

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

PROPOSED ADDITIONS TO CHAPTER 641 OF NAC

[1]

1. In addition to any other penalty:

(a) The Board may issue a citation to a person who violates the provisions NRS 641.390 or NRS 641.440(1)–(5). A citation issued pursuant to this paragraph must be in writing and describe with particularity the nature of the violation. The citation also must inform the person of the provisions of subsection 2. A separate citation must be issued for each violation. If appropriate, the citation must contain an order of abatement of the violation.

(b) The Board shall assess an administrative fine for each violation, not to exceed \$5,000.00.

2. To appeal the finding of a violation of NRS 641.390 or 641.440(1)–(5), the person must request a hearing by written notice of appeal to the Board within 30 days after the date of issuance of the citation.

[2]

An application, whether complete or not, which is inactive for two years or not completed within two years from the applicant's first contact with the Board, automatically expires and any fees paid by the applicant are forfeited. To receive licensure as a psychologist or registration as a psychological assistant, the applicant must reapply for licensure and pay all licensing fees in effect at the time of reapplication.

PROPOSED CHANGES TO NAC

NAC 641.025 Issuance of license to psychologist licensed not less than 20 years in another state or Canada. (NRS 641.100, 641.190)

1. The Board may issue a license to an applicant who:

(a) Has been licensed to practice psychology not less than 20 years in other states of the United States or in Canada, if that license was based on a doctoral degree *from a regionally accredited program*, which relates primarily to psychology;

(b) Has not previously been convicted of a felony;

(c) Has not had the scope of his license to practice psychology limited by another jurisdiction;

(d) Has not previously been denied licensure by the Board;

(e) Has passed an oral examination conducted by the Board; and

(f) Submits to the Board the appropriate application and fees and three letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant.

NAC 641.050 Education: Adoption of list of accredited programs; accredited educational institutions. (NRS 641.100, 641.170)

1. For the purposes of paragraph (d) of subsection 1 of [NRS 641.170](#), the Board adopts the current list of programs holding accreditation status from the American Psychological Association. These programs are listed ~~[in the publication American Psychologist. This publication may be obtained for the price of \$12 a copy from the book order department of the American Psychological Association, P.O. Box 2710, Hyattsville, Maryland 20784-0710, telephone: (202) 336-5500]~~ *on the Web at: <http://www.apa.org/ed/accreditation/>.*

2. For the purposes of paragraph (d) of subsection 1 of [NRS 641.170](#), the Board considers the following to be accredited educational institutions:

(a) In the United States, all institutions which are regionally accredited by regulatory bodies approved by the Council ~~[on Recognition of Postsecondary]~~ *for Higher Education* Accreditation and the United States *Department* ~~[Office]~~ of Education;

(b) In Canada, all institutions holding membership in the Association of Universities and Colleges of Canada; or

(c) In any other country, all institutions accredited by the respective official organization having such authority.

NAC 641.061 Education: Submission of proof that unaccredited program is equivalent to accredited program. ([NRS 641.100](#), [641.170](#))

1. An applicant for licensure who has completed a training program not accredited by the American Psychological Association must establish to the satisfaction of the Board that the program is equivalent to a program accredited by the association.

2. The applicant must present to the Board:

(a) Transcripts, a description of the training program, letters from the directors of the departments of the institution where the program is conducted or other suitable documents showing that the program substantially complies with the *accreditation* standards of the American Psychological Association.

