

**ADOPTED REGULATION OF THE
BOARD OF PSYCHOLOGICAL EXAMINERS**

LCB File No. R038-16

Effective December 21, 2016

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

AUTHORITY: §§1-6 and 11, NRS 641.100, 641.110 and 641.170; §7, NRS 641.100 and 641.180; §§8-10, NRS 641.220; §§12, 13 and 16, NRS 641.110 and 641.170; §§14, 15 and 17, NRS 641.100 and 641.170; §§18 and 19, NRS 641.100.

A REGULATION relating to psychology; revising provisions relating to educational and training requirements for psychologists; revising provisions relating to internship requirements for an applicant for licensure as a psychologist; requiring the continuing education received by a psychologist, licensed behavior analyst or licensed assistant behavior analyst to renew his or her license to include instruction in evidence-based suicide prevention and awareness; revising provisions relating to the supervision of a psychological assistant; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing regulations set forth the educational requirements for licensure as a psychologist. (NAC 641.061) **Section 3** of this regulation requires an applicant for licensure as a psychologist who has not earned a doctoral degree in psychology or completed equivalent doctoral-level training, but who has met some of the educational requirements for licensure as a psychologist through completion of doctoral-level training in a related field of study, to satisfy the remaining educational requirements by completing a program of respecialization accredited by the American Psychological Association or a program deemed equivalent by the Board of Psychological Examiners.

Existing regulations require an applicant for licensure as a psychologist who has completed a training program not accredited by the American Psychological Association to establish to the satisfaction of the Board of Psychological Examiners that the program is equivalent to a program accredited by the Association. (NAC 641.061) **Section 5** of this regulation requires an applicant who completed study at an unaccredited program before January 1, 2018, to have his or her academic credentials evaluated by the Association of State and Provincial Psychology Boards, the director of clinical training of a doctoral program that is accredited by the American Psychological Association or a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association. The Board is not bound by any recommendation resulting from the evaluation. **Section 5** also requires an applicant to submit additional information to the Board if the title of a course taken

by the applicant does not adequately describe its content. **Section 5** also authorizes the Board to appoint a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. The Board is not bound by any recommendation resulting from the review. **Section 4** of this regulation provides similar provisions for an applicant who completed study at an unaccredited program on or after January 1, 2018, but aligns the requirements to the newly adopted accreditation standards of the Association. **Sections 7 and 11** of this regulation make conforming changes to account for the changes made in **sections 4 and 5**.

Existing regulations require an applicant for licensure as a psychologist to complete 2 years of supervised and documented experience that is the equivalent of full-time experience. The first year of that experience must be completed in a predoctoral internship program that is approved by the American Psychological Association or meets certain other requirements. (NAC 641.080) **Section 6** of this regulation provides that an internship that is not part of a program approved by the Association must be equivalent to a doctoral internship that meets the newly adopted standards of the Association.

Existing law requires a psychologist, a licensed behavior analyst or a licensed assistant behavior analyst who wishes to renew his or her license to complete certain continuing education requirements set forth by the Board. (NRS 641.220) These continuing education requirements must include at least 2 hours of instruction on evidence-based suicide prevention and awareness. **Section 8** of this regulation adds the requirement for such instruction to the list of hours of continuing education credit required of a psychologist, and **section 9** of this regulation makes the same addition to the list of hours of continuing education credit required of a licensed behavior analyst or a licensed assistant behavior analyst. **Section 10** of this regulation adds evidence-based suicide prevention and awareness to the list of subjects which are acceptable for a continuing education course or program.

Existing regulations require the supervisor of a psychological assistant or a psychological intern to prepare and maintain certain records pertaining to the supervision, and make those records available to the Board upon request. (NAC 641.1567) **Section 2** of this regulation newly requires the supervisor of a psychological intern to provide to the Board a copy of a written agreement between the supervisor and the training program of the psychological intern. The agreement must include certain information pertaining to the goals of the supervision and an acknowledgment of certain legal and ethical requirements that must be met before the psychological intern is allowed access to clients and the protected health information of clients.

Existing regulations require the supervisor of a psychological assistant to be physically present at least one-half of the time during which the psychological assistant provides certain professional activities. (NAC 641.156) **Section 12** of this regulation requires such a supervisor to have clinical responsibility for all cases in which the psychological assistant provides services, and requires that a mental health professional licensed or certified in this State be available on the premises at all times when a psychological assistant is providing services to a client.

Existing regulations prohibit a supervisor from supervising more than three psychological assistants, more than two psychological interns or any combination of five or more psychological assistants and psychological interns. (NAC 641.158) **Section 16** of this regulation revises those

limits to authorize a supervisor to supervise a combination of not more than three psychological assistants and one psychological intern or a combination of not more than two psychological assistants and not more than two psychological interns.

Section 1. Chapter 641 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. *A supervisor shall provide to the Board a copy of a written agreement between the supervisor and the doctoral training program of each psychological intern whom he or she supervises. The agreement must include, without limitation:*

1. An outline of the skill level of the psychological intern at the beginning of the supervised experience.

2. The goals for the supervised experience of the psychological intern.

3. A format and procedure for reporting to the doctoral training program the following information concerning the psychological intern:

(a) His or her progress in building skills;

(b) His or her progress toward meeting the goals specified in subsection 2; and

(c) Any areas requiring continued growth.

