

## **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 8:40 a.m., on February 12, 2021. Due to COVID-19 and Governor Sisolak's Emergency Mandate to Stay at Home for Nevada and Directive 006, this meeting will only take place via Zoom. Individuals are invited to participate in the meeting remotely. On the scheduled day and time, enter the meeting from the Zoom website at: <https://zoom.us/j/98305171747>. The meeting ID is **983 0517 1747**. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID.

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 No. R115-19: A REGULATION relating to psychologists; clarifying certain requirements concerning the licensure by the Board of Psychological Examiners of a person who is engaged in the teaching of psychology or psychological research; requiring a psychologist to designate a custodian of health care records; requiring a psychologist who intends to cease providing services to provide certain notice to the Board and to his or her patients; requiring the custodian of the records of a psychologist who has died or discontinued practice to maintain such records for a period of time; revising provisions governing the education and experience required to be completed by an applicant for licensure as a psychologist; and providing other matters properly relating thereto.

LCB File No. R173-20 (Previously known as R131-15): A REGULATION relating to psychologists; clarifying certain requirements concerning the licensure by the Board of Psychological Examiners of a person who is engaged in the teaching of psychology or in psychological research; and providing other matters properly relating thereto.

LCB File No. R114-19. A REGULATION relating to psychology; establishing requirements for applications for licensure as a psychologist submitted by an applicant who has completed a training program outside the United States that is not accredited by the American Psychological Association; and providing other matters properly relating thereto.

#### **2. 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 Board's website by going to <http://psyexam.nv.gov/About/Amendments/>, 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. 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 increased cost to Psychologists in Nevada as a result of adoption of any of the proposed regulations and, therefore, no adverse or beneficial effects.

(b) Both immediate and long-term effects.

There should be no increased cost to Psychologists in Nevada as a result of adoption of any of the proposed regulations and, therefore, no immediate or long-term effects.

**4. 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 licensees of the Board of Psychological Examiners. A workshop to hear public input was held on November 13, 2020 for LCB File Nos. R173-20, R114-19, and R115-19. An additional workshop to hear public input on LCB File No. R115-19 was held on December 11, 2020.

**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.**

There should be no duplication of a federal regulation.

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

There are no new fees or increases to an existing fee in any of the proposed regulations.

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 11, 2021 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 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, posted at the Board's website at <http://psyexam.nv.gov> and the State of Nevada website at <https://notice.nv.gov/> and the follow locations (if currently open and accessible to the public):

Carson City Hall, 201 N. Carson Street, Carson City, NV  
Office of the Attorney General, 100 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