

SUMMARY—Revises provisions relating to psychological assistants, psychological interns and psychological trainees. (BDR 54-714)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Yes.

AN ACT relating to psychologists; providing for the issuance of a provisional license to psychological assistants, psychological interns and psychological trainees; revising certain fees charged to psychological assistants, psychological interns and psychological trainees; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law: (1) requires a person who wishes to obtain certain postdoctoral experience in psychology to register with the Board of Psychological Examiners as a psychological assistant; and (2) authorizes a person who is in a doctoral training program or certain doctorate-level training and who wishes to engage in a predoctoral internship or to perform professional activities under the supervision of a psychologist outside of a formal internship to register with the Board as a psychological intern or psychological trainee, respectively. (NRS 641.226) **Section 13** of this bill provides for such persons to instead obtain a provisional license as a psychological assistant, psychological intern or psychological trainee, as applicable. **Section 13** provides that: (1) a person seeking a provisional license as a psychological intern or psychological trainee must have



completed any courses required for his or her doctoral training program or doctorate-level training; and (2) a provisional license as a psychological intern or psychological trainee expires 1 year after issuance, rather than 2 years after issuance, unless the provisional license is renewed. **Section 13** further provides that the holder of a provisional license as a psychological assistant, psychological intern or psychological trainee may take the national exam and any other examination authorized by the Board for full licensure as a psychologist.

Existing law authorizes the Board to charge and collect a fee of not more than \$250 for the initial registration of a psychological assistant, psychological intern or psychological trainee and a fee of not more than \$150 for the renewal of such a registration. (NRS 641.228) **Section 14** of this bill reduces the fee that the Board is authorized to charge and collect for an initial provisional license as a psychological intern or psychological trainee and the fee for the renewal of such a provisional license to not more than \$25.

**Sections 1-12 and 15-28** of this bill make conforming changes to replace references to registration as a psychological assistant, psychological intern and psychological trainee with references to a provisional license.

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

**Section 1.** NRS 641.0263 is hereby amended to read as follows:



641.0263 “Psychological assistant” means a person ~~[registered with the Board]~~ *holding a provisional license* as a psychological assistant *issued by the Board* pursuant to ~~[subsection 1 of NRS 641.226.]~~ *NRS 641.110.*

**Sec. 2.** NRS 641.0265 is hereby amended to read as follows:

641.0265 “Psychological intern” means a person ~~[registered with the Board]~~ *holding a provisional license* as a psychological intern *issued by the Board* pursuant to ~~[subsection 2 of NRS 641.226.]~~ *NRS 641.110.*

**Sec. 3.** NRS 641.0267 is hereby amended to read as follows:

641.0267 “Psychological trainee” means a person ~~[registered with the Board]~~ *holding a provisional license* as a psychological trainee *issued by the Board* pursuant to ~~[subsection 3 of NRS 641.226.]~~ *NRS 641.110.*

**Sec. 4.** NRS 641.090 is hereby amended to read as follows:

641.090 1. The Secretary-Treasurer shall make and keep on behalf of the Board:

- (a) A record of all its meetings and proceedings.
- (b) A record of all violations and prosecutions under the provisions of this chapter.
- (c) A record of all examinations of applicants.
- (d) A register of all licenses and ~~[registrations.]~~ *provisional licenses.*
- (e) A register of all holders of licenses and ~~[registrations.]~~ *provisional licenses.*
- (f) An inventory of the property of the Board and of the State in the Board’s possession.

2. These records must be kept in the office of the Board and, except as otherwise provided in this section, are subject to public inspection during normal working hours upon reasonable notice.



3. Except as otherwise provided in NRS 239.0115, the Board may keep the personnel records of applicants confidential.

4. Except as otherwise provided in this section and NRS 239.0115, a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.

5. The charging documents filed with the Board to initiate disciplinary action pursuant to chapter 622A of NRS and all other documents and information considered by the Board when determining whether to impose discipline are public records.

6. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

**Sec. 5.** NRS 641.100 is hereby amended to read as follows:

641.100 1. The Board shall adopt regulations:

(a) Prescribing uniform standards concerning the locations at which persons obtaining supervised experience that is required for licensure by the Board provide services;

(b) Authorizing the remote supervision, including, without limitation, electronic supervision, of persons obtaining supervised experience that is required for licensure by the Board who are working at remote sites and prescribing standards concerning such remote supervision; and



(c) Prescribing a manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.

