

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R002-24**

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

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

This regulation was prepared to revise some of the Board’s regulations regarding the supervision of psychological assistants, psychological interns, and psychological trainees in order to ensure they align with best practices in supervision and create more efficiency, clarity, and consistency in the Board’s registration of psychological assistants, psychological interns, and psychological trainees. Included in the revisions to some of the Board’s regulations that govern supervision of psychological assistants, psychological interns, and psychological trainees were, for example:

- Aligning training programs with current models,
- eliminating an arbitrary qualification for supervisors in favor of a more competency-based qualification,
- stating how many supervisees and supervisor can supervise,
- specifying the amount of supervision to be employed for each level of training, and
- addressing the availability of supervisors to their supervisees.

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.

Notice of a public workshop and notices of intent to act upon the regulation were sent to persons who were known to have interest in the requirements for supervision of psychological assistants, psychological interns, and psychological trainees in the state of Nevada, to the Board’s licensees, and to any specific person who requested notification regarding regulation changes. That distribution included further information on how to receive a free copy of the proposed regulation. These documents were also made available through the website of the Board of Psychological Examiners (psyexam.nv.gov) or by directly emailing the Board office (NBOP@govmail.state.nv.us), and were posted at the following locations:

///

///

///

Prior to March 1, 2024:

State of Nevada
Board of Psychological Examiners
4600 Kietzke Lane B-116
Reno, Nevada 89502¹

After March 1, 2024:

State of Nevada
Board of Psychological Examiners
3080 South Durango Drive, Ste 102
Las Vegas, Nevada 89117²

The Board held a workshop on November 3, 2023, to discuss the proposed changes to the current NAC Chapter 641. The Board received verbal public comment from one member of the public in attendance. That member of the public requested that the Board's regulation avoid binary language in the proposed provisions, sought clarification of several provisions, and made suggestions for revisions. The minutes of that meeting, which can be obtained through contacting the Board office or locating them on the Board's website (psyexam.nv.gov), contain a summary of the discussion regarding the proposed changes.

The Board held a second workshop on December 15, 2023, for further discussion on the proposed changes to the current NAC Chapter 641. The Board received verbal public comment from one member of the public in attendance, who agreed with a revision to the proposed language, sought clarification about a provision, and made a suggestion for clarification. The minutes of that meeting, which can be obtained through contacting the Board office or locating them on the Board's website (psyexam.nv.gov), contain a summary of the discussion regarding the proposed changes.

On March 12, 2024, the Board issued and posted a Notice of Intent to Act Upon a Regulation, which incorporated the proposed regulation changes that the Board discussed at its November 3, 2023, and December 15, 2023, regulation workshops. That notice included a request for submission of public comment regarding adoption of the regulation.

On April 12, 2024, the Board conducted a public hearing on R002-24 during its regular Board meeting. The Board received written inquiry/comment from one member of the public and verbal public inquiry from one other member of the public in attendance at the meeting, but no opposition to the adoption of the regulation. The public member that commented sought clarification about one of the regulation provisions. As a result of its workshop and hearing discussions, the Board revised the R002-24 draft and submitted those revisions to the Legislative Counsel Bureau (LCB) for review and approval.

On May 6, 2024, the Board issued and posted a Notice of Intent to Act Upon a Regulation, which incorporated the proposed regulation changes that the Board discussed at its April 12, 2024, regulations hearing. That notice included a request for submission

¹ At the time the Board held its November 3, 2023, and December 15, 2023, regulations workshops, the Board office was at this location. The Board office moved to its new location effective March 1, 2024.

² At the time the Board held its April 12, 2024, and June 7, 2024, regulations hearings, the Board office was at this location.

of public comment regarding adoption of the regulation.

On June 7, 2024, after the Board received an approved, revised R002-24 draft from the LCB, the Board conducted a public hearing on R002-24 during its regular Board meeting. The Board received verbal public inquiry/comment from one member of the public in attendance at the meeting, but no opposition to the adoption of the regulation. The public member that commented sought clarification about one of the regulation provisions. The Board approved the adoption of proposed regulation R002-24 at the conclusion of the hearing on that regulation.

3. The number of persons who:

- (a) Attended each hearing:** April 12, 2024 – 13
June 7, 2024 – 6
- (b) Testified at each hearing:** April 12, 2024 – 1
June 7, 2024 – 1
- (c) Submitted to the agency
written comments:** April 12, 2024 – 1
June 7, 2024 – 0

4. A list of names and contact information, including telephone number, business address, business telephone number, e-mail address, and name of entity or organization represented for each person identified above in #3, as provided to the agency:

April 12, 2024:

Teri Belmont (Psychologist)
Shera Bradley (Psychologist)
Amanda DeVillez (Psychologist)
Yvonne Fritz (Psychologist)
Brian Lech (Psychologist)
Jodi Thomas (Psychologist)
Marie Zayas (Psychologist)
Andre Wielemaker (Applicant)
Kaleb Cusack (Applicant)
Donald Hoier (private citizen)
Brian Joseph (investigative journalist)
Sabrina Schnur (Belz & Case Government Affairs)
Brent Vogel (Attorney)

June 7, 2024:

Teri Belmont (Psychologist)
Kaleb Cusack (Applicant)
Claudia Mejia (Nevada Psychological Association)
Don Hoier (private citizen)

Brian Joseph (investigative journalist)
Sabrina Schnur (Belz & Case Government Affairs)

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

The Board solicited comments from affected businesses in the same manner as they were solicited from the public. Notice of a public workshop and notice of intent to act upon the regulation were sent to persons who were known to have interest in supervision and the registration of psychological assistants, psychological interns, and psychological trainees, to the Board's licensees, and to any specific person who requested notification regarding regulation changes. The summary of the Board's discussion may be obtained through the minutes, which will be provided and/or made available by contacting the Board office or locating them on the Board's website (psyexam.nv.gov). The Board received written and verbal public comment/inquiry as noted and outlined above.

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.

As explained above, the regulation was revised more than once based on public comment and feedback, as well as a misunderstanding by the Legislative Counsel Bureau of the intent of the regulation in one of the drafts it provided to the Board. The final revisions were submitted to and approved by the Legislative Counsel Bureau.

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

***Economic effects on regulated businesses:**

a) Adverse, immediate: There are no estimated immediate adverse effects from this regulation.

Adverse, long-term: There are no estimated long-term adverse effects from this regulation.

b) Beneficial, immediate: There are no estimated immediate beneficial economic effects in this regulation.

Beneficial, long-term: There are no estimated long-term beneficial economic effects in this regulation.

***Economic effects on public:**

a) Adverse, immediate: There are no estimated immediate adverse economic effects in this regulation.

Adverse, long-term: There are no estimated long-term adverse economic effects in this regulation.

b) Beneficial, immediate: There are no estimated immediate beneficial economic effects in this regulation.

Beneficial, long-term: There are no estimated long-term beneficial economic effects in this regulation.

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

To the extent that the revised regulation would require enforcement, there will be no increased cost for enforcement of the changes.

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

The Board is not aware of any overlapping or duplicating of federal or state regulations.

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

There are no federal regulations that apply.

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.

There are no new fees nor increases to an existing fee.

The State of Nevada Board of Psychological Examiners approved the adoption of the Regulation on June 7, 2024.