

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

DATE OF MEETING: Friday, July 18, 2025

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/85832626174>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **858 3262 6174**. (The Board office recommends that individuals unfamiliar with ZOOM 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, located at 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117.

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) Workshop to Solicit Comments on Proposed Regulation Revisions to Align with 2025 SB251 (Provisional Licensure for Psychological Assistants and Psychological Interns) and 2025 AB196 (repealing the requirement to register firms, partnerships, or corporations with the Board) (See Public Notice – Attachment A) and Possible Action to Forward the Proposed Regulation Revisions to a Hearing at a Future Meeting of the Nevada Board of Psychological Examiners in Accordance with NRS Chapter 233B.**
- 4. Minutes. (For Possible Action) Discussion and Possible Action to Approve the Minutes of the State of Nevada Board of Psychological Examiners' June 13, 2025, Meeting.**
- 5. Financials**
 - A. (For Possible Action) Discussion and Possible Action to Approve the Final Treasurer's Report for Fiscal Year 2025 (July 1, 2024 - June 30, 2025).
 - B. (For Possible Action) Discussion and Possible Action to Approve the Budget for Fiscal Year 2026.
 - C. (For Possible Action) Discussion and Possible Action to Revise the Board's Renewed Independent Contractor Agreement with its bookkeeper, Michelle Fox.
- 6. Legislative/Regulation Update**
 - (For Possible Action) Report, Discussion and Possible Action on Regulation Activities and Legislative Activities, including the work of Interim Committees, 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. Report from the Nevada Psychological Association.**
- 8. Report from the Board Office on Operations.**
 - A. Report From the Board Office on Operations.

B. Board Officer Voting.

- i. (For Possible Action) Discussion and Possible Action to Select Officers for the State of Nevada Board of Psychological Examiners for a One-Year Term from July 1, 2025, through June 30, 2026, from the Current Board Membership:

Monique Abarca
Lorraine Benuto
Soseh Esmaeili
Stephanie Holland

Robert Moering
Catherine Pearson
Stephanie Woodard

Officers to be selected may include:

- Board President
- Secretary/Treasurer
- Continuing Education Review Officer
- Non-Resident Consultant Application Review Officer
- Exam Officer

- ii. (For Possible Action) Discussion and Possible Action to Select the Membership of the Application Tracking Equivalency and Mobility (ATEAM) Committee for a One year Term from July 1, 2025, through June 30, 2026, from the Current Board Membership:

Monique Abarca
Lorraine Benuto
Soseh Esmaeili
Stephanie Holland

Robert Moering
Catherine Pearson
Stephanie Woodard

Current Members of the ATEAM Committee are Soseh Esmaeili, Stephanie Holland, and Catherine Pearson.

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

- A. Complaint #19-0626
- B. Complaint #23-0918
- C. Complaint #24-0103
- D. Complaint #24-0312(1)
- E. Complaint #24-0312(2)
- F. Complaint #24-0605
- G. Complaint #24-0607

- H. Complaints #24-0711
#24-0719
#24-0726
#24-0823
- I. Complaint #24-0730
- J. Complaint #24-0829
- K. Complaint #24-0903
- L. Complaint #24-1202
- M. Complaint #25-0110
- N. Complaint #25-0324
- O. Complaint #25-0331
- P. Complaint #25-0410
- Q. Complaint #25-0414
- R. Complaint #25-0519(1)
- S. Complaint #25-0519(2)
- T. Complaint #25-0616

10. (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

Kaitlyn Abrams
Andrew Ahrendt
Onyinyechi Anukem

Erick Arguello
Katia Arroyo Carrion
Anna Arya

Meredith Avedon
Elsa Baena
Rachel Bangit

Adam Barkey
Blair Batky
Brian Benjamin

Debra Berry-Malmberg	Vanessa Fuentes	Angela Lewis	Eric Rosmith
Charles Bichajian	Tyson Furr	Benjamin Loew	Taraneh Rostami
Jennifer Blitz	Mindia Gabichvadze	Anna Lujan-Sondgroth	Benjamin Rubin
Leah Bonilla	Colin Gallagher	Chelsea Mackey	Daniel Schellenberg
Michelle Brandon	Saacha Gates	Heather Manor	Jared Seltzer
Hunter Brown	Kylie Gelin	Genna Mashinchi	Kameron Sheikh
Keri Brown	Teresa George	Sarah Mauck	Dianne Shumay
Troy Bruner	Matthew Gibbons	Katherine McKenzie	Laljit Sidhu
Lauren Buchanan	Shahla Gorovoy	Paul McLaughlin	Katelyn Steele
Brian Burgess	Kimberly Gray	Carol McLean	Willann Stone
Ramona Burroughs	Lisa Gunderson	Linda McWhorter	Amy Swope
Jonathan Campos	Michelle Haines	Lorena Michel	Tara Tanaka
DeAnn Cary	Aeriel Halstead	Desiree Misanko	Matthew Tatum
Jerry Chen	Erica Hanna	Christine Moberg	Michelle Tatum
Brandi Chew	Fredrica Hendrix	Mark Mochin	Clary Tepper
Christine Chew	Beverly Howze	Luzviminda Morrow	Lee Underwood
Taylor Chille	Kelly Humphreys	Mary Nelson	Amy Vail
Chad Christensen	Clairissa Hunter	Robert Nemerovski	Keith Valone
Tasman Cleaver	Jennifer Im	Stephanie Northington	Brittany Voelker
Brian Clemente	Mark Ingram	Hae Kyung Park	Ina Von Ber
Alyssa Cohen	Tina Jimenez	Beverly Paschal	Michelle Vorwerk
David Contreras	Deborah Johnson	Stephanie Phan	Corinne Votaw
Wanda Crews	Natalie Jones	Renata Pleshchuk-Kowalski	Allison Vreeland
Shannon Dillon	Kathi Jones-Lorenz	Daniel Pott-Pepperman	Bethany Walters
Elizabeth Dimovski-Jackson	Jorge Juarez-Asturias	Stephanie Procell	Nelson Walters
Anna Dolatabadi	Cody Kaneshiro	Maxwell Rappoport	Rhea Waters
Christine Dozier	Robin Kay	Wendy Raskey	Charlotte Watley
Alana Duschane	Kristopher Kern	Lee Rather	Frank Weber
Ahmed Elsokkary	Veronica King	Rachelle Rene	Michael Whitman
Julian Filoteo	Kele Kirschenbaum	Danielle Richards	Stephen Winston
Glory Finnegan	Charalambos Kyriacou	Jason Richardson	Christine Winter
John Fite	Sandra Lawrence-Clarke	Jacquelyn Rinaldi	Caedy Young
Gratia Foerster	George Lazo	Kristin Robinson	Elisa Youngblood
Deborah Fraser	Robert Leach	Shannon Rocker	Gordon Zilberman
Sylva Frock	Andrew Leone	Jessica Roos	

PSYCHOLOGICAL ASSISTANTS

Rachel Ballard	Althea Clark	Dorota Krotkiewicz	Eric Prince
Rosalind Banks	Althea Cook	Taylor Levine	Audrie Reilly
Rachel Barry	Emerson Epstein	Anna Lujan-Sondgroth	Yana Ryjova
Tracy Basile	Amelia Evans	Erica Marino	Hannah Salanoa
Mark Beverly	Gianna Famolare	Genna Mashinchi	Shweta Sharma
Keerat Bhatti	Milagro Gonzalez	Michael McNamara	Shoshana Katz Shumaker
Amira Blake	Kimberly Gray	Michellane Mouton	Sharon Simington
Judit Brissette	Aeriel Halstead	Blake Oldfield	Mary Smirnova
Candis Carswell Mitchell	Akiko Hinds	Dylana Pierce	Michelle Strong
Angelica Castro Bueno	Tiffany Hunter	Ashley Poston	Michelle Tatum
Taylor Chille	Madison Hurley	Amy Prescott	Monica Zepeda Rojo
	Dimitra Kourtesi		

PSYCHOLOGICAL INTERNS

Adaeze Chike-Okoli	Jacqueline Eddy	Sussan Fung	Tiaira Green
Lallabrigida Cooper-Singleton	Jacqueline Friar	Daniel Gonzalez	Ludyvina Hernandez

Tiffany Hunter
Chiante' Jemison
Lauren Johnson

Shalini Kabeer
Michael McNamara
Sara Moore

Bianca Reaves
Miriam Vela-Sanchez
Richard Warmke

PSYCHOLOGICAL TRAINEES

Hoor Ul Ain
Lily Akana
Marissa Alvarez
Linnea Bacon
Kylie Baer
Nandita Banik
Glenn Blessington
Lilla Brody
Maayra Butt
Carter Causse
Adaeze Chike-Okoli
Kieffer Christianson
Delaney Collins

Regine Deguzman
Monica Done
Ashley Dorsey
Erin Dunn
Randolph Dupont
Addison Duvall
Roshia Feizi Lighvan
Tatev Gaboyan
Kaelyn Griffin
Sneha Gupta
Michelle Harden
Haleigh Harris
Bianca Islas

Sierra Ann Jarvis
Kaye Jordan
Edwin Jurado
Sarah Lage
Poorvi Minns
Sara Moore
Eibhlis Moriarty
Maegan Nation
Frank Nieblas
Karisa Deandra Odrunia
Ananda Peixoto-Couto
Mattea Pezza
Sherley Pierre
Savannah Quach

Bianca Reaves
Melanie Rede
Lauren Reyes
Shannon Sagert
Madison Thomasson
Angelos Tsalafof
Karen Valle Frias
Teresa Walker
Lidia Wossen
Brenda Zavala

- (For Possible Action) Discussion and Possible Action on whether a licensure applicant's background check findings and professional conduct history will constitute disqualification for licensure.

11. (For Possible Action) Discussion and Possible Action to Approve Establishing a Behavioral Health and Wellness Practitioner Advisory Group as Required by 2025 SB165.

12. (For Possible Action) Discussion and Possible Action to Approve the Executive Director's Vacation request.

13. (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, August 22, 2025, beginning at 8:00 a.m.

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

15. 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)

16. (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 (702) 276-0926 no later than 4 p.m. on Thursday, July 17, 2025.

For supporting materials, visit the Board's website at <https://psyexam.nv.gov/> or contact the Board office by telephone (702-276-0926), e-mail (nbop@govmail.state.nv.us), or in writing at Board of Psychological Examiners, 3080 South Durango Drive, Suite 102, Las Vegas, Nevada 89117.

In accordance with NRS 241.020, this public meeting notice was properly posted at or before 8 a.m. on Tuesday, July 15, 2025, at the following locations:

- Board office located at 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117;
- Nevada Public Notice website: <https://notice.nv.gov/>; and
- Board's website at https://psyexam.nv.gov/Board/2025/2025_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

STATE OF NEVADA BOARD OF PSYCHOLOGICAL EXAMINERS
NOTICE OF WORKSHOP TO SOLICIT COMMENTS
ON PROPOSED REGULATIONS

DATE OF MEETING: Friday, July 18, 2025

Time: 8:05 a.m.

The Nevada State Board of Psychological Examiners is proposing the amendment of certain regulations in Chapter 641 of the Nevada Administrative Code.

A workshop has been scheduled for Friday, July 18, 2025, at 8:05 a.m. The workshop 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/85832626174>. To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID: **858 3262 6174**. (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, located at 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117.

The purpose of the workshop is to solicit comments from interested persons on the following general topics that are addressed in the proposed regulation revisions:

- NAC 641.019, 641.080, 641.151, 641.1515, 641.15165, 641.1685, 641.15195, 641.158, 641.120, and 641.234 – Revisions to NAC Chapter 641 to align with 2025 [SB251](#) (providing for the provisional licensure of Psychological Assistants and Psychological Interns); and
- NAC 641.1505 – Revisions to NAC Chapter 641 to align with 2025 [AB196](#) (repealing NRS 641.2265 - registration of firms, partnerships or corporations with the Board).

Language has been developed outside of the workshop and will be discussed during the workshop. If you are unable to attend the workshop but wish to submit any questions, concerns or general input, please submit them in writing to the Board office State of Nevada Board of Psychological Examiners, 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117 or NBOP@govmail.state.nv.us not later than Thursday, July 17, 2025, at 5 p.m. All statements received will be provided to the Board during the workshop. Please contact the Board office if you are interested in reviewing the language that will be presented to the Legislative Counsel Bureau (LCB).

This Notice of Workshop to Solicit Comments on Proposed Regulation has been properly posted on or before 8:00 a.m. on Thursday, July 3, 2025, at:

- the Board office located at 3080 South Durango Drive, Suite 102 in Las Vegas, NV,
- the Nevada Public Notice website (notice.nv.gov),
- the Board's website (https://psyexam.nv.gov/Board/2025/2025_BOARD_MEETINGS/), and
- the Nevada Legislature's notice website (<https://www.leg.state.nv.us/App/Notice/A/Submit>)

Notice has also been sent to all licensees and persons on the agency's mailing list for administrative regulations.

Date: July 1, 2025

Nevada Board of Psychological Examiners Board Meeting Staff Report

DATE: July 18, 2025

ITEM:

3 - (For Possible Action) Workshop to Solicit Comments on Proposed Regulation Revisions to Align with 2025 SB251 (Provisional Licensure for Psychological Assistants and Psychological Interns) and 2025 AB196 (repealing the requirement to register firms, partnerships, or corporations with the Board) and Possible Action to Forward the Proposed Regulation Revisions to a Hearing at a Future Meeting of the Nevada Board of Psychological Examiners in Accordance with NRS Chapter 233B.

SUMMARY:

Senate Bill 251:

During the 2025 Legislative Session, Senate Bill 251, which changes Psychological Assistants' and Psychological Interns' designation with the Board from Registered to Provisionally Licensed, was passed and became law. The change in the law became effective:

- upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act (May 31, 2025), and
- On January 1, 2026, for all other purposes.

Because there are a number of the Board's regulations that concern the registration of Psychological Assistants and Psychological Interns, the Board office has identified those regulation provisions and prepared a draft of what revisions will need to be made by way of the regulation revision process. During its June 13, 2025, meeting, the Board approved moving forward through the regulatory process (a Board regulatory workshop followed by a Board regulatory hearing once an LCB draft is available) to align NAC Chapter 641 with 2025 SB251, and the Regulatory Workshop scheduled to take place during the July 18, 2025, meeting has been properly noticed.

Assembly Bill 196:

The 2025 legislature also passed Assembly Bill 196, which, in relevant part, repeals the statutory requirement that firms, partnerships, and corporations register with the Board. *See* NRS 641.2265. AB196 goes into effect on October 1, 2025. There is a parallel regulatory provision also requiring business entity registration with the Board – NAC 641.1505. In order to avoid confusion and to align with the changes to NRS Chapter 641, the regulations should be revised to repeal that requirement, and that revision has been included in the properly-noticed Regulatory Workshop the Board approved to take place and that is scheduled to take place during the July 18, 2025, Board meeting.

Proposed Revisions to NAC Chapter 641
to align with 2025 SB251 and AB196

Revisions to the Table of Contents:

PSYCHOLOGICAL ASSISTANTS, INTERNS AND TRAINEES; UNLICENSED PERSONNEL

Psychological Assistants, Interns and Trainees

641.151 Psychological assistants: ~~Registration~~ **Provisional Licensure.**

641.1515 Psychological interns: ~~Registration~~ **Provisional Licensure.**

641.15165 Psychological assistants, interns and trainees: Application for **provisional licensure or** registration deemed withdrawn; reapplication.

PERSONS ENGAGED IN TEACHING PSYCHOLOGY OR PSYCHOLOGICAL RESEARCH

641.1685 Exemption from licensure; licensure, **provisional licensure,** registration or approval of Board required if teaching or research involves delivery or supervision of direct psychological services.

Regulation Revisions (SB251):

NAC 641.019 Fees.¹ (NRS 641.100, 641.110, 641.226, 641.228)

1. Except as otherwise provided in NRS 641.228 and subsection 3, the Board will charge and collect the following fees:

For an application for licensure \$150

For an application for ~~registration~~ **a provisional license** as a psychological assistant,
or a psychological intern, **or for registration as a** psychological trainee 150

For the state examination for licensure administered by the Board pursuant to NAC

641.112 Actual costs
to the Board
plus \$100

For the issuance of an initial license 25

For the biennial renewal or reinstatement of a license as a psychologist 650

For the registration of a firm, partnership or corporation 300

For the placement of a license on inactive status 100

For the biennial renewal of a license on inactive status 100

¹ As amended in R084-24, Sec. 1, which has not yet been codified.

For the initial registration <i>provisional licensure</i> of a psychological assistant	150
For the initial registration <i>provisional licensure</i> of a psychological intern	75
For the initial registration of a psychological trainee	30
For the renewal of a registration <i>provisional license</i> of a psychological assistant.....	150
For the renewal of a registration <i>provisional license</i> of a psychological intern	75
For the renewal of a registration of a psychological trainee	30
For the restoration to active status of a license as a psychologist on inactive status	250
For the registration of a nonresident consultant	100
For reproduction and mailing of material for an application	30
For a change of name on a license	30
For a duplicate license	30
For copies of the provisions of NRS relating to the practice of psychology and the rules and regulations adopted by the Board	30
For a letter of good standing	20
For the review and approval of a course or program of continuing education	30

2. The Board will annually determine the actual costs to the Board for the state examination administered by the Board pursuant to NAC 641.112 for purposes of determining the fee charged and collected pursuant to subsection 1.

3. If an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran submits an application for a license by endorsement pursuant to NRS 641.196, the Board will charge and collect a fee of \$62.50 for the issuance of an initial license.

4. In accordance with NRS 353C.115 and NAC 353C.400, the Board will charge and collect from any person whose check or other method of payment is returned to the Board or otherwise dishonored because the person had insufficient money or credit with the drawee or financial institution to pay the check or other method of payment or because the person stopped payment on the check or other method of payment a fee of \$25 or such other amount as may subsequently be required by NRS 353C.115 and NAC 353C.400.

5. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

NAC 641.080 Supervised experience: Applicant for licensure as psychologist.² (NRS 641.100, 641.110, 641.170)

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

² As revised in R051-23, Sec. 5, which has not yet been codified.

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 <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 <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~~ *provisionally licensed* 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.

NAC 641.151 Psychological assistants: ~~Registration~~ *Provisional Licensure*.³ (NRS 641.100, 641.110, 641.170)

1. A person must ~~register~~ *be provisionally licensed* 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 to be provisionally licensed* 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 2 of NAC 641.050.
3. Initial ~~registration~~ *provisional licensure* 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~~ *provisional license* if it would cause the psychological assistant to be ~~registered~~ *provisionally licensed* 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~~ *be provisionally licensed* as a psychological assistant. A psychological assistant may not renew his or her ~~registration~~ *provisional license* pursuant to this subsection if it would cause the

³ As amended in R051-23, Sec. 10, which has not yet been codified.

psychological assistant to be ~~registered~~ **provisionally licensed** as a psychological assistant for more than 2 years unless otherwise approved by the Board.

NAC 641.1515 Psychological interns: ~~Registration~~ **Provisional Licensure.**⁴ (NRS 641.100, 641.170)

1. Unless the person is participating in a federally-regulated internship program, a person may ~~register~~ **be provisionally licensed** 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~~ **provisional licensure** 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 2 of NAC 641.050.
3. ~~Registration~~ **Provisional licensure** 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~~ **provisional license** as a psychological intern.

NAC 641.15165 Psychological assistants, interns and trainees: Application for ~~provisional licensure or~~ registration deemed withdrawn; reapplication. (NRS 641.100, 641.110, 641.170)

1. An application for ~~registration~~ **provisional licensure** as a psychological assistant, ~~or~~ psychological intern or **for registration as a** psychological trainee shall be deemed withdrawn if the application is not completed within 2 years after the date on which the Board first received

⁴ As amended in R051-23, Sec. 11, which has not yet been codified.

the application materials.

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

NAC 641.1685 Exemption from licensure; licensure, ~~registration~~ **provisional licensure or approval of Board required if teaching or research involves delivery or supervision of direct psychological services.** (NRS 641.100, 641.110, 641.170, 641.390)

1. Except as otherwise provided in subsection 2, a person who is engaged in the teaching of psychology or in psychological research is not required to obtain a license to practice psychology pursuant to [chapter 641](#) of NRS.

2. A person shall not engage in the teaching of psychology or in psychological research that involves the delivery or supervision of direct psychological services unless he or she:

- (a) Holds a license to practice psychology pursuant to [chapter 641](#) of NRS;
- (b) ~~Is actively registered~~ **Holds an active provisional license** as a psychological assistant pursuant to [chapter 641](#) of NRS; or
- (c) Has obtained approval from the Board to engage in such teaching or research without holding a license to practice psychology or ~~being actively registered~~ **an active provisional license** as a psychological assistant.

641.15195 Powers and duties of supervisor.⁵ (NRS 641.100, 641.170)

1. A supervisor shall employ methods of proper and diligent oversight of a psychological assistant, psychological intern or psychological trainee who is under his or her supervision to meet his or her ethical and legal responsibilities set forth in subsection 2 of NAC 641.161. Such methods must include the implementation of policies and procedures that ensure the accessibility of the supervisor to the psychological assistant, psychological intern or psychological trainee commensurate with the professional developmental level of the psychological assistant, psychological intern or psychological trainee as required by the agreement submitted to the Board pursuant to NAC 641.1517 or 641.153, as applicable. Such methods may include:

- (a) The physical presence of the supervisor;

⁵ As amended in R002-24, Sec. 2, which has not yet been codified.

- (b) Availability of or observation by the supervisor electronically or by fiber optics; and
- (c) Availability of another licensed medical or behavioral health provider affiliated with the site at which the psychological assistant, psychological intern or psychological trainee is providing services.

2. To ensure compliance with subsection 1, a supervisor may employ various modes and methods of supervision of a psychological assistant, psychological intern or psychological trainee under his or her supervision, including, without limitation:

- (a) Individual supervision;
- (b) Group supervision;
- (c) Tracking the progress of clients and patients treated or assessed by the psychological assistant, psychological intern or psychological trainee;
- (d) Conducting therapy or an assessment with the psychological assistant, psychological intern or psychological trainee;
- (e) Discussing the cases of clients and patients with the psychological assistant, psychological intern or psychological trainee;
- (f) Directly observing the delivery of services by the psychological assistant, psychological intern or psychological trainee, either in person or through the use of a remote technology system which uses electronic, digital or other similar technology; or
- (g) Reviewing audio or video recordings of the delivery of services by the psychological assistant, psychological intern or psychological trainee.

3. A supervisor shall:

- (a) Maintain primary responsibility for the care plan of each client and patient treated or assessed by a psychological assistant, psychological intern or psychological trainee under his or her supervision; and
- (b) Review and sign all clinical documentation, including, without limitation, reports, treatment plans and progress notes, for all services provided by a psychological assistant, psychological intern or psychological trainee under his or her supervision, including, without limitation, those services for which he or she is seeking reimbursement under the State Plan for Medicaid that were

rendered under the authorized scope of practice of the psychological assistant, psychological intern or psychological trainee pursuant to NRS 422.27239, as applicable.

