

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 8, 10, 12)

(Reprinted with amendments adopted on May 19, 2015)

SECOND REPRINT

A.B. 85

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ASSEMBLY BILL NO. 85—COMMITTEE  
ON COMMERCE AND LABOR

(ON BEHALF OF THE BOARD OF EXAMINERS FOR  
ALCOHOL, DRUG AND GAMBLING COUNSELORS)

PREFILED DECEMBER 20, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing alcohol, drug and  
gambling counselors. (BDR 54-388)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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

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AN ACT relating to professions; transferring certain duties of the Secretary-Treasurer of the Board of Examiners for Alcohol, Drug and Gambling Counselors to the Executive Director of the Board; authorizing the Executive Director to delegate his or her duties; revising provisions governing alcohol, drug and gambling counselors and interns; repealing the prospective transfer of the authority and duties relating to the certification of detoxification technicians to the Board; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law establishes the Board of Examiners for Alcohol, Drug and  
2 Gambling Counselors and authorizes the Board to license or certify persons  
3 engaged in the practice or clinical practice of counseling alcohol and drug abusers  
4 and problem gamblers. (Chapter 641C of NRS)  
5 **Section 2** of this bill transfers certain duties of the Secretary-Treasurer of the  
6 Board to the Executive Director of the Board. **Section 2** also authorizes the  
7 Executive Director to delegate certain duties to a designee.  
8 **Sections 3-10** of this bill make various changes regarding the requirements for  
9 obtaining and renewing a license or certificate as an alcohol, drug or gambling  
10 counselor or intern. **Sections 8, 10 and 12** of this bill reduce the duration of  
11 certificates for certain counseling interns from 1 year to 6 months.



12 **Section 13** of this bill authorizes the Board, when determining whether to issue,  
13 renew, restore, suspend, revoke or reinstate a license or certificate or imposing  
14 disciplinary action upon an existing licensee or certificate holder, to consider any  
15 original criminal charges filed against the applicant, licensee or certificate holder,  
16 even if that person was convicted of a lesser crime.

17 **Section 14** of this bill eliminates the 30-day grace period authorizing an  
18 otherwise qualified person to engage in the practice of counseling alcohol and drug  
19 abusers or problem gamblers without a license or certificate while his or her  
20 application is being reviewed. **Section 15** of this bill prohibits a person who is not  
21 licensed or certified by the Board from engaging in the practice or clinical practice  
22 of counseling alcohol and drug abusers and problem gamblers.

23 **Section 24** of this bill repeals the authority of the Board to provide for the  
24 certification of detoxification technicians. (NRS 641C.500) **Sections 16-20** of this  
25 bill make conforming changes to account for the repeal of NRS 641C.500 regarding  
26 the certification of detoxification technicians by the Board. The effect of **sections**  
27 **16-20 and 24** is to leave the authority to certify detoxification technicians with the  
28 Division of Public and Behavioral Health of the Department of Health and Human  
29 Services pursuant to chapter 458 of NRS.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.1.** (Deleted by amendment.)

3 **Sec. 1.2.** (Deleted by amendment.)

4 **Sec. 1.3.** (Deleted by amendment.)

5 **Sec. 1.4.** (Deleted by amendment.)

6 **Sec. 1.45.** (Deleted by amendment.)

7 **Sec. 1.5.** (Deleted by amendment.)

8 **Sec. 1.6.** (Deleted by amendment.)

9 **Sec. 1.7.** (Deleted by amendment.)

10 **Sec. 1.8.** (Deleted by amendment.)

11 **Sec. 1.9.** (Deleted by amendment.)

12 **Sec. 1.95.** NRS 641C.200 is hereby amended to read as  
13 follows:

14 641C.200 1. The Board shall adopt such regulations as are  
15 necessary to carry out the provisions of this chapter, including,  
16 without limitation, regulations that prescribe:

17 (a) The ethical standards for licensed and certified counselors  
18 and certified interns; and

19 (b) The requirements for continuing education for the renewal,  
20 restoration or reinstatement of a license or certificate.