2. The Board may make and promulgate any other rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and licensure of applicants, the granting, refusal, revocation or suspension of licenses, the ~~registration of persons~~ *issuance of provisional licenses* as psychological assistants, psychological interns or psychological trainees and the practice of psychology.

3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.

**Sec. 6.** NRS 641.110 is hereby amended to read as follows:

641.110 1. The Board may, under the provisions of this chapter:

- (a) Examine and pass upon the qualifications of the applicants for licensure.
- (b) License qualified applicants.
- (c) ~~Register a person~~ *Issue provisional licenses* as a psychological assistant, psychological intern or psychological trainee ~~to~~ *to qualified applicants.*
- (d) Revoke or suspend licenses , *provisional licenses* and registrations.
- (e) Collect all fees and make disbursements pursuant to this chapter.



2. The member of the Board who is a representative of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

**Sec. 7.** NRS 641.1105 is hereby amended to read as follows:

641.1105 The Board may enter into an agreement with the Department of Health and Human Services or a division thereof to provide services to carry out or improve any function of the Board. Such services may include, without limitation:

1. Assistance in processing applications for the issuance or renewal of licenses and ~~registrations;~~ *provisional licenses;*
2. Technical assistance;
3. Facilitating cooperation with other boards and licensing entities in this State or any other jurisdiction;
4. Recommendations to improve and standardize procedures used by the Board; and
5. Assistance in identifying resources for improving the operations of the Board.

**Sec. 8.** NRS 641.117 is hereby amended to read as follows:

641.117 The Board shall prescribe forms for applying for the issuance or renewal of a license ~~or~~ *or provisional license.* The forms must:

1. Be available to be completed on the Internet website maintained by the Board;
2. Provide immediate, automatic feedback to the applicant concerning whether the applicant has submitted all required information; and
3. Automatically store the data submitted by the applicant upon completion of the application.

**Sec. 9.** NRS 641.145 is hereby amended to read as follows:



641.145 1. On or before February 1 of each year, the Board shall submit to the Joint Interim Standing Committee on Health and Human Services and to the Chair of each regional behavioral health policy board created by NRS 433.429 a report which must include:

(a) The number of complaints received, investigations completed, cases dismissed, cases settled and cases for which hearings were held within the immediately preceding calendar year;

(b) The number of applications for the issuance or renewal of a license or ~~registration~~ *provisional license* received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board; and

(c) The number of applications for the issuance of a license by endorsement received by the Board pursuant to NRS 641.196 during the immediately preceding calendar year, the number of those applications that were denied and the reasons for denial.

2. The report submitted pursuant to this section to the Chair of each regional behavioral health policy board created by NRS 433.429 may be submitted in a written format.

**Sec. 10.** NRS 641.173 is hereby amended to read as follows:

641.173 If the Board requires an applicant for a license or ~~registration~~ *provisional license* pursuant to this chapter to submit official transcripts as proof of his or her educational qualifications, the Board must provide an alternate means for the applicant to submit official transcripts if:

1. The college or university from which the applicant graduated has closed or has merged with another institution; and



2. The provision of official transcripts by ordinary means is not available or possible.

**Sec. 11.** NRS 641.175 is hereby amended to read as follows:

641.175 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license or ~~registration~~ *provisional license* shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license or ~~registration~~ *provisional license* shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or ~~registration;~~ *provisional license*; or

(b) A separate form prescribed by the Board.

3. A license or ~~registration~~ *provisional license* may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.





4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 12.** NRS 641.2215 is hereby amended to read as follows:

641.2215 1. The Board shall:

(a) Make the data request developed by the Director of the Department of Health and Human Services pursuant to NRS 439A.116 available to applicants for the renewal of a license or ~~registration~~ *provisional license* pursuant to this chapter through a link on the electronic application for the renewal of a license or ~~registration;~~ *provisional license*; and

(b) Request each applicant to complete and electronically submit the data request to the Director.

2. The information provided by an applicant for the renewal of a license or ~~registration~~ *provisional license* pursuant to subsection 1 is confidential and, except as required by subsection 1, must not be disclosed to any person or entity.

