

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

LCB FILE NO. R002-24I

**The following document is the initial draft regulation proposed
by the agency submitted on 01/12/2024**

MEMORANDUM

To: Angela Harzler, Nevada Legislative Counsel Bureau
From: State of Nevada Board of Psychological Examiners
Re: Request for File Number and Regulation Draft
Date: January 12, 2024

The Nevada Board of Psychological Examiners (the Board) conducted Workshops during its November 3, 2023, and December 15, 2023, meetings in reference to the regulation provisions identified below, and requests that the Legislative Counsel Bureau provide a file number and regulations draft so that the Board can conduct a hearing on those provisions.

- **NAC 641.1519**. The Board seeks to revise NAC 641.1519, which is its regulation governing the qualifications of supervisors of psychological assistants, psychological interns, and psychological trainees, to clarify and revise the training requirements for supervisors, as follows:

NAC 641.1519 Qualifications of supervisor. ([NRS 641.100](#), [641.170](#))

1. A psychologist who wishes to serve as a supervisor of a psychological assistant, psychological intern or psychological trainee must:

(a) Except as otherwise approved by the Board, be licensed by the Board to practice psychology; and

(b) Have ~~had training in clinical supervision, including, without limitation, the completion of continuing education courses, other courses or courses of independent study relating to clinical supervision.~~ *obtained appropriate training such that the psychologist is able to competently provide supervision. The training may consist of any of the following:*

(1) 15 Continuing Education Credits (CEUs) in supervision.

(i) These CEUs may be obtained from an approved accrediting agency identified in NAC 641.136.

(ii) Half of these CEUs may be obtained via self-study from an approved accrediting agency identified in NAC 641.136.

(2) One semester of supervised supervisory experience. A psychological assistant, psychological intern or psychological trainee may provide clinical supervision to a junior psychological assistant, psychological intern or psychological trainee under the supervision of a board approved supervisor as part of a graduate-level supervision course, or other formal training plan to develop supervision competencies.

(3) A formal graduate course in supervision.

(4) A combination of the above that are equivalent to any one of the above.

2. ~~In addition to the requirements of subsection 1, a psychologist who wishes to serve as a supervisor of a psychological assistant must, except as otherwise approved by the Board, have been licensed to practice psychology for 3 years or more. Supervisors who have not received training as provided in subsection (1)(b) above may submit their training experiences for review by the Board, which will conduct an equivalency evaluation to whether that training is adequate.~~

3.—A supervisor of:

~~(a) A psychological assistant shall maintain, and provide to the Board upon request, documentation substantiating that he or she satisfies the requirements set forth in subsections 1 and 2.~~

~~(b) A psychological intern or psychological trainee shall maintain, and provide to the Board upon request, documentation substantiating that he or she satisfies the requirements set forth in subsection 1.~~

(Added to NAC by Bd. of Psychological Exam'rs by R089-03, eff. 1-18-2005; A by R117-08, 12-17-2008; R038-16, 12-21-2016; A by R074-18, 1-30-2019)—(Substituted in revision for NAC 641.1563)

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- **NAC 641.152.** The Board seeks to revise NAC 641.152, which is its regulation governing the requirements for the supervision of psychological assistants, psychological interns, and psychological trainees, to clarify and specify the requirements of supervision, as follows:

NAC 641.152 Supervision; assignment of psychological assistant to specialist. ([NRS 641.100](#), [641.170](#))

1. Except as otherwise provided in subsection 5, a psychological assistant or psychological intern may work only under the supervision and control of a psychologist who satisfies the requirements of [NAC 641.1519](#).

2. Except as otherwise provided in subsection ~~5~~ **6**, a psychological trainee may work only under the supervision and control of a supervisor who is formally assigned by ~~that supervisor's his or her~~ home doctoral training program in compliance with required practicum training elements set forth in the Standards of Accreditation for Health Service Psychology of the American Psychological Association and Section C of the Implementing Regulations of the Commission on Accreditation of the American Psychological Association.

3. Subject to the conditions set forth in subsection 5 and [NAC 641.161](#), ***a supervisor of record may employ a nested supervision model (i.e., supervision of a nonlicensed psychological trainee or psychology intern by a nonlicensed psychological intern or psychological assistant) not to exceed a total of 4 full time equivalent supervisees (up to 40 hours per work week). The supervisor of record must provide the supervisor in training weekly supervision of supervision.***

~~(a) A psychological assistant may supervise a psychological intern or psychological trainee for the purposes of training in supervision in accordance with the national training standards set forth in the Standards of Accreditation for Health Service Psychology of the~~

~~American Psychological Association, which is available, free of charge, at the Internet address <http://www.apa.org/ed/accreditation/section-c-soa.pdf>.~~

~~(b) A psychological intern may supervise a psychological trainee for the purposes of training in supervision in accordance with the national training standards set forth in the Standards of Accreditation for Health Service Psychology of the American Psychological Association.~~

4. The supervisor of a psychological assistant, psychological intern or psychological trainee is responsible for:

(a) The adequate supervision of the psychological assistant, psychological intern or psychological trainee; and

(b) The care plan of each client and patient treated or assessed by a psychological intern or psychological trainee under the supervision of the psychological assistant or psychological intern, as applicable, pursuant to subsection 3.