4. An acknowledgment that the written agreement must be in place in order for the psychological intern to:

(a) Have lawful and ethical access to clients and the protected health information of clients; and

(b) Use his or her supervised experience to make progress toward a degree, certification or license.

Sec. 3. *To meet the educational requirements for licensure as a psychologist set forth in NAC 641.061 or section 4 of this regulation, as applicable, an applicant who:*

1. Has not earned a doctoral degree in psychology from an accredited educational institution approved by the Board or completed doctoral-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and

2. Has met some of the educational requirements for licensure as a psychologist through the completion of doctoral-level training in a related field of study,

↳ must satisfy the remaining educational requirements for licensure as a psychologist through the completion of a program of respecialization that is accredited by the American Psychological Association or a program deemed equivalent by the Board.

Sec. 4. 1. An applicant for licensure as a psychologist who, on or after January 1, 2018, has completed a training program that is 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 submit to the Board:

(a) Transcripts, syllabi, university catalog descriptions, a description of the training program, professional competency evaluations conducted of the applicant while in the 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 for doctoral programs in the Standards of Accreditation for Health Service Psychology of the American Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/index.aspx>, and Section C of the Implementing Regulations of the Commission on Accreditation of the American

Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/section-c-soa.pdf>; and

(b) The evaluation of the academic credentials of the applicant conducted pursuant to subsection 4 or 5.

3. For the purposes of paragraph (a) of subsection 2, a training program “substantially complies with the accreditation standards for doctoral programs” if the applicant submits to the Board, without limitation, proof:

(a) Of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to subsection 3 of NAC 641.050.

(b) That the primary purpose of the training program is to provide broad and general training in scientific psychology and in the foundations of practice in health service psychology. The program materials must demonstrate:

(1) The integration of empirical evidence and practice;

(2) That the training is sequential, cumulative, graded in complexity and designed to prepare students for practice or further organized training; and

(3) That the program requires respect for and understanding of cultural and individual differences and diversity.

(c) That the program:

(1) Is a recognizable, coherent organizational entity within the institution where the program is conducted.

(2) Is an integrated, organized sequence of study.

(3) Has stable leadership provided by one or more designated doctoral-level psychologists who:

(I) Are members of an identifiable core faculty of the program; and

(II) Together with other core faculty of the program have primary responsibility for the program's design, implementation, evaluation and quality.

(4) Has an identifiable body of students who are matriculated in the program for the purpose of earning a degree.

(5) Includes supervised practicums which must include, without limitation:

(I) Supervised experience working with diverse persons who display a variety of presenting problems, diagnoses and issues;

(II) Supervised experience in settings committed to training and providing experiences consistent with health service psychology competencies, including, without limitation, those competencies listed in paragraphs (e) and (f);

(III) Supervision provided by appropriately trained and credentialed persons; and

(IV) Practicum evaluations which are based, at least in part, on direct observation, which may occur in person or via electronic means.

(d) That the program requires a student to complete successfully at least 3 academic years, or the equivalent, of full-time graduate study which includes at least 2 years, or the equivalent, of academic training and at least 1 year, or the equivalent, in full-time residence. A person seeking to satisfy the requirement for 1 year in full-time residence based on equivalent experience must demonstrate that the experience achieved all the purposes of the requirement, including, without limitation, mentoring, supervision and evaluation regarding the development of professional competence. Experience in a program that was conducted entirely through electronic means may not be used to satisfy the requirements of this paragraph.

(e) That the applicant, while in the program, acquired and demonstrated substantial graduate-level understanding and competence in discipline-specific knowledge in the following areas:

- (1) The history and systems of psychology.*
- (2) Affective aspects of behavior.*
- (3) Biological aspects of behavior.*
- (4) Cognitive aspects of behavior.*
- (5) Social aspects of behavior.*
- (6) Developmental aspects of behavior across the lifespan.*
- (7) Advanced integrative knowledge in scientific psychology.*
- (8) Research methods.*
- (9) Quantitative methods.*
- (10) Psychometrics.*

(f) That the applicant, while in the program, achieved and demonstrated profession-wide competency in the following areas:

- (1) Research.*
- (2) Ethical and legal standards.*
- (3) Individual and cultural diversity.*
- (4) Professional values, attitudes and behaviors.*
- (5) Communication and interpersonal skills.*
- (6) Assessment.*
- (7) Intervention.*
- (8) Supervision.*

(9) Consultation, interprofessional and interdisciplinary skills.

4. Except as otherwise provided in subsection 5, to determine whether the training program completed by an applicant is equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by:

(a) The Association of State and Provincial Psychology Boards; or

(b) The director of clinical training of a doctoral program that is accredited by the American Psychological Association and approved by the Board of Psychological Examiners.

5. An applicant who is unable to obtain an evaluation as required in subsection 4 may, upon the approval of the Board, have his or her academic credentials evaluated by a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association.

6. The Board may establish a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. In determining whether to approve the academic credentials of an applicant pursuant to subsection 4 or 5, the Board will consider any recommendation from the Association of State and Provincial Psychology Boards, the director of clinical training of a doctoral program that is accredited by the American Psychological Association, or a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association, as applicable, and the recommendation of the subcommittee, if any, but is not bound to follow such recommendations.

