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SENATE BILL NO. 165—SENATOR NGUYEN

PREFILED FEBRUARY 3, 2025

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Referred to Committee on Commerce and Labor

**SUMMARY**—Establishes provisions relating to behavioral health.  
(BDR 54-145)

**FISCAL NOTE:** Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
Effect on the State: Contains Appropriation not included in Executive Budget.

CONTAINS UNFUNDED MANDATE (§ 64)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 behavioral health; providing for the licensure and regulation of behavioral health and wellness practitioners; authorizing the establishment of a Behavioral Health and Wellness Practitioner Advisory Group; authorizing the Board of Psychological Examiners to investigate and impose discipline on a behavioral health and wellness practitioner; prohibiting the unlicensed practice of behavioral health promotion and prevention; establishing a privilege for certain confidential communications between a patient and a behavioral health and wellness practitioner; requiring certain insurers to cover behavioral health promotion and prevention services provided by a behavioral health and wellness practitioner; providing penalties; making appropriations; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law provides for the licensure of psychologists by the Board of  
2 Psychological Examiners. (NRS 641.160, 641.170, 641.196) The Board also  
3 registers psychological assistants, psychological interns and psychological trainees.  
4 (NRS 641.226)

5 **Section 10** of this bill defines "behavioral health and wellness practitioner" to  
6 mean a person who is licensed pursuant to practice behavioral health promotion and  
7 prevention. **Section 11** of this bill defines "behavioral health promotion and  
8 prevention" to mean the supervised clinical use of prevention and early intervention  
9 strategies relating to the mental health of a child. **Section 20** of this bill applies  
10 those definitions to the provisions of existing law governing licensure by the Board.

11 **Sections 13-19 and 21-49** of this bill provide for the licensure and regulation of  
12 behavioral health and wellness practitioners by the Board. **Section 13:** (1) requires  
13 the Board to adopt certain regulations governing behavioral health and wellness  
14 practitioners; and (2) authorizes the Board to accept gifts, grants, donations and  
15 other funds to assist in carrying out the provisions relating to behavioral health and  
16 wellness practitioners. **Section 28** of this bill authorizes the Board to adopt  
17 additional regulations governing the practice of behavioral health promotion and  
18 prevention. **Section 14** authorizes the Board to establish a Behavioral Health  
19 and Wellness Practitioner Advisory Group to provide the Board with expertise and  
20 assistance relating to the regulation of behavioral health and wellness practitioners.  
21 **Section 15** prescribes the required qualifications to obtain a license as a behavioral  
22 health and wellness practitioner, and **section 30** requires an applicant for such a  
23 license to undergo a fingerprint-based background check. **Sections 16 and 17**  
24 prescribe procedures relating to the expiration and renewal of such a license.  
25 **Section 18** authorizes certain providers of health care, including an advanced  
26 practice registered nurse who has psychiatric training and experience, to supervise a  
27 behavioral health and wellness practitioner. **Section 5** of this bill requires the State  
28 Board of Nursing to adopt regulations establishing the psychiatric training and  
29 experience necessary for an advanced practice registered nurse to provide such  
30 supervision. **Section 33** establishes the maximum fees for the issuance or renewal  
31 of a license to practice behavioral health promotion and prevention.

32 **Sections 21-23, 25 and 35-47** make the procedures for the investigation and  
33 discipline of psychologists and the grounds for disciplinary action against  
34 psychologists also apply to behavioral health and wellness practitioners. **Section**  
35 **48:** (1) prohibits a person from representing himself or herself as a behavioral  
36 health and wellness practitioner unless he or she is licensed as a behavioral health  
37 and wellness practitioner; and (2) authorizes certain persons in a course of study to  
38 practice behavioral health promotion and prevention to engage in the supervised  
39 practice of behavioral health promotion and prevention without a license. **Section**  
40 **49** makes the practice of behavioral health promotion and prevention without a  
41 license or under a false or assumed name a gross misdemeanor. **Section 12** of this  
42 bill provides that provisions governing psychologists and persons who provide  
43 behavioral health promotion and prevention services do not apply to certain  
44 government employees. **Section 59** of this bill creates a privilege for certain  
45 confidential communications between a patient and a behavioral health and  
46 wellness practitioner that is similar to existing privileges for such communications  
47 with other providers of behavioral health care. (NRS 49.207-49.254, 49.290)

48 **Sections 19, 24, 26, 31 and 32** make conforming changes to include behavioral  
49 health and wellness practitioners within existing provisions where appropriate and  
50 exclude behavioral health and wellness practitioners from existing provisions that  
51 apply only to psychologists. **Sections 1-4, 6, 34, 50, 52, 54, 56-58 and 60-62** of this  
52 bill make various revisions to treat behavioral health and wellness practitioners in  
53 the same manner as other similar providers of health care in certain circumstances.  
54 **Section 7** of this bill clarifies that a music therapist is not authorized to practice



55 behavioral health promotion and prevention. **Sections 8, 51, 53 and 55** of this bill  
56 provide that a behavioral health and wellness practitioner acting within his or her  
57 scope of practice is not violating provisions governing certain other providers of  
58 health care.