3. An applicant for the renewal of a license or ~~registration~~ *provisional license* is not required to complete a data request pursuant to subsection 1 and is not subject to disciplinary action, including, without limitation, refusal to renew the license or ~~registration,~~ *provisional license*, for failure to do so.



**Sec. 13.** NRS 641.226 is hereby amended to read as follows:

641.226 1. A person who wishes to obtain any postdoctoral supervised experience that is required for licensure as a psychologist pursuant to paragraph (d) of subsection 1 of NRS 641.170 must ~~register with~~ *submit an application to* the Board *for a provisional license* as a psychological assistant.

2. A person who:

(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; ~~and~~

(b) *Has completed the courses required for his or her doctoral training program or doctorate-level training; and*

(c) Wishes to engage in a predoctoral internship pursuant to the requirements of the training program,

→ may ~~register with~~ *submit an application to* the Board *for a provisional license* as a psychological intern.

3. A person who:

(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; ~~and~~

(b) *Has completed the courses required for his or her doctoral training program or doctorate-level training; and*



(c) Wishes to perform professional activities or services under the supervision of a psychologist,

↳ may ~~[register with]~~ *submit an application to* the Board *for a provisional license* as a psychological trainee.

4. A person desiring to ~~[register]~~ *obtain a provisional license* as a psychological assistant, psychological intern or psychological trainee must:

(a) Make application to the Board on a form, and in a manner, prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.

(b) As part of the application and at his or her own expense:

(1) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and

(2) Submit to the Board:

(I) A complete set of fingerprints, a fee for the processing of fingerprints established by the Board and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or

(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided



written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

5. The Board may:

(a) Unless the applicant's fingerprints are directly forwarded pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 4, submit those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Board deems necessary; and

(b) Request from each agency to which the Board submits the fingerprints any information regarding the applicant's background as the Board deems necessary.

6. An application for *an* initial ~~registration~~ *provisional license* as a psychological assistant, psychological intern or psychological trainee is not considered complete and received until the Board receives:

(a) A complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this section; and

(b) The fee for the initial ~~registration of~~ *issuance of a provisional license as* a psychological assistant, psychological intern or psychological trainee that is prescribed by the Board pursuant to NRS 641.228.



7. *A person who is issued a provisional license as a psychological assistant, psychological intern or psychological trainee may take the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180.*

8. A ~~registration~~ *provisional license* as a:

(a) Psychological assistant expires 1 year after the date of ~~registration~~ *license* unless the ~~registration~~ *provisional license* is renewed pursuant to subsection ~~8-~~ 9. A ~~registration~~ *provisional license* as a psychological assistant may not be renewed if the renewal would cause the psychological assistant to be ~~registered~~ *provisionally licensed* as a psychological assistant for more than 3 years unless otherwise approved by the Board.

(b) Psychological intern expires ~~2-years~~ *1 year* after the date of ~~registration and may not be~~ *license unless the provisional license is* renewed ~~unless otherwise approved by the Board.~~ *pursuant to subsection 9.*

(c) Psychological trainee expires ~~2-years~~ *1 year* after the date of ~~registration~~ *license* unless the ~~registration~~ *provisional license* is renewed pursuant to subsection ~~8-~~ 9. A ~~registration~~ *provisional license* as a psychological trainee may not be renewed if the renewal would cause the psychological trainee to be ~~registered~~ *provisionally licensed* as a psychological trainee for more than 5 years unless otherwise approved by the Board.

~~8-~~ 9. To renew a ~~registration~~ *provisional license* as a psychological assistant, psychological intern or psychological trainee, the ~~registrant~~ *provisional licensee* must, on or before the expiration of the ~~registration-~~ *provisional license:*

(a) Apply to the Board for renewal;



(b) Pay the fee prescribed by the Board pursuant to NRS 641.228 for the renewal of a ~~registration~~ *provisional license* as a psychological assistant, psychological intern or psychological trainee; and

(c) Submit all information required to complete the renewal.

~~9.1~~ **10.** Any activity or service performed by a psychological assistant, psychological intern or psychological trainee must be performed under the supervision of a psychologist in accordance with regulations adopted by the Board.

