.91	18.91%		0.00	18.91	81.09	350.00
	Copy Lease	1,400.00	791.37	56.53%		554.26	678.12	721.88	750.00
	Rent	17,600.00	6,686.76	37.99%		5,572.30	5,572.30	10,915.00	8,500.00
	Postage	200.00	81.80	40.90%		3.18	81.80	118.20	300.00
	DoIt Web SV	1,200.00	676.54	56.38%		624.75	574.56	625.44	500.00
	Telephone & Internet	1,700.00	953.44	56.08%		862.99	815.07	884.93	625.00
	Software & Database	3,500.00	1,547.49	44.21%		3,566.14	1,278.61	2,221.39	3,500.00

	Legal & Professional Fees	30,000.00	15,852.19	52.84%		4,001.65	12,177.48	17,822.52	17,500.00
	Tort Claim	1,000.00		0.00%		0.00	0.00	1,000.00	0.00
	Professional Services (Auditor, Bookkeeper, Lobbyist)	27,500.00	18,008.50	65.49%		10,213.00	13,205.50	14,294.50	17,500.00
	Dues & Reg (ASPPB, Conf, Continuing Ed)	5,000.00		0.00%		3,328.00	0.00	5,000.00	4,000.00
	Admin Services (LCB)	500.00		0.00%		73.84	0.00	500.00	500.00
	Banking Fees	100.00	30.49	30.49%		76.38	29.49	70.51	125.00
	PayPal Fees (against regular revenue)	1,000.00	512.48	51.25%		589.55	452.80	547.20	500.00
	Miscellaneous Expense	1,500.00		0.00%		0.00	0.00	1,500.00	250.00
	Uncategorized Expense	500.00				451.10	0.00	500.00	150.00
	Total Expenses	\$97,550.00	\$51,390.83	52.68%		\$33,381.92	\$40,962.42	\$63,074.88	\$61,475.00
	Total Expenses + Payroll	\$238,625.00	\$114,569.48	48.01%		\$88,090.77	\$94,151.33	\$147,373.51	\$155,275.00
	Total Income	\$ 247,098.87	\$234,906.49	95.07%		\$ 109,241.01	\$ 120,640.78	\$ 126,808.19	\$ 133,015.29
	Final Balance	\$8,473.87	\$120,337.01		Balance	\$21,150.24	\$26,489.45	-\$20,565.32	-\$22,259.71
					Adjustment	-\$20,000.00	-\$25,000.00	\$21,500.00	\$23,500.00
					Final Balance	\$1,150.24	\$1,489.45	\$934.68	\$1,240.29

February 05, 2024

Statement of Financial Position

As January 31, 2024

Nevada Board of Psychological Examiners

As verified by Michelle Fox .

The following accounts have been reconciled for the month of January 2024 and all transactions reviewed for accuracy.

Main Checking Account per bank statement dated 01/31/2024 -\$307,630.46.

Savings Account per bank statement dated 01/31/2024-\$105,073.59.

Michelle Fox
Michelle Fox

NV State Board of Psychological Examiners

ITEM 5A

Balance Sheet As of January 31, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1100 Cash in Bank	307,630.46
3309 Savings	105,070.03
Total Bank Accounts	\$412,700.49
Accounts Receivable	
1200 Accounts Receivable	0.00
Total Accounts Receivable	\$0.00
Other Current Assets	
12000 Undeposited Funds	0.00
12100 Inventory Asset	0.00
1400 Prepaid Expenses	1,108.00
Uncategorized Asset	0.00
Total Other Current Assets	\$1,108.00
Total Current Assets	\$413,808.49
Other Assets	
1300 Deferred outflows of resources	0.00
Total Other Assets	\$0.00
TOTAL ASSETS	\$413,808.49
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
1106 Accounts Payable	0.00
Total Accounts Payable	\$0.00
Other Current Liabilities	
2100 Federal Income Withholding	1,329.89
2100 Payroll Liabilities	1,992.06
2107 Federal Taxes (941/944)	142.53
2108 PERS	18,919.70
NV Unemployment Tax	0.00

NV State Board of Psychological Examiners

ITEM 5A

Balance Sheet

As of January 31, 2024

	TOTAL
Total 2100 Payroll Liabilities	21,054.29
2101 Federal FICA Withholding	0.00
2102 Federal Medicare Withhold	0.00
2105 Employment Security	0.00
2110 Direct Deposit Liabilities	0.00
2200 Unearned Revenue	0.00
2300 Liability	-971.08
2301 Payroll Liabilities-Pers	0.00
2302 Accrued PTO	0.00
2450 Deferred inflow-pension	0.00
2455 Net pension liability	0.00
2600 Deferred Revenue	-121,072.03
2700 Direct Deposit Payable	0.00
Total Other Current Liabilities	\$ -99,658.93
Total Current Liabilities	\$ -99,658.93
Total Liabilities	\$ -99,658.93
Equity	
3000 Opening Bal Equity	1,315.04
3900 2550 Fund Balance	434,724.43
Net Income	77,427.95
Total Equity	\$513,467.42
TOTAL LIABILITIES AND EQUITY	\$413,808.49

NV State Board of Psychological Examiners

ITEM 5A

Profit and Loss

July 2023 - January 2024

	TOTAL
Income	
4010 Psychologist Application	
40100 Psychologist Application	7,451.66
40101 PA Application	2,010.53
40102 Intern Application	770.40
40103 Trainee Application	455.10
Total 4010 Psychologist Application	10,687.69
4015 Psychologist State Exam	7,545.98
4020 Psych Biennial	167,781.44
40201 Prorated Psych Biennial	14,408.62
40203 Reinstatement of Psych	728.03
Total 4020 Psych Biennial	182,918.09
4025 Psychologist Licensing Fee	250.00
40251 New License	925.00
Total 4025 Psychologist Licensing Fee	1,175.00
4028 Registration Fee	154.43
40281 Psych Asst fee	3,843.03
40282 Psych Intern Fee	231.63
40283 Psych Trainee	123.56
Total 4028 Registration Fee	4,352.65
4030 Non-Resident Consultant	505.90
4040 CE App Fee	55.89
4045 Verification of Licensure	242.95
4055 Continuing Education	398.03
4075 Restitution of Legal Costs	350.00
4999 Interest	21.18
Total Income	\$208,253.36
GROSS PROFIT	\$208,253.36
Expenses	
307910 7210 Dolt Web SVb	676.54
5100 Board Sal	3,600.00
5175 Board Staf	
51752 Executive Assistant	290.90
51753 Investigator Salary	9,519.50
Total 5175 Board Staf	9,810.40
5250 Workers Compensation	402.48
5300 PERS	10,351.10
6100 Out of State Travel	2,582.84
6110 Out of State Travel Misc Costs	135.27
Total 6100 Out of State Travel	2,718.11
6200 In State Travel	418.19

NV State Board of Psychological Examiners

ITEM 5A

Profit and Loss July 2023 - January 2024

	TOTAL
7015 Supplies	316.01
7020 Office Expense	2,667.55
7040 Print-Copy	18.91
7050 Rent	6,686.76
85100 Shredding	111.00
Total 7020 Office Expense	9,484.22
7100 Postage	81.80
7200 Utilities	
7290 Telephone	953.44
Total 7200 Utilities	953.44
7500 Copy Lease	791.37
7770 Software	764.79
7777 Database	782.70
8000 Legal & Professional Fees	19,032.19
8050 Prof Servs	7,536.25
8055 Lobbyist	7,292.25
Total 8050 Prof Servs	14,828.50
9001 Banking Fees	23.49
9002 Bank Crgs	7.00
Total 9001 Banking Fees	30.49
9100 Payroll Expenses	505.00
9110 Company Contributions	
Retirement	6,803.30
Total 9110 Company Contributions	6,803.30
9130 Wages	42,603.15
Taxes	
9111 Federal Taxes (941/944)	3,987.38
NV Unemployment Tax	0.00
Total Taxes	3,987.38
Total 9100 Payroll Expenses	53,898.83
PayPal Fees	1,062.81
Total Expenses	\$130,003.97
NET OPERATING INCOME	\$78,249.39
Other Income	
3390 Refund	-821.44
Total Other Income	\$ -821.44
NET OTHER INCOME	\$ -821.44
NET INCOME	\$77,427.95

NV State Board of Psychological Examiners

ITEM 5A

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
3309 Savings							
	Beginning Balance						105,070.03
Total for 3309 Savings							
1100 Cash in Bank							
	Beginning Balance						323,134.92
01/03/2024	Expense		Michelle Fox		8050 Prof Servs	-261.25	322,873.67
01/03/2024	Expense		Information Technology		307910 7210 Dolt Web SVb	-16.24	322,857.43
01/05/2024	Payroll Check	DD	Sheila G. Young	Pay Period: 12/22/2023-01/04/2024	2700 Direct Deposit Payable	-1,104.14	321,753.29
01/05/2024	Deposit				-Split-	500.00	322,253.29
01/05/2024	Payroll Check	DD	Laura M. Arnold	Pay Period: 12/22/2023-01/04/2024	2700 Direct Deposit Payable	-1,795.67	320,457.62
01/05/2024	Payroll Check	DD	Sarah J. Restori	Pay Period: 12/22/2023-01/04/2024	2700 Direct Deposit Payable	-443.28	320,014.34
01/05/2024	Expense		Sarah J. Restori	Reimbursement for Uber from airport to Board office	6200 In State Travel	-15.92	319,998.42
01/09/2024	Expense		Office of the Attorney General		8000 Legal & Professional Fees	-3,674.71	316,323.71
01/09/2024	Expense		Burgarello Alarm		7020 Office Expense	-187.16	316,136.55
01/10/2024	Expense		AT&T		7200 Utilities:7290 Telephone	-68.73	316,067.82
01/11/2024	Tax Payment		IRS	Tax Payment for Period: 12/01/2023-12/31/2023	2100 Federal Income Withholding	-1,662.02	314,405.80
01/11/2024	Expense		PERS		5300 PERS	-1,853.04	312,552.76
01/12/2024	Expense		Bank of America		9001 Banking Fees:9002 Bank Crgs	-1.00	312,551.76
01/12/2024	Expense		Stephanie Woodard		5100 Board Sal	-150.00	312,401.76
01/12/2024	Expense		Information Technology		307910 7210 Dolt Web SVb	-16.24	312,385.52
01/12/2024	Expense				-Split-	-3,748.89	308,636.63
01/17/2024	Expense		Information Technology		307910 7210 Dolt Web SVb	-69.50	308,567.13
01/17/2024	Expense		QuickBooks Payroll Service		9100 Payroll Expenses	-75.00	308,492.13
01/18/2024	Deposit				-Split-	1,328.60	309,820.73
01/19/2024	Payroll Check	DD	Sarah J. Restori	Pay Period: 01/05/2024-01/18/2024	2700 Direct Deposit Payable	-480.22	309,340.51
01/19/2024	Payroll Check	DD	Laura M. Arnold	Pay Period: 01/05/2024-01/18/2024	2700 Direct Deposit Payable	-1,795.67	307,544.84
01/19/2024	Expense		AT&T		7200 Utilities:7290 Telephone	-69.64	307,475.20
01/19/2024	Payroll Check	DD	Sheila G. Young	Pay Period: 01/05/2024-01/18/2024	2700 Direct Deposit Payable	-729.57	306,745.63
01/23/2024	Expense		Kathleen Laxalt		8050 Prof Servs:8055 Lobbyist	-1,041.75	305,703.88
01/23/2024	Expense		Canon Financial Services, Inc.		7500 Copy Lease	-113.25	305,590.63
01/25/2024	Deposit				-Split-	1,739.83	307,330.46
01/29/2024	Deposit				-Split-	300.00	307,630.46
Total for 1100 Cash in Bank							
						\$ -	15,504.46
1400 Prepaid Expenses							

NV State Board of Psychological Examiners

ITEM 5A

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Beginning Balance							1,108.00
Total for 1400 Prepaid Expenses							
2100 Payroll Liabilities							
Beginning Balance							1,992.06
Total for 2100 Payroll Liabilities							
2107 Federal Taxes (941/944)							
Beginning Balance							142.53
Total for 2107 Federal Taxes (941/944)							
2108 PERS							
Beginning Balance							17,066.66
01/05/2024	Payroll Check	DD	Laura M. Arnold	PERS - Company Contribution	2700 Direct Deposit Payable	463.26	17,529.92
01/05/2024	Payroll Check	DD	Laura M. Arnold	PERS	2700 Direct Deposit Payable	463.26	17,993.18
01/19/2024	Payroll Check	DD	Laura M. Arnold	PERS - Company Contribution	2700 Direct Deposit Payable	463.26	18,456.44
01/19/2024	Payroll Check	DD	Laura M. Arnold	PERS	2700 Direct Deposit Payable	463.26	18,919.70
Total for 2108 PERS							\$1,853.04
NV Unemployment Tax							
01/05/2024	Payroll Check	DD	Laura M. Arnold	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Sarah J. Restori	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Sheila G. Young	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Laura M. Arnold	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sheila G. Young	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sarah J. Restori	NV Unemployment Tax	2700 Direct Deposit Payable	0.00	0.00
Total for NV Unemployment Tax							\$0.00
Total for 2100 Payroll Liabilities with subs							\$1,853.04
2600 Deferred Revenue							
Beginning Balance							-37,592.03
01/01/2024	Journal Entry	AJE-16		Adj to income	-Split-	-83,480.00	-
							121,072.03
Total for 2600 Deferred Revenue							\$ - 83,480.00
2700 Direct Deposit Payable							
01/05/2024	Payroll Check	DD	Sarah J. Restori	Pay Period: 12/22/2023-01/04/2024	-Split-	443.28	443.28
01/05/2024	Payroll Check	DD	Sheila G. Young	Pay Period: 12/22/2023-01/04/2024	-Split-	1,104.14	1,547.42
01/05/2024	Payroll Check	DD	Laura M. Arnold	Pay Period: 12/22/2023-01/04/2024	-Split-	1,795.67	3,343.09
01/05/2024	Payroll Check	DD	Sheila G. Young	Direct Deposit	1100 Cash in Bank	-1,104.14	2,238.95
01/05/2024	Payroll Check	DD	Sarah J. Restori	Direct Deposit	1100 Cash in Bank	-443.28	1,795.67
01/05/2024	Payroll Check	DD	Laura M. Arnold	Direct Deposit	1100 Cash in Bank	-1,795.67	0.00
01/19/2024	Payroll Check	DD	Sarah J. Restori	Pay Period: 01/05/2024-01/18/2024	-Split-	480.22	480.22
01/19/2024	Payroll Check	DD	Laura M. Arnold	Direct Deposit	1100 Cash in Bank	-1,795.67	-1,315.45
01/19/2024	Payroll Check	DD	Laura M.	Pay Period: 01/05/2024-01/18/2024	-Split-	1,795.67	480.22

