

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

LCB File No. R127-14

10 (A): NAC 641.028 Issuance of license to psychologist licensed not less than 5 years in another jurisdiction. (NRS 641.100, 641.190)

1. The Board will issue a license to practice as a psychologist to an applicant if the applicant:

(a) Has been licensed to practice psychology based on a doctoral degree that relates primarily to psychology and has been practicing psychology continuously for 5 years in a jurisdiction whose requirements have been determined by the Board to be at least equivalent to the requirements of chapter 641 of NRS;

(b) *Has been granted a Certification of Professional Qualification (CPQ) through the Association of State and Provincial Psychology Boards, or is a member of the National Register of Health Service Providers in Psychology (NRHSPP)*

(c) Successfully completes an examination prescribed by the Board to test the applicant's knowledge of the statutes and regulations of the State of Nevada governing the practice of psychology;

~~(e)~~ (d) Has not previously been convicted of a felony;

~~(d)~~ (e) Has not been subject to disciplinary action in another jurisdiction;

~~(e)~~ (f) Does not have any outstanding complaints or charges pending against him or her in another jurisdiction;

~~(f)~~ (g) Has not previously been denied licensure by the Board;

~~(g)~~ (h) 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; and

~~(h)~~ (i) Complies with subsection 1 of NRS 641.160 by submitting:

(1) A complete set of the applicant's fingerprints to the Board with written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation; or

(2) Verification to the Board that the applicant's fingerprints were so forwarded by the law enforcement agency or other authorized entity taking the fingerprints.

2. The Board may require the applicant to appear before the Board to demonstrate the applicant's:

(a) Moral character;

(b) Current fitness to practice psychology; and

(c) Intent to practice psychology in a manner consistent with his or her education, training and experience.

10 (B): NAC 641.083 Supervision of licensed assistant behavior analysts and certified autism behavior interventionist. (NRS 641.100, 641.110, 641.395)

1. A licensed assistant behavior analyst must be supervised by a psychologist or a licensed behavior analyst during at least 5 percent of the hours he or she works each month.

2. A certified autism behavior interventionist must be supervised by a psychologist, a licensed behavior analyst or a licensed assistant behavior analyst during at least 10 percent of the hours he or she works each month.

3. The supervision required by subsections 1 and 2 must include, without limitation:

(a) At least 1 hour each month of one-on-one supervision; and

(b) At least 4 hours each month of additional direct supervision, which may include, without limitation:

(1) Videoconferencing, except that this must not constitute more than one-half of the time supervised each month; and

(2) Group meetings of not more than 10 persons, including each licensed assistant behavior analyst or certified autism behavior interventionist who is being supervised by the supervisor.

4. ~~{The supervisor of a licensed assistant behavior analyst or certified autism behavior interventionist may not spend more than 30 percent of his or her work time or more than 12 hours in a week, whichever is greater, providing supervision.}~~ *The Supervisor of a licensed assistant behavior analyst or certified autism behavior interventionist providing direct treatment may not supervise more than fourteen (14) supervisees, unless otherwise approved by the Board.*

10 (C): NAC 641.1327 Renewal of certificate: Provision of direct service to clients; completion of practice-based examination; completion of continuing education. (NRS 641.100, 641.110, 641.220)

1. To renew his or her certificate, a certified autism behavior interventionist must certify to the Board that during the 2 years immediately preceding the date on which he or she submits an application for renewal, the applicant has:

(a) Provided an average of at least 4 hours per week of direct service to clients as a certified autism behavior interventionist.

(b) Satisfactorily completed an annual practice-based examination which is approved by the Board and which must be:

(1) Administered by the supervisor of the certified autism behavior interventionist; and

(2) Videotaped, with the recording made available to the Board upon request.

(c) *If direct service as described in 1(a) is not met by certificate holder, to renew certificate proof of 40 hours of training in ABA techniques must be provided upon renewal.*

(d) Except as otherwise provided in subsection 2, satisfactorily completed at least 24 hours of continuing education that is approved by the Board. At least 6 hours must include instruction in scientific and professional ethics and standards, and common areas of professional misconduct. Not more than 12 hours may be obtained from an approved distance education course.

2. The continuing education required by paragraph (c) of subsection 1 will be waived if the certified autism behavior interventionist is enrolled at an accredited college or university program to obtain a bachelor's degree or a higher degree in a field of social science or special education that is approved by the Board.

3. A certified autism behavior interventionist may not receive credit for continuing education for a workshop, seminar, class or course in which he or she is the instructor.

4. Except as otherwise provided in subsection 5, the continuing education required pursuant to this section may include, without limitation:

(a) A workshop, seminar, class or distance education course in psychology, applied behavior analysis or a closely related field which maintains an attendance roster and which is:

(1) Conducted under the auspices of an accredited college or university offering undergraduate- or graduate-level instruction; or

(2) Certified or recognized by a state, regional, national or international accrediting agency, including, without limitation:

(I) The American Association for Marriage and Family Therapy;

(II) The American Counseling Association;

(III) The American Medical Association;

(IV) The American Psychiatric Association;

(V) The American Psychological Association;

(VI) The Association for Behavior Analysis International;

(VII) The Behavior Analyst Certification Board, Inc.;

(VIII) The International Congress of Psychology; and

(IX) The National Association of Social Workers; or

(b) A workshop, seminar, class or distance education course in psychology, applied behavior analysis or a closely related discipline which is approved by the Board.