7. If the Board finds that the training program completed by an applicant pursuant to this section is not equivalent to a program accredited by the American Psychological Association,

the applicant may petition the Board for reconsideration. A decision of the Board upon reconsideration, or a decision of the Board to deny such a petition, is a final decision for the purposes of chapter 233B of NRS.

Sec. 5. NAC 641.061 is hereby amended to read as follows:

641.061 1. An applicant for licensure as a psychologist who , *before January 1, 2018*, 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.

(b) Proof of doctoral training at an institution which is considered by the Board to be an accredited educational institution pursuant to subsection 3 of NAC 641.050.

(c) Proof that the primary purpose of the training program is the professional training of psychologists. Catalogs and brochures advertising the program must indicate that the program is intended to educate and train professional psychologists.

(d) Proof that the program:

(1) Is a recognizable, coherent organizational entity within the institution where the program is conducted.

(2) Is an integrated, organized sequence of study.

(3) Has an identifiable faculty composed primarily of psychologists and a psychologist who is responsible for the program.

(4) Has an identifiable body of students who are matriculated in the program for a degree.

(5) Includes supervised practical, internship, field or laboratory training appropriate to the practice of psychology.

(e) Proof that the curriculum encompasses at least 3 academic years of full-time graduate study, not including any internships. The Board will count only 12 semester hours or 18 quarter hours of preparation of a dissertation toward the 3 academic years of full-time graduate study.

(f) Proof that the program requires at least 60 semester hours or 90 quarter hours of credit in courses in substantive psychology. Dissertation hours may be counted toward the minimum hours required.

(g) Proof that the applicant, while in the program, completed the equivalent of courses consisting of 3 semester hours in the following areas:

(1) Scientific and professional ethics and standards.

(2) Research design and methodology.

(3) Statistics.

(4) Psychometrics.

(5) Biological bases of behavior, which may be satisfied by at least one of the following courses:

(I) Physiological psychology;

(II) Comparative psychology;

(III) Neuropsychology;

(IV) Psychopharmacology; or

(V) Human sexuality.

(6) Cognitive-affective bases of behavior, which may be satisfied by at least one of the following courses:

(I) Learning;

(II) Memory;

(III) Perception;

(IV) Cognition;

(V) Thinking;

(VI) Motivation; or

(VII) Emotion.

(7) Social bases of behavior, which may be satisfied by at least one of the following courses:

(I) Social psychology;

(II) Cultural, ethnic and group processes;

(III) Sex roles; or

(IV) Organizational and systems theory.

(8) Individual differences, which may be satisfied by at least one of the following courses:

(I) Personality theory;

(II) Human development;

(III) Abnormal psychology; or

(IV) Psychology of persons with disabilities.

(h) ~~IA description of each course completed pursuant to paragraph (g), accompanied by a statement which attests that the course is equivalent in content, focus and all other relevant~~

~~standards to a similar course offered by a program accredited by the American Psychological Association. The statement must be submitted by the instructor of a substantially similar course or the chair of the department or program accredited by the American Psychological Association. If there is a program accredited by the American Psychological Association at the institution where the applicant's course is taken, the statements must come from appropriate members of the faculty of that institution. If there is no such program, the applicant must establish for the Board the basis upon which the attesting member of the faculty has knowledge upon which to judge the equivalency of the programs.]~~ *The evaluation of the academic credentials of the applicant conducted pursuant to subsection 3 or 4.*

3. Except as otherwise provided in subsection 4, to determine whether the content of the courses and the supervised practical, internship, field or laboratory training taken by an applicant are equivalent to a program accredited by the American Psychological Association pursuant to subsection 1, the applicant must have his or her academic credentials, including, without limitation, the required curriculum, evaluated by:

(a) The Association of State and Provincial Psychology Boards; or

(b) The director of clinical training of a doctoral program that is accredited by the American Psychological Association and approved by the Board of Psychological Examiners.

4. An applicant who is unable to obtain an evaluation as required in subsection 3 may, upon the approval of the Board, have his or her academic credentials evaluated by a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association.

5. The Board may establish a subcommittee to review the academic credentials of an applicant and present a recommendation to the Board. In determining whether to approve the

academic credentials of an applicant pursuant to subsection 3 or 4, the Board will consider any recommendation from the Association of State and Provincial Psychology Boards, the director of clinical training of a doctoral program that is accredited by the American Psychological Association, or a designee of the director of clinical training of a doctoral program that is accredited by the American Psychological Association, as applicable, and the recommendation of the subcommittee, if any, but is not bound to follow such recommendations.

6. If the title of any course submitted by an applicant pursuant to paragraph (g) of subsection 2 does not adequately describe its content, the Board or subcommittee, as applicable, may require the applicant to submit additional information regarding the contents of the course, including, without limitation, a syllabus, a university catalog description or a statement from the instructor of the course.

7. If the Board finds that the training program completed by an applicant pursuant to this section is not equivalent to a program accredited by the American Psychological Association, the applicant may petition the Board for reconsideration. A decision of the Board upon reconsideration, or a decision of the Board to deny such a petition, is a final decision for the purposes of chapter 233B of NRS.

