

**PROPOSED REGULATION OF THE BOARD OF EXAMINERS FOR MARRIAGE AND FAMILY THERAPISTS**

Explanation – Matter in *bold italics* is new; matter in [brackets] is material to be omitted.

Authority: NRS 641A.160, 641A.170, and 641A.180

=====  
**Section 1.** NAC 641A.435 is hereby amended to read as follows:

NAC 641A.435 ~~[Preparation of complaints. A complaint must be prepared as follows:~~

~~—1. Each complaint must contain a statement of facts showing that a provision of chapter 641A of NRS or of this chapter has been violated. The complaint must be sufficiently detailed to enable the respondent to prepare a defense. All applicable statutes, regulations and orders of the board must be cited in the complaint, together with the date on which the act or omission is alleged to have occurred.~~

~~—2. If more than one cause of action is alleged, each cause of action must be stated and numbered separately. Two or more complainants may join in one complaint if their respective causes of action are against the same person and deal substantially with the same violation of law, or of a regulation or order of the board.~~

~~—3. A complaint must be filed with the executive secretary of the board.]~~

*Disciplinary complaints: filing of informal and formal complaints; default; response; review; investigation; notice of hearing; consolidation and resolution.*

*1.(a) A person may file an accusation with the board concerning the acts or services provided by a person who is licensed or registered by the board as a therapist or intern. As used in this chapter “licensee” includes a licensed therapist and a registered intern and is synonymous with “respondent”.*

*(b) The board will initially consider any accusation regarding a licensee as an informal complaint. Such an informal complaint filed with the board must be on a form provided by the board. A complainant shall include in his informal complaint information that is sufficiently detailed so as to enable the respondent to prepare a response.*

*(c) If a complainant is the client of and is complaining about his treatment by a licensee, the board will provide the complainant with a form for a limited waiver of confidentiality regarding his records which the complainant must sign and return to the board. Such an informal complaint will not be further reviewed or processed by the staff or legal counsel until the signed limited waiver is received by the staff.*

*2. Upon receipt of an informal complaint, the staff shall examine the complaint to determine whether it:*

*(a) Has been properly verified; and*

*(b) Alleges sufficient facts to warrant further proceedings.*

*3. a) If the board’s staff determines that the informal complaint against a licensee has been properly verified and alleges sufficient facts to warrant further proceedings, the staff shall notify the respondent by sending a copy or summary of the informal complaint to the licensee by certified mail. The notification must set forth the potential violations of a provision*

*of this chapter or chapter 641A of NRS arising in the informal complaint and request a response for the review by the board before a hearing is set.*

*(b) The transmission of the copy or summary of the informal complaint will be deemed to be a notice of intended action pursuant to subsection 3 of NRS 233B.127 .*

*c) Upon the receipt of a copy or summary of an informal complaint that has been filed against him, a licensee must submit to the board a written response to the informal complaint within 15 days after the date on which the informal complaint was served. A response to an informal complaint must respond to the allegations made in the informal complaint and be accompanied with all documentation that would be useful to the staff and legal counsel in their review of the allegations made in the informal complaint and the responses made by the licensee to those allegations.*

*1) The date of service of the informal complaint is the date the complaint is deposited in the mail addressed to the address of record of the licensee.*

*d) Failure by a licensee to cooperate with the board during an investigation of an informal complaint, including, without limitation, failing to timely respond to the board regarding a copy or summary of the informal complaint sent to the licensee by the staff pursuant to this subsection is a ground for disciplinary action by the board against the licensee.*

*4. If a licensee fails to respond as required pursuant to subsection 3, he shall be deemed to have admitted the allegations in the informal complaint. Based on these admissions the board may impose appropriate discipline on the licensee in the same manner as if the allegations had been proven by substantial evidence at a board hearing on the informal complaint.*

*5. In cases where a response is filed as required pursuant to subsection 3, the staff and legal counsel shall review the informal complaint and the responses made thereto, may enlist the aid of a member of the board or other qualified persons in such review and may take any other reasonable action necessary to further the review. After their review of the informal complaint and the responses made thereto, the staff may:*