5. *The supervisor of record must ensure the following supervision activities:*

(a) For a psychological trainee, supervision activities must be at least 1-hour per week of individual supervision for every 10 hours of service delivery, which equates to no less than 10% of the trainee's time spent in direct service-related activities at least half of which shall be with the supervisor of record and one hour can be done by an intern or a psychological assistant. Direct service-related activities are defined as activities that involve direct contact (in-person or via telehealth) with clients.

(b) For a psychological intern: Supervision shall be no less than 4 hours per week of supervision, including not less than 2 hours per week of face-to-face individual supervision by one or more doctoral-level licensed psychologists who are involved in an ongoing supervisory relationship with the intern and have primary professional responsibility for the cases on which face-to-face individual supervision is provided. The remainder of the supervision may be in a group setting, and/or be provided by another licensed mental health provider or by a more advanced trainee under the supervision of the supervisor of record.

(c) For a psychological assistant: Supervision shall be at least one individual hour for each 40-hour week worked or a proportional level of supervision for a part-time psychological assistant.

6. For specific skill training, the supervisor of a psychological assistant, psychological intern or psychological trainee may assign the psychological assistant, psychological intern or psychological trainee to a specialist, including, without limitation, a person who is licensed in this State as a psychiatrist, behavior analyst, social worker, marriage and family therapist or clinical professional counselor or a person who is licensed or certified in this State as an alcohol and drug abuse counselor. The specialist must have clearly established practice and teaching skills that are demonstrable to the satisfaction of the Board. Not more than one-quarter of the number of supervised hours needed to fulfill the required year of postdoctoral experience may be accrued under the direction of specialists. Any services submitted by a supervisor for reimbursement under the State Plan for Medicaid that were rendered under the authorized scope of practice of a psychological assistant, psychological intern or psychological trainee pursuant to [NRS 422.27239](#) while under the supervision of a specialist pursuant to this subsection must also be supervised by the supervisor.

~~6.7.~~ A psychological assistant or psychological intern must be:

(a) An employee of the supervisor; or

(b) If the psychological assistant or psychological intern is not employed by the supervisor and the supervisor is not employed by the agency at which the psychological assistant or psychological intern is based, a party to a written agreement with the supervisor and agency specifying payment terms and the role of the supervisor or training committee over the training of the psychological assistant or psychological intern, including, without limitation, acknowledgement by all parties that:

(1) The supervisor or training committee will have access to all patient medical records and full oversight and responsibility for the work and training plan of the psychological assistant or psychological intern; and

(2) The psychological assistant or psychological intern may not be an independent contractor of the supervisor or agency during the term of the contract.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A 8-24-90; R089-03, 1-18-2005; R111-13, 10-24-2014; A by R133-17, 12-19-2018; A by R074-18, 1-30-2019, A by R115-19, 2/28/2022)

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- **NAC 641.158.** The Board seeks to revise NAC 641.158, which is its regulation governing the limitations on the number of psychological assistants, psychological interns, and psychological trainees a supervisor can supervise, to clarify and streamline those limitations, as follows:

NAC 641.158 Limitations on number of assistants, interns and supervisors. ([NRS 641.100](#), [641.170](#))

- ~~1. A psychologist may serve as a supervisor to:
(a) Not more than three full-time equivalent psychological assistants;
(b) Not more than two full-time equivalent psychological interns;
(c) Not more than four part-time psychological trainees working not more than 10 hours each per week; or
(d) A combination of not more than five psychological assistants, psychological interns, psychological trainees or other interns licensed, registered or certified, as applicable, under the provisions of chapter [641A](#), [641B](#) or [641C](#) of NRS,~~

→ at the same time.

A supervisor shall be responsible for the case supervision of not more than four (4) full-time equivalent supervisees (up to 40 hours per work week). A familiar or multiple relationship that compromises objectivity shall not exist between the supervisee and the supervisor. A supervisor may only supervise the number of supervisees for which he or she can provide adequate supervision, but in no case shall he or she serve as primary supervisor for post-licensure purposes to more than four (4) supervisees at any one time.

2. A psychological assistant or psychological intern may not be employed by more than two supervisors at the same time.
3. A psychological trainee may not be assigned to more than two training sites at the same time.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 8-3-88; A by R089-03, 1-18-2005; R111-13, 10-24-2014; R038-16, 12-21-2016; A by R074-18, 1-30-2019)

- **R074-18 (Sec.8)**. The Board seeks to revise Section 8 of R074-18 (effective January 30, 2019, but not yet codified), which is its regulation governing the obligations, duties, and models of supervision of psychological assistants, psychological interns, and psychological trainees, to clarify those obligations, duties, and models of supervision, as follows:

R074-18 – Effective January 30, 2019

Sec. 8.

