

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

DATE OF MEETING: Friday, March 8, 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/81618893193>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **816 1889 3193**. (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 R095-23) 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' February 9, 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 a Bank of America credit card to be issued in Administrative Director Sarah Restori's name with a \$5,000.00 limit.

C. (For Possible Action) Discussion and Possible Action to Approve the Proposed Contract for a Hearing Officer in Complaint #19-0626 and Complaint #24-0103.

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 #23-0612
- C. Complaint #23-0801
- D. Complaint #23-0905
- E. Complaint #23-0918
- F. Complaint #24-0103
- G. Complaint #24-0202
- H. Complaint #24-0228

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

PSYCHOLOGICAL ASSISTANTS

Jeffrey Aguiar	Emerson Epstein	Richelle Konczak	Daniela Sandelin
Rachel Ballard	Evan Fertel	Dorota Krotkiewicz	Coreen Schwartz Starr
Ramy Bassioni	Jacqueline Friar	Taylor Levine	Sharon Simington
Brian Broomand	Grady Gallagher	Alexandra Miguel	Katherine Stypulkowski
Andrew Buchanan	Michelle Gaston	Desiree Misanko	Holly Summers
Candis Carswell	Cori Gold	Luzviminda Morrow	Heather Thompson
Rosy Chavez-Najera	Milagro Gonzalez	Blake Oldfield	Christine Vaughan
Taylor Chille	Kimberly Gray	Dylena Pierce	Marijo Villano
Ashley Colson	Jennifer Grimes-Vawters	Eric Prince	Kelsey Zaugg
Althea Cook	Joseph Henrich	Leilani Puentes	
Jessica Crellin	Akiko Hinds	Jacquelyn Rinaldi	
Kaleb Cusack	Kelly Humphreys	Shannon Rojas	
Samantha del Castillo	Courtney Hutchinson	Farnaz Samavi	
	Kayla Kaiser		

PSYCHOLOGICAL INTERNS

Lorraine Apodaca	Michelle Harden	Kayla Kaiser	Barbara Sommer
Shannon Colon	Tiffany Hunter	Erica Marino	Megan Tedrow
Mario De Souza	Jessica Jensen	Sherley Pierre	Candice Thomas
Paola Garcia Betancourt	Jeanine Johnson	Coreen Schwartz	Richard Warmke
Sussan Fung	Lauren Johnson	Ruby Sharma	Charlotte Watley
Michelle Gaston	Shalini Kabeer	Jasmin Smith	Rachel Wiggins
Daniel Gonzalez			

PSYCHOLOGICAL TRAINEES

Marissa Alvarez	Kinsey Ellis	Jessica Jensen	Jason Sadora
Vanni Arcaina	Michael Fensken	Cynthia Johnston	Shannon Sagert
Glenn Blessington	Leila Gail	Lee Haeun	Christine Salva
Dominique Cheung	Paola Garcia Betancourt	Julia Maranville	Mary Smirnova
Adaeze Chike-Okoli	Grace Goodwin	Nicole Martinez	Madison Thomasson
Kieffer Christianson	Kaelyn Griffin	Michael McNamara	Teresa Walker
Anna Cole	Brandon Hunley	Sara Moore	Bailey Way
Aimee D'Errico	Madison Hurley	Karisa Deandra Odrunia	Jessica Woodyatt
Erin Dunn	Bianca Islas	Ananda Peixoto-Couto	
Jacqueline Eddy	Todd Jennings	Bianca Reaves	

- A. (For Possible Action) Discussion and Possible Action on Dr. Shantrice Gibson's application to reactivate her inactive license.
- B. (For Possible Action) Discussion and Possible Action on Dr. Kathleen Krach's application to reactivate her inactive 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 the Board hiring Dr. Whitney Owens as a Board Investigator on or after July 1, 2024, after her departure from the Board.

12. (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, April 12, 2024, beginning at 8:00 a.m.

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

14. 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 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)

15. (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, March 7, 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, March 5, 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/2024/2024_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).