**Sec. 14.** NRS 641.228 is hereby amended to read as follows:

641.228 1. The Board shall charge and collect not more than the following fees respectively:

For the national examination, in addition to the actual cost to the Board of the examination .....	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination.....	100
For the issuance of an initial license .....	25
For the issuance of an initial license by endorsement .....	125
For the biennial renewal of a license of a psychologist .....	850
For the restoration of a license suspended for the nonpayment of the biennial fee for the renewal of a license.....	200



For the restoration of a license suspended for the nonsubmission of evidence to the Board of completion of the requirements for continuing education as required for the renewal of the license .....200

For the registration of a firm, partnership or corporation which engages in or offers to engage in the practice of psychology .....300

For the registration of a nonresident to practice as a consultant .....100

For the initial ~~registration of~~ *issuance of a provisional license as* a psychological assistant ~~[, psychological intern or psychological trainee]~~.....250

For the renewal of a ~~registration of~~ *provisional license as* a psychological assistant ~~[, psychological intern or psychological trainee]~~.....150

*For the initial issuance of a provisional license as a psychological intern or psychological trainee .....25*

*For the renewal of a provisional license as a psychological intern or psychological trainee .....25*

2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.



3. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost to provide the service.

4. Except as otherwise provided in subsection 5, if an applicant submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall charge and collect:

(a) Not more than the fee specified in subsection 1 for the issuance of an initial license by endorsement; and

(b) The biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

5. If an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license by endorsement.

6. If an applicant submits an application for *an* initial ~~registration~~ *provisional license* as a psychological assistant, psychological intern or psychological trainee pursuant to NRS 641.226 and the applicant has previously been ~~registered~~ *provisionally licensed* as a psychological assistant, psychological intern or psychological trainee, the Board must waive the fee set forth in subsection 1 for the initial ~~registration~~ *provisional license*.

7. As used in this section, “veteran” has the meaning ascribed to it in NRS 417.005.

**Sec. 15.** NRS 641.230 is hereby amended to read as follows:





641.230 1. The Board may suspend or revoke a person's license as a psychologist or ~~registration~~ *provisional license* as a psychological assistant, psychological intern or psychological trainee, place the person on probation, require remediation for the person or take any other action specified by regulation if the Board finds by a preponderance of the evidence that the person has:

(a) Been convicted of a felony relating to the practice of psychology or to practicing as a psychological assistant, psychological intern or psychological trainee.

(b) Been convicted of any crime or offense that reflects the inability of the person to practice psychology or to practice as a psychological assistant, psychological intern or psychological trainee with due regard for the health and safety of others.

(c) Been convicted of violating any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.

(d) Engaged in gross malpractice or repeated malpractice or gross negligence in the practice of psychology or the practice as a psychological assistant, psychological intern or psychological trainee.

(e) Aided or abetted the practice of psychology or the practice as a psychological assistant, psychological intern or psychological trainee by a person not licensed or ~~registered~~ *provisionally licensed* by the Board.

(f) Made any fraudulent or untrue statement to the Board.

(g) Violated a regulation adopted by the Board.



(h) Had a license to practice psychology or ~~registration~~ *a provisional license* to practice as a psychological assistant, psychological intern or psychological trainee suspended or revoked or has had any other disciplinary action taken against the person by another state or territory of the United States, the District of Columbia or a foreign country, if at least one of the grounds for discipline is the same or substantially equivalent to any ground contained in this chapter.

(i) Failed to report to the Board within 30 days the revocation, suspension or surrender of, or any other disciplinary action taken against, a license or certificate to practice psychology or ~~registration~~ *a provisional license* to practice as a psychological assistant, psychological intern or psychological trainee issued to the person by another state or territory of the United States, the District of Columbia or a foreign country.

(j) Violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate a provision of this chapter.

(k) Performed or attempted to perform any professional service while impaired by alcohol, drugs or by a mental or physical illness, disorder or disease.

(l) Engaged in sexual activity with a patient or client.

(m) Been convicted of abuse or fraud in connection with any state or federal program which provides medical assistance.

(n) Been convicted of submitting a false claim for payment to the insurer of a patient or client.

(o) Operated a medical facility, as defined in NRS 449.0151, at any time during which:

(1) The license of the facility was suspended or revoked; or



(2) An act or omission occurred which resulted in the suspension or revocation of the license pursuant to NRS 449.160.