59 Existing law requires public and private policies of health insurance regulated  
60 under Nevada law to include certain coverage. (NRS 287.010, 287.04335,  
61 422.27172-422.272428, 689A.04033-689A.0465, 689B.0303-689B.0379,  
62 689C.1652-689C.169, 689C.194, 689C.1945, 689C.195, 689C.425, 695A.184-  
63 695A.1875, 695A.265, 695B.1901-695B.1948, 695C.050, 695C.1691-695C.176,  
64 695G.162-695G.177) Existing law also requires employers to provide certain  
65 benefits for health care to employees, including the coverage required of health  
66 insurers, if the employer provides health benefits for its employees. (NRS  
67 608.1555) **Sections 66, 74, 75 and 77** of this bill require Medicaid and the  
68 Children’s Health Insurance Program to include coverage for behavioral health  
69 promotion and prevention services provided by a behavioral health and wellness  
70 practitioner by January 1, 2026. **Sections 64, 65, 67, 69-73, 78 and 79** of this bill  
71 require other public and private health insurers to provide such coverage and  
72 include behavioral health and wellness practitioners in their networks by July 1,  
73 2026. **Section 63** of this bill makes a conforming change to require the Director of  
74 the Department of Health and Human Services to administer the provisions of  
75 **section 66** in the same manner as other provisions relating to Medicaid. **Section 68**  
76 of this bill authorizes the Commissioner of Insurance to require certain policies of  
77 health insurance issued by a domestic insurer to a person who resides in another  
78 state to include the coverage required by **section 67**. **Section 76** of this bill  
79 authorizes the Commissioner to suspend or revoke the certificate of a health  
80 maintenance organization that fails to comply with the requirements of **sections 74**  
81 **and 78**. The Commissioner would also be authorized to take such action against  
82 other health insurers who fail to comply with the requirements of **sections 67, 69-**  
83 **73, 77 and 79**. (NRS 680A.200)

84 **Section 80** of this bill makes various appropriations to the Nevada System of  
85 Higher Education and certain institutions within the System for the establishment  
86 of: (1) programs for the education and training of behavioral health and wellness  
87 practitioners; (2) an accredited internship program for child psychologists; and (3)  
88 scholarships for students enrolled in programs for the education and training of  
89 providers of health care who may supervise behavioral health and wellness  
90 practitioners.

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

- 1 **Section 1.** NRS 629.031 is hereby amended to read as follows:  
2 629.031 Except as otherwise provided by a specific statute:  
3 1. “Provider of health care” means:  
4 (a) A physician licensed pursuant to chapter 630, 630A or 633  
5 of NRS;  
6 (b) A physician assistant;  
7 (c) An anesthesiologist assistant;  
8 (d) A dentist;  
9 (e) A dental therapist;  
10 (f) A dental hygienist;  
11 (g) A licensed nurse;



1 (h) A person who holds a license as an attendant or who is  
2 certified as an emergency medical technician, advanced emergency  
3 medical technician or paramedic pursuant to chapter 450B of NRS  
4 or authorized to practice as an emergency medical technician,  
5 advanced emergency medical technician or paramedic in this State  
6 under the Recognition of Emergency Medical Services Personnel  
7 Licensure Interstate Compact ratified by NRS 450B.145;

8 (i) A dispensing optician;

9 (j) An optometrist;

10 (k) A speech-language pathologist;

11 (l) An audiologist;

12 (m) A practitioner of respiratory care;

13 (n) A licensed physical therapist;

14 (o) An occupational therapist;

15 (p) A podiatric physician;

16 (q) A licensed psychologist;

17 (r) A licensed marriage and family therapist;

18 (s) A licensed clinical professional counselor;

19 (t) A music therapist;

20 (u) A chiropractic physician;

21 (v) An athletic trainer;

22 (w) A perfusionist;

23 (x) A doctor of Oriental medicine in any form;

24 (y) A medical laboratory director or technician;

25 (z) A pharmacist;

26 (aa) A licensed dietitian;

27 (bb) An associate in social work, a social worker, a master social  
28 worker, an independent social worker or a clinical social worker  
29 licensed pursuant to chapter 641B of NRS;

30 (cc) An alcohol and drug counselor or a problem gambling  
31 counselor who is certified pursuant to chapter 641C of NRS;

32 (dd) An alcohol and drug counselor or a clinical alcohol and  
33 drug counselor who is licensed pursuant to chapter 641C of NRS;

34 (ee) A behavior analyst, assistant behavior analyst or registered  
35 behavior technician;

36 (ff) A naprapath; ~~{or}~~

37 (gg) *A behavioral health and wellness practitioner; or*

38 *(hh) A medical facility as the employer of any person specified*  
39 *in this subsection.*

40 2. For the purposes of NRS 629.400 to 629.490, inclusive, the  
41 term includes a person who holds a current license or certificate to  
42 practice his or her respective discipline pursuant to the applicable  
43 provisions of law of another state or territory of the United States.