Sec. 6. NAC 641.080 is hereby amended to read as follows:

641.080 1. Before an applicant is eligible for licensure as a psychologist, he or she must complete 2 years of supervised and documented experience that 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

~~(e)~~ (b) The second year must be postdoctoral , *must consist of not less than 1,750 hours*

and must:

(1) Meet the guidelines established by the Association of State and Provincial Psychology Boards; or

(2) Satisfy the requirements of subsection ~~5~~ 6.

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 or her 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) One year must satisfy the requirements of subsection 4; and

(c) One year must be postdoctoral and must satisfy the requirements of subsection ~~5~~ 6.

4. For the purposes of paragraph ~~(b)~~ (a) of subsection 2 and paragraph (b) of subsection 3, 1 year of supervised experience must be satisfactorily completed in:

(a) A ~~predoctoral~~ *doctoral* internship program approved by the American Psychological Association; or

(b) A ~~predoctoral~~ *doctoral* internship that ~~is~~

- ~~—— (1) Is completed in an interdisciplinary setting that is appropriate for the training of a psychological intern;~~
- ~~—— (2) Serves a group of persons which is sufficient in number and variability to provide a broad range of training experiences, including, without limitation, work with culturally diverse or underserved populations;~~
- ~~—— (3) Includes supervision that addresses intercultural issues in diagnosis;~~
- ~~—— (4) Is completed in not less than 10 months but not more than 24 months, unless otherwise approved by the Board;~~
- ~~—— (5) Operates pursuant to nondiscriminatory policies and under nondiscriminatory conditions;~~
- ~~—— (6) Operates pursuant to training objectives which are based on:
 - ~~—— (I) The science and practice of psychology; and~~
 - ~~—— (II) A model that is sequential, cumulative and graded in complexity;~~~~
- ~~—— (7) Includes experiential training with regularly scheduled supervision by at least two psychologists, at least one of whom is always physically present on the premises where the experiential training occurs, unless otherwise approved by the Board, and both of whom are licensed in the jurisdiction in which the internship occurs and whose primary responsibility is the provision of services;~~
- ~~—— (8) Requires a minimum of 2 of the internship hours per week to be spent receiving individual supervision;~~
- ~~—— (9) Requires at least 3 hours of individual supervision to be spent focused on cultural, ethnic and group processes as social bases of behavior;~~

~~—— (10) Requires at least 40 hours of the supervised experience to be spent receiving training in cultural, ethnic and group processes as social bases of behavior or providing treatment to culturally diverse or underserved populations;~~

~~—— (11) Has a training program which:~~

~~—— (I) Includes theories and methods of assessment, diagnosis and intervention;~~

~~—— (II) Includes discussions concerning the practice of psychology in a legal and ethical manner;~~

~~—— (III) Includes theories and methods of consultation and evaluation; and~~

~~—— (IV) Encourages the use of professional literature to provide guidance for treatment activities;~~

~~—— (12) Is provided in a setting in which training takes precedence over raising revenue;~~

~~—— (13) Includes exposure to a sufficient number of professionals to ensure meaningful peer interactions, support and socialization;~~

~~—— (14) Provides each intern, at least semiannually, with a written performance evaluation of his or her:~~

~~—— (I) Professional conduct;~~

~~—— (II) Psychological knowledge and skills; and~~

~~—— (III) Competence in psychological assessment, intervention and consultation; and~~

~~—— (15) Provides for written documentation of completion of the program.]~~ *is equivalent to a*

doctoral internship in a program that is accredited by the American Psychological

Association. An applicant, his or her proposed supervisor and a representative of the proposed

agency or institution at which the internship will be conducted must submit to the Board a

plan to meet the requirements of this paragraph and information showing that the proposed

internship substantially complies with the accreditation standards for doctoral internship programs in the Standards of Accreditation for Health Service Psychology of the American Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/index.aspx>, and Section C of the Implementing Regulations of the Commission on Accreditation of the American Psychological Association which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/section-c-soa.pdf>. Substantial compliance with such standards may be demonstrated by submission to the Board of information showing that the proposed doctoral internship:

(1) Requires completion of the internship in an agency or institution that provides services to a population sufficient in number and diversity to give the intern adequate experiential exposure to meet the purposes, aims and competencies of the internship.

(2) Requires the intern to complete a minimum of 2,000 hours of training, which must be completed:

(I) If on a full-time basis, in not less than 12 months; or

(II) If on a part-time basis, in not less than 24 months.

(3) Offers education and training conducted in a single-site or multiple-site setting that prepares interns for the practice of health service psychology.

(4) Includes a training program that meets the requirements set forth in subsection 5.

5. A proposed doctoral internship that is not approved by the American Psychological Association must include a training program that, without limitation:

(a) Is an integral part of the mission of the agency or institution in which the program is provided, with administrative and structural processes that facilitate systematic coordination, control, direction and organization of the training activities and resources of the program.

(b) Recognizes the importance of cultural and individual differences and diversity in the training of psychologists.

(c) Demonstrates the adequacy of its educational and training resources, including, without limitation, clerical and technical support, access to training materials and equipment that reflect the current knowledge base in the profession, and physical facilities that are appropriate for confidential interactions and are compliant with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto.

