

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R173-20**

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

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

This regulation authorizes a person to teach psychology or conduct psychological research without a license if the teaching or research does not involve the delivery or supervision of direct psychological services to a person.

This regulation requires a person who engages in the teaching of psychology or in psychological research that involves the delivery or supervision of direct psychological services to a person to obtain a license from the Board.

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 to persons who were known to be licensed as a psychologist in the state of Nevada, as well as any specific person who requested notification regarding regulation changes. Such distribution 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
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 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 November 13, 2020, and the minutes of the meeting, which can be obtained through contacting the Board office or locating them on the Board's website Psyexam.nv.gov, contain a summary of the discussion held regarding the proposed language change. No public nor written comment was received.

Thereafter, on or about January 12, 2021, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated the proposed amendment that was discussed at the above workshop. On February 12, 2021, a public hearing was held, where the Board of Psychological Examiners received public comment from one individual who expressed that a person engaged in teaching or research, as described in the regulation, should be licensed.

The Board of Psychological Examiners approved adoption of the proposed regulation R173-20 with no changes.

3. The number of persons who:

- (a) Attended each hearing:** November 13, 2020 - 7; February 12, 2021 - 8
- (b) Testified at each hearing:** November 13, 2020 - 0; February 12, 2021 - 1
- (c) Submitted to the agency written comments:** November 13, 2020 - 0; February 12, 2021 - 5

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;

November 13, 2020:

None

February 12, 2021:

Alicia Brown – made public comment

Alicia Brown, Robert Mirabella, Jeffrey Gilliland, Carl Williams and O. Fallye – submitted a joint statement

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 request for input regarding impact was sent to all licensed by the Board of Psychological Examiners. The summary of the discussion by the Board may be obtained through the minutes; which can be obtained through

contacting the Board office or locating them on the Board's website, psyexam.nv.gov. One letters of written comment was submitted in opposition to the change.

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 not changed based on input at the hearing. The proposed regulation is the informal practice at the University of Nevada, Reno and University of Nevada, Las Vegas.

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

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

***Economic effects on 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: The beneficial economic effect is to the support provided to licensees and registrants.

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.

There is no proposed increase to fees.

Regulation adopted on February 12, 2021.