**Sec. 2.** NRS 629.550 is hereby amended to read as follows:

629.550 1. If a patient communicates to a mental health professional an explicit threat of imminent serious physical harm or death to a clearly identified or identifiable person and, in the judgment of the mental health professional, the patient has the intent and ability to carry out the threat, the mental health professional shall place the patient on a mental health crisis hold pursuant to NRS 433A.160, petition for a court to order the placement of the patient on a mental health crisis hold pursuant to NRS 433A.155 or make a reasonable effort to communicate the threat in a timely manner to:

(a) The person who is the subject of the threat;

(b) The law enforcement agency with the closest physical location to the residence of the person; and

(c) If the person is a minor, the parent or guardian of the person.

2. A mental health professional shall be deemed to have made a reasonable effort to communicate a threat pursuant to subsection 1 if:

(a) The mental health professional actually communicates the threat in a timely manner; or

(b) The mental health professional makes a good faith attempt to communicate the threat in a timely manner and the failure to actually communicate the threat in a timely manner does not result from the negligence or recklessness of the mental health professional.

3. A mental health professional who exercises reasonable care in determining that he or she:

(a) Has a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for disclosing confidential or privileged information.

(b) Does not have a duty to take an action described in subsection 1 is not subject to civil or criminal liability or disciplinary action by a professional licensing board for any damages caused by the actions of a patient.

4. The provisions of this section do not:

(a) Limit or affect the duty of the mental health professional to report child abuse or neglect pursuant to NRS 432B.220 or the commercial sexual exploitation of a child pursuant to NRS 432C.110; or

(b) Modify any duty of a mental health professional to take precautions to prevent harm by a patient:

(1) Who is in the custody of a hospital or other facility where the mental health professional is employed; or

(2) Who is being discharged from such a facility.



1 5. As used in this section, “mental health professional”  
2 includes:

3 (a) A physician or psychiatrist licensed to practice medicine in  
4 this State pursuant to chapter 630 or 633 of NRS;

5 (b) A psychologist who is licensed to practice psychology  
6 pursuant to chapter 641 of NRS or authorized to practice  
7 psychology in this State pursuant to the Psychology  
8 Interjurisdictional Compact enacted in NRS 641.227;

9 (c) *A behavioral health and wellness practitioner licensed to*  
10 *practice behavioral health promotion and prevention pursuant to*  
11 *chapter 641 of NRS;*

12 (d) A social worker who:

13 (1) Holds a master’s degree in social work;

14 (2) Is licensed as a clinical social worker pursuant to chapter  
15 641B of NRS; and

16 (3) Is employed by the Division of Public and Behavioral  
17 Health of the Department of Health and Human Services;

18 ~~(d)~~ (e) A registered nurse who:

19 (1) Is licensed to practice professional nursing pursuant to  
20 chapter 632 of NRS; and

21 (2) Holds a master’s degree in psychiatric nursing or a  
22 related field;

23 ~~(e)~~ (f) A marriage and family therapist licensed pursuant to  
24 chapter 641A of NRS;

25 ~~(f)~~ (g) A clinical professional counselor licensed pursuant to  
26 chapter 641A of NRS; and

27 ~~(g)~~ (h) A person who is working in this State within the scope  
28 of his or her employment by the Federal Government, including,  
29 without limitation, employment with the Department of Veterans  
30 Affairs, the military or the Indian Health Service, and is:

31 (1) Licensed or certified as a physician, psychologist,  
32 marriage and family therapist, clinical professional counselor,  
33 alcohol and drug counselor or clinical alcohol and drug counselor in  
34 another state;

35 (2) Licensed as a social worker in another state and holds a  
36 master’s degree in social work; or

37 (3) Licensed to practice professional nursing in another state  
38 and holds a master’s degree in psychiatric nursing or a related field.