NAC 641.135 Fees. ([NRS 641.100](#), [641.370](#)) The Board will charge and collect ~~[the following fees:]~~ *reasonable fees in accordance with NRS 641.370. A schedule of fees will be posted in the Board office and on the Board's web site at <http://psyexam.state.nv.us>.*

[For an application for licensure.....]	—\$100
For the written examination for licensure.....]	—500
For the oral examination for licensure.....]	—240
For the issuance of an initial license.....]	—25
For the biennial renewal of a license.....]	—500
For the registration of a firm, partnership or corporation.....]	—300
For the placement of a license on inactive status.....]	—100
For the biennial renewal of a license on inactive status.....]	—100
For the restoration to active status of a license on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed.....]	—400
For the restoration to active status of a license on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed.....]	—150
For the registration of a nonresident consultant.....]	—100

For reproduction and mailing of material for an application.....	—25
For a set of mailing labels.....	—15
For a dishonored check.....	—15
For the review of a failed examination.....	—175
For a change of name on a license.....	—25
For a duplicate license.....	—25
For a list of practicing psychologists.....	—10
For a list of persons granted a license in any year.....	—10
For copies of the provisions of NRS relating to the practice of psychology and the rules and regulations adopted by the Board.....	—25
For a letter of good standing.....	—15
For the review and approval of a course or program of continuing education.....	—25

NAC 641.136 Continuing education: Requirement for renewal of license; acceptance of courses and programs by Board. (NRS 641.100, 641.220)

1. To renew his license, a psychologist must certify to the Board that during the 2 years immediately preceding the date he submits his application for renewal he has completed 30 hours of continuing education in courses approved by the Board pursuant to subsection 2 or [NAC 641.138](#). At least 6 hours must include instruction in scientific and professional ethics and standards, and common areas of professional misconduct. Not more than 15 hours may be obtained from an approved distance education course. A licensee may not receive credit for continuing education for a course in which he is the instructor.

2. *Except as specified in subsection 3, ~~the~~* the Board will accept the following types of continuing education courses or programs as specified:

(a) Formally organized workshops, seminars or classes which maintain an attendance roster and are conducted by or under the auspices of an accredited institution of higher education offering graduate instruction.

(b) Workshops, seminars or classes which maintain an attendance roster and are certified or recognized by a state, national or international accrediting agency, including, but not limited to:

- (1) The American Psychological Association;
- (2) The American Psychiatric Association;
- (3) The American Medical Association;
- (4) The American Association for Marriage and Family Therapy;
- (5) The American Counseling Association;
- (6) The International Congress of Psychology; or
- (7) The National Association of Social Workers.

(c) Other workshops, classes, seminars and training sessions in psychology or a closely related discipline which have a formal curriculum and attendance roster and receive approval by the Board.

(d) Distance education courses in psychology or a closely related discipline that are approved by the Board.

3. *All scientific and professional ethics and standards, and common areas of professional misconduct courses must be submitted and approved by the Board or it's designee before a licensee will receive credit for the course.*

~~3.1~~ 4. As used in this section, “distance education course” means a course of instruction in which the student receives instruction at a location at which the instructor is not physically present. The term includes, without limitation, a course designed for home study and a course in which instruction is provided via CD-ROM, the Internet or videoconference.

NAC 641.151 Psychological assistants: Registration. ([NRS 641.100](#), [641.170](#))

1. A person must register with the Board as a psychological assistant if the person wishes to obtain any postdoctoral supervised experience that is required pursuant to paragraph (c) of subsection 2 of [NAC 641.080](#) or paragraph (c) of subsection 3 of [NAC 641.080](#) for licensure as a psychologist, *by submitting the appropriate application with the application fee.*

(a) After approval of the application the psychological assistant registration fee must be paid to activate status.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological assistant only after he 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](#); or

(b) An institution which meets the requirements of subsection 2 of [NAC 641.050](#).

3. Registration as a psychological assistant is for 3 years unless otherwise approved by the Board.

REVISER’S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on January 18, 2005 (LCB File No. R089-03), which amended this section, contains the following provision not included in NAC:

“A person who engages in activities as a psychological assistant in this State on January 18, 2005, or has engaged in such activities before January 18, 2005, is exempt from the amendatory requirements of [NAC 641.151](#), [641.152](#) and [641.157](#) until his supervised experience is completed or terminated.”

