

## 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 10:30 a.m., on December 14, 2018 University of Nevada, Las Vegas, 4505 S. Maryland Pkwy. System Computing Services, Room 102, Las Vegas, NV 89154 And By video conference to University of Nevada, Reno System Computing Services room 47 Reno, Nevada 89557

The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter 641 of the Nevada Administrative Code.

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 R074-18: relating to psychology; revising provisions relating to the registration of psychological assistants, psychological interns and psychological trainees by the Board of Psychological Examiners; revising provisions relating to the supervision of psychological assistants, psychological interns and psychological trainees; imposing a fee for the initial registration and the renewal of a registration of a psychological assistant, psychological intern and psychological trainee; establishing standards by which a supervisor may seek reimbursement under the State Plan for Medicaid for certain services rendered by a psychological assistant, psychological intern or psychological trainee under his or her supervision; revising provisions relating to the employment of a psychological assistant, psychological intern or psychological trainee; and providing other matters properly relating thereto.

LCB File R169-18: relating to the Board of Psychological Examiners; increasing certain fees charged by the Board; revising the fee for the restoration to active status of a license as a psychologist on inactive status; and providing other matters properly relating thereto.

R171-18: relating to continuing education; revising provisions governing the format of continuing education courses which satisfy the continuing education requirements for certain licenses issued by the Board of Psychological Examiners; and providing other matters properly relating thereto.

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regulation is a temporary regulation, either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved.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

A copy of the proposed regulation can be obtained at the Boards website by going to [www.psyexam.nv.gov](http://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.**

The request for input regarding impact was sent to all licensed by the Board of Psychological Examiners. A workshop to hear input was held May 7 and October 12, 2018. All comments were heard by the Board and adjustments to the regulations were made as seen fit.

**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**

R169-18 does increase certain fees that are not listed in NRS 641. The Board was very careful to increase fees at a nominal rate. The Board's fees remain one of the lowest of surrounding states as noted in the sunset review evaluation. The slight increase is not meant to be detrimental to the public, but to allow the Board to continue to provide the highest level of service to their licensees and applicants.

R074-18 place clarifying statutes that require any person who is billing Medicaid may register persons who qualify as a Psychological Trainee to be reimbursed for their services, as required by NRS 641. The language should assist providers and expand training sites in the State of Nevada.

R171-18: Redefines distance continuing education, to be more aligned with the modern world.

**(b) Both immediate and long-term effects.**

Benefits stated above appear to be immediate and long term.

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

The Board believes that the cost of enforcement of the proposed regulations will be minimal.

**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.**

No duplication of a federal regulation.

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

R169-18: Increases fees that are listed in NAC 641, but are not also listed in NRS 641. These fees have not been changed in nearly 20 years. The increase of the fees, are to allow the Board to continue to provide the heightened level of fees without reducing staff or office space.

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 December 12, 2018 at 6:30 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 regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at State of Nevada Board of Psychological Examiners and in all counties in which an office of the agency is not maintained, at the main public library, 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 on the Internet 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, all licensed psychologists, all Nevada County Public Libraries, and posted at the Board's website at <http://psyexam.nv.gov> and the following locations:

Carson City Hall, 201 N. Carson Street, Carson City, NV

Office of the Attorney General, Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV

Board of Psychological Examiners, 4600 Kietzke Lane, Bldg B-116, Reno, NV