39 **Sec. 3.** NRS 629.580 is hereby amended to read as follows:

40 629.580 1. A person who provides wellness services in  
41 accordance with this section, but who is not licensed, certified or  
42 registered in this State as a provider of health care, is not in  
43 violation of any law based on the unlicensed practice of health care  
44 services or a health care profession unless the person:



1 (a) Performs surgery or any other procedure which punctures the  
2 skin of any person;

3 (b) Sets a fracture of any bone of any person;

4 (c) Prescribes or administers X-ray radiation to any person;

5 (d) Prescribes or administers a prescription drug or device or a  
6 controlled substance to any person;

7 (e) Recommends to a client that he or she discontinue or in any  
8 manner alter current medical treatment prescribed by a provider of  
9 health care licensed, certified or registered in this State;

10 (f) Makes a diagnosis of a medical disease of any person;

11 (g) Performs a manipulation or a chiropractic adjustment of the  
12 articulations of joints or the spine of any person;

13 (h) Treats a person's health condition in a manner that  
14 intentionally or recklessly causes that person recognizable and  
15 imminent risk of serious or permanent physical or mental harm;

16 (i) Holds out, states, indicates, advertises or implies to any  
17 person that he or she is a provider of health care;

18 (j) Engages in the practice of medicine in violation of chapter  
19 630 or 633 of NRS, the practice of homeopathic medicine in  
20 violation of chapter 630A of NRS, the practice of naprapathy  
21 in violation of chapter 634B of NRS or the practice of podiatry in  
22 violation of chapter 635 of NRS, unless otherwise expressly  
23 authorized by this section;

24 (k) Performs massage therapy as that term is defined in NRS  
25 640C.060, reflexology as that term is defined in NRS 640C.080 or  
26 structural integration as that term is defined in NRS 640C.085;

27 (l) Provides mental health services that are exclusive to the  
28 scope of practice of a psychiatrist licensed pursuant to chapter 630  
29 or 633 of NRS, or a psychologist licensed pursuant to chapter 641 of  
30 NRS; ~~for~~

31 (m) Engages in the practice of applied behavior analysis in  
32 violation of chapter 641D of NRS ~~for~~; or

33 *(n) Engages in the practice of behavioral health promotion*  
34 *and prevention in violation of chapter 641 of NRS.*

35 2. Any person providing wellness services in this State who is  
36 not licensed, certified or registered in this State as a provider of  
37 health care and who is advertising or charging a fee for wellness  
38 services shall, before providing those services, disclose to each  
39 client in a plainly worded written statement:

40 (a) The person's name, business address and telephone number;

41 (b) The fact that he or she is not licensed, certified or registered  
42 as a provider of health care in this State;

43 (c) The nature of the wellness services to be provided;



1 (d) The degrees, training, experience, credentials and other  
2 qualifications of the person regarding the wellness services to be  
3 provided; and

4 (e) A statement in substantially the following form:  
5

6 It is recommended that before beginning any wellness  
7 plan, you notify your primary care physician or other licensed  
8 providers of health care of your intention to use wellness  
9 services, the nature of the wellness services to be provided  
10 and any wellness plan that may be utilized. It is also  
11 recommended that you ask your primary care physician or  
12 other licensed providers of health care about any potential  
13 drug interactions, side effects, risks or conflicts between any  
14 medications or treatments prescribed by your primary care  
15 physician or other licensed providers of health care and the  
16 wellness services you intend to receive.  
17

18 ↪ A person who provides wellness services shall obtain from each  
19 client a signed copy of the statement required by this subsection,  
20 provide the client with a copy of the signed statement at the time of  
21 service and retain a copy of the signed statement for a period of not  
22 less than 5 years.

23 3. A written copy of the statement required by subsection 2  
24 must be posted in a prominent place in the treatment location of the  
25 person providing wellness services in at least 12-point font.  
26 Reasonable accommodations must be made for clients who:

- 27 (a) Are unable to read;  
28 (b) Are blind or visually impaired;  
29 (c) Have communication impairments; or  
30 (d) Do not read or speak English or any other language in which  
31 the statement is written.

32 4. Any advertisement for wellness services authorized pursuant  
33 to this section must disclose that the provider of those services is not  
34 licensed, certified or registered as a provider of health care in this  
35 State.

36 5. A person who violates any provision of this section is guilty  
37 of a misdemeanor. Before a criminal proceeding is commenced  
38 against a person for a violation of a provision of this section, a  
39 notification, educational or mediative approach must be utilized by  
40 the regulatory body enforcing the provisions of this section to bring  
41 the person into compliance with such provisions.

42 6. This section does not apply to or control:

43 (a) Any health care practice by a provider of health care  
44 pursuant to the professional practice laws of this State, or prevent  
45 such a health care practice from being performed.





1 (b) Any health care practice if the practice is exempt from the  
2 professional practice laws of this State, or prevent such a health care  
3 practice from being performed.

4 (c) A person who provides health care services if the person is  
5 exempt from the professional practice laws of this State, or prevent  
6 the person from performing such a health care service.

7 (d) A medical assistant, as that term is defined in NRS 630.0129  
8 and 633.075, an advanced practitioner of homeopathy, as that term  
9 is defined in NRS 630A.015, or a homeopathic assistant, as that  
10 term is defined in NRS 630A.035.

