



Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB No. RO57-22 Of the State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors

The Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors will hold a Public Hearing at 9:00 AM on Friday, August 19, 2022, at the Board Administrative Office, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129, **ZOOM Access:** <https://us06web.zoom.us/j/86913060934> **Meeting ID: 869 1306 0934 Telephone Audio Only: (253) 215-8782**

The purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to LCB File No. RO57-22, Chapter 641A of the Nevada Administrative Code.

The proposed regulation includes the following and other matters properly relating thereto:

- NAC 641A.146 paragraph 5, subsection 2 & 5 – increases the maximum allowable supervised experience hours in group therapy and training categories for licensed interns.
- NAC 641A.146 paragraph 6 – removes the restriction that no credit be given for supervised practice hours gained prior to becoming an intern in the state of Nevada.
- NAC 641A.252 paragraph 1 – addition of the ACA Code of Ethics to the adopted professional associations.
- NAC 641A.182 paragraph 3 – addition that an approved supervisor must hold a current license in good standing in Nevada.
- NAC 641A.182 paragraph 6 – addition that an approved supervisor must adhere to the supervision standards set forth by the adopted professional associations.
- NAC 641A.105 – addition of clarifying language regarding the collection of fees specifically for those affiliated with the military, persons applying for a license through reciprocity and licensees requesting placement on inactive list.
- NAC 641A.243 – addition of language to professional responsibility that licensees must adhere to the supervision standards set forth by the adopted professional associations.
- NAC 641A.131 – addition of proration of continuing education credits needed for license renewal based on initial license issue date.

- NAC 641A.133 – addition of clarifying language based on the proration of continuing education credits.
- NAC 641A new paragraph – addition of language pertaining to the exemption of recordings of training activities.

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

LCB File No. RO57-22

1. Need and purpose of the proposed regulations or amendments

The need for the proposed regulations is to protect the public health, safety, and welfare by ensuring that only qualified and competent marriage and family therapists, clinical professional counselors, marriage and family therapist interns and clinical professional counselor interns are licensed in the state.

The purpose of the adopted regulation is to provide clarity for the public, individuals, and licensees through regulations. The proposed regulation adds language that will allow an increase to the maximum allowable supervised experience hours in group therapy and training categories for licensed interns and removes the restriction that no credit be given for supervised practice hours gained prior to becoming an intern in the state of Nevada. The proposed regulation updates continuing education requirements to align with the biennial renewal cycle and adds clarifying language regarding the collection of fees specifically for those affiliated with the military, persons applying for a license through reciprocity and licensees requesting placement on inactive list. The proposed regulation adds clarifying language to supervisory qualifications.

2. How to obtain the approved or revised text of regulations prepared by LCB

You may obtain a copy of the proposed regulations by writing to the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129; or by calling the Board office at 702-486-7388. The proposed regulations are also available for review and download on the Board website <https://marriage.nv.gov/>.

3. Methods used in determining the impact on a small business

The agency used informed, reasonable judgment in determining that there will be no impact on small businesses due to the nature of the regulatory changes.

4. Estimated economic effect of regulations on business and the public

a. Adverse and beneficial effects

The adoption of these regulations should have no adverse economic effect on business, the public or practitioners of marriage and family therapy or clinical professional counseling. The benefits of these regulations are that the public and the practitioners, (marriage and family therapists, clinical professional counselors, marriage and family therapist interns and clinical professional counselor interns), will be provided clarity in NAC 641A and continuing education requirements will be consistent with the renewal term of a license. In addition, barriers to licensure are removed for marriage and family therapist interns and clinical professional counselor interns in the ability to transfer accrued hours from another state.

b. Immediate and long-term effects

The immediate and long-term effects of the regulations proposed in RO57-22 removes barriers to licensure for potential interns, provides clarity in the collection of fees, and provides consistency in requirements for continuing education for licensed marriage and family therapists and clinical professional counselors in Nevada.

5. Cost for enforcement of the regulations

There are no additional costs involved in enforcing the proposed regulations.

6. Overlap or duplication of other state or local governmental agencies

The proposed regulations do not overlap or duplicate any regulation of other state or local governmental entities.

7. Regulation required by federal law

Not applicable

8. More stringent than federal regulations

The Board is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

9. New or increases in existing fees

The proposed regulations do not contain any new fees or increases in existing fees.

Persons wishing to comment on the proposed action of the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors may appear at the scheduled public hearing or address their comments, data, views or arguments in written form to the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129. The Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors must receive all written submissions on or before **August 19, 2022**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors may proceed immediately to action upon any written submissions.

A copy of this notice and the regulations to be adopted, RO57-22, will be available from the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129. This notice and the text of the proposed regulations 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 the proposed regulations are available for viewing or printing on the Board's website <https://marriage.nv.gov/>. Written comments will be accepted in hard copy or by email addressed to mftbd2@mftbd.nv.gov.

Upon adoption of any regulations, 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 or incorporate therein its reason for overruling the consideration urged against its adoption.

All licensees and interested parties are encouraged to participate in the regulatory review process.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Joelle McNutt at (702) 486-7388 or mftbd2@mftbd.nv.gov no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

THIS NOTICE OF HEARING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING PUBLIC LOCATIONS AND WEB SITES:

State of Nevada Administrative Website: <https://notice.nv.gov/>

Legislative Counsel Bureau Website: <https://www.leg.state.nv.us/>

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors:
7324 W. Cheyenne Ave. Suite #10 Las Vegas, Nevada 89129

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors
Website: <https://marriage.nv.gov/>

Dated: July 7, 2022