

**PROPOSED REGULATION OF THE BOARD  
OF PSYCHOLOGICAL EXAMINERS**

**LCB File No. R089-03**

August 22, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-4, 10, 13, 15, 22 and 23, NRS 641.100; §§5-9, 11 and 16-20, NRS 641.100 and 641.170; §12, NRS 641.100 and 641.180; §14, NRS 641.100 and 641.113; §21, NRS 641.100 and 641.390.

**Section 1.** Chapter 641 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 641.015 and sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Board” means the Board of Psychological Examiners.*

**Sec. 4.** *“Psychological assistant” means a person registered with the Board pursuant to NAC 641.151.*

**Sec. 5.** *“Supervisor” means a psychologist who has been approved by the Board to supervise a psychological assistant.*

**Sec. 6.** *In addition to the requirements set forth in subsection 5 of NAC 641.080, any supervised experience used to satisfy the 1-year postdoctoral experience requirement for licensure as a psychologist set forth in paragraph (e) of subsection 1 of NRS 641.170 must comply with the following requirements:*

*1. The number of hours required pursuant to paragraph (a) of subsection 2 or 3 of NAC 641.080 must be completed in not less than 10 months and not more than 3 years unless otherwise approved by the Board;*

*2. At least 60 percent of the hours per week of the supervised experience must be spent providing psychological services directly to patients unless otherwise approved by the Board;*

*3. The hours per week of the supervised experience that are not spent in the manner set forth in subsection 2 must be spent engaging in an activity related to psychology, including, without limitation, teaching psychology, researching psychology and engaging in any other activity approved by the Board; and*

*4. At least 50 hours of the supervised experience must be spent receiving training in cultural, ethnic and group processes as social bases of behavior and at least 3 hours of direct individual supervision must be spent focused on that area of psychology. Such hours may be obtained by, without limitation:*

*(a) Conducting clinical work with culturally diverse populations;*

*(b) Researching an issue related to culturally diverse populations;*

*(c) Attending a workshop, conference or seminar concerning working with culturally diverse populations;*

*(d) Giving a presentation related to culturally diverse populations at a workshop, conference or seminar; and*

*(e) Authoring a publication related to culturally diverse populations.*

*Sec. 7. A supervisor shall not supervise a psychological assistant if that supervision involves a potential conflict of interest, including, without limitation, supervision of a psychological assistant:*

1. *Who is a member of his household;*
2. *Who is related to him by blood, adoption or marriage, within the third degree of consanguinity or affinity;*
3. *Except as otherwise authorized by NAC 641.154, with whom the supervisor has a financial or business relationship; and*
4. *With whom the supervisor has a psychologist-patient relationship.*

**Sec. 8.** *A psychologist who wishes to serve as a supervisor must:*

1. *Except as otherwise approved by the Board, be licensed by the Board to practice psychology;*
2. *Except as otherwise approved by the Board, have been licensed by the Board to practice psychology for 3 years or more;*
3. *Have had training in clinical supervision that is satisfactory to the Board, including, without limitation, the completion of continuing education courses, other courses or an independent study relating to clinical supervision; and*
4. *Document each year of experience he has providing clinical supervision for psychological interns or psychological assistants.*

**Sec. 9.** *1. A supervisor shall prepare records that will enable him to:*

- (a) *Effectively train and evaluate the psychological assistant he supervises; and*
- (b) *Accurately determine the number of hours of supervised experience obtained by the psychological assistant.*

2. *A supervisor shall maintain all records relating to the supervision of a psychological assistant, including, without limitation, the records required to be maintained pursuant to*

*NAC 641.157, 641.159 and 641.219 for not less than 5 years after the last date of supervision.*

*Upon request, such records must be available for inspection by the Board.*

*3. A supervisor shall submit a written report to the Board not later than 6 months after the supervisor begins supervising a psychological assistant, and not less than every 6 months thereafter until the supervision is completed or terminated. The report must include, without limitation, a description of the progress and development of the psychological assistant, and the acknowledgment and signatures required pursuant to subsection 4.*

*4. Before submitting to the Board the report required pursuant to subsection 3, the supervisor shall:*