NV State Board of Psychological Examiners

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General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
01/19/2024	Payroll Check	DD	Arnold Sheila G. Young	Direct Deposit	1100 Cash in Bank	-729.57	-249.35
01/19/2024	Payroll Check	DD	Sheila G. Young	Pay Period: 01/05/2024-01/18/2024	-Split-	729.57	480.22
01/19/2024	Payroll Check	DD	Sarah J. Restori	Direct Deposit	1100 Cash in Bank	-480.22	0.00
Total for 2700 Direct Deposit Payable						\$0.00	
2100 Federal Income Withholding							
Beginning Balance							
							1,322.43
01/05/2024	Payroll Check	DD	Sarah J. Restori	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	73.44	1,395.87
01/05/2024	Payroll Check	DD	Sheila G. Young	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	214.04	1,609.91
01/05/2024	Payroll Check	DD	Laura M. Arnold	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	590.79	2,200.70
01/11/2024	Tax Payment		IRS	Federal Taxes (941/943/944)	1100 Cash in Bank	-1,662.02	538.68
01/19/2024	Payroll Check	DD	Laura M. Arnold	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	590.79	1,129.47
01/19/2024	Payroll Check	DD	Sheila G. Young	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	120.86	1,250.33
01/19/2024	Payroll Check	DD	Sarah J. Restori	Federal Taxes (941/943/944)	2700 Direct Deposit Payable	79.56	1,329.89
Total for 2100 Federal Income Withholding						\$7.46	
2300 Liability							
Beginning Balance							
							-971.08
Total for 2300 Liability							
3000 Opening Bal Equity							
Beginning Balance							
							1,315.04
Total for 3000 Opening Bal Equity							
3900 2550 Fund Balance							
Beginning Balance							
							434,724.43
Total for 3900 2550 Fund Balance							
4055 Continuing Education							
Beginning Balance							
							275.65
01/18/2024	Deposit			CE App fee	1100 Cash in Bank	30.00	305.65
01/25/2024	Deposit			CE App fee	1100 Cash in Bank	31.19	336.84
01/25/2024	Deposit			CE App fee	1100 Cash in Bank	31.19	368.03
01/29/2024	Deposit			CE App fee	1100 Cash in Bank	30.00	398.03
Total for 4055 Continuing Education						\$122.38	
4010 Psychologist Application							
40100 Psychologist Application							
Beginning Balance							
							6,586.36
01/05/2024	Deposit			Psych App fee	1100 Cash in Bank	150.00	6,736.36
01/05/2024	Deposit			Psych App fee	1100 Cash in Bank	150.00	6,886.36
01/18/2024	Deposit			Reinstatement App fee	1100 Cash in Bank	100.00	6,986.36
01/25/2024	Deposit			Psych App fee	1100 Cash in Bank	155.10	7,141.46
01/25/2024	Deposit			Psych App fee	1100 Cash in Bank	155.10	7,296.56

NV State Board of Psychological Examiners

ITEM 5A

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
01/25/2024	Deposit		Psych App fee	Bank 1100 Cash in Bank	155.10	7,451.66
01/25/2024	Deposit		Psych App fee refund	1100 Cash in Bank	-155.10	7,296.56
01/25/2024	Deposit		Psych App fee	1100 Cash in Bank	155.10	7,451.66
Total for 40100 Psychologist Application					\$865.30	
40101 PA Application						
Beginning Balance						
						1,860.53
01/18/2024	Deposit		PA App fee	1100 Cash in Bank	150.00	2,010.53
Total for 40101 PA Application					\$150.00	
40102 Intern Application						
Beginning Balance						
						615.30
01/25/2024	Deposit		PI App fee	1100 Cash in Bank	155.10	770.40
Total for 40102 Intern Application					\$155.10	
40103 Trainee Application						
Beginning Balance						
						155.10
01/18/2024	Deposit		PT App fee	1100 Cash in Bank	150.00	305.10
01/29/2024	Deposit		PT App fee	1100 Cash in Bank	150.00	455.10
Total for 40103 Trainee Application					\$300.00	
Total for 4010 Psychologist Application					\$1,470.40	
4015 Psychologist State Exam						
Beginning Balance						
						6,326.06
01/05/2024	Deposit		SE fee	1100 Cash in Bank	200.00	6,526.06
01/18/2024	Deposit		SE App fee	1100 Cash in Bank	200.00	6,726.06
01/18/2024	Deposit		SE App fee	1100 Cash in Bank	200.00	6,926.06
01/25/2024	Deposit		SE App fee	1100 Cash in Bank	206.64	7,132.70
01/25/2024	Deposit		SE App fee	1100 Cash in Bank	206.64	7,339.34
01/25/2024	Deposit		SE App fee	1100 Cash in Bank	206.64	7,545.98
Total for 4015 Psychologist State Exam					\$1,219.92	
4020 Psych Biennial						
Beginning Balance						
						84,301.44
01/01/2024	Journal Entry	AJE-16	Adj to income	-Split-	83,480.00	167,781.44
Total for 4020 Psych Biennial					\$83,480.00	
40201 Prorated Psych Biennial						
Beginning Balance						
						14,105.02
01/18/2024	Deposit		New licensure	1100 Cash in Bank	303.60	14,408.62
Total for 40201 Prorated Psych Biennial					\$303.60	
40203 Reinstatement of Psych						
Beginning Balance						
						728.03
Total for 40203 Reinstatement of Psych						
Total for 4020 Psych Biennial with subs					\$83,783.60	

NV State Board of Psychological Examiners

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General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
4025 Psychologist Licensing Fee						
	Beginning Balance					250.00
Total for 4025 Psychologist Licensing Fee						
40251 New License						
	Beginning Balance					900.00
01/18/2024	Deposit		New License	1100 Cash in Bank	25.00	925.00
Total for 40251 New License					\$25.00	
Total for 4025 Psychologist Licensing Fee with subs					\$25.00	
4028 Registration Fee						
	Beginning Balance					154.43
Total for 4028 Registration Fee						
40281 Psych Asst fee						
	Beginning Balance					3,384.17
01/18/2024	Deposit		Registration Extension fee	1100 Cash in Bank	150.00	3,534.17
01/25/2024	Deposit		PA Reg Extension fee	1100 Cash in Bank	154.43	3,688.60
01/25/2024	Deposit		PA Reg Extension fee	1100 Cash in Bank	154.43	3,843.03
Total for 40281 Psych Asst fee					\$458.86	
40282 Psych Intern Fee						
	Beginning Balance					154.42
01/25/2024	Deposit		PI Reg fee	1100 Cash in Bank	77.21	231.63
Total for 40282 Psych Intern Fee					\$77.21	
40283 Psych Trainee						
	Beginning Balance					123.56
Total for 40283 Psych Trainee						
Total for 4028 Registration Fee with subs					\$536.07	
4030 Non-Resident Consultant						
	Beginning Balance					302.95
01/25/2024	Deposit		NRC App fee	1100 Cash in Bank	102.95	405.90
01/29/2024	Deposit		NRC App fee	1100 Cash in Bank	100.00	505.90
Total for 4030 Non-Resident Consultant					\$202.95	
4040 CE App Fee						
	Beginning Balance					55.89
Total for 4040 CE App Fee						
4045 Verification of Licensure						
	Beginning Balance					161.77
01/18/2024	Deposit		BKOFAMERICA ATM 01/18 #XXXXXX9051 DEPOSIT RENO NV CKCD XXXXX9XXXXX69419	MEADOWOOD 1100 Cash in Bank	20.00	181.77
01/25/2024	Deposit		License verif fee	1100 Cash in Bank	20.59	202.36
01/25/2024	Deposit		License verif fee	1100 Cash in Bank	20.59	222.95
01/29/2024	Deposit		License Verif fee	1100 Cash in Bank	20.00	242.95
Total for 4045 Verification of Licensure					\$81.18	
4075 Restitution of Legal Costs						

NV State Board of Psychological Examiners

ITEM 5A

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Beginning Balance							350.00
Total for 4075 Restitution of Legal Costs							
4999 Interest							
Beginning Balance							21.18
Total for 4999 Interest							
307910 7210 Dolt Web SVb							
Beginning Balance							574.56
01/03/2024	Expense		Information Technology	NV Information Technology Bill Payment	1100 Cash in Bank	16.24	590.80
01/12/2024	Expense		Information Technology	NV Information Technology Bill Payment	1100 Cash in Bank	16.24	607.04
01/17/2024	Expense		Information Technology	NV Information Technology Bill Payment	1100 Cash in Bank	69.50	676.54
Total for 307910 7210 Dolt Web SVb							\$101.98
9100 Payroll Expenses							
Beginning Balance							430.00
01/17/2024	Expense		QuickBooks Payroll Service	INTUIT * DES:QBooks Pay ID:0736696 PSYCHOLGIC CO ID:XXXXX56346 CCD	INDN:NV BOARD OF 1100 Cash in Bank	75.00	505.00
Total for 9100 Payroll Expenses							\$75.00
9110 Company Contributions							
Retirement							
Beginning Balance							5,876.78
01/05/2024	Payroll Check	DD	Laura M. Arnold	Employer Retirement Contribution	2700 Direct Deposit Payable	463.26	6,340.04
01/19/2024	Payroll Check	DD	Laura M. Arnold	Employer Retirement Contribution	2700 Direct Deposit Payable	463.26	6,803.30
Total for Retirement							\$926.52
Total for 9110 Company Contributions							\$926.52
9130 Wages							
Beginning Balance							36,308.73
01/05/2024	Payroll Check	DD	Laura M. Arnold	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	2,647.21	38,955.94
01/05/2024	Payroll Check	DD	Sarah J. Restori	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	480.00	39,435.94
01/19/2024	Payroll Check	DD	Laura M. Arnold	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	2,647.21	42,083.15
01/19/2024	Payroll Check	DD	Sarah J. Restori	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	520.00	42,603.15
Total for 9130 Wages							\$6,294.42
Taxes							
9111 Federal Taxes (941/944)							
Beginning Balance							3,351.75
01/05/2024	Payroll Check	DD	Sheila G. Young	Social Security Employer	2700 Direct Deposit Payable	75.92	3,427.67
01/05/2024	Payroll Check	DD	Sarah J. Restori	Social Security Employer	2700 Direct Deposit Payable	29.76	3,457.43
01/05/2024	Payroll Check	DD	Laura M. Arnold	Medicare Employer	2700 Direct Deposit Payable	38.38	3,495.81
01/05/2024	Payroll Check	DD	Sheila G. Young	Medicare Employer	2700 Direct Deposit Payable	17.76	3,513.57
01/05/2024	Payroll Check	DD	Sarah J. Restori	Medicare Employer	2700 Direct Deposit Payable	6.96	3,520.53
01/05/2024	Payroll Check	DD	Laura M. Arnold	Social Security Employer	2700 Direct Deposit Payable	164.13	3,684.66
01/19/2024	Payroll Check	DD	Sarah J.	Social Security Employer	2700 Direct	32.24	3,716.90

NV State Board of Psychological Examiners

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
01/19/2024	Payroll Check	DD	Restori Laura M. Arnold	Medicare Employer	Deposit Payable 2700 Direct	38.39	3,755.29
01/19/2024	Payroll Check	DD	Laura M. Arnold	Social Security Employer	Deposit Payable 2700 Direct	164.12	3,919.41
01/19/2024	Payroll Check	DD	Sheila G. Young	Medicare Employer	Deposit Payable 2700 Direct	11.45	3,930.86
01/19/2024	Payroll Check	DD	Sheila G. Young	Social Security Employer	Deposit Payable 2700 Direct	48.98	3,979.84
01/19/2024	Payroll Check	DD	Sarah J. Restori	Medicare Employer	Deposit Payable 2700 Direct	7.54	3,987.38
Total for 9111 Federal Taxes (941/944)						\$635.63	
NV Unemployment Tax							
01/05/2024	Payroll Check	DD	Sarah J. Restori	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Sheila G. Young	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Laura M. Arnold	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Laura M. Arnold	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Sheila G. Young	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/05/2024	Payroll Check	DD	Sarah J. Restori	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Laura M. Arnold	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sheila G. Young	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sheila G. Young	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Laura M. Arnold	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sarah J. Restori	NV SUI Employer	2700 Direct Deposit Payable	0.00	0.00
01/19/2024	Payroll Check	DD	Sarah J. Restori	NV Career Enhancement Program	2700 Direct Deposit Payable	0.00	0.00
Total for NV Unemployment Tax						\$0.00	
Total for Taxes						\$635.63	
Total for 9100 Payroll Expenses with subs						\$7,931.57	
5100 Board Sal							
Beginning Balance							3,450.00
01/12/2024	Expense		Stephanie Woodard	Stephanie Woodard Bill Payment	1100 Cash in Bank	150.00	3,600.00
Total for 5100 Board Sal						\$150.00	
5175 Board Staf							
51752 Executive Assistant Beginning Balance							290.90
Total for 51752 Executive Assistant							
51753 Investigator Salary							
Beginning Balance							7,505.00
01/05/2024	Payroll Check	DD	Sheila G. Young	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	1,224.50	8,729.50
01/19/2024	Payroll Check	DD	Sheila G. Young	Gross Pay - This is not a legal pay stub	2700 Direct Deposit Payable	790.00	9,519.50
Total for 51753 Investigator Salary						\$2,014.50	
Total for 5175 Board Staf						\$2,014.50	
5250 Workers Compensation							
Beginning Balance							402.48