11 7. As used in this section, "wellness services" means healing  
12 arts therapies and practices, and the provision of products, that are  
13 based on the following complementary health treatment approaches  
14 and which are not otherwise prohibited by subsection 1:

15 (a) Anthroposophy.

16 (b) Aromatherapy.

17 (c) Traditional cultural healing practices.

18 (d) Detoxification practices and therapies.

19 (e) Energetic healing.

20 (f) Folk practices.

21 (g) Gerson therapy and colostrum therapy.

22 (h) Healing practices using food, dietary supplements, nutrients  
23 and the physical forces of heat, cold, water and light.

24 (i) Herbology and herbalism.

25 (j) Reiki.

26 (k) Mind-body healing practices.

27 (l) Nondiagnostic iridology.

28 (m) Noninvasive instrumentalities.

29 (n) Holistic kinesiology.

30 **Sec. 4.** NRS 629.600 is hereby amended to read as follows:

31 629.600 1. A psychotherapist shall not provide any  
32 conversion therapy to a person who is under 18 years of age  
33 regardless of the willingness of the person or his or her parent or  
34 legal guardian to authorize such therapy.

35 2. Any violation of subsection 1 is a ground for disciplinary  
36 action by a state board that licenses a psychotherapist as defined in  
37 subsection 3.

38 3. As used in this section:

39 (a) "Conversion therapy" means any practice or treatment that  
40 seeks to change the sexual orientation or gender identity of a person,  
41 including, without limitation, a practice or treatment that seeks to  
42 change behaviors or gender expressions or to eliminate or reduce  
43 sexual or romantic attractions or feelings toward persons of the  
44 same gender. The term does not include counseling that:



1 (1) Provides assistance to a person undergoing gender  
2 transition; or

3 (2) Provides acceptance, support and understanding of a  
4 person or facilitates a person's ability to cope, social support and  
5 identity exploration and development, including, without limitation,  
6 an intervention to prevent or address unlawful conduct or unsafe  
7 sexual practices that is neutral as to the sexual-orientation of the  
8 person receiving the intervention and does not seek to change  
9 the sexual orientation or gender identity of the person receiving the  
10 intervention.

11 (b) "Psychotherapist" means:

12 (1) A psychiatrist licensed to practice medicine in this State  
13 pursuant to chapter 630 of NRS;

14 (2) A homeopathic physician, advanced practitioner of  
15 homeopathy or homeopathic assistant licensed or certified pursuant  
16 to chapter 630A of NRS;

17 (3) A psychiatrist licensed to practice medicine in this State  
18 pursuant to chapter 633 of NRS;

19 (4) A psychologist *or behavioral health and wellness*  
20 *practitioner* licensed to practice in this State pursuant to chapter 641  
21 of NRS;

22 (5) A social worker licensed in this State as an independent  
23 social worker or a clinical social worker pursuant to chapter 641B of  
24 NRS;

25 (6) A registered nurse holding a master's degree in the field  
26 of psychiatric nursing and licensed to practice professional nursing  
27 in this State pursuant to chapter 632 of NRS;

28 (7) A marriage and family therapist or clinical professional  
29 counselor licensed in this State pursuant to chapter 641A of NRS; or

30 (8) A person who provides counseling services as part of his  
31 or her training for any of the professions listed in subparagraphs (1)  
32 to (7), inclusive.

33 **Sec. 5.** NRS 632.120 is hereby amended to read as follows:

34 632.120 1. The Board shall:

35 (a) Adopt regulations establishing reasonable standards:

36 (1) For the denial, renewal, suspension and revocation of,  
37 and the placement of conditions, limitations and restrictions upon, a  
38 license to practice professional or practical nursing or a certificate to  
39 practice as a nursing assistant or medication aide - certified.

40 (2) Of professional conduct for the practice of nursing.

41 (3) For prescribing and dispensing controlled substances and  
42 dangerous drugs in accordance with applicable statutes.

43 (4) For the psychiatric training and experience necessary for  
44 an advanced practice registered nurse to be authorized to **[make]** :



1           ***(I) Make*** the diagnoses, evaluations and examinations  
2 described in NRS 432B.6078, 432B.60816, 433A.162, 433A.240,  
3 433A.335, 433A.390, 433A.430, 484C.300 and 484C.320 to  
4 484C.350, inclusive, the certifications described in NRS 432B.6075,  
5 432B.60814, 433A.170, 433A.195 and 433A.200 and the sworn  
6 statements or declarations described in NRS 433A.210 and  
7 433A.335 ***☒***; ***and***

8           ***(II) Supervise a behavioral health and wellness***  
9 ***practitioner pursuant to section 18 of this act.***

10          (b) Prepare and administer examinations for the issuance of a  
11 license or certificate under this chapter.

12          (c) Investigate and determine the eligibility of an applicant for a  
13 license or certificate under this chapter.