4. Except as otherwise provided in this subsection, a supervisor shall be available to a psychological assistant, psychological intern or psychological trainee whom he or she supervises while the psychological assistant, psychological intern or psychological trainee is providing services to a client or patient. A supervisor shall arrange for the availability of another appropriate licensed medical or behavioral health provider in the case of the absence of the supervisor.

5. A supervisor shall provide to the Board:

- (a) Evidence of the manner in which he or she meets his or her supervisory duties as outlined in subsections 1 and 2.
- (b) Upon the ~~registration~~ *provisional licensure* of a psychological assistant, ~~or~~ psychological intern, ~~or~~ *the registration of a* psychological trainee, a training plan that includes, without limitation, the policies the supervisor will put in place to ensure the availability of the supervisor or a designee thereof and the modes, methods, procedures or policies the supervisor intends to employ to ensure compliance with this section and NAC 641.161.

641.158 Limitations on number of assistants, interns, trainees and supervisors; limitation on number of training sites for psychological trainees.⁶ (NRS 641.100, 641.170)

1. A psychologist may serve as a supervisor to a combination of not more than four full-time equivalent psychological assistants, psychological interns, psychological trainees or other interns *provisionally* licensed, registered or certified, as applicable, under the provisions of chapter 641 A, 641 B or 641 C of NRS at the same time.

2. A psychologist shall not supervise:

- (a) A person described in subsection 1 with whom the psychologist has a familial or other multiple relationship; or
- (b) More persons described in subsection 1 than the psychologist is capable of ensuring adequate supervision.

⁶ As Amended in R002-24, Sec. 4, which has not yet been codified.

3. A psychological assistant or psychological intern may not be employed by more than two supervisors at the same time.

4. A psychological trainee may not be assigned to more than two training sites at the same time.

5. As used in this section, "multiple relationship" means a professional relationship between a psychologist and another person where:

- (a) The psychologist and the other person currently have another type of relationship;
- (b) The psychologist is currently in a relationship with a person closely associated with or related to the person with whom the psychologist has the professional relationship; or
- (c) The psychologist plans to enter into another relationship in the future with the person with whom the psychologist is in a professional relationship or a person closely associated with or related to that person.

NAC 641.210 Display of license by psychologist; communications with Board; notification of change of address or telephone number; professional fees; supervision of certain persons. (NRS 641.100)

A psychologist:

1. Shall display his or her license in a conspicuous place on the premises of his or her office or place of employment.

2. Shall, except as otherwise provided in this subsection, respond within 30 days after receiving any written communication from the Board and shall make available any relevant record with respect to an inquiry or complaint about his or her professional conduct. If a communication is mailed to a psychologist by the Board, he or she shall respond to the communication within 30 days after it is mailed to him or her at the address shown on the records of the Board.

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

4. Shall not mislead or withhold from a patient, prospective patient or other person who will be responsible for payment of the psychologist's services, information concerning the fee

for the professional services of the psychologist.

5. Shall not directly or indirectly offer, give, solicit, receive or agree to receive any fee or other consideration for the referral of a patient.
6. Shall not permit any person, other than:
 - (a) A partner, employee or associate in his or her professional firm or corporation;
 - (b) A psychologist retained as a subcontractor or consultant; or
 - (c) A properly ~~registered~~ *provisionally licensed* psychological assistant; ~~or~~ psychological intern or *a properly registered* psychological trainee practicing under his or her supervision, except as otherwise provided in subsections 1, 2 and 3 of [NAC 641.154](#),

↪ to share in a fee for professional services. The prohibition of this subsection includes any arrangement or agreement whereby the amount paid for office space, facilities, equipment or personal services used by the psychologist is based upon the income or receipts of his or her practice.

7. Shall exercise appropriate supervision over any person who is authorized to practice psychological services under his or her supervision.
8. Shall not exploit a person who is authorized to practice psychological services under his or her supervision.

641.234 Assessment procedures: Communication of results to patient or client; limitations on use.⁷ (NRS 641.100, 641.232)

1. If a psychologist 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.

⁷ As amended in R095-23, Sec. 3, which has not yet been codified.

2. A psychologist 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 or where otherwise required by specific federal or state law, a person who is licensed, *provisionally licensed*, or registered by the Board shall not disclose psychological test material or psychological test data:

- (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, *provisionally 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 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:
- (a) "Psychological test data" has the meaning ascribed to the term "test data" in the Ethical Principles of Psychologists and Code of Conduct adopted by reference pursuant to subsection 1 of NAC 641.250.
- (b) "Psychological test material" has the meaning ascribed to the term "test material" in the Ethical Principles of Psychologists and Code of Conduct adopted by reference pursuant to subsection 1 of NAC 641.250.

Regulation to Repeal (AB196):

~~NAC 641.1505—Registration; notification of certain changes; exemption from requirements. (NRS 641.100, 641.113)~~

- ~~—1.—Except as otherwise provided in subsection 3, a firm, partnership or corporation that engages in or offers to engage in the practice of psychology must register with the Board and pay the fee for registration before it commences to engage in or offer to engage in the practice of psychology.~~
- ~~—2.—A firm, partnership or corporation shall notify the Board of any change in ownership or of the addition or departure of any psychologist associated with the firm, partnership or corporation within 30 days after the change. The firm, partnership or corporation must complete a new registration for any change in ownership.~~
- ~~—3.—The following entities are exempt from the requirements of this section:~~
- ~~—(a) A federal, state or local governmental agency or institution.~~
- ~~—(b) A firm or corporation that bears the name of a psychologist who is the only person practicing under the name of the firm or corporation.~~
- ~~—(c) A firm, partnership or corporation that is formed for the sole purpose of sharing administrative expenses, including, without limitation, rent, services for billing patients and clerical support, if:~~
- ~~—(1) The place of business of the firm, partnership or corporation is not identified by the name of the firm, partnership or corporation;~~
- ~~—(2) Records of patients, correspondence concerning patients and materials for billing patients do not display the name of the firm, partnership or corporation;~~
- ~~—(3) The name of the firm, partnership or corporation is not used in any advertising by the firm, partnership or corporation;~~
- ~~—(4) The firm, partnership or corporation does not hold a business license issued by a county, city or town to engage in the practice of psychology; and~~
- ~~—(5) Professional liability insurance is not held in the name of the firm, partnership or corporation.~~

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

June 13, 2025

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 Lorraine Benuto, PhD, at 8:05 a.m. on June 13, 2025, online via "Zoom" and physically at the office of the Board of Psychological Examiners, 3080 S. Durango Drive, Suite 102, Las Vegas, Nevada 89117.

Roll Call: Board President, Lorraine Benuto, Ph.D., Secretary/Treasurer, Stephanie Woodard, Psy.D., members, Stephanie Holland, Psy.D.; and Catherine Pearson, Ph.D. were present at roll call. Members Soseh Esmaeili, Psy.D., Stephanie Holland, Psy.D., and Robert Moering, Psy.D. were absent. There was a quorum of the Board members.

Also present were Deputy Attorney General (DAG) Harry Ward; Board Consultant Gary Lenkeit; Board Investigator Sheila Young; Executive Director Laura Arnold; Administrative Director Sarah Restori; Administrative Assistant Sarah Comer; members of the public: Brian Lech, Michelle McGuire, Sabrina Schnur, John Nolan, Rhea Waters, Becky Savio, Candis Carswell-Mitchell.

2. Public Comment. The Board wants to remind those who participate in public comment that you are limited to three minutes per person, and that public comment is reserved for comment only. It will not be used as a platform for questions and answers. If you have a statement that is longer than three minutes, please submit your statement in writing and the Board will include it in the written materials that are posted. If you have questions for which you would like answers, please email the Board office at nbop@govmail.state.nv.us.

DAG Ward wanted to remind any members of the public who may be here to comment on a pending complaint that our Deputy Attorney General has requested that no public comment be made on pending complaints.

Dr. Michelle Paul shared public comment. She wanted to thank the Board for their collaboration on the passage of SB165 and shared information about the development of pediatric programs at UNLV.

3. Minutes. (For Possible Action) Discussion and Possible Action to Approve the Minutes of the State of Nevada Board of Psychological Examiners' May 9, 2025, Meeting.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada Board of Psychological Examiners approved the meeting minutes of the Regular Meeting of the Board held on May 9, 2025. Catherine Pearson approved the minutes as to form, but not content. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

4. Financials

- A. (For Possible Action) Discussion and Possible Action to Approve the Treasurer's Report for Fiscal Year 2025 (July 1, 2024 - June 30, 2025).

The Executive Director presented the Treasurer's Report. She shared that as of May 31, 2025, the Board had a total of about \$543,000 in its accounts. It is operating on \$182,055.52 in deferred revenue from licensure renewals and about \$60,000 from late renewals, new licenses, registrations, and reinstatements received during FY2025. With only June remaining in FY2025, the Board has spent about 83.5% of its budgeted expenditures and collected just over 101% of its projected revenue, based on the budget revised in March 2025.

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

On motion by Catherine Pearson, second by Stephanie Woodard, the Nevada Board of Psychological Examiners approved the Treasurer's Report for Fiscal Year 2025. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

- B. (For Possible Action) Discussion and Possible Action to Approve Revisions to the Budget for Fiscal Year 2025.

The Executive Director shared that as FY2025 ends, she revised the budget to reflect actual performance, which exceeded projections. Revenue estimates were increased and expenditures adjusted to align with year-end figures, helping inform the FY2026 budget.

On motion by Stephanie Holland, second by Catherine Pearson, the Nevada Board of Psychological Examiners approved revisions to the Budget for Fiscal Year 2025. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

- C. (For Possible Action) Discussion and Possible Action to Approve Proposed Engagement Letter from Campbell Jones Cohen CPAs for the Annual Board Audit.

The Executive Director shared that Campbell Jones Cohen CPAs, the Board's auditor, submitted a proposed engagement letter. They quoted \$16,500 for the annual audit, a \$500 increase from last year, which will be included in the FY26 budget.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada Board of Psychological Examiners approved Proposed Engagement Letter from Campbell Jones Cohen CPAs for the Annual Board Audit. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

- D. (For Possible Action) Discussion and Possible Action to Renew the Board's Independent Contractor Agreement with its bookkeeper, Michelle Fox.

The Executive Director shared that the Board's independent contractor agreement with bookkeeper Michelle Fox is up for renewal on July 1, 2025. The contract remains the same except for an hourly rate increase from \$50 to \$52.50, consistent with prior renewals.

On motion by Stephanie Woodard, second by Catherine Pearson, the Nevada Board of Psychological Examiners approved renewing the Board's Independent Contractor Agreement with its bookkeeper, Michelle Fox. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

5. Legislative/Regulation Update

The Executive Director provided updates on legislative and regulatory revisions. She shared there are no changes on the regulations front.

Regarding legislation, the Executive Director shared that SB78, Department of Business and Industry's Board oversight and consolidation bill, did not pass. She shared that SB165 passed which provides for the licensure, regulation and investigation of a new licensure designation by this Board – the Behavioral Health and Wellness Practitioners and the Board has until January 1, 2026, to implement the regulatory and administrative changes required for compliance with this new law. SB425 was the Department of Health and Human Services' behavioral health board consolidation bill did not pass. Finally, she shared that AB196 passed, which is the Board's BDR request discussed in late 2023, cleans up statutes by setting a 3-year statute of limitations for complaints, clarifying "Psychometrist," and repealing the registration requirement for firms.

6. Report from the Nevada Psychological Association.

There were no updates from the NPA.

7. Report from the Board Office on Operations.

A. Report From the Board Office on Operations.

The Administrative Director presented the Board office statistics. She shared that in May, the Board licensed 5 new Psychologists, received 18 licensure applications, and administered 10 state exams. As of the end of May, the Board had 699 active licensees and 157 applicants for licensure. She went on to share that for those they register, the psychological assistants, psychological interns, and psychological trainees, there were a total of 68 that are registered and 26 active applications.

B. Board Officer Voting.

Tabled for the next Board meeting.

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

A. Complaint #19-0626

DAG Ward informed they are in pretrial preparation for a hearing. The hearing is set for November 12-14, 2025.

B. Complaint #23-0918

DAG Ward informed complaint alleging various improper conduct. Respondent is represented by counsel, with whom potential resolution has been discussed. A proposed disciplinary consent decree was forwarded to counsel for respondent, in response to which a notification that the attorney who represented the respondent is no longer with the firm. DAG to follow up with respondent and firm regarding new attorney contact information to continue resolution efforts.

C. Complaint #24-0103

DAG Ward informed they are in pretrial preparation for a hearing. The hearing is set for November 12-14, 2025.

D. Complaint #24-0312(1)

DAG Ward informed this matter has been referred to the MFT Board. The cease-and-desist letter has been sent to the respondent to which the respondent has provided a response. DAG Ward to send follow up cease and desist to remove additional language from all online presence.

E. Complaint #24-0312(2)

DAG Ward informed this is a complaint regarding timely reporting. The respondent agreed to a disciplinary consent decree, which has been fully executed and is before the Board for approval.

On motion by Stephanie Holland, second by Catherine Pearson, the Nevada Board of Psychological Examiners approved Consent Decree for Complaint #25-0312. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

F. Complaint #24-0605

DAG Ward informed this complaint was received regarding misrepresentation of credentials and practicing without a license; Cease and desist letter served and answered. DAG and investigator have monitored respondent's online information, which remains in compliance with the cease and desist letter; Monitoring will continue for another month.

G. Complaint #24-0607

DAG Ward informed this was a self-report from licensee regarding 2 recent misdemeanor convictions. A proposed negotiated draft consent decree has been forwarded to counsel for respondent, and they're awaiting approval and signatures so it can be brought before the Board for approval.

H. Complaints #24-0711

#24-0719

#24-0726

#24-0823

DAG Ward informed these are four complaints against same psychologist. The respondent, though counsel, has responded to the complaints, and all complaints have been forwarded to appropriate federal agencies. The investigation continues, including meetings with witnesses and coordinating with certain federal agencies to obtain additional information.

I. Complaint #24-0730

DAG Ward informed this is a complaint for unlicensed practice, in response to which the DAG sent Cease and Dease letters via restricted delivery, but service has not been perfected. The cease and desist letter will be next served via personal service.

J. Complaint #24-0829

DAG Ward informed this is a complaint regarding client documentation. The investigation is complete, and a draft consent decree has been forwarded to the respondent for signature.

K. Complaint #24-0903

DAG Ward informed this complaint was received regarding an individual advertising unlicensed activity. A cease and desist letter served and answered. The Board Investigator continued to monitor respondent's social media and had it interpreted into English. A follow up cease and desist to be served based on the information in the English translation.

L. Complaint #24-0924

DAG Ward informed this is a complaint regarding unlicensed practice/advertising. Cease and Desist letter sent to respondent but returned without being delivered. Follow up Cease and desist letters sent to PO box and physical address – both returned as undeliverable. Investigator has continued to monitor respondent's social media, and all references to unlicensed practice/advertising have been removed. Investigator to recommend dismissal.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada Board of Psychological Examiners approved dismissing Complaint #25-0924. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

M. Complaint #24-1202

DAG Ward informed this is a complaint regarding unlicensed practice. Complaint forwarded to respondent, who responded to the complaint. Investigator requested cease and desist letter from DAG, which has been sent to respondent and answered. DAG and investigator will make a determination on the complaint based on the latest response and advise the Board at a future meeting.

N. Complaint #25-0110

DAG Ward informed this is a complaint for unlicensed practice, which was forwarded to the respondent, and which the respondent answered. Based on the information in the respondent's answer, DAG has prepared draft consent decree to forward to respondent.

O. Complaint #25-0317

DAG Ward informed this is a complaint regarding unprofessional conduct related to a podcast. The Complaint was forwarded to respondent, who has provided a response. Based upon the investigator's review of the complaint and response, dismissal is being recommended.

On motion by Stephanie Holland, second by Stephanie Woodard, the Nevada Board of Psychological Examiners approved dismissing Complaint #25-0317. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

P. Complaint #25-0324

DAG Ward informed this is a complaint regarding unethical conduct in a professional setting. Complaint forwarded to respondent, who retained counsel. Counsel for respondent requested and was provided an extension of time until June 17, 2025, to respond to the complaint.

Q. Complaint #25-0326

DAG Ward informed this complaint is for unlicensed practice; Complaint forwarded to respondent, who retained counsel. A response to the complaint was received. Based upon the investigator's review of the complaint and response, dismissal is recommended.

On motion by Catherine Pearson, second by Stephanie Woodard, the Nevada Board of Psychological Examiners approved dismissing Complaint #25-0326. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

R. Complaint #25-0331

DAG Ward informed this complaint is regarding court ordered evaluation. Complainant was asked to provide the additional documentation required for a complaint regarding a court ordered evaluation before the complaint can be further considered. Required additional information not yet received. Complainant has until July 10 to provide the required information. If not received, dismissal will be requested.

S. Complaint #25-0410

DAG Ward informed this complaint is for ethical violations. Complaint forwarded to respondent for response, which has been received. Based on the information in the complaint and response, the Board investigator will be further investigating the complaint, including one or more interviews.

T. Complaint #25-0414

DAG Ward informed this is an anonymous complaint regarding unethical conduct. Request to complainant for evidence or corroborating information regarding the basis for the complaint, which has not yet been received. Complainant has been asked to provide supporting / corroborating evidence on or before July 10. If it is not received, dismissal will be requested.

U. Complaint #25-0519(1)

DAG Ward informed this complaint is for unethical conduct via PsyPact authorization services into NV. Complaint has been forwarded to the respondent for a response, which is due June 23.

V. Complaint #25-0519(2)

DAG Ward informed this complaint is against former supervisor regarding training verification. Records release from complainant requested and received. Complaint and records release forwarded to the respondent for a response, which is due June 26.

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.

The following applicants are recommended for approval of licensure contingent upon completion of licensure requirements: **Brian Benjamin, Colin Gallagher, Stephanie Phan, Daniel Schellenberg, Charlotte Watley, Rhea Waters, Desiree Misanko, Shannon Rocker, Sandra Lawrence-Clarke, Aerial Halstead, Taylor Chille, Angela Lewis, Jason Richardson, Jennifer Im, Jared Seltzer, Saacha Gates, Blair Batky, and Caedy Young.**

On motion by Catherine Pearson, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved the following applicants for licensure contingent upon completion of licensure requirements: Brian Benjamin, Colin Gallagher, Stephanie Phan, Daniel Schellenberg, Charlotte Watley, Rhea Waters, Desiree Misanko, Shannon Rocker, Sandra Lawrence-Clarke, Aerial Halstead, Taylor Chille, Angela Lewis, Jason Richardson, Jennifer Im, Jared Seltzer, Saacha Gates, Blair Batky, and Caedy Young. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

- (For Possible Action) Discussion and Possible Action to Approve Dr. Candis Mitchell's Request to Extend her Registration as a Psychological Assistant for a Seventh Year.

Dr. Benuto shared that Dr. Candis Carswell-Mitchell has requested that her registration as a psychological assistant under the supervision of Dr. Robert Kutner (PY0591) be extended for a seventh year. She shared that Dr. Carswell-Mitchell was first registered as a Psychological Assistant on July 1, 2019. In March 2021, the Board granted her request to extend her registration through June 30, 2022, and she was thereafter granted another extension until June 30, 2023. During its June 2, 2023, meeting, Dr. Carswell-Mitchell requested and was again granted an extension through June 2024. That extension was based on, among other reasons, Dr. Carswell-Mitchell's statement

that she was scheduled to take the EPPP-1 in June 2023. Dr. Carswell-Mitchell did take the EPPP-1 on June 5, 2023, but did not pass.

During the Board's June 2024, meeting, Dr. Carswell-Mitchell requested another extension through June 2025, stating, among other things, that she had not been able to work and afford study materials to retake the exam. After the last extension granted in June 2024, the Board office extended the time for Dr. Carswell-Mitchell to retake the EPPP during her extended registration, but she has not retaken the exam, and now requests another registration extension so that she can do so. In support of her current request, Dr. Carswell-Mitchell states that, for the reasons she explains in her letter to the Board, she has not yet passed the exam, but has secured employment that will enable her to afford study materials to prepare for the exam and wants to sit for the exam retake in July.

NAC 641.151(3) requires Board approval when a registered Psychological Assistant seeks to extend their registration beyond 3 years, and the Board has a precedent of concern when a Psychological Assistant seeks a registration extension into, for instance, a seventh year. Information regarding a similar request to the Board and the Board's concerns with that request and the reasons for the registration limitation was made available in the materials that were provided to the Board for this agenda item.

Dr. Woodard pointed out that she has requested extensions each year in a timely manner with no gaps.

Dr. Carswell-Mitchell stated she plans to take the EPPP in July or August of 2025 and has been able to obtain new study materials. She shared that her job requires her to be registered.

Dr. Woodard recommended that Dr. Carswell-Mitchell come back during the Board's October 2025 meeting to provide an update on her progress.

On motion by Stephanie Woodard, second by Stephanie Holland, the Nevada Board of Psychological Examiners approved Dr. Carswell-Mitchell's Request for an extension of her psychological assistant registration for a seventh and final year and extension and require that Dr. Carswell-Mitchell come before the Board in three months to provide progress updates on her taking the EPPP. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

10. (For Possible Action) Discussion and Possible Action to Approve the Executive Director's and Board Investigators' Performance Evaluations.

Dr. Benuto shared that the annual evaluations were all positive.

On motion by Stephanie Holland, second by Stephanie Pearson the Nevada Board of Psychological Examiners approved the performance evaluations for the Executive Director and the Board Investigators. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

11. (For Possible Action) Discussion and Possible Action to Approve Revisions to the Board's ATEAM Review Procedures.

The Executive Director presented the proposed revisions to the ATEAM review process. She shared that the Board created the ATEAM Committee in 2017 to review applications from those without APA-accredited doctoral degrees. Over time, the process has become unnecessarily cumbersome. To improve efficiency, the Board office proposed a new review panel—an ATEAM member, Board staff, and a Board investigator—that would handle evaluations, with the full ATEAM only involved if there's no consensus or an appeal. This approach, similar to other Board reviews, should speed up the process while keeping the ATEAM as a safeguard.

The Board recommended that each panel member have 5 business days to review and respond to an applicants application with their review.

The Board members shared consensus on this process being more efficient.

On motion by Stephanie Woodard, second by Stephanie Holland the Nevada Board of Psychological Examiners approved Revisions to the Board's ATEAM Review Procedures. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.) Motion Carried: 4-0.

12. (For Possible Action) Discussion and Possible Action to Approve Scheduling a Regulations Workshop for Revisions to NAC Chapter 641 to Comply with 2025 SB251 (Provisional Licensure for Psychological Assistants and Psychological Interns) and 2025 AB196 (repealing the requirement to register firms, partnerships, or corporations with the Board).

The Executive Director shared that due to the change in statute for SB251 and AB196, regulation changes need to take place. The Executive Director presented a draft of those proposed changes before the Board.

On motion by Catherine Pearson, second by Stephanie Holland the Nevada Board of Psychological Examiners approved scheduling a Regulations Workshop for revisions to NAC Chapter 641 to comply with 2025 SB251. (Yea:

Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.)
Motion Carried: 4-0.