21 2. The Board may adopt regulations that prescribe:

22 (a) The contents of a written *and oral* examination concerning  
23 the practice of counseling problem gamblers;



1 (b) The grounds for initiating disciplinary action against a  
2 certified problem gambling counselor or certified problem gambling  
3 counselor intern; and

4 (c) Disciplinary procedures for certified problem gambling  
5 counselors and certified problem gambling counselor interns,  
6 including the suspension, revocation and reinstatement of a  
7 certificate as a problem gambling counselor or problem gambling  
8 counselor intern.

9 3. Any regulations adopted by the Board pursuant to this  
10 section must be consistent with the provisions of chapter 622A of  
11 NRS.

12 **Sec. 2.** NRS 641C.210 is hereby amended to read as follows:

13 641C.210 The ~~Secretary-Treasurer~~ *Executive Director* of the  
14 Board *or his or her designee* shall prepare and maintain:

15 1. A separate list of the names and addresses of:

- 16 (a) The applicants for a license;  
17 (b) The applicants for a certificate;  
18 (c) The licensed counselors;  
19 (d) The certified counselors; and  
20 (e) The certified interns.

21 2. A record of each examination conducted by the Board.

22 3. An inventory of:

- 23 (a) The property of the Board; and  
24 (b) The property of this State that is in the possession of the

25 Board.

26 **Sec. 3.** NRS 641C.290 is hereby amended to read as follows:

27 641C.290 1. Each applicant for a license as a clinical alcohol  
28 and drug abuse counselor must pass a written and oral examination  
29 concerning his or her knowledge of the clinical practice of  
30 counseling alcohol and drug abusers, the applicable provisions of  
31 this chapter and any applicable regulations adopted by the Board  
32 pursuant to the provisions of this chapter.

33 2. Each applicant for a license or certificate as an alcohol and  
34 drug abuse counselor must pass a written and oral examination  
35 concerning his or her knowledge of the practice of counseling  
36 alcohol and drug abusers, the applicable provisions of this chapter  
37 and any applicable regulations adopted by the Board pursuant to the  
38 provisions of this chapter.

39 3. Each applicant for a certificate as a problem gambling  
40 counselor must pass a written *and oral* examination concerning his  
41 or her knowledge of the practice of counseling problem gamblers,  
42 the applicable provisions of this chapter and any applicable  
43 regulations adopted by the Board pursuant to the provisions of this  
44 chapter.

45 4. The Board shall:



- 1 (a) Examine applicants at least two times each year.
- 2 (b) Establish the time and place for the examinations.
- 3 (c) Provide such books and forms as may be necessary to
- 4 conduct the examinations.
- 5 (d) Except as otherwise provided in NRS 622.090, establish, by
- 6 regulation, the requirements for passing the examination.
- 7 5. The Board may employ other persons to conduct the
- 8 examinations.

9 **Sec. 4.** NRS 641C.300 is hereby amended to read as follows:

10 641C.300 The Board ~~[shall]~~ *may* issue a license or certificate  
11 without examination to a person who holds a license or certificate as  
12 a clinical alcohol and drug abuse counselor or an alcohol and drug  
13 abuse counselor in another state, a territory or possession of the  
14 United States or the District of Columbia if the requirements of that  
15 jurisdiction at the time the license or certificate was issued are  
16 deemed by the Board to be substantially equivalent to the  
17 requirements set forth in the provisions of this chapter.

18 **Sec. 5.** NRS 641C.310 is hereby amended to read as follows:

19 641C.310 1. The Board may hold hearings and conduct  
20 investigations concerning any matter related to an application for a  
21 license or certificate. In the hearings and investigations, the Board  
22 may require the presentation of evidence.