14          (d) Carry out and enforce the provisions of this chapter and the  
15 regulations adopted pursuant thereto.

16          (e) Develop and disseminate annually to each registered nurse  
17 who cares for children information concerning the signs and  
18 symptoms of pediatric cancer.

19          2. The Board may adopt regulations establishing reasonable:

20          (a) Qualifications for the issuance of a license or certificate  
21 under this chapter.

22          (b) Standards for the continuing professional competence of  
23 licensees or holders of a certificate. The Board may evaluate  
24 licensees or holders of a certificate periodically for compliance with  
25 those standards.

26          3. The Board may adopt regulations establishing a schedule of  
27 reasonable fees and charges, in addition to those set forth in NRS  
28 632.345, for:

29          (a) Investigating licensees or holders of a certificate and  
30 applicants for a license or certificate under this chapter;

31          (b) Evaluating the professional competence of licensees or  
32 holders of a certificate;

33          (c) Conducting hearings pursuant to this chapter;

34          (d) Duplicating and verifying records of the Board; and

35          (e) Surveying, evaluating and approving schools of practical  
36 nursing, and schools and courses of professional nursing,

37          ☛ and collect the fees established pursuant to this subsection.

38          4. For the purposes of this chapter, the Board shall, by  
39 regulation, define the term “in the process of obtaining  
40 accreditation.”

41          5. The Board may adopt such other regulations, not  
42 inconsistent with state or federal law, as may be necessary to carry  
43 out the provisions of this chapter relating to nursing assistant  
44 trainees, nursing assistants and medication aides - certified.



1 6. The Board may adopt such other regulations, not  
2 inconsistent with state or federal law, as are necessary to enable it to  
3 administer the provisions of this chapter.

4 **Sec. 6.** NRS 632.472 is hereby amended to read as follows:

5 632.472 1. The following persons shall report in writing to  
6 the Executive Director of the Board any conduct of a licensee or  
7 holder of a certificate which constitutes a violation of the provisions  
8 of this chapter:

9 (a) Any physician, dentist, dental hygienist, expanded function  
10 dental assistant, naprapath, chiropractic physician, optometrist,  
11 podiatric physician, medical examiner, resident, intern, professional  
12 or practical nurse, nursing assistant, medication aide - certified,  
13 perfusionist, physician assistant licensed pursuant to chapter 630 or  
14 633 of NRS, anesthesiologist assistant, psychiatrist, psychologist,  
15 *behavioral health and wellness practitioner*, marriage and family  
16 therapist, clinical professional counselor, alcohol or drug counselor,  
17 peer recovery support specialist, peer recovery support specialist  
18 supervisor, music therapist, holder of a license or limited license  
19 issued pursuant to chapter 653 of NRS, driver of an ambulance,  
20 paramedic or other person providing medical services licensed or  
21 certified to practice in this State.

22 (b) Any personnel of a medical facility or facility for the  
23 dependent engaged in the admission, examination, care or treatment  
24 of persons or an administrator, manager or other person in charge of  
25 a medical facility or facility for the dependent upon notification by a  
26 member of the staff of the facility.

27 (c) A coroner.

28 (d) Any person who maintains or is employed by an agency to  
29 provide personal care services in the home.

30 (e) Any person who operates, who is employed by or who  
31 contracts to provide services for an intermediary service  
32 organization as defined in NRS 449.4304.

33 (f) Any person who maintains or is employed by an agency to  
34 provide nursing in the home.

35 (g) Any employee of the Department of Health and Human  
36 Services.

37 (h) Any employee of a law enforcement agency or a county's  
38 office for protective services or an adult or juvenile probation  
39 officer.

40 (i) Any person who maintains or is employed by a facility or  
41 establishment that provides care for older persons.

42 (j) Any person who maintains, is employed by or serves as a  
43 volunteer for an agency or service which advises persons regarding  
44 the abuse, neglect or exploitation of an older person and refers them  
45 to persons and agencies where their requests and needs can be met.



1 (k) Any social worker.

2 (l) Any person who operates or is employed by a community  
3 health worker pool or with whom a community health worker pool  
4 contracts to provide the services of a community health worker, as  
5 defined in NRS 449.0027.

6 2. Every physician who, as a member of the staff of a medical  
7 facility or facility for the dependent, has reason to believe that a  
8 nursing assistant or medication aide - certified has engaged in  
9 conduct which constitutes grounds for the denial, suspension or  
10 revocation of a certificate shall notify the superintendent, manager  
11 or other person in charge of the facility. The superintendent,  
12 manager or other person in charge shall make a report as required in  
13 subsection 1.

14 3. A report may be filed by any other person.

15 4. Any person who in good faith reports any violation of the  
16 provisions of this chapter to the Executive Director of the Board  
17 pursuant to this section is immune from civil liability for reporting  
18 the violation.