↳ This paragraph applies to an owner or other principal responsible for the operation of the facility.

2. As used in this section, “preponderance of the evidence” has the meaning ascribed to it in NRS 233B.0375.

**Sec. 16.** NRS 641.240 is hereby amended to read as follows:

641.240 1. If the Board, a panel of its members or a hearing officer appointed by the Board finds a person guilty in a disciplinary proceeding, it may:

- (a) Administer a public reprimand.
- (b) Limit the person’s practice.
- (c) Suspend the person’s license or ~~registration~~ *provisional license* for a period of not more than 1 year.
- (d) Revoke the person’s license or ~~registration~~ *provisional license*.
- (e) Impose a fine of not more than \$5,000.
- (f) Revoke or suspend the person’s license or ~~registration~~ *provisional license* and impose a monetary penalty.
- (g) Suspend the enforcement of any penalty by placing the person on probation. The Board may revoke the probation if the person does not follow any conditions imposed.



(h) Require the person to submit to the supervision of or counseling or treatment by a person designated by the Board. The person named in the complaint is responsible for any expense incurred.

(i) Impose and modify any conditions of probation for the protection of the public or the rehabilitation of the probationer.

(j) Require the person to pay for the costs of remediation or restitution.

2. The Board shall not administer a private reprimand.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

**Sec. 17.** NRS 641.242 is hereby amended to read as follows:

641.242 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license or ~~registration~~ *provisional license* issued pursuant to this chapter, the Board shall deem the license or ~~registration~~ *provisional license* issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license or ~~registration~~ *provisional license* by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license or ~~registration~~ *provisional license* has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.



2. The Board shall reinstate a license or ~~registration~~ *provisional license* issued pursuant to this chapter that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or ~~registration~~ *provisional license* was suspended stating that the person whose license or ~~registration~~ *provisional license* was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 18.** NRS 641.2705 is hereby amended to read as follows:

641.2705 1. The Board, through the President of the Board and the investigator designated by the Board, shall conduct an investigation of each complaint filed pursuant to NRS 641.250 which sets forth reason to believe that a person has violated NRS 641.390.

2. If, after an investigation, the Board determines that a person has violated NRS 641.390, the Board:

(a) May issue and serve on the person an order to cease and desist from engaging in any activity prohibited by NRS 641.390 until the person obtains the proper license or ~~registration~~ *provisional license* from the Board;

(b) May issue a citation to the person; and

(c) Unless the Board determines that extenuating circumstances exist, shall forward to the appropriate law enforcement agency any substantiated information that has been submitted to the Board regarding a person who practices or offers to practice:

(1) Psychology in this State without the proper license issued by the Board pursuant to this chapter; or



(2) As a psychological assistant, psychological intern or psychological trainee in this State without the proper ~~registration~~ *provisional license* issued by the Board pursuant to this chapter.

3. A citation issued pursuant to subsection 2 must be in writing and describe with particularity the nature of the violation. The citation also must inform the person of the provisions of subsection 5. Each violation of NRS 641.390 constitutes a separate offense for which a separate citation may be issued.

4. For any person who violates the provisions of NRS 641.390, the Board shall assess an administrative fine of:

- (a) For a first violation, \$500.
- (b) For a second violation, \$1,000.
- (c) For a third or subsequent violation, \$1,500.

5. To appeal a citation issued pursuant to subsection 2, a person must submit a written request for a hearing to the Board within 30 days after the date of issuance of the citation.

**Sec. 19.** NRS 641.272 is hereby amended to read as follows:

641.272 1. Notwithstanding the provisions of chapter 622A of NRS, the Board may require the person named in a complaint to submit to a mental examination conducted by a panel of three psychologists designated by the Board or a physical examination conducted by a physician designated by the Board.

2. Every psychologist licensed under this chapter and every psychological assistant, psychological intern or psychological trainee ~~registered~~ *provisionally licensed* under this chapter who accepts the privilege of practicing psychology or practicing as a psychological assistant,



psychological intern or psychological trainee in this State shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the Board. The testimony or reports of the examining psychologists or physician are privileged communications, except as to proceedings conducted pursuant to this chapter.