23 2. The Board may refuse to issue a license or certificate to , *or*  
24 *renew the license or certificate of*, an applicant if the Board  
25 determines that the applicant:

26 (a) Is not of good moral character as it relates to the practice of  
27 counseling alcohol and drug abusers or the clinical practice of  
28 counseling alcohol and drug abusers;

29 (b) Has submitted a false credential to the Board;

30 (c) Has been disciplined in another state, a possession or  
31 territory of the United States or the District of Columbia in  
32 connection with the practice of counseling alcohol and drug abusers  
33 or the clinical practice of counseling alcohol and drug abusers;

34 (d) Has committed an act in another state, a possession or  
35 territory of the United States or the District of Columbia in  
36 connection with the practice of counseling alcohol and drug abusers  
37 or the clinical practice of counseling alcohol and drug abusers that  
38 would be a violation of the provisions of this chapter if the act were  
39 committed in this State; or

40 (e) Has failed to comply with any of the requirements for a  
41 license or certificate.

42 **Sec. 6.** NRS 641C.320 is hereby amended to read as follows:

43 641C.320 1. The Board may issue:

44 (a) A provisional license as a clinical alcohol and drug abuse  
45 counselor to a person who has applied to the Board to take the



1 examination for a license as a clinical alcohol and drug abuse  
2 counselor and is otherwise eligible for that license pursuant to NRS  
3 641C.330; or

4 (b) A provisional license or certificate as an alcohol and drug  
5 abuse counselor to a person who has applied to the Board to take the  
6 examination for a license or certificate as an alcohol and drug abuse  
7 counselor and is otherwise eligible for that license or certificate  
8 pursuant to NRS 641C.350 or 641C.390.

9 2. A provisional license or certificate is valid for not more than  
10 ~~1 year~~ **6 months** and may not be renewed.

11 **Sec. 7.** NRS 641C.331 is hereby amended to read as follows:

12 641C.331 1. A license as a clinical alcohol and drug abuse  
13 counselor is valid for ~~1 year~~ **2 years** and may be renewed.

14 2. A licensed clinical alcohol and drug abuse counselor may:

15 (a) Engage in the clinical practice of counseling alcohol and  
16 drug abusers;

17 (b) Diagnose or classify a person as an alcoholic or abuser of  
18 drugs; and

19 (c) Supervise certified clinical alcohol and drug abuse counselor  
20 interns and alcohol and drug abuse counselor interns.

21 **Sec. 8.** NRS 641C.340 is hereby amended to read as follows:

22 641C.340 1. The Board shall issue a certificate as a clinical  
23 alcohol and drug abuse counselor intern to a person who:

24 (a) Is not less than 21 years of age;

25 (b) Is a citizen of the United States or is lawfully entitled to  
26 remain and work in the United States;

27 (c) Pays the fees required pursuant to NRS 641C.470;

28 (d) Submits proof to the Board that the person has received a  
29 master's degree or doctoral degree in a field of social science  
30 approved by the Board that includes comprehensive course work in  
31 clinical mental health, including the diagnosis of mental health  
32 disorders; and

33 (e) Submits all the information required to complete an  
34 application for a certificate.

35 2. A certificate as a clinical alcohol and drug abuse counselor  
36 intern is valid for ~~1 year~~ **6 months** and may be renewed. The  
37 Board may waive any requirement for the renewal of a certificate  
38 upon good cause shown by the holder of the certificate.

39 3. A certified clinical alcohol and drug abuse counselor intern  
40 may, under the supervision of a licensed clinical alcohol and drug  
41 abuse counselor:

42 (a) Engage in the clinical practice of counseling alcohol and  
43 drug abusers; and

44 (b) Diagnose or classify a person as an alcoholic or drug abuser.



1       **Sec. 9.** NRS 641C.350 is hereby amended to read as follows:  
2       641C.350 The Board shall issue a license as an alcohol and  
3 drug abuse counselor to:

4       1. A person who:

5       (a) Is not less than 21 years of age;

6       (b) Is a citizen of the United States or is lawfully entitled to  
7 remain and work in the United States;

8       (c) Has received a master's degree or a doctoral degree from an  
9 accredited college or university in a field of social science approved  
10 by the Board;

11       (d) Has completed 4,000 hours of supervised counseling of  
12 alcohol and drug abusers;

13       (e) Passes the written and oral examinations prescribed by the  
14 Board pursuant to NRS 641C.290;

15       (f) Pays the fees required pursuant to NRS 641C.470; and

16       (g) Submits all information required to complete an application  
17 for a license.

