

NRS 233B Statements R084-24

Statement pursuant to NRS 233B.0608(3)

The Board of Psychological Examiners' determination is that the regulation does not: (1) impose a direct and significant economic burden upon a small business; or (2) directly restrict the formation, operation or expansion of a small business.

Reasons for that are: The Nevada Board of Psychological Examiners (Board) conducted a regulations workshop on April 12, 2024, and a public hearing on June 7, 2024.

- In attendance at the April 12, 2024, workshop were 13 members of the public, 6 Board members, Board counsel, and Board staff. At the public workshop, there was verbal public comment from one member of the public related to the proposed regulation revision.
- On June 7, 2024, after the Board received an the R084-24 draft from the Legislative Counsel Bureau, it conducted a public hearing that included 6 members of the public, 6 Board members, Board counsel and Board staff. The Board did not receive any written or verbal public comment related to R084-24. The Board approved the adoption of the regulation revision at the conclusion of the hearing.

The regulation was provided to all impacted parties through the public workshop and hearing notices. The workshop and hearing notices were sent to persons who were known to have an interest in the regulation's content, to the Board's licensees, and to any specific person who requested notification regarding regulation changes. During the April 12, 2024, workshop, one member of the public, while acknowledging the increased costs for operations everywhere, requested that the Board consider any difficulty the renewal fee increase may create for those getting licensed in Nevada. Because there was no comment at the April 12, 2024, workshop or the June 7, 2024, public hearing that related to a burden on small businesses¹, the Board concluded that there would be no direct or significant burden on small businesses.

The regulation workshop and hearing notices were published at the following location:

State of Nevada Board of Psychological Examiners
3080 South Durango Drive, Ste 102
Las Vegas, Nevada 89117

Notices were also posted to the Board's website (psyexam.nv.gov) and were sent to all persons who were known to have an interest in the regulation, to the Board's licensees, and to all persons who had requested notice. No small business concerns were registered with the Board.

I, Laura M. Arnold, the Executive Director of the Board of Psychological Examiners, sign this statement certifying that, 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 the information contained in the statement is accurate and prepared properly.

Laura M. Arnold

Laura M. Arnold
Executive Director

¹ The Board does not regulate businesses.

Statement Pursuant to NRS 233B.609 (1)

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 workshop and hearing notices were sent to persons who were known to have an interest in licensure renewal fee changes, to the Board's licensees, and to any specific person who requested notification regarding regulation changes. Those notices included information on how to receive a free copy of the proposed regulation, and the regulation documents were also made available through Nevada Board of Psychological Examiners' website (psyexam.nv.gov) or by directly emailing the Board office NBOP@govmail.state.nv.us, and posted at the following location:

State of Nevada Board of Psychological Examiners
3080 South Durango Drive, Ste 102
Las Vegas, Nevada 89117

The Board held a workshop on April 12, 2024, to discuss the proposed revision to the current NAC Chapter 641. The minutes of the meeting that included that workshop, which can be obtained by contacting the Board office or locating them on the Board's website (psyexam.nv.gov), contain a summary of the discussion regarding the proposed change. The Board received public comment from one member of the public, who acknowledged the increased costs for operations everywhere, but requested that the Board consider any difficulty the renewal fee increase may create for those getting licensed in Nevada.

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 April 12, 2024, regulation workshop. That notice included a request for submission of public comment regarding adoption of the regulation.

On May 6, 2024, the Board issued and posted a Notice of Intent to Act Upon a Regulation, which incorporated the proposed regulation change that the Board discussed at its April 12, 2024, regulation workshop. That notice included a request for submission of public comment regarding adoption of the regulation.

On June 7, 2024, after the Board received the R084-24 draft from the LCB, the Board conducted a public hearing on R084-24 during its regular Board meeting. 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 did not receive any written or verbal public comment related to the proposed, revised changes. The Board approved the adoption of proposed regulation R084-24 at the conclusion of that hearing.

