

**PROPOSED REGULATION OF THE BOARD OF EXAMINERS
FOR ALCOHOL, DRUG AND GAMBLING COUNSELORS**

LCB File No. R063-16

June 1, 2016

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

AUTHORITY: §1, NRS 641C.200.

A REGULATION relating to counselors for alcohol, drug and gambling addictions; defining the treatment agencies at which a person certified as an intern may provide certain services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Examiners for Alcohol, Drug and Gambling Counselors to: (1) license or certify persons engaged in the practice or clinical practice of counseling alcohol and drug abusers and problem gamblers; and (2) adopt such regulations as are necessary to carry out the provisions of existing law governing the practice or clinical practice of counseling drug and alcohol abusers or problem gamblers. (NRS 641C.200)

Existing regulations specify that a certified alcohol and drug abuse counselor intern, certified clinical alcohol and drug abuse counselor intern or certified problem gambling counselor intern may only provide services at the practice of the licensed alcohol and drug abuse counselor, licensed clinical alcohol and drug abuse counselor or certified problem gambling counselor supervising the intern, or at a treatment agency. (NAC 641C.250) This regulation defines the term “treatment agency” for the purposes of existing regulations as a public or private agency which provides for the treatment of alcohol and drug abusers or problem gamblers.

Section 1. NAC 641C.250 is hereby amended to read as follows:

641C.250 1. A person who is licensed or certified as an alcohol and drug abuse counselor may:

- (a) Provide counseling for the abuse of alcohol and other drugs, including, without limitation:
 - (1) Making a diagnosis or classification;
 - (2) Providing a referral; or
 - (3) Planning a course of treatment;

(b) Provide counseling to a person who has a significant relationship with an identified or suspected abuser of alcohol or drugs, only to the extent necessary to treat the identified or suspected abuser or engage the identified or suspected abuser in treatment; and

(c) Conduct testing for which the counselor was trained.

2. A person who is licensed as a clinical alcohol and drug abuse counselor may:

(a) Provide counseling for the abuse of alcohol and other drugs, including, without limitation:

(1) Making a diagnosis or classification;

(2) Providing a referral; or

(3) Planning a course of treatment;

(b) Provide counseling for a mental illness to a person with mental illness so long as the person's mental illness is not a psychotic disorder and the person is also an alcoholic or abuser of drugs, including, without limitation:

(1) Making a diagnosis or classification;

(2) Providing a referral; or

(3) Planning a course of treatment;

(c) Provide counseling to a person who has a significant relationship with an identified or suspected abuser of alcohol or drugs, only to the extent necessary to treat the identified or suspected abuser or engage the identified or suspected abuser in treatment; and

(d) Conduct testing for which the counselor was trained.

3. A person who is certified as a problem gambling counselor may:

(a) Provide counseling for problem gambling, including, without limitation:

(1) Making a diagnosis or classification;

(2) Providing a referral; or

(3) Planning a course of treatment;

(b) Provide counseling to a person who has a significant relationship with an identified or suspected problem gambler, only to the extent necessary to treat the identified or suspected problem gambler or engage the identified or suspected problem gambler in treatment; and

(c) Conduct testing for which the counselor was trained.

4. A certified intern may provide any services allowed by law only at a treatment agency or the practice of the licensed or certified counselor supervising the certified intern, subject to the clinical supervision and allowance by the licensed or certified counselor supervising the certified intern. Any entry made by a certified intern in the clinical record of a client must be substantiated in the clinical record and countersigned by the licensed or certified counselor supervising the certified intern. *As used in this subsection, "treatment agency" means any public or private agency which provides for the treatment of alcohol and drug abusers or problem gamblers.*

5. Except as otherwise provided in subsection 6 and in NRS 641C.130, the provision of counseling services related to alcohol and drug abuse or problem gambling to a client in this State through any means, including, without limitation, electronic means or by telephone, regardless of the location of the person providing that counseling, constitutes the practice of counseling alcohol and drug abusers, the clinical practice of counseling alcohol and drug abusers or the practice of counseling problem gamblers which is subject to the provisions of this chapter and chapter 641C of NRS.

6. The practice of counseling alcohol and drug abusers, the clinical practice of counseling alcohol and drug abusers and the practice of counseling problem gamblers in this State does not include counseling activities or services provided by the following persons:

(a) A student of psychology or any other person preparing for the profession of psychology under the supervision of a qualified psychologist in a training institution or facility recognized by the Board of Psychological Examiners pursuant to the provisions of chapter 641 of NRS. Such a student or person must be designated by the title “psychological trainee,” “psychological intern,” “psychological resident” or “psychological assistant,” or any other title which clearly indicates his or her training status.

(b) A student of marriage and family therapy or clinical professional counseling, or any other person preparing for the profession of marriage and family therapy or clinical professional counseling, under the supervision of a qualified marriage and family therapist or a qualified clinical professional counselor in a training institution or facility recognized by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to chapter 641A of NRS. Such a student or person must be designated by the title “intern in marriage and family therapy,” “intern in clinical professional counseling” or any other title which clearly indicates his or her training status.

(c) A student of social work or any other person preparing for the profession of social work under the supervision of a qualified social worker in a training institution or facility recognized by the Board of Examiners for Social Workers pursuant to chapter 641B of NRS. Such a student must be designated by the title “student of social work” or “trainee in social work,” or any other title which clearly indicates his or her training status.

7. A person who engages in the practice of counseling alcohol and drug abusers may represent himself or herself as:

(a) A licensed alcohol and drug abuse counselor, or use the initials “LADC” after his or her name, only if the counselor is licensed as such by the Board.

(b) A certified alcohol and drug abuse counselor, or use the initials “CADC” after his or her name, only if the counselor is certified as such by the Board.

(c) If the person is issued a certificate as an alcohol and drug abuse counselor pursuant to NAC 641C.276 or 641C.277, a Native American certified alcohol and drug abuse counselor, or use the initials “NACADC” after his or her name.

8. A person who engages in the clinical practice of counseling alcohol and drug abusers may represent himself or herself as a licensed clinical alcohol and drug abuse counselor, or use the initials “LCADC” after his or her name, only if the counselor is licensed as such by the Board.

9. A person who engages in the practice of counseling problem gamblers may represent himself or herself as a certified problem gambling counselor, or use the initials “CPGC” after his or her name, only if the counselor is certified as such by the Board.

10. Except as otherwise provided in subsection 11, a certified intern may represent himself or herself as:

(a) A certified alcohol and drug abuse counselor intern, or use the words “CADC Intern” after his or her name, only if the certified intern is certified as such by the Board.

(b) A certified clinical alcohol and drug abuse counselor intern, or use the words “CCADC Intern” after his or her name, only if the certified intern is certified as such by the Board.

(c) A certified problem gambling counselor intern, or use the words “CPGC Intern” after his or her name, only if the certified intern is certified as such by the Board.

11. The representation used by a certified intern must ensure that a client does not confuse or misunderstand the fact that the certified intern is not a licensed or certified counselor.