*(a) Investigate the allegations and employ such people as they deem necessary to further the investigations;*

*(b) Consult with experts in the appropriate field, including, without limitation, employing such persons for the purposes of an investigation or a hearing;*

*(c) Investigate new leads and allegations that may come to their knowledge in the course of the investigation;*

*(d) Enlist the aid of a member of the board or other qualified person in the conduct of the investigation; and*

*(e) Take any other reasonable action necessary to further the investigation.*

*6. If the staff and the legal counsel determine that the preliminary information from its investigation of an informal complaint reasonably indicates that a program in which a licensee is employed or otherwise treating clients may have also violated any statutes or regulations applicable to the operation of the program, the staff and legal counsel may:*

*(a) Coordinate with and seek the assistance of the health division of the department of human resources or other agency in the investigation of the alleged violations; and*

*(b) Request the health division or other agency to share with the staff and legal counsel any findings made by and information in the possession of the division, to the fullest extent allowable under 42 C.F.R. Part 2.*

*7. a) During an investigation of an informal complaint, the staff or investigator, if any, may demand that a licensee produce his records or other evidence for inspection or copying,*

*with or without prior notice to the licensee, and with or without a subpoena. A licensee shall not deny any such request for records or other evidence if the record or other evidence is not subject to the provisions of 42 C.F.R. Part 2.*

*b) If a licensee refuses or fails to cooperate with a request for records in violation of this section, the board may immediately suspend his license or registration until the licensee complies with the request for records or other evidence. If the licensee continues to refuse or fail to cooperate with a request for records or other evidence in violation of this section, the board may take such further disciplinary action against the licensee as the board determines necessary.*

*8. a) If the staff or investigator, if any, determines that a specific record or other specific evidence is material to or necessary for an investigation, the staff or investigator may remove the record or evidence and provide a copy of the record or evidence to the respondent.*

*b) If a record or other evidence can be readily copied at the location where the record or evidence is located, the staff or investigator shall make a copy of the record and evidence at that location.*

*c) If a record or other evidence cannot be readily copied at the location where the record or evidence is located, the staff or investigator may remove the record or evidence from that location to copy the record or evidence.*

*1) If the staff or investigator removes a record or other evidence to be copied, the staff or investigator shall provide the person to whom the record or evidence being removed belongs with a receipt for the record or evidence and, not later than 5 business days after the record or evidence is removed, provide a copy of the record or evidence to that person.*

*9. a) When an investigation of an informal complaint is complete, the staff and investigator, if any, shall determine whether substantial evidence exists to sustain the alleged violation of a statute or regulation set forth in the informal complaint. If the staff and investigator determine that no allegation of a violation of a statute or regulation set forth in the informal complaint can be sustained, the staff shall notify, in writing, the complainant and the respondent of this determination.*

*b) If the staff, legal counsel and investigator, if any, determine that a violation of a statute or regulation as alleged in the informal complaint can be sustained, the legal counsel shall:*

*(1) Offer mediation, settlement agreements, stipulations of facts and liability or informal hearings; or*

*(2) Prepare a notice of hearing and a formal complaint.*

*10. A notice of hearing and a formal complaint must:*

*(a) Be a plain statement of the facts and applicable provisions of statutes and regulations regarding the alleged acts of the respondent alleged to be in violation of the statutes and regulations governing the practice of marriage and family therapy;*

*(b) Include the date, time and place that the board will hear the matter, if this information is known at the time when the notice of hearing and a formal complaint is sent to the respondent; and*

*(c) Be signed by the legal counsel and, if a member of the board was active in the investigation, by that member of the board.*

*11. The staff shall send a notice of hearing and a formal complaint prepared pursuant to subsection 10 to the respondent named in the notice of hearing and the formal complaint by certified mail.*

12. a) A respondent who receives a notice of hearing and a formal complaint must file his answer to the notice of hearing and the formal complaint not later than 15 days after the date on which the notice of hearing and the formal complaint were served. An answer to a notice of hearing and a formal complaint filed by a respondent must include a response to each allegation and statement made in the notice of hearing and the formal complaint by either admitting to or denying the allegation or statement.