13. (For Possible Action) Discussion and Possible Action to Approve granting Continuing Education Credit to Disciplinary Supervision Training Participants.

The Executive Director shared that on May 31, 2025, 13 of 20 interested licensees attended a one-hour disciplinary supervision training by Dr. Young and Dr. Owens. They requested Board approval to grant 1 hour of live continuing education credit to attendees and future participants. A certificate has been prepared for this purpose.

On motion by Stephanie Holland, second by Catherine Pearson, the Nevada Board of Psychological Examiners approved granting one Continuing Education Credit to Disciplinary Supervision Training Participants. (Yea: Lorraine Benuto, Stephanie Holland, Catherine Pearson, and Stephanie Woodard.)
Motion Carried: 4-0.

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, July 18, 2025, beginning at 8:00 a.m. The August Board meeting was rescheduled to Friday, August 22, 2025, and the September Board meeting was cancelled.

15. 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.

16. Public Comment. The Board wants to remind those who participate in public comment that you are limited to three minutes per person, and that public comment is reserved for comment only. It will not be used as a platform for questions and answers. If you have a statement that is longer than three minutes, please submit your statement in writing and the Board will include it in the written materials that are posted. If you have questions for which you would like answers, please email the Board office at nbop@govmail.state.nv.us.

Dr. Benuto wanted to remind members of the public that our Deputy Attorney General has requested that no public comment be made on any pending complaints.

There was no public comment.

17. (For Possible Action) Adjournment

There being no further business before the Board, President Dr. Benuto adjourned the meeting at 9:42 a.m.

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

DATE: July 18, 2025

ITEM:

5A - (For Possible Action) Discussion and Possible Action to Approve the Final Treasurer's Report for Fiscal Year 2025 (July 1, 2024, through June 30, 2025).

SUMMARY:

As of June 30, 2025, which marked the end of FY25, Board had just under a combined total of \$523,000 in checking and savings. The total amount of income for FY25 (the amount allocated in deferred income to FY25 plus the regular FY25 income) was just over \$300,000. After accounting for the expenses for FY25, there was about \$64,400 left over, which will be cast into the budget for FY26.

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 2025

6/30/25

		FY25 Budgeted Amount	FY25 Actual	% actual to budget
INCOME				
Net Money on hand (Checking) as of 7/1/2024		90,831.85	90,831.85	
Deferred Revenue				
2600	Renewals - 7/1/24 and 1/1/25	182,000.00	182,055.52	100.03%
2600	Late Renewals - 1Q 23-24	15,819.98	15,819.98	100.00%
2600	Late Renewals - 1Q 25-26	9,000.00	9,485.61	105.40%
40201 40281-3 40203	New Licensure, Registrations, Reinstatements	26,300.00	27,462.47	104.42%
Total Deferred Income (Gross)			234,823.58	
	Deferred PP fees		3,300.05	
	NET Deferred Income		231,523.53	

Regular Revenue	23-24 Biennium Q4 New Licensure and Registrations	8,200.00	8,259.22	100.72%
	Applications			
40100	Psychologist Application	21,800.00	23,144.58	106.17%
40101	PA Application	3,300.00	4,016.63	121.72%
40102	Intern Application	1,150.00	1,241.30	107.94%
40103	Trainee Application	3,095.00	4,808.95	155.38%
4010	Reinstatement/Reactivation	400.00	400.00	100.00%
4015	Psychologist State Exam	17,000.00	18,051.80	106.19%
4030	Non-Resident Consultant	1,000.00	1,200.00	120.00%
4040	CE App Fee	1,050.00	1,120.74	106.74%
	Other			
4025/4050	Late and License Restoration Fees	3,500.00	3,550.00	101.43%
40251/40252	New and Duplicate License	2,300.00	2,878.34	125.15%
4045	Verification of Licensure	590.00	676.58	114.67%
4075	Cost Recovered (Disciplinary)			
4999	Interest, Misc	40.00	42.00	105.00%
Total Income		\$296,544.98	\$300,913.67	101.47%
Payroll Expenses		FY25 Budgeted Amount	FY25 Actual	% actual to budget
5100	Board Salary/Per Diem	5,000.00	5,850.00	117.00%

2700	Executive Director (net)	52,500.00	52,397.73	99.81%
2700	Administrative Director (net)	45,000.00	44,621.72	99.16%
2700	Staff Salary (Part-Time)	1,500.00	1,098.84	73.26%
9110	Staff Benefits	17,500.00	17,221.55	98.41%
2700	Investigator/Consultant Salary	15,000.00	14,914.19	99.43%
5250	Workers Compensation	1,000.00	927.00	92.70%
2108/5300	PERS	50,000.00	48,601.80	97.20%
2100	Federal Payroll Taxes	30,000.00	29,032.17	96.77%
9100	Other Payroll Expenses	1,000.00	2,033.20	203.32%
	Total Payroll	218,500.00	216,698.20	99.18%

Operating Expenses		FY25 Budgeted Amount	FY25 Actual	% actual to budget
6100	Out of State	6,800.00	7,247.64	106.58%
6200	In-State Travel	500.00	428.26	85.65%
7015	Office Supplies/furniture	2,100.00	1,970.43	93.83%
	Office expenses:			
7040	- Print-Copy	300.00	260.68	86.89%
7050	- Rent	17,500.00	17,219.70	98.40%
7100	- Postage	1,200.00	1,071.48	89.29%
7210	- DoIt Web SV	1,000.00	935.84	93.58%
7290/72902 7200	- Telephone/Internet & Utilities	1,500.00	1,357.66	90.51%
7500	- Copy Lease	1,500.00	1,375.70	91.71%
7020	- Water/Misc	300.00	341.14	113.71%
7770/7777	Software & Database	4,500.00	4,238.12	94.18%
8000/8010	Legal & Professional Fees	40,000.00	43,269.91	108.17%
8015	Tort Claim	1,200.00	1,164.30	97.03%

8050/8055	Professional Services (Auditor, Bookkeeper, Lobbyist)	25,000.00	24,107.75	96.43%
8250	Dues & Reg (ASPPB, Conf, Continuing Ed)	5,000.00	2,420.00	48.40%
8520	Admin Services (LCB)	1,200.00	1,200.00	100.00%
9001/9002	Banking Fees	100.00	90.61	90.61%
	PayPal Fees (against regular revenue)	2,000.00	1,952.40	97.62%
90100	Miscellaneous Expense	100.00		0.00%
	Uncategorized Expense	0.00		
Total Expenses		\$111,800.00	\$110,651.62	98.97%
Total Expenses + Payroll		\$330,300.00	\$327,349.82	99.11%
Total Income + Cash		\$ 387,376.83	\$391,745.52	101.13%
Final Balance		\$57,076.83	\$64,395.70	

July 02, 2025

Statement of Financial Position

As June 30, 2025

Nevada Board of Psychological Examiners

As verified by Michelle Fox

The following accounts have been reconciled for the month of June 2025, and all transactions reviewed for accuracy.

Main Checking Account per bank statement dated 06/30/2025 -\$417,853.79

Savings Account per bank statement dated 06/30/2025 -\$105,132.93

Michelle Fox

Statement of Financial Position

NV State Board of Psychological Examiners

As of June 30, 2025

DISTRIBUTION ACCOUNT	TOTAL
Assets	
Current Assets	
Bank Accounts	
1100 Cash in Bank	417,853.79
3309 Savings	105,132.93
Total for Bank Accounts	\$522,986.72
Accounts Receivable	
1200 Accounts Receivable	3,099.29
Total for Accounts Receivable	\$3,099.29
Other Current Assets	
12000 Undeposited Funds	
Uncategorized Asset	
Total for Other Current Assets	0
Total for Current Assets	\$526,086.01
Fixed Assets	
Other Assets	
1300 Deferred outflows of resources	
Total for Other Assets	0
Total for Assets	\$526,086.01
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	
1106 Accounts Payable	3,903.93
Total for Accounts Payable	\$3,903.93
Credit Cards	
Other Current Liabilities	
2100 Federal Income Withholding	8,225.58
2100 Payroll Liabilities	\$4,337.10
2107 Federal Taxes (941/944)	-76.15
2108 PERS	8,830.07
Health Insurance	1,518.62
NV Unemployment Tax	

Statement of Financial Position

NV State Board of Psychological Examiners

As of June 30, 2025

DISTRIBUTION ACCOUNT	TOTAL
Total for 2100 Payroll Liabilities	\$14,609.64
2101 Federal FICA Withholding	
2102 Federal Medicare Withhold	
2105 Employment Security	
2110 Direct Deposit Liabilities	
2200 Unearned Revenue	
2300 Liability	
2302 Accrued PTO	6,877.88
2450 Deferred inflow-pension	
2455 Net pension liability	
2600 Deferred Revenue	350,000.14
2700 Direct Deposit Payable	
Total for Other Current Liabilities	\$379,713.24
Total for Current Liabilities	\$383,617.17
Long-term Liabilities	
Total for Liabilities	\$383,617.17
Equity	
3900 2550 Fund Balance	223,490.62
Net Income	-80,961.37
3000 Opening Bal Equity	-60.41
Total for Equity	\$142,468.84
Total for Liabilities and Equity	\$526,086.01

Statement of Activity

NV State Board of Psychological Examiners

July 1, 2024-June 30, 2025

DISTRIBUTION ACCOUNT	TOTAL
Income	
4010 Psychologist Application	\$300.00
40100 Psychologist Application	23,144.58
40101 PA Application	4,016.63
40102 Intern Application	1,241.30
40103 Trainee Application	4,808.95
Total for 4010 Psychologist Application	\$33,511.46
4015 Psychologist State Exam	18,051.80
4020 Psych Biennial	\$175,750.33
40201 Prorated Psych Biennial	28,997.51
40203 Reinstatement of Psych	200.00
Total for 4020 Psych Biennial	\$204,947.84
4025 Psychologist Licensing Fee	0
40251 New License	2,200.00
40252 Change/Duplicate/Reinstatement	678.34
Total for 4025 Psychologist Licensing Fee	\$2,878.34
4028 Registration Fee	0
40281 Psych Asst fee	5,102.09
40282 Psych Intern Fee	535.10
40283 Psych Trainee	986.99
Total for 4028 Registration Fee	\$6,624.18
4030 Non-Resident Consultant	1,200.00
4040 CE App Fee	1,120.74
4045 Verification of Licensure	676.58
4050 Renewal Late Fee	3,200.00
4999 Interest	42.00
Total for Income	\$272,252.94
Cost of Goods Sold	
Gross Profit	\$272,252.94
Expenses	
307910 7210 Dolt Web SVb	935.84
5100 Board Sal	5,850.00
5175 Board Staf	0
51753 Investigator Salary	13,746.50
Total for 5175 Board Staf	\$13,746.50
5250 Workers Compensation	927.00
5300 PERS	7,499.39

Statement of Activity

NV State Board of Psychological Examiners

July 1, 2024-June 30, 2025

DISTRIBUTION ACCOUNT	TOTAL
6100 Out of State Travel	\$704.42
6102 Lodging	3,419.88
6105 Auto-Public Carrier	91.36
6106 Air Tvl	2,873.47
6110 Out of State Travel Misc Costs	158.51
Total for 6100 Out of State Travel	\$7,247.64
6200 In State Travel	428.26
7015 Supplies	1,970.43
7020 Office Expense	\$300.14
7040 Print-Copy	260.68
7050 Rent	17,219.70
85100 Shredding	41.00
Total for 7020 Office Expense	\$17,821.52
7100 Postage	1,071.48
7200 Utilities	\$562.87
7290 Telephone	-\$4.64
72902 Internet	799.43
Total for 7290 Telephone	\$794.79
Total for 7200 Utilities	\$1,357.66
7500 Copy Lease	1,375.70
7770 Software	3,470.45
7777 Database	767.67
8000 Legal & Professional Fees	\$17,940.94
8010 Legal	25,328.67
8015 Tort Claim	1,164.30
Total for 8000 Legal & Professional Fees	\$44,433.91
8050 Prof Servs	\$18,749.00
8055 Lobbyist	5,358.75
Total for 8050 Prof Servs	\$24,107.75
8250 Dues & Reg	\$2,420.00
8255 Membership	-280.00
Total for 8250 Dues & Reg	\$2,140.00
8500 Admin Serv	0
8520 LCB	1,200.00
Total for 8500 Admin Serv	\$1,200.00
9001 Banking Fees	\$14.17
9002 Bank Crgs	76.44
Total for 9001 Banking Fees	\$90.61
90100 Miscellaneous Expense	5.00

Statement of Activity

NV State Board of Psychological Examiners

July 1, 2024-June 30, 2025

DISTRIBUTION ACCOUNT	TOTAL
9100 Payroll Expenses	\$3,132.04
9110 Company Contributions	0
Health Insurance	17,221.55
Retirement	23,222.71
Total for 9110 Company Contributions	\$40,444.26
9130 Wages	136,382.86
Taxes	0
9111 Federal Taxes (941/944)	14,220.17
NV Unemployment Tax	
Total for Taxes	\$14,220.17
Total for 9100 Payroll Expenses	\$194,179.33
PayPal Fees	14,465.21
Reimbursements	8,122.96
Total for Expenses	\$353,214.31
Net Operating Income	-\$80,961.37
Other Income	
Other Expenses	
Net Other Income	0
Net Income	-\$80,961.37

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

DATE: July 18, 2025

ITEM:

5B - (For Possible Action) Discussion and Possible Action to Approve the Budget for Fiscal Year 2026.

SUMMARY:

The proposed budget for FY2026 that is before the Board for approval provides for:

- the deferred income that the Board has already received and that has been distributed to the two 2025-26 biennium quarters (second and third) that are FY2026, and
- projected revenue (both deferred and regular revenue) and expenses based upon data from FY2025.

Included in the budget is an accounting of money the Board has "on hand" (in its checking account) – money identified in the prior fiscal year budget as left over and that is in addition to the deferred revenue amounts that are allocated to FY2026 (which are the second and third quarters of the 2025-26 biennium). The cash on hand absorbs the deferred revenue that the board has in its account from, among other things, renewals for the 2025-2026 biennium, but from which it does not immediately benefit due to the deferred income distribution throughout the biennium. That amount, however, is expected to recover and grow from the compounding deferred income allocated to the remaining 2025-2026 biennium quarters and will maintain a financially healthy Board.

NV State Board of Psychological Examiners
Budget - Fiscal Year 2026

		FY26 Budgeted Amount	FY26 Actual (FY26-First Half, 7/1/2025 to 12/31/2025)	% actual to budget
INCOME				
Net Money on hand (Checking) as of 7/1/2025		64,395.70	64,395.70	
Deferred Revenue				
2600	Renewals - 7/1/24 and 1/1/25	202,646.74	101,323.37	50.00%
2600	Late Renewals - 1Q 25-26	17,990.30	8,995.15	50.00%
40201 40281-3 40203	New Licensure, Registrations, Reinstatements	25,500.00	7,421.98	29.11%
Total Deferred Income		246,137.04	117,740.50	47.84%
	Deferred PP fees			

Current cash on hand carried over from FY25 surplus, which amount is checked for accuracy by subtracting the total deferred income actually received and earmarked for/distributed to the 3 remaining 2025-26 biennium quarters from the current checking account balance as of July 1, 2025

	NET Deferred Income			
Regular Revenue	25-26 Biennium Q4 New Licensure and Registrations			
	Applications			
40100	Psychologist Application	22,500.00		0.00%
40101	PA Application	3,750.00		0.00%
40102	Intern Application	1,150.00		0.00%
40103	Trainee Application	4,500.00		0.00%
4010	Reinstatement/Reactivation	200.00		0.00%
4015	Psychologist State Exam	17,500.00		0.00%
4030	Non-Resident Consultant	1,000.00		0.00%
4040	CE App Fee	1,050.00		0.00%
	Other			
4025/4050	Late and License Restoration Fees	250.00		0.00%
40251/40252	New and Duplicate License	2,750.00		0.00%
4045	Verification of Licensure	550.00		0.00%
4075	Cost Recovered (Disciplinary)			
4999	Interest, Misc	45.00		0.00%
Total Income		\$365,777.74	\$117,740.50	32.19%

Payroll Expenses		FY25 Budgeted Amount	FY25 Actual	% actual to budget
5100	Board Salary/Per Diem	6,500.00		0.00%

2700	Executive Director (net)	60,000.00		0.00%
2700	Administrative Director (net)	52,500.00		0.00%
2700	Staff Salary (Part-Time)	2,500.00		0.00%
9110	Staff Benefits	30,000.00		0.00%
2700	Investigator/Consultant Salary	17,500.00		0.00%
5250	Workers Compensation	1,500.00		0.00%
2108/5300	PERS	60,000.00		0.00%
2100	Federal Payroll Taxes	35,000.00		0.00%
9100	Other Payroll Expenses	2,200.00		0.00%
	Total Payroll	267,700.00	0.00	0.00%

Operating Expenses		FY25 Budgeted Amount	FY25 Actual	% actual to budget
6100	Out of State	7,500.00		0.00%
6200	In-State Travel	500.00		0.00%
7015	Office Supplies/furniture	2,000.00		0.00%
	Office expenses:			
7040	- Print-Copy	300.00		0.00%
7050	- Rent	20,000.00		0.00%
7100	- Postage	1,200.00		0.00%
7210	- DoIt Web SV	1,200.00		0.00%
7290/72902 7200	- Telephone/Internet & Utilities	1,500.00		0.00%
7500	- Copy Lease	1,500.00		0.00%
7020	- Water/Misc	400.00		0.00%
7770/7777	Software & Database	4,500.00		0.00%
8000/8010	Legal & Professional Fees	45,000.00		0.00%
8015	Tort Claim	1,250.00		0.00%

8050/8055	Professional Services (Auditor, Bookkeeper, Lobbyist)	25,000.00		0.00%
8250	Dues & Reg (ASPPB, Conf, Continuing Ed)	5,000.00		0.00%
8520	Admin Services (LCB)	1,500.00		0.00%
9001/9002	Banking Fees	100.00		0.00%
	PayPal Fees (against regular revenue)	2,500.00		0.00%
90100	Miscellaneous Expense	100.00		0.00%
	Uncategorized Expense	0.00		
Total Expenses		\$121,050.00	\$0.00	0.00%
Total Expenses + Payroll		\$388,750.00	\$0.00	0.00%
Total Income + Cash		\$ 430,173.44	\$182,136.20	42.34%
Final Balance		\$41,423.44	\$182,136.20	

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement (this "Agreement") is made effective as of July 01, 2025, by and between State of Nevada Board of Psychological Examiners (the "Recipient"), of 3080 South Durango Drive, Suite 102, Las Vegas, NV 89117, and Michelle Fox (the "Contractor"), of [REDACTED]. In this Agreement, the party who is contracting to receive the services shall be referred to as "Recipient", and the party who will be providing the services shall be referred to as "Contractor."

1. DESCRIPTION OF SERVICES. Beginning the date this agreement is executed through June 30, 2026, the Contractor will provide the following services (collectively, the "Services"):

Scope of work to be performed: Close out Fiscal Year 2025 and support Fiscal Year 2026; Enter and/or review financial transactions; Reconcile all Bank Accounts; Set-up filing system for all relative documents.

2. PAYMENT FOR SERVICES. The Recipient will pay compensation to the Contractor for the Services. Payments will be made as follows: \$52.50 per hour payable upon receipt of invoice for services rendered. Amount not to exceed \$2,000.00.

No other fees and/or expenses will be paid to the Contractor, unless such fees and/or expenses have been approved in advance by the appropriate executive on behalf of the Recipient in writing. The Contractor shall be solely responsible for any and all taxes, Social Security contributions or payments, disability insurance, unemployment taxes, and other payroll type taxes applicable to such compensation.

3. TERM/TERMINATION. This Agreement may be terminated by either party upon 30 days' written notice to the other party.

A regular, ongoing relationship of indefinite term is not contemplated. The Recipient has no right to assign services to the Contractor other than as specifically contemplated by this Agreement.

However, the parties may mutually agree that the Contractor shall perform other services for the Recipient, pursuant to the terms of this Agreement.

4. RELATIONSHIP OF PARTIES. It is understood by the parties that the Contractor is an independent contractor with respect to the Recipient, and not an employee of the Recipient. The Recipient will not provide fringe benefits, including health insurance benefits, paid vacation, or any other employee benefit, for the benefit of the Contractor.

It is contemplated that the relationship between the Contractor and the Recipient shall be a

non-exclusive one. The Contractor also performs services for other organizations and/or individuals.

The Recipient has no right to further inquire into the Contractor's other activities.

5. RECIPIENT'S CONTROL. The Recipient has no right or power to control or otherwise interfere with the Contractor's mode of effecting performance under this Agreement. The Recipient's only concern is the result of the Contractor's work, and not the means of accomplishing it. Except in extraordinary circumstances and when necessary, the Contractor shall perform the Services without direct supervision by the Recipient.

6. PROFESSIONAL CAPACITY. The Contractor is a professional who uses his or her own professional and business methods to perform services. The Contractor has not and will not receive training from the Recipient regarding how to perform the Services.

7. PERSONAL SERVICES NOT REQUIRED. The Contractor is not required to render the Services personally and may employ others to perform the Services on behalf of the Recipient without the Recipient's knowledge or consent. If the Contractor has assistants, it is the Contractor's responsibility to hire them and to provide materials for them.

8. NO LOCATION ON PREMISES. The Contractor has no desk or other equipment either located at or furnished by the Recipient. Except to the extent that the Contractor works in a territory as defined by the Recipient, his or her services are not integrated into the mainstream of the Recipient's business.

9. NO SET WORK HOURS. The Contractor has no set hours of work. There is no requirement that the Contractor work full time or otherwise account for work hours.

10. EXPENSES PAID BY CONTRACTOR. The Contractor's business and travel expenses are to be paid by the Contractor and not by the Recipient.

11. CONFIDENTIALITY. Contractor may have had access to proprietary, private and/or otherwise confidential information ("Confidential Information") of the Recipient. Confidential Information shall mean all non-public information which constitutes, relates or refers to the operation of the business of the Recipient, including without limitation, all financial, investment, operational, personnel, sales, marketing, managerial and statistical information of the Recipient, and any and all trade secrets, customer lists, or pricing information of the Recipient. The nature of the information and the manner of disclosure are such that a reasonable person would understand it to be confidential. The Contractor will not at any time or in any manner, either directly or indirectly, use for the personal benefit of the Contractor, or divulge, disclose, or communicate in any manner any Confidential Information. The Contractor will protect such information and treat the Confidential Information as strictly confidential. This provision shall continue to be effective after the termination of this Agreement. Upon termination of this Agreement, the Contractor will return to the Recipient all Confidential Information, whether physical or electronic, and other items that were used, created, or controlled by the Contractor during the term of

this Agreement.

This Agreement is in compliance with the Defend Trade Secrets Act and provides civil or criminal immunity to any individual for the disclosure of trade secrets: (i) made in confidence to a federal, state, or local government official, or to an attorney when the disclosure is to report suspected violations of the law; or (ii) in a complaint or other document filed in a lawsuit if made under seal.