NV State Board of Psychological Examiners

ITEM 5A

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Total for 5250 Workers Compensation							
5300 PERS							
Beginning Balance							8,498.06
01/11/2024	Expense		PERS	TRANSFER NV BOARD OF PSYCHOLO:Public Employee's Re XXXXX24053	Confirmation# 1100 Cash in Bank	1,853.04	10,351.10
Total for 5300 PERS							\$1,853.04
6100 Out of State Travel							
Beginning Balance							2,582.84
Total for 6100 Out of State Travel							
6110 Out of State Travel Misc Costs							
Beginning Balance							135.27
Total for 6110 Out of State Travel Misc Costs							
Total for 6100 Out of State Travel with subs							
6200 In State Travel							
Beginning Balance							402.27
01/05/2024	Expense		Sarah J. Restori	Reimbursement for Uber from airport to Board office	1100 Cash in Bank	15.92	418.19
Total for 6200 In State Travel							\$15.92
7015 Supplies							
Beginning Balance							316.01
Total for 7015 Supplies							
7020 Office Expense							
Beginning Balance							2,480.39
01/09/2024	Expense		Burgarello Alarm	Burgarello Alarm Bill Payment	1100 Cash in Bank	187.16	2,667.55
Total for 7020 Office Expense							\$187.16
7040 Print-Copy							
Beginning Balance							18.91
Total for 7040 Print-Copy							
7050 Rent							
Beginning Balance							6,686.76
Total for 7050 Rent							
85100 Shredding							
Beginning Balance							111.00
Total for 85100 Shredding							
Total for 7020 Office Expense with subs							\$187.16
7100 Postage							
Beginning Balance							81.80
Total for 7100 Postage							
7200 Utilities							
7290 Telephone							
Beginning Balance							815.07
01/10/2024	Expense		AT&T	AT&T Local and Long Distance Bill Payment	1100 Cash in Bank	68.73	883.80
01/19/2024	Expense		AT&T	AT&T Local and Long Distance Bill Payment	1100 Cash in Bank	69.64	953.44
Total for 7290 Telephone							\$138.37
Total for 7200 Utilities							\$138.37
7500 Copy Lease							

NV State Board of Psychological Examiners

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Beginning Balance							678.12
01/23/2024	Expense		Canon Financial Services, Inc.	Canon Financial Services Bill Payment	1100 Cash in Bank	113.25	791.37
Total for 7500 Copy Lease						\$113.25	
7770 Software							
Beginning Balance							495.91
01/12/2024	Expense			Adobe Acrobat	1100 Cash in Bank	19.99	515.90
01/12/2024	Expense			Jotform	1100 Cash in Bank	19.00	534.90
01/12/2024	Expense			Google	1100 Cash in Bank	60.00	594.90
01/12/2024	Expense			Zoom	1100 Cash in Bank	149.90	744.80
01/25/2024	Deposit			PAYPAL DES:TRANSFER ID:XXXXX02915375 INDN:NEVADA BOARD OF PSYCHO CO ID:PAYPALSD11 PPD	1100 Cash in Bank	19.99	764.79
01/25/2024	Deposit			Adobe Acrobat	1100 Cash in Bank	-19.99	744.80
01/25/2024	Deposit			Adobe Acrobat	1100 Cash in Bank	19.99	764.79
Total for 7770 Software						\$268.88	
7777 Database							
Beginning Balance							782.70
Total for 7777 Database							
8000 Legal & Professional Fees							
Beginning Balance							15,357.48
01/09/2024	Expense		Office of the Attorney General	NV Attorney General - AG Bill Payment	1100 Cash in Bank	3,674.71	19,032.19
Total for 8000 Legal & Professional Fees						\$3,674.71	
8050 Prof Servs							
Beginning Balance							3,775.00
01/03/2024	Expense		Michelle Fox	Zelle payment to Michelle Fox for "Invoice No. 355 1-3-2024"; Conf# jjx3n8twk	1100 Cash in Bank	261.25	4,036.25
01/12/2024	Expense			NBOPE Audit - Campbell Jones Cohen	1100 Cash in Bank	3,500.00	7,536.25
Total for 8050 Prof Servs						\$3,761.25	
8055 Lobbyist							
Beginning Balance							6,250.50
01/23/2024	Expense		Kathleen Laxalt	Kathleen Laxalt Bill Payment	1100 Cash in Bank	1,041.75	7,292.25
Total for 8055 Lobbyist						\$1,041.75	
Total for 8050 Prof Servs with subs						\$4,803.00	
9001 Banking Fees							
Beginning Balance							23.49
Total for 9001 Banking Fees							
9002 Bank Crgs							
Beginning Balance							6.00
01/12/2024	Expense		Bank of America	External transfer fee - 3 Day - 01/11/2024 Confirmation: XXXXX2976	1100 Cash in Bank	1.00	7.00
Total for 9002 Bank Crgs						\$1.00	
Total for 9001 Banking Fees with subs						\$1.00	

NV State Board of Psychological Examiners

General Ledger

January 2024

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
PayPal Fees							
	Beginning Balance						989.73
01/25/2024	Deposit			Deferred PP fee	1100 Cash in Bank	3.18	992.91
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	6.67	999.58
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	1.42	1,001.00
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	5.90	1,006.90
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	5.90	1,012.80
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	7.70	1,020.50
01/25/2024	Deposit			Deferred PP fee	1100 Cash in Bank	5.11	1,025.61
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	1.11	1,026.72
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	5.90	1,032.62
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	5.90	1,038.52
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	6.67	1,045.19
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	1.11	1,046.30
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	5.90	1,052.20
01/25/2024	Deposit			Regular PP fee	1100 Cash in Bank	4.08	1,056.28
01/25/2024	Deposit			Deferred PP fee	1100 Cash in Bank	5.11	1,061.39
01/25/2024	Deposit			regular PP fee	1100 Cash in Bank	1.42	1,062.81
Total for PayPal Fees						\$73.08	
3390 Refund							
	Beginning Balance						-821.44
Total for 3390 Refund							

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

5B – (For Possible Action) Discussion and Possible Action to Approve payment of the PsyPact 2023 State Assessment Fee in the amount of \$1,170.

SUMMARY:

The Board office has received PsyPact's Assessment fee for 2023 in the total amount of \$1,170.00. That amount reflects 105 APIT Holders in the amount of \$1,050.00 and 12 TAP Holders in the amount of \$120.00. The invoice is due to be paid by April 18, 2024.

2023 State Assessment Fee

ITEM !



STATE

Nevada Board of Psychology
46 Kietzke Lane
Reno, NV 89502

PSYPACT COMMISSION

Janet Orwig
(678) 216-1175
PO Box 849,
Tyrone, GA 30290

INVOICE NUMBER	DATE	INVOICE DUE	Amount DUE
24-21	01/19/24	04/18/24	\$ 1,170.00

ITEM	DESCRIPTION	AMOUNT
Total APIT Holders	105 Providers	\$ 1,050.00
Total TAP Holders	12 Providers	\$ 120.00

Rule 10.2 (A) Compact States will be charged an assessment of \$10 per Authorization Holder licensed in their Home State per fiscal year to be no greater than \$6,000 annually.

NOTES

Please make payment by credit card using the included form, or please mail in a check made payable to **PSYPACT Commission** to PO Box 849, Tyrone, GA 30290.

TOTAL \$1170



For more information or any issues, please email us at info@psypact.org

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

5C – (For Possible Action) Discussion and Possible Action to designate board members and/or staff to attend Association of State and Provincial Psychology Boards (ASPPB) mid-year meeting, April 25-28, 2024, in Boston, Massachusetts in a combined total expenditure of not more than \$3,700.00.

SUMMARY:

The ASPPB mid-year meeting will be held on April 25-28, 2024, in Boston, Massachusetts. The Board has \$3,700 remaining in its out-of-state travel budget for FY 2024; however the combined total expenditure for two selected Board members and/or Board staff is not expected to reach or exceed that amount.

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

5D – (For Possible Action) Discussion and Possible Action to Approve:

- adding Administrative Director Sarah Restori to be an authorized signatory on the Board's Bank of America checking and savings accounts;
- adding Executive Director Laura M. Arnold to be an authorized signatory on the Board's Bank of America savings account; and
- removing former Board member John Krogh and former Executive Director Lisa Scurry as signatories on the Board's Bank of America checking and savings accounts.

SUMMARY:

Prior to providing the new Administrative Director access to the Board's checking and savings accounts, the bank requires approval by the board as evidenced by board minutes.

Despite that the Board approved its executive director to be a signatory on the Board's checking and savings accounts during its February 10, 2023, meeting, the Board's bank ultimately only made her a signatory on the checking account. After again meeting with a bank representative, the executive director was informed that the bank had only given her the documentation for being a signatory on the checking account, and recommended again bringing a request to authorize her as a signatory on the savings account before the Board to obtain the proper paperwork from the bank.

Finally, the representative with whom the executive director spoke stated that the Board would need to take action to remove former executive director Lisa Scurry and former Board Member John Krogh as signatories on the Board's checking and savings accounts.

Board President Dr. Owens, the executive director, and the new Administrative Director have plans to meet with the Board's Bank in Las Vegas when the Board office is physically moved to its new location to effect what the board approves during the February 9, 2024, meeting.

Regulation Revisions Table

<u>Legislative File No.</u>	<u>Description</u>	<u>Status</u>
R051-23	EO2023-003 Response	Hearing Scheduled – 2/9/24
R095-23	AB244 Response	LCB draft provided – March 8 hearing notice posted
R002-24	Supervision and Psychometrist	LCB File # created – awaiting draft for hearing

		6/24	5/24	4/24	3/24	2/24	1/24	12/23	11/23	10/23	9/23	8/23	7/23	FY24 Totals
Psychologists	Licenses Issued						0	5	3	9	6	6	5	34
	Applications Received						4	8	7	5	4	11	6	45
Psychological Assistants	Registrations Issued						1	1	0	0	6	7	3	18
	Applications Received						1	0	1	1	1	1	7	12
Psychological Interns	Registrations Issued						0	0	1	0	0	0	2	3
	Applications Received						3	0	0	1	0	2	0	6
Psychological Trainees	Registrations Issued						0	0	1	0	1	1	0	3
	Applications Received						1	0	0	0	0	1	0	2
Non-Resident Consultants	Registrations Issued						3	1	1	1	0	0	1	7
Background Checks	Reviewed						0	0	0	1	0	2	1	4
Continuing Education	Applications Reviewed						4	0	3	2	3	4	0	16
State Exams	Administered						3	1	1	8	9	6	6	34
Complaints	Received						1	1	3	2	2	2	4	15
	Informal						0	0	0	0	0	0	0	0
Totals		0	0	0	0	0	21	17	21	30	32	43	35	199
Licensees	Active Licensees						694	694	689	686	677	671	665	
	Inactive - 62													
	Expired - 292													

Current Applications and Registrations:

	APP	REG
Psychologists	100	
Psychological Assistants	11	38
Psychological Interns	12	12
Psychological Trainees	4	30

BEFORE THE STATE OF NEVADA
BOARD OF PSYCHOLOGICAL EXAMINERS

Case No. 22-0903

STATE OF NEVADA BOARD OF
PSYCHOLOGICAL EXAMINERS,

Petitioner,

vs.

MARGARET DIXON,
License No. PY0883,

Respondent.

**STIPULATED CONSENT
AGREEMENT**

PARTIES

This Stipulated Consent Agreement ("Agreement") is entered into by Petitioner STATE OF NEVADA, BOARD OF PSYCHOLOGICAL EXAMINERS ("Board"), by and through its counsel, AARON D. FORD, Attorney General of the State of Nevada, and HARRY B. WARD, Deputy Attorney General, and Respondent, MARGARET DIXON, License No. PY0883, ("Respondent"). At the relevant times mentioned in this Agreement, Respondent was licensed as a psychologist by the Board under License No. PY0883, and is, therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 641 and NAC Chapter 641.

ALLEGED FACTS

On or about July 4, 2022, formal complaints were filed against Respondent.

It is alleged that the Complainants retained Respondent in late 2019 for couple's therapy. A consent for joint therapy was signed by the parties.

...

...

...

...

...

1 The Board Investigator's investigation revealed the following:

2 The Complainants initially sought couples counseling. The
3 sessions were later terminated with the first Complainant then
4 becoming the patient of the psychologist. Such an arrangement
5 constitutes multiple relationships between the psychologist and
6 the Complainants. Specifically, the first Complainant became
7 an individual client of the psychologist after being a client in
8 couples counseling with the psychologist. The second
9 Complainant became a collateral to the first Complainant's
10 treatment following termination of couples counseling.

11 It is alleged that the multiple relationships in this situation
12 constitute a violation of the American Psychological Association
13 Code of Ethics Guidelines 3.05 and 10.02. Specifically, Guideline
14 10.02 outlines the necessity for a psychologist to be very clear
15 regarding their relationships with family members during any
16 form of family treatment.

17 **RESPONDENT'S REPLY TO ALLEGED VIOLATIONS**

18 Without conceding any of the allegations contained herein, Respondent wishes to
19 voluntarily enter into this Stipulated Consent Agreement in lieu of proceeding to a formal
20 disciplinary hearing in this matter and/or in lieu of any other disciplinary action that the
21 Board may impose after a hearing. This Agreement is for the sole purpose of resolving the
22 allegations brought against the Respondent, that no admission of wrongdoing is intended
23 by entering into this Agreement, and this Agreement shall not be admissible in any current
24 or subsequent civil action against the Respondent. Additionally, this Agreement does not
25 constitute a disciplinary action against Respondent's license nor is considered a
26 disciplinary action against the Respondent pursuant to NRS Chapter 641.

27 Respondent understands that this Agreement is not a private reprimand; will be
28 presented to the Nevada Board of Psychological Examiners for approval during an open
meeting; is a public document; and that the public records law may require the Board to
make available for inspection this Agreement and related documents.

Respondent responds, in part, to the allegations as follows:

1. Respondent asserts the above allegations are true and are somewhat
exaggerated but in the interests of resolving this matter voluntarily enters into this
Agreement.

1 2. Respondent asserts that she allowed the second Complainant to attend a
2 session with the first Complainant, though her attendance was unexpected when she
3 showed up with the first Complainant.