*(a) Discuss the report with the psychological assistant;*

*(b) Obtain the signature of the psychological assistant acknowledging that the supervisor discussed the report with the psychological assistant as required pursuant to paragraph (a); and*

*(c) Sign the report.*

*5. A supervisor shall notify the Board within 10 days after his supervision of a psychological assistant is completed or terminated.*

**Sec. 10.** NAC 641.015 is hereby amended to read as follows:

641.015 ~~[As used in this chapter, “psychologist” includes any person who is:~~

~~—1. Receiving any education or training; or~~

~~—2. Engaged in any employment,~~

~~required for licensure pursuant to chapter 641 of NRS or this chapter.]~~

*“Psychologist” has the meaning ascribed to it in NRS 641.027.*

**Sec. 11.** NAC 641.080 is hereby amended to read as follows:

641.080 1. Before an applicant is eligible for ~~[examination for]~~ full licensure, he must complete 2 years of supervised and documented experience which is the equivalent of full-time experience.

2. Except as otherwise provided in subsection 3, the 2 years of experience required pursuant to paragraph (e) of subsection 1 of NRS 641.170 must be supervised experience and *must* comply with the following requirements:

- (a) Each year must consist of not less than 1,750 hours;
- (b) The first year must satisfy the requirements of subsection 4; and
- (c) The second year must be postdoctoral and satisfy the requirements of subsection 5.

3. If an applicant has been licensed for at least 5 years in another state and has had no disciplinary action or other adverse action taken against him by the regulatory body, the 2 years of experience required pursuant to paragraph (e) of subsection 1 of NRS 641.170 must be supervised experience and *must* comply with the following requirements:

- (a) Each year must consist of not less than 1,500 hours;
- (b) Each year must satisfy the requirements of subsection 5; and
- (c) One year must be postdoctoral.

4. One year of supervised experience must be satisfactorily completed in an internship program approved by the American Psychological Association, or the supervised experience must:

- (a) Be completed in an institutional setting which is appropriate for the training of a professional psychologist;
- (b) Serve a group of persons which is sufficient in number and variability to provide a broad range of training experiences;

- (c) Be completed in not less than 10 months but not more than 24 months;
- (d) Have formal written policies and procedures;
- (e) Have nondiscriminatory policies and operate under nondiscriminatory conditions;
- (f) Have training objectives which are based on:
  - (1) The science and practice of psychology; and
  - (2) A model that is sequential, cumulative and graded in complexity;
- (g) Offer an organized internship program which includes:
  - (1) Experiential training with regularly scheduled supervision by a psychologist licensed in the jurisdiction in which the program is located who has an integral role in the institution and whose primary responsibility is the provision of services; and
  - (2) A minimum of 10 percent of the internship hours per week spent under supervision, including 1 hour or 5 percent of the internship hours per week, whichever is less, spent under direct individual supervision;
- (h) Have a training program which includes:
  - (1) Theories and methods of assessment and diagnosis;
  - (2) Effective intervention;
  - (3) Theories and methods of consultation and evaluation; and
  - (4) Strategies of scholarly inquiry;
- (i) Be provided in a setting in which training takes precedence over providing services or raising revenue;
- (j) Include exposure to a sufficient number of professionals to ensure meaningful peer interactions, support and socialization;
- (k) Provide each intern, at least semiannually, with a written performance evaluation of his:

- (1) Professional conduct;
  - (2) Psychological knowledge and skills; and
  - (3) Competence in psychological assessment, intervention and consultation; and
- (l) Provide for written documentation of completion of the program.
5. One year of supervised experience must meet the guidelines established by the Association of State and Provincial Psychology Boards. Supervised experience is credited only for:
- (a) Work experience other than experience which is acquired in connection with a practicum for which graduate credits are granted;
  - (b) Professional work in an organized public or private agency, institution or organization which provides an opportunity for contact with other disciplines and an opportunity for work with a broad range of clients, or other settings if the applicant has made prior arrangement with and obtained the approval of the Board;
  - (c) The equivalent of 1 full year's experience on an assignment to ensure a comprehensive, supervised work experience;
  - (d) *Work experience which satisfies the requirements of section 6 of this regulation if the supervised work is being completed to satisfy the postdoctoral experience requirement for licensure as a psychologist set forth in paragraph (c) of subsection 2 or 3;*
  - (e) Work which is conducted under the supervision of a **[Licensed]** psychologist *licensed in the jurisdiction in which the supervision occurs* or a professional who is licensed in his area of speciality, including, but not limited to, a psychiatrist, social worker, or marriage and family therapist who:

