

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS  
233B.066**

**LCB FILE R125-23**

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

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

The need for the proposed regulations is to protect the public health, safety, and welfare while promoting entrepreneurship and economic growth. The purpose of the adopted regulation is to provide clarity for the public, individuals, and licensees through regulations. The proposed regulation streamlines, clarifies, reduces or otherwise improves administrative code to ensure the regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

**2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulation, notice of workshop and notice of intent to act upon the regulation were sent by e-mail to persons who were known to have an interest in marriage and family therapy or clinical professional counseling as well as any persons who had specifically requested such notice. These documents were also made available at the website of the State of Nevada Board of Examiners for Marriage and Family Therapy and Clinical Professional Counseling, <https://marriage.nv.gov/>, and posted at the following locations:

- The State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors Administrative Office, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129
- <https://www.leg.state.nv.us/App/Notice/A/> Nevada Legislature Administrative Notices
- <https://notice.nv.gov/> - State of Nevada Public Notices

A Workshop was held to solicit comments on the proposed regulations on November 17, 2023. There were thirteen (13) individuals from the public in attendance at the workshop. Thereafter, on or about January 5, 2024, a Notice of Intent to Act Upon Regulations was issued.

A Public Hearing was held on February 16, 2024. There were no written comments received at the Public Hearing. There were twenty-one (21) individuals representing the public present.

A copy of this summary of the public response to the adopted regulations may be obtained from the State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors Administrative Office, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129, telephone 702-486-7388, or email to mftbd2@mftbd.nv.gov.

**3. The number of persons who:**

<b>(a) Attended each workshop:</b>	<b>November 17, 2023</b>	<b>13</b>
<b>(b) Attended public hearing:</b>	<b>February 16, 2024</b>	<b>21</b>
<b>(c) Testified at hearing:</b>	<b>February 16, 2024</b>	<b>0</b>
<b>(d) Submitted written comments:</b>		<b>0</b>

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

Richard Vande Voort	Nancy Sirkin	Michael Elterman
Jaime Clemens	Pamela Gomez	Roberta Vande Voort
Emily Lewis	Felicia Carrigan	Daniel Dorado
Helen Troupe	Alicia Rocha	Nichole Henderson
Merlelynn Harris	Amanda Henderson	Delores Glenn Lewis
Emilia Grissette	Jessica Goicoechea	Kimber Last
Laura Payan	Michael Arreygue	Ramona Beasley
Lidia Karina Gamarra-Hoff	Yvonne Hart	Arion Robinson
Katie O'Hara	Cara Elliot	Grettel Beltran
Nina McCartney	James Hartsell	Joseph John Andersen
Amanda Boe		

**5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

The Board used informed, reasonable judgment in determining that there will not be an impact on small businesses.

In making this determination, the Board considered the content of the regulation in making a determination the marriage family therapists and clinical professional counselors

regulated by the Board will not have their practice impacted nor will there be an impact on a small business due to the nature of the regulatory changes.

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**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.**

After consideration of all public comments received, the State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors adopted the regulation on **February 16, 2024**, without change. There were no written comments on the proposed regulation.

The Board determined the regulation was appropriate and necessary and that undue burden is not placed upon licensees as a result of the provisions of the regulation.

**7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

(a) Both adverse and beneficial effects

There will **be no significant adverse economic effect of these adopted regulations** on the businesses which it is to regulate (marriage and family therapists and clinical professional counselors) nor the public. The adopted regulations will have a positive impact on workforce development because it allows for more qualified professionals to remain in the field serving our citizens. If the Board provides a more streamlined and concise experience for continuing education providers in our state, then it is our hope that we will see an increase in providers.

(b) Both immediate and long-term effects.

Immediate effect will be improved administration through clarification of existing law and regulatory requirements. Long-term effect will be clarity and consistency in regulation of marriage and family therapists and clinical professional counselors in Nevada.

**8. The estimated cost to the agency for enforcement of the adopted regulations.**

There are no additional costs involved in the enforcement of these adopted regulations.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors is not aware of any similar regulations of other state or government agencies that the adopted regulations overlap or duplicate.

**10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

The State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

**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.**

The regulation does not provide for any new or increased fees.