

SENATE BILL NO. 162—SENATOR GANSERT

PREFILED FEBRUARY 13, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to psychological assistants, psychological interns and psychological trainees. (BDR 54-614)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to psychology; requiring the registration of psychological assistants, psychological interns and psychological trainees by the Board of Psychological Examiners; requiring an applicant for such a registration to submit an application and his or her fingerprints; requiring a psychologist who supervises the performance of certain services by a registrant to be reimbursed for such services under the State Plan for Medicaid; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the licensure of psychologists by the State Board of
2 Psychology. (NRS 641.160, 641.170) Under existing regulations: (1) a person who
3 wishes to obtain certain postdoctoral experience in psychology must register with
4 the Board as a psychological assistant and perform certain activities only under the
5 supervision of a licensed psychologist; and (2) a person who is in a doctoral
6 program in psychology and who is engaged in an internship is not required to
7 register with the Board but may perform certain activities under the supervision of a
8 licensed psychologist. (NAC 641.1507-641.161)

9 **Sections 1-10** of this bill provide for the registration of psychological
10 assistants, psychological interns and psychological trainees. **Section 5** of this bill
11 requires: (1) a person who wishes to obtain certain postdoctoral experience in
12 psychology to register with the Board as a psychological assistant; (2) a person who
13 is in a doctoral program in psychology and who wishes to engage in an internship
14 to register with the Board as a psychological intern; and (3) a person who is in a
15 doctoral program and who wishes to perform certain activities or services which are
16 not part of an internship program to register with the Board as a psychological
17 trainee. **Section 5** further requires an applicant for such a registration to submit to
18 the Board: (1) an application; and (2) a complete set of fingerprints and a fee for



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19 obtaining a criminal background check on the applicant. **Section 9** of this bill
20 requires an applicant for a registration to include in the application his or her social
21 security number and a statement relating to compliance with certain child support
22 orders. **Section 10** of this bill requires the Board to suspend a registration if the
23 registered person fails to comply with certain requirements related to child support
24 orders. Under **section 5**, a person registered as a psychological assistant,
25 psychological intern or psychological trainee is authorized to perform professional
26 activities and services only under the supervision of a licensed psychologist.
27 **Section 7** of this bill authorizes the Board to adopt regulations relating to the
28 registration of persons as psychological assistants, psychological interns and
29 psychological trainees, and to suspend or revoke such a registration under certain
30 circumstances.

31 Existing law requires the Director of the Department of Health and Human
32 Services to adopt a State Plan for Medicaid, to be implemented by the Division of
33 Health Care Financing and Policy of the Department. (NRS 422.063) Existing law
34 also requires that various services rendered by certain providers of health care be
35 reimbursable under the State Plan for Medicaid. (NRS 422.2717-422.27241)
36 **Section 11** of this bill authorizes the Department, through the Division, to
37 reimburse a psychologist for certain services rendered by a registered psychological
38 assistant, psychological intern or psychological trainee under the supervision of the
39 psychologist.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 641 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 5 of this act.

3 **Sec. 2.** *“Psychological assistant” means a person registered*
4 *with the Board as a psychological assistant pursuant to subsection*
5 *1 of section 5 of this act.*

6 **Sec. 3.** *“Psychological intern” means a person registered*
7 *with the Board as a psychological intern pursuant to subsection 2*
8 *of section 5 of this act.*

9 **Sec. 4.** *“Psychological trainee” means a person registered*
10 *with the Board as a psychological trainee pursuant to subsection 3*
11 *of section 5 of this act.*

12 **Sec. 5.** 1. *A person who wishes to obtain any postdoctoral*
13 *supervised experience that is required for licensure as a*
14 *psychologist pursuant to paragraph (e) of subsection 1 of NRS*
15 *641.170 must register with the Board as a psychological assistant.*

16 2. *A person who is in a doctoral training program in*
17 *psychology at an accredited educational institution approved by*
18 *the Board and who wishes to engage in a predoctoral internship*
19 *pursuant to the requirements of the training program must*
20 *register with the Board as a psychological intern.*

