

**ADOPTED REGULATION OF THE
STATE BOARD OF PSYCHOLOGICAL EXAMINERS**

LCB File No. R153-97

November 6, 1997

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

AUTHORITY: §2, NRS 641.113; §§3 and 4, NRS 641.100 and 641.190; §5, NRS 641.370; §6, NRS 641.100; §7, NRS 641.100, 641.175, 641.220, 641.242 (§§ 360, 361 and 363 of chapter 483, Statutes of Nevada 1997, at pages 2152-53).

Section 1. Chapter 641 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *1. Except as otherwise provided in subsection 3, a firm, partnership or corporation that engages in or offers to engage in the practice of psychology must register with the board and pay the fee for registration before it commences to engage in or offer to engage in the practice of psychology.*

2. The registration of such a firm, partnership or corporation expires on December 31 of each odd-numbered year. To continue to engage in or offer to engage in the practice of psychology, a firm, partnership or corporation must reregister with the board and pay the fee for registration on or before December 31 of each odd-numbered year.

3. The following entities are exempt from the requirements of this section:

(a) A federal, state or local governmental agency or institution.

(b) A firm or corporation that bears the name of a psychologist licensed by the board who is the only person practicing under the name of the firm or corporation.

(c) A firm, partnership or corporation that is formed for the sole purpose of sharing administrative expenses, including, without limitation, rent, services for billing patients and clerical support, if:

(1) The place of business of the firm, partnership or corporation is not identified by the name of the firm, partnership or corporation;

(2) Records of patients, correspondence concerning patients and materials for billing patients do not display the name of the firm, partnership or corporation;

(3) The name of the firm, partnership or corporation is not used in any advertising by the firm, partnership or corporation;

(4) The firm, partnership or corporation does not hold a business license issued by a county, city or town to engage in the practice of psychology; and

(5) Professional liability insurance is not held in the name of the firm, partnership or corporation.

Sec. 3. 1. *The board will issue a license to an applicant if the applicant:*

(a) Has been licensed to practice psychology based on a doctoral degree that relates primarily to psychology and has been practicing psychology continuously for 5 years in a jurisdiction whose requirements have been determined by the board to be at least equivalent to the requirements of chapter 641 of NRS;

(b) Successfully completes an examination prescribed by the board to test the applicant's knowledge of the statutes and regulations of the State of Nevada governing the practice of psychology;

(c) Has not previously been convicted of a felony;

(d) Has not been subject to disciplinary action in another jurisdiction;

(e) Does not have any outstanding complaints or charges pending against him in another jurisdiction;

(f) Has not previously been denied licensure by the board; and

(g) Submits to the board the appropriate application and fees and 3 letters of professional reference that attest without reservation to the professional competence, moral character and current fitness to practice of the applicant.

2. The board may require the applicant to appear before the board to demonstrate:

(a) His moral character;

(b) His current fitness to practice psychology; and

(c) His intent to practice psychology in a manner consistent with his education, training and experience.

Sec. 4. NAC 641.025 is hereby amended to read as follows:

641.025 The board will issue a license [by reciprocity] to an applicant who has:

1. Been licensed to practice psychology not less than 20 years in other states of the United States or in Canada, if that license was based on a doctoral degree which relates primarily to psychology;

2. Had no disciplinary action taken against him during the period of licensure;

3. Passed an oral examination conducted by the board; and

4. Submitted the appropriate application and fees.

Sec. 5. NAC 641.135 is hereby amended to read as follows:

641.135 The board will charge and collect the following fees:

For an application for licensure	\$100
For the written examination for licensure	350
For the oral examination for licensure	240
For the issuance of an initial license	25
For the biennial renewal of a license	[400] 500
For the biennial registration of a firm, partnership or corporation	300
For the registration of a nonresident consultant	100
For reproduction and mailing of material for an application	25
For a set of mailing labels	15
For a dishonored check	15
For the review of a failed examination	175
For a change of name on a license	25
For a duplicate license	25
For a list of practicing psychologists	10
For a list of persons granted a license in any year	10
For copies of the provisions of NRS relating to the practice of psychology and the rules and regulations adopted by the board	25
For a letter of good standing	15
For the review and approval of a course or program of continuing education	25

Sec. 6. NAC 641.206 is hereby amended to read as follows:

641.206 If [a patient of] a psychologist is *treating* a child or [has a legal guardian,] *ward*, the parent or legal guardian *of the child or ward* is the *patient* for the purpose of making

decisions concerning [treatment, except that the patient] *treatment. The child or ward who is receiving services from the psychologist [shall make decisions concerning:] is also the patient for:*

1. Issues directly affecting the physical or emotional safety of the [patient,] *child or ward,* including , *without limitation,* sexual relationships or other exploitive dual relationships.

2. Issues which the parent or legal guardian has specifically agreed, before the [patient] *child or ward* receives psychological services, must be reserved to the [patient,] *child or ward,* including , *without limitation,* confidential communications between the psychologist and [patient] *child or ward* during the course of the professional relationship.

Sec. 7. NAC 641.245 is hereby amended to read as follows:

641.245 1. A psychologist shall not violate any law or regulation which governs the practice of psychology.

2. A psychologist shall not use fraud, misrepresentation or deception:

(a) To obtain a license or pass an examination required for licensure;

(b) To assist another person in obtaining a license or passing an examination required for licensure;

(c) In billing a patient or other person who is responsible for payment;

(d) In providing his professional services;

(e) In reporting the results of any psychological evaluation or service; or

(f) To conduct any other activity related to the practice of psychology.

3. A psychologist shall not willfully make or file any false report, fail to file any report required by law or by the board, willfully impede or obstruct any such filing, or induce another person to engage in any act prohibited by this subsection.

4. A psychologist shall not violate any condition, limitation or term of probation imposed upon him by the board.

5. *A psychologist shall not:*

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.