1) The date of service of the formal complaint is the date the complaint is deposited in the mail addressed to the address of record of the licensee.

b) If the licensee fails to file an answer as required pursuant to this subsection, he shall be deemed to have admitted each allegation and statement contained in the notice of hearing and the formal complaint. Based on these admissions, the board may enter a finding and impose appropriate discipline on the licensee in the same manner as if the allegations had been proven by substantial evidence at a board hearing held on the formal complaint.

c) Failure by a licensee to cooperate with the board during an investigation of a formal complaint, including, without limitation, failing to respond within the time required by this section to the board regarding the formal complaint sent to the licensee by the staff pursuant to this section, is a ground for disciplinary action by the board against the licensee.

13. The board may join two or more formal complaints into one formal complaint if:

(a) The causes of action of each formal complaint are against the same person and deal with substantially the same or similar violations of statutes and regulations; and

(b) The joining of the formal complaints will serve the best interest of the board, complainants and respondent.

14. As used in this section:

(a) "legal counsel" means the legal counsel of the board;

(b) "staff" means the staff of the board.

**Section 2.** NAC 641A.445 is hereby amended to read as follows:

641A.445 ~~[Action upon complaints. The following procedure governs action upon complaints:~~

~~— 1. Upon receipt of a complaint, the board's presiding officer or his designee appointed to examine complaints shall examine the complaint to determine whether it:~~

~~— (a) Has been properly verified; and~~

~~— (b) Alleges sufficient facts to warrant further proceedings.~~

~~— 2. If he determines that it is so verified and does allege such facts, he shall direct the executive secretary to:~~

~~— (a) Notify the respondent of the complaint and request a response for the board's review before a hearing is set; or~~

~~— (b) Direct the board's staff to draft a formal complaint for the board's consideration.~~

~~— 3. If the circumstances so warrant, he shall set the complaint for hearing.]~~

**Complaints: Confidentiality of information during investigation.**

1. Except as otherwise provided in this subsection, the staff, legal counsel and investigator, if any, shall keep all information gathered during an investigation of a complaint confidential during the investigation. Except as otherwise provided in this section, nothing in this subsection prohibits the staff, legal counsel or investigator from:

(a) Communicating confidential information, or otherwise cooperating, with another agency or board that:

(1) Is investigating a person licensed or registered by the board;

*(2) Is investigating a program in which a person licensed or registered by the board is engaging in the practice of marriage and family therapy; or*

*(3) Regulates or has jurisdiction over the violations of law alleged in a complaint, if the confidential information to be communicated is relevant to the investigation or regulation of the person or program by the other agency or board; or*

*(b) Communicating confidential information with the operator of a program, or his designee, if the complaint to which the confidential information relates:*

*(1) Is filed against a person who is a member of the staff of that program; and*

*(2) Alleges the existence of a condition which poses a significant hazard to the health or safety of the clients and staff of, and the visitors to, the program.*

*2. Notwithstanding any provision of this section to the contrary, information which is subject to the standards of confidentiality set forth in 42 C.F.R. Part 2 may be communicated by the board, staff, legal counsel or investigator, if any, only if such communication does not violate those standards of confidentiality.*

**Section 3.** NAC 641A.455 is hereby amended to read as follows:

NAC 641A.455 ~~[Answer. If the board determines that a complaint warrants administrative action, it will send a copy of the complaint to each person against whom the complaint is made. Such a person may respond to the complaint by filing an answer within 20 days after receipt thereof. If he fails to answer within the time prescribed, he shall be deemed to have denied generally the allegations of the complaint.]~~

*Discovery of witnesses and evidence; pre-hearing conference. ( NRS 641C.200 )*

*1. Not less than 10 days after the filing of the response by the respondent to the formal complaint, a party to the matter must serve upon any other party to the matter:*