4 3. Respondent asserts that the second Complainant became upset when the
5 Respondent said she (second Complainant) was ruining the relationship.

6 **PROPOSED STIPULATED CONSENT AGREEMENT**

7 1. In the interest in resolving all issues, Respondent voluntarily enters into this
8 Agreement.

9 2. Respondent agrees to the following:

10 To take the course *Boundary Crossing and the Ethics of Multiple Role Relationship*,
11 in addition to the required Continuing Education pursuant to NAC Chapter 641.

12 3. Respondent and the Board agree that by entering into this Agreement, the
13 Board does not concede any defense or mitigation Respondent may have asserted herein,
14 and that once this Agreement is approved and fully performed, the Board will close its file
15 in this matter.

16 4. Respondent agrees and understands that by entering into this Agreement,
17 Respondent is waiving his/her right to a hearing at which Respondent may present
18 evidence in his/her defense and to be represented by counsel, to judicial review of any
19 adverse decision by the Board, and to present a defense to the Board which has had no
20 prior familiarity with the instant matter. The Board members who review this matter for
21 approval of this Agreement may be the same members who ultimately hear the Board
22 Staff's Complaint if this Agreement is either not approved by the Board or is not timely
23 performed by Respondent.

24 **STIPULATION IS NOT EVIDENCE**

25 Neither this Agreement nor any statements made concerning this Agreement may
26 be discussed or introduced into evidence at the hearing of the Complaint, if the Board Staff
27 must ultimately put on a case based on the Complaint filed in this matter.

28 ...

APPROVAL OF STIPULATED CONSENT DECREE

1 Once executed, this Agreement will be filed with the Board and will be put on the
2 agenda for approval at its next Board meeting, which by Nevada law is a public meeting.
3 Respondent and/or his/her representative(s) may attend the meeting in either location or
4 via remote platform.
5

6 This Agreement is one of several matters scheduled at the same time as part of a
7 regular meeting of the Board. When this matter is called, the counsel for the Board will
8 recommend approval of this Agreement by the Board. Respondent acknowledges and
9 agrees that the Board may approve this Agreement, reject it, or suggest different terms
10 that must be communicated to Respondent and accepted or rejected by Respondent before
11 any such amendment shall become effective.

WITHDRAWAL OF AGREEMENT

12 If the Board rejects this Agreement or suggests terms unacceptable to Respondent,
13 Respondent may withdraw from this Agreement and Board Staff may pursue this matter
14 by filing a Complaint and Notice of Hearing before the Board.
15

RELEASE

16 In consideration of execution of this Agreement, Respondent, for himself/herself,
17 his/her heirs or successors, executors, administrators, and assigns, hereby release, remise,
18 and forever discharge the State of Nevada, Board of Psychological Examiners, and each of
19 its members, agents, and employees in their individual and representative capacities, from
20 any and all manner of actions, causes of action, suits, debts, judgments, executions, claims,
21 and demands whatsoever, known and unknown, in law or equity, that the Respondent ever
22 had, now has, may have, or claim to have against any or all of the persons or entities named
23 in this section, arising out of or by reason of the Board Staff's investigation, this non-
24 disciplinary action, and all other matters relating thereto.
25

INDEMNIFICATION

26 Respondent hereby indemnifies and holds harmless the State of Nevada, Board of
27 Psychological Examiners and each of its members, agents, and employees in their
28

1 individual and representative capacities against any and all claims, suits, and actions
2 brought against said persons and/or entities by reason of the Board Staff's investigation,
3 this non-disciplinary action and all other matters relating thereto. Respondent hereby
4 agrees to indemnify the State of Nevada, Board of Psychological Examiners any and all
5 expenses, damages, and costs, including court costs and attorney fees, which may be
6 sustained by the persons and/or entities named in this section as a result of said claims,
7 suits, and actions.

8 IT IS SO STIPULATED:

9 MARGARET DIXON,
10 License No. PY0883

11 Dated: 2/6/2024


MARGARET DIXON

15 STATE OF NEVADA,
16 BOARD OF PSYCHOLOGICAL
17 EXAMINERS

18 Dated: _____

19 By: _____

LAURA M. ARNOLD
Executive Director

21 **Approved as to form:**

22 AARON D. FORD
23 Attorney General

24 By: 

HARRY B. WARD
Deputy Attorney General
100 North Carson Street
Carson City, Nevada 89701
Telephone: (775) 684-1216
Attorney for Petitioner,
State of Nevada, Board of
Psychological Examiners

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

10 – (For Possible Action) Discussion and Possible Action on proposed revisions to the Board’s Disciplinary and Complaints Policy.

SUMMARY:

The Board’s executive director has re-done the Complaints and Discipline policy to:

- adjust the flow and writing style
- clarify some of the processes to reflect how complaints are addressed in practice
- remove duplicate language
- add reference to complaints that involve court ordered evaluations and psychological services
- remove reference to appendices that did not exist and add reference to appendices that do and are proposed
- make revisions Dr. Lenkeit proposed in reference to adding “remedial” to some of the sections that involve discipline
- add a table of contents that includes page number references and is hyperlinked
- Add proposed Appendix C, which Dr. Young authored.

During the November 3, 2023, meeting, there was a question in reference to proposed appendix C, as to whether there is a list of disciplinary supervisors. Dr. Young has stated that there is not a list of disciplinary supervisors, explaining that the Board should have a trained cohort of psychologists willing to serve in that role.



**NEVADA STATE
BOARD OF PSYCHOLOGICAL EXAMINERS**

Complaint and Disciplinary Policy

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[Policy regarding Court Ordered Psychological Services](#)

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[Requirements for Supervised Practice](#)

Purpose

The Nevada Legislature created the Nevada State Board of Psychological Examiners (Board) to regulate the practice of psychology because it is a learned profession, affecting public safety, health, and welfare, and subject to regulation to protect the public from the practice of psychology by unqualified persons and from unprofessional conduct by persons licensed to practice psychology.¹ The Board is charged with enforcing Nevada Revised Statutes (NRS) Chapter 641 and Nevada Administrative Code (NAC) Chapter 641 for the protection and benefit of the public.²

The Nevada Legislature further established minimum procedural requirements for the adjudication of contested cases pending before the Board to ensure that the due process rights of psychologists and other persons are protected and to establish uniformity in procedure across regulatory bodies.³

It is the intent of the Board, through this policy, to carry out the mission the Nevada legislature delegated to it.

Definitions

1. "Complainant" refers to the person making the complaint.
2. "Respondent" refers to the subject of a complaint.
3. "Investigator" refers to the investigator employed by the Nevada Board of Psychological Examiners.
4. "Executive Director" refers to the administrative staff employed by the Nevada Board of Psychological Examiners.
5. "Board" refers to the Nevada Board of Psychological Examiners.
6. "Psychologist" refers to a person who is licensed by the Board to practice psychology.
7. "NRS" refers to Nevada Revised Statutes.
8. "NAC" refers to Nevada Administrative Code.

¹ NRS 641.010

² NRS 622.080

³ NRS 233B.020; NRS 622A.130

Procedure

A. Complaint and Investigative Procedure:

1. Filing a Complaint.

- a. Any person may file a written complaint with the Board office regarding the practice of psychology in this State.⁴ The complaint may be against a psychologist, an unlicensed person, or an applicant for licensure or registration.
 - i. Anonymous complaints will be accepted by the Board. Depending on the information provided by the Complainant, however, it may be difficult to fully investigate an anonymous complaint and/or an anonymous complaint may be more likely to be deemed frivolous.
 - ii. If the Board office receives a complaint against a person who is not licensed by the Board and/or is not practicing psychology, the Board office shall forward the complaint to the appropriate licensing board, if applicable.⁵
 - iii. Complaints that involve Court Ordered Evaluations or Court Ordered Psychological Services are subject to the additional requirements stated in Appendices A and B, respectively.
- b. If applicable, the complaint shall be accompanied by a release of records signed by the Complainant.
 - i. If the Complainant is legally authorized to sign a release of records and fails to sign a release of records, unless in the view of the assigned Board Investigator extraordinary cause exists, the complaint will be deemed invalid and the complaint will be dismissed without investigation or action.
 - ii. If the Complainant is not legally authorized to sign a release of records for the Complainant and/or the client, the Board may subpoena those

⁴ NRS 641.250(1). The filing of a frivolous complaint by a psychologist may be grounds for disciplinary action. NRS 641.230(1)(d); NAC 641.208(3) (A psychologist shall "not engage in conduct in the practice of psychology which evidences moral unfitness to practice the profession.").

⁵ NRS 629.079. The Board still may investigate unlicensed activity and/or take action regarding the unlicensed practice of psychology.

records necessary to investigate the complaint pursuant to NRS 641.245.⁶

2. Investigation Process.

- a. The Executive Director shall maintain oversight of the complaints process, and generally serve as liaison between the Complainant, Respondent, Board Investigators and the Board's attorney, unless otherwise described within this policy.
- b. Upon receipt of a complaint, the Executive Director shall:
 - i. Assign a case number to the complaint.
 - ii. Forward the complaint to a Board Investigator to review the complaint and to determine if it raises serious concerns regarding the immediate health, safety, and welfare of the public such that emergency action is required. If a complaint raises such concerns, refer to the "Special Situations" section of this policy.
 - iii. If the complaint names a Psychologist as a Respondent, advise that Psychologist of the complaint and that the Board office or a Board Investigator will inform that Psychologist if anything further will be required of the Psychologist or if the matter is dismissed.
- c. If the Board investigator reviews a complaint and determines it is invalid or frivolous, the Board Investigator will draft a report regarding that review and determination. The Board's attorney will then review the Board Investigator's report and the complaint. If the Board's attorney concurs with the Board Investigator's determination, the Board Investigator will recommend that the Board dismiss the complaint at its next meeting. If the Board takes action to dismiss the complaint based upon the Board Investigator's recommendation, the Executive Director will send written communication to both the Complainant and the Respondent to advise that the Board dismissed the complaint.

⁶ A Board member must review and sign subpoenas prior to their issuance pursuant to NRS 641.245. The Board President will review and sign subpoenas issued pursuant to this provision unless the Board President has a conflict or is unavailable. In that situation, the Board Secretary-Treasurer will review and sign the subpoena. If both the Board President and the Board Secretary Treasurer have a conflict or are otherwise unavailable, any remaining member of the Board may review and sign the subpoena.

- d. If, after reviewing the complaint, the Board Investigator determines that the complaint is not invalid and/or frivolous⁷, and unless the Board Investigator believes extraordinary cause exists⁸, the Board Investigator shall direct the Executive Director to send a letter to the named Respondent with a copy of the complaint and, if applicable, the release of records and any other documents or information submitted with the complaint. If the Respondent is a Psychologist, the letter and the complaint shall be sent to the Psychologist's last known address on file with the Board. If the Respondent is not a Psychologist, the letter and complaint shall be sent to the address that can best be determined. The named Respondent must respond to the Board's letter and the complaint within thirty (30) days⁹, unless the Respondent is given additional time upon the Respondent's written request to the Board office.
- i. If the Respondent does not respond to the Board's letter and complaint within thirty (30) days or within any additional time the Respondent is granted, the Board's attorney will send, or direct the Executive Director to send, another letter to the named Respondent by regular and certified mail informing the Respondent of the duty to respond to the complaint pursuant to NAC 641.210(2) and that the failure to do so may result in disciplinary action. The Board's attorney's letter will provide the Respondent with at least twenty (20) additional days to respond to the complaint. If the Respondent is a Psychologist, the Board attorney's letter shall be sent to the Psychologist's last known address on file with the Board. If the Respondent is not a Psychologist, the Board attorney's letter shall be sent to the address that can best be determined.
- ii. If the Respondent does not provide a response to the Board's letter and complaint, the Board office will file a complaint against the Respondent for the Respondent's failure to respond. Notice of the Board's complaint will be sent to the Respondent and the matter will be assigned to a Board Investigator for investigation.
- iii. If the Respondent is a Psychologist, the Psychologist's failure to update the address that Psychologist has on file with the Board will only be a defense to the Psychologist's failure to respond to the Board's letter and

⁷ NRS 641.270.

⁸ An example of extraordinary cause may be a situation where the Complainant could be in danger if the psychologist or other person is notified of the complaint at this stage in the investigation.

⁹ NAC 641.210(2). Failure to respond to the Board office within thirty (30) days may be ground for disciplinary action against the psychologist.

the Board's attorney's letter if the address change was for less than thirty (30) days.¹⁰

- e. If the Respondent retains an attorney during the investigative process, all future communications between the Board office or the Board Investigator and the Respondent will be between the Board's attorney and the Respondent's attorney. Requests for extensions of time to respond, requests for more information, responses to requests for information, or other communications made during the investigation will be made attorney to attorney and not from Board staff to the Respondent unless the Board's attorney directs the executive director to communicate with the Respondent and/or the Respondent's attorney.
- f. When the Respondent submits a response to the complaint, the Board office will forward the complaint, the response, and any relevant records or other information provided by either the Complainant or the Respondent to a Board Investigator for review and investigation. The purpose of that review and investigation will be to determine if there is any violation of NRS Chapter 641, NAC Chapter 641, the American Psychological Association Code of Ethics, or NRS Chapter 629.
- g. At the Board Investigator's discretion and as part of the investigation, the Board Investigator may interview the parties, including the Complainant and the Respondent, as well as any possible witnesses. These interviews may be conducted by phone or other means that the Board Investigator deems appropriate. If any party is represented by an attorney, the Board Investigator will confer with the Board's attorney to determine how to proceed to ensure the protection of that party's rights.
- h. If the Board Investigator believes that more information is necessary to adequately investigate the complaint, the Board Investigator may send, or request that the Executive Director send, a letter to the Complainant or the Respondent requesting such information and requiring that such information be provided within thirty (30) days. The Board Investigator's letter shall be mailed to the Complainant or the Respondent by regular and certified mail. If available, the Board Investigator or the Executive Director may communicate with either party by e-mail.
- i. If the Board Investigator believes that more information is necessary to adequately investigate the complaint and a written letter or interview will not

¹⁰ See NAC 641.210(3).

