

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY  
NRS 233B.0608**

**LCB File No. R005-24**

**1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

The Board conducted a survey of all licensees and registrants and sent communications to all individuals on the Board's Interested parties listing regarding the proposed regulation, requesting public comments regarding whether the proposed regulations would impact small businesses. The Board received three (3) responses to the survey which indicated the proposed regulations would not impact small businesses.

A workshop was held to solicit comments on the proposed regulations on February 20, 2024, and a public hearing was held on September 11, 2024; wherein additional public comments were solicited. There were two small businesses represented.

A summary of the responses and public comments received is on file at the Board of Applied Behavior Analysis.

Interested parties may request a copy of the summary of responses and public comments by submitting a written request addressed to the Board of Applied Behavior Analysis, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523.

**2. The manner in which the analysis was conducted, including the methods used to determine the impacts of the proposed regulation on small business.**

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 survey responses, public comments and whether or not the applied behavior analysis practitioners regulated by the Board will have their practice impacted. On the whole, the applied behavior analysis practices will not be impacted to any degree that a small business will be affected.

**3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:**

**(a) Both adverse and beneficial effects; and (b) Both direct and indirect effects.**

The Board of Applied Behavior Analysis has determined that the adopted regulations do not impose a direct or significant economic burden upon a small business or restrict the formation, operation or expansion of a small business.

- (a) Both adverse and beneficial effects

There will be no adverse economic effect of these adopted regulations on small businesses. The Board regulates individuals in the practice of applied behavior analysis. The adopted regulations will benefit small business and the applied behavior analysis practitioners by providing clear and concise information on the requirements for practice.

- (b) Both Direct and indirect effects.

Direct effect will be to improve and clarify existing law and regulatory requirements. Small business may experience the indirect effect of having more knowledgeable practitioners.

**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 those methods.**

The Board used informed, reasonable judgment in determining that there will not be an impact on small businesses taking into consideration survey responses and public comments.

No other methods were utilized.

**5. The estimated cost to the agency for enforcement of the proposed regulation.**

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

**6. If the proposed 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 establishes fees as authorized in NRS 641D; the fees are established in an amount sufficient to pay the costs of operations and enforcement of the law and regulations.

***New fees have been added for:***

*Late renewal fee:* A fee of \$50 will be collected for licenses/registrations that are expired by no more than 60 days.

*Reinstatement fee:* A fee of \$500 or \$325 will be collected for LBA/LaBA licenses that have been expired for a period of more than 60 days, but less than two years.

The estimated amount collected annually/2 year budget:

First year: \$5,325

Second year: \$2,825

Total: \$8150

Late renewals:

50 X \$50 = \$2500 first year only – 60 day limit -only applicable at renewal

Reinstatements:

5 X \$500= \$2500

1 X \$325= \$325

The revenue from these fees would be used to support the continued/expanding services

related to the operations, licensing, monitoring of the 3500+ licensed professionals in the state and enforcement of the law and regulations.

**Existing fees** have not been increased for applications, licenses, or registrations of applied behavior analysis practitioners. The initial application, license or registration fees have been *reduced by 50%* for individuals with military affiliations. Certain miscellaneous fees have been eliminated as no longer necessary.

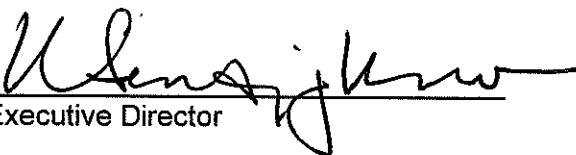
**7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.**

The Board of Applied Behavior Analysis is not aware of any similar federal, state or local standards regulating the practice of applied behavior analysis. These adopted regulations do not duplicate nor are they more stringent than federal, state or local standards.

**8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.**

The regulations will provide clarity in NAC 641D by providing concise information on the requirements to practice applied behavior analysis in the State of Nevada. Implementation of this regulation will help applied behavior analysis practitioners and their employers to provide needed care to the citizens of Nevada in a safe and effective manner.

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

  
Executive Director