21 3. *A person who is in a doctoral training program in*
22 *psychology at an accredited educational institution approved by*
23 *the Board and who wishes to perform professional activities or*



1 *services under the supervision of a psychologist must register with*
2 *the Board as a psychological trainee.*

3 *4. A person desiring to register as a psychological assistant,*
4 *psychological intern or psychological trainee must:*

5 *(a) Make application to the Board on a form, and in a manner,*
6 *prescribed by the Board. The application must include all*
7 *information required to complete the application.*

8 *(b) As part of the application and at his or her own expense:*

9 *(1) Arrange to have a complete set of fingerprints taken by*
10 *a law enforcement agency or other authorized entity acceptable to*
11 *the Board; and*

12 *(2) Submit to the Board:*

13 *(I) A complete set of fingerprints, a fee for the*
14 *processing of fingerprints established by the Board and written*
15 *permission authorizing the Board to forward the fingerprints to*
16 *the Central Repository for Nevada Records of Criminal History*
17 *for submission to the Federal Bureau of Investigation for a report*
18 *on the applicant's background, and to such other law enforcement*
19 *agencies as the Board deems necessary for a report on the*
20 *applicant's background; or*

21 *(II) Written verification, on a form prescribed by the*
22 *Board, stating that the set of fingerprints of the applicant was*
23 *taken and directly forwarded electronically or by other means to*
24 *the Central Repository for Nevada Records of Criminal History*
25 *and that the applicant provided written permission authorizing the*
26 *law enforcement agency or other authorized entity taking the*
27 *fingerprints to submit the fingerprints to the Central Repository*
28 *for Nevada Records of Criminal History for submission to the*
29 *Federal Bureau of Investigation for a report on the applicant's*
30 *background, and to such other law enforcement agencies as the*
31 *Board deems necessary for a report on the applicant's*
32 *background.*

33 *5. The Board may:*

34 *(a) Unless the applicant's fingerprints are directly forwarded*
35 *pursuant to sub-subparagraph (II) of subparagraph (2) of*
36 *paragraph (b) of subsection 4, submit those fingerprints to the*
37 *Central Repository for Nevada Records of Criminal History for*
38 *submission to the Federal Bureau of Investigation and to such*
39 *other law enforcement agencies as the Board deems necessary;*
40 *and*

41 *(b) Request from each agency to which the Board submits the*
42 *fingerprints any information regarding the applicant's*
43 *background as the Board deems necessary.*

44 *6. An application is not considered complete and received*
45 *until the Board receives a complete set of fingerprints or*



1 *verification that the fingerprints have been forwarded*
2 *electronically or by other means to the Central Repository for*
3 *Nevada Records of Criminal History, and written authorization*
4 *from the applicant pursuant to this section.*

5 *7. Any activity or service performed by a psychological*
6 *assistant, psychological intern or psychological trainee must be*
7 *performed under the supervision of a psychologist in accordance*
8 *with regulations adopted by the Board.*

9 **Sec. 6.** NRS 641.020 is hereby amended to read as follows:

10 641.020 As used in this chapter, unless the context otherwise
11 requires, the words and terms defined in NRS 641.0202 to 641.027,
12 inclusive, *and sections 2, 3 and 4 of this act* and 689A.0435 have
13 the meanings ascribed to them in those sections.

14 **Sec. 7.** NRS 641.100 is hereby amended to read as follows:

15 641.100 The Board may make and promulgate rules and
16 regulations not inconsistent with the provisions of this chapter
17 governing its procedure, the examination and licensure of
18 applicants, the granting, refusal, revocation or suspension of
19 licenses, *the registration of persons as psychological assistants,*
20 *psychological interns or psychological trainees,* the practice of
21 psychology and the practice of applied behavior analysis.

22 **Sec. 8.** NRS 641.110 is hereby amended to read as follows:

23 641.110 1. The Board may, under the provisions of this
24 chapter:

25 (a) Examine and pass upon the qualifications of the applicants
26 for licensure.

27 (b) License qualified applicants.

28 (c) *Register a person as a psychological assistant,*
29 *psychological intern or psychological trainee.*

30 (d) Revoke or suspend licenses ~~+~~ *and registrations.*

31 ~~+~~ (e) Collect all fees and make disbursements pursuant to
32 this chapter.