12. NO RIGHT TO ACT AS AGENT. An "employer-employee" or "principal-agent" relationship is not created merely because (1) the Recipient has or retains the right to supervise or inspect the work as it progresses in order to ensure compliance with the terms of the contract or (2) the Recipient has or retains the right to stop work done improperly. The Contractor has no right to act as an agent for the Recipient and has an obligation to notify any involved parties that it is not an agent of the Recipient.

13. ENTIRE AGREEMENT. This Agreement constitutes the entire contract between the parties. All terms and conditions contained in any other writings previously executed by the parties regarding the matters contemplated herein shall be deemed to be merged herein and superseded hereby. No modification of this Agreement shall be deemed effective unless in writing and signed by the parties hereto.

14. WAIVER OF BREACH. The waiver by the Recipient of a breach of any provision of this Agreement by Contractor shall not operate or be construed as a waiver of any subsequent breach by Contractor.

15. SEVERABILITY. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

16. APPLICABLE LAW. This Agreement shall be governed by the laws of the State of Nevada.

17. SIGNATORIES. This Agreement shall be signed by Dr. Lorraine Benuto, Board President, on behalf of Recipient, and by Michelle Fox as Contractor. This Agreement is effective as of the date signed below.

RECIPIENT:

State of Nevada Board of Psychological Examiners

By: _

Lorraine Benuto, Ph.D., Board
President

Dated

By: _

Harry B. Ward, J.D.
Deputy Attorney General

Dated

CONTRACTOR:

Michelle Fox

By: _

Dated

Regulation Revisions Table

<u>Legislative File No.</u>	<u>Description</u>	<u>Status</u>
R192-24	National Exam Regulation	LCB has issued a regulation number; awaiting an LCB Draft to be able to have a Regulation hearing.
R001-25	Continuing Education Regulation	LCB has issued a regulation number; awaiting an LCB Draft to be able to have a Regulation hearing.

2025 Legislative Session

<u>Bill No</u>	<u>Description</u>	<u>Status</u>
<u>SB165</u>	Revises NRS Chapter 641 (Psychologists) to provide for the licensure, regulation, investigation, and discipline of Behavioral Health and Wellness Practitioners	Passed and approved by the Governor on 6/6/2025; Requires regulation drafting.
<u>SB251</u>	Revises NRS Chapter 641 (Psychologists) relating to Psychological Assistants, Psychological Interns, and Psychological Trainees.	Passed and approved by the Governor on 5/31/2025; Requires regulation revisions.
<u>AB196</u>	Revises certain provisions of NRS Chapter 641 related to the term "psychometrist", the registration of business entities, and creating a limitations period for complaints.	Passed and approved by the Governor on 5/29/2025; Requires regulation revisions.

**Board Office Statistics
Fiscal Year 25**

Item 8A

		7/24	8/24	9/24	10/24	11/24	12/24	1/25	2/25	3/25	4/25	5/25	6/25	FY25 Totals
Psychologists	Licenses Issued	10	7	8	8	6	5	6	8	5	5	5	14	87
	Applications Received	16	13	18	4	13	7	5	17	11	9	18	10	141
Psychological Assistants	Registrations Issued	1	7	3	3	3	1	0	0	1	0	1	0	20
	Applications Received	4	3	4	0	0	0	0	1	2	1	3	3	21
Psychological Interns	Registrations Issued	1	0	0	0	0	0	0	1	2	0	0	0	4
	Applications Received	0	0	1	2	0	1	0	2	1	0	1	1	9
Psychological Trainees	Registrations Issued	0	1	1	8	0	0	0	2	0	0	0	1	13
	Applications Received	0	2	8	0	0	1	2	1	0	2	1	3	20
Non-Resident Consultants	Registrations Issued	0	1	1	1	0	0	1	2	2	0	1	2	11
Background Checks	Reviewed	1	0	0	1	0	0	0	0	0	2	0	1	5
Continuing Education	Applications Reviewed	7	0	4	2	1	2	1	1	11	3	1	1	34
State Exams	Administered	11	12	13	9	7	3	5	3	5	6	10	9	93
Complaints	Received	4	3	2	2	1	1	2	0	5	7	3	3	33
Totals		55	49	63	40	31	21	22	38	45	35	44	48	491

Current Active Licensees - 2025-26 biennium: 714

Current Applications and Registrations:

	App	Reg
Psychologists	150	
Psychological Assistants	15	30
Psychological Interns	10	7
Psychological Trainees	13	37

1 **BEFORE THE STATE OF NEVADA**
2 **BOARD OF PSYCHOLOGICAL EXAMINERS**

3
4 STATE OF NEVADA BOARD OF
5 PSYCHOLOGICAL EXAMINERS,

6 Petitioner,

7 vs.

8 JENNIFER KARMELY,
9 License No. PY 0697,

 Respondent.

Case No. 24-0312(2)

**STIPULATED CONSENT
AGREEMENT**

10 **PARTIES**

11 This Stipulated Consent Agreement ("Agreement") is entered into by Petitioner
12 STATE OF NEVADA, BOARD OF PSYCHOLOGICAL EXAMINERS ("Board"), by and
13 through its counsel, AARON D. FORD, Attorney General of the State of Nevada, and
14 HARRY B. WARD, Deputy Attorney General, and Respondent JENNIFER KARMELY,
15 License No. PY 0697, ("Respondent"). At the relevant times mentioned in this Agreement,
16 Respondent was licensed as a psychologist by the Board under License No. PY 0697, and
17 is, therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 641
18 and NAC Chapter 641.

19 **ALLEGED FACTS**

- 20 1. Respondent was, at the relevant times mentioned in this Complaint licensed as
21 a psychologist with the Nevada Board of Psychological Examiners, and currently
22 holds license number PY 0697 and, therefore, subject to the jurisdiction of the
23 Board and the provisions of NRS Chapter 641 and NAC Chapter 641.
- 24 2. It is asserted that Respondent is bound by the provisions set forth in the most
25 recent edition of the *Ethical Principles of Psychologists and Code of Conduct*
26 adopted by the American Psychological Association and adopted by reference and
27 incorporated pursuant to NAC 641.250. It is also asserted that the *Ethical*
28 *Principles of Psychologists and Code of Conduct* states that the Ethics Code

1 applies to psychologists' activities that are part of their scientific, educational, or
2 professional roles as psychologists. It is further asserted that the areas covered
3 include but are not limited to the clinical, counseling, and school of practice of
4 psychology; research; teaching; supervision of trainees; public service; and
5 administration. The Code of Ethics applies to these activities across a variety of
6 contexts, such as in-person, postal, telephone, Internet, and other electronic
7 transmissions. Membership in the American Psychological Association ("APA")
8 commits members to comply with the standards of the APA Ethics Code and to
9 the rules and procedures used to enforce them. It is asserted that in the process
10 of making decisions regarding their professional behavior, psychologists must
11 consider the Ethics Code in addition to applicable state laws and psychology
12 board regulations. Pursuant to the *Ethical Principles of Psychologists and Code*
13 *of Conduct*, if the Ethics Code establishes a higher standard of conduct than is
14 required by state law, psychologists must meet the higher ethical standards.

- 15 3. It is asserted that Respondent demonstrates a lack of understanding regarding
16 potential violations of NRS Chapter 641, NAC Chapter 641 and professional
17 ethics. It is asserted that Complainant's allegations describe harm to not only
18 the Complainant but to at least 40 other individuals who's testing reports have
19 not been completed. Respondent's alleged actions of issuing a "statement of
20 diagnosis" are not an appropriate stop-gap measures and violates NRS Chapter
21 641, NAC Chapter 641 and professional ethics. Furthermore, test results are
22 meant to describe individual differences and are used to provide individualized
23 educational programming for those individuals. Moreover, a simple diagnosis is
24 insufficient in these matters and results in potential harm to the Complainant
25 and members of the public.
26
27
28

1 4. It is also asserted that Respondent took money from the Complainant and others
2 for a service ultimately not provided. Such actions whether non-intentional,
3 intentional, or fraudulent, are violations of NRS Chapter 641, NAC Chapter 641
4 and professional ethics. Respondent's statement in which the Respondent
5 describes "writing days" as times when they were "not able to directly generate
6 income" demonstrates Respondent's lack of understanding of her responsibilities
7 regarding the fees billed and fees collected and are violations of NRS Chapter
8 641, NAC Chapter 641 and professional ethics.
9

10 5. It is alleged that Respondent is in violation of the APA Ethics Code: Principal C:
11 Integrity; Standard 2.01 Boundaries of Competence; Standard 6.01
12 Documentation of Professional and Scientific Work and Maintenance of Records
13 Standard 9.10 Explaining Assessment Results. It is further alleged; Respondent
14 is in violation of Nevada Revised Statutes: 641.230(1)(d) gross negligence in the
15 practice of psychology and NAC 641.219(1) inadequate record keeping.
16
17

18 **RESPONDENTS' REPLY TO ALLEGED VIOLATIONS**

19 Without conceding any of the allegations contained herein, the Respondent
20 submitted a formal response to the Board's Complaint and Notice of Hearing and filed an
21 Answer and Affirmative Defenses in this matter.

22 It is agreed that this Agreement is for the sole purpose of resolving the allegations
23 brought against the Respondent, that no admission of wrongdoing is intended by entering
24 into this Agreement, and this Agreement shall not be admissible in any current or
25 subsequent civil action against the Respondent. Additionally, this Agreement will
26 constitute a disciplinary action against Respondent's license and is considered a
27 disciplinary action against the Respondent pursuant to NRS Chapter 641.

28 Respondent understands that this Agreement is not a private reprimand; will be

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.

PROPOSED STIPULATED CONSENT AGREEMENT

1. In the interests of resolving this matter, Respondent voluntarily agrees to and enters into this Agreement.

2. Respondent agrees to the following:

a. To reimburse the Board for investigation costs and costs to prosecute the matter in an amount of One Thousand (\$1,000) Dollars and agrees to pay this amount within six (6) months from the date of the Board's approval of this Agreement.

b. To take and pass the EBAS Essay Examination (Ethics and Boundaries Assessment Service) within nine (9) months from the date of the Board's approval of this Agreement with the results sent to the Board.

c. To take an additional eight (8) hours of Continuing Education, in addition to the required Continuing Education pursuant to NAC Chapter 641, within nine (9) months of the approval of this Agreement by the Board. The additional eight (8) hours of Continuing Education must be approved by the Board's Investigator in this matter.

d. One (1) year of supervised supervision, by an approved supervisor by the investigator in this matter, with Quarterly reports to the investigator. Respondent may petition the Board after completion of six (6) months' supervision if completion is successful and with a supporting recommendation by the investigator. Respondent is responsible for the costs of supervision.

e. A fine in the amount of One Thousand (\$1,000) Dollars and to pay this amount within twelve (12) months from the date of the Board's approval of this Agreement.

f. Upon good cause shown and a request to the Board from Respondent, the Board may extend the time for completion of this requirement.

3. The Board may institute collection and recovery actions against Respondent, if Respondent fails to pay the costs assessed above within the time given for payment.

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

5 5. Respondent agrees and understands that if the costs assessed above are not
6 paid within the time allowed, or if any requirements specified above are not timely
7 completed and there has been no extension granted by the Board, the Board may, at its
8 option, rescind this Agreement and proceed with conducting a formal hearing on this
9 matter before the Board. Further, recovery actions for the assessed cost reimbursement
10 for the Board's costs may be instituted by the Board.

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

19 **STIPULATION IS NOT EVIDENCE**

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

23 **APPROVAL OF STIPULATED CONSENT DECREE**

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

28 This Agreement is one of several matters scheduled at the same time as part of a

1 regular meeting of the Board. When this matter is called, the counsel for the Board will
2 recommend approval of this Agreement by the Board. Respondent acknowledges and
3 agrees that the Board may approve this Agreement, reject it, or suggest different terms
4 that must be communicated to Respondent and accepted or rejected by Respondent before
5 any such amendment shall become effective.

6 WITHDRAWAL OF AGREEMENT

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

10 RELEASE

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

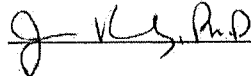
20 INDEMNIFICATION

21 Respondent hereby indemnifies and holds harmless the State of Nevada, Board of
22 Psychological Examiners and each of its members, agents, and employees in their
23 individual and representative capacities against any and all claims, suits, and actions
24 brought against said persons and/or entities by reason of the Board Staff's investigation,
25 this non-disciplinary action and all other matters relating thereto. Respondent hereby
26 agrees to indemnify the State of Nevada, Board of Psychological Examiners any and all
27 expenses, damages, and costs, including court costs and attorney fees, which may be
28 sustained by the persons and/or entities named in this section as a result of said claims,

suits, and actions.

IT IS SO STIPULATED:

JENNIFER KARMELY,
License No. PY0697



JENNIFER KARMELY

Dated: 6/18/2025

JOHN H. COTTON & ASSOCIATES, Ltd.
Counsels for Respondent



John H. Cotton, Esq.
Counsel for Respondent
NV Bar # 5268
7900 W. Sahara Avenue, Suite 200
Las Vegas, Nevada 89117
(702) 832-5909

Dated: 06/20/2025

STATE OF NEVADA,
BOARD OF PSYCHOLOGICAL
EXAMINERS

Dated: 7/9/2025

By:



LAURA M. ARNOLD
Executive Director

Approved as to form:

AARON D. FORD
Attorney General

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: July 18, 2025

ITEM:

- 11 - (For Possible Action) Discussion and Possible Action to Approve Establishing a Behavioral Health and Wellness Practitioner Advisory Group as Required by 2025 SB165.

SUMMARY:

During its 2025 session, the Nevada Legislature passed Senate Bill 165 (SB165), which, among other things, creates a new licensure designation that is to be housed under and regulated by the Psychology Board. That new licensure designation is Behavioral Health and Wellness Practitioners (BHWP), and those who hold a BHWP license will practice Behavioral Health Promotion and Prevention (BHPP). SB165 defines:

- a BHWP as a person licensed to practice BHPP, and
- the practice of BHPP as the supervised clinical use of prevention and intervention strategies to identify persons at risk of mental or behavioral health issues and accomplish individualized goals relating to the mental and behavioral health of the person as part of a therapeutic relationship, and excluding the practice of numerous other professional practices.

In carrying out the requirement that it house/regulate the newly-created BHWP licensure designation, the Board is required to:

- **Establish** a Behavioral Health and Wellness Practitioner Advisory Group (BHWP Advisory Group) of those familiar with the practice of BHPP to provide the Board with the expertise and assistance relating to the regulation of BHWPs (SB165, Sec. 14); and
- **Adopt** regulations it deems necessary to carry out the provisions of SB165 sections 13-18 and identify what the regulations may include (SB165, Sec. 13).
- **Approve** of:
 - o an examination on the practice of BHPP (SB165, Sec. 15(d)(4)), *or*
 - o an alternative to an examination that provides a process for a BHWP applicant to demonstrate that the applicant is competent to practice as a BHWP (SB165, Sec. 13(d) & Sec. 15(d)(4)).
- **Determine** any additional continuing education that the Board requires to satisfy the 20 continuing education requirements for triennial license renewal (SB165, Sec. 16(2)(c)).

Moreover, the Board office will be required to undertake various administrative and other tasks to implement the application/licensure/renewal process for BHWP.

In order to carry out the requirements of adopting regulations, approving of an examination or alternative competency evaluation, and determining the continuing education requirements for BHWP licensure renewal, the Board should first establish the BHWP Advisory Group of those familiar with the practice of BHPP to provide the Board with the expertise and assistance relating to the regulation of BHWP. Pursuant to SB165, Section 14, the Board is required to:

- Determine the number of members of the Advisory Group,
- Appoint the members of the Advisory Group,
- Establish the terms of the members of the Advisory Group;
- Determine the duties of the Advisory Group.

Dr. Tara Raines, who was among those behind and presented SB165 to the legislature, has prepared some information and recommendations regarding the new licensure designation and the advisory group.

Once the BHWP Advisory Group is established and its members appointed, the Board, with the advisory group's assistance and input, can then undertake the work that will be required to adopt regulations to carry out the provisions of SB165, approve of an examination or alternative competency evaluation for BHWP applicants, and determine the continuing education requirements for BHWP renewal. The work of the BHWP Advisory Group will also help inform the administrative and other tasks that will be required to add the BHWP licensure designation to the Board.

Senate Bill No. 165—Senators Nguyen; Buck and Steinbeck

CHAPTER.....

AN ACT relating to behavioral health; providing for the licensure and regulation of behavioral health and wellness practitioners; requiring the establishment of a Behavioral Health and Wellness Practitioner Advisory Group; authorizing the Board of Psychological Examiners to investigate and impose discipline on a behavioral health and wellness practitioner; prohibiting the unlicensed practice of behavioral health promotion and prevention; establishing a privilege for certain confidential communications between a patient and a behavioral health and wellness practitioner under certain circumstances; requiring Medicaid to cover behavioral health promotion and prevention services provided by a behavioral health and wellness practitioner; providing penalties; requiring certain allocations and transfers of money and authorizing certain expenditures; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the licensure of psychologists by the Board of Psychological Examiners. (NRS 641.160, 641.170, 641.196) The Board also registers psychological assistants, psychological interns and psychological trainees. (NRS 641.226)

Section 10 of this bill defines “behavioral health and wellness practitioner” to mean a person who is licensed to practice behavioral health promotion and prevention. **Section 11** of this bill defines “behavioral health promotion and prevention” to mean the supervised clinical use of prevention and intervention strategies relating to mental and behavioral health. **Section 20** of this bill applies those definitions to the provisions of existing law governing licensure by the Board.

Sections 13-19 and 21-49 of this bill provide for the licensure and regulation of behavioral health and wellness practitioners by the Board. **Section 13:** (1) requires the Board to adopt certain regulations governing behavioral health and wellness practitioners; and (2) authorizes the Board to accept gifts, grants, donations and other funds to assist in carrying out the provisions relating to behavioral health and wellness practitioners. **Section 28** authorizes the Board to adopt additional regulations governing the practice of behavioral health promotion and prevention. **Section 14** requires the Board to establish a Behavioral Health and Wellness Practitioner Advisory Group to provide the Board with expertise and assistance relating to the regulation of behavioral health and wellness practitioners. **Section 83** eliminates the Advisory Group on December 31, 2028. **Section 37.5** of this bill makes a conforming change to remove a reference to the Advisory Group after it ceases to exist. **Section 15** prescribes the required qualifications to obtain a license as a behavioral health and wellness practitioner, and **section 30** requires an applicant for such a license to undergo a fingerprint-based background check. **Sections 16 and 17** prescribe procedures relating to the expiration and renewal of such a license. **Section 18** authorizes certain providers of health care, including an advanced practice registered nurse who has psychiatric training and experience, to supervise a behavioral health and wellness practitioner. **Section 5** of this bill



requires the State Board of Nursing to adopt regulations establishing the psychiatric training and experience necessary for an advanced practice registered nurse to provide such supervision. **Section 33** establishes the maximum fees for the issuance or renewal of a license to practice behavioral health promotion and prevention.

Sections 21-23, 25 and 35-47 make the procedures for the investigation and discipline of psychologists and the grounds for disciplinary action against psychologists also apply to behavioral health and wellness practitioners. **Section 48:** (1) prohibits a person from representing himself or herself as a behavioral health and wellness practitioner unless he or she is licensed as a behavioral health and wellness practitioner; and (2) authorizes certain persons in a course of study to practice behavioral health promotion and prevention to engage in the supervised practice of behavioral health promotion and prevention without a license. **Section 49** makes the practice of behavioral health promotion and prevention without a license or under a false or assumed name a gross misdemeanor. **Section 12** of this bill provides that provisions governing psychologists and persons who provide behavioral health promotion and prevention services do not apply to certain government employees. **Section 59** of this bill provides that any privilege for communications between a patient and the supervisor of a behavioral health and wellness practitioner also applies to communications between the patient and the behavioral health and wellness practitioner and other persons involved in the provision of behavioral health promotion and prevention services under the supervision of the behavioral health and wellness practitioner.

Sections 19, 24, 26, 31 and 32 make conforming changes to include behavioral health and wellness practitioners within existing provisions where appropriate and exclude behavioral health and wellness practitioners from existing provisions that apply only to psychologists. **Sections 1-4, 6, 34, 50, 52, 54, 56-58 and 60-62** of this bill make various revisions to treat behavioral health and wellness practitioners in the same manner as other similar providers of health care in certain circumstances. **Section 7** of this bill clarifies that a music therapist is not authorized to practice behavioral health promotion and prevention. **Sections 8, 51, 53 and 55** of this bill provide that a behavioral health and wellness practitioner acting within his or her scope of practice is not violating provisions governing certain other providers of health care.

Existing law requires the Department of Health and Human Services to develop and administer a State Plan for Medicaid which includes a list of specific medical services required to be provided to Medicaid recipients. (NRS 422.063, 422.270) **Section 66** of this bill requires Medicaid to include coverage for behavioral health promotion and prevention services provided by a behavioral health and wellness practitioner. **Section 63** of this bill makes a conforming change to require the Director of the Department to administer the provisions of **section 66** in the same manner as other provisions relating to Medicaid. To carry out the purposes of **section 66**, **section 79.5** of this bill requires the transfer of money from the Account to Improve Health Care Quality and Access in the State General Fund to the Nevada Medicaid budget account and authorizes the expenditure of certain federal funding. Existing law: (1) creates the Account to Improve Health Care Quality and Access to hold the revenue collected from assessments and penalties imposed in certain circumstances against an operator of an agency to provide personal care services in the home or a medical facility that is required to obtain a license; and (2) requires the Division of Health Care Financing and Policy of the Department of Health and Human Services to administer the Account. (NRS 422.3791-422.3795)

Existing law: (1) creates the Fund for a Resilient Nevada to hold the proceeds of certain litigation by this State concerning the manufacture, distribution, sale or marketing of opioids; and (2) requires the Director of the Department of Health and



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Human Services to administer the Fund. (NRS 433.732-433.740) **Section 80** of this bill requires the Director to make allocations, as reimbursement during the 2025-2027 biennium from the Fund, to the Nevada System of Higher Education and certain institutions within the System for the costs of the establishment of: (1) programs for the education and training of behavioral health and wellness practitioners; (2) an accredited internship program for psychologists with an emphasis in child psychology; and (3) scholarships for students enrolled in programs for the education and training of providers of health care who may supervise behavioral health and wellness practitioners.

