

SMALL BUSINESS IMPACT STATEMENT R091-14
(NRS 233B.0609)
(Updated 6/15/16)

1. Describe the manner in which comment will be solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary. (*Attach copies of the comments received and copies of any workshop attendance sheets, noting which are identified as a small business.*)

Manner in which comment was solicited:

The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors (Board) conducted public workshops on September 5, 2014, December 5, 2014 and April 10, 2015 in Carson City, Nevada and in Las Vegas, Nevada to solicit comments from small businesses. Notice of these workshops were posted at the University of Nevada Reno Getchell Library, Reno; Grant Sawyer Building, Las Vegas; Office of Attorney General, Carson City; University of Nevada Las Vegas Lied Library, Las Vegas; Clark County District Library, Las Vegas; on the Board's website, www.marriage.nv.gov, and at the Board office, Las Vegas. The Workshop notice and the proposed regulation will also be mailed to all county libraries in Nevada as well as to individuals on the Board's mailing list.

Summary of the response from small businesses:

The Board received no comments about the impact to small businesses.

Manner in which other interested persons may obtain a copy of the summary:

Copies of comments submitted by the public and from the small businesses will be accessible in the workshop minutes after the workshop on the Meetings Page of the Board's website or obtained from the Board Office directly upon request.

The minutes of the workshops will contain summaries of the public response to the proposed amendments. A copy of the minutes may be obtained from the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, 9436 W. Lake Mead Blvd., Suite 11-J, Las Vegas, NV 89134, 702-486-7388, e-mail to nvmftbd@mftbd.nv.gov, or on its website at www.marriage.nv.gov.

2. The manner in which the analysis was conducted (if an impact was determined).

At the September 5, 2014 workshop comments were received regarding the potential cost of adding the endorsement which led to the decision to send a survey to all clinical professional counselors and clinical professional counselor interns.

A survey was sent to all licensed clinical professional counselors and clinical professional counselor interns to determine the impact if they choose to expand their clinical practice to work with couples and families through an endorsement, on their small business.

(See attached copy of the clinical professional counselor endorsement survey)

3. The estimated economic effect of the proposed regulation on small businesses:

a. Both adverse and beneficial effects

The economic effect of the proposed regulation on small business would be on only those clinical professional counselors and clinical professional counselor interns who choose to expand their scope of practice through the endorsement. The adverse effect could be the cost of meeting the endorsement requirements. The beneficial effect could be the expansion of scope of practice and additional clients that the clinical professional counselors and clinical professional counselor interns would be able to see with an endorsement.

Based on the proposed educational, supervision and exam requirements for the endorsement, the Board examined the range of costs that could be incurred to secure such an endorsement.

A comparison of the educational requirements for clinical professional counselors and marriage and family therapists revealed a few areas in which the required course content for clinical professional counselors and marriage and family therapists were totally different and where the graduate education of clinical professional counselors may not include content specific to working with couples and families. These differences led to the proposed educational requirements with six areas of study specific to working with couples and families. The Board recognizes that many clinical professional counselors may already have graduate coursework in some, if not all, of these areas of study. To that end, the Board will ascribe credit for all completed graduate coursework in these six areas of study. The potential impact for those wishing to expand their scope of practice is that they will have to document meeting the areas of study requirements. For those areas where they do not have the requisite graduate coursework, clinical professional counselors and clinical professional counselor interns will need to obtain it. As a result, if they already have the coursework, there would not be an additional expense. However, if they do not, there is the potential expense of tuition to obtain the required coursework-- up to a maximum of six courses.

With regard to clinical experience working with couples and families and corresponding supervision oversight, the Board determined, with feedback from the September 5, 2014 workshop, that those clinical professional counselors and clinical professional counselor interns seeking endorsement to work with couples and families will need to document at least 750 hours of face-to-face couples or family counseling and at least 150 hours of supervision related to that counseling. As a result, if they can document that they have already obtained such counseling and supervision experience, there would not be an additional expense. However, if they do not, there is the potential expense of up to 150 supervision hours. (Please note that as a result of comments received at the hearing on April 29, 2016, the Board reduced the number of face to face couples or family counseling hours to 500 hours and the number of supervision hours to 100.)

With regard to the required national examination, if the clinical professional counselor or clinical professional counselor intern has not already taken the national examination sponsored by the Association of Marriage and Family Therapy Regulatory Boards, s/he would have to pay to take the exam.

The adverse effects are the expenses that would be incurred to obtain the necessary course, supervision and exam.

The Board investigated the expenses for coursework from a variety of institutions that could provide the requisite coursework, the cost of supervision and the national examination fee. The cost to obtain the endorsement will vary based on a combination of costs to meet the requirements which include supervision in conjunction with the accrual of face-to-face client hours (\$30 - \$100/hour supervision fees), educational credits (\$269 - \$943/credit), and the national examination requirements (\$350). Thus the range of the estimated endorsement cost would be a maximum of \$9,577 (low)/\$32,324(high) (with the applicant needing to meet all of the requirements).

(See attached copy of the estimated clinical professional counselor couple & family endorsement costs and also see clinical professional counselor endorsement survey)

b. Both direct and indirect effects

The direct effect is those seeking an endorsement will have to apply for the endorsement and provide documentation of meeting the endorsement requirements.

The indirect effect is that those seeking an endorsement may have to obtain additional education, supervision and take the national examination exam, including incurring any associated costs.

The proposed regulation is not expected to impose an economic burden upon small businesses or restrict the formation, operation or expansion of small businesses. The regulation will likely allow for the expansion of small businesses since there is a strong demand for mental health practitioners, particularly in the rural areas of Nevada.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of the methods. *(Include a discussion of any considerations of the methods listed below.)*

A. Simplification of the proposed regulation

The Board considered the current educational requirements for marriage and family therapists working with couples and families and determined what the minimal course requirements would be in order for clinical professional counselors and clinical professional counselor interns to demonstrate competency in working with couples. Rather than require all of the nine courses in the marriage and family therapists areas of study, the Board identified six courses that could be used to demonstrate competency.

B. Establishment of different standards of compliance for a small business

N/A

C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine.

N/A

5. The estimated cost to the agency for enforcement of the proposed regulation. *(Include a discussion of the methods used to estimate those costs.)*

The estimated cost to the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors is the cost of staff time to collect and process endorsement applications, conduct academic reviews of required coursework, track and verify face-to-face client and supervision hours, and issue and track endorsement certificates.

No new costs will be incurred by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, since existing staff will process applications, conduct academic reviews of required coursework, verify supervision hours, and issue endorsements as part of their regular responsibilities.

6. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and manner in which the money will be used.

These regulations do not provide a new or increase of fees. There is no statutory authority for the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to charge a fee for the endorsement.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulations do not include provisions which duplicate or are more stringent than any federal, state or local standards regulating the same activity.

8. The reasons for the conclusions regarding the impact of a regulation on small businesses.

The review of the endorsement requirements, including investigating the cost of graduate coursework through various institutions of higher education, as well as the survey of clinical professional counselors and clinical professional counselor interns, provided the basis of the conclusions regarding the impact of regulations on small businesses.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on a small business and that this statement was properly prepared and the information contained in this statement is accurate.


Board President


Date