18       2. A person who:

19       (a) Is not less than 21 years of age;

20       (b) Is a citizen of the United States or is lawfully entitled to  
21 remain and work in the United States;

22       (c) Is:

23       (1) Licensed as a clinical social worker pursuant to chapter  
24 641B of NRS;

25       (2) Licensed as a clinical professional counselor pursuant to  
26 chapter 641A of NRS;

27       (3) Licensed as a marriage and family therapist pursuant to  
28 chapter 641A of NRS;

29       (4) A nurse who is licensed pursuant to chapter 632 of NRS  
30 and has received a master's degree or a doctoral degree from an  
31 accredited college or university; or

32       (5) Licensed as a clinical alcohol and drug abuse counselor  
33 pursuant to this chapter;

34       (d) Has completed ~~[at least 6 months]~~ **1,000 hours** of supervised  
35 counseling of alcohol and drug abusers approved by the Board;

36       (e) Passes the written and oral examinations prescribed by the  
37 Board pursuant to NRS 641C.290;

38       (f) Pays the fees required pursuant to NRS 641C.470; and

39       (g) Submits all information required to complete an application  
40 for a license.

41       **Sec. 10.** NRS 641C.420 is hereby amended to read as follows:

42       641C.420 1. The Board shall issue a certificate as an alcohol  
43 and drug abuse counselor intern to a person who:

44       (a) Is not less than 21 years of age;



1 (b) Is a citizen of the United States or is lawfully entitled to  
2 remain and work in the United States;

3 (c) ~~Has:~~

4 ~~— (1) A high school diploma; or~~

5 ~~— (2) A general equivalency diploma or an equivalent~~  
6 ~~document;~~

7 ~~— (d)] Pays the fees required pursuant to NRS 641C.470;~~

8 ~~[(e)] (d) Submits proof to the Board that the person:~~

9 (1) Is enrolled in a program ~~[from] in~~ which he or she ~~[will~~  
10 ~~receive an associate's degree,] has completed at least 60 hours of~~  
11 ~~credit toward the completion of a~~ bachelor's degree ~~[,] in a field of~~  
12 ~~social science approved by the Board;~~

13 (2) *Is enrolled in a program from which he or she will*  
14 *receive a* master's degree or doctoral degree in a field of social  
15 science approved by the Board; or

16 ~~[(2)] (3) Has received an associate's degree, bachelor's~~  
17 ~~degree, master's degree or doctoral degree~~ *that included at least 18*  
18 *hours of credit specifically related to the practice of counseling*  
19 *alcohol and drug abusers* in a field of social science approved by  
20 the Board; ~~[and]~~

21 (e) *Has completed not less than 30 hours of training specific to*  
22 *alcohol and drug abuse which must:*

23 (1) *Include at least 6 hours of instructions relating to*  
24 *confidentiality and 6 hours of instruction relating to ethics; and*

25 (2) *Be approved by the Board; and*

26 (f) Submits all information required to complete an application  
27 for a certificate.

28 2. A certificate as an alcohol and drug abuse counselor intern is  
29 valid for ~~[1-year] 6 months~~ and may be renewed. The Board may  
30 waive any requirement for the renewal of a certificate upon good  
31 cause shown by the holder of the certificate.

32 3. A certified alcohol and drug abuse counselor intern may,  
33 under the supervision of a licensed alcohol and drug abuse  
34 counselor or licensed clinical alcohol and drug abuse counselor:

35 (a) Engage in the practice of counseling alcohol and drug  
36 abusers; and

37 (b) Diagnose or classify a person as an alcoholic or drug abuser.