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

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 629.031 is hereby amended to read as follows:

629.031 Except as otherwise provided by a specific statute:

1. “Provider of health care” means:

(a) A physician licensed pursuant to chapter 630, 630A or 633 of NRS;

(b) A physician assistant;

(c) An anesthesiologist assistant;

(d) A dentist;

(e) A dental therapist;

(f) A dental hygienist;

(g) A licensed nurse;

(h) A person who holds a license as an attendant or who is certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS or authorized to practice as an emergency medical technician, advanced emergency medical technician or paramedic in this State under the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact ratified by NRS 450B.145;

(i) A dispensing optician;

(j) An optometrist;

(k) A speech-language pathologist;

(l) An audiologist;

(m) A practitioner of respiratory care;

(n) A licensed physical therapist;

(o) An occupational therapist;

(p) A podiatric physician;

(q) A licensed psychologist;

(r) A licensed marriage and family therapist;

(s) A licensed clinical professional counselor;

(t) A music therapist;



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- (u) A chiropractic physician;
- (v) An athletic trainer;
- (w) A perfusionist;
- (x) A doctor of Oriental medicine in any form;
- (y) A medical laboratory director or technician;
- (z) A pharmacist;
- (aa) A licensed dietitian;
- (bb) An associate in social work, a social worker, a master social worker, an independent social worker or a clinical social worker licensed pursuant to chapter 641B of NRS;
- (cc) An alcohol and drug counselor or a problem gambling counselor who is certified pursuant to chapter 641C of NRS;
- (dd) An alcohol and drug counselor or a clinical alcohol and drug counselor who is licensed pursuant to chapter 641C of NRS;
- (ee) A behavior analyst, assistant behavior analyst or registered behavior technician;
- (ff) A naprapath; ~~{or}~~
- (gg) *A behavioral health and wellness practitioner; or*
- (hh) A medical facility as the employer of any person specified in this subsection.

2. For the purposes of NRS 629.400 to 629.490, inclusive, the term includes a person who holds a current license or certificate to practice his or her respective discipline pursuant to the applicable provisions of law of another state or territory of the United States.

Sec. 2. NRS 629.550 is hereby amended to read as follows:

629.550 1. If a patient communicates to a mental health professional an explicit threat of imminent serious physical harm or death to a clearly identified or identifiable person and, in the judgment of the mental health professional, the patient has the intent and ability to carry out the threat, the mental health professional shall place the patient on a mental health crisis hold pursuant to NRS 433A.160, petition for a court to order the placement of the patient on a mental health crisis hold pursuant to NRS 433A.155 or make a reasonable effort to communicate the threat in a timely manner to:

- (a) The person who is the subject of the threat;
 - (b) The law enforcement agency with the closest physical location to the residence of the person; and
 - (c) If the person is a minor, the parent or guardian of the person.
2. A mental health professional shall be deemed to have made a reasonable effort to communicate a threat pursuant to subsection 1 if:



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(a) The mental health professional actually communicates the threat in a timely manner; or

(b) The mental health professional makes a good faith attempt to communicate the threat in a timely manner and the failure to actually communicate the threat in a timely manner does not result from the negligence or recklessness of the mental health professional.

3. A mental health professional who exercises reasonable care in determining that he or she:

(a) Has a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for disclosing confidential or privileged information.

(b) Does not have a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for any damages caused by the actions of a patient.

4. The provisions of this section do not:

(a) Limit or affect the duty of the mental health professional to report child abuse or neglect pursuant to NRS 432B.220 or the commercial sexual exploitation of a child pursuant to NRS 432C.110; or

(b) Modify any duty of a mental health professional to take precautions to prevent harm by a patient:

(1) Who is in the custody of a hospital or other facility where the mental health professional is employed; or

(2) Who is being discharged from such a facility.

5. As used in this section, “mental health professional” includes:

(a) A physician or psychiatrist licensed to practice medicine in this State pursuant to chapter 630 or 633 of NRS;

(b) A psychologist who is licensed to practice psychology pursuant to chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

(c) ***A behavioral health and wellness practitioner licensed to practice behavioral health promotion and prevention pursuant to chapter 641 of NRS;***

(d) A social worker who:

(1) Holds a master’s degree in social work;

(2) Is licensed as a clinical social worker pursuant to chapter 641B of NRS; and



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(3) Is employed by the Division of Public and Behavioral Health of the Department of Health and Human Services;

~~(d)~~ (e) A registered nurse who:

(1) Is licensed to practice professional nursing pursuant to chapter 632 of NRS; and

(2) Holds a master's degree in psychiatric nursing or a related field;

~~(e)~~ (f) A marriage and family therapist licensed pursuant to chapter 641A of NRS;

~~(f)~~ (g) A clinical professional counselor licensed pursuant to chapter 641A of NRS; and

~~(g)~~ (h) A person who is working in this State within the scope of his or her employment by the Federal Government, including, without limitation, employment with the Department of Veterans Affairs, the military or the Indian Health Service, and is:

(1) Licensed or certified as a physician, psychologist, marriage and family therapist, clinical professional counselor, alcohol and drug counselor or clinical alcohol and drug counselor in another state;

(2) Licensed as a social worker in another state and holds a master's degree in social work; or

(3) Licensed to practice professional nursing in another state and holds a master's degree in psychiatric nursing or a related field.

Sec. 3. NRS 629.580 is hereby amended to read as follows:

629.580 1. A person who provides wellness services in accordance with this section, but who is not licensed, certified or registered in this State as a provider of health care, is not in violation of any law based on the unlicensed practice of health care services or a health care profession unless the person:

(a) Performs surgery or any other procedure which punctures the skin of any person;

(b) Sets a fracture of any bone of any person;

(c) Prescribes or administers X-ray radiation to any person;

(d) Prescribes or administers a prescription drug or device or a controlled substance to any person;

(e) Recommends to a client that he or she discontinue or in any manner alter current medical treatment prescribed by a provider of health care licensed, certified or registered in this State;

(f) Makes a diagnosis of a medical disease of any person;

(g) Performs a manipulation or a chiropractic adjustment of the articulations of joints or the spine of any person;



(h) Treats a person's health condition in a manner that intentionally or recklessly causes that person recognizable and imminent risk of serious or permanent physical or mental harm;

(i) Holds out, states, indicates, advertises or implies to any person that he or she is a provider of health care;

(j) Engages in the practice of medicine in violation of chapter 630 or 633 of NRS, the practice of homeopathic medicine in violation of chapter 630A of NRS, the practice of naprapathy in violation of chapter 634B of NRS or the practice of podiatry in violation of chapter 635 of NRS, unless otherwise expressly authorized by this section;

(k) Performs massage therapy as that term is defined in NRS 640C.060, reflexology as that term is defined in NRS 640C.080 or structural integration as that term is defined in NRS 640C.085;

(l) Provides mental health services that are exclusive to the scope of practice of a psychiatrist licensed pursuant to chapter 630 or 633 of NRS, or a psychologist licensed pursuant to chapter 641 of NRS; ~~for~~

(m) Engages in the practice of applied behavior analysis in violation of chapter 641D of NRS ~~H~~; or

(n) Engages in the practice of behavioral health promotion and prevention in violation of chapter 641 of NRS.

2. Any person providing wellness services in this State who is not licensed, certified or registered in this State as a provider of health care and who is advertising or charging a fee for wellness services shall, before providing those services, disclose to each client in a plainly worded written statement:

(a) The person's name, business address and telephone number;

(b) The fact that he or she is not licensed, certified or registered as a provider of health care in this State;

(c) The nature of the wellness services to be provided;

(d) The degrees, training, experience, credentials and other qualifications of the person regarding the wellness services to be provided; and

(e) A statement in substantially the following form:

It is recommended that before beginning any wellness plan, you notify your primary care physician or other licensed providers of health care of your intention to use wellness services, the nature of the wellness services to be provided and any wellness plan that may be utilized. It is also recommended that you ask your primary care physician or other licensed providers of health care about any potential



drug interactions, side effects, risks or conflicts between any medications or treatments prescribed by your primary care physician or other licensed providers of health care and the wellness services you intend to receive.

↪ A person who provides wellness services shall obtain from each client a signed copy of the statement required by this subsection, provide the client with a copy of the signed statement at the time of service and retain a copy of the signed statement for a period of not less than 5 years.

3. A written copy of the statement required by subsection 2 must be posted in a prominent place in the treatment location of the person providing wellness services in at least 12-point font. Reasonable accommodations must be made for clients who:

- (a) Are unable to read;
- (b) Are blind or visually impaired;
- (c) Have communication impairments; or
- (d) Do not read or speak English or any other language in which the statement is written.

4. Any advertisement for wellness services authorized pursuant to this section must disclose that the provider of those services is not licensed, certified or registered as a provider of health care in this State.

5. A person who violates any provision of this section is guilty of a misdemeanor. Before a criminal proceeding is commenced against a person for a violation of a provision of this section, a notification, educational or mediative approach must be utilized by the regulatory body enforcing the provisions of this section to bring the person into compliance with such provisions.

6. This section does not apply to or control:

(a) Any health care practice by a provider of health care pursuant to the professional practice laws of this State, or prevent such a health care practice from being performed.

(b) Any health care practice if the practice is exempt from the professional practice laws of this State, or prevent such a health care practice from being performed.

(c) A person who provides health care services if the person is exempt from the professional practice laws of this State, or prevent the person from performing such a health care service.

(d) A medical assistant, as that term is defined in NRS 630.0129 and 633.075, an advanced practitioner of homeopathy, as that term is defined in NRS 630A.015, or a homeopathic assistant, as that term is defined in NRS 630A.035.



7. As used in this section, “wellness services” means healing arts therapies and practices, and the provision of products, that are based on the following complementary health treatment approaches and which are not otherwise prohibited by subsection 1:

- (a) Anthroposophy.
- (b) Aromatherapy.
- (c) Traditional cultural healing practices.
- (d) Detoxification practices and therapies.
- (e) Energetic healing.
- (f) Folk practices.
- (g) Gerson therapy and colostrum therapy.
- (h) Healing practices using food, dietary supplements, nutrients and the physical forces of heat, cold, water and light.
- (i) Herbology and herbalism.
- (j) Reiki.
- (k) Mind-body healing practices.
- (l) Nondiagnostic iridology.
- (m) Noninvasive instrumentalities.
- (n) Holistic kinesiology.

Sec. 4. NRS 629.600 is hereby amended to read as follows:

629.600 1. A psychotherapist shall not provide any conversion therapy to a person who is under 18 years of age regardless of the willingness of the person or his or her parent or legal guardian to authorize such therapy.

2. Any violation of subsection 1 is a ground for disciplinary action by a state board that licenses a psychotherapist as defined in subsection 3.

3. As used in this section:

(a) “Conversion therapy” means any practice or treatment that seeks to change the sexual orientation or gender identity of a person, including, without limitation, a practice or treatment that seeks to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward persons of the same gender. The term does not include counseling that:

(1) Provides assistance to a person undergoing gender transition; or

(2) Provides acceptance, support and understanding of a person or facilitates a person’s ability to cope, social support and identity exploration and development, including, without limitation, an intervention to prevent or address unlawful conduct or unsafe sexual practices that is neutral as to the sexual-orientation of the person receiving the intervention and does not seek to change



the sexual orientation or gender identity of the person receiving the intervention.

(b) “Psychotherapist” means:

(1) A psychiatrist licensed to practice medicine in this State pursuant to chapter 630 of NRS;

(2) A homeopathic physician, advanced practitioner of homeopathy or homeopathic assistant licensed or certified pursuant to chapter 630A of NRS;

(3) A psychiatrist licensed to practice medicine in this State pursuant to chapter 633 of NRS;

(4) A psychologist *or behavioral health and wellness practitioner* licensed to practice in this State pursuant to chapter 641 of NRS;

(5) A social worker licensed in this State as an independent social worker or a clinical social worker pursuant to chapter 641B of NRS;

(6) A registered nurse holding a master’s degree in the field of psychiatric nursing and licensed to practice professional nursing in this State pursuant to chapter 632 of NRS;

(7) A marriage and family therapist or clinical professional counselor licensed in this State pursuant to chapter 641A of NRS; or

(8) A person who provides counseling services as part of his or her training for any of the professions listed in subparagraphs (1) to (7), inclusive.

Sec. 5. NRS 632.120 is hereby amended to read as follows:

632.120 1. The Board shall:

(a) Adopt regulations establishing reasonable standards:

(1) For the denial, renewal, suspension and revocation of, and the placement of conditions, limitations and restrictions upon, a license to practice professional or practical nursing or a certificate to practice as a nursing assistant or medication aide - certified.

(2) Of professional conduct for the practice of nursing.

(3) For prescribing and dispensing controlled substances and dangerous drugs in accordance with applicable statutes.

(4) For the psychiatric training and experience necessary for an advanced practice registered nurse to be authorized to **{make}** :

(I) Make the diagnoses, evaluations and examinations described in NRS 432B.6078, 432B.60816, 433A.162, 433A.240, 433A.335, 433A.390, 433A.430, 484C.300 and 484C.320 to 484C.350, inclusive, the certifications described in NRS 432B.6075, 432B.60814, 433A.170, 433A.195 and 433A.200 and the sworn statements or declarations described in NRS 433A.210 and 433A.335 **{; and}**



(II) Supervise a behavioral health and wellness practitioner pursuant to section 18 of this act.

(b) Prepare and administer examinations for the issuance of a license or certificate under this chapter.

(c) Investigate and determine the eligibility of an applicant for a license or certificate under this chapter.

(d) Carry out and enforce the provisions of this chapter and the regulations adopted pursuant thereto.

(e) Develop and disseminate annually to each registered nurse who cares for children information concerning the signs and symptoms of pediatric cancer.

2. The Board may adopt regulations establishing reasonable:

(a) Qualifications for the issuance of a license or certificate under this chapter.

(b) Standards for the continuing professional competence of licensees or holders of a certificate. The Board may evaluate licensees or holders of a certificate periodically for compliance with those standards.

3. The Board may adopt regulations establishing a schedule of reasonable fees and charges, in addition to those set forth in NRS 632.345, for:

(a) Investigating licensees or holders of a certificate and applicants for a license or certificate under this chapter;

(b) Evaluating the professional competence of licensees or holders of a certificate;

(c) Conducting hearings pursuant to this chapter;

(d) Duplicating and verifying records of the Board; and

(e) Surveying, evaluating and approving schools of practical nursing, and schools and courses of professional nursing,

➤ and collect the fees established pursuant to this subsection.

4. For the purposes of this chapter, the Board shall, by regulation, define the term “in the process of obtaining accreditation.”

5. The Board may adopt such other regulations, not inconsistent with state or federal law, as may be necessary to carry out the provisions of this chapter relating to nursing assistant trainees, nursing assistants and medication aides - certified.

6. The Board may adopt such other regulations, not inconsistent with state or federal law, as are necessary to enable it to administer the provisions of this chapter.

Sec. 6. NRS 632.472 is hereby amended to read as follows:

632.472 1. The following persons shall report in writing to the Executive Director of the Board any conduct of a licensee or



holder of a certificate which constitutes a violation of the provisions of this chapter:

(a) Any physician, dentist, dental hygienist, expanded function dental assistant, naprapath, chiropractic physician, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, nursing assistant, medication aide - certified, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, anesthesiologist assistant, psychiatrist, psychologist, **behavioral health and wellness practitioner**, marriage and family therapist, clinical professional counselor, alcohol or drug counselor, peer recovery support specialist, peer recovery support specialist supervisor, music therapist, holder of a license or limited license issued pursuant to chapter 653 of NRS, driver of an ambulance, paramedic or other person providing medical services licensed or certified to practice in this State.

(b) Any personnel of a medical facility or facility for the dependent engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a medical facility or facility for the dependent upon notification by a member of the staff of the facility.

(c) A coroner.

(d) Any person who maintains or is employed by an agency to provide personal care services in the home.

(e) Any person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304.

(f) Any person who maintains or is employed by an agency to provide nursing in the home.

(g) Any employee of the Department of Health and Human Services.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect or exploitation of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Any social worker.

(l) Any person who operates or is employed by a community health worker pool or with whom a community health worker pool



contracts to provide the services of a community health worker, as defined in NRS 449.0027.

2. Every physician who, as a member of the staff of a medical facility or facility for the dependent, has reason to believe that a nursing assistant or medication aide - certified has engaged in conduct which constitutes grounds for the denial, suspension or revocation of a certificate shall notify the superintendent, manager or other person in charge of the facility. The superintendent, manager or other person in charge shall make a report as required in subsection 1.

3. A report may be filed by any other person.

4. Any person who in good faith reports any violation of the provisions of this chapter to the Executive Director of the Board pursuant to this section is immune from civil liability for reporting the violation.

5. As used in this section:

(a) “Agency to provide personal care services in the home” has the meaning ascribed to it in NRS 449.0021.

(b) “Community health worker pool” has the meaning ascribed to it in NRS 449.0028.

(c) “Peer recovery support specialist” has the meaning ascribed to it in NRS 433.627.

(d) “Peer recovery support specialist supervisor” has the meaning ascribed to it in NRS 433.629.

Sec. 7. NRS 640D.060 is hereby amended to read as follows:

640D.060 “Music therapy” means the clinical use of music interventions by a licensee to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed a music therapy program approved by the Board. The term does not include:

1. The practice of psychology , **behavioral health promotion and prevention** or medicine;

2. The psychological assessment or treatment of couples or families;

3. The prescribing of drugs or electroconvulsive therapy;

4. The medical treatment of physical disease, injury or deformity;

5. The diagnosis or psychological treatment of a psychotic disorder;

6. The use of projective techniques in the assessment of personality;

7. The use of psychological, neuropsychological, psychometric assessment or clinical tests designed to identify or classify abnormal



or pathological human behavior or to determine intelligence, personality, aptitude, interests or addictions;

8. The use of individually administered intelligence tests, academic achievement tests or neuropsychological tests;

9. The use of psychotherapy to treat the concomitants of organic illness;

10. The diagnosis of any physical or mental disorder; or

11. The evaluation of the effects of medical and psychotropic drugs.

Sec. 8. NRS 640E.090 is hereby amended to read as follows:

640E.090 1. The provisions of this chapter do not apply to:

(a) Any person who is licensed or registered in this State as a physician pursuant to chapter 630, 630A or 633 of NRS, dentist, nurse, dispensing optician, optometrist, occupational therapist, practitioner of respiratory care, physical therapist, podiatric physician, psychologist, **behavioral health and wellness practitioner**, marriage and family therapist, chiropractic physician, naprapath, athletic trainer, massage therapist, reflexologist, structural integration practitioner, perfusionist, doctor of Oriental medicine in any form, medical laboratory director or technician or pharmacist who:

(1) Practices within the scope of that license or registration;

(2) Does not represent that he or she is a licensed dietitian or registered dietitian; and

(3) Provides nutrition information incidental to the practice for which he or she is licensed or registered.

(b) A student enrolled in an educational program accredited by the Accreditation Council for Education in Nutrition and Dietetics, or its successor organization, if the student engages in the practice of dietetics under the supervision of a licensed dietitian or registered dietitian as part of that educational program.

(c) A registered dietitian employed by the Armed Forces of the United States, the United States Department of Veterans Affairs or any division or department of the Federal Government in the discharge of his or her official duties, including, without limitation, the practice of dietetics or providing nutrition services.

(d) A person who furnishes nutrition information, provides recommendations or advice concerning nutrition, or markets food, food materials or dietary supplements and provides nutrition information, recommendations or advice related to that marketing, if the person does not represent that he or she is a licensed dietitian or registered dietitian. While performing acts described in this



paragraph, a person shall be deemed not to be engaged in the practice of dietetics or the providing of nutrition services.

(e) A person who provides services relating to weight loss or weight control through a program reviewed by and in consultation with a licensed dietitian or physician or a dietitian licensed or registered in another state which has equivalent licensure requirements as this State, as long as the person does not change the services or program without the approval of the person with whom he or she is consulting.

2. As used in this section, “nutrition information” means information relating to the principles of nutrition and the effect of nutrition on the human body, including, without limitation:

- (a) Food preparation;
- (b) Food included in a normal daily diet;
- (c) Essential nutrients required by the human body and recommended amounts of essential nutrients, based on nationally established standards;
- (d) The effect of nutrients on the human body and the effect of deficiencies in or excess amounts of nutrients in the human body; and
- (e) Specific foods or supplements that are sources of essential nutrients.

Sec. 9. Chapter 641 of NRS is hereby amended by adding thereto the provisions set forth as sections 10 to 18, inclusive, of this act.

Sec. 10. *“Behavioral health and wellness practitioner” means a person who is licensed pursuant to this chapter to practice behavioral health promotion and prevention.*

Sec. 11. *“Behavioral health promotion and prevention” means the supervised clinical use of prevention and intervention strategies to identify persons at risk of mental or behavioral health issues and accomplish individualized goals relating to the mental and behavioral health of the person as part of a therapeutic relationship. The term does not include:*

- 1. The practice of psychology or medicine;*
- 2. The psychological assessment or treatment of children, couples or families;*
- 3. Prescribing drugs or electroconvulsive therapy;*
- 4. Medical treatment of physical disease, injury or deformity;*
- 5. Diagnosis or psychological treatment of a psychotic disorder;*
- 6. The administration and interpretation of projective techniques in the assessment of personality;*



7. The administration and interpretation of a psychological, neuropsychological or psychometric assessment or clinical tests designed to diagnose abnormal or pathological human behavior or to determine intelligence, personality, aptitude, interests or addictions;

8. The administration and interpretation of individually administered intelligence tests, academic achievement tests or neuropsychological tests;

9. The administration and interpretation of psychotherapy to treat the concomitants of organic illness;

10. The diagnosis of any physical or mental disorder;

11. The evaluation of the effects of medical and psychotropic drugs;

12. The practice of clinical professional counseling, as defined in NRS 641A.065; or

13. The practice of marriage and family therapy, as defined in NRS 641A.080.

Sec. 12. A person who is employed by:

1. The Federal Government and who practices psychology within the scope of that employment is not subject to the provisions of this chapter.

2. The State or Federal Government and who provides behavioral health promotion and prevention services within the scope of that employment is not subject to the provisions of this chapter.

Sec. 13. 1. The Board shall adopt such regulations as it deems necessary to carry out the provisions of sections 13 to 18, inclusive, of this act. The regulations may include, without limitation:

(a) Standards of training for a behavioral health and wellness practitioner;

(b) Standards for a person performing services or participating in activities as part of a supervised course of study in an accredited or approved educational program in behavioral health promotion and prevention;

(c) Requirements for an educational program in behavioral health promotion and prevention to be approved by the Board;

(d) An alternative to the examination required by section 15 of this act which provides an applicant a process to demonstrate that the applicant is competent to practice as a behavioral health and wellness practitioner;



(e) Requirements for continuing education for a behavioral health and wellness practitioner, in addition to those prescribed by section 16 of this act; and

(f) Standards of practice for a behavioral health and wellness practitioner, including, without limitation, the requirements for supervision of a behavioral health and wellness practitioner by a provider of health care listed in section 18 of this act.

2. The Board may accept gifts, grants, donations and contributions from any source to assist in carrying out the provisions of sections 13 to 18, inclusive, of this act.

Sec. 14. 1. The Board shall establish a Behavioral Health and Wellness Practitioner Advisory Group consisting of persons familiar with the practice of behavioral health promotion and prevention to provide the Board with expertise and assistance relating to the regulation of behavioral health and wellness practitioners. The Board shall:

(a) Determine the number of members of the Advisory Group;

(b) Appoint the members of the Advisory Group;

(c) Establish the terms of the members of the Advisory Group; and

(d) Determine the duties of the Advisory Group.

