

## NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearing for the adoption of Regulations of the State of Nevada Board of Psychological Examiners

The State of Nevada Board of Psychological Examiners will hold a public hearing at 10:00 a.m., on November 7, 2014 at University of Nevada, Las Vegas, 4505 S. Maryland Pkwy. System Computing Services, Room 102, Las Vegas, NV 89154 and By video conference to University of Nevada, Reno System Computing Services room 47, , Reno, Nevada 89557

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

The following information is provided pursuant to the requirements of NRS 233B.0603:

**1. The need for and the purpose of the proposed regulation or amendment.**

R128-14: Providing procedures for the handling of petitions to the Board seeking declaratory orders, advisory opinions or the adoption, filing, amendment or repeal of certain regulations; revising provisions relating to disciplinary hearings conducted by the Board; setting forth provisions for handling of complaints filed with the Board against certain behavior analysis professionals; providing procedures for limiting , revoking and reinstating the license or certificate of certain behavior analysis professions; and proving other matters properly relating thereto.

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regulation is a temporary regulation, either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved.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

A copy of the proposed regulation can be obtained at the Boards website by going to [www.psyexam.nv.gov](http://www.psyexam.nv.gov), or by contacting the Board of Psychological Examiners at 775-688-1268 or 4600 Kietzke Lane, Bldg B-116, Reno, NV 89502. A reasonable fee for coping may be charged.

**3. A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.**

The request for input regarding impact was sent to all licensed psychologist. A workshop to hear input was held September 12, 2014. All recommendations were heard and considered by the Board..

**4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

**(a) Both adverse and beneficial effects; and**

The regulation does not economically effect business owners. The current regulation clarifies disciplinary options and other existing regulations. There does not appear to be adverse economic impact on psychologist or the public.

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

Benefits stated above appear to be immediate and long term.

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

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

**6. A description of the citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

The Board is not aware of any overlapping or duplicating of federal or state regulations.

**7. If the regulation is required pursuant to federal law, a citation and description of the federal law.**

The Board is not aware of any requirement to federal law.

**8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

No duplication of a federal regulation.

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

The regulation does not establish any new funds.

Persons wishing to comment upon the proposed action of the State of Nevada Board of Psychological Examiners may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to State of Nevada Board of Psychological Examiners, 4600 Kietzke Lane, Bldg B-116, Reno, NV 89502. Written submissions must be received by the State of Nevada Board of Psychological Examiners on or before October 29, 2014 at 6:30 P.M.. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State of Nevada Board of Psychological Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at State of Nevada Board of Psychological Examiners and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been sent to persons on the agenda's mailing list, all licensed psychologists, all Nevada County Public Libraries, and posted at the Board's website at <http://psyexam.nv.gov> and the follow locations:

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

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

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

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