2. The manner in which the analysis was conducted.

The Board conducted a public regulation workshop during its April 12, 2024, meeting to discuss language changes to the current NAC Chapter 641. The minutes of the workshop and meeting, which are available on the Board's website (psyexam.nv.gov) or can be obtained by contacting the Board office at NBOP@govmail.state.nv.us, contain a summary of the Board's discussion regarding the proposed language change. The Board received comment from one member of the public in attendance at that meeting.

After the Board received the draft of R084-24 from the Legislative Counsel Bureau, it posted and issued a Notice of Intent to Act Upon a Regulation, which incorporated the proposed regulation amendments discussed at the April 12, 2024, workshop.

The Board conducted its public regulation hearing during its June 7, 2024, meeting, during which it did not receive any verbal or written public comment on the proposed regulation revisions.

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

a) Adverse, immediate: The Board does not regulate businesses. Be that as it may, any estimated immediate adverse effects from this regulation on its licensees (which would not be realized until the October-December 2024 renewal period for the 2025-2026 biennium) would be minor, as the renewal fee increase only amounts to \$25/year for each licensee per biennium year.

Adverse, long-term: The Board does not regulate businesses. Be that as it may, any estimated long-term adverse effects from this regulation on its licensees would be minor, as the renewal fee increase going forward only amounts to \$25/year for each licensee per biennium year.

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

Beneficial, long-term: The estimated long-term beneficial economic effects in this regulation include increasing Board office staff to meet the continually increasing demand on the Board office by its applicants and licensees, and to ensure that Board office operations remain effective and efficient.

c) Direct, immediate: The Board does not regulate businesses. Be that as it may, any estimated immediate direct effects from this regulation on its licensees (which would not be realized until the October-December 2024 renewal period for the 2025-2026 biennium) would be minor, as the renewal fee increase only amounts to \$25/year for each licensee per biennium year.

Direct, long-term: The Board does not regulate businesses. Be that as it may, any estimated long-term direct effects from this regulation on its licensees would be minor, as the renewal fee increase going forward only amounts to \$25/year for each licensee per biennium year. Another long-term direct effect includes increasing Board office staff to meet the continually increasing demand on the Board office by the Board's applicants and licensees, as well as the public, and to ensure that Board office operations remain effective and efficient.

- d) Indirect, immediate: There are no estimated immediate indirect economic effects in this regulation.
Indirect, long-term: There are no estimated long-term indirect economic effects in this regulation.

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.

Because the Board determined that there would be no impact on small businesses, no impact methods need to be considered.

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

There will be no increased cost for enforcement of the proposed regulation provisions.

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 total amount that the Board expects to collect during the renewal period for the 2025-2026 biennium with the renewal fee increase is approximately a total of \$35,000 (\$17,500/year) more than it would collect without the renewal fee increase based on renewal projection numbers. The total approximate amount that the Board projects receiving in renewal fees for the 2025-2026 biennium with the increased renewal fee is \$465,000 (versus the projected \$430,000 at the previous renewal rate), which covers the Board's operating expenses for the two years of the 2025-2026 biennium. Those expenses include a new Board office position that was created and approved in 2024, as well as potentially increased staffing for the Board office and addressing the impact that inflation has had on Board office operations.

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

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

The Board conducted a public workshop during its April 12, 2024, meeting. In attendance at the workshop were 13 members of the public, 6 Board members, Board counsel, and Board staff. The Board received verbal comment related to the regulation from one member of the public.

The Board conducted a public regulation hearing during its June 7, 2024, meeting. In attendance at that hearing were 6 members of the public, 6 Board members, Board counsel, and Board staff. The Board did not receive any written or verbal public comment related to R084-24. The Board approved the adoption of the regulation revision at the conclusion of the hearing.

I, Laura M. Arnold, the Executive Director of the Nevada Board of Psychological Examiners, sign this statement certifying that, 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 the information contained in the statement is accurate and prepared properly.

Laura M. Arnold

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Executive Director