

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R084-24**

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 the amount the Board charges for licensure renewal from \$600/biennium to \$650/biennium, and is intended to go into effect for the 2025-2026 biennium.

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 licensure renewal fee changes, 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 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 change to the current NAC Chapter 641. The Board received verbal public comment from one member of the public in attendance 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. 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 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, regulations workshop. That notice included a request for submission of public comment regarding adoption of the regulation.

On June 7, 2024, after the Board received an approved R084-24 draft from the Legislative Counsel Bureau, the Board conducted a public hearing on R084-24 during its regular Board meeting. The Board did not receive either written or public comment, and

there was no opposition to the adoption of the regulation. The Board approved the adoption of proposed regulation R084-24 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 – 0
- (c) Submitted to the agency
written comments:** April 12, 2024 – 0
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 licensure renewal fee changes, 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.

There were no proposed changes to R084-24. As proposed, the regulation changed the renewal fee amount from \$600 to \$650. No other amount was suggested or proposed by any Board member or member of the public. As a result, the Board approved its adoption as proposed, workshopped, and heard.

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:

- 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.

e) 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.

f) 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.

g) 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.

h) 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.

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.

The State of Nevada Board of Psychological Examiners approved and adopted the regulation on June 7, 2024.