*(a) Copies of all documents that are reasonably available to the party which the party reasonably anticipates will be used in support of his position; and*

*(b) A written list of the names of the persons whom the party reasonably anticipates will testify at the disciplinary hearing in support of his position. The list must include the name and address of each such person and a general description of the anticipated subject matter of his testimony.*

*2. A party who provides documents or information pursuant to these regulations shall promptly supplement and update his submission to the other parties if, after initially providing the documents and information, the party reasonably anticipates that other documents or witnesses will be used in support of his position, or if any of the documents or information previously provided changes.*

*3. If a party fails to provide any documentation or information as required in this section the presiding officer of the board will exclude the undisclosed document or the testimony of the witness at the hearing, unless the party demonstrates to the board that the evidence or witness was not available upon diligent investigation before the date the exchange was required and that the evidence or witness was given or communicated to the other party immediately after it was obtained.*

*4. Discovery may only be done in accordance with the provisions of this section. Depositions are not allowed.*

*5. The presiding officer of the board may order a pre-hearing conference and may enter such pre-hearing orders to the parties as the officer determines are appropriate for the efficient conduct of the hearing, including without limitation,*

- a) *the exchange of written direct testimony of witnesses;*
- b) *the exclusion of particular testimony or other evidence;*
- c) *the admission of particular testimony and other exhibits by agreement of the parties;*
- d) *the advance marking of all exhibits;*
- e) *the exchange of written pre-hearing statements or briefs by the parties similar to pretrial statements filed in district court; and*
- f) *settlement negotiations.*

*Settlement negotiations and statements of parties made at a pre-hearing conference are not admissible in evidence unless the parties agree and the agreement is incorporated in a pre-hearing order.*

**Section 4.** NAC 641A.465 is hereby amended to read as follows:  
NAC 641A.465 Motions

- ~~[1. A motion must be made in writing unless it is made during a hearing.~~
- ~~— 2. Each written motion must set forth the nature of the relief sought and the grounds for the motion.~~
- ~~— 3. A party desiring to oppose a motion may serve and file a written response to it.~~
- ~~— 4. The party who made the motion may serve and file a written reply to the response if a response has been served and filed.~~
- ~~— 5. A decision on a motion may be made without oral argument unless oral argument is required. If oral argument is required, the board will set a date and time for hearing the argument.]~~

*1. A motion concerning any matter before the board must be made in writing, unless the motion is made during the hearing on that matter. The presiding officer may deny as untimely a motion made during a hearing if the motion could have reasonably been made before the hearing. The presiding officer may deny as untimely a motion that is filed on a date that does not provide opposing parties a reasonable time to respond.*

*2. A written motion must set forth the nature of the relief sought by and the grounds for the motion.*

*3. A party may oppose a written motion by filing and serving a written response to the motion with the board and all the parties to the proceeding to which the motion relates.*

*4. If a written response to a motion is filed pursuant to subsection 3, the party who made the motion may file and serve a written reply to the response.*

*5. The presiding officer of the board shall rule on all written motions on a matter at or before the hearing scheduled on the matter. The presiding officer may rule on a motion without oral argument or may allow oral arguments to be made before ruling on the motion. If the presiding officer allows oral arguments on a written motion to be made, the presiding officer shall set a time and date for hearing the oral arguments.*

*6. The presiding officer may require the board to vote to decide a motion.*

**Section 5.** NAC 641A.252 is hereby amended to read as follows:  
641A.252 Adoption by reference of Code of Ethics; *Unprofessional conduct.*

1. The board hereby adopts by reference the Code of Ethics of the American Association for Marriage and Family Therapy as it existed on ~~[January 12, 1996]~~ *July 1, 2003*, as a standard for professional conduct in the State of Nevada excluding those provisions which apply exclusively

to the American Association for Marriage and Family Therapy. A violation of the provisions of the code constitutes cause for disciplinary action.