19 5. As used in this section:

20 (a) "Agency to provide personal care services in the home" has  
21 the meaning ascribed to it in NRS 449.0021.

22 (b) "Community health worker pool" has the meaning ascribed  
23 to it in NRS 449.0028.

24 (c) "Peer recovery support specialist" has the meaning ascribed  
25 to it in NRS 433.627.

26 (d) "Peer recovery support specialist supervisor" has the  
27 meaning ascribed to it in NRS 433.629.

28 **Sec. 7.** NRS 640D.060 is hereby amended to read as follows:

29 640D.060 "Music therapy" means the clinical use of music  
30 interventions by a licensee to accomplish individualized goals  
31 within a therapeutic relationship by a credentialed professional who  
32 has completed a music therapy program approved by the Board. The  
33 term does not include:

34 1. The practice of psychology, *behavioral health promotion*  
35 *and prevention* or medicine;

36 2. The psychological assessment or treatment of couples or  
37 families;

38 3. The prescribing of drugs or electroconvulsive therapy;

39 4. The medical treatment of physical disease, injury or  
40 deformity;

41 5. The diagnosis or psychological treatment of a psychotic  
42 disorder;

43 6. The use of projective techniques in the assessment of  
44 personality;



1 7. The use of psychological, neuropsychological, psychometric  
2 assessment or clinical tests designed to identify or classify abnormal  
3 or pathological human behavior or to determine intelligence,  
4 personality, aptitude, interests or addictions;

5 8. The use of individually administered intelligence tests,  
6 academic achievement tests or neuropsychological tests;

7 9. The use of psychotherapy to treat the concomitants of  
8 organic illness;

9 10. The diagnosis of any physical or mental disorder; or

10 11. The evaluation of the effects of medical and psychotropic  
11 drugs.

12 **Sec. 8.** NRS 640E.090 is hereby amended to read as follows:

13 640E.090 1. The provisions of this chapter do not apply to:

14 (a) Any person who is licensed or registered in this State as a  
15 physician pursuant to chapter 630, 630A or 633 of NRS, dentist,  
16 nurse, dispensing optician, optometrist, occupational therapist,  
17 practitioner of respiratory care, physical therapist, podiatric  
18 physician, psychologist, *behavioral health and wellness*  
19 *practitioner*, marriage and family therapist, chiropractic physician,  
20 naprapath, athletic trainer, massage therapist, reflexologist,  
21 structural integration practitioner, perfusionist, doctor of Oriental  
22 medicine in any form, medical laboratory director or technician or  
23 pharmacist who:

24 (1) Practices within the scope of that license or registration;

25 (2) Does not represent that he or she is a licensed dietitian or  
26 registered dietitian; and

27 (3) Provides nutrition information incidental to the practice  
28 for which he or she is licensed or registered.

29 (b) A student enrolled in an educational program accredited by  
30 the Accreditation Council for Education in Nutrition and Dietetics,  
31 or its successor organization, if the student engages in the practice  
32 of dietetics under the supervision of a licensed dietitian or registered  
33 dietitian as part of that educational program.

34 (c) A registered dietitian employed by the Armed Forces of the  
35 United States, the United States Department of Veterans Affairs or  
36 any division or department of the Federal Government in the  
37 discharge of his or her official duties, including, without limitation,  
38 the practice of dietetics or providing nutrition services.

39 (d) A person who furnishes nutrition information, provides  
40 recommendations or advice concerning nutrition, or markets food,  
41 food materials or dietary supplements and provides nutrition  
42 information, recommendations or advice related to that marketing, if  
43 the person does not represent that he or she is a licensed dietitian or  
44 registered dietitian. While performing acts described in this



1 paragraph, a person shall be deemed not to be engaged in the  
2 practice of dietetics or the providing of nutrition services.

3 (e) A person who provides services relating to weight loss or  
4 weight control through a program reviewed by and in consultation  
5 with a licensed dietitian or physician or a dietitian licensed or  
6 registered in another state which has equivalent licensure  
7 requirements as this State, as long as the person does not change the  
8 services or program without the approval of the person with whom  
9 he or she is consulting.

10 2. As used in this section, "nutrition information" means  
11 information relating to the principles of nutrition and the effect of  
12 nutrition on the human body, including, without limitation:

13 (a) Food preparation;

14 (b) Food included in a normal daily diet;

15 (c) Essential nutrients required by the human body and  
16 recommended amounts of essential nutrients, based on nationally  
17 established standards;

18 (d) The effect of nutrients on the human body and the effect of  
19 deficiencies in or excess amounts of nutrients in the human body;  
20 and

21 (e) Specific foods or supplements that are sources of essential  
22 nutrients.

23 **Sec. 9.** Chapter 641 of NRS is hereby amended by adding  
24 thereto the provisions set forth as sections 10 to 18, inclusive, of this  
25 act.