33 2. The member of the Board who is a representative of the
34 general public shall not participate in preparing, conducting or
35 grading any examination required by the Board.

36 **Sec. 9.** NRS 641.175 is hereby amended to read as follows:

37 641.175 1. In addition to any other requirements set forth in
38 this chapter:

39 (a) An applicant for the issuance of a license *or registration*
40 shall include the social security number of the applicant in the
41 application submitted to the Board.

42 (b) An applicant for the issuance or renewal of a license *or*
43 *registration* shall submit to the Board the statement prescribed by
44 the Division of Welfare and Supportive Services of the Department



1 of Health and Human Services pursuant to NRS 425.520. The
2 statement must be completed and signed by the applicant.

3 2. The Board shall include the statement required pursuant to
4 subsection 1 in:

5 (a) The application or any other forms that must be submitted
6 for the issuance or renewal of the license ~~H~~ *or registration*; or

7 (b) A separate form prescribed by the Board.

8 3. A license *or registration* may not be issued or renewed by
9 the Board if the applicant:

10 (a) Fails to submit the statement required pursuant to subsection
11 1; or

12 (b) Indicates on the statement submitted pursuant to subsection
13 1 that the applicant is subject to a court order for the support of a
14 child and is not in compliance with the order or a plan approved by
15 the district attorney or other public agency enforcing the order for
16 the repayment of the amount owed pursuant to the order.

17 4. If an applicant indicates on the statement submitted pursuant
18 to subsection 1 that the applicant is subject to a court order for the
19 support of a child and is not in compliance with the order or a plan
20 approved by the district attorney or other public agency enforcing
21 the order for the repayment of the amount owed pursuant to the
22 order, the Board shall advise the applicant to contact the district
23 attorney or other public agency enforcing the order to determine the
24 actions that the applicant may take to satisfy the arrearage.

25 **Sec. 10.** NRS 641.242 is hereby amended to read as follows:

26 641.242 1. If the Board receives a copy of a court order
27 issued pursuant to NRS 425.540 that provides for the suspension of
28 all professional, occupational and recreational licenses, certificates
29 and permits issued to a person who is the holder of a license *or*
30 *registration* issued pursuant to this chapter, the Board shall deem
31 the license *or registration* issued to that person to be suspended at
32 the end of the 30th day after the date on which the court order was
33 issued unless the Board receives a letter issued to the holder of the
34 license by the district attorney or other public agency pursuant to
35 NRS 425.550 stating that the holder of the license *or registration*
36 has complied with the subpoena or warrant or has satisfied the
37 arrearage pursuant to NRS 425.560.

38 2. The Board shall reinstate a license *or registration* issued
39 pursuant to this chapter that has been suspended by a district court
40 pursuant to NRS 425.540 if the Board receives a letter issued by the
41 district attorney or other public agency pursuant to NRS 425.550 to
42 the person whose license *or registration* was suspended stating that
43 the person whose license was suspended has complied with the
44 subpoena or warrant or has satisfied the arrearage pursuant to
45 NRS 425.560.



1 **Sec. 11.** Chapter 422 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. The Department, through the Division, may reimburse,***
4 ***under the State Plan for Medicaid, any psychologist licensed***
5 ***pursuant to chapter 641 of NRS who supervises a psychological***
6 ***assistant, psychological intern or psychological trainee for such***
7 ***services rendered under the authorized scope of practice of the***
8 ***psychological assistant, psychological intern or psychological***
9 ***trainee to persons eligible to receive that assistance if another***
10 ***provider of health care would be reimbursed for providing those***
11 ***same services.***

12 ***2. As used in this section:***

13 ***(a) "Psychological assistant" has the meaning ascribed to it in***
14 ***section 2 of this act.***

15 ***(b) "Psychological intern" has the meaning ascribed to it in***
16 ***section 3 of this act.***

17 ***(c) "Psychological trainee" has the meaning ascribed to it in***
18 ***section 4 of this act.***

19 **Sec. 12.** This act becomes effective on July 1, 2017.