38 **Sec. 11.** NRS 641C.430 is hereby amended to read as follows:

39 641C.430 The Board may issue a certificate as a problem  
40 gambling counselor to:

41 1. A person who:

42 (a) Is not less than 21 years of age;

43 (b) Is a citizen of the United States or is lawfully entitled to  
44 remain and work in the United States;



1 (c) Has received a bachelor's degree, master's degree or a  
2 doctoral degree from an accredited college or university in a field of  
3 social science approved by the Board;

4 (d) Has completed not less than 60 hours of training specific to  
5 problem gambling approved by the Board;

6 (e) Has completed at least 2,000 hours of supervised counseling  
7 of problem gamblers in a setting approved by the Board;

8 (f) Passes the written *and oral* examination prescribed by the  
9 Board pursuant to NRS 641C.290;

10 (g) Presents himself or herself when scheduled for an interview  
11 at a meeting of the Board;

12 (h) Pays the fees required pursuant to NRS 641C.470; and

13 (i) Submits all information required to complete an application  
14 for a certificate.

15 2. A person who:

16 (a) Is not less than 21 years of age;

17 (b) Is a citizen of the United States or is lawfully entitled to  
18 remain and work in the United States;

19 (c) Is licensed as:

20 (1) A clinical social worker pursuant to chapter 641B of  
21 NRS;

22 (2) A clinical professional counselor pursuant to chapter  
23 641A of NRS;

24 (3) A marriage and family therapist pursuant to chapter 641A  
25 of NRS;

26 (4) A physician pursuant to chapter 630 of NRS;

27 (5) A nurse pursuant to chapter 632 of NRS and has received  
28 a master's degree or a doctoral degree from an accredited college or  
29 university;

30 (6) A psychologist pursuant to chapter 641 of NRS;

31 (7) An alcohol and drug abuse counselor pursuant to this  
32 chapter; or

33 (8) A clinical alcohol and drug abuse counselor pursuant to  
34 this chapter;

35 (d) Has completed not less than 60 hours of training specific to  
36 problem gambling approved by the Board;

37 (e) Has completed at least 1,000 hours of supervised counseling  
38 of problem gamblers in a setting approved by the Board;

39 (f) Passes the written *and oral* examination prescribed by the  
40 Board pursuant to NRS 641C.290;

41 (g) Pays the fees required pursuant to NRS 641C.470; and

42 (h) Submits all information required to complete an application  
43 for a certificate.





1       **Sec. 12.** NRS 641C.440 is hereby amended to read as follows:  
2       641C.440 1. The Board may issue a certificate as a problem  
3 gambling counselor intern to a person who:

4       (a) Is not less than 21 years of age;  
5       (b) Is a citizen of the United States or is lawfully entitled to  
6 remain and work in the United States;

7       (c) Submits proof to the Board that the person:  
8           (1) Has received a bachelor's degree, master's degree or a  
9 doctoral degree from an accredited college or university in a field of  
10 social science approved by the Board; or

11           (2) Is enrolled in a program at an accredited college or  
12 university from which he or she will receive a bachelor's degree,  
13 master's degree or a doctoral degree in a field of social science  
14 approved by the Board;

15       (d) Has completed not less than 30 hours of training specific to  
16 problem gambling approved by the Board;

17       (e) Demonstrates that a certified problem gambling counselor  
18 approved by the Board has agreed to supervise him or her in a  
19 setting approved by the Board;

20       (f) Pays the fees required pursuant to NRS 641C.470; and

21       (g) Submits all information required to complete an application  
22 for a certificate.

23       2. A certificate as a problem gambling counselor intern is valid  
24 for ~~1-year~~ **6 months** and, except as otherwise provided in  
25 subsection 3, may be renewed.

26       3. A certificate as a problem gambling counselor intern issued  
27 to a person on the basis that the person is enrolled in a program at an  
28 accredited college or university from which he or she will receive a  
29 bachelor's degree, master's degree or a doctoral degree in a field of  
30 social science approved by the Board may be renewed not more than  
31 nine times.

32       4. A certified problem gambling counselor intern may, under  
33 the supervision of a certified problem gambling counselor:

34       (a) Engage in the practice of counseling problem gamblers; and

35       (b) Assess and evaluate a person as a problem gambler.

36       **Sec. 12.3.** (Deleted by amendment.)

37       **Sec. 12.7.** (Deleted by amendment.)