2. The Code of Ethics of the American Association for Marriage and Family Therapy is available from the American Association for Marriage and Family Therapy, ~~[1100 17th Street N.W., Tenth Floor], 112 South Alfred Street, Alexandria, Virginia 22314 [Washington, D.C. 20036.]~~ 20005-2710. The first copy is provided at no cost ~~[.]~~ and may be requested by calling (703) 838-9808. *The Code of Ethics is also available on the website of the American Association for Marriage and Family Therapy at <http://www.aamft.org/about/ethics.htm>.*

3. *Any violation of this chapter or NRS 641A by a licensee constitutes unprofessional conduct and subjects the licensee to disciplinary action by the board.*

4. *If a therapist or intern violates any provision of this chapter or engages in any other kind of unprofessional conduct while his license or registration is in effect, the board may take disciplinary action against the licensee, including, without limitation, taking action against the licensee after his license or registration has expired or been suspended.*

5. *If a board or entity in this state or in another state which has issued a license, certificate, registration or other credential to a therapist or intern for the practice of marriage and family therapy or a related field revokes or suspends the license, certificate, registration or other credential, or takes any other disciplinary action against the therapist or intern, the revocation, suspension or disciplinary action, such action by the other board is a ground for disciplinary action against the therapist or intern for unprofessional conduct.*

a) *As used in this section “related field” includes, without limitation, social work, alcohol and drug abuse counseling, psychology, psychiatry, nursing, medicine or any other program related to social science or the study of the human mind and mental illness.*

6. *The failure of a therapist or intern to comply with a stipulation, agreement, advisory opinion or order issued by the board constitutes unprofessional conduct and is a ground for disciplinary action by the board against the therapist or intern.*

7. *For purposes NRS 641A.310(7) the board will interpret the term “unprofessional conduct” to include “professional incompetence”.*

a) *The board will interpret the term “professional incompetence” to mean a lack of knowledge, skill or ability in discharging a professional obligation, and includes, without limitation, malpractice and gross negligence.*

b) *As used in this section:*

(1) *“Gross negligence” means conduct in the practice of marriage and family therapy which represents an extreme departure from the standard of care required from a therapist or intern under the circumstances.*

(2) *“Malpractice” means conduct in the practice of marriage and family therapy which falls below the standard of care required from a therapist or intern under the circumstances.*

**Section 6.** NAC 641A is amended by adding a new section to read as follows.

**NAC 641A.254** *For the purposes of this chapter the board will consider the following acts by a therapist or intern to constitute professional incompetence:*

1. *Performing services as an intern not within the scope of the plan for internship as required by this chapter..*

2. *Performing services a therapist or intern under a license or registration that has lapsed or been deactivated.*

*3. Failing to cooperate with any investigation of a complaint filed against the therapist or intern, including, without limitation, denying or failing to cooperate with a request for records made by the board.*

**Section 7.** NAC 641A is amended by adding a new section to read as follows.

*NAC 641A.256 Professional responsibility. A therapist or intern:*

*1. Shall not misrepresent, in advertising or otherwise, his education, training, type of license or registration, qualifications, competence or service, or the results to be achieved if he provides service to a client.*

*2. Shall not engage in the practice of marriage and family therapy while he is impaired by:*

*(a) Alcohol, drugs or any other chemical; or*

*(b) A mental or physical condition that prevents him from safely engaging in the practice of marriage and family therapy.*

*3. Shall not use his relationship with a client to further his own personal, religious, political or business interests.*

*4. Shall set and maintain professional boundaries with clients, interns and persons with whom he works.*

*5. Shall not give or receive, directly or indirectly, a fee, commission, rebate or other compensation for professional services that he has not actually and personally provided.*

*6. Shall not knowingly offer service to a client who is receiving treatment from another therapist or intern, or a licensee or holder of a certificate issued by any other similar board, without prior consultation between the client and the other therapist, counselor, intern, licensee or holder of a certificate or registration.*

