

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233b.066
LCB FILE R169-18**

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.

The Board has voted to submit this regulation, to raise and clarify fees that are not dictated by NRS 641. The need to increase fees, is to address inflation and rise in Board costs. It was noted during sunset, that our Board costs were some of the lowest of the Western states, and these increases would align with our neighboring states.

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

Notices of workshop and notices of intent to act upon the regulation were sent by the 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
100 N. Carson St.
Carson City, Nevada 89701

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

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

A workshop was held to discuss language changes to the current NAC 641 on, October 12, 2018, the minutes of the meeting can be obtained through contacting the Board office, each contains a summary of the discussion held regarding the proposed language change. Thereafter, on or about November 13, 2018, 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 14, 2018, a public hearing was held, where the Board of Psychological Examiners received no testimony. The Board of Psychological Examiners approved to adopt proposed regulations R169-18. No public spoke for or against the language change at any of the above dates.

3. The number of persons who:

(a) Attended each hearing: October 12 , 2018- 14; December 14, 2018- 10

(b) Testified at each hearing: October 12, 2018- 0; December 14, 2018- 0

(c) Submitted to the agency written comments: a no written comment was received in relation to this regulation change.

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

October 12, 2018:

Michelle Paul, Board President

Morgan Gleich, Executive Director

Whitney Owens, Secretary/Treasurer

Patrick Ghezzi, Board Member

Pam Becker, Board Member

Anthony Papa, Board Member

Gary Lenkeit, Ph.D., Board Investigator

Sarah Bradley, DAG

Adriana Wechsler Zimring, Ph.D.

Lenon Tyler

Jennifer Frischmann, ADSD

Megan Wickland, ADSD

December 14, 2018

Michelle Paul, Board President

Whitney Owens, Board Secretary/Treasurer

John Krogh, Board Member

Patrick Ghezzi, Board Member

Pam Becker, Board Member

Stephanie Holland, Board Member

Anthony Papa, Board Member

Sarah Bradley, DAG

Morgan Gleich, Executive Director

Ellen Rahn, Executive Assistant

Adriana Wechsler Zimring:

Brian Lech

Ken MacAleese

Hal Taylor

5. A description of how the comment was solicited from affected business, a summary of their response, and an explanation of 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 the minutes; which can be obtained by contacting the Board office or locating them on the Board's website, psyexam.nv.gov. However, no member of the public spoke in support or opposition of the language.

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 regulation was developed as the Board drafted. Upon review no revision was requested.

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

*Economic effects on regulated businesses:

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

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

*Economic effects on the public:

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

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.

The Board has budgeted to receive \$10,000 more in the next biennium in application fees over the last biennium from the three levels current levels, and the trainee level introduced in R074-18. No other items were increased on the Board budget.

The regulation adopted on December 14, 2018.