- allow the Board Investigator to obtain that information¹¹, the Board Investigator may request that a subpoena for that information be issued pursuant to NRS 641.245.¹²
- j. In investigating some complaints, the Board’s Investigator may determine that it is necessary to ask a Psychologist named in a complaint to complete a mental or physical examination pursuant to NRS 641.272. For more information, please review the “Special Situations” section of this policy.
 - k. After gathering all necessary evidence and information, the Board Investigator shall determine whether the Respondent has violated NRS Chapter 641, NAC Chapter 641, the American Psychological Association Code of Ethics, or NRS Chapter 629. In order to protect the public, the Board Investigator’s determination is not limited to the allegations alleged by the Complainant in the complaint. That determination may also include and address in the Board Investigator’s report any violations that the Board Investigator discovers during the investigation.
 - l. The Board Investigator shall draft a written report with the Board Investigator’s determination regarding the alleged violations as well as any additional violations discovered during the investigation.
 - i. The report must include the following:
 - 1. A summary of the allegations against the Respondent ;
 - 2. A summary of the Respondent’s response to the allegations;
 - 3. A summary of any other allegations discovered in the investigation and the Respondent’s to those allegations, if applicable;¹³
 - 4. A summary of the Board Investigator’s case analysis, which shall include specific reference to:

¹¹ For example, depending on the allegations in the complaint, the Board Investigator may want to review a pharmacy utilization report for the person named in the complaint. If this is necessary, the Board Investigator should contact the Board’s Executive Director and the Board’s attorney so that an appropriate request may be made to the State of Nevada, Board of Pharmacy.

¹² A Board member must review and sign subpoenas prior to their issuance pursuant to NRS 641.245. The Board President will review and sign subpoenas issued pursuant to this provision unless the Board President has a conflict or is unavailable. In that situation, the Board Secretary-Treasurer will review and sign the subpoena. If both the Board President and the Board Secretary Treasurer have a conflict or are otherwise unavailable, any remaining member of the Board may review and sign the subpoena.

¹³ The psychologist or other person named in the complaint will be notified of and given an opportunity to respond these allegations before the matter proceeds to discipline pursuant to NRS 233B.127(3).

- a. evidence supporting the allegations that the Board's Investigator believes should be pursued in a disciplinary proceeding and copies of that evidence, as applicable; and
 - b. the violations of NRS 641, NAC 641, NAC 629 and/or the American Psychological Association Code of Ethics sections that the investigator has concluded the Respondent has violated.
- ii. In the report, the Board Investigator:
- 1. May recommend that the Psychologist be required to provide fingerprints to the Board office at the initiation of disciplinary proceedings as authorized by NRS 622.360;
 - 2. Shall, in consultation with the Board's attorney, include recommendations regarding the category of the violation, the seriousness of the violation, recommended sanctions regarding the violation, and any other relevant information.
- iii. The Board Investigator's report must be included in the Board office complaint file.
- m. If the Board Investigator believes that the Board should dismiss the complaint, the Board Investigator shall provide a summary of the investigation and the reasons supporting the recommendation that the Board dismiss the complaint at the Board's next meeting. The Board may vote at that meeting to dismiss the complaint as recommended.
- n. If the Board Investigator, in consultation with the Board's attorney, believes that the matter should proceed to disciplinary action (whether a hearing, settlement agreement, or other proceeding), the Board Investigator's report to the Board will include only the type of violation (statute or other category of violation) and state that the matter has been sent to the Board's attorney for the initiation of disciplinary action. If there is a question or another opinion is necessary, another Board Investigator may be asked to review the complaint, response, documents received, and recommendations from the assigned Board Investigator. If necessary due to extraordinary circumstances, a member of the Board may be designated as an "investigating Board member" pursuant to NRS 233B.122 and provide this additional review.¹⁴

¹⁴ In this situation, the "investigating Board member" must recuse from any decision regarding this complaint.

- o. Once a matter is assigned to the Board's attorney, the Board's attorney shall send a letter to the Respondent by regular and certified mail that provides the Respondent with: (1) a summary of the allegations substantiated in the complaint; and (2) an additional opportunity to respond to the allegations prior to the initiation of disciplinary proceedings.^{15, 16} The Board's attorney and the Board Investigator will review any response by the Respondent. A response from the Respondent may lead to additional investigation, revision of the Board Investigator's report, or other action prior to the initiation of disciplinary proceedings. If the response leads to the recommendation that the matter be dismissed, the Board Investigator shall update the report to include reasons for this decision and follow the procedure outlined above for recommending dismissal.
- p. If the complaint is against an applicant for a license, the Board's ability to sanction the person may be limited. However, the Board Investigator may recommend that the complaint be considered when evaluating the person's application, pursuant to NRS 641.170. The Board Investigator may recommend that licensure be denied to the applicant or granted under specified conditions. In that situation, and as required by the Open Meeting Law, the applicant must be: (1) provided notice to appear at a Board meeting in which the Board Investigator's recommendation will be presented to the Board; and (2) and allowed to present information to the Board regarding the application.
- q. Although the intent is not to have the Board's attorney investigate a complaint and risk becoming a witness in the matter should it proceed to a hearing before the Board, the Board's attorney is available and should be consulted by the Board Investigator as necessary throughout the investigation of a complaint.
- r. The Board shall follow the requirements of NRS Chapters 233B, 241, 622, 622A, 629, 641, and NAC Chapter 641 in adjudicating complaints before the Board, including the approval of settlement agreements.

¹⁵ The initiation of disciplinary proceedings is the sending of a complaint and notice of hearing to the Respondent by the Board's attorney. *See* NRS 622A.300(1).

¹⁶ NRS 233B.127(3). This is required for cases where there may be a suspension or revocation. Best practice is to do this for all cases. This ensures that the psychologist or other person named in the complaint is informed about any additional allegations discovered in the investigation, but not included in the complaint prior to the initiation of disciplinary action.

B. Disciplinary Activity Reporting:

1. The Board's Executive Director shall submit quarterly reports on or before the 20th day of January, April, July, and October to the Legislative Counsel Bureau as required by NRS 622.100. These reports must be submitted electronically and shall include a summary of each disciplinary action the Board took against any licensee during the immediate preceding calendar quarter.
2. Within 30 days of the Board's disciplinary action, the Board's Executive Director shall:
 - a. submit reports regarding disciplinary action to the National Practitioner Databank as required by federal law, and to the Association of State and Provincial Psychology Boards.
 - b. provide, via U.S. Mail, true and correct copies of all disciplinary actions to the Administrator of the Division of Public and Behavioral Health in the Department of Health and Human Services.
 - c. post information regarding disciplinary action against a psychologist, psychological assistant, psychological intern, psychological trainee, or other person on the Board's website, and shall include the following information:
 - i. Discipline Type: Settlement or Order,
 - ii. A list of the specific statutes or regulations violated,
 - iii. A summary of the penalty imposed by the Board, including, as applicable, fine amount, cost reimbursement, continuing education, probation requirements, or other sanctions imposed, and
 - iv. Current status of the person's license or registration, as applicable.
 - d. Report to the appropriate law enforcement agency all disciplinary action taken against unlicensed individuals. See NRS 641.2705.
3. The Board's Executive Director shall report any disciplinary action taken against a psychologist or other person that may involve insurance fraud to the Office of the Attorney General's Insurance Fraud Unit. More information about making this report is available at:
http://ag.nv.gov/About/Criminal_Justice/Insurance_Fraud/.

C. Special Situations:

1. Summary Suspension: The Board President, acting on behalf of the Board, may issue a summary suspension of a Psychologist's license without first holding a hearing if the Board President determines that the Psychologist's actions could impair public health, safety, or welfare to the point that emergency action is required.
 - a. Summary suspension by the Board President must be conducted in consultation with the assigned Board Investigator, the Executive Director, and the Board's attorney.
 - b. The Board must conduct a hearing on the underlying allegations within 45 days after the date of the order of summary suspension, unless the Board and the Psychologist mutually agree in writing to a longer period. After issuing a summary suspension order, the Board President may not participate in deciding the case at the scheduled hearing. See NRS 233B.127(3); NRS 233B.122(1).
2. Mental or Physical Examination: The Board may require a person named in a complaint to submit to a mental examination conducted by a panel of three Psychologists designated by the board, or to a physical examination conducted by a physician designated by the Board.
 - a. Every psychologist licensed under NRS Chapter 641 is deemed to have given consent to submit to such a mental or physical examination when directed to do so in writing by the Board.
 - b. The testimony or reports of the examining Psychologists or Physicians are privileged communications, except as to disciplinary proceedings. The failure of a Psychologist to submit to an examination constitutes grounds for immediate suspension of the psychologist's license. See NRS 641.272.
3. Although the language of the statute permitting the Board to require an examination is broad and allows this examination to be conducted for any complaint received against a psychologist and prior to the initiation of disciplinary proceedings, due process and fairness still apply and the Board's power to order this examination as part of its investigation should not be abused.
4. The Board shall bear the cost for an examination it requires a Psychologist to undergo. The Board may later receive reimbursement for the costs of the examination from the Psychologist if the Psychologist is found to have engaged in conduct that violates Nevada law or enters into a settlement agreement

agreeing to reimburse the Board for this cost. See NRS 622.400.

D. Communication During the Investigative Process:

1. The Board must maintain the confidentiality of the complaint and all documents and information compiled during the investigation of the complaint during the investigative process. See NRS 641.090. The Board shall not acknowledge the existence (or not) of a complaint by way of confidential information until the investigation is concluded and a complaint and notice of hearing has been drafted, filed with the Board, and served upon the Respondent by the Board's attorney or a settlement agreement is negotiated and agendized for consideration by the Board at meeting, subject to the following exceptions:
 - a. The Board may communicate or cooperate with or provide any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency. See NRS 641.090(6).
 - b. The Respondent named in a complaint may submit a written statement to the Board requesting that such documents and information be made public records. See NRS 641.090(4).
 - c. Discovery regarding the complaint, such as the exhibits the Board's attorney intends to introduce at the hearing and a list of witnesses that the Board's attorney intends to call, must be provided to the Respondent upon request after the complaint and notice of hearing has been drafted, filed with the Board, and served upon the Respondent. See NRS 622A.330.

Note: Exhibits introduced at the hearing for review by the Board that contain protected health information do not become public documents that are subject to disclosure pursuant to NRS 622.310.
2. Substantive communication between the Respondent and the Board office or investigator during the investigative process must occur in writing. However, this does not preclude the Board's investigator from conducting oral interviews and submitting questions to the Respondent.
3. Communication from the Respondent may be sent to the Board office by electronic mail, facsimile, U.S. mail, or other mail carrier.
4. Copies of all communication regarding the complaint must be maintained in the Board's file related to the complaint.

E. Fines, Costs, and Collections:

1. All Board orders and settlement agreements will include a final due date for payment of all fines and costs assessed by the Board.
2. All fines that the Board assesses and receives must be submitted to the State Treasurer for deposit with the General Fund.
3. All cost reimbursements that the Board assesses pursuant to NRS 622.400 and receives must be deposited into the Board's bank account established pursuant to NRS 641.111.
4. For all fines and costs that the Board assess but does not receive pursuant to the terms of the Board's order and/or the approved settlement agreement, the Board will utilize the State Controller as its agent to collect fines and cost reimbursements that the Board assesses during disciplinary actions pursuant to NRS 353C.195 and follow the procedures required by the State Controller.

F. Qualifications of Board Investigators:

1. All Board Investigators shall:
 - a. Be licensed in the State of Nevada as a psychologist for at least five years,
 - b. Be in good standing as a psychologist in the State of Nevada, as well as any other states or jurisdictions where he/she/they is licensed, and
 - c. Complete the Council on Licensure, Enforcement, and Regulation (CLEAR) training in complaint investigation.
2. Experience in conducting investigations is preferred, but not required.

G. Records:

1. Complaints filed with the Board office must be kept by the Board office for ten (10) years, even if they are not acted on or investigated.¹⁷
2. The complaint file shall be maintained in the Board office and should include, at a minimum, the following:
 - a. The complaint, responses and associated documentation provided by the

¹⁷ NRS 641.250(2).

- Complainant. This may include letters and/or emails, including documents from the Complainant's attorney, if applicable.
- b. The response and associated documentation provided by the Respondent. This may include letters and/or emails, including documents from the Respondent's attorney, if applicable.
 - c. Documents provided by the investigator(s), including the investigator's final report.
 - d. Documents provided by the Board's attorney, including, where applicable, orders, notices, subpoenas and other legal documents.
 - e. Board meeting minutes where the complaint was discussed and/or action taken.
 - f. Board meeting minutes where a disciplinary hearing was conducted and/or action taken.

Categories of Violations for Psychologists

A. Criminal Convictions:

- 1. Felony relating to the practice of psychology. NRS 641.230(1)(a).
- 2. Any crime or offense that reflects the inability of the person to practice psychology with due regard for the health and safety of others. NRS 641.230(1)(b).
- 3. Violating any of the provisions of NRS 616D.200, 616D.220, 616D.240, or 616D.300 to 616D.440 (Relating to workers' compensation insurance and/or benefits).
- 4. Medicare or Medicaid fraud. NRS 641.230(1)(m).
- 5. Insurance fraud. NRS 641.230(1)(n).

B. Practice below the Standard of Care

- 1. Engaged in gross malpractice. NRS 641.230(1)(d).
Gross malpractice is defined in NRS 641.023. It includes the practice of psychology under the influence of an alcoholic beverage or any controlled

substance, gross negligence, willful disregard of established method and procedures in the practice of psychology, or willful and consistent use of methods and procedures considered by psychologists in the community to be inappropriate or unnecessary in the cases where used.

2. Engaged in repeated malpractice. NRS 641.230(1)(d).

Malpractice is defined in NRS 641.024. It means the "failure on the part of a psychologist to exercise the degree of care, diligence and skill ordinarily exercised by psychologists in good standing in the community."

3. Engaged in gross negligence in the practice of psychology. NRS 641.230(1)(d).

Gross negligence means "[a] lack of slight diligence or care" or "[a] conscious, voluntary act or omission in reckless disregard of a legal duty and of the consequences to another party." Black's Law Dictionary 1057 (7th ed. 1999).