38       **Sec. 13.** NRS 641C.530 is hereby amended to read as follows:  
39       641C.530 1. The Board may use any information included in

40 a report of criminal history that is obtained pursuant to this section  
41 or NRS 641C.260 in determining whether:

42       (a) To issue, renew, restore, suspend, revoke or reinstate a  
43 license or certificate pursuant to this chapter; or

44       (b) Any ground for imposing any disciplinary action exists  
45 pursuant to NRS 641C.700.



1 2. Before renewing, restoring or reinstating the license or  
2 certificate of a licensed counselor, certified counselor or certified  
3 intern, the Board may, by regulation, require the licensed counselor,  
4 certified counselor or certified intern to submit to the Board a  
5 complete set of fingerprints and written permission authorizing the  
6 Board to forward the fingerprints to the Central Repository for  
7 Nevada Records of Criminal History for submission to the Federal  
8 Bureau of Investigation for its report.

9 3. ~~[A regulation adopted pursuant to subsection 2 must set  
10 forth the circumstances under which the Board will require a  
11 detoxification technician to submit fingerprints and written  
12 authorization specified in that subsection before renewing, restoring  
13 or reinstating a certificate.]~~ *Except as otherwise provided in this  
14 subsection, in reviewing the information included in a report of  
15 criminal history that is obtained pursuant to this section or NRS  
16 641C.260, the Board may consider any original charge filed  
17 against an applicant, licensed counselor, certified counselor or  
18 certified intern that alleges a particular criminal act regardless of  
19 whether the person was convicted of, or entered a plea of guilty or  
20 nolo contendere to, a lesser charge. The Board shall not consider  
21 a charge filed against an applicant, licensed counselor, certified  
22 counselor or certified intern that alleges a particular criminal act  
23 for which, in the absence of a plea of guilty or nolo contendere to  
24 a lesser charge:*

25 *(a) The applicant, licensed counselor, certified counselor or  
26 certified intern was found not guilty; or*

27 *(b) The charges against the applicant, licensed counselor,  
28 certified counselor or certified intern were dismissed.*

29 **Sec. 13.3.** (Deleted by amendment.)

30 **Sec. 13.7.** (Deleted by amendment.)

31 **Sec. 14.** NRS 641C.900 is hereby amended to read as follows:

32 641C.900 ~~[1.—Except as otherwise provided in subsection 2,~~  
33 ~~a] A~~ a person shall not engage in the practice of counseling alcohol  
34 and drug abusers, the clinical practice of counseling alcohol and  
35 drug abusers or the practice of counseling problem gamblers unless  
36 the person is a licensed counselor, certified counselor or certified  
37 intern.

38 ~~[2.—A person may engage in the practice of counseling alcohol  
39 and drug abusers under the supervision of a licensed counselor,  
40 the clinical practice of counseling alcohol and drug abusers under  
41 the supervision of a clinical alcohol and drug abuse counselor or the  
42 practice of counseling problem gamblers under the supervision of a  
43 certified counselor for not more than 30 days if that person:~~

44 ~~—(a) Is qualified to be licensed or certified pursuant to the  
45 provisions of this chapter; and~~



1 ~~—(b) Submits an application to the Board for a license or~~  
2 ~~certificate pursuant to the provisions of this chapter.]~~

3 **Sec. 15.** NRS 641C.910 is hereby amended to read as follows:  
4 641C.910 1. A person shall not:

5 (a) Hold himself or herself out to a member of the general public  
6 as a clinical alcohol and drug abuse counselor, a clinical alcohol and  
7 drug abuse counselor intern, an alcohol and drug abuse counselor,  
8 an alcohol and drug abuse counselor intern, a problem gambling  
9 counselor or a problem gambling counselor intern;

10 (b) Use the title “clinical alcohol and drug abuse counselor,”  
11 “clinical alcohol and drug abuse counselor intern,” “alcohol and  
12 drug abuse counselor,” “alcohol and drug abuse counselor intern,”  
13 “drug abuse counselor,” “substance abuse counselor,” “problem  
14 gambling counselor,” “problem gambling counselor intern,”  
15 “gambling  ~~counselor,” “detoxification technician”~~ **counselor**” or  
16 any similar title in connection with his or her work; ~~or~~

