

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R057-19**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 641.

1. A clear and concise explanation of the need for the adopted regulation.

This regulation establishes the application fee for registration as a psychological assistant, psychological intern or psychological trainee in the amount of \$150, the same cost as application for licensure as a psychologist.

This regulation increases the biennial renewal or reinstatement of a license of a psychologist from \$500 to \$600.

This regulation reduces the fee: (1) for the initial registration of a psychological assistant from \$250 to \$150; (2) for the initial registration of a psychological intern from \$250 to \$75 and for the renewal of a registration of a psychological intern from \$150 to \$75; and (3) for the initial registration of a psychological trainee from \$250 to \$30 and for the renewal of a registration of a psychological trainee from \$150 to \$30.

Finally, this regulation removes reference to fees collected for the biennial renewal or reinstatement of a license as a licensed behavior analyst or licensed assistant behavior analyst. During the 2017 Legislative Session, the licensing and oversight of behavior analysts and related occupations were transferred from the Board of Psychological Examiners to the Board of Applied Behavior Analysis.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested person may obtain a copy of the summary.

Notices of workshop and notices of intent to act upon the regulation were sent to persons who were known to have interest in the licensure requirements of psychologists and registration requirements of psychological assistants, psychological interns, and psychological trainees in the state of Nevada, as well as any specific person who requested notification regarding regulation changes. Such distribution included further information on how to receive a free copy of the proposed regulation. These documents were also made available through the website of the Board of Psychological Examiners, psyexam.nv.gov or by directly emailing the Board office NBOP@govmail.state.nv.us, mailed to all county libraries in Nevada and posted at the following locations:

Board of Psychological Examiners
4600 Kietzke Lane B-116
Reno, Nevada 89502

Office of the Attorney General
Grant Sawyer Building
555 E. Washington Ave., Suite 3900
Las Vegas, Nevada 89101

Office of the Attorney General
100 N. Carson St.
Carson City, Nevada 89701

Carson City City Hall
201 N. Carson St., Suite 2
Carson City, Nevada 89701

A workshop was held to discuss language changes to the current NAC 641 on November 8, 2019, and the minutes of the meeting, which can be obtained through contacting the Board office or locating them on the Board's website Psyexam.nv.gov, contain a summary of the discussion held regarding the proposed language change. Written comment was received from two individuals. The first, from a licensed psychologist and signed by 9 additional psychologists, asked the Board not to increase fees. The second was from a registered psychological assistant and asked the Board not to increase fees.

Thereafter, on or about January 10, 2020, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated in the proposed amendment that was discussed at the above workshop. On February 14, 2020, a public hearing was held, where the Board of Psychological Examiners received no testimony. The Board of Psychological Examiners approved adoption of the proposed regulation R057-19 with no substantive changes. No public spoke for or against the change of fees at any of the above dates. One request was made from a member of the public asking for clarify the separate fees for application for licensure from application for registration.

3. The number of persons who:

- | | |
|--|--|
| (a) Attended each hearing: | November 8, 2019 - 10; February 14, 2020 - 4 |
| (b) Testified at each hearing: | November 8, 2019 - 0; February 14, 2020 - 1 |
| (c) Submitted to the agency written comments: | November 8, 2019 - 11; February 14, 2020 - 0 |

4. A list of names and contact information, including telephone number, business address, business telephone number, e-mail address, and name of entity or organization represented for each person identified above in #3, as provided to the agency;

November 8, 2019:

Whitney Owens, Board President
Tony Papa, Board Secretary/Treasurer
Michelle Paul, Board Member
John Krogh, Board Member
Stephanie Holland, Board Member
Morgan Gleich, Executive Director
Brad Vincent, Board Office Staff
Neena Laxalt, Board Lobbyist
Sarah Bradley, Deputy Attorney General
Gary Lenkeit, Board Investigator
Sara Ahmad, Public
Adriana Wechsler Zimring, Public
Amanda Devillez, Public (Present and submitted written comment)
Sean Dodge, Public
Ed Guy, Public
Yani Dickens, Public
Sarah Ahmad, Public
Matt Turner, Public
Rachel Pinkerman, Public
Christeen Silva, Public
Christine Moninghoff, Public (Not present; Signed joint written comment)
Puja Jaitly, Public (Not present; Signed joint written comment)
Leigh Kotkov, Public (Not present; Signed joint written comment)
Carol Dubois-Chess, Public (Not present; Signed joint written comment)
Paula Squitieri, Public (Not present; Signed joint written comment)
Ampara Shannon, Public (Not present; Signed joint written comment)
Jamie Lee-Farrimond, Public (Not present; Signed joint written comment)
Robert Kutner, Public (Not present; Signed joint written comment)
Antrice Hronek, Public (Not present; Submitted written comment)

February 14, 2020:

Whitney Owens, Board President
Tony Papa, Board Secretary/Treasurer
Monique McCoy, Board Member
Stephanie Woodard, Board Member
John Krogh, Board Member
Stephanie Holland, Board Member
Harry Ward, Deputy Attorney General
Gary Lenkeit, Board Investigator
Sara Ahmad, Representative, Nevada Psychological Association
Lauren Chapple-Love, Public
Bree Mullin, Public
Adriana Wechsler Zimring, Public

5. A description of how comment was solicited from affected business, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The request for input regarding impact was sent to all licensed by the Board of Psychological Examiners. The summary of the discussion by the Board may be obtained through the minutes; which can be obtained through contacting the Board office or locating them on the Board's website, psyexam.nv.gov. Two letters of written comment were submitted in opposition of the change.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

Based on comment from the public, one non-substantive change was made to include separate the line indicating the fee for an application for licensure from the fee for an application for registration. The fee amount is the same in both instances.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be state separately, and each case must be included:

***Economic effects on regulated businesses:**

a) Adverse, immediate: There are no estimated adverse effects from this regulation.
Adverse, long-term: The biennial renewal fee was increased by \$100 from \$500 to \$600.

b) Beneficial, immediate: There are no estimated economic effects in this regulation.
Beneficial, long-term: The beneficial economic effect is to the support provided to licensees and registrants. Under the current budget/fee structure, the Board is limited in what services and support it can provide; and without increased income, office staff, and Board programming are limited.

***Economic effects on public:**

a) Adverse, immediate: There are no estimated economic effects in this regulation.
Adverse, long-term: There are no estimated economic effects in this regulation.

b) Beneficial, immediate: There are no estimated economic effects in this regulation.
Beneficial, long-term: The beneficial economic effect is to the support provided to licensees and registrants.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no increased cost of enforcement.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explain why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

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

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

There are no federal regulations that apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The increase in renewal fees should amount to an increase in revenue of an estimated \$20,000 – 25,000 per year. That increase will provide funding for a part-time staff member to increase support of licensees and registrants.

Regulation adopted on February 14, 2020.