

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233b.066
LCB FILE R127-14**

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

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

The regulation is necessary to repeal mention of Certified Autism Behavior Interventionists from mention in NAC 641, as well as enforce a limit to the testing attempts to be made for the Nevada State Psychology Exam and the Examination for Professional Practice of Psychology (EPPP). The regulation also makes changes to the scope of practice and licensure requirements for psychologists.

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 by US. Mail and email to persons who were known to have interest in the licensure requirements of Psychologists in the state of Nevada, as well as any specific person who requested notification regarding regulation changes. Each mailing 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 (E141)
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 Manager
Carson City City Hall
201 N. Carson St., Suite 2
Carson City, Nevada 89701

Behavior Analysis Program
University of Nevada, Reno
Reno, Nevada 89523

A workshop was held to discuss language changes to the current NAC 641 on September 12, 2014, and the minutes of the meeting, attached hereto, contain a summary of the discussion held regarding the proposed language change. Thereafter, on or about December 14, 2015, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated in the proposed amendment that was developed at the July 12, 2013 workshop. On January 15, 2016, a public hearing was held, where the Board of psychological Examiners received no testimony. The Board of Psychological Examiners approved to adopt proposed regulations R127-14.

Psychological Examiners approved to adopt proposed regulations R111-13.

3. The number of persons who:

- (a) Attended each hearing:** September 12, 2014- 27; January 15, 2016- 8
- (b) Testified at each hearing:** September 12, 2014 -7; January 15, 2016- 0;
- (c) Submitted to the agency written comments:** September 12, 2014- 1

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, is attached as Exhibit A

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 summary may be obtained as instructed in response to question #2.

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.

The regulation was re-submitted for change after the September 12, 2014 workshop, after receipt of public comment. A rewrite was also requested after the August 14, 2015 Board meeting, to mirror changes made during the legislative session.

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:

- (a) Both adverse and beneficial effects;**
- (B) Both immediate and long-term effects.**

(a) Both adverse and beneficial effects:

The regulation allows the Board to better regulate the profession of psychology. The limitation of exam attempts is to maintain the integrity of the exams. There does not appear to be adverse economic impact on psychologist or the public as the regulation was provided to all impacted parties through public workshop and hearing notices, and no negative impact was stated by any small business owners present or through written comment.

(b) Both immediate and long-term effects.

Benefits stated above appear to be immediate and long term.

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.

Not applicable.

Regulation adopted on January 15, 2016.