Attachment A

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 March 8, 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/81618893193>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **816 1889 3193**. (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. R095-23: A REGULATION relating to psychology; interpreting the term "mental examination" for certain purposes; increasing the number of hours of instruction relating to cultural competency that a psychologist is required to complete; prohibiting a licensee from disclosing psychological test material under certain circumstances; updating certain information concerning a publication adopted by reference; 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, Ste. 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 October 13, 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 the proposed revisions are intended to provide clarity to psychologists and the public regarding the impact to the Board's regulations of 2023 AB244, which was enacted during the 2023 Legislative session, and to align the Board's continuing education requirements with 2023 AB267, also enacted during the 2023 Legislative session.

(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 March 7, 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 February 6, 2024

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

LCB File No. R095-23

January 24, 2024

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

AUTHORITY: § 1, NRS 641.100 and section 1 of Assembly Bill No. 244, chapter 503, Statutes of Nevada 2023, at page 3141; § 2, NRS 641.100 and 641.220, as amended by section 5 of Assembly Bill No. 267, chapter 202, Statutes of Nevada 2023, at page 1180; §§ 3 and 4, NRS 641.100.

A REGULATION relating to psychology; interpreting the term “mental examination” for certain purposes; increasing the number of hours of instruction relating to cultural competency that a psychologist is required to complete; prohibiting a licensee from disclosing psychological test material under certain circumstances; updating certain information concerning a publication adopted by reference; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

With certain exceptions, existing law grants a person compelled to submit to a mental examination pursuant to a court order, a contractual obligation or any other type of obligation. (Section 1 of Assembly Bill No. 244, chapter 503, Statutes of Nevada 2023, at page 3141)

Section 1 of this regulation provides that, for purposes of these requirements, the Board of Psychological Examiners will interpret the term “mental examination” to mean a comprehensive clinical interview in which psychosocial data is collected.

During the 2023 Legislative Session, the Legislature enacted Assembly Bill No. 267 (A.B. 267), which increased from 2 to 6 the number of hours of instruction relating to cultural competency and diversity, equity and inclusion a psychologist must receive as a prerequisite for the renewal of a license. (NRS 641.220, as amended by section 5 of Assembly Bill. No. 267, chapter 202, Statutes of Nevada 2023, at page 1180) **Section 2** of this regulation revises the requirements for continuing education in existing regulations to conform with the changes made by A.B. 267.

Existing law authorizes the Board to adopt regulations governing the practice of psychology. (NRS 641.100) Existing regulations prohibit a psychologist or licensed behavior analyst from reproducing or describing psychological tests or other assessment procedures in a

manner which may invalidate the tests or procedures. (NAC 641.234) **Section 3** of this regulation prohibits a licensee from disclosing psychological test material to any person or during any judicial proceeding, administrative proceeding or legislative proceeding, unless an exception applies. **Section 3** also: (1) authorizes a person who is the subject of a psychological test or assessment procedure to request that records related to the psychological test or assessment procedure be disclosed to a designated psychologist; and (2) prescribes requirements relating to such a request. Existing regulations adopt by reference the *Ethical Principles of Psychologists and Code of Conduct* adopted by the American Psychological Association. (NAC 641.250) **Section 4** of this regulation makes a technical change to reflect the correct Internet address at which a person may obtain a copy of this publication free of charge.

Section 1. Chapter 641 of NAC is hereby amended by adding thereto a new section to read as follows:

1. As used in section 1 of Assembly Bill No. 244, chapter 503, Statutes of Nevada 2023, at page 3141, the Board will interpret the term “mental examination” to mean a comprehensive clinical interview in which psychosocial data is collected. The term may include, without limitation, the completion of a psychological examination or mental status examination by a licensed psychologist, psychological assistant, psychological intern or psychological trainee. The term does not include psychological testing.

2. As used in this section, “psychological testing” means the administration of testing that uses standardized psychometric measures of psychological functioning, cognitive and motor functioning, symptom and performance validity and any other skill or ability used to provide a diagnosis or recommendation.