3. Except in extraordinary circumstances, as determined by the Board, the failure of a psychologist, psychological assistant, psychological intern or psychological trainee to submit to an examination as provided in this section constitutes grounds for the immediate suspension of the psychologist's license or the psychological assistant's, psychological intern's or psychological trainee's ~~registration.~~ *provisional license.*

**Sec. 20.** NRS 641.274 is hereby amended to read as follows:

641.274 Notwithstanding the provisions of chapter 622A of NRS, if the Board, a panel of its members or a hearing officer issues an order suspending the license of a psychologist or the ~~registration~~ *provisional license* of a psychological assistant, psychological intern or psychological trainee pending proceedings for disciplinary action and requires the psychologist, psychological assistant, psychological intern or psychological trainee to submit to a mental or physical examination or an examination of his or her competency to practice psychology or to practice as a psychological assistant, psychological intern or psychological trainee, the examination must be conducted and the results obtained within 60 days after the Board, panel of its members or hearing officer issues the order.

**Sec. 21.** NRS 641.285 is hereby amended to read as follows:



641.285 Notwithstanding the provisions of chapter 622A of NRS, in any disciplinary proceeding before the Board, a panel of its members or a hearing officer:

1. Proof of actual injury need not be established where the complaint charges deceptive or unethical professional conduct, practice of psychology, or practice as a psychological assistant, psychological intern or psychological trainee harmful to the public.

2. A certified copy of the record of a court or a licensing agency showing a conviction or the suspension or revocation of a license to practice psychology or ~~registration~~ *provisional license* to practice as a psychological assistant, psychological intern or psychological trainee or an order containing any other disciplinary action entered by a court in the District of Columbia or any state or territory of the United States is conclusive evidence of its occurrence.

3. The entering of a plea of nolo contendere in a court of competent jurisdiction shall be deemed a conviction of the offense charged.

**Sec. 22.** NRS 641.312 is hereby amended to read as follows:

641.312 1. Any person who has been placed on probation or whose license or ~~registration~~ *provisional license* has been limited, suspended or revoked is entitled to judicial review of the order.

2. Every order which limits the practice of psychology or the practice as a psychological assistant, psychological intern or psychological trainee or suspends or revokes a license or ~~registration~~ *provisional license* is effective from the date the Board certifies the order until the date the order is modified or reversed by a final judgment of the court.





3. The district court shall give a petition for judicial review of the order priority over other civil matters which are not expressly given priority by law.

**Sec. 23.** NRS 641.314 is hereby amended to read as follows:

641.314 Notwithstanding the provisions of chapter 622A of NRS:

1. Pending disciplinary proceedings before the Board, a panel of its members or a hearing officer, the court may, upon application by the Board or the Attorney General, issue a temporary restraining order or a preliminary injunction to enjoin any unprofessional conduct of a psychologist, psychological assistant, psychological intern or psychological trainee which is harmful to the public, to limit the psychologist's, psychological assistant's, psychological intern's or psychological trainee's practice or to suspend the license to practice psychology or ~~registration~~ *provisional license* to practice as a psychological assistant, psychological intern or psychological trainee, without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.

2. The disciplinary proceedings before the Board, a panel of its members or a hearing officer must be instituted and determined as promptly as the requirements for investigation of the case reasonably allow.

**Sec. 24.** NRS 641.316 is hereby amended to read as follows:

641.316 1. The Board through its President or Secretary-Treasurer or the Attorney General may maintain in any court of competent jurisdiction a suit for an injunction against any person practicing:



(a) Psychology without a license or authorization to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227; or

(b) As a psychological assistant, psychological intern or psychological trainee without a ~~registration.~~ *provisional license.*

2. Such an injunction:

(a) May be issued without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.

(b) Does not relieve any person from criminal prosecution for practicing without a license or ~~registration.~~ *provisional license.*

**Sec. 25.** NRS 641.318 is hereby amended to read as follows:

641.318 In addition to any other immunity provided by the provisions of chapter 622A of NRS, the Board, a review panel of a hospital, an association of psychologists or any other person who or organization which initiates a complaint or assists in any lawful investigation or proceeding concerning the licensing of a psychologist or the ~~registering~~ *provisional licensing* of a psychological assistant, psychological intern or psychological trainee or the discipline of a psychologist, psychological assistant, psychological intern or psychological trainee for gross malpractice, repeated malpractice, professional incompetence or unprofessional conduct is immune from any civil action for that initiation or assistance or any consequential damages, if the person or organization acted without malicious intent.