4. Lack of/inadequate knowledge or training in area of practice. NAC 641.208(1).

5. Failure to maintain competence and/or limit practice to areas of competence. NRS 641.112; NAC 641.208(4); APA Rule 2.01; 2.03.

6. Unprofessional Conduct. (Violation of Regulation Adopted by the Board). NRS 641.230(1)(g).

a. Standards of Conduct. NAC 641.200–NAC 641.250.

b. Failure to display license in a conspicuous place. NAC 641.213(1)(a).

c. Other violations included also may fall under this category, if they involve a violation of a Board regulation.

7. Interruption of psychological services without transition for clients. NAC 641.215(5)–(9); APA Rule 3.12.

8. Supervision.

a. Failure to properly supervise psychological interns, psychological assistants, or unlicensed personnel. NAC 641.158; NAC 641.161(2); NAC 641.168.

b. Failure to follow requirements for supervision as outlined by the Board. NAC 641.151–NAC 641.161.

C. Dishonesty

1. Made fraudulent or untrue statements to the Board. May also include filing a knowingly frivolous or knowingly false complaint with the Board. NRS 641.230(1)(f). See also NAC 641.245(3).
2. Made fraudulent or untrue statements to others, including making or filing false reports. NAC 641.245; APA Rule 5.01.
3. Engage in conduct in the practice of psychology which evidences moral unfitness to practice the profession. NAC 641.208(2).
4. Misrepresentation of professional qualifications. NAC 641.239.
5. Failure to complete required CEU's. NRS 641.220; NAC 641.132.
6. Fraudulent billing or misleading information regarding billing from party responsible for payment. NAC 641.213(1)(d); NAC 641.245(2)(c).
7. False advertising. APA Rule 5.01.
8. Failure to correct error in fraudulent or untrue statement made by others. NAC 641.239(2); APA Rule 5.02.

D. Disciplinary Action in another State.

1. Underlying action is also grounds for disciplinary action in Nevada. NRS 641.230(1)(h).
2. Failed to report to the Board within 30 days disciplinary action from another state. NRS 641.230(1)(i).

E. Violating NRS Chapter 641. NRS 641.230(1)(j).

1. Violation (direct or indirect) or attempted violation of a provision of NRS Chapter 641.
2. Assisted in or abetted a violation of or conspired to violate a provision of NRS Chapter 641. NAC 641.241.
3. Failure of non-resident consultant to register with the Board pursuant to NAC 641.169.

F. Impairment. NRS 641.230(1)(k).

Performed or attempted to perform any professional service while impaired by alcohol, drugs, or mental or physical illness, disorder or disease. NAC 641.229.

G. Inappropriate Relationships

1. Sexual activity with a patient or client. NRS 641.230(1)(l); NAC 641.229(3).
2. Dual relationship. NAC 641.229(2) or (3); APA Rule 3.05; APA Rule 3.06.
3. Coercive or exploitative relationship. NAC 641.215(12); NAC 641.229(2) or (3); APA Rule 3.05; APA Rule 3.06; APA Rule 3.08.
4. Discrimination. NAC 641.215(10); APA Rule 3.01.
5. Sexual harassment. NAC 641.215(11); APA Rule 3.02.
6. Physical harassment. APA Rule 3.02; APA Rule 3.03; APA Rule 3.04.
7. Other harassment. NAC 641.215(11); APA Rule 3.03.
8. Soliciting business or referrals from patients. NAC 641.215(12); APA Rule 5.06.
9. Accepting or paying fees to third parties for referrals of clients. NAC 641.213(1)(e).

H. Business Practices

1. Records APA Rules 6.01–6.07.
 - a. Failure to release records as required by law. NAC 641.219; NRS 629.061.
 - b. Inadequate record-keeping. NAC 641.219(1).
 - c. Breach of confidentiality of records. NAC 641.219; NAC 641.224.
 - d. Informed consent. NAC 641.207(1)(i); NAC 641.215(2) and (4); NAC 641.224; NAC 641.241; APA Rule 3.10.
2. Breach of confidentiality. NAC 641.224; APA Rule 4.01–4.07.

3. Operating a medical facility when the license of the facility was suspended or revoked or when an act or omission occurred which resulted in the suspension or revocation of the license pursuant to NRS 449.160. NRS 641.230(1)(o).
4. Practice under name that is not on license. NRS 641.225(1).
5. Fee splitting. NAC 641.210(4).

I. Communications with the Board.

1. Failure to respond to a communication from the Board within 30 days. NAC 641.213(1)(b).
2. Failure to update address or telephone number with the Board within 30 days of the change. NAC 641.213(1)(c).

J. Practice with Expired or Inactive License.

1. Active license required to practice psychology. NRS 641.390(1).
2. If license is inactive, may not practice psychology. NAC 641.133(2).

Categories of Violations – Unlicensed Activity

A. Misrepresentation. Representing oneself as psychologist NRS 641.390; NRS 641.440.

1. Holding out or representing oneself as a psychologist.
2. Using title that incorporates “psychology” or “psychologist.”

B. Practice without a License.

Engaging in the practice of psychology as defined in NRS 641.025 without a license. NRS 641.390; NRS 641.440.

C. School Psychologist Outside the School Setting. NRS 641.390(5).

Provisions governing school psychologist contained in NAC 391.315–NAC 391.319.

D. Failure of Non-Resident Consultant to Register with the Board. NAC 641.169.

Disciplinary/Remedial Options for Psychologists

A. *Authorized Discipline/Remediation.* NRS 641.240 lists the authorized discipline/remediation available to the Board if it finds a psychologist to have committed an act which constitutes grounds for disciplinary/remediation action¹⁸:

1. Public reprimand,
2. Limit the psychologist's practice,
3. Suspend the person's license for a period of not more than one year,
4. Revoke the person's license [NRS 622A.410 requires that the Board's order specify the time period during which the psychologist may not apply for reinstatement of the license. The period must be at least one year and not more than ten years],
5. Impose a fine of not more than \$5,000,
6. Suspend the enforcement of any penalty by placing the psychologist on probation. The Board may revoke the probation if the psychologist does not follow any conditions imposed,
7. Supervised practice, as outlined in Appendix C.
8. Counseling or treatment by a person approved by the Board [psychologist to pay costs incurred],
9. Probation with conditions imposed for the protection of the public or the rehabilitation of the psychologist [conditions may include requiring additional continuing education units in specified area[s], additional training, successful completion of a skills or ethics examination such as the Ethics and Boundaries Assessment, a psychological evaluation, or participation in a substance dependence treatment program], and
10. Require payment of costs for remediation or restitution.

B. *Imposition of Discipline/Remediation.* If the Board finds that a psychologist has violated any provision of NRS Chapter 641 or NAC Chapter 641 or an act that constitutes grounds for disciplinary/remediation action pursuant to NRS 641.230 or

¹⁸ Grounds for disciplinary action are contained in NRS 641.230.

accepts a settlement agreement within which the psychologist admits to such conduct or does not contest the allegations, the Board may:

1. Assess the Board's reasonable attorney's fees and costs incurred as part of the Board's investigation or the Board's administrative or disciplinary proceeding pursuant to NRS 622.400(1).
2. Costs allowed are defined in NRS 622.400(2).
3. Additional Options and Considerations:
 - a. To the greatest extent possible, all disciplinary/remediation action ordered by the Board or contained in a settlement agreement will be meaningfully tied to the violations substantiated in the Board's investigation in order to allow the person an opportunity for remediation of these violations. An example of considerations the Board will take into account when determining remediation plans is discussed in this article: Vacha-Haase, T., Elman, N. S., Forrest, L., Kallaugher, J., Lease, S. H., Veilleux, J. C., & Kaslow, N. J. (2018, November 29). Remediation Plans for Trainees With Problems of Professional Competence. Training and Education in Professional Psychology. Advance online publication. <http://dx.doi.org/10.1037/tep0000221>.
 - b. If the Board initiates disciplinary proceedings against a licensee, the Board requires all licensees to submit a complete set of his/her/their fingerprints to the Board and written permission authorizing the Board to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. NRS 622.360(1). Failure to comply is ground for additional disciplinary action against the license. NRS 622.360(2). A conviction for an unlawful act that is grounds for disciplinary action against the licensee that has not been disclosed to the Board or that the Board has not already disciplined the licensee for is an additional ground for disciplinary action against the licensee. NRS 622.360(3). Notice that the licensee must provide fingerprints pursuant to NRS 622.360 will be included in the Complaint and Notice of Hearing. In addition, all settlement agreements regarding licensees, the Board will require that the licensee provide fingerprints pursuant to NRS 622.360 as part of the settlement.
 - c. The Board may order any psychologist named in a complaint¹⁹ to submit to a mental examination conducted by a panel of three psychologists designated by the Board or a physical examination conducted by a physician designated by the Board. NRS 641.272(1). Failure to comply with this request is grounds

¹⁹ Disciplinary proceedings do not have to first be initiated.

- for immediate suspension of the psychologist's license unless there are extraordinary circumstances, as determined by the Board. NRS 641.272(2).
- d. Settlement agreements may contain requirements agreed to by the parties and approved by the Board that differ from those specified in NRS 641.240 or other statutory provision. A psychologist may agree to surrender his/her/their license in lieu of other disciplinary action by a settlement agreement. This constitutes discipline pursuant to NRS 233B.121(6) and will be reported as discipline pursuant to this policy.
 - e. The Board may not administer a private reprimand. NRS 641.240(2).
 - f. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records. NRS 641.240(3).
 - g. A settlement agreement in a disciplinary case must be approved by the Board in a public meeting and the settlement agreement is a public record. NRS 622.330.

Unlicensed Activity Sanctions

A. Cease and Desist.

Order to Cease and Desist from engaging in activity prohibited by NRS 641.390. NRS 641.2705(2)(a).

B. Citation.

A written citation that describes with particularity the nature of the violation. NRS 641.2705(2)(b) and (3). A citation may be appealed to the Board within 30 days after the date of the citation. NRS 641.2705(5).

C. Administrative Fine. For any violation of NRS 641.390, the Board *shall* assess an administrative fine of:

1. \$500 (first violation),
2. \$1,000 (second violation), and
3. \$1,500 (third or subsequent violation).

D. Attorney Fees and Costs. If the Board finds that a person has violated any provision of NRS Chapter 641 or NAC Chapter 641 or the person admits to such conduct or does not contest the allegations, the Board may:

1. Assess the Board's reasonable attorney fees and costs incurred as part of the Board's investigation or the Board's administrative or disciplinary proceeding pursuant to NRS 622.400(1).
2. Costs allowed are defined in NRS 622.400(2).

E. Injunction.

If a person continues to engage in unlicensed activity, the Board may file an action in civil court requesting that the court enter an injunction against the person, enjoining him/her/them from engaging in the unlicensed practice of psychology. See NRS 641.316.

Aggravating and Mitigating Factors

The following factors may mitigate or aggravate the sanctions that may be imposed in the disciplinary process.

A. Factors Related to Conduct.

1. Gravity of the unprofessional conduct
2. Age, capacity and/or vulnerability of the patient, client, or victim;
3. Number or frequency of the acts of unprofessional conduct;
4. Injury caused by the unprofessional conduct;
5. Potential for injury to be caused by the unprofessional conduct;
6. Degree of responsibility for the outcome;
7. Abuse of trust;
8. Intentional or inadvertent act;
9. Motivation is criminal, immoral, dishonest, or for personal gain;
10. Length of time since the unprofessional conduct occurred.

B. Factors Related to the Psychologist.

1. Experience in practice;
2. Past disciplinary record;
3. Mental and/or physical health;
4. Personal circumstances;
5. Personal problems having a nexus with the unprofessional conduct;
6. Voluntary restitution or other remedial action;
7. Admission of key facts.

C. General Factors.

1. License holder's knowledge, intent, and degree of responsibility;
2. Presence or pattern of other violations;
3. Present moral fitness of the license holder;
4. Potential for successful rehabilitation;
5. Present competence to practice;
6. Dishonest or selfish motives;
7. Isolated incident unlikely to reoccur.

Appendix A
Policy regarding Court Ordered Evaluations

A person filing a complaint arising out of or related to a court ordered evaluation must submit the following in addition to completing the Complaint Form:

- 1) Final order or judgment in the case
- 2) A copy of the court order appointing the licensee in the case.

A complaint subject to this rule shall be dismissed unless the Complainant can show the following:

- 1) The licensee was disqualified as an expert witness by the Court.
- 2) The licensee's opinion or inferences complained of were ruled inadmissible by the Court.
- 3) A curriculum vitae and written report by an expert qualified to render an expert opinion in the relevant subject area. The report must address deficiencies in standard of care, violations of the American Psychological Association Code of Ethics, and violations of Nevada Revised Statutes or Nevada Administrative Code in the licensee's report.

A complaint subject to this rule must be filed within one year of the entering of the final order or judgment concerning the licensee's evaluation in the case.

Appendix B

Policy regarding Court Ordered Psychological Services

A person who files a complaint alleging a statutory or ethical violation arising out of or related to court ordered psychological services, including, but not limited to, psychotherapy, reunification therapy, parent coordination, and parent coaching, must, in addition to completing the complaint form, comply with the following requirements:

- 1) A complaint may not be filed while the licensee is under court appointment to provide the particular psychological service unless the person has applied to terminate services with the court.
- 2) Submit the curriculum vitae and written report of an expert qualified to render an expert opinion in the relevant subject area. The report must address deficiencies in standard of care, violations of American Psychological Association Code of Ethics, and violations of Nevada Revised Statutes/Nevada Administrative Code in the licensee's psychological services.
- 3) The complaint must be filed within one year of termination of services.

Appendix C

Requirements for Supervised Practice

Disciplinary supervision, or supervised practice, is a remediation requirement that results from Board discipline of a licensee. The supervision requires the supervisor and licensee to focus on areas in which the supervisee has experienced problems. These areas could include, for example, maintaining appropriate boundaries, conflict of interest, informed consent in assessments, and recordkeeping.