NAC 641.1563 Psychological assistants: Qualifications of supervisor. ([NRS 641.100](#), [641.170](#))

1. A psychologist who wishes to serve as a supervisor must:

(a) Except as otherwise approved by the Board, be licensed by the Board to practice psychology;

(b) Except as otherwise approved by the Board, have been licensed by the Board to practice psychology for 3 years or more; and

(c) Have had training ~~for experience~~ in clinical supervision, including, without limitation, the completion of continuing education courses, other courses or courses of independent study relating to clinical supervision.

2. A supervisor shall maintain, and provide to the Board upon request, documentation substantiating that he satisfies the requirements set forth in subsection 1.

REVISER’S NOTE.

The regulation of the Board of Psychological Examiners filed with the Secretary of State on January 18, 2005 (LCB File No. R089-03), the source of this section, contains the following provision not included in NAC:

“A psychologist who supervises a psychological assistant or a psychological intern in this State on January 18, 2005, is exempt from the amendatory requirements of [NAC 641.152](#), [641.157](#) and [641.165](#)

and sections 6, 7 and 8 of this regulation ~~[NAC 641.1563, 641.1565 and 641.1567]~~ until his supervision of the psychological assistant or psychological intern is completed or terminated.”

NAC 641.210 Display of license; communications with Board; professional fees; supervision of certain persons. (NRS 641.100) A psychologist:

1. Shall display his license in a conspicuous place on the premises of his office or place of employment.

2. Shall, except as otherwise provided in this subsection, respond within 30 days after his receipt of the communication to any written communication from the Board and shall make available any relevant record with respect to an inquiry or complaint about his professional conduct. If a communication is mailed to a psychologist by the Board, he shall respond to the communication within 30 days after it is mailed to him at the address shown on the records of the Board.

3. Shall notify the Board office in writing of a change of address or phone number within 30 days.

~~4[3].~~ Shall not mislead or withhold from a patient, prospective patient or other person who will be responsible for payment of the psychologist’s services, information concerning the fee for the professional services of the psychologist.

~~5[4].~~ Shall not directly or indirectly offer, give, solicit, receive or agree to receive any fee or other consideration for the referral of a patient.

~~6[5].~~ Shall not permit any person, other than:

(a) A partner, employee or associate in his professional firm or corporation;
(b) A psychologist retained as a subcontractor or consultant; or
(c) A properly registered psychological assistant practicing under his supervision, to share in a fee for professional services. The prohibition of this subsection includes any arrangement or agreement whereby the amount paid for office space, facilities, equipment or personal services used by the psychologist is based upon the income or receipts of his practice.

~~7[6].~~ Shall exercise appropriate supervision over any person who is authorized to practice psychological services under his supervision.

~~8[7].~~ Shall not exploit a person who is authorized to practice psychological services under his supervision.

NAC 641.229 Impairment of licensee; limitation on contact with current or former patient. (NRS 641.100)

1. A psychologist shall not begin or continue a professional relationship with a patient if the psychologist is impaired, or has received notification from the Board that ~~[another mental health professional]~~ *the Board* reasonably suspects him to be impaired, because of mental, emotional, physiological, pharmacological or substance abuse problems. If such a problem develops during the course of a professional relationship, the psychologist shall:

- (a) Terminate the relationship;
- (b) Notify the patient in writing of the termination; and
- (c) Assist the patient in obtaining services from another professional.

2. A psychologist shall not begin or continue a professional relationship with a patient if the objectivity or competency of the psychologist is impaired, or if the psychologist has received notification from the Board that ~~[another mental health professional]~~ *the Board* reasonably suspects his objectivity or competency to be impaired, because the psychologist has or had a

family, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the patient or a person associated with or related to the patient.

3. If a psychologist has rendered professional services to a person, the psychologist shall not:

(a) Engage in any verbal or physical behavior with the person which is sexually seductive, demeaning or harassing;

(b) Engage in sexual contact with the person; or

(c) Enter into a financial or other potentially exploitive relationship with the person, for at least 2 years after the termination of the professional relationship, or for an indefinite time if the person is clearly vulnerable to exploitive influence by the psychologist because of an emotional or cognitive disorder.