17 (c) Imply in any way that he or she is licensed or certified by the  
18 Board ~~];~~;

19 *(d) Engage in the practice of counseling alcohol and drug*  
20 *abusers;*

21 *(e) Engage in the clinical practice of counseling alcohol and*  
22 *drug abusers; or*

23 *(f) Engage in the practice of counseling problem gamblers,*

24 ~~↪ unless the person is licensed or certified by the Board pursuant to~~  
25 ~~the provisions of this chapter . ~~for a regulation adopted pursuant to~~~~  
26 ~~NRS 641C.500.]~~

27 2. If the Board believes that any person has violated or is about  
28 to violate any provision of this chapter or a regulation adopted  
29 pursuant thereto, it may bring an action in a court of competent  
30 jurisdiction to enjoin the person from engaging in or continuing the  
31 violation. An injunction:

32 (a) May be issued without proof of actual damage sustained by  
33 any person.

34 (b) Does not prevent the criminal prosecution and punishment of  
35 a person who violates a provision of this chapter or a regulation  
36 adopted pursuant thereto.

37 **Sec. 15.3.** (Deleted by amendment.)

38 **Sec. 15.7.** (Deleted by amendment.)

39 **Sec. 16.** Sections 14, 15 and 16 of chapter 207, Statutes of  
40 Nevada 2003, at pages 1168 and 1169, are hereby amended to read  
41 as follows:

42 Secs. 14-16. **(Deleted by amendment.)**



1     **Sec. 17.** Section 191 of chapter 1, Statutes of Nevada 2005,  
2 22nd Special Session, at page 57, is hereby amended to read as  
3 follows:

4             Sec. 191. **(Deleted by amendment.)**

5     **Sec. 18.** Section 193 of chapter 1, Statutes of Nevada 2005,  
6 22nd Special Session, at page 58, is hereby amended to read as  
7 follows:

8             Sec. 193. **(Deleted by amendment.)**

9     **Sec. 19.** Section 220 of chapter 1, Statutes of Nevada 2005,  
10 22nd Special Session, at page 67, is hereby amended to read as  
11 follows:

12             Sec. 220. 1. This section and section 211 of this act  
13 become effective upon passage and approval.

14             2. Sections 1 to 185.7, inclusive, 186 to 188.5, inclusive,  
15 and 208 to 219, inclusive, of this act become effective on  
16 October 1, 2005.

17             3. Sections 185.9, 189, 190, 192 and 194 to 207,  
18 inclusive, of this act, become effective on July 1, 2007.

19             ~~4. Sections 190, 192, 194 and 195 of this act expire by~~  
20 ~~limitation on the date the regulation adopted by the Board of~~  
21 ~~Examiners for Alcohol, Drug and Gambling Counselors for the~~  
22 ~~certification of a person as a detoxification technician~~  
23 ~~pursuant to NRS 641C.500 becomes effective, unless a later~~  
24 ~~date is otherwise specified in the regulation.~~

25             ~~5. Sections 191 and 193 of this act become effective on~~  
26 ~~the date the regulation adopted by the Board of Examiners for~~  
27 ~~Alcohol, Drug and Gambling Counselors for the certification~~  
28 ~~of a person as a detoxification technician pursuant to NRS~~  
29 ~~641C.500 becomes effective, unless a later date is otherwise~~  
30 ~~specified in the regulation.]~~

31     **Sec. 20.** Section 69 of chapter 462, Statutes of Nevada 2013,  
32 at page 2746, is hereby amended to read as follows:

33             Sec. 69. 1. This section and sections 1, 2, 3, 5, 6, 7, 8  
34 to 9.3, inclusive, 16.5 and 68 of this act become effective on  
35 July 1, 2013.

36             2. Sections 4, 7.1 to 7.9, inclusive, 13 to 16, inclusive,  
37 and 17 to 67, inclusive, of this act become effective:

38             (a) On July 1, 2013, for the purpose of adopting  
39 regulations and performing any other preparatory  
40 administrative tasks that are necessary to carry out the  
41 provisions of this act; and

42             (b) On January 1, 2014, for all other purposes.