- If a Board investigation of a licensed psychologist, psychologist associate, or temporary practitioner results in disciplinary action, an Order is issued by the Board itemizing the Board's disciplinary actions.
- If the Order requires disciplinary supervision, the Respondent may propose a disciplinary supervisor for Board approval from the list of trained Disciplinary Supervisors.
- The Board sends a letter of engagement to the Disciplinary Supervisor, and disciplinary supervision commences per the terms of the Order. Terms of the Order will include frequency and duration of required disciplinary supervision meetings and quarterly documentation of practice monitoring will be submitted to the Board.
- A licensed psychologist who supervises/serves as a practice monitor for a licensed psychologist who has entered an agreement with the Board or been ordered by the Board to practice psychology under supervision or with a practice monitor is professionally responsible only for work specified in the agreement or order.
- Upon completion of the minimal requirements of the Order, the Licensee and Disciplinary Supervisor may request termination of the disciplinary supervision.
- The licensee shall pay the costs incurred.

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

11 – (For Possible Action) Discussion and Possible Action on proposed revisions to the Board’s Employment, Compensation, and Review Policy and its Staff Performance Evaluation Procedure.

SUMMARY:

Employment, Compensation, and Review Policy

The Board’s executive director has proposed various revisions to the Board’s current Employment, Compensation, and Review Policy, which previously focused primarily on the executive director. The proposed revisions primarily focus on:

- adding the Board’s employment of Board Investigators consistent with how the Board has done so and referencing the Board Investigators’ duties and responsibilities as stated in the Board’s Complaints and Disciplinary Policy, and
- adding the executive director’s employment of Board Office staff, which would include the Administrative Director role, and to add the Administrative Director’s salary.

With the Board’s adoption of its separate Staff Performance Evaluation Procedure after it had adopted its Employment, Compensation, and Review Policy, the review section of the Employment, Compensation, and Review policy is revised to delete the Evaluation of Performance section and adding review provisions that refer to the Board’s Staff Performance Evaluation procedure.

Other revisions to the Employment, Compensation, and Review Policy cleans up some of its language for better readability, to eliminate duplicate or unnecessary provisions and language, and to ensure accuracy (such as the executive director’s salary in relation to current PERS rates).

Staff Performance Evaluation procedure

Consistent with the changes made to Employment, Compensation, and Review Policy, the executive director revised the Board’s Staff Performance Evaluation Procedure to

add Board investigators and Board office staff to the definition of "Staff member," to add a performance evaluation review process for Board Investigators, to include reference to the Board's Employment, Compensation, and Review Policy, and to otherwise made adjustments in how some of the provisions are written.



POLICY OF THE NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS

~~Executive Director~~ Employment, Compensation, and Evaluation

Purpose

In accordance with ~~Nevada state law~~ NRS 641.045(2), the Nevada State Board of Psychological Examiners ("Board") has established this policy "concerning compensation and reviewing the performance of the staff of the Board." This policy, and any accompanying procedures, defines and describes the course and scope of employment of ~~an Executive Director~~ of the *Board's staff*.

Definitions

~~1. PERS refers to the Nevada Public Employees Retirement System.~~

Procedure

1. General Provisions

- a. The Board shall recruit, employ, and retain an Executive Director *and Board Investigators* 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. The Executive Director is accountable to the Board as a whole and not to individual members of the Board.~~

2. Executive Director

- a. Employment
 - i. Probationary Period / Status of Appointment.

-
1. The probationary period of the Executive Director shall end six months from the date of hire, unless otherwise adjusted by action of the Board.
 2. 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 probationary period has been successfully completed, the Executive Director will have attained permanent status.
- ii. Compensation. See Addendum A for salary schedule
1. 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").
 2. Executive Director shall receive and be subject to such annual cost of living adjustments ("COLA") as determined by the Board.
 3. Merit Pay Increase. Executive Director shall be eligible for an annual merit salary increase *of not less than 2% of the annual salary* if the annual performance evaluation is rated as average or better. ~~Such increase shall be not less than 2% of the annual salary.~~
 4. Payroll. Payroll shall be distributed on a bi-weekly basis.
- iii. ~~Fringe~~ Benefits.
1. Insurance. ~~The Executive Director shall not receive Board paid group medical, dental, vision, or life insurance plans.~~ *Upon Board approval, the Executive Director may elect to receive insurance benefits through the Nevada Public Employees' Benefits Program (PEBP).*
 2. Retirement Program. Within the adopted procedures of the Nevada Public Employees Retirement System (PERS), Executive Director shall elect to receive one of the following two plans:
 - a. Employee Contribution Plan A. The Board shall make 100% of normal contributions to PERS. Under this plan, the Board shall make the full retirement contribution based on an adjusted gross salary *that reflects the employee's share.* ~~The employee shall pay their share via a salary reduction.~~
 - b. Employee Contribution Plan B. The Board shall make 50% of normal contributions to PERS and Executive Director shall be responsible for 50% as a payroll deduction.

-
- ~~c. The Executive Director, as the only full-time employee of the Board, shall receive the retirement benefits described below. Part-time staff, including Board investigator(s) and part-time office support (less than 25 hours scheduled per week), shall not be eligible for PERS benefits.~~
3. Paid Vacation and Sick Leave. The Executive Director shall accrue and be entitled to use paid vacation and sick leave as follows.
- a. 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 no more than fifteen (15) vacation days and fifteen (15) sick leave days per fiscal year.
 - b. Vacation days should be used during the fiscal year in which they are earned. Any vacation days not used by September 1 of the fiscal year immediately following shall be forfeited. Accrual shall begin anew each July 1.
 - c. Sick leave may only be used for authorized reasons. Authorized reasons for using sick leave are: an inability to work because of illness or injury, incapacity due to pregnancy or childbirth, medical and dental appointments, family illness (limited to immediate family requiring care), and death in the immediate family (typically up to 5 working days).
 - d. If the Executive Director will be absent from official duties, the Board President or the Board President's designee shall be notified in advance.
 - e. The Executive Director shall notify the Board President in advance of taking vacation days. Requests for vacation time of 5 days or more must receive the prior approval of the Board.
 - f. Upon separation from employment with the Board, the Executive Director shall be entitled to payment for any unused vacation days up to the allowable limit.
4. Leave without Pay. Leave without pay may be taken at the discretion of the ~~Employee~~ *Executive Director* or Board. ~~Employee~~ *The Executive Director* shall notify the Board President in advance of taking leave without pay. Requests for Leave Without Pay of 5 days or more must receive the prior approval of the Board.
- iv. 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, *Juneteenth*, Independence Day, Labor Day,

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- Nevada Day, Veterans Day, Thanksgiving Day / Family Day, and Christmas Day) ~~plus the federally recognized holiday of Juneteenth.~~
- v. Travel. The Executive Director may be required to travel in connection with official duties.
 1. If appropriate, the 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.
 2. If, in the course of official duties, the 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.
 - vi. *Review and Evaluation. Executive Director's employment performance shall be reviewed and evaluated in accordance with the Board's Staff Performance Evaluation Procedure.*
 - vii. 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.
 - viii. Termination.
 1. Termination by Resignation. The Executive Director may terminate employment at any time and is encouraged to provide at least 30 days' advance written notice to the Board.
 2. Involuntary Termination. *The Board may terminate the* Executive Director's employment ~~may be terminated by the Board~~ at any time for any ~~not unlawful~~ reason *that is not unlawful* or *for* no reason, with or without Cause, as follows:
 - a. Termination by the Board Without Cause. The Board may terminate the Executive Director's employment at-will, at any time, for any ~~not unlawful~~ reason *that is not unlawful* or *for* no stated reason, without Cause (as defined below), upon providing the Executive Director at least 5 working days personal notice or 21 working days' written notice sent certified U.S. Mail to the Executive Director's last known residence address on file with the Board.
 - b. Termination by the Board for Cause. The 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) the Executive Director's substantial neglect of or refusal to discharge the Executive Director's duties; (3) the Executive Director's willful refusal to follow a lawful order or instruction of the Board.

3. In the event of termination, the Board shall pay the 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; and (4) any unreimbursed appropriate expenses.
- ix. ~~Confidentiality.~~
1. ~~The 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.~~
 2. ~~This agreement shall continue upon the Executive Director's separation from employment.~~
- x. The Executive Director shall not take for personal use *at any time, including separation from employment*, any items purchased by the Board, including electronic equipment and office supplies. ~~This includes upon separation from employment.~~
- b. Duties and Responsibilities.
- i. 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.
 - ii. Executive Director's duties include, but are not limited to the following:
 1. Management of the daily operations of the Board Office;
 2. Purchasing, Payroll, and other financial transactions;
 3. Oversight of licensure and registrant procedures;
 4. Communication with Board members, licensees and applicants, and members of the general public;
 5. *Compliance with Board actions, including approved policies and procedures, as well as applicable state laws and regulations; and*

6. *Development of Board Staff roles as warranted by the Board office workload, operations, and budget.*

- iii. 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.
- iv. 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.
- v. 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.
- vi. 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.
- vii. Attendance at Board and Significant Meetings. The Executive Director shall attend all regular, special, and closed meetings of the Board. The 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.
- viii. 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.
- ix. 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.
- x. *The Executive Director is accountable to the Board as a whole and not to individual members of the Board.*
- xi. Confidentiality. Except as otherwise required by applicable law or order of a court or government agency of competent jurisdiction, the Executive Director ~~agrees shall:~~

1. ~~to~~ treat any *confidential* Board ~~confidential~~ information as strictly confidential, *including, but 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*; and
2. 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.

This obligation shall continue upon the Executive Director's separation from employment.

3. Board Investigators

- a. *Employment. The Board shall employ Board Investigators in the manner stated in section 1(a), above, for the purpose of investigating and reporting on complaints that are submitted to the Board, as stated in the Board's Complaint and Disciplinary Policy.*
- b. *Compensation. See Addendum A for Board Investigators' pay schedule.*
 1. *The Board shall pay its Board Investigators an hourly fee as it is earned at the Board's regular payroll intervals, less any deductions required by law or authorized by each Board Investigator.*
 2. *Merit Pay Increase. Each Board Investigator the Board employes shall be eligible for an annual merit salary increase of not less than 2% of the annual salary if the annual performance evaluation is rated as average or better.*
- c. *Duties and Responsibilities. The Board Investigators' duties and responsibilities shall be those investigative and reporting responsibilities stated in the Board's Complaint and Disciplinary Policy.*
- d. *Review and Evaluation. Each Board Investigator the Board employes shall be reviewed and evaluated in accordance with the Board's Staff Performance Evaluation Procedure.*

4. Board Office Staff.

- a. *The Executive Director's duty to develop Board Staff roles as warranted by Board office workload and operations shall include suggesting to the Board for its approval employee positions and salaries that are appropriate for the nature of the work to be undertaken and that the Board's budget can reasonably accommodate.*

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- b. *The Executive Director shall, in consultation with the Board President, select and hire qualified candidates for Board office positions that are approved by the Board to be added to Board office staff and as those positions are identified in Addendum A – Salary Schedule.*
- c. *The following conditions of employment apply to those Board office employees that the Executive Director hires as Board office staff members:*
- i. *Probationary Period / Status of Appointment.*
1. *The probationary period of a Board office employee (the probationary employee) shall end six months from the date of hire, unless otherwise adjusted by the Executive Director after consultation with the Board President.*
 2. *During the probationary period, the conduct and job performance may be reviewed by the Executive Director. After consultation with the Board President, the Executive Director may dismiss the probationary employee at any time during the probationary period. Once the probationary period has been successfully completed, the probationary employee will have attained permanent status as Board office staff.*
- ii. *Compensation. See Addendum A for salary schedule*
1. *The Board shall pay its Board office staff, as follows:*
 - a. *For Board office employees who are paid a salary, 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 that salaried Board office employee.*
 - b. *For Board office employees who are paid hourly, a gross amount based upon the number of hours worked during the payroll interval, less any deductions required by law or authorized by that hourly Board office employee.*
 2. *Merit Pay Increase. Board office employees shall be eligible for an annual merit salary increase of not less than 2% of the annual salary if the annual performance evaluation is rated as average or better.*
 3. *Payroll. Payroll shall be distributed on a bi-weekly basis.*
- iii. *Benefits*
1. *Insurance. Upon Board approval, full time Board office staff may elect to receive insurance benefits through the Nevada Public Employees' Benefits Program.*

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2. *Retirement Program.*
 - a. *Within the adopted procedures of the Nevada Public Employees Retirement System (PERS), Board office employees who receive a salary shall elect to receive one of the following two plans:*
 - i. *Employee Contribution Plan A. The Board shall make 100% of normal contributions to PERS. Under this plan, the Board shall make the full retirement contribution based on an adjusted gross salary that reflects the employee's share.*
 - ii. *Employee Contribution Plan B. The Board shall make 50% of normal contributions to PERS and Executive Director shall be responsible for 50% as a payroll deduction.*
 - b. *Only full-time Board office staff shall receive the retirement benefits described above. Part-time staff, including Board investigator(s) and part-time office support (less than 25 hours scheduled per week), shall not be eligible for PERS benefits.*
 3. *Paid Vacation and Sick Leave. Full-time Board office staff shall accrue and be entitled to use vacation and sick leave, as follows:*
 - a. *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. Full-time Board office staff may earn no more than fifteen (15) vacation days and fifteen (15) sick leave days per fiscal year.*
 - b. *Vacation days should be used during the fiscal year in which they are earned. Any vacation days not used by September 1 of the fiscal year immediately following shall be forfeited. Accrual shall begin anew each July 1.*
 - c. *Sick leave may only be used for authorized reasons. Authorized reasons for using sick leave are: an inability to work because of illness or injury, incapacity due to pregnancy or childbirth, medical and dental appointments, family illness (limited to immediate family requiring care), and death in the immediate family (typically up to 5 working days).*
 - d. *If full-time Board office staff will be absent from official duties, that Board office staff member shall notify the Executive Director or the Executive Director's designee in advance of being absent from official duties.*

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- e. *Full-time Board office staff shall notify the Executive Director in advance of taking vacation days. Requests for vacation time of 5 days or more must receive additional approval from the Board President.*
 - f. *Upon separation from employment with the Board, the full-time Board office staff shall be entitled to payment for any unused vacation days up to the allowable limit.*
 4. *Leave without Pay. A full-time Board office staff member's leave without pay may be taken at the discretion of the Executive Director, but shall not be taken without prior notice to the Executive Director. Requests for Leave Without Pay of 5 days or more must receive additional approval from the Board President.*
 - iv. *Holidays. Full-time Board office staff 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) plus the federally recognized holiday of Juneteenth.*
 - v. *Travel. Board office staff may be required to travel in connection with official duties.*
 1. *If appropriate, Board office staff 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.*
 2. *If, in the course of official duties, Board office staff 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.*
 - vi. *Review and Evaluation. Board Office Staff's employment performance shall be reviewed and evaluated in accordance with the Board's Staff Performance Evaluation Procedure.*
 - vii. *Termination.*
 1. *Termination by Resignation. Board office staff may terminate employment at any time and is encouraged to provide at least two weeks advance written notice to the Executive Director.*
 2. *Involuntary Termination. The Executive Director may terminate a Board office staff member's employment at any time for any reason that is not unlawful or for no reason, with or without Cause, as follows:*

- a. *Termination Without Cause.* The Executive Director may terminate a Board office staff member's employment at-will, at any time, for any reason that is not unlawful or for no stated reason, without Cause (as defined below), upon providing that Board office staff member at least 5 working days' personal notice or 21 working days' written notice sent certified U.S. Mail to the Board office staff member's last known residence address on file with the Board.
 - b. *Termination for Cause.* After consultation with the Board President, the Executive Director may terminate a Board office staff member's employment at any time. "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) the Board office staff member's substantial neglect of or refusal to discharge that Board office staff member's duties; (3) the Board office staff member's willful refusal to follow a lawful order or instruction of the Executive Director.
3. *In the event of termination, the Board shall pay:*
- a. *full-time, salaried Board office staff:* (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; and (4) any unreimbursed appropriate expenses.
 - b. *Part-time, hourly Board office staff:* (1) earned hourly wages through the last day of employment; and (2) any unreimbursed appropriate expenses.
- viii. *Confidentiality.* Except as otherwise required by applicable law or order of a court or government agency of competent jurisdiction, members of the Board's office staff shall:
1. *treat any confidential Board information as strictly confidential, including, but 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; and*
 2. *not 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.*

This obligation shall continue upon the each Board office staff member's separation from employment.