(d) Has policies and procedures that are consistent with those described in the accreditation standards for doctoral internship programs in the Standards of Accreditation for Health Service Psychology of the American Psychological Association, including, without limitation, policies relating to:

(1) The recruitment and selection of interns;

(2) The required prior doctoral preparation and experiences;

(3) Providing administrative and financial assistance to interns;

(4) The requirements for successful internship performance;

(5) Performance evaluations, feedback, retention and termination decisions relating to interns;

(6) The identification and remediation of insufficient competence and problematic behavior by an intern;

- (7) Grievance procedures for interns, including the provision of due process;*
- (8) The requirements for supervision of an intern as set forth in paragraphs (q), (r) and (s);*
- (9) Maintenance of records; and*
- (10) Nondiscrimination, including documentation of such policies and operating procedures.*

(e) Has policies and procedures that are consistent with the profession's current ethics code and which adhere to:

- (1) The regulations of the agency or institution; and*
- (2) All applicable local, state and federal laws regarding due process and fair treatment.*

(f) Requires the retention of records on the performance of interns and complaints and grievances against the program or persons associated with the program.

(g) Ensures a welcoming, supportive and encouraging learning environment for all interns, including those from diverse and underrepresented communities.

(h) Recognizes the right of interns, faculty and staff to be treated with courtesy and respect.

(i) Recognizes science as the core of health service psychology and relies on the current evidence base in the training and assessment of interns.

(j) Requires an intern to demonstrate competency in profession-wide competencies, including, without limitation:

- (1) Research;*
- (2) Ethical and legal standards;*
- (3) Individual and cultural diversity;*
- (4) Professional values, attitudes and behaviors;*

(5) Communication and interpersonal skills;

(6) Assessment;

(7) Intervention;

(8) Supervision; and

(9) Consultation, interprofessional and interdisciplinary skills.

(k) Demonstrates a clear and coherent plan for educational activities that support the achievement of interns in profession-wide and program-specific competencies.

(l) Employs primarily an experiential training method that:

(1) Involves the delivery of services by an intern in direct contact with recipients of those services; and

(2) Includes sufficient observation and supervision by doctoral-level licensed psychologists to facilitate the readiness of the intern to enter into the general practice of psychology upon completion of the training.

(m) Follows a logical and cumulative training sequence that builds on the skills and competencies acquired by the intern during training and is graded in complexity in a manner consistent with that sequence.

(n) Demonstrates that the tasks and duties associated with the delivery of service by an intern are primarily learning-oriented and that the training considerations of interns take precedence over the delivery of service and the generation of revenue.

(o) Maintains appropriate and transparent communication practices, including, without limitation:

(1) Articulating the commitment of the program to attracting and training diverse clients;

(2) Ensuring regular communication between the doctoral program and the doctoral internship program;

(3) Ensuring that all communications with potential and current interns are informative, accurate and transparent;

(4) Disclosing the status of the program with regard to accreditation; and

(5) Demonstrating a commitment to public disclosure.

(p) Provides adequate financial support for:

(1) Interns;

(2) Faculty and staff; and

(3) Sufficient and dependable training activities for the duration of the year or years of any contracts with interns.

(q) Provides supervision in a regularly scheduled manner and ensures that:

(1) Each intern has access to consultation and supervision during the times he or she is providing clinical services; and

(2) Each intern receives not less than 4 hours per week of supervision, including not less than 2 hours per week of individual supervision by one or more doctoral-level licensed psychologists who are involved in an ongoing supervisory relationship with the intern and have primary professional responsibility for the cases on which individual supervision is provided.

(r) Ensures that any supervisory hours other than the 2 hours of individual supervision required by subparagraph (2) of paragraph (q) are:

(1) Consistent with the definition of supervision in the glossary of the Standards of Accreditation for Health Service Psychology of the American Psychological Association;

(2) Conducted by health care professionals who are appropriately credentialed; and

(3) Interactive experiences in a group or individual format.

(s) Requires that overall responsibility for the supervision of interns, including oversight and integration of supervision provided by non-psychologist professionals, is maintained by doctoral-level licensed psychologists.

6. For the purposes of subparagraph (2) of paragraph ~~(e)~~ (b) of subsection 2 and of paragraph (c) of subsection 3, supervised experience is credited only for:

(a) Professional work in a setting that provides an opportunity for interaction with colleagues and an opportunity for work with a broad range of clients, including, without limitation, a private practice and a public or private agency, institution or organization; and

(b) Work experience that is other than experience which is acquired in connection with a practicum for which graduate credits are granted and which complies with the following requirements:

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

(2) Unless otherwise approved by the Board, at least 50 percent of the hours per week of the supervised experience must be spent providing clinical services, including, without limitation, psychological services rendered directly to an individual, couple, family or group, psychological testing, and individual or group supervision relating to those services;

(3) The hours per week of the supervised experience that are not spent in the manner set forth in subparagraph (2) must be spent engaging in an activity related to psychology, including,

without limitation, teaching psychology, researching psychology and engaging in administrative activities related to psychology or in any other activity related to psychology; and

(4) At least 40 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 individual supervision must be spent focused on that area of psychology. Such hours may be obtained by, without limitation:

(I) Conducting clinical work directly with culturally diverse or underserved populations;

(II) Reading materials related to culturally diverse populations;

(III) Researching an issue related to culturally diverse populations;

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

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

(VI) Authoring a publication related to culturally diverse populations.

Sec. 7. NAC 641.120 is hereby amended to read as follows:

641.120 1. The national examination constitutes one portion of the examination for licensure as a psychologist.