26 **Sec. 10.** *"Behavioral health and wellness practitioner"*  
27 *means a person who is licensed pursuant to this chapter to*  
28 *practice behavioral health promotion and prevention.*

29 **Sec. 11.** *"Behavioral health promotion and prevention"*  
30 *means the supervised clinical use of prevention and early*  
31 *intervention strategies with a child and the family members of a*  
32 *child to accomplish individualized goals relating to the mental*  
33 *health of the child as part of a therapeutic relationship. The term*  
34 *does not include:*

35 1. *The practice of psychology or medicine;*

36 2. *The psychological assessment or treatment of children,*  
37 *couples or families;*

38 3. *Prescribing drugs or electroconvulsive therapy;*

39 4. *Medical treatment of physical disease, injury or deformity;*

40 5. *Diagnosis or psychological treatment of a psychotic*  
41 *disorder;*

42 6. *The administration and interpretation of projective*  
43 *techniques in the assessment of personality;*

44 7. *The administration and interpretation of a psychological,*  
45 *neuropsychological or psychometric assessment or clinical tests*



1 *designed to diagnose abnormal or pathological human behavior or*  
2 *to determine intelligence, personality, aptitude, interests or*  
3 *addictions;*

4 *8. The administration and interpretation of individually*  
5 *administered intelligence tests, academic achievement tests or*  
6 *neuropsychological tests;*

7 *9. The administration and interpretation of psychotherapy to*  
8 *treat the concomitants of organic illness;*

9 *10. The diagnosis of any physical or mental disorder; or*

10 *11. The evaluation of the effects of medical and psychotropic*  
11 *drugs.*

12 **Sec. 12.** *A person who is employed by:*

13 *1. The Federal Government and who practices psychology*  
14 *within the scope of that employment is not subject to the*  
15 *provisions of this chapter.*

16 *2. The State or Federal Government and who provides*  
17 *behavioral health promotion and prevention services within the*  
18 *scope of that employment is not subject to the provisions of this*  
19 *chapter.*

20 **Sec. 13.** *1. The Board shall adopt such regulations as it*  
21 *deems necessary to carry out the provisions of sections 13 to 18,*  
22 *inclusive, of this act. The regulations may include, without*  
23 *limitation:*

24 *(a) Standards of training for a behavioral health and wellness*  
25 *practitioner;*

26 *(b) Standards for a person performing services or participating*  
27 *in activities as part of a supervised course of study in an accredited*  
28 *or approved educational or internship program in behavioral*  
29 *health promotion and prevention;*

30 *(c) Requirements for an educational or internship program in*  
31 *behavioral health promotion and prevention to be approved by the*  
32 *Board;*

33 *(d) Requirements for continuing education for a behavioral*  
34 *health and wellness practitioner, in addition to those prescribed by*  
35 *section 16 of this act; and*

36 *(e) Standards of practice for a behavioral health and wellness*  
37 *practitioner, including, without limitation, the requirements for*  
38 *supervision of a behavioral health and wellness practitioner by a*  
39 *provider of health care listed in section 18 of this act.*

40 *2. The Board may accept gifts, grants, donations and*  
41 *contributions from any source to assist in carrying out the*  
42 *provisions of sections 13 to 18, inclusive, of this act.*

43 **Sec. 14.** *1. The Board may establish a Behavioral Health*  
44 *and Wellness Practitioner Advisory Group consisting of persons*  
45 *familiar with the practice of behavioral health promotion and*





1 *prevention to provide the Board with expertise and assistance*  
2 *relating to the regulation of behavioral health and wellness*  
3 *practitioners. If the Board establishes a Behavioral Health and*  
4 *Wellness Practitioner Advisory Group, the Board shall:*

- 5 (a) *Determine the number of members;*
- 6 (b) *Appoint the members;*
- 7 (c) *Establish the terms of the members; and*
- 8 (d) *Determine the duties of the Behavioral Health and*  
9 *Wellness Practitioner Advisory Group.*

10 2. *If the Behavioral Health and Wellness Practitioner*  
11 *Advisory Group is established pursuant to subsection 1, the*  
12 *members of the Advisory Group serve without compensation.*

13 **Sec. 15.** 1. *The Board shall issue a license to practice*  
14 *behavioral health promotion and prevention to an applicant who:*

- 15 (a) *Is of good moral character, as determined by the Board;*
- 16 (b) *Is at least 18 years of age; and*
- 17 (c) *Submits to the Board:*

18 (1) *A completed application on a form provided by the*  
19 *Board and the fee prescribed by the Board;*

20 (2) *Proof that the applicant:*

21 (I) *Holds a bachelor's degree or higher in psychology,*  
22 *social work or a related field; and*

23 (II) *Has successfully completed an educational or*  
24 *internship program in behavioral health promotion and*  
25 *prevention approved by the Board;*

26 