1. A supervisor shall employ methods of proper and diligent oversight of a psychological assistant, psychological intern or psychological trainee who is under ~~his or her~~ *that supervisor's* supervision to meet ~~his or her~~ *the* ethical and legal responsibilities set forth in subsection 2 of NAC 641.161. Such methods must include the implementation of policies and procedures that ensure the accessibility of the supervisor to the psychological assistant, psychological intern or psychological trainee commensurate with the professional developmental level of the psychological assistant, psychological intern or psychological trainee as required by the agreement submitted to the Board pursuant to NAC 641.1517 or 641.153, as applicable. Such methods may include:

- (a) The physical presence of the supervisor;
- (b) Availability of the supervisor by telephone; and
- (c) Availability of another licensed medical or behavioral health provider ~~at~~ *affiliated with* the site at which the psychological assistant, psychological intern or psychological trainee is providing services.

2. To ensure compliance with subsection 1, a supervisor may employ various modes and methods of supervision of a psychological assistant, psychological intern or psychological trainee under ~~his or her~~ *that supervisor's* supervision, including, without limitation:

- (a) Individual supervision;
- (b) Group supervision;
- (c) Tracking the progress of clients and patients treated or assessed by the psychological assistant, psychological intern or psychological trainee;
- (d) Conducting therapy or an assessment with the psychological assistant, psychological intern or psychological trainee;
- (e) Discussing the cases of clients and patients with the psychological assistant, psychological intern or psychological trainee; or
- (f) Directly observing or reviewing audio or video recordings of the delivery of services by the psychological assistant, psychological intern or psychological trainee.

3. A supervisor shall:

(a) Maintain primary responsibility for the care plan of each client and patient treated or assessed by a psychological assistant, psychological intern or psychological trainee ~~under his or her~~ *that supervisor's* supervision; and

(b) Review and sign all clinical documentation, including, without limitation, reports, treatment plans and progress notes, for all services provided by a psychological assistant, psychological intern or psychological trainee under ~~his or her~~ *that supervisor's* supervision, including, without limitation, those services for which ~~he or she~~ *that supervisor* is seeking reimbursement under the State Plan for Medicaid that were rendered under the authorized scope of practice of the psychological assistant, psychological intern or psychological trainee pursuant to NRS 422.27239, as applicable.

4. Except as otherwise provided in this subsection, a supervisor shall be available to a psychological assistant, psychological intern or psychological trainee whom ~~he or she~~ *that supervisor* supervises while the psychological assistant, psychological intern or psychological trainee is providing services to a client or patient. A supervisor shall:

(a) arrange for the availability of another appropriate licensed medical or behavioral health provider to be *available on-site* in the case of the absence of the supervisor; and

(b) *provide a stated policy regarding the availability of a supervisor or an appropriately qualified designee in the supervised practice plan for the psychological assistant, psychological intern or psychological trainee required as part of the requirements of NAC 641.153.*

5. A supervisor shall provide to the Board:

(a) Evidence of the manner in which he or she meets ~~his or her~~ *the* supervisory duties as outlined in subsections 1 and 2.

(b) Upon the registration of a psychological assistant, psychological intern or psychological trainee, a training plan that includes, without limitation, the policies the supervisor will put in place to ensure the availability of the supervisor and the modes, methods, procedures or policies the supervisor intends to employ to ensure compliance with this section and NAC 641.161.

- **NAC 641.168**. The Board seeks to revise NAC 641.168, which is its regulation governing psychological testing, to:

- state that, notwithstanding the provisions of NRS 641.440(4), those who perform testing under NAC 641.168(1)(b) may be referred to as a "psychometrists," and
- add the term "psychological trainee" to subsections (1)(c) and (2).

During the next Legislative session, the Board intends to seek revision of NRS 641.440(4) to align with the revisions to NAC 641.168(1)(b) as stated below.

NAC 641.168 Psychological testing. (NRS 641.100)

1. A licensed psychologist may have personnel who are not licensed pursuant to chapter 641 of NRS perform the following types of psychological testing under the psychologist's direct supervision and periodic observation:

(a) Objective written psychological tests may be administered and scored only by a person who has successfully completed training to administer and score such tests.

(b) Objective tests that require a response other than in writing may be administered and scored only by a school psychologist or a person who has completed the training in psychometrics that is required for a master's degree. *For purposes of this section, and notwithstanding the provisions of NRS 641.440(4), those who perform testing under this section may be referred to as "psychometrists."*

(c) Projective tests may be administered and scored only by a psychological assistant, ~~or~~ a psychological intern, *or a psychological trainee* who has successfully completed training to administer and score such tests.

2. The results of a psychological test may be interpreted only by a psychological assistant, ~~or~~ a psychological intern, *or a psychological trainee* who has successfully completed training to interpret such a test.

3. The supervising psychologist is responsible at all times for the actions of the personnel who administer, score and interpret such psychological tests.

(Added to NAC by Bd. of Psychological Exam'rs, eff. 7-11-94)

End of Memo