

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

LCB File No. R002-24

March 5, 2024

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-5, NRS 641.100 and 641.170.

A REGULATION relating to psychology; revising provisions relating to the supervision of psychological assistants, psychological interns and psychological trainees; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Psychological Examiners to adopt regulations establishing standards for the supervised experience of persons that is required for licensure by the Board. Existing law also authorizes the Board to adopt regulations relating to the registration of persons as psychological assistants, psychological interns or psychological trainees. (NRS 641.100) Existing regulations set forth the requirements, conditions and limitations relating to the supervision of psychological assistants, psychological interns and psychological trainees. (NAC 641.1517-641.161; section 8 of LCB File No. R074-18) Existing regulations require a psychologist who serves as the supervisor of a psychological assistant, psychological intern or psychological trainee to have completed training in clinical supervision. (NAC 641.1519) **Section 1** of this regulation specifies the types of training that fulfill that requirement. **Section 1** also removes requirements that a psychologist who is supervising: (1) a psychological assistant have been licensed to practice psychology for 3 years or more, unless otherwise approved by the Board; and (2) a psychological assistant, psychological intern or psychological trainee maintain certain records relating to the training and experience of the supervising psychologist. **Section 2** of this regulation revises requirements governing the supervision of: (1) a psychological intern or psychological trainee by a psychological assistant under the supervision of a psychologist; and (2) a psychological trainee by a psychological intern under the supervision of a psychologist. **Section 2** also prescribes certain limitations governing such supervision. **Section 2** additionally requires a supervising psychologist to ensure that a psychological trainee, psychological intern or psychological assistant receives certain supervision.

Existing regulations limit the number of psychological assistants, psychological interns and psychological trainees that a psychologist is authorized to supervise. (NAC 641.158) **Section 3** of this regulation revises those limitations to: (1) prohibit a psychologist from supervising more

than four such persons at the same time; and (2) prohibit such supervision under certain additional conditions.

Existing regulations authorize a psychological assistant or a psychological intern to administer, score and interpret certain tests if he or she has successfully completed training in administering, scoring or interpreting such tests. (NAC 641.168) **Section 4** of this regulation additionally authorizes a psychological trainee who has successfully completed such training to administer, score and interpret such tests.

Existing regulations authorize a psychologist to use certain methods when supervising a psychological assistant, psychological intern or psychological trainee, including the availability of another licensed medical or behavioral health provider at the site where the psychological assistant, psychological intern or psychological trainee is providing services. (Section 8 of LCB File No. 074-18) **Section 5** of this regulation removes the requirement that the other licensed medical or behavioral health provider be present at that site and instead requires the other licensed medical or behavioral health provider to be affiliated with that site.

Section 1. NAC 641.1519 is hereby amended to read as follows:

641.1519 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.~~ *successfully completed the training in clinical supervision described in subsection 2.*

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.]~~ *Training in clinical supervision pursuant to paragraph (b) of subsection 1 may consist of any of the following:*

(a) Fifteen hours of continuing education concerning supervision of psychological assistants, psychological interns and psychological trainees provided by an accrediting agency

described in paragraph (b) of subsection 2 of NAC 641.136. Not more than one-half of those hours of continuing education may be obtained through self-study performed through such an accrediting agency.

(b) One semester, or its equivalent as determined by the Board, of supervised supervisory experience as a psychological assistant, psychological intern or psychological trainee in a nested model of supervision as described in NAC 641.152.

(c) A formal graduate-level course in supervision.

(d) Any combination of the training described in paragraphs (a), (b) and (c) that is determined by the Board pursuant to subsection 3 to be equivalent to the training described in paragraph (a), (b) or (c).

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 subsection 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.]~~ *psychologist who wishes to serve as a supervisor but has not successfully*

completed the training described in paragraph (a), (b) or (c) of subsection 2 may submit any combination of the training described in those paragraphs to the Board for review. The Board will approve the combination of training if it determines that the combination of training is equivalent to the training described in paragraph (a), (b) or (c) of subsection 2.

Sec. 2. NAC 641.152 is hereby amended to read as follows:

641.152 1. Except as otherwise provided in subsection ~~5.1~~ 8, 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 ~~5.1~~ 8, a psychological trainee may work only under the supervision and control of a supervisor who is formally assigned by 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 5.1~~ **this section** and NAC 641.161 ~~1~~ —(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 <https://www.apa.org/ed/accreditation/standards-of-accreditation.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.] , a supervisor may use a nested model of supervision wherein:~~

(a) A psychological assistant who is under the supervision of the supervisor supervises a psychological intern or psychological trainee; or

(b) A psychological intern who is under the supervision of the supervisor supervises a psychological trainee.