2. Except as otherwise provided in subsection 3, an applicant for a license may take the national examination after the applicant has graduated 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 :

(1) NAC 641.061 ~~H~~ if the applicant graduated before January 1, 2018; or

(2) Section 4 of this regulation if the applicant graduated on or after January 1, 2018;

or

(b) An institution which meets the requirements of subsection 3 of NAC 641.050.

3. An applicant who fails the national examination:

(a) Once or twice may retake the examination.

(b) Three times may not retake the examination unless the applicant requests permission and obtains approval from the Board to retake the examination for a fourth time. The applicant must submit to the Board a written request to retake the examination and a written plan explaining the steps the applicant will take to pass the examination. The Board will approve the request to retake the examination if the Board determines that the written plan submitted by the applicant is likely to result in the applicant passing the examination.

(c) Four or more times may not retake the examination except as otherwise provided in this paragraph, and his or her application for licensure pursuant to NRS 641.160 *or section 4 of this regulation, as applicable*, is deemed denied. A person whose application is deemed denied pursuant to this paragraph may, not earlier than 18 months after the date on which he or she notified the Board that he or she failed the examination for the immediately preceding time, request permission in writing from the Board to reapply for licensure and retake the examination. The Board will, if good cause is shown, approve the request.

Sec. 8. NAC 641.136 is hereby amended to read as follows:

641.136 1. To renew his or her license, a psychologist must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, he or she 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. *At least 2 hours must include instruction in evidence-based suicide prevention and awareness.* 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 or she is the instructor.

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

(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. Before a licensee may receive credit for continuing education for a course in scientific and professional ethics and standards and common areas of professional misconduct ~~or~~ *or a course in evidence-based suicide prevention and awareness*, the licensee 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.

Sec. 9. NAC 641.1363 is hereby amended to read as follows:

641.1363 1. To renew his or her license, a licensed behavior analyst or licensed assistant behavior analyst must certify to the Board that during the 2 years immediately preceding the date he or she submits an application for renewal, the applicant has completed 30 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. *At least 2 hours must include instruction in evidence-based suicide prevention and awareness.* Not more than 15 hours may be obtained from an approved distance education course.

2. A licensed behavior analyst or licensed assistant behavior analyst may not receive continuing education credit for a workshop, seminar, class or course in which he or she is the instructor.

3. Except as otherwise provided in subsection 4, 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 discipline 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.

4. Before a licensed behavior analyst or a licensed assistant behavior analyst may receive credit for continuing education for a course in scientific and professional ethics and standards, and common areas of professional misconduct ~~§~~ *or a course in evidence-based suicide prevention and awareness*, 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.

Sec. 10. NAC 641.137 is hereby amended to read as follows:

641.137 1. A continuing education course or program must be approved by the Board pursuant to NAC 641.136 or 641.138 and:

- (a) Be presented in accordance with accepted educational principles at a doctoral or postdoctoral level which is appropriate for professional psychologists;
- (b) Be at least 1 hour in length, not including breaks; and
- (c) Be primarily related to the study of psychology or have a potential application to the practice of psychology.

2. The subjects acceptable for a continuing education course or program include, but are not limited to:

- (a) Scientific and professional ethics and standards;
- (b) Forensic issues;
- (c) Research design and methodology;
- (d) Tests and measurements;
- (e) Psychotherapeutic techniques;
- (f) Biological bases of behavior, including physiological psychology, comparative psychology, neuropsychology, human sexuality and psychopharmacology;
- (g) Cognitive and emotional bases of behavior, including learning, memory, perception, cognition, thinking, motivation and emotion;
- (h) Social bases of behavior, including social, group, cultural and ethnic processes, sex roles, and organization and systems therapy; ~~and~~
- (i) Differences in persons, including personality therapy, human development, abnormal psychology, psychopathology and the psychology of persons with disabilities ~~H~~; *and*
- (j) Evidence-based suicide prevention and awareness.*

Sec. 11. NAC 641.151 is hereby amended to read as follows:

641.151 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 ~~(e)~~ (b) 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 to the Board.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological assistant only after he or she 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 :

(1) NAC 641.061 ~~(1)~~ *if the applicant graduated before January 1, 2018; or*

(2) *Section 4 of this regulation if the applicant graduated on or after January 1, 2018;*

or

(b) An institution which meets the requirements of subsection 3 of NAC 641.050.

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

Sec. 12. NAC 641.156 is hereby amended to read as follows:

641.156 1. Unless otherwise approved by the Board, a supervisor ~~(shall)~~ *must* be physically present on the premises where qualifying professional activities are undertaken by a psychological assistant at least one-half of the time during which the activities are performed.

2. ~~(A)~~ *Except as otherwise provided in NAC 641.152, a* supervisor who supervises a psychological ~~(intern is subject to the provisions of subparagraph (7) of paragraph (b) of subsection 4 of NAC 641.080 concerning his or her physical presence on the premises where the experiential training occurs.)~~ *assistant must have clinical responsibility for all cases in which the psychological assistant provides services.*

3. A mental health professional licensed or certified in this State must be available on the premises at all times when a psychological assistant is providing services to a client.