*7. Except as otherwise provided in subsection 8, shall not disparage the qualifications of any colleague.*

*8. Shall report to the board any unlicensed, unauthorized, unqualified or unethical practice of marriage and family therapy that is occurring.*

*9. Shall not attempt to diagnose, prescribe for, treat or provide advice for any problem which is outside of his field of competence, the scope of the practice of marriage and family therapy or the scope of his license or registration.*

*10. Shall base his practice upon the recognized knowledge relevant to marriage and family therapy.*

*11. Shall critically examine and keep current with emerging knowledge relevant to the practice of marriage and family therapy.*

*12. Based upon recognized knowledge and standards for the practice of marriage and family therapy, shall prepare and maintain in a timely manner a record for each of his clients which:*

*(a) Sets forth his assessment of the problems of the client, plan of action for the client, course of treatment to that client and progress notes regarding the course of treatment of the client; and*

*(b) Includes copies of other relevant documentation, including, without limitation:*

*(1) All documents relating to the informed consent given by the client;*

*(2) All documents relating to the release of information regarding the client; and*

*(3) All other legal documents regarding the client.*

*As used in this subsection, “assessment” means an evaluation of the patterns of interaction and impairment in functioning of a client that is based upon comprehensive information about the client.*

*13. Shall complete and submit any reports required by this chapter and chapter 641A of NRS, or pursuant to any rule, order or instruction of a court of competent jurisdiction in a timely manner.*

*14. Shall comply with the provisions of this chapter and chapter 641A of NRS and all other applicable federal laws and regulations.*

*15. Shall not authorize a person under the supervision of the therapist to perform services that are outside of the scope of the license, certificate, registration, training or experience of the person performing the services, or allow such a person to hold himself out as having expertise in a field or activity in which that person is not qualified.*

*16. Shall notify the board in writing within 10 days after:*

*(a) An action is taken against any license, certification, registration or other credential held by the therapist or intern that was issued by this state or by another state or territory of the United States;*

*(b) A criminal charge is filed against the therapist or intern;*

*(c) The therapist or intern is convicted of a criminal offense, other than a traffic offense which is a misdemeanor;*

*(d) A civil action, including, without limitation, an action for malpractice, is filed against the therapist or intern; or*

*(e) A settlement or judgment is made in any civil action, including, without limitation, an action for malpractice, in any case filed against the therapist or intern for any act relating to the practice of marriage and family therapy.*

**Section 8.** NAC 641A is amended by adding a new section to read as follows.

**NAC 641A.258 Responsibility to client.**

*1. A therapist or intern shall serve his clients with professional skill and competence.*

*2. If a therapist or intern must act on behalf of a client who has been declared to be incompetent or if a client is otherwise found by the board to be incapable of acting in his own best interest, the therapist or intern shall safeguard the interests and rights of that client.*

*3. If another person has been legally authorized to act on behalf of an incompetent client, a therapist or intern shall deal with the legal representative of the client in accordance with the best interest of the client.*

*4. A therapist or intern shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis or physical disability, or on the basis of any preference or personal characteristic, condition or status of a person.*

*5. A therapist or intern shall not misrepresent to a client the efficacy of his service or the results to be achieved.*

*6. A therapist or intern shall apprise each of his clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of services to the client for marriage and family therapy.*

*7. A therapist or intern shall seek the advice and counsel of his colleagues and supervisors when such a consultation is in the best interest of the client.*

8. *A therapist or intern shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs of the client.*

9. *A therapist or intern shall not withdraw his therapy services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.*

10. *A therapist or intern who anticipates the termination or interruption of service to a client shall notify the client as promptly as possible and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.*

11. *A therapist or intern shall not influence or attempt to influence a client in any manner which could be reasonably anticipated in his deriving benefits of an unprofessional nature from the client during the time that the client is receiving professional services from the therapist or intern and for 2 years after the termination of those services.*

12. *Throughout the period of treatment of a client and for the 2 years immediately following the termination of the professional relationship between the client and the therapist or intern treating the client, the therapist or intern shall not:*