Sec. 2. NAC 641.136 is hereby amended to read as follows:

641.136 1. To renew his or her license, a psychologist must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, he or she has completed 30 hours of continuing education in courses approved by the Board. 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. At least ~~2~~ 6 hours must include instruction relating to cultural competency and diversity, equity and inclusion. Not more than 15 hours may be obtained from an approved home study course. A licensee may not receive credit for continuing education for a course in which he or she is the instructor.

2. Except as otherwise provided in subsection 3, the Board will accept the following types of continuing education courses or programs:

(a) Formally organized workshops, seminars or classes which maintain an attendance roster and are conducted by or under the auspices of an accredited institution of higher education offering graduate instruction.

(b) Workshops, seminars or classes which maintain an attendance roster and are certified or recognized by a state, national or international accrediting agency, including, but not limited to:

- (1) The American Psychological Association;
- (2) The American Psychiatric Association;
- (3) The American Medical Association;
- (4) The American Association for Marriage and Family Therapy;
- (5) The American Counseling Association;
- (6) The International Congress of Psychology; or
- (7) The National Association of Social Workers.

(c) Other workshops, classes, seminars and training sessions in psychology or a closely related discipline which have a formal curriculum and attendance roster and receive approval by the Board.

(d) Home study courses in psychology or a closely related discipline that are approved by the Board.

3. Before a licensee may receive credit for continuing education for a course in scientific and professional ethics and standards and common areas of professional misconduct, for a course in evidence-based suicide prevention and awareness, or for a course relating to cultural competency and diversity, equity and inclusion, the licensee must submit information concerning the course to the Board for approval of the course unless the Board has previously approved the course. The Board will make available at its office a list of courses and programs that are currently approved by the Board.

Sec. 3. NAC 641.234 is hereby amended to read as follows:

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

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

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

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

3. *Except as otherwise provided in subsection 4, a person who is licensed or registered by the Board shall not disclose psychological test material:*

(a) To any person, including, without limitation, the person who is the subject of the psychological test or assessment procedure; or

(b) During any judicial proceeding, administrative proceeding or legislative proceeding.

4. *A person who is the subject of a psychological test or assessment procedure may request that records related to the psychological test or assessment procedure be disclosed to a designated psychologist. Any such request must be made in writing and comply with all applicable federal and state laws relating to the disclosure of mental health information, including, without limitation, the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191. Upon receipt of such a request, a person who is licensed or registered by the Board shall disclose to the designated psychologist all records related to the psychological test or assessment procedure. Nothing in this subsection shall be construed to authorize the inspection of psychological test materials by a person who is the subject of a psychological test or assessment procedure.*

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

- (a) Provide a manual or other written material which fully describes the development of the procedure or service, the rationale therefor, evidence of the validity and reliability thereof, and characteristics of the group of persons which the procedure or service uses as a norm;
- (b) Explicitly state the purpose and application for which the procedure or service is recommended;
- (c) Identify special requirements which are necessary to administer and interpret the procedure or service properly; and
- (d) Ensure that advertisements for the procedure or service provide an accurate description of the procedure or service.

6. As used in this section, “psychological test material” has the meaning ascribed to the term “test material” in section 9.11 of the Ethical Principles of Psychologists and Code of Conduct adopted by reference pursuant to subsection 1 of NAC 641.250.

Sec. 4. 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, inclusive, in which case the provisions of NAC 641.200 to 641.255, inclusive, are controlling. A copy of the publication may be obtained free of charge from the American Psychological Association at 750 First Street, N.E. Washington, D.C., 20002-4242, Attention: Service Center, at the Internet

address ~~<http://www.apa.org/ethics/code.html>~~ <https://www.apa.org/ethics/code> or by telephone at (202) 336-5500.

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, inclusive, in which case the provisions of NAC 641.200 to 641.255, inclusive, are controlling. A copy of the publication may be obtained free of charge from the 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](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.