2. The members of the Advisory Group serve without compensation.

Sec. 15. 1. The Board shall issue a license to practice behavioral health promotion and prevention to an applicant who:

(a) Is of good moral character, as determined by the Board;

(b) Is at least 18 years of age; and

(c) Submits to the Board:

(1) A completed application on a form provided by the Board and the fee prescribed by the Board;

(2) Proof that the applicant:

(I) Holds a bachelor's degree or higher in psychology, social work, human services or a related field; and

(II) Has successfully completed an educational program in behavioral health promotion and prevention approved by the Board;

(3) The name and occupation of the provider of health care who will supervise the applicant pursuant to section 18 of this act and, if the provider of health care is not a psychologist, documentation from the professional licensing board that licenses the provider of health care stating that he or she has an active license in good standing; and

(4) Proof that the applicant has:



(I) Passed any examination approved by the Board on the practice of behavioral health promotion and prevention; or

(II) Demonstrated his or her competency through the alternative to examination authorized by the regulations adopted by the Board pursuant to section 13 of this act.

2. Within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for licensure; and

(b) Issue a written statement to the applicant of its determination.

3. If the Board determines that the qualifications of the applicant are insufficient for licensure, the written statement issued to the applicant pursuant to subsection 2 must include a detailed explanation of the reasons for that determination.

Sec. 16. Each license to practice behavioral health promotion and prevention must be renewed 3 years after the date on which it was issued and every 3 years thereafter. The holder of such a license may renew the license before that date by submitting to the Board:

1. A completed application for renewal on a form prescribed by the Board;

2. Proof that the applicant has completed not less than 20 hours of continuing education within the immediately preceding 3 years. Such continuing education must include, without limitation:

(a) At least 2 hours of continuing education in ethics;

(b) At least 2 hours of continuing education in prevention science; and

(c) Any additional continuing education required by the Board pursuant to section 13 of this act; and

3. The renewal fee prescribed by the Board.

Sec. 17. 1. A license to practice behavioral health promotion and prevention that is not renewed on or before the date prescribed by section 16 of this act is delinquent. The Board shall, within 30 days after the license becomes delinquent, send a notice to the licensee by certified mail, return receipt requested, to the address of the licensee as indicated in the records of the Board.

2. A licensee may renew a delinquent license within 60 days after the license becomes delinquent by submitting to the Board the documents required by section 16 of this act.



3. A license to practice behavioral health promotion and prevention expires 60 days after it becomes delinquent if it is not renewed within that period.

Sec. 18. A behavioral health and wellness practitioner may be supervised by:

1. A psychiatrist licensed pursuant to chapter 630 or 633 of NRS;

2. An advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120;

3. A psychologist;

4. A clinical professional counselor;

5. A marriage and family therapist; or

6. A clinical social worker.

Sec. 19. NRS 641.010 is hereby amended to read as follows:

641.010 The ~~practice~~ practices of psychology ~~is~~ and behavioral health promotion and prevention are hereby declared to be ~~to~~ learned ~~profession,~~ professions, affecting public safety, health and welfare and subject to regulation to protect the public from the practice of psychology and behavioral health promotion and prevention by unqualified persons and from unprofessional conduct by persons licensed to practice psychology ~~to~~ and behavioral health promotion and prevention.

Sec. 20. NRS 641.020 is hereby amended to read as follows:

641.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 641.021 to 641.027, inclusive, and sections 10 and 11 of this act have the meanings ascribed to them in those sections.

Sec. 21. NRS 641.022 is hereby amended to read as follows:

641.022 “Community” means the entire area customarily served by psychologists or behavioral health and wellness practitioners among whom a patient may reasonably choose, not merely the particular area inhabited by the patients of an individual psychologist or behavioral health and wellness practitioner or the particular city or place where the psychologist or behavioral health and wellness practitioner has his or her office.

Sec. 22. NRS 641.023 is hereby amended to read as follows:

641.023 “Gross malpractice” means malpractice where the failure to exercise the requisite degree of care, diligence or skill consists of:

1. Practicing psychology, ~~to~~ psychotherapy or behavioral health promotion and prevention with a patient while the psychologist or behavioral health and wellness practitioner is



under the influence of an alcoholic beverage as defined in NRS 202.015 or any controlled substance;

2. Gross negligence;

3. Willful disregard of established methods and procedures in the practice of psychology ~~H~~ *or behavioral health promotion and prevention, as applicable*; or

4. Willful and consistent use of methods and procedures considered by psychologists *or behavioral health and wellness practitioners, as applicable*, in the community to be inappropriate or unnecessary in the cases where used.

Sec. 23. NRS 641.024 is hereby amended to read as follows:

641.024 “Malpractice” means failure on the part of a psychologist *or a behavioral health and wellness practitioner* to exercise the degree of care, diligence and skill ordinarily exercised by psychologists *or behavioral health and wellness practitioners, as applicable*, in good standing in the community.

Sec. 24. NRS 641.0245 is hereby amended to read as follows:

641.0245 “Patient” means a person who ~~consults~~:

1. *Consults* or is examined or interviewed by a psychologist for purposes of diagnosis or treatment ~~H~~; *or*

2. *Receives behavioral health promotion and prevention services from a behavioral health and wellness practitioner.*

Sec. 25. NRS 641.026 is hereby amended to read as follows:

641.026 “Professional incompetence” means lack of ability to practice psychology *or behavioral health promotion and prevention* safely and skillfully arising from:

1. Lack of knowledge or training;

2. Impaired physical or mental ability; or

3. Dependence upon an alcoholic beverage as defined in NRS 202.015 or any controlled substance.

Sec. 26. NRS 641.029 is hereby amended to read as follows:

641.029 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;

2. A person who is licensed to practice dentistry in this State;

3. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

4. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

5. A person who is licensed to engage in social work pursuant to chapter 641B of NRS;



6. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

7. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as an alcohol and drug counselor intern, a clinical alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

8. A person who provides or supervises the provision of peer recovery support services in accordance with the provisions of NRS 433.622 to 433.641, inclusive;

9. A person who is licensed as a behavior analyst or an assistant behavior analyst or registered as a registered behavior technician pursuant to chapter 641D of NRS, while engaged in the practice of applied behavior analysis as defined in NRS 641D.080; or

10. Any member of the clergy,

↪ if such a person does not commit an act described in NRS 641.440 or represent himself or herself as a psychologist **H or a behavioral health and wellness practitioner.**

Sec. 27. NRS 641.040 is hereby amended to read as follows:

641.040 1. The Governor shall appoint to the Board:

(a) Four members who are licensed psychologists in the State of Nevada with at least 5 years of experience in the practice of psychology after being licensed.

(b) One member who is a licensed psychologist in the State of Nevada with at least 5 years of experience in the practice of psychology after being licensed and who is a core faculty member at a doctorate-level program or internship location that is accredited by the American Psychological Association for at least 3 years before the time of appointment. If such a licensed psychologist is not available to serve, the Governor shall appoint one member who meets the requirements set forth in paragraph (a).

(c) One member who has resided in this State for at least 5 years and who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care.

(d) One member who is a representative of the general public.

2. A person is not eligible for appointment unless he or she is:

(a) A citizen of the United States; and

(b) A resident of the State of Nevada.

3. The member who is a representative of the general public must not be a psychologist **H or behavioral health and wellness**



practitioner, an applicant or a former applicant for licensure as a psychologist ~~or~~ *or behavioral health and wellness practitioner*, a member of a health profession, the spouse or the parent or child, by blood, marriage or adoption, of a psychologist ~~or~~ *or behavioral health and wellness practitioner*, or a member of a household that includes a psychologist ~~or~~ *or a behavioral health and wellness practitioner*.

4. Board members must not have any conflicts of interest or the appearance of such conflicts in the performance of their duties as members of the Board.

Sec. 28. NRS 641.100 is hereby amended to read as follows:

641.100 1. The Board shall adopt regulations:

(a) Prescribing uniform standards concerning the locations at which persons obtaining supervised experience that is required for licensure by the Board provide services;

(b) Authorizing the remote supervision, including, without limitation, electronic supervision, of persons obtaining supervised experience that is required for licensure by the Board who are working at remote sites and prescribing standards concerning such remote supervision; and

(c) Prescribing a manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.

2. The Board may make and promulgate any other rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and licensure of applicants, the granting, refusal, revocation or suspension of licenses, the registration of persons as psychological assistants, psychological interns or psychological trainees and the ~~practice~~ *practices* of psychology ~~and~~ *and behavioral health promotion and prevention*.

3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.

Sec. 29. NRS 641.111 is hereby amended to read as follows:

641.111 ~~All~~ *Except as otherwise provided in section 13 of this act, all* money coming into possession of the Board must be kept or deposited by the Secretary-Treasurer in banks, credit unions,



savings and loan associations or savings banks in the State of Nevada to be expended for payment of compensation and expenses of board members and for other necessary or proper purposes in the administration of this chapter.

Sec. 30. NRS 641.160 is hereby amended to read as follows:

641.160 1. Each person desiring a license must:

(a) Make application to the Board upon a form, and in a manner, prescribed by the Board pursuant to NRS 641.117. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.

(b) As part of the application and at his or her own expense:

(1) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and

(2) Submit to the Board:

(I) A complete set of fingerprints and 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 for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or

(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

2. The Board may:

(a) Unless the applicant's fingerprints are directly forwarded pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 1, submit those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Board deems necessary; and

(b) Request from each agency to which the Board submits the fingerprints any information regarding the applicant's background as the Board deems necessary.



3. An application is not considered complete and received for purposes of evaluation pursuant to subsection 2 of NRS 641.170 **or subsection 2 of section 15 of this act, as applicable**, until the Board receives a complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this section.

Sec. 31. NRS 641.220 is hereby amended to read as follows:

641.220 1. To renew a license **as a psychologist** issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the Board for renewal;

(b) Pay the biennial fee for the renewal of a license ~~§~~ **as a psychologist**;

(c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and

(d) Submit all information required to complete the renewal.

2. Upon renewing his or her license, a psychologist shall declare his or her areas of competence, as determined in accordance with NRS 641.112.

3. The Board shall, as a prerequisite for the renewal of a license ~~§~~ **as a psychologist**, require each holder to comply with the requirements for continuing education adopted by the Board.

4. The requirements for continuing education adopted by the Board pursuant to subsection 3 must include, without limitation:

(a) A requirement that the holder of a license **as a psychologist** receive at least 2 hours of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate. The hours of instruction required by this paragraph must be completed within 2 years after initial licensure and at least every 4 years thereafter.

(b) A requirement that the holder of a license **as a psychologist** must biennially receive at least 6 hours of instruction relating to cultural competency and diversity, equity and inclusion. Such instruction:

(1) May include the training provided pursuant to NRS 449.103, where applicable.

(2) Must be based upon a range of research from diverse sources.

(3) Must address persons of different cultural backgrounds, including, without limitation:



(I) Persons from various gender, racial and ethnic backgrounds;

(II) Persons from various religious backgrounds;

(III) Lesbian, gay, bisexual, transgender and questioning persons;

(IV) Children and senior citizens;

(V) Veterans;

(VI) Persons with a mental illness;

(VII) Persons with an intellectual disability, developmental disability or physical disability; and

(VIII) Persons who are part of any other population that the holder of a license **as a psychologist** may need to better understand, as determined by the Board.

Sec. 32. NRS 641.222 is hereby amended to read as follows:

641.222 1. The license of any ~~person~~ **psychologist** who fails to pay the biennial fee for the renewal of a license **to practice psychology** within 60 days after the date when it is due is automatically suspended. The Board may, within 2 years after the date the license is so suspended, reinstate the license upon payment to the Board of the amount of the then current biennial fee for the renewal of a license **to practice psychology** and the amount of the fee for the restoration of a license so suspended. If the license is not reinstated within 2 years, the Board may reinstate the license only if it also determines that the holder of the license is competent to practice psychology.

2. A notice must be sent to any ~~person~~ **psychologist** who fails to pay the biennial fee, informing the ~~person~~ **psychologist** that the license is suspended.

Sec. 33. NRS 641.228 is hereby amended to read as follows:

641.228 1. The Board shall charge and collect not more than the following fees respectively:

For the national examination, in addition to the actual cost to the Board of the examination	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination	100
For the issuance of an initial license to practice psychology	25
For the issuance of an initial license by endorsement to practice psychology	125



For the biennial renewal of a license of a psychologist.....	\$850
For the restoration of a license <i>of a psychologist</i> suspended for the nonpayment of the biennial fee for the renewal of a license.....	200
For the restoration of a license <i>of a psychologist</i> suspended for the nonsubmission of evidence to the Board of completion of the requirements for continuing education as required for the renewal of the license	200
For the registration of a firm, partnership or corporation which engages in or offers to engage in the practice of psychology	300
For the registration of a nonresident to practice as a consultant	100
For the initial registration of a psychological assistant, psychological intern or psychological trainee	250
For the renewal of a registration of a psychological assistant, psychological intern or psychological trainee	150
<i>For the issuance of an initial license to practice behavioral health promotion and prevention</i>	<i>200</i>
<i>For the triennial renewal of a license to practice behavioral health promotion and prevention</i>	<i>200</i>

2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

3. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost to provide the service.

4. Except as otherwise provided in subsection 5, if an applicant submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall charge and collect:

(a) Not more than the fee specified in subsection 1 for the issuance of an initial license by endorsement; and



(b) The biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

5. If an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license by endorsement.

6. If an applicant submits an application for initial registration as a psychological assistant, psychological intern or psychological trainee pursuant to NRS 641.226 and the applicant has previously been registered as a psychological assistant, psychological intern or psychological trainee, the Board must waive the fee set forth in subsection 1 for the initial registration.

7. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.

Sec. 34. NRS 641.2291 is hereby amended to read as follows:

641.2291 1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a psychologist **or a behavioral health and wellness practitioner** to a patient that meets the requirements of subsection 2 if:

(a) The recording is used for a training activity that is part of a program of education for mental health professionals approved by the Board;

(b) The patient has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;

(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and

(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.

2. A recording of the provision of mental health services by a psychologist **or a behavioral health and wellness practitioner** to a patient used for the purpose described in paragraph (a) of subsection 1:

(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191,



and any regulations adopted pursuant thereto, that are designed to prevent the reproduction, copying or theft of the recording; and

(b) Must not contain any personally identifiable information relating to the patient unless the patient has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.

3. The Board shall adopt regulations:

(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:

(1) The form on which such informed written consent must be provided; and

(2) The length of time that a psychologist *or a behavioral health and wellness practitioner* who obtains such informed written consent must maintain the informed written consent;

(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a psychologist *or a behavioral health and wellness practitioner* to a patient for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and

(c) Defining “training activity” for the purposes of this section.

4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a psychologist *or a behavioral health and wellness practitioner* to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to patients in accordance with NRS 629.051 to 629.069, inclusive.

5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a psychologist *or a behavioral health and wellness practitioner* to a patient that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.

6. As used in this section, “mental health professional” means a psychologist, *a behavioral health and wellness practitioner*, a marriage and family therapist, a clinical professional counselor, a social worker, a master social worker, an independent social worker,



a clinical social worker, a clinical alcohol and drug counselor, an alcohol and drug counselor or problem gambling counselor.

Sec. 35. NRS 641.230 is hereby amended to read as follows:

641.230 1. The Board may suspend or revoke a person's license as a psychologist **or behavioral health and wellness practitioner** or registration as a psychological assistant, psychological intern or psychological trainee, place the person on probation, require remediation for the person or take any other action specified by regulation if the Board finds by a preponderance of the evidence that the person has:

(a) Been convicted of a felony relating to the practice of psychology **or behavioral health promotion and prevention** or to practicing as a psychological assistant, psychological intern or psychological trainee.

(b) Been convicted of any crime or offense that reflects the inability of the person to practice psychology **or behavioral health promotion and prevention** or to practice as a psychological assistant, psychological intern or psychological trainee with due regard for the health and safety of others.

(c) Been convicted of violating any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.

(d) Engaged in gross malpractice or repeated malpractice or gross negligence in the practice of psychology **or behavioral health promotion and prevention** or the practice as a psychological assistant, psychological intern or psychological trainee.

(e) Aided or abetted the practice of psychology **or behavioral health promotion and prevention** or the practice as a psychological assistant, psychological intern or psychological trainee by a person not licensed or registered by the Board.

(f) Made any fraudulent or untrue statement to the Board.

(g) Violated a regulation adopted by the Board.

(h) Had a license to practice psychology **or behavioral health promotion and prevention** or registration to practice as a psychological assistant, psychological intern or psychological trainee suspended or revoked or has had any other disciplinary action taken against the person by another state or territory of the United States, the District of Columbia or a foreign country, if at least one of the grounds for discipline is the same or substantially equivalent to any ground contained in this chapter.

(i) Failed to report to the Board within 30 days the revocation, suspension or surrender of, or any other disciplinary action taken against, a license or certificate to practice psychology **or behavioral**



health promotion and prevention or registration to practice as a psychological assistant, psychological intern or psychological trainee issued to the person by another state or territory of the United States, the District of Columbia or a foreign country.

(j) Violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate a provision of this chapter.

(k) Performed or attempted to perform any professional service while impaired by alcohol, drugs or by a mental or physical illness, disorder or disease.

(l) Engaged in sexual activity with a patient or client.

(m) Been convicted of abuse or fraud in connection with any state or federal program which provides medical assistance.

(n) Been convicted of submitting a false claim for payment to the insurer of a patient or client.

(o) Operated a medical facility, as defined in NRS 449.0151, at any time during which:

(1) The license of the facility was suspended or revoked; or

(2) An act or omission occurred which resulted in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This paragraph applies to an owner or other principal responsible for the operation of the facility.

2. As used in this section, “preponderance of the evidence” has the meaning ascribed to it in NRS 233B.0375.

Sec. 36. NRS 641.245 is hereby amended to read as follows:

641.245 1. The Board, any member thereof, a panel of its members or a hearing officer may issue subpoenas to compel the attendance of witnesses and the production of books, papers, documents, the records of patients, and any other article related to the practice of psychology **or behavioral health promotion and prevention** or to the practice as a psychological assistant, psychological intern or psychological trainee.

2. If any witness refuses to attend or testify or produce any article as required by the subpoena, the Board may file a petition with the district court stating that:

(a) Due notice has been given for the time and place of attendance of the witness or the production of the required articles;

(b) The witness has been subpoenaed pursuant to this section; and

(c) The witness has failed or refused to attend or produce the articles required by the subpoena or has refused to answer questions propounded to him or her,



➡ and asking for an order of the court compelling the witness to attend and testify before the Board, a panel of its members or a hearing officer, or produce the articles as required by the subpoena.

3. Upon such a petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and then and there show cause why the witness has not attended or testified or produced the articles. A certified copy of the order must be served upon the witness.

4. If it appears to the court that the subpoena was regularly issued, the court shall enter an order that the witness appear before the Board, a panel of its members or a hearing officer at the time and place fixed in the order and testify or produce the required articles, and upon failure to obey the order the witness must be dealt with as for contempt of court.

Sec. 37. NRS 641.250 is hereby amended to read as follows:

641.250 1. The Board *or the Behavioral Health and Wellness Practitioner Advisory Group established pursuant to section 14 of this act*, or any of ~~its~~ *the* members ~~of the Board or Advisory Group~~, any review panel of a hospital or an association of psychologists *or behavioral health and wellness practitioners* which becomes aware that any one or combination of the grounds for initiating disciplinary action may exist as to a person practicing psychology *or behavioral health promotion and prevention* or practicing as a psychological assistant, psychological intern or psychological trainee in this State shall, and any other person who is so aware may, file a written complaint specifying the relevant facts with the Board.

2. *As soon as practicable after receiving a written complaint concerning a behavioral health and wellness practitioner who is not supervised by a psychologist, the Board shall:*

(a) Identify the licensing board of the supervisor of the behavioral health and wellness practitioner; and

(b) Notify that licensing board of the complaint.

3. The Board shall retain all complaints filed with the Board pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

Sec. 37.5. NRS 641.250 is hereby amended to read as follows:

641.250 1. The Board ~~for the Behavioral Health and Wellness Practitioner Advisory Group~~ or any of ~~the~~ *its* members, ~~of the Board or Advisory Group,~~ any review panel of a hospital or an association of psychologists or behavioral health and wellness practitioners which becomes aware that any one or combination of



the grounds for initiating disciplinary action may exist as to a person practicing psychology or behavioral health promotion and prevention or practicing as a psychological assistant, psychological intern or psychological trainee in this State shall, and any other person who is so aware may, file a written complaint specifying the relevant facts with the Board.

2. As soon as practicable after receiving a written complaint concerning a behavioral health and wellness practitioner who is not supervised by a psychologist, the Board shall:

(a) Identify the licensing board of the supervisor of the behavioral health and wellness practitioner; and

(b) Notify that licensing board of the complaint.

3. The Board shall retain all complaints filed with the Board pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

Sec. 38. NRS 641.2705 is hereby amended to read as follows:

641.2705 1. The Board, through the President of the Board and the investigator designated by the Board, shall conduct an investigation of each complaint filed pursuant to NRS 641.250 which sets forth reason to believe that a person has violated NRS 641.390.

2. If, after an investigation, the Board determines that a person has violated NRS 641.390, the Board:

(a) May issue and serve on the person an order to cease and desist from engaging in any activity prohibited by NRS 641.390 until the person obtains the proper license or registration from the Board;

(b) May issue a citation to the person; and

(c) Unless the Board determines that extenuating circumstances exist, shall forward to the appropriate law enforcement agency any substantiated information that has been submitted to the Board regarding a person who practices or offers to practice:

(1) Psychology in this State without the proper license issued by the Board pursuant to this chapter; ~~or~~

(2) *Behavioral health promotion and prevention in this State without the proper license issued by the Board pursuant to this chapter; or*

(3) As a psychological assistant, psychological intern or psychological trainee in this State without the proper registration issued by the Board pursuant to this chapter.

3. A citation issued pursuant to subsection 2 must be in writing and describe with particularity the nature of the violation. The citation also must inform the person of the provisions of



subsection 5. Each violation of NRS 641.390 constitutes a separate offense for which a separate citation may be issued.

4. For any person who violates the provisions of NRS 641.390, the Board shall assess an administrative fine of:

- (a) For a first violation, \$500.
- (b) For a second violation, \$1,000.
- (c) For a third or subsequent violation, \$1,500.

5. To appeal a citation issued pursuant to subsection 2, a person must submit a written request for a hearing to the Board within 30 days after the date of issuance of the citation.

Sec. 39. NRS 641.272 is hereby amended to read as follows:

641.272 1. Notwithstanding the provisions of chapter 622A of NRS, the Board may require the person named in a complaint 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.

2. Every psychologist *and behavioral health and wellness practitioner* licensed under this chapter and every psychological assistant, psychological intern or psychological trainee registered under this chapter who accepts the privilege of practicing psychology *or behavioral health promotion and prevention* or practicing as a psychological assistant, psychological intern or psychological trainee in this State shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the Board. The testimony or reports of the examining psychologists or physician are privileged communications, except as to proceedings conducted pursuant to this chapter.

3. Except in extraordinary circumstances, as determined by the Board, the failure of a psychologist, *behavioral health and wellness practitioner*, psychological assistant, psychological intern or psychological trainee to submit to an examination as provided in this section constitutes grounds for the immediate suspension of the psychologist's *or behavioral health and wellness practitioner's* license or the psychological assistant's, psychological intern's or psychological trainee's registration.