(a) *Enter into a close personal relationship with the client, including, without limitation, sponsorship of the client in a group for self-help, or a romantic or sexual relationship;*

(b) *Enter into, or attempt to enter into, a financial relationship with the client that is unrelated to a primary prevention service or a clinical service for substance abuse; or*

(c) *Enter into a romantic or sexual relationship with any person who was in a romantic or sexual relationship with the client during the time that the therapist or intern was providing therapy to the client.*

13. *Within the 2 years immediately following the termination of a professional relationship with, internship for or supervision of a client, registered intern or other person, a therapist or intern shall not solicit or enter into a dual relationship with the client, intern or other person if it is foreseeable that such a relationship would harm or exploit the client, intern or other person.*

**Section 9.** Chapter 641A of NAC is hereby amended by adding thereto a new section to read as follows:

1. *Each therapist shall complete at least 40 units of continuing education every 2 years.*

2. *Not more than 15 units of the 40 units of continuing education may include instruction received at home from a course or program approved by the board.*

3. *The executive director of the board may conduct an audit of a therapist to ensure compliance with the requirements set forth in this section.*

4. *The failure of a therapist to comply with the requirements set forth in this section is grounds for disciplinary action.*

**Sec. 10.** NAC 641A.075 is hereby amended to read as follows:

641A.075 For the purposes of qualifying for licensure, each applicant's undergraduate and graduate degrees must be from an institution which has been accredited by a recognized regional accrediting organization. ~~[, or has educational and training experience deemed equivalent by the board.]~~

**Sec. 11.** NAC 641A.085 is hereby amended to read as follows:

641A.085 1. To qualify to take the written examination for licensure, an applicant's graduate education in marriage and family therapy must include the following areas of study:

Area of Study	Number of Courses	Minimum Number of Semester Hours of Credit	Minimum Number of Quarter Hours of Credit
Human Development <i>(including Sexual Issues)</i>	2-4	6-12	8-16
Marital and Family Systems	2-4	6-12	8-16
Marital and Family Therapy	3-5	9-20	12-20
Ethics and Professional Studies	1	3	4
Supervised Clinical Practice	1-3	9	12
<i>Diagnosis and assessment</i>	<i>1</i>	<i>3-4</i>	<i>4</i>
Research	1	3	4
Abuse of Alcohol or Controlled Substances	1	3	4

2. The applicant must have completed at least 45 semester hours of graduate credit in courses relating to the areas of study described in subsection 1.

3. The board may consider graduate degrees which are comparable to degrees in marriage and family therapy, psychology or social work, and which meet the requirements for course content listed in subsection 1 regardless of the terminology used in the degree granted by the educational institution.

**Sec. 12.** NAC 641A.146 is hereby amended to read as follows:

641A.146 1. Except as otherwise provided in NAC 641A.111, before an applicant is eligible for licensure as a therapist, he must complete at least ~~[1,500]~~ **3,000** hours of experience in an approved internship. ~~[, including 200 hours under the direct supervision of a therapist.]~~ The ~~[program]~~ **internship** to provide the experience must be:

- (a) Approved by the board before the applicant begins the ~~[program]~~ **internship**; and
- (b) Completed within 6 years after the board approves the ~~[program]~~ **internship**.

2. An extension of that period may be granted at the board's discretion. An extension is valid only for the period specified by the board.

3. An intern shall, on or before September 15 and March 15 of each year, submit to the board a written report from his supervisor evaluating his internship. The board may terminate the registration of any intern who fails to file such a written report.

