

**LCB File No. R078-99**

**NOTICE OF INTENT TO ACT UPON A REGULATION**

Notice of Hearing for the Adoption, Amendment and repeal of Regulations of the  
Nevada State Board of Psychological Examiners

The Nevada State Board of Psychological Examiners will hold a public hearing by telephone  
conference at 10:00 a.m. on Saturday, August 28, 1999 at:

The office of Louis F. Mortillaro, Ph.D.  
501 South Rancho Drive, Suite F-37  
Las Vegas, Nevada 89106

and

Childrens Behavioral Services  
2655 Enterprise Road, Classroom 2  
Reno, Nevada 89512

The purpose of the hearing is to receive comments from all interested persons regarding  
the adoption, amendment and repeal of regulations that pertain to chapter 641 of the Nevada  
Administrative Code.

The substance and purpose of the proposed amendments are as follows:

Clarification of explicit standards required for the practice of psychology without a  
license in an accredited educational institution or public agency.

Change the passing score for the oral examination from a grade of 70 to a 70 percent.

Establishment of procedures for licensees to maintain their license on inactive status.

Establishment of continuing education Units for assisting with professional activities.

The estimated economic effect both immediate and long-term on the profession is a  
savings of \$250.00 each biennium to maintain their license on inactive status. Also, receiving  
Continuing Education Units for assisting with professional activities would save the licensees the  
cost for attending other continuing education programs. The estimated cost to the Board of  
Psychological examiners for enforcement of the proposed regulation would be minimal.

Persons wishing to comment upon the proposed action of the Board of Psychological  
examiners may appear at the scheduled public hearing or may address their comments, data,  
view or arguments in written form to:

Nevada State Board of Psychological Examiners  
P.O. Box 2286  
Reno, Nevada 89505-2286

or may be faxed to the Board of Psychological Examiners at (775) 688-1268.

Written submissions must be received by the Board of Psychological examiners on or before August 20, 1999. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Psychological Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be available at the office of the Board of Psychological Examiners at 275 Hill Street, Suite 246, Reno, Nevada 89505-2286, and in all counties in which an office of the Board is not maintained, at the main public library for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Board of Psychological Examiners, 275 Hill Street, Suite 246, Reno, Nevada  
Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, Nevada  
Office of the Attorney General 100 No. Carson Street, Carson City, Nevada  
Washoe County Courthouse, 75 Court Street, Reno, Nevada

LCB File No. R078-99

**PROPOSED REGULATION OF THE  
BOARD OF PSYCHOLOGICAL EXAMINERS**

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

AUTHORITY:NRS 641.100

**Section 1.** Chapter 641 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10 inclusive of this regulation.

**Section 2.** *An accredited educational institution or public agency employing a person as a psychologist who does not hold a license from the board shall:*

*1. Develop explicit written standards (job description, work performance standards, and ethical principles and code of conduct) which set forth the qualifications required for each position and the parameters under which psychological services shall be provided including, but not limited to:*

*(a) Formal course work from a regionally accredited institution that is primarily psychological in nature;*

*(b) Supervised experience and training in an organization that delivers psychological services; and*

*(c) The educational institution or public agency shall provide supervision by a licensed psychologist or the work performed for the educational institution or public agency shall be periodically reviewed a minimum of every six months by a licensed psychologist to ensure that psychological services are consistent with the community standard of care.*

**Section 3.** *A person employed as a psychologist who does not hold a license from the board shall limit his practice to his areas of competence, as documented by education, training and experience.*

**Section 4.** *The employer shall file the explicit standards with the Board that shall be updated annually.*

**Section 5.** NAC 641.112 is hereby amended to read as follows:

641.112 1. The board will administer an oral examination to each applicant for a license as a psychologist.

2. The oral examination will consist of short hypothetical cases presented for the applicant's review and response. Written materials provided to the applicant will contain all the information necessary to respond to the examiners' questions. The materials for the hypothetical cases may include the results of commonly used psychological tests.

3. The oral examination will be scored based on the applicant's:

(a) Applicable professional knowledge, including his ability to analyze a problem, his theoretical knowledge and his integrated thinking;

(b) Knowledge and application of psychometrics;

(c) Application of professional skills, including intervention and case or problem management, or both;

(d) Sensitivity to sociocultural issues;

(e) Recognition of his limitations;

(f) Judgment in analysis and case management;

(g) Awareness and appreciation of related professions and his ability to relate to them;

(h) Ability to evaluate and prevent suicide;

(i) Knowledge and skills related to community referrals;

(j) Knowledge and skills related to involuntary confinement;

(k) Knowledge and skills related to issues concerning confidentiality;

(l) Knowledge and skills related to the requirements for reporting abuse and the duty to protect the welfare of other persons; and

(m) Knowledge of related federal and state laws, standards of ethics and codes of professional conduct and the ability to apply those laws, standards and codes to the practice of psychology.

4. Except as otherwise provided in this subsection, the oral examination will be administered by a panel of two licensed psychologists who are selected by the board, but are not members of the board. Members of the board may serve as examiners if necessary to provide a timely opportunity to complete the oral examination.

5. A grade of 70 *percent* is a passing grade for the oral examination.

6. An applicant who fails the oral examination may review his examination upon written request submitted to the board. The written request must be submitted within 10 days after receiving written notice of the failure.

7. An applicant who fails the oral examination may submit a written request to the board for one reevaluation of his oral examination within 10 days after receiving written notice of the failure. The board may grant or deny an applicant's request for reevaluation. The board will give written notice of its decision within 20 days after receiving the written request for reevaluation. If the request for reevaluation is granted, the board will issue a final evaluation of the applicant's oral examination within 60 days after notifying the applicant of its decision to undertake the reevaluation.

8. The fee for the oral examination must be paid before the examination is administered. A fee must be paid each time the applicant takes the oral examination.

9. An applicant shall not:

- (a) ~~[Take]~~ *Remove any* notes *taken* during the oral examination;
- (b) Record the oral examination by electronic or other means; or
- (c) Engage in any other conduct that results in the disclosure of the contents of the examination.

**Section 6.** *A psychologist who holds a license to practice psychology in this state may, upon written request to the board, place his license on inactive status. A psychologist whose license is on inactive status shall pay a fee each biennium that is one-half of the fee which is required for the biennial renewal of a license.*

**Section 7.** *A psychologist shall not practice psychology in this state during the time that his license is inactive.*

**Section 8.** *A psychologist whose license is on inactive status may reactivate his license if he pays the fee for renewal of a license and submits proof of his compliance with the requirements for continuing education, including professional ethics, for each biennium that his license is placed in inactive status.*

**Section 9.** *The board may also require the applicant to do the following:*

- 1. Take the written examination or oral examination, or both.*
- 2. If the applicant engaged in the practice of psychology in another jurisdiction during the time that his license was on inactive status, submit proof of such practice and proof that he is in good standing.*
- 3. Submit other proof that is required by the board to demonstrate that the applicant possesses the competency and fitness to practice psychology.*

**Section 10.** *Licenses who serve the Board of psychology as commissioners on any oral examination or as selected participants in any approved oral examination development*

*related function, or serve on a Board approved committee assignment will receive a maximum of eight hours of continuing education credit per biennium.*