43             ~~3. Section 29 of this act expires by limitation on the~~  
44 ~~date the regulation adopted by the Board of Examiners for~~  
45 ~~Alcohol, Drug and Gambling Counselors for certification as a~~



~~detoxification technician pursuant to NRS 641C.500 becomes effective.]~~

**Sec. 21.** 1. Any contracts or other agreements entered into by an officer or entity whose name has been changed pursuant to the provisions of this act are binding upon the officer or entity to which the responsibility for the administration of the provision of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or entity to which the responsibility for the enforcement of the provisions of the contract or other agreements has been transferred.

2. Any action taken by an officer or entity whose name has been changed pursuant to the provisions of this act remains in effect as if taken by the officer or entity to which the responsibility for the enforcement of such actions has been transferred.

**Sec. 22.** The Legislative Counsel shall:

1. In preparing the Nevada Revised Statutes, use the authority set forth in subsection 10 of NRS 220.120 to substitute appropriately the name of any agency or officer of the State whose name is changed by this act for the name which the agency or officer previously used; and

2. In preparing supplements to the Nevada Administrative Code, substitute appropriately the name of any agency or officer of the State whose name is changed by this act for the name which the agency or officer previously used.

**Sec. 23.** The amendatory provisions of sections 6, 7, 8 and 12 of this act, and the provisions of subsection 2 of NRS 641C.420 as amended by section 10 of this act, do not apply to the length of time a license or certificate is valid if the license or certificate is issued pursuant to the provisions of chapter 641C of NRS before July 1, 2015.

**Sec. 24.** NRS 641C.500 is hereby repealed.

**Sec. 25.** This act becomes effective on July 1, 2015.

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**TEXT OF REPEALED SECTION**

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**641C.500 Adoption of regulations governing certification; scope of regulations; prohibitions; inapplicability of certain provisions of chapter.**

1. The Board may, by regulation, provide for the certification of a person as a detoxification technician.



2. Any regulation adopted pursuant to subsection 1 must be consistent with the provisions of chapter 622A of NRS and must include, without limitation, provisions relating to:

(a) The requirements for submitting an application for a certificate, including, without limitation, the submission of a complete set of fingerprints pursuant to NRS 641C.260;

(b) The scope of practice for a person who is issued a certificate;

(c) The conduct of any investigation or hearing relating to an application for a certificate;

(d) The examination of an applicant for a certificate or a waiver of examination for an applicant;

(e) The requirements for issuing a certificate or provisional certificate;

(f) The duration, expiration, renewal, restoration, suspension, revocation and reinstatement of a certificate;

(g) The grounds for refusing the issuance, renewal, restoration or reinstatement of a certificate;

(h) The conduct of any disciplinary or other administrative proceeding relating to a person who is issued a certificate;

(i) The filing of a complaint against a person who is issued a certificate;

(j) The issuance of a subpoena for the attendance of witnesses and the production of books, papers and records;

(k) The payment of fees for:

(1) Witnesses, mileage and attendance at a hearing or deposition; and

(2) The issuance, renewal, restoration or reinstatement of a certificate;

(l) The imposition of a penalty for a violation of any provision of the regulations; and

(m) The confidentiality of any record or other information maintained by the Board relating to an applicant or the holder of a certificate.

3. A person shall not engage in any activity for which the Board requires a certificate as a detoxification technician pursuant to this section unless the person is the holder of such a certificate.

4. In addition to the provisions of subsection 2, a regulation adopted pursuant to this section must include provisions that are substantially similar to the requirements set forth in NRS 641C.280 and 641C.710. Any provision included in a regulation pursuant to this subsection remains effective until the provisions of NRS 641C.280 and 641C.710 expire by limitation.

5. Except as otherwise provided in this section and NRS 641C.900, 641C.910 and 641C.950, the provisions of this chapter



do not apply to the holder of a certificate that is issued in accordance with a regulation adopted pursuant to this section.

6. As used in this section, “detoxification technician” means a person who is certified by the Board to provide screening for the safe withdrawal from alcohol and other drugs.