4. To satisfy the requirements of subsection 1, an intern must complete ~~[at least 1,000 hours in marriage and family therapy which includes not more than:~~

~~—(a) Three hundred]~~ :

- (a) **At least 1,500 hours of direct client contact, not to exceed 20 hours per week;**
- (b) **At least 300 hours of supervision, including at least 160 hours provided by the primary supervisor and at least 40 hours provided by the secondary supervisor; and**
- (c) **At least 1,200 hours that may consist of any of the following activities:**

*(1) Direct client contact that is supervised by the primary supervisor, not to exceed 20 hours per week.*

*(2) Not more than 500 hours of direct client contact that are performed in connection with a graduate program of study, not to exceed 20 hours per week. At least 100 hours must be supervised by a supervisor at the university.*

*(3) Not more than 300 hours of supervision provided by the primary or secondary supervisor.*

*(4) Not more than 300 hours of leading group counseling sessions . ~~;~~*

~~—(b) Fifty]~~

*(5) Not more than 200 hours of experience in teaching that must be approved by the primary supervisor and documented, including leading sessions for parent or family education~~;~~ and*

~~—(c) One hundred]~~, *leading workshops or participating in a similar teaching activity.*

*(6) Not more than 150 hours of individual counseling or therapy the intern personally receives from a licensed mental health professional ~~[therapist]~~ who is not the supervisor of the intern.*

*(7) Not more than 50 hours of additional training that must be approved by the primary supervisor, including graduate work at a university, attending a workshop or engaging in another training or educational activity.*

5. Credit ~~[may]~~ *must* not be given for :

*(a) Any experience gained by an intern before ~~[registration as an intern.]~~ the intern is registered pursuant to the provisions of chapter 641A of NAC.*

*(b) More than 20 hours per week of direct client contact.*

**Sec. 13.** NAC 641A.178 is hereby amended to read as follows:

641A.178 1. Each intern must have at least two supervisors approved by the board. During the course of the supervision of the intern:

(a) The primary supervisor shall meet with the intern for at least ~~[100]~~ *160* hours to discuss and evaluate the performance of the intern; and

(b) The secondary supervisor shall meet with the intern for ~~[a minimum of 20]~~ *at least 40* hours.

2. Unless otherwise authorized by the board, no more than:

(a) Six interns may be placed under the supervision of any primary supervisor at one time; and

(b) Ten interns may be placed under the supervision of any secondary supervisor at one time.

3. The time required for supervision includes the time devoted to:

(a) Meetings between the supervisor and the intern where videotapes or audiotapes are reviewed;

(b) Therapy sessions in which the supervisor participates;

(c) Therapy sessions in which the supervisor observes the session from a ~~[remote]~~ location whereby the supervisor is neither seen nor heard; or

(d) The presentation of a case by the intern and a discussion by the supervisor of the proper management and treatment of the case.

4. The time required for supervision does not include the time devoted to attendance at seminars, workshops or classes.

**Sec. 14.** NAC 641A.182 is hereby amended to read as follows:

641A.182 1. Except as otherwise provided in subsection 2, a supervisor of an intern must be a *marriage and family* therapist and offer evidence to the board of his training or experience, or both, which qualifies him to supervise.

2. In extenuating circumstances the board may approve as a secondary supervisor a person who is a licensed psychologist, psychiatrist or social worker who has received training in supervision.

3. Each supervisor must:

(a) Have been licensed for at least 3 years.

(b) *Be approved as a supervisor or supervisor-in-training by the American Association for Marriage and Family Therapy.*

(c) Be related to the intern by no closer than the fourth degree of consanguinity.

~~(e)~~ (d) Have never professionally provided mental health ~~care~~ therapy to the intern.

~~(d)~~ (e) Agree to be available to consult with the board concerning the professional record, competence in clinical practice, emotional and mental stability or professional and ethical conduct of the intern.

**Section 15.** *Retroactive effect.*

*The amendatory provisions of sections 1, 2, 3, 4, 5, 6, 7 and 8 of this regulation apply retroactively to all complaints filed with the board which have not been presented to the board in a formal hearing or which have not been otherwise finally resolved by the board. The board may reinstitute previously commenced disciplinary proceedings consistent with these sections.*

**Section 16.** Sections 1 through 15 expire by limitation 120 days from the effective date of these regulations as provided by NRS 233B.0385.