Sec. 40. NRS 641.273 is hereby amended to read as follows:

641.273 Notwithstanding the provisions of chapter 622A of NRS, if the Board has reason to believe that the conduct of any psychologist, *behavioral health and wellness practitioner*, psychological assistant, psychological intern or psychological trainee has raised a reasonable question as to competence to practice psychology *or behavioral health promotion and prevention* or to



practice as a psychological assistant, psychological intern or psychological trainee with reasonable skill and safety to patients, the Board may require the psychologist, **behavioral health and wellness practitioner**, psychological assistant, psychological intern or psychological trainee to take a written or oral examination to determine whether the psychologist, **behavioral health and wellness practitioner**, psychological assistant, psychological intern or psychological trainee is competent to practice psychology **or behavioral health promotion and prevention** or to practice as a psychological assistant, psychological intern or psychological trainee. If an examination is required, the reasons therefor must be documented and made available to the psychologist, **behavioral health and wellness practitioner**, psychological assistant, psychological intern or psychological trainee being examined.

Sec. 41. NRS 641.274 is hereby amended to read as follows:

641.274 Notwithstanding the provisions of chapter 622A of NRS, if the Board, a panel of its members or a hearing officer issues an order suspending the license of a psychologist **or behavioral health and wellness practitioner** or the registration of a psychological assistant, psychological intern or psychological trainee pending proceedings for disciplinary action and requires the psychologist, **behavioral health and wellness practitioner**, psychological assistant, psychological intern or psychological trainee to submit to a mental or physical examination or an examination of his or her competency to practice psychology **or behavioral health promotion and prevention** or to practice as a psychological assistant, psychological intern or psychological trainee, the examination must be conducted and the results obtained within 60 days after the Board, panel of its members or hearing officer issues the order.

Sec. 42. NRS 641.285 is hereby amended to read as follows:

641.285 Notwithstanding the provisions of chapter 622A of NRS, in any disciplinary proceeding before the Board, a panel of its members or a hearing officer:

1. Proof of actual injury need not be established where the complaint charges deceptive or unethical professional conduct, practice of psychology **or behavioral health promotion and prevention** or practice as a psychological assistant, psychological intern or psychological trainee harmful to the public.

2. A certified copy of the record of a court or a licensing agency showing a conviction or the suspension or revocation of a license to practice psychology **or behavioral health promotion and prevention** or registration to practice as a psychological assistant,



psychological intern or psychological trainee or an order containing any other disciplinary action entered by a court in the District of Columbia or any state or territory of the United States is conclusive evidence of its occurrence.

3. The entering of a plea of nolo contendere in a court of competent jurisdiction shall be deemed a conviction of the offense charged.

Sec. 43. NRS 641.312 is hereby amended to read as follows:

641.312 1. Any person who has been placed on probation or whose license or registration has been limited, suspended or revoked is entitled to judicial review of the order.

2. Every order which limits the practice of psychology **or behavioral health promotion or prevention** or the practice as a psychological assistant, psychological intern or psychological trainee or suspends or revokes a license or registration is effective from the date the Board certifies the order until the date the order is modified or reversed by a final judgment of the court.

3. The district court shall give a petition for judicial review of the order priority over other civil matters which are not expressly given priority by law.

Sec. 44. NRS 641.314 is hereby amended to read as follows:

641.314 Notwithstanding the provisions of chapter 622A of NRS:

1. Pending disciplinary proceedings before the Board, a panel of its members or a hearing officer, the court may, upon application by the Board or the Attorney General, issue a temporary restraining order or a preliminary injunction to enjoin any unprofessional conduct of a psychologist, **behavioral health and wellness practitioner**, psychological assistant, psychological intern or psychological trainee which is harmful to the public, to limit the psychologist's, **behavioral health and wellness practitioner's**, psychological assistant's, psychological intern's or psychological trainee's practice or to suspend the license to practice psychology **or behavioral health promotion and prevention** or registration to practice as a psychological assistant, psychological intern or psychological trainee, without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.

2. The disciplinary proceedings before the Board, a panel of its members or a hearing officer must be instituted and determined as promptly as the requirements for investigation of the case reasonably allow.



Sec. 45. NRS 641.316 is hereby amended to read as follows:

641.316 1. The Board through its President or Secretary-Treasurer or the Attorney General may maintain in any court of competent jurisdiction a suit for an injunction against any person practicing:

(a) Psychology without a license or authorization to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227; ~~for~~

(b) *Behavioral health promotion and prevention without a license; or*

(c) As a psychological assistant, psychological intern or psychological trainee without a registration.

2. Such an injunction:

(a) May be issued without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.

(b) Does not relieve any person from criminal prosecution for practicing without a license or registration.

Sec. 46. NRS 641.318 is hereby amended to read as follows:

641.318 In addition to any other immunity provided by the provisions of chapter 622A of NRS, the Board, a review panel of a hospital, an association of psychologists *or behavioral health and wellness practitioners* or any other person who or organization which initiates a complaint or assists in any lawful investigation or proceeding concerning the licensing of a psychologist *or behavioral health and wellness practitioner* or the registering of a psychological assistant, psychological intern or psychological trainee or the discipline of a psychologist, *behavioral health and wellness practitioner*, psychological assistant, psychological intern or psychological trainee for gross malpractice, repeated malpractice, professional incompetence or unprofessional conduct is immune from any civil action for that initiation or assistance or any consequential damages, if the person or organization acted without malicious intent.

Sec. 47. NRS 641.320 is hereby amended to read as follows:

641.320 1. Any person:

(a) Whose practice of psychology *or behavioral health promotion and prevention* or practice as a psychological assistant, psychological intern or psychological trainee has been limited;

(b) Whose license or registration has been revoked; or

(c) Who has been placed on probation,

→ by an order of the Board, a panel of its members or a hearing officer may apply to the Board after 1 year for removal of the



limitation or termination of the probation or may apply to the Board pursuant to the provisions of chapter 622A of NRS for reinstatement of the revoked license or registration.

2. In hearing the application, the Board:

(a) May require the person to submit to a mental or physical examination conducted by psychologists or by physicians whom it designates and submit such other evidence of changed conditions and of fitness as it considers proper.

(b) Shall determine whether under all the circumstances the time of the application is reasonable.

(c) May deny the application or modify or rescind its order as it considers the evidence and the public safety warrants.

Sec. 48. NRS 641.390 is hereby amended to read as follows:

641.390 1. Except as authorized by the Psychology Interjurisdictional Compact enacted in NRS 641.227, a person shall not represent himself or herself as a psychologist within the meaning of this chapter or engage in the practice of psychology unless he or she is licensed *as a psychologist* under the provisions of this chapter.

2. *Except as authorized by subsection 6, a person shall not represent himself or herself as a behavioral health and wellness practitioner within the meaning of this chapter or engage in the practice of behavioral health promotion and prevention unless he or she is licensed as a behavioral health and wellness practitioner under the provisions of this chapter.*

3. This chapter does not prevent the teaching of psychology or *behavioral health promotion and prevention or* psychological research at an accredited educational institution, unless the teaching or research involves the delivery or supervision of direct psychological services *or behavioral health promotion and prevention* to a person. Persons who have earned a doctoral degree in psychology from an accredited educational institution may use the title “psychologist” in conjunction with the activities permitted by this subsection.

~~3.1~~ 4. A graduate student in psychology whose activities are part of the course of study for a graduate degree in psychology at an accredited educational institution or a person pursuing postdoctoral training or experience in psychology to fulfill the requirements for licensure under the provisions of this chapter may use the terms “psychological trainee,” “psychological intern” or “psychological assistant” if the activities are performed under the supervision of a licensed psychologist in accordance with the regulations adopted by the Board.



~~14.1~~ 5. A person who is certified as a school psychologist by the State Board of Education may use the title “school psychologist” or “certified school psychologist” in connection with activities relating to school psychologists.

6. *A person who is performing services or participating in activities as part of a supervised course of study in an accredited or approved educational program while pursuing study leading to a degree in or license to practice behavioral health promotion and prevention may, in accordance with the regulations adopted by the Board pursuant to section 13 of this act, engage in the supervised practice of behavioral health promotion and prevention without a license issued pursuant to this chapter if the person is designated by a title which clearly indicates the status of the person as a student or trainee.*

Sec. 49. NRS 641.440 is hereby amended to read as follows:

641.440 Any person who:

1. Presents as his or her own the diploma, license, registration or credentials of another;

2. Gives either false or forged evidence of any kind to the Board or any member thereof, in connection with an application for a license or registration;

3. Practices psychology *or behavioral health promotion and prevention* or practices as a psychological assistant, psychological intern or psychological trainee under a false or assumed name or falsely personates another psychologist, *behavioral health and wellness practitioner*, psychological assistant, psychological intern or psychological trainee of a like or different name;

4. Except as *otherwise* provided in NRS 641.0295, 641.390 and 641A.410, *and section 12 of this act*, represents himself or herself as a psychologist, or uses any title or description which incorporates the word “psychology,” “psychological,” “psychologist,” “psychometry,” “psychometrics,” “psychometrist” or any other term indicating or implying that he or she is a psychologist, unless he or she has been issued a license;

5. *Except as otherwise provided in section 12 of this act, represents himself or herself as a behavioral health and wellness practitioner or uses any title or description which incorporates the words “behavioral health and wellness practitioner” or any other term indicating or implying that he or she is a behavioral health and wellness practitioner, unless he or she has been issued a license;*

6. Except as otherwise provided in NRS 641.390, represents himself or herself as a psychological assistant, psychological intern



or psychological trainee, or uses any title or description which incorporates the words “psychological assistant,” “psychological intern” or “psychological trainee” or any other term indicating or implying that he or she is a psychological assistant, psychological intern or psychological trainee, unless he or she has been issued a registration;

~~16.1~~ 7. Practices psychology unless he or she has been issued a license; ~~for~~

~~17.1~~ 8. *Except as otherwise provided in NRS 641.390 and section 12 of this act, practices behavioral health promotion and prevention unless he or she has been issued a license; or*

9. Practices as a psychological assistant, psychological intern or psychological trainee unless he or she has been issued a registration,

↪ is guilty of a gross misdemeanor.

Sec. 50. NRS 641A.297 is hereby amended to read as follows:

641A.297 1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client that meets the requirements of subsection 2 if:

(a) The recording is used for a training activity that is part of a program of education for mental health professionals approved by the Board;

(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;

(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and

(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.

2. A recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client used for the purpose described in paragraph (a) of subsection 1:

(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted pursuant thereto, that are designed to prevent the reproduction, copying or theft of the recording; and

(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent



in writing specifically authorizing the inclusion of that information in the recording.

3. The Board shall adopt regulations:

(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:

(1) The form on which such informed written consent must be provided; and

(2) The length of time that a marriage and family therapist or clinical professional counselor who obtains such informed written consent must maintain the informed written consent;

(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and

(c) Defining “training activity” for the purposes of this section.

4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a marriage and family therapist or clinical professional counselor to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.

5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a marriage and family therapist or clinical professional counselor to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.

6. As used in this section, “mental health professional” means a psychologist, **a behavioral health and wellness practitioner**, a marriage and family therapist, a clinical professional counselor, a social worker, a master social worker, an independent social worker, a clinical social worker, a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor.

Sec. 51. NRS 641B.040 is hereby amended to read as follows:
641B.040 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;



2. A nurse who is licensed to practice in this State;
 3. A person who is licensed as a psychologist pursuant to chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. *A person who is licensed as a behavioral health and wellness practitioner pursuant to chapter 641 of NRS;*

5. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

~~15.1~~ 6. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

~~16.1~~ 7. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

~~17.1~~ 8. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as a clinical alcohol and drug counselor intern, an alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

~~18.1~~ 9. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive;

~~19.1~~ 10. Any member of the clergy;

~~110.1~~ 11. A county welfare director;

~~111.1~~ 12. Any person who may engage in social work or clinical social work in his or her regular governmental employment but does not hold himself or herself out to the public as a social worker; or

~~112.1~~ 13. A student of social work and any other person preparing for the profession of social work under the supervision of a qualified social worker in a training institution or facility recognized by the Board, unless the student or other person has been issued a provisional license pursuant to paragraph (b) of subsection 1 of NRS 641B.275. Such a student must be designated by the title “student of social work” or “trainee in social work,” or any other title which clearly indicates the student’s training status.

Sec. 52. NRS 641B.355 is hereby amended to read as follows:

641B.355 1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health



services by a social worker, a master social worker, an independent social worker or a clinical social worker to a client that meets the requirements of subsection 2 if:

(a) The recording is used for a training activity that is part of a program of education for mental health professionals approved by the Board;

(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;

(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and

(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.

2. A recording of the provision of mental health services by a social worker, a master social worker, an independent social worker or a clinical social worker to a client used for the purpose described in paragraph (a) of subsection 1:

(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted pursuant thereto, that are designed to prevent the reproduction, copying or theft of the recording; and

(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.

3. The Board shall adopt regulations:

(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:

(1) The form on which such informed written consent must be provided; and

(2) The length of time that a social worker, a master social worker, an independent social worker or a clinical social worker who obtains such informed written consent must maintain the informed written consent;

(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a social worker, a master social worker, an independent social worker or a clinical social worker to a client for the purposes described in



paragraph (a) of subsection 1 may retain the recording before destroying it; and

(c) Defining “training activity” for the purposes of this section.

4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a social worker, a master social worker, an independent social worker or a clinical social worker to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.

5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a social worker, a master social worker, an independent social worker or a clinical social worker to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.

6. As used in this section, “mental health professional” means a psychologist, *a behavioral health and wellness practitioner*, a marriage and family therapist, a clinical professional counselor, a social worker, a master social worker, an independent social worker, a clinical social worker, a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor.

Sec. 53. NRS 641C.130 is hereby amended to read as follows:

641C.130 The provisions of this chapter do not apply to:

1. A physician who is licensed pursuant to the provisions of chapter 630 or 633 of NRS;

2. A nurse who is licensed pursuant to the provisions of chapter 632 of NRS and is authorized by the State Board of Nursing to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling;

3. A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. *A person who is licensed as a behavioral health and wellness practitioner pursuant to chapter 641 of NRS;*

5. A clinical professional counselor or clinical professional counselor intern who is licensed pursuant to chapter 641A of NRS;

~~5-1~~ 6. A marriage and family therapist or marriage and family therapist intern who is licensed pursuant to the provisions of



chapter 641A of NRS and is authorized by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling;

~~6-1~~ 7. A person who is:

(a) Licensed as:

(1) A clinical social worker pursuant to the provisions of chapter 641B of NRS; or

(2) A master social worker or an independent social worker pursuant to the provisions of chapter 641B of NRS and is engaging in clinical social work as part of an internship program approved by the Board of Examiners for Social Workers; and

(b) Authorized by the Board of Examiners for Social Workers to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling; or

~~7-1~~ 8. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive.

Sec. 54. NRS 641C.610 is hereby amended to read as follows:

641C.610 1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client that meets the requirements of subsection 2 if:

(a) The recording is used for a training activity that is part of a program of education for mental health professionals approved by the Board;

(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;

(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and

(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.

2. A recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client used for the purpose described in paragraph (a) of subsection 1:



(a) Must meet all requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any regulations adopted pursuant thereto, that are designed to prevent the reproduction, copying or theft of the recording; and

(b) Must not contain any personally identifiable information relating to the client unless the client has provided informed consent in writing specifically authorizing the inclusion of that information in the recording.

3. The Board shall adopt regulations:

(a) Prescribing requirements governing the provision of informed written consent pursuant to paragraph (b) of subsection 1, including, without limitation, requirements governing:

(1) The form on which such informed written consent must be provided; and

(2) The length of time that a clinical alcohol and drug counselor, alcohol and drug counselor or problem gambling counselor who obtains such informed written consent must maintain the informed written consent;

(b) Prescribing the length of time that a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals that uses a recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client for the purposes described in paragraph (a) of subsection 1 may retain the recording before destroying it; and

(c) Defining “training activity” for the purposes of this section.

4. The provisions of this section do not abrogate, alter or otherwise affect the obligation of a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to comply with the applicable requirements of chapter 629 of NRS, including, without limitation, the requirement to retain records concerning the mental health services that he or she provides to clients in accordance with NRS 629.051 to 629.069, inclusive.

5. Except where necessary for compliance with subsection 4, a recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client that is used for a training activity by a program of education for mental health professionals, a mental health professional or a person receiving training for mental health professionals in accordance with the provisions of this section is not a health care record for the purposes of chapter 629 of NRS.



6. As used in this section, “mental health professional” means a psychologist, *a behavioral health and wellness practitioner*, a marriage and family therapist, a clinical professional counselor, a social worker, a master social worker, an independent social worker, a clinical social worker, a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor.

Sec. 55. NRS 641D.110 is hereby amended to read as follows:
641D.110 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;
2. A person who is licensed to practice dentistry in this State;
3. A person who is licensed as a psychologist *or behavioral health and wellness practitioner* pursuant to chapter 641 of NRS;
4. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

5. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

6. A person who is licensed to engage in social work pursuant to chapter 641B of NRS;

7. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

8. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as an alcohol and drug counselor intern, a clinical alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

9. Any member of the clergy;

10. A family member, guardian or caregiver of a recipient of applied behavior analysis services who performs activities as directed by a behavior analyst or assistant behavior analyst; or

11. An employee of a school district or charter school when providing services to a pupil in a public school in a manner consistent with the duties of his or her position,

↳ if such a person does not commit an act described in NRS 641D.910 or represent himself or herself as a behavior analyst, assistant behavior analyst or registered behavior technician.

Sec. 56. NRS 7.095 is hereby amended to read as follows:

7.095 1. An attorney shall not contract for or collect a fee contingent on the amount of recovery for representing a person seeking damages in connection with an action for injury or death



against a provider of health care based upon professional negligence in excess of 35 percent of the amount recovered.

2. The limitations set forth in subsection 1 apply to all forms of recovery, including, without limitation, settlement, arbitration and judgment.

3. For the purposes of this section, “recovered” means the net sum recovered by the plaintiff after deducting any disbursements or costs incurred in connection with the prosecution or settlement of the claim. Costs of medical care incurred by the plaintiff and general and administrative expenses incurred by the office of the attorney are not deductible disbursements or costs.

4. As used in this section:

(a) “Professional negligence” means a negligent act or omission to act by a provider of health care in the rendering of professional services, which act or omission is the proximate cause of a personal injury or wrongful death. The term does not include services that are outside the scope of services for which the provider of health care is licensed or services for which any restriction has been imposed by the applicable regulatory board or health care facility.

(b) “Provider of health care” means a physician licensed under chapter 630 or 633 of NRS, dentist, registered nurse, dispensing optician, optometrist, registered physical therapist, podiatric physician, licensed psychologist, *behavioral health and wellness practitioner*, chiropractic physician, naprapath, doctor of Oriental medicine, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, medical laboratory director or technician, licensed dietitian or a licensed hospital and its employees.

Sec. 57. NRS 41A.017 is hereby amended to read as follows:

41A.017 “Provider of health care” means a physician licensed pursuant to chapter 630 or 633 of NRS, physician assistant, anesthesiologist assistant, dentist, licensed nurse, dispensing optician, optometrist, registered physical therapist, podiatric physician, licensed psychologist, *behavioral health and wellness practitioner*, chiropractic physician, naprapath, doctor of Oriental medicine, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, medical laboratory director or technician, licensed dietitian or a licensed hospital, clinic, surgery center, physicians’ professional corporation or group practice that employs any such person and its employees.

Sec. 58. NRS 42.021 is hereby amended to read as follows:

42.021 1. In an action for injury or death against a provider of health care based upon professional negligence, if the defendant



so elects, the defendant may introduce evidence of any amount payable as a benefit to the plaintiff as a result of the injury or death pursuant to the United States Social Security Act, any state or federal income disability or worker's compensation act, any health, sickness or income-disability insurance, accident insurance that provides health benefits or income-disability coverage, and any contract or agreement of any group, organization, partnership or corporation to provide, pay for or reimburse the cost of medical, hospital, dental or other health care services. If the defendant elects to introduce such evidence, the plaintiff may introduce evidence of any amount that the plaintiff has paid or contributed to secure the plaintiff's right to any insurance benefits concerning which the defendant has introduced evidence.

2. A source of collateral benefits introduced pursuant to subsection 1 may not:

(a) Recover any amount against the plaintiff; or

(b) Be subrogated to the rights of the plaintiff against a defendant.

3. In an action for injury or death against a provider of health care based upon professional negligence, a district court shall, at the request of either party, enter a judgment ordering that money damages or its equivalent for future damages of the judgment creditor be paid in whole or in part by periodic payments rather than by a lump-sum payment if the award equals or exceeds \$50,000 in future damages.

4. In entering a judgment ordering the payment of future damages by periodic payments pursuant to subsection 3, the court shall make a specific finding as to the dollar amount of periodic payments that will compensate the judgment creditor for such future damages. As a condition to authorizing periodic payments of future damages, the court shall require a judgment debtor who is not adequately insured to post security adequate to assure full payment of such damages awarded by the judgment. Upon termination of periodic payments of future damages, the court shall order the return of this security, or so much as remains, to the judgment debtor.

5. A judgment ordering the payment of future damages by periodic payments entered pursuant to subsection 3 must specify the recipient or recipients of the payments, the dollar amount of the payments, the interval between payments, and the number of payments or the period of time over which payments will be made. Such payments must only be subject to modification in the event of the death of the judgment creditor. Money damages awarded for loss of future earnings must not be reduced or payments terminated by



reason of the death of the judgment creditor, but must be paid to persons to whom the judgment creditor owed a duty of support, as provided by law, immediately before the judgment creditor's death. In such cases, the court that rendered the original judgment may, upon petition of any party in interest, modify the judgment to award and apportion the unpaid future damages in accordance with this subsection.

6. If the court finds that the judgment debtor has exhibited a continuing pattern of failing to make the periodic payments as specified pursuant to subsection 5, the court shall find the judgment debtor in contempt of court and, in addition to the required periodic payments, shall order the judgment debtor to pay the judgment creditor all damages caused by the failure to make such periodic payments, including, but not limited to, court costs and attorney's fees.

7. Following the occurrence or expiration of all obligations specified in the periodic payment judgment, any obligation of the judgment debtor to make further payments ceases and any security given pursuant to subsection 4 reverts to the judgment debtor.

8. As used in this section:

(a) "Future damages" includes damages for future medical treatment, care or custody, loss of future earnings, loss of bodily function, or future pain and suffering of the judgment creditor.

(b) "Periodic payments" means the payment of money or delivery of other property to the judgment creditor at regular intervals.

(c) "Professional negligence" means a negligent act or omission to act by a provider of health care in the rendering of professional services, which act or omission is the proximate cause of a personal injury or wrongful death. The term does not include services that are outside the scope of services for which the provider of health care is licensed or services for which any restriction has been imposed by the applicable regulatory board or health care facility.

(d) "Provider of health care" means a physician licensed under chapter 630 or 633 of NRS, dentist, licensed nurse, dispensing optician, optometrist, registered physical therapist, podiatric physician, naprapath, licensed psychologist, **behavioral health and wellness practitioner**, chiropractic physician, doctor of Oriental medicine, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, medical laboratory director or technician, licensed dietitian or a licensed hospital and its employees.