**Sec. 26.** NRS 641.320 is hereby amended to read as follows:

641.320 1. Any person:



(a) Whose practice of psychology or practice as a psychological assistant, psychological intern or psychological trainee has been limited;

(b) Whose license or ~~registration~~ *provisional license* has been revoked; or

(c) Who has been placed on probation,

↳ by an order of the Board, a panel of its members or a hearing officer may apply to the Board after 1 year for removal of the limitation or termination of the probation or may apply to the Board pursuant to the provisions of chapter 622A of NRS for reinstatement of the revoked license or ~~registration~~ *provisional license*.

2. In hearing the application, the Board:

(a) May require the person to submit to a mental or physical examination conducted by psychologists or by physicians whom it designates and submit such other evidence of changed conditions and of fitness as it considers proper.

(b) Shall determine whether under all the circumstances the time of the application is reasonable.

(c) May deny the application or modify or rescind its order as it considers the evidence and the public safety warrants.

**Sec. 27.** NRS 641.440 is hereby amended to read as follows:

641.440 Any person who:

1. Presents as his or her own the diploma, license, ~~registration~~ *provisional license* or credentials of another;



2. Gives either false or forged evidence of any kind to the Board or any member thereof, in connection with an application for a license or ~~registration;~~ *provisional license;*

3. Practices psychology or practices as a psychological assistant, psychological intern or psychological trainee under a false or assumed name or falsely personates another psychologist, psychological assistant, psychological intern or psychological trainee of a like or different name;

4. Except as provided in NRS 641.0295, 641.390 and 641A.410, represents himself or herself as a psychologist, or uses any title or description which incorporates the word “psychology,” “psychological,” “psychologist,” “psychometry,” “psychometrics,” “psychometrist” or any other term indicating or implying that he or she is a psychologist, unless he or she has been issued a license;

5. Except as otherwise provided in NRS 641.390, represents himself or herself as a psychological assistant, psychological intern or psychological trainee, or uses any title or description which incorporates the words “psychological assistant,” “psychological intern” or “psychological trainee” or any other term indicating or implying that he or she is a psychological assistant, psychological intern or psychological trainee, unless he or she has been issued a ~~registration;~~ *provisional license;*

6. Practices psychology unless he or she has been issued a license; or

7. Practices as a psychological assistant, psychological intern or psychological trainee unless he or she has been issued a ~~registration;~~ *provisional license,*

↪ is guilty of a gross misdemeanor.

**Sec. 28.** NRS 458A.057 is hereby amended to read as follows:



458A.057 1. “Qualified mental health professional” means any of the following persons:

(a) A person who is certified as a problem gambling counselor pursuant to the provisions of chapter 641C of NRS.

(b) A person who is certified as a problem gambling counselor intern pursuant to the provisions of chapter 641C of NRS.

(c) A physician who is licensed pursuant to the provisions of chapter 630 or 633 of NRS.

(d) A nurse who is licensed pursuant to the provisions of chapter 632 of NRS and is authorized by the State Board of Nursing to engage in the practice of counseling problem gamblers.

(e) A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227, or a psychological assistant who is ~~registered~~ *provisionally licensed* with the Board of Psychological Examiners pursuant to the provisions of chapter 641 of NRS and the regulations adopted pursuant thereto.

(f) A clinical professional counselor or clinical professional counselor intern who is licensed pursuant to chapter 641A of NRS.

(g) A marriage and family therapist or marriage and family therapist intern who is licensed pursuant to the provisions of chapter 641A of NRS and is authorized by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to engage in the practice of counseling persons with an addictive disorder related to gambling.



(h) A person who is licensed as a clinical social worker pursuant to the provisions of chapter 641B of NRS and is authorized by the Board of Examiners for Social Workers to engage in the practice of counseling persons with an addictive disorder related to gambling.

2. As used in this section, “practice of counseling persons with an addictive disorder related to gambling” has the meaning ascribed to it in NRS 641C.105.

**Sec. 29.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 28, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2026, for all other purposes.

