

## 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 April 12, 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/87284243088>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **872 8424 3088**. (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, 3080 South Durango Drive, Suite 102, Las Vegas, Nevada, 89117.

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](mailto: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.

LCB File No. R002-24: A REGULATION relating to psychology; revising provisions relating to the supervision of psychological assistants, psychological interns and psychological trainees; 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](http://www.psyexam.nv.gov), or by contacting the Board of Psychological Examiners at 702-276-0926 or 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117. 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.

R095-23: A workshop to present the proposed changes and hear public input on R095-23 was held on October 13, 2023.

R002-24: A workshop to present the proposed changes and hear public input on R002-24 was held on November 3, 2023, and December 15, 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**

R095-23: 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.

R002-24: There should be no adverse effects to Psychologists in Nevada. The beneficial effects of the proposed revisions are intended to provide clarity related to the supervision by Psychologists of Psychological Assistants, Psychological Interns, and Psychological Trainees.

**(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, 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117. Written submissions must be received by the State of Nevada Board of Psychological Examiners on or before April 11, 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 (3080 South Durango Drive, Suite 102, Las Vegas, NV 89117).

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