5. Before a certified autism behavior interventionist may receive credit for continuing education for a course in scientific and professional ethics and standards, and common areas of professional misconduct, he or she must submit information concerning the course to the Board for approval of the course, unless the Board has previously approved the course. The Board will make available at its office a list of courses and programs that are currently approved by the Board.

6. For the purposes of this section, "direct service" means working directly with a client to provide approved services, therapy or treatment pursuant to NAC 641.2095.

NAC 641.135 Fees. (NRS 641.100, 641.110, 641.370)

1. The Board will charge and collect the following fees:

– For an application for licensure or certification.....	\$100
– For the state examination for licensure or certification administered by the Board pursuant to NAC 641.112 or 641.113	Actual costs to the Board plus \$100
– For the issuance of an initial license or certificate.....	\$ 25
– For the biennial renewal or reinstatement of a license as a psychologist.....	\$500
– For the biennial renewal or reinstatement of a license as a licensed behavior analyst.....	\$400
– For the biennial renewal or reinstatement of a license as a licensed assistant behavior analyst.....	\$275
– For the biennial renewal or reinstatement of a certificate as a certified autism behavior interventionist.....	\$175
– 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 as a psychologist 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 as a psychologist 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 restoration to active status of a license as a licensed behavior analyst on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed..... \$300
- For the restoration to active status of a license as a licensed behavior analyst on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed..... \$100
- For the restoration to active status of a license as a licensed assistant behavior analyst on inactive status if the restoration occurs during the first year of the biennium in which the license was issued or renewed..... \$175
- For the restoration to active status of a license as a licensed assistant behavior analyst on inactive status if the restoration occurs during the second year of the biennium in which the license was issued or renewed \$40
- 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 or certificate..... \$25
- For a duplicate license or Certificate..... \$25
- ~~For a list of practicing psychologists, licensed behavior analysts, licensed assistant behavior analysts or certified autism behavior interventionists..... \$10~~
- ~~For a list of persons granted a license or certificate in any year..... \$10~~
- For copies of the provisions of NRS relating to the practice of psychology and applied behavior analysis 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

10 (D): ~~[NAC 641.140—Areas of acceptable practice of psychology and specialization. (NRS 641.100, 641.112)~~

~~—1. The Board will specify in writing at the time of granting a license, or at other times, if circumstances dictate, the areas of acceptable practice of each holder of a license as a psychologist, and may require, at intervals, evidence that his or her practice is confined to the areas of his or her competence.~~

~~—2. Areas of specialization recognized by the Board include, but are not limited to:~~

- ~~—(a) Clinical psychology.~~
- ~~—(b) Counseling psychology.~~
- ~~—(c) Educational psychology.~~
- ~~—(d) Industrial psychology.]~~

10 (E): NAC 641.208 Scope of practice for psychologist: Competency required; acquisition and use of new service or technique; unnecessary treatment; referral of certain patients; basis for rendering formal professional opinion. (NRS 641.100, 641.112) A psychologist:

1. Shall limit his or her practice and supervision to the areas in which he or she has acquired competence through education, training and experience.

2. Shall not, except in an emergency in which the life or health of a person is in danger, practice or offer to practice beyond the scope of his or her license, or accept or perform any professional service which he or she knows, or has reason to know, he or she is not competent to perform.

3. Shall not engage in conduct in the practice of psychology which evidences moral unfitness to practice the profession.

4. Shall maintain competence in the areas in which he or she practices through continuing education, consultation or other methods, in conformance with current standards of scientific and professional knowledge.

5. Shall, if employed by an agency, organization or institution, use every reasonable effort to assure that all services provided for patients are adequate in degree and scope, and conform to the highest professional standards.

6. Shall, if acquiring experience in a service or technique that is either new to the psychologist or new to the profession:

(a) Engage in continuing consultation with other psychologists or relevant professionals;

(b) Seek appropriate education and training in the new area; and

(c) Inform his or her patients of the innovative nature and known risks of the new service or technique to provide his or her patients with the freedom of choice concerning psychological services.

7. Shall not claim or use any secret or special method of treatment or evaluation not previously divulged to the Board.

8. Shall not, except for the purpose of research, use any method or technique of treatment or evaluation for which there is no adequate basis in research.

9. Shall not order any test or treatment, or the use of any facility for treatment, not warranted by the condition of the patient.

10. Shall refer or recommend referral of a patient to:

(a) Another professional; or

(b) Technical or administrative resources,

if a referral is clearly in the best interests of the patient.

11. Shall, upon the request of a patient, refer the patient to another professional.

12. Shall not render a formal professional opinion about a person, including an opinion concerning the fitness of a parent in a child custody hearing, without having had direct and substantial professional contact with the person or without having made a formal assessment of the person.

13. May provide consultation and intervention regarding behavioral health factors associated with medical/physical concerns and engagement in health behaviors including compliance with treatment plans in accordance with subsection 1.

14. May discuss medications with a patient or consult with a physician regarding medication to be prescribed by a physician in accordance with subsection 1. However, the authority to

prescribe medications lies solely with the physician and the decision to adopt a course of medication is a joint one between a patient and their physician.

Adding language to NAC 641 in regards to limiting attempts of the National Examination (EPPP)

The Board may approve an applicant to attempt the EPPP two times without restrictions. On the third attempt the applicant must submit a written plan to the Board explaining the steps that they will take to pass the exam. After three failed attempts the application is closed. The applicant may only reapply to the Board with a change in credentials and by Board approval.