- ix. *Staff members of the Board office shall not take for personal use at any time, including separation from employment, any items purchased by the Board, including electronic equipment and office supplies.*

5. 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 the Executive Director, the 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.

6. 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 *for the Board office staff any* 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).
- b. *The Board Investigators are is responsible for identifying necessary and appropriate orientation and any formal or specialized training in areas unique to their duties and obligations and/or required by the Board.*

~~7. 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.~~

8. 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.
9. State of Nevada Employee Handbook. As appropriate and applicable, the *most recent version of 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~~ *policy* or any associated administrative procedure(s).

Revision History

2/12/2021	Adopted	
3/4/2022	Reviewed and revised	Updated information on PERS benefits
6/6/2022	Revised	Updated limits of accrued vacation and sick leave; Defines benefits for Executive Director
5/12/2023	Revised	Revised hourly rate for part time staff
2/9/2024	<i>Reviewed and revised</i>	<i>Revised to add Board Investigators and Board Office Staff, and to remove Performance Evaluations in favor of the Board's separate Staff Performance Evaluation Procedure</i>

ADDENDUM A – Salary *and Pay* Schedules

Executive Director ~~/Assistant Executive Director~~ Salary Schedule (2% annual increase)

Plan A
Employer *PERS* Contribution

STEP	PER YEAR
01	\$56,783
02	\$57,919
03	\$59,077
04	\$60,259
05	\$61,464

Plan B
Employer/Employee *PERS* Contribution

STEP	PER YEAR
01	\$68,828
02	\$70,204
03	\$71,608
04	\$73,040
05	\$74,501

Administrative Director Salary Schedule (2% annual increase)

*Plan A
Employer *PERS* Contribution*

<i>STEP</i>	<i>PER YEAR</i>
<i>01</i>	<i>\$49,500</i>
<i>02</i>	<i>\$50,490</i>
<i>03</i>	<i>\$51,500</i>
<i>04</i>	<i>\$52,530</i>
<i>05</i>	<i>\$53,581</i>

*Plan B
Employer/Employee *PERS* Contribution*

<i>STEP</i>	<i>PER YEAR</i>
<i>01</i>	<i>\$60,000</i>
<i>02</i>	<i>\$61,200</i>
<i>03</i>	<i>\$62,424</i>
<i>04</i>	<i>\$63,672</i>
<i>05</i>	<i>\$64,945</i>

Board Investigator Salary Schedule (2.5% annual increase; *Not PERS eligible*)

STEP	HOURLY
	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)

STEP	HOURLY
	Maximum 4 Hours per day or up to 20 Hours per Week
01	\$20.00
02	\$20.40
03	\$20.81
04	\$21.23
05	\$21.65



**NEVADA STATE
BOARD OF PSYCHOLOGICAL EXAMINERS
Staff Performance Evaluation Procedure**

Purpose

In accordance with ~~Nevada state law~~ (NRS 641.045), this procedure describes the process for reviewing the performance of the staff of the Nevada State Board of Psychological Examiners ("Board").

Definitions

1. "Staff member" refers to *the Board's staff, including its Executive Director, Board Investigators, and Board Office Staff members.* ~~a permanent staff member(s) in the Board office.~~ It does not include ~~Board investigators,~~ temporary employees, or independent contractors/consultants.
2. "Work Performance Standards" are written statements of the results and/or behavior expected of an employee when the job elements are satisfactorily performed under existing working conditions. Standards are required for all positions, and employees will be provided with a copy of the standards for their positions.

Procedure

1. The staff performance evaluation process is based on the principle that performance should be evaluated on a regular basis in order to provide recognition of effective performance and as a tool to provide guidance in improving future performance.
2. Executive Director Performance Evaluation
 - a. Evaluation of the Executive Director shall be conducted by the Board President. If the Board President is not able or available to conduct the evaluation, the Secretary-Treasurer shall conduct the evaluation.
 - b. The Executive Director shall have the opportunity to provide a self-evaluation and to comment on the evaluation prior to review by the Board. The Board President will discuss the evaluation with the Executive Director and provide him/her with a copy.
 - c. The Executive Director shall sign the final evaluation, indicating that he/she has reviewed the document and discussed it with the Board President. The signature does not indicate agreement with the ratings or comments.

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- d. The Board shall formally review and take action on the annual evaluation in a publicly noticed meeting.
- e. The performance review of the Executive Director shall be conducted ~~on an annual basis~~ *annually*, generally in March/April for review by the Board in May/June.
- * In the Executive Director's first year of employment, the Board President may conduct informal performance reviews on a quarterly basis *in accordance with the Board's Employment, Compensation, and Evaluation Policy* until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.
- f. If an evaluation rating of "Needs Improvement" is given, another evaluation must be completed within 90 days. The rating may affect adjustments in salary based on merit and longevity pay.
- g. Rating System
- i. Outstanding. Performance significantly exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Significantly above-standard performance may be exhibited by consistently completing assignments in advance of deadlines; implementing plans and/or procedures to increase efficiency or effectiveness of work; working independently with little direction; and consistently meeting Board goals.
 - ii. Above Average. Performance exceeds the Board's expectations due to the efforts and ability of the Executive Director when considering the job in its entirety. Performance is beyond what is expected of an Executive Director in this position.
 - iii. Average. Performance meets the minimum expectations of the Board. The Executive Director adequately performs the duties and responsibilities of the position.
 - iv. Needs Improvement. The Executive Director's performance fails to meet the Board's minimum expectations due to lack of effort and/or ability when considering the job in its entirety. Performance requires improvement in numerous and/or important aspects of the position.
 - v. Not Applicable. Rater is unable to assess the Executive Director in this area, or the area is not applicable to the employee's job.

3. Board Investigator Performance Evaluation

- a. *Evaluation of each Board Investigator shall be conducted by the Board President. If the Board President is not able or available to conduct the evaluation, the Secretary-Treasurer shall conduct the evaluation.*
- b. *Each Board Investigator shall have the opportunity to provide a self-evaluation and to comment on the evaluation prior to review by the Board. The Board President will discuss each Board Investigator's evaluation with that Board Investigator provide him/her with a copy.*
- c. *The Board Investigator shall sign the final evaluation, indicating that he/she has reviewed the document and discussed it with the Board President. The signature does not indicate agreement with the ratings or comments.*
- d. *The Board shall formally review and take action on the annual evaluation in a publicly noticed meeting.*
- e. *The performance review of each Board Investigator shall be conducted annually, generally in March/April for review by the Board in May/June.*
- f. *If an evaluation rating of "Needs Improvement" is given, another evaluation must be completed within 90 days. The rating may affect adjustments in salary based on merit and longevity pay.*
- g. *Rating System. The rating system for office staff shall mirror that of the Executive Director and use the ratings categories of Outstanding, Above Average, Average, Needs Improvement, and Not Applicable.*

4. Office Staff Performance Evaluation

- a. Evaluation of other *members of the* office staff shall be conducted by the Executive Director.
- b. The staff *member* shall have the opportunity to provide a self-evaluation and to comment on his/her evaluation prior to review and discussion with the Executive Director. The Executive Director will discuss the evaluation with the staff member and provide him/her with a copy.
- c. The staff member shall sign the final evaluation, indicating that he/she has reviewed the document and discussed it with the Executive Director. The signature does not indicate agreement with the ratings or comments.
- d. The Board shall formally review and take action on the annual evaluation in a publicly noticed meeting.
- e. The performance review shall be conducted *annually* ~~on an annual basis~~, generally in March/April for review by the Board in May/June.

* In a staff member's first year of employment, the Executive Director may conduct informal performance reviews on a quarterly basis *in accordance with the Board's Employment, Compensation, and Evaluation Policy* until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.

f. Rating System. The rating system for office staff shall mirror that of the Executive Director *and use using* the ratings categories of Outstanding, Above Average, Average, Needs Improvement, and Not Applicable.

~~g. The performance review of staff shall be conducted on an annual basis, generally in April.~~

~~i. Employees in their first year of employment shall be considered probationary and will be every three months until the start of the new fiscal year. At such time, the annual evaluation calendar shall begin.~~

5. Disputes

a. The Executive Director may discuss any concerns or questions related to the evaluation conducted by the Board President with the Board during the publicly noticed meeting. The finding of the Board is final, and no further appeal of the evaluation is available.

b. A Board Investigator may discuss any concerns or questions related to the evaluation conducted by the Board President with the Board during the publicly noticed meeting. The finding of the Board is final, and no further appeal of the evaluation is available.

c. *Members of the Board Office* Staff may bring any concerns or questions related to the evaluation conducted by the Executive Director to the Board during the publicly noticed meeting. The finding of the Board is final, and no further appeal of the evaluation is available.

6. Records Retention. The original copy of any evaluation will be maintained by the Board Office *in the Board employee's, in the Executive Officer or other staff member's* Personnel File.

7. See Board Policy "Employment, Compensation, and Evaluation" for information related to annual pay increases and disputes related to performance evaluation.

Revision History

<i>3/26/2021</i>	<i>Adopted</i>	
<i>2/9/2024</i>	<i>Reviewed and revised</i>	<i>Revised to include Board Investigators and refer to the Board's Employment, Compensation, and Evaluation Policy</i>

Nevada Board of Psychological Examiners
Board Meeting Staff Report

DATE: February 9, 2024

ITEM:

12 – (For Possible Action) Discussion and Possible Action to Approve beginning the process of revising NAC 641.019 to increase biennial renewal fees from \$600 to \$650.

SUMMARY:

During its January 22, 2024, meeting, the Board approved the executive director's request to create an Administrative Director role for the Board office and to move the Board office to Las Vegas. The information that the executive director created and presented were visual representations of the Board's current financial position as it relates to the newly-created position and Board office move, and the benefit to the Board office if the Board would consider raising its biennial renewal fees from \$600 to \$650. In the context of the request before the Board during the January 22, 2024, meeting, the executive director explained that the additional projected revenue from renewals plus a small biennial fee increase would absorb the cost of the new role, and the board's ongoing income would help the Board office be able to develop its operations and staff to handle the increasing demand on the Board office.

In order to continue the conversation regarding Nevada's biennial fees, the executive director has included it as an agenda item for this meeting to gauge the Board's appetite for a small renewal fee increase and any public comment there may be. In anticipation of a discussion around raising biennial fees, some factors to consider in addition to developing a sufficiently staffed and an efficient and effective Board office are:

- The Nevada legislature allows this Board to charge and collect up to \$850 in biennial renewal fees (NRS. 641.228).
- When the Board last discussed raising its renewal fees in 2019 and then raised them from \$500 to \$600, it referenced, among other things:
 - o what NRS 641.228 allowed it to charge, but opted for an incremental increase at that time to enable the Board to evaluate the needs and increase as necessary over the next 20 years;
 - o the Board's interest in providing the service required to the licensees and the public, and in continuing to meet the requirements of the state;
 - o the costs of Board office operations;

- states with renewal fees equal to or higher than Nevada's;
 - that some states with lower fees (i.e. Utah and Colorado) were under an umbrella Board, which can undermine the independent of the profession;
 - enabling the Board to evaluate the needs and increase as necessary over the next 20 years as it relates to what the fees that NRS 641.228 permit.
- The costs to the Board office to run – utilities, online and software service fees, state-provided service fees (IT services related to phone and email and those provided by the Attorney General) – increase from fiscal year to fiscal year, not to mention that PERS has increased an additional 2% for employee/employer paid and 4% for employer paid from last fiscal year.
- There are a number of other states that charge about the same as and more than Nevada for their renewal fees, as follows:
- Alaska and Arizona - \$500 (biennial)
 - California - \$825 (biennial)
 - Connecticut - \$570 (annual)
 - Montana - \$600 (annual)
 - Oklahoma - \$400 (annual)
 - Oregon - \$600 (biennial)
 - Texas - \$424 (annual)

As the Board noted in 2019, States that charge lower renewal fees may be under the auspices of an umbrella board, whereas this Board is independent. Some of those States also have differences in the levels of professional licensing they provide, whereas Nevada offers a single Psychologist license.

NBOPE Projected Financials With New Board Office Position And Move to Las Vegas Q3 & Q4 (2023-2024 biennium)