Sec. 13. NAC 641.1563 is hereby amended to read as follows:

641.1563 1. A psychologist who wishes to serve as a supervisor ***of a psychological assistant*** 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 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 ***of a psychological assistant*** shall maintain, and provide to the Board upon request, documentation substantiating that he or she satisfies the requirements set forth in subsection 1.

Sec. 14. NAC 641.1567 is hereby amended to read as follows:

641.1567 1. A supervisor shall prepare records that will enable him or her to:

(a) Effectively train and evaluate each psychological assistant or psychological intern whom he or she supervises; and

(b) Accurately determine the number of hours of supervised experience obtained by each psychological assistant or psychological intern whom he or she supervises.

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

maintained pursuant to NAC 641.157, 641.159 and 641.219, *and section 2 of this regulation*, 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 notify the Board within 10 days after his or her supervision of a psychological assistant or psychological intern is completed or terminated.

4. A supervisor shall notify the Board of any change in his or her residential address or business address within 30 days after the change.

Sec. 15. NAC 641.157 is hereby amended to read as follows:

641.157 1. A supervisor shall meet with the psychological assistant or psychological intern whom he or she supervises at least once each week to discuss and critique the performance of the psychological assistant or psychological intern, as applicable.

2. A supervisor shall provide a psychological assistant whom he or she supervises with at least 4 hours of individual supervision each month.

3. A supervisor shall provide a psychological intern whom he or she supervises with at least the number of hours of individual supervision each ~~month~~ *week* required pursuant to subparagraph ~~(8)~~ *(2)* of paragraph ~~(b)~~ *(q)* of subsection ~~4~~ *5* of NAC 641.080.

4. The supervisor shall document the hours of individual supervision provided pursuant to subsections 2 and 3.

5. A psychologist who does not adequately supervise a psychological assistant or psychological intern is subject to disciplinary action by the Board for committing an unethical practice contrary to the interest of the public.

Sec. 16. NAC 641.158 is hereby amended to read as follows:

641.158 1. A psychologist may ~~not~~ serve as a supervisor to:

- (a) ~~More~~ *Not more* than three psychological assistants;
- (b) ~~More~~ *Not more* than two psychological interns; ~~or~~
- (c) ~~Any~~ *A* combination of ~~five or~~ *not more than three* psychological assistants and *one* psychological ~~interns,~~ *intern; or*
- (d) A combination of not more than two psychological assistants and not more than two psychological interns,*

↪ at the same time.

2. A psychological assistant or psychological intern may not be employed by more than two supervisors at the same time.

Sec. 17. Section 1 of LCB file No. R111-13 is hereby amended to read as follows:

Section 1. Chapter 641 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Unless the person is participating in a federally-regulated internship program, a person must register with the Board as a psychological intern by submitting the appropriate application to the Board if the person wishes to obtain any predoctoral supervised experience that is required pursuant to paragraph ~~(b)~~ *(a)* of subsection 2 of NAC 641.080 or paragraph (b) of subsection 3 of NAC 641.080.

2. Unless otherwise approved by the Board, a person may apply to the Board for registration as a psychological intern only after he or she has provided to the Board proof that he or she is currently enrolled to obtain a doctoral degree from:

(a) A program which is accredited by the American Psychological Association or meets the requirements of NAC 641.061 ~~(c)~~ *or section 4 of LCB File No. R038-16, as applicable;* or

(b) An institution which meets the requirements of subsection 3 of NAC 641.050.

3. Registration as a psychological intern is for 2 years unless otherwise approved by the Board.

Sec. 18. 1. A person who engages in activities as a psychological intern in this State on December 21, 2016, or has engaged in such activities before that date, is exempt from the amendatory requirements of NAC 641.080 until his or her internship is completed or terminated.

2. A person who supervises a psychological intern in this State on December 21, 2016, is exempt from the amendatory requirements of NAC 641.080, 641.1567, 641.158 and section 2 of this regulation until his or her supervision of the psychological intern is completed or terminated.

3. A person who supervises a psychological assistant in this State on December 21, 2016, is exempt from the amendatory requirements of NAC 641.156 and 641.158 until his or her supervision of the psychological assistant is completed or terminated.

Sec. 19. 1. This section and sections 1 to 6, inclusive, and 8 to 18, inclusive, become effective on December 21, 2016.

2. Section 7 of this regulation, which amends NAC 641.120, becomes effective on December 21, 2016, unless and until NAC 641.120 is repealed in another regulation adopted by the Board of Psychological Examiners and filed with the Secretary of State.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233b.066
LCB FILE R038-16**

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

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

R038-16 contains multiple proposed changes that clarify the profession's education and training standards for future applicants.

Sections 2 & 3: Recently, the Board has noticed that unlicensed individuals were inappropriately piecing together training hours, by starting an internship outside of a formal doctoral training program. In order to be a psychologist, one must come from a formal training program, which guarantees a student is receiving proper direction and supervision. Sections 2 and 3 notify Nevada psychologists acting as supervisors that they cannot take an unlicensed intern without a formal affiliation agreement with the intern's home training program. Further, these sections educate potential applicants with doctoral training in a related field who wish to respecialize in clinical psychology, must complete a formal Re-specialization program.

Section 5: Applicants coming from non-accredited programs must establish that their training is equivalent to accredited training. The current regulation only allows one avenue to complete this requirement. This one avenue proved difficult for applicants and cut off their options for establishing equivalency. Section 5 provides for multiple avenues, and provides the Board the option to require further information to evaluate equivalency.