Sec. 59. Chapter 49 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any privilege established by this chapter for communications between a patient and the supervisor of a behavioral health and wellness practitioner applies equally to communications between the patient and the behavioral health and wellness practitioner or any other person who is participating in the behavioral health promotion and prevention services under the direction of the behavioral health and wellness practitioner.

2. As used in this section:

(a) “Behavioral health and wellness practitioner” has the meaning ascribed to it in section 10 of this act.

(b) “Behavioral health promotion and prevention” has the meaning ascribed to it in section 11 of this act.

(c) “Patient” has the meaning ascribed to it in NRS 641.0245.

(d) “Supervisor” means a provider of health care who supervises a behavioral health and wellness practitioner pursuant to section 18 of this act.

Sec. 60. NRS 200.471 is hereby amended to read as follows:

200.471 1. As used in this section:

(a) “Assault” means:

(1) Unlawfully attempting to use physical force against another person; or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) “Fire-fighting agency” has the meaning ascribed to it in NRS 239B.020.

(c) “Health care facility” means a facility licensed pursuant to chapter 449 of NRS, an office of a person listed in NRS 629.031, a clinic or any other location, other than a residence, where health care is provided.

(d) “Officer” means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A prosecuting attorney of an agency or political subdivision of the United States or of this State;

(6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge,



magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

(7) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(8) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

(9) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

(10) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

(e) “Provider of health care” means:

(1) A physician, a medical student, a perfusionist, an anesthesiologist assistant or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant or anesthesiologist assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a naprapath, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a person who provides health care services in the home for compensation, a dentist, a dental student, a dental hygienist, a dental hygienist student, an expanded function dental assistant, an



expanded function dental assistant student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, **a behavioral health and wellness practitioner**, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a behavior analyst, an assistant behavior analyst, a registered behavior technician, a mental health technician, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, a public safety officer at a health care facility, an emergency medical technician, an advanced emergency medical technician, a paramedic or a participant in a program of training to provide emergency medical services; or

(2) An employee of or volunteer for a health care facility who:

- (I) Interacts with the public;
- (II) Performs tasks related to providing health care; and
- (III) Wears identification, clothing or a uniform that

identifies the person as an employee or volunteer of the health care facility.

(f) “School employee” means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(g) “Sporting event” has the meaning ascribed to it in NRS 41.630.

(h) “Sports official” has the meaning ascribed to it in NRS 41.630.

(i) “Taxicab” has the meaning ascribed to it in NRS 706.8816.

(j) “Taxicab driver” means a person who operates a taxicab.

(k) “Transit operator” means a person who operates a bus or other vehicle as part of a public mass transportation system.

(l) “Utility worker” means an employee of a public utility as defined in NRS 704.020 whose official duties require the employee to:

- (1) Interact with the public;
- (2) Perform tasks related to the operation of the public utility; and

(3) Wear identification, clothing or a uniform that identifies the employee as working for the public utility.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly



weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault:

(1) Is committed upon:

(I) An officer, a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event; and

(2) The person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official,

↳ for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(d) If the assault:

(1) Is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee upon:

(I) An officer, a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event; and

(2) The probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official,



↳ for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

Sec. 61. NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office; or

(3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, expanded function dental assistant, chiropractic physician, naprapath, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to



chapter 630 or 633 of NRS, anesthesiologist assistant, perfusionist, psychiatrist, psychologist, **behavioral health and wellness practitioner**, marriage and family therapist, clinical professional counselor, clinical alcohol and drug counselor, alcohol and drug counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, behavior analyst, assistant behavior analyst, registered behavior technician, peer recovery support specialist, as defined in NRS 433.627, peer recovery support specialist supervisor, as defined in NRS 433.629, or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats an older person or vulnerable person who appears to have been abused, neglected, exploited, isolated or abandoned.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person by a member of the staff of the hospital.

(c) A coroner.

(d) Every person who maintains or is employed by an agency to provide personal care services in the home.

(e) Every person who maintains or is employed by an agency to provide nursing in the home.

(f) Every person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304.

(g) Any employee of the Department of Health and Human Services, except the State Long-Term Care Ombudsman appointed pursuant to NRS 427A.125 and any of his or her advocates or volunteers where prohibited from making such a report pursuant to 45 C.F.R. § 1321.11.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons or vulnerable persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation, isolation or abandonment of an



older person or vulnerable person and refers them to persons and agencies where their requests and needs can be met.

(k) Every social worker.

(l) Any person who owns or is employed by a funeral home or mortuary.

(m) Every person who operates or is employed by a community health worker pool, as defined in NRS 449.0028, or with whom a community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027.

(n) Every person who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to provide doula services to recipients of Medicaid pursuant to NRS 422.27177.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that an older person or vulnerable person has died as a result of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person or vulnerable person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible.

7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the:

(a) Aging and Disability Services Division;

(b) Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons created by NRS 179A.450; and

(c) Unit for the Investigation and Prosecution of Crimes.

8. If the investigation of a report results in the belief that an older person or vulnerable person is abused, neglected, exploited, isolated or abandoned, the Aging and Disability Services Division of the Department of Health and Human Services or the county's



office for protective services may provide protective services to the older person or vulnerable person if the older person or vulnerable person is able and willing to accept them.

9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

10. As used in this section, “Unit for the Investigation and Prosecution of Crimes” means the Unit for the Investigation and Prosecution of Crimes Against Older Persons or Vulnerable Persons in the Office of the Attorney General created pursuant to NRS 228.265.

Sec. 62. NRS 226.454 is hereby amended to read as follows:

226.454 “Provider of health care” means:

1. A physician;
2. A physician assistant licensed pursuant to chapter 630 or 633 of NRS;
3. A dentist;
4. A licensed nurse;
5. A person who holds a license as an attendant or is certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS;
6. An optometrist;
7. An audiologist;
8. A practitioner of respiratory care;
9. A podiatric physician;
10. A psychologist;
11. A clinical professional counselor;
12. A perfusionist;
13. A pharmacist or pharmacy technician;
14. An associate in social work, a social worker, a master social worker, an independent social worker or a clinical social worker licensed pursuant to chapter 641B of NRS;
15. A midwife; ~~for~~
16. A provider of doula services who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to receive reimbursement through Medicaid pursuant to NRS 422.27177 ~~H~~ ; or

17. A behavioral health and wellness practitioner.

Sec. 63. NRS 232.320 is hereby amended to read as follows:

232.320 1. The Director:

(a) Shall appoint, with the consent of the Governor, administrators of the divisions of the Department, who are respectively designated as follows:



(1) The Administrator of the Aging and Disability Services Division;

(2) The Administrator of the Division of Welfare and Supportive Services;

(3) The Administrator of the Division of Child and Family Services;

(4) The Administrator of the Division of Health Care Financing and Policy; and

(5) The Administrator of the Division of Public and Behavioral Health.

(b) Shall administer, through the divisions of the Department, the provisions of chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, **and section 66 of this act**, 422.580, 432.010 to 432.133, inclusive, 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the Department, but is not responsible for the clinical activities of the Division of Public and Behavioral Health or the professional line activities of the other divisions.

(c) Shall administer any state program for persons with developmental disabilities established pursuant to the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. §§ 15001 et seq.

(d) Shall, after considering advice from agencies of local governments and nonprofit organizations which provide social services, adopt a master plan for the provision of human services in this State. The Director shall revise the plan biennially and deliver a copy of the plan to the Governor and the Legislature at the beginning of each regular session. The plan must:

(1) Identify and assess the plans and programs of the Department for the provision of human services, and any duplication of those services by federal, state and local agencies;

(2) Set forth priorities for the provision of those services;

(3) Provide for communication and the coordination of those services among nonprofit organizations, agencies of local government, the State and the Federal Government;

(4) Identify the sources of funding for services provided by the Department and the allocation of that funding;

(5) Set forth sufficient information to assist the Department in providing those services and in the planning and budgeting for the future provision of those services; and



(6) Contain any other information necessary for the Department to communicate effectively with the Federal Government concerning demographic trends, formulas for the distribution of federal money and any need for the modification of programs administered by the Department.

(e) May, by regulation, require nonprofit organizations and state and local governmental agencies to provide information regarding the programs of those organizations and agencies, excluding detailed information relating to their budgets and payrolls, which the Director deems necessary for the performance of the duties imposed upon him or her pursuant to this section.

(f) Has such other powers and duties as are provided by law.

2. Notwithstanding any other provision of law, the Director, or the Director's designee, is responsible for appointing and removing subordinate officers and employees of the Department.

Secs. 64 and 65. (Deleted by amendment.)

Sec. 66. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent that federal financial participation is available, the Director shall include under Medicaid coverage for behavioral health promotion and prevention provided by a behavioral health and wellness practitioner.

2. The Department shall:

(a) Apply to the Secretary of Health and Human Services for any waiver of federal law or apply for any amendment to the State Plan for Medicaid that is necessary for the Department to receive federal funding to provide the coverage described in subsection 1.

(b) Fully cooperate in good faith with the Federal Government during the application process to satisfy the requirements of the Federal Government for obtaining a waiver or amendment pursuant to paragraph (a).

3. As used in this section:

(a) "Behavioral health and wellness practitioner" has the meaning ascribed to it in section 10 of this act.

(b) "Behavioral health promotion and prevention" has the meaning ascribed to it in section 11 of this act.

Secs. 67-79. (Deleted by amendment.)

Sec. 79.5. 1. The Division of Health Care Financing and Policy of the Department of Health and Human Services shall transfer from the Account to Improve Health Care Quality and Access created by NRS 422.37945 to the Nevada Medicaid budget account the sum of \$68,705 for Fiscal Year 2026-2027 to carry out the provisions of section 66 of this act.



2. Expenditure of \$115,171 not appropriated from the State General Fund or the State Highway Fund is hereby authorized during Fiscal Year 2026-2027 by the Division of Health Care Financing and Policy of the Department of Health and Human Services for the same purpose as set forth in subsection 1.

Sec. 80. 1. Notwithstanding any other provision of law to the contrary, the Director of the Department of Health and Human Services shall allocate, as reimbursement during the 2025-2027 biennium, from the Fund for a Resilient Nevada created by NRS 433.732 to:

(a) The University of Nevada, Reno, not more than \$574,980 for the costs of a program that awards a bachelor's degree for persons wishing to become behavioral health and wellness practitioners and award scholarships to students who enroll in that program.

(b) The University of Nevada, Reno, not more than \$500,000 for the costs to establish a program that awards a micro-credential in behavioral health promotion and prevention and award scholarships to students who enroll in that program.

(c) The University of Nevada, Las Vegas, not more than \$574,980 for the costs of a program that awards a bachelor's degree for persons wishing to become behavioral health and wellness practitioners and award scholarships to students who enroll in that program.

(d) The University of Nevada, Las Vegas, not more than \$500,000 for the costs to establish a program that awards a micro-credential in behavioral health promotion and prevention and award scholarships to students who enroll in that program.

(e) Great Basin College not more than \$574,980 for the costs of a program that awards a bachelor's degree for persons wishing to become behavioral health and wellness practitioners and award scholarships to students who enroll in that program.

(f) Great Basin College not more than \$500,000 for the costs to establish a program that awards a micro-credential in behavioral health promotion and prevention and award scholarships to students who enroll in that program.

(g) The Partnership for Research, Assessment, Counseling, Therapy and Innovative Clinical Education at the University of Nevada, Las Vegas, not more than \$1,200,000 for the costs to establish an internship program for psychologists that:

(1) Is accredited by the American Psychological Association; and

(2) Has an emphasis in child psychology; and



(h) The Nevada System of Higher Education not more than \$2,000,000 for the costs of scholarships for students enrolled in programs for the education and training of providers of health care who are authorized to supervise behavioral health and wellness practitioners pursuant to section 18 of this act.

2. As used in this section:

(a) “Behavioral health and wellness practitioner” has the meaning ascribed to it in section 10 of this act.

(b) “Behavioral health promotion and prevention” has the meaning ascribed to it in section 11 of this act.

Sec. 81. 1. Notwithstanding the amendatory provisions of this act, any person who is engaged in the practice of behavioral health promotion and prevention on or before January 1, 2026, may continue to engage in the practice of behavioral health promotion and prevention without obtaining a license pursuant to section 15 of this act until July 1, 2026.

2. As used in this section, “behavioral health promotion and prevention” has the meaning ascribed to it in section 11 of this act.

Sec. 82. (Deleted by amendment.)

Sec. 83. 1. This section and section 82 of this act become effective upon passage and approval.

2. Section 80 of this act becomes effective on July 1, 2025.

3. Sections 1 to 37, inclusive, 38 to 63, inclusive, 66, 74 to 77, inclusive, and 81 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2026, for all other purposes.

4. Sections 64, 65, 67 to 73, inclusive, 78, 79 and 79.5 of this act become effective on July 1, 2026.

5. Section 37.5 of this act becomes effective on January 1, 2029.

6. Section 14 of this act expires by limitation on December 31, 2028.



Behavioral Health and Wellness Practitioner Proposed Scope

Purpose

This document provides guidance on the scope of practice and regulatory expectations for Behavioral Health and Wellness Practitioners (BHWP) as established under SB 165. It incorporates international best practices and competencies aligned with the NBOPE's obligation to protect public safety and maintain high standards for behavioral health promotion and prevention services.

Role & Definition

A BHWP is a licensed professional authorized to deliver brief, evidence-based behavioral health interventions under the supervision of a licensed Nevada behavioral health provider who holds diagnostic and treatment authority. BHWPs may not diagnose but are trained to screen for behavioral health conditions, promote overall wellness using structured, measurable interventions, monitor treatment response using measurement-based care (MBC), and refer to a higher level of care as needed. .

Core Competencies

A. Assessment & Screening

- Conduct psychologically-informed screening using validated tools to identify mild-to-moderate behavioral and mental health concerns.
- Detect risk factors and safeguarding issues, with clear referral protocols for complex cases.

B. Brief Evidence-Based Interventions

Provide structured interventions such as:

- Problem solving skills
- Support for behavior change (e.g., sleep, technology use, avoidance)
- Recognizing and managing emotions
- Stress management skills
- Interpersonal skill building
- Behavioral activation
- Parenting support
- Motivational interviewing

Interventions are low-intensity, brief in duration, evidence-based, and aligned with behavioral health promotion and recognized clinical guidelines.

C. Measurement-Based Care (MBC)

- Employ routine symptom and outcome tracking prior to or during intervention sessions to guide intervention and client collaboration, supporting improved outcomes.

D. Referral & Care Coordination

- Facilitate seamless referral to higher-level services, navigating systems and supporting continuity of care within multidisciplinary teams.

E. Ethical & Professional Standards

- Practice within defined scope, maintain confidentiality, secure informed consent, respect diversity, and escalate safety concerns promptly.

F. Record Keeping & Reflective Practice

- Ensure accurate, clear documentation of assessments, interventions, and outcomes.
- Engage in regular supervision and reflective practice to enhance professional development.

Entry Requirements

Applicants must meet the following minimum standards to obtain BHWP certification:

1. Be at least 18 years of age.
2. Possess a bachelor's degree or higher from a [regionally accredited](#) four-year U.S. college or university **OR** hold an equivalent credential from a qualifying international institution.
3. Complete a Board-approved BHWP-equivalent training program (may be embedded in a bachelor's program or pursued post-baccalaureate). The approved training program must include instruction that ensure that students meets the core competencies for practice across the following domains:
 - Assessment & Screening
 - Brief Evidence-Based
 - Measurement-Based Care (MBC)
 - Referral & Care Coordination
 - Ethical & Professional Standards
 - Record Keeping & Reflective Practice
4. Training must include successful completion of an approved (e.g. university sponsored, board pre-approved) supervised clinical practicum (700 hrs) demonstrating competence in:
 - Culturally responsive and ethical practice
 - Use of validated screening tools
 - Delivery of brief evidence-based interventions
 - Referral coordination and measurement-based care
5. Pass a jurisprudence exam approved by the Board.
6. Pass a fingerprint-based background check.
7. Comply with all requirements of Nevada State Regulations.

8. Complete 20 hours of continuing education every two years, including ethics and prevention-specific content. This should include:
 - 3 hours of ethics training
 - 6 hours of working with diverse populations
 - 2 hours of suicide risk identification or management
 - 9 hours of prevention-specific content (e.g., screening, brief interventions, outcome monitoring)

Supervision

BHWPs must practice under regular supervision from an approved, licensed behavioral health provider (e.g., psychologist, clinical social worker, licensed professional counselor, MFT, advanced practice registered nurse). Supervision must include:

- Administrative supervision for performance, caseload, and compliance.
- Clinical supervision for case discussion, risk assessment, and fidelity to brief intervention protocols.

Supervision by approved supervisors should be structured and occur at regular intervals, with increased frequency in early practice or higher-risk caseloads.

Regulatory Oversight and Disciplinary Process

Behavioral Health and Wellness Practitioners (BHWPs) operate under the regulatory authority of the Nevada Board of Psychological Examiners (NBOPE). NBOPE is responsible for:

- Establishing and maintaining licensure and scope of practice standards
- Approving training programs and continuing education requirements
- Providing regulatory guidance for supervisors and employers

All disciplinary concerns involving BHWPs must be reported to the Nevada Board of Psychological Examiners for formal review and resolution. NBOPE will evaluate each case in accordance with established procedures under Nevada State Regulations and the relevant provisions of SB 165. This includes investigation, potential sanctions, and ensuring corrective actions are taken when appropriate.

Quality and Accountability

- BHWPs must maintain accurate records and participate in quality improvement processes.
- Outcome data from MBC tools will support program oversight and potential refinement of scope or standards.
- BHWPs are expected to participate in reflective practice and commit to continuous professional development.

Summary Table of Competencies

Domain	Description
Assessment & Screening	Validated tools; detect risk/safeguarding
Brief Interventions	Behavioral activation, Motivational Interviewing, emotion regulation
Measurement-Based Care	Routine outcome tracking
Referral Coordination	Navigate clients to higher-level care
Ethics & Confidentiality	Consent, diversity, scope adherence
Recordkeeping & Reflection	Documentation; supervision and Continuing Professional Development
Promotion & Prevention	Goal setting; support for behavior change; interpersonal and emotional support

NBOPE Implementation Plan SB 165 Behavioral Health and Wellness Practitioners

Purpose

An overview of the NBOPE's responsibilities under Senate Bill 165 (2025) related to the licensure and regulation of Behavioral Health and Wellness Practitioners (BHWP). This also outlines the structure and role of the newly established Behavioral Health and Wellness Practitioner Advisory Group and other regulatory obligations for successful implementation.

Overview of SB 165 and Board Responsibilities

- Establishes licensure and regulation of Behavioral Health and Wellness Practitioners (BHWP) under the Board of Psychological Examiners (NBOPE).
- BHWP is defined as professionals practicing *behavioral health promotion and prevention* (SB165 Section 10–11).
- BHWP practice is distinct from psychology, but governed under NRS Chapter 641 (SB 165 Section 13–19).

Nevada Board of Psychological Examiners Responsibilities

- Licensure & Regulation
 - Licensing requirements (e.g., degree, supervision, background checks)
 - Standards for supervision by mental health professionals (psychologist, APRN, etc.) (Sec. 13, 18)
 - Scope of practice boundaries
 - Standards of ethical practice and CEU requirements (Sec. 13, 16)
 - Maintain licensure infrastructure (fees, renewals, enforcement) (Sec. 15–17, 30, 33).
 - Track outcomes and adjust regulatory approach based on Advisory Group feedback.

NBOPE Responsibilities cont.

- Disciplinary Oversight
 - Apply existing psychologist disciplinary procedures to BHWP. (Sec. 21–47).
 - Review complaints and take appropriate action as defined by statute.
- Funding & Administration
 - Accept grants and donations to support implementation (SB 165 Sec. 13.2).
 - Maintain fee structures, background checks, and renewal processes (SB 165 Sec. 15–17, 30, 33).
 - Oversee compliance with confidentiality and recordkeeping requirements (SB 165 Sec. 34).

Behavioral Health and Wellness Practitioner Advisory GroupA. Purpose

- Provide the NBOPE with expertise and guidance on BHWP regulation and scope of practice (Sec. 14).
- Offer recommendations on disciplinary matters in early implementation years.

B. Structure and Membership

- NBOPE determines the number of members. Twelve members are recommended for the initial advisory board.
- Recommended composition:
 - One licensed psychologist
 - One licensed clinical social worker
 - One licensed clinical professional counselor or marriage and family therapist
 - One Advanced Practice Registered Nurse
 - One community member with lived experience or connection to prevention efforts
 - Two school-based mental health professionals (e.g. school counselor, school psychologist)
 - Two representatives from training programs identified as developing programs preparing BHWP. pursuant to SB165
 - Two experts in behavioral health promotion and prevention (may be national representatives)
 - Representative from the NBOPE

BHWP Advisory Group cont.

C. Leadership and Terms

- Members selected and appointed through open call for letters distributed by the Nevada Board of Psychological Examiners.
- Members should be licensed and in good standing in their respective fields, if appropriate.
- Members serve 2-year terms.
- Chair, Co-Chair, and Secretary serve initial 3-year terms to ensure continuity.
- May be reappointed for subsequent terms if approved by the Board.
- An advisory committee should be established no later than October 2025.

D. Meeting Cadence and Duration

- Advisory Group meets at least quarterly for a period of 6 years (through Dec 31, 2030).
- At the 4-year mark, the advisory group conducts a reassessment to evaluate its functionality and necessity.
- Advisory Group can be extended by the NBOPE if necessary and a new advisory group duration, with regular checks for utility, will be established if needed.

E. Key Responsibilities of the Advisory Group

- Define the scope of practice for BHWP's, including prevention boundaries (SB165 Sec. 11).
 - Scope of practice should align with national efforts
 - Final scope of practice must be approved by the NBOPE
- Review disciplinary reports involving BHWP's, follow NBOPE investigative procedures, and provide recommendations to NBOPE.
- Lead regulation development, including CEU requirements, ethical standards, and supervision protocols.
- Report findings and recommendations to the full Board at least annually.

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

DATE: July 18, 2025

ITEM:

12 - (For Possible Action) Discussion and Possible Action to Approve the Executive Director's Vacation Request.

SUMMARY:

This Board's Employment Policy states that the Executive Director

- accrues 1.25 days of vacation per month
- cannot accrue more than 15 days of vacation per fiscal year, and
- must use all vacation time on or before September 1 that follows the fiscal year or forfeit any vacation time not used.

The Board's executive director has a vacation scheduled from September 10, 2025, through September 23, 2025, which would require her to use ten (10) vacation days. At the end of June 2025, the executive director had 14 unused accrued vacation days, but will be unable to use them prior to September 1, 2025. The executive director requests approval to use 10 of her vacation days accrued during FY2025 for her vacation scheduled for September 10, 2025, through September 23, 2025.

Moreover, the Board's Employment Policy requires that the executive director obtain Board approval for requests for vacation time of five (5) days or more. Because the executive director's scheduled vacation is for 10 business days (and 13 days total), she is requesting the board's approval for her to take that vacation time.