

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R175-20**

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 revises provisions relating to certain requirements for licensure as a psychologist by removing the word "moral" and the term "moral character" from those requirements.

This regulation revises the standards of conduct for psychologists by removing the word "moral" in relation to fitness to practice.

At a 2020 meeting of the Interim Committee on Health and Human Services, it was suggested that language of the Nevada Revised Statutes should be reviewed to remove the word "moral." Although no action was taken by the Committee, the Board of Psychological Examiners discussed the use of the word within Chapter 641, Psychologists, Concern was expressed that using the word "moral" and the term "moral character" in determining competence to practice could lead to discrimination. As a result, the Board decided to remove the language.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons 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 application requirements of psychologists 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), and posted at the locations listed below.

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

A workshop was held to discuss language changes to the current NAC 641 on November 13, 2020, 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. No written or public comment was submitted.

Thereafter, on or about April 1, 2022, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated the proposed amendment that was discussed at the above workshop. That notice included a request for submission of public comment regarding adoption of the regulation.

On May 6, 2022, a public hearing was held, where the Board of Psychological Examiners received no testimony nor written public comment. The Board of Psychological Examiners approved adoption of the proposed regulation R175-20 with no changes.

3. The number of persons who:

- (a) Attended each hearing:** November 13, 2020 - 7; May 6, 2022 - 11
(b) Testified at each hearing: November 13, 2020 - 0; May 6, 2022 - 0
(c) Submitted to the agency written comments: November 13, 2020 - 0; May 6, 2022 - 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 13, 2020:

None

May 6, 2022:

None

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 licensees of 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. No public or written comment was submitted regarding 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.

No comment was submitted recommending any change to the proposed regulation.

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: There are no estimated adverse effects from this regulation.
- b) Beneficial, immediate: There are no estimated economic effects in this regulation.
Beneficial, long-term: There are no estimated economic effects in this regulation.

***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: There are no estimated economic effects in this regulation.

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

There will be no increased cost for enforcement of the change.

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.

There are no new fees nor increases to an existing fee.

Regulation adopted by the State of Nevada Board of Psychological Examiners on May 6, 2022.