

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R158-17

January 18, 2018

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

AUTHORITY: §§1 and 3, NRS 640D.090, 640D.110 and 640D.130 and section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510; §2, NRS 640D.090 and section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510.

A REGULATION relating to music therapists; prescribing the requirements for licensure by endorsement; authorizing the Executive Officer of the State Board of Health to request certain documents from an applicant for licensure or holder of a license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain regulatory bodies to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who: (1) holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States; (2) possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and (3) meets certain other requirements. (Section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510) **Section 2** of this regulation prescribes the requirements for licensure by endorsement as a music therapist.

Existing law provides for the licensure of music therapists by the State Board of Health. (NRS 640D.110-640D.150) **Section 3** of this regulation authorizes the Executive Officer of the Board to request any documents from an applicant for or holder of a license that the Executive Officer determines are necessary to carry out the duties of the Executive Officer concerning the licensure of music therapists.

Section 1. Chapter 640D of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. The Executive Officer may issue a license by endorsement to an applicant who is certified as a music therapist by the Certification Board for Music Therapists or its successor organization and holds a corresponding and unrestricted license as a music therapist in the District of Columbia or any state or territory of the United States if the applicant:

(a) Provides to the Executive Officer the name of the state or territory of the United States, or the District of Columbia, in which the applicant holds a corresponding and unrestricted license and the number of that license;

(b) Attests, under penalty of perjury, that he or she meets the requirements of paragraphs (a) to (f), inclusive, of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510;

(c) Complies with the requirements of paragraphs (g) and (h) of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510; and

(d) Submits to the Executive Officer the information required by NRS 640D.120 and NAC 640D.050.

2. For the purposes of paragraph (h) of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510, a corresponding and unrestricted license as a music therapist in the District of Columbia or any state or territory of the United States shall be deemed to be proof that the applicant has previously passed a comparable criminal background check if the applicant was required to pass such a background check, including, without limitation, the submission of fingerprints to the Federal Bureau of Investigation, as a condition for obtaining that license.

Sec. 3. *The Executive Officer may request any documents from an applicant for a license or the holder of a license that the Executive Officer determines are necessary to carry out the duties prescribed in NAC 640D.050 to 640D.100, inclusive, and sections 2 and 3 of this regulation.*