Sections 4 and 6: National standards for accreditation are to change effective January 1, 2017. There is only one accrediting body for educational standards in the field of psychology- the American Psychological Association (APA). Sections 4 and 6 updates NAC 641 to align with the new APA standards of accreditation and provides a clearer set of guidelines for trainees coming from non-accredited programs to understand what will be needed to prove equivalency, to allow for all applicants to align with the current standards in training in the field of psychology.

Sections 12 and 16: The proposed language change clarifies that supervisors are responsible for the trainees and the trainees' patients, that trainees are not qualified to work independently and that a licensed professional needs to be on site at all times. In emergencies, a licensed professional will be required. The regulation changes serves to protect trainees from being given too much independence prior to the time they are ready. To ensure that trainees and their patients are provided adequate oversight, Supervisors are limited to the numbers of trainees listed in the language change. This ensures that supervisors maintain a manageable caseload. Doing this provides protection to the public and avoids exploitation of the unlicensed trainee.

Sections 8, 9 and 10: These changes align our continuing education credits with new law from the previous legislative session requiring 2 hours of suicide prevention continuing education

hours during renewal for psychologists, behavior analysts and licensed assistant behavior analysts.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested person may obtain a copy of the summary.

Notices of workshop and notices of intent to act upon the regulation were sent by US. Mail and email to persons who were known to have interest in the licensure requirements of Psychologists and Behavior Analysts in the state of Nevada, as well as any specific person who requested notification regarding regulation changes. Each mailing included further information on how to receive a free copy of the proposed regulation. These documents were also made available through the website of the Board of Psychological Examiners, psyexam.nv.gov or by directly emailing the Board office NBOP@govmail.state.nv.us, mailed to all county libraries in Nevada and posted at the following locations:

Board of Psychological Examiners
4600 Kietzke Lane B-116 (E141)
Reno, Nevada 89502

Office of the Attorney General
Grant Sawyer Building
555 E. Washington Ave., Suite 3900
Las Vegas, Nevada 89101

Office of the Attorney General
100 N. Carson St.
Carson City, Nevada 89701

Carson City City Manager
Carson City City Hall
201 N. Carson St., Suite 2
Carson City, Nevada 89701

On August 15, 2016, a workshop was held to discuss language changes after they had been reviewed and approved by the Board to the current NAC 641. A summary of the discussion held regarding the proposed language change is below. Thereafter, on or about November 9, 2016, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated in the proposed amendment that was discussed at the above workshop. On December 9, 2016, a public hearing was held, where the Board of psychological Examiners received public testimony opposed to the use of the word “substantially online” in section 4. The Board of Psychological Examiners approved to adopt proposed regulations R131-16 with changes to section 4, attached. Public spoke for and against the language as proposed at both of the above dates.

On multiple occasions, persons working for Walden University and Capella University, attended regular Board meetings and made remarks regarding the proposed regulation. Upon the first

revision, the Board responded to their initial issue and made the addition of a member of an accredited institution to complete the required education evaluation. It was added in the second revision.

At the regular Board meetings, as well as the public workshop and hearing, persons working with Walden University and Capella University, issues regarding the term “substantially online.” The language change was developed with the assistance of LCB. Utilizing the same language in NAC 641 as listed in the accreditation language exactly. At the Public Hearing, the Board voted that they would remove “substantially online” from section 4.

A member of the University of Nevada, Reno psychology department spoke in support of the language as presented, at both the public workshop and hearing. A member of the State of Nevada Internship consortium also spoke in support of the supervision limits.

3. The number of persons who:

- (a) Attended each hearing:** August 15, 2016: 11; April 29, 2016- 21
- (b) Testified at each hearing:** September 12, 2014 -6; April 29, 2016- 4;
- (c) Submitted to the agency written comments:** 3; 2

4. A list of names and contact information, including telephone number, business address, business telephone number, e-mail address, and name of entity or organization represented for each person identified above in #3, as provided to the agency, is attached as Exhibit A

5. A description of how comment was solicited from affected business, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary of the discussion by the Board may be obtained through Board minutes; however a summary of the comments received are above. The written comments received are attached for review.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Board requested changes to the language change, on three occasions; June 20, 2016, August 19, 2016 and December 2, 2016. Each time after a Board meeting where the Board heard and discussed the requests of the public.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be state separately, and each case must be included:

*Economic effects on regulated businesses:

- a) Adverse, immediate: There are no intended adverse effects from this regulation.
- Adverse, long-term: There are no intended adverse effects from this regulation.

- b) Beneficial, immediate: There are no intended economic effects in this regulation.
Beneficial, long-term: There are no intended economic effects in this regulation.

*Economic effects on public:

- a) Adverse, immediate: There are no intended economic effects in this regulation.
Adverse, long-term: There are no intended economic effects in this regulation.
- b) Beneficial, immediate: There are no intended economic effects in this regulation.
Beneficial, long-term: There are no intended economic effects in this regulation.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no increased cost of enforcement.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explain why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The Board is not aware of any overlapping or duplicating of federal or state regulations. The accreditation standards are from a professional and scientific organization.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are no federal regulations that apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Not applicable.

Regulation adopted with changes on December 2, 2016.