4. *A supervisor shall not:*

(a) Use a nested model of supervision described in subsection 3 for the supervision of more than four psychological interns or psychological trainees in total; or

(b) Authorize a psychological assistant or psychological intern under his or her supervision to supervise a psychological intern or psychological trainee for more than 40 hours in a week.

5. *A supervisor who uses a nested model of supervision described in subsection 3 shall, at least once each week, directly supervise a psychological assistant or psychological intern providing supervision pursuant to paragraph (a) or (b) of subsection 3, as applicable. Such supervision may occur at a time other than when the psychological assistant or psychological intern is actively providing supervision.*

6. 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.

~~5.1~~ 7. *A supervisor shall ensure that:*

(a) A psychological trainee receives at least 1 hour of individual supervision for each 10 hours of service delivery per week. At least one-half of such individual supervision each week must be performed by the supervisor. Not more than 1 hour of such supervision each week may be performed by a psychological assistant or psychological intern in accordance with

subsection 3. As used in this paragraph, “service delivery” means activities that involve direct contact with a client in person or through telehealth, as defined in NRS 629.515, as amended by section 1 of Assembly Bill No. 276, chapter 19, Statutes of Nevada 2023, at page 78.

(b) A psychological intern receives at least 4 hours of supervision each week. At least 2 hours each week of such supervision must be face-to-face individual supervision by one or more psychologists who have an ongoing supervisory relationship with the psychological intern and primary responsibility for the cases on which the supervision is provided. The remainder of the supervision required by this paragraph may be provided in an individual or group setting by:

(1) A psychologist; or

(2) A psychological assistant in accordance with subsection 3.

(c) A psychological assistant receives at least 1 hour of individual supervision for each 40 hours worked in a week or, if the psychological assistant works less than 40 hours in a week, an amount of individual supervision that is proportionate to the amount of supervision that would be required if the psychological assistant worked 40 hours in the week.

8. 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.

~~16.1~~ **9.** 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.

Sec. 3. NAC 641.158 is hereby amended to read as follows:

641.158 1. A psychologist may serve as a supervisor to ~~1~~

~~—(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 week; or~~

~~—(d) A~~ a combination of not more than ~~{five}~~ **four** 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.

2. *A psychologist shall not supervise:*

(a) A person described in subsection 1 for more than 40 hours in any week;

(b) A person described in subsection 1 with whom the psychologist has a familial or other multiple relationship; or

(c) More persons described in subsection 1 than the psychologist is capable of ensuring adequate supervision.

3. A psychological assistant or psychological intern may not be employed by more than two supervisors at the same time.

~~{3.}~~ 4. A psychological trainee may not be assigned to more than two training sites at the same time.

5. *As used in this section, “multiple relationship” means a professional relationship between a psychologist and another person where:*

(a) The psychologist and the other person currently have another type of relationship;

(b) The psychologist is currently in a relationship with a person closely associated with or related to the person with whom the psychologist has the professional relationship; or

(c) The psychologist plans to enter into another relationship in the future with the person with whom the psychologist is in a professional relationship or a person closely associated with or related to that person.

Sec. 4. NAC 641.168 is hereby amended to read as follows:

641.168 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.

(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.

Sec. 5. Section 8 of LCB File No. R074-18 is hereby amended to read as follows:

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

supervision to meet his or her 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 or observation by the supervisor electronically or by fiber optics; and
- (c) Availability of another licensed medical or behavioral health provider ~~that~~ *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 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 the delivery of services by the psychological assistant, psychological intern or psychological trainee, either in person or through the use of a remote technology system which uses electronic, digital or other similar technology; or

(g) 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 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 supervision, including, without limitation, those services for which he or she 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 supervises while the psychological assistant, psychological intern or psychological trainee is providing services to a client or patient. A supervisor shall arrange for the availability of another appropriate licensed medical or behavioral health provider ~~{to be on site}~~ in the case of the absence of the supervisor.

5. A supervisor shall provide to the Board:

(a) Evidence of the manner in which he or she meets his or her 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 *or a designee thereof* and the modes, methods, procedures or policies the supervisor intends to employ to ensure compliance with this section and NAC 641.161.