(1) Possesses legal, administrative and professional responsibility for the work of the applicant he supervises; and

(2) Whose relationship with the applicant is clearly differentiated from that of consultant; and

~~(e)~~ (f) Work experience in which:

(1) Not more than one-quarter of the number of supervised hours are accrued under the direction of a specialist; and

(2) A minimum of 1 hour per week is spent under direct individual supervision with additional supervisory contact for specific case discussion and skill training.

↪ The Board may waive the requirements for work experience set forth in this paragraph upon the request of an applicant if the Board determines that the nature of the work experience of the applicant precludes regular or frequent direct individual supervision and the applicant has available an alternative schedule of supervision that is satisfactory to the Board.

**Sec. 12.** NAC 641.120 is hereby amended to read as follows:

641.120 *1.* The Examination ~~in the~~ *for* Professional Practice ~~of~~ *in* Psychology which is sponsored by the ~~American~~ Association of State *and Provincial* Psychology Boards and is created and distributed by the Professional Examination Service constitutes the written portion of the examination for licensure as a psychologist.

*2. An applicant for a license may take the written portion of the examination for licensure as a psychologist after the applicant has:*

*(a) Graduated with a doctoral degree from:*

*(1) A training program which is accredited by the American Psychological Association or a program which meets the requirements of NAC 641.061; or*

- (2) *An institution which meets the requirements of subsection 2 of NAC 641.050; and*
- (b) *Obtained approval from the Board.*

**Sec. 13.** NAC 641.130 is hereby amended to read as follows:

641.130 The Board may waive the written examination of:

1. A diplomate of the American Board of Professional Psychology who became a diplomate through examination; or
2. An applicant who meets all of the requirements for licensure with respect to education and experience and who achieved a score on the Examination ~~[in the]~~for Professional Practice ~~[of]~~ in Psychology of the ~~[American]~~ Association of State *and Provincial* Psychology Boards equal to or surpassing the criterion in Nevada for passage of that examination.

↪ An oral examination is required even if the written examination is waived.

**Sec. 14.** NAC 641.1505 is hereby amended to read as follows:

- 641.1505
1. Except as otherwise provided in subsection 3, a firm, partnership or corporation that engages in or offers to engage in the practice of psychology must register with the Board and pay the fee for registration before it commences to engage in or offer to engage in the practice of psychology.
  2. A firm, partnership or corporation shall notify the Board of any change in ownership or of the addition or departure of any psychologist associated with the firm, partnership or corporation within 30 days after the change. The firm, partnership or corporation must complete a new registration for any change in ownership.

3. The following entities are exempt from the requirements of this section:

- (a) A federal, state or local governmental agency or institution.

(b) A firm or corporation that bears the name of a psychologist ~~[Licensed by the Board]~~ who is the only person practicing under the name of the firm or corporation.

(c) A firm, partnership or corporation that is formed for the sole purpose of sharing administrative expenses, including, without limitation, rent, services for billing patients and clerical support, if:

(1) The place of business of the firm, partnership or corporation is not identified by the name of the firm, partnership or corporation;

(2) Records of patients, correspondence concerning patients and materials for billing patients do not display the name of the firm, partnership or corporation;

(3) The name of the firm, partnership or corporation is not used in any advertising by the firm, partnership or corporation;

(4) The firm, partnership or corporation does not hold a business license issued by a county, city or town to engage in the practice of psychology; and

(5) Professional liability insurance is not held in the name of the firm, partnership or corporation.

**Sec. 15.** NAC 641.151 is hereby amended to read as follows:

641.151 1. A person ~~[may apply to register with the Board as a psychological assistant if he has completed 48 semester units of graduate courses in substantive psychology and 1,750 hours of supervised experience which meets the requirements of subsection 4 of NAC 641.080.~~

~~—2.— The courses must be completed:~~

~~—(a) In a]~~ *who wishes to engage in activities as a psychological assistant in this state for the purpose of satisfying the 1-year postdoctoral experience requirement for licensure as a*

*psychologist set forth in paragraph (e) of subsection 1 of NRS 641.170 must register with the Board as a psychological assistant.*

*2. A person may apply to the Board for registration as a psychological assistant only after he successfully completes a predoctoral internship and graduates with a doctoral degree from:*

*(a) A training program which is accredited by the American Psychological Association or a program which meets the requirements of NAC 641.061; ~~and~~*

*~~—(b) At an] or~~*

*(b) An institution which meets the requirements of subsection 2 of NAC 641.050.*

*3. An applicant for registration as a psychological assistant must complete an application provided by the Board which is verified by the applicant and the supervisor who will be supervising the applicant. The application must include, without limitation:*

*(a) The name of the supervisor of the applicant;*

*(b) The credentials of the supervisor of the applicant;*

*(c) The setting in which the supervision will take place; and*

*(d) An individualized plan for training that is completed by the supervisor and the applicant and includes, without limitation:*

*(1) Any specific arrangements concerning the work the applicant will perform to obtain hours to satisfy the 1-year postdoctoral experience requirement for licensure as a psychologist set forth in paragraph (e) of subsection 1 of NRS 641.170;*

*(2) The quantity of postdoctoral hours that will be worked by the applicant;*

*(3) The quality expected by the supervisor with regard to the postdoctoral hours that will be worked by the applicant; and*

*(4) Any financial arrangements between the supervisor or his employer and the applicant.*

4. Registration as a psychological assistant is for ~~[2]~~ 3 years. A psychological assistant ~~[demonstrating substantive progress towards meeting the requirements for licensure may reapply for registration for not more than two successive registration periods.]~~ *may renew his registration as a psychological assistant.*

**Sec. 16.** NAC 641.152 is hereby amended to read as follows:

641.152 1. A psychological assistant may work only under the supervision and control of a ~~[licensed]~~ psychologist who has been approved by the Board.

2. The supervisor of a psychological assistant is responsible for the adequate supervision of the *psychological* assistant. The supervisor may assign the *psychological* assistant to a specialist, ~~[such as]~~ *including, without limitation,* a psychiatrist, social worker or marriage and family therapist, for specific skill training. The specialist must have clearly established practice and teaching skills which are demonstrable to the satisfaction of the Board. Not more than one-quarter of the number of supervised hours needed to fulfill the required year of postdoctoral experience may be accrued under the direction of specialists.

3. A psychological assistant must be:

(a) An employee of the supervisor; or

(b) Subject to the control and direction of a supervisor who ~~[is employed]~~:

*(1) Is employed* by the same agency or institution which employs the *psychological* assistant ~~[ ]~~; *or*

*(2) Is paid by the psychological assistant to supervise psychological services provided by the psychological assistant to a patient in a private practice setting.*

**Sec. 17.** NAC 641.154 is hereby amended to read as follows:

641.154 1. A psychological assistant ~~[is entitled to be paid a fixed wage on a periodic basis, and may not be paid based on a percentage of the fees received.~~

~~—2.— A psychological assistant may not receive fees for professional services except as the agent of his employing supervisor or agency.~~

~~—3.— A supervisor may not accept compensation from a psychological assistant for his supervision. A psychological assistant may not pay a supervisor or other person for his supervision.]~~ *may receive reasonable payment for providing psychological services to patients.*

*Any financial arrangements between the supervisor or his employer and the psychological assistant that provide compensation for the psychological assistant must be reviewed by and, if appropriate, approved by the Board at the time the psychological assistant registers with the Board.*

*2. A supervisor shall ensure that the emphasis of the supervised experience of a psychological assistant he supervises is on training the psychological assistant rather than on the raising of revenue by the psychological assistant.*

*3. A psychological assistant shall not pay a supervisor to supervise psychological services provided by the psychological assistant unless:*

*(a) The psychological assistant is otherwise unable to obtain a supervisor;*

*(b) The psychological services are rendered by the psychological assistant in a private practice setting; and*

*(c) The financial arrangement for supervision has been approved by the Board on or before the date on which the psychological assistant registers with the Board.*

*4. If a supervisor is paid by the psychological assistant to supervise psychological services provided by the psychological assistant, the supervisor shall ensure that the financial arrangement does not impact the supervisory relationship.*

**Sec. 18.** NAC 641.157 is hereby amended to read as follows:

641.157 1. A ~~[psychologist who hires a]~~ *supervisor shall meet with the* psychological assistant ~~[shall meet with him]~~ *whom he supervises* at least once each week to discuss and critique ~~[his performance. Each such meeting must last at least 5]~~ *the performance of the psychological assistant.*

*2. A supervisor shall provide a psychological assistant whom he supervises with at least:*

*(a) Four hours of direct individual supervision each month; or*

*(b) Five minutes of direct individual supervision for each hour of service which the psychological assistant has provided ~~[clients since the last meeting. —2.]~~ to patients during the same month,*

*↳whichever is greater.*

*3. The supervisor shall document the hours of direct individual supervision provided pursuant to subsection 2.*

*4. A psychologist who does not adequately supervise his psychological assistant is subject to disciplinary action by the Board for committing an unethical practice contrary to the interest of the public.*

**Sec. 19.** NAC 641.158 is hereby amended to read as follows:

641.158 A psychologist may not serve as a supervisor to more than ~~[three]~~ *two* psychological assistants ~~[.]~~ *at the same time.* A psychological assistant may not be employed by more than two supervisors ~~[.]~~ *at the same time.*

**Sec. 20.** NAC 641.159 is hereby amended to read as follows:

641.159 1. A supervisor and his psychological assistant shall keep a regular log of supervised professional experience intended to meet the requirements of paragraph (e) of subsection 1 of NRS 641.170.

2. The log must show:

(a) *The date of each supervised professional activity or service rendered by the psychological assistant;*

(b) The nature of the professional activities and services rendered by the psychological assistant;

~~(b)~~ (c) The population or clients served; and

~~(e)~~ (d) Any supervisory contacts,

↪ in a form approved by the Board.

3. Entries to the log must be verified by the supervisor and the psychological assistant.

**Sec. 21.** NAC 641.165 is hereby amended to read as follows:

641.165 1. A psychological intern who is in a doctoral training program in psychology at an educational institution accredited by the ~~[Northwestern]~~ *Northwest* Association of Schools and *of Colleges and Universities*, or an equivalent regional accrediting organization, and engaged in a predoctoral internship pursuant to the requirements of the training program may, in the context of that internship, be identified as a “psychological intern.”

2. ~~[A]~~ *Except as otherwise provided in this section, a* psychological intern is subject to the provisions of NAC 641.151 to 641.161, inclusive, ~~[but is]~~ *and sections 6 to 9, inclusive, of this regulation.*

3. *A psychological intern is* not required to register with the Board.

~~3.1~~ 4. *A psychological intern may:*

*(a) Accept compensation from a psychologist who supervises him or the employer of the psychologist; or*

*(b) Provide compensation to a psychologist to supervise the psychological intern, if the financial arrangement has been approved by the Board.*

5. A psychologist supervising a psychological intern is subject to the provisions of NAC 641.157.

**Sec. 22.** NAC 641.153 is hereby repealed.

**Sec. 23.** 1. A person who:

(a) Is registered with the Board of Psychological Examiners as a psychological assistant; and

(b) Engages in activities as a psychological assistant in this state,

on the date on which this regulation becomes effective is exempt from the requirements of NAC 641.151 until his registration with the Board expires.

2. A psychologist who serves as a supervisor to three psychological assistants on the date on which this regulation becomes effective is exempt from the requirements of NAC 641.158 until the date on which the supervisory period is completed for one of those psychological assistants.

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**TEXT OF REPEALED SECTION**

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**641.153 Psychological assistants: Agreement regarding employment.** An employment agreement entered into by a psychological assistant and his employing supervisor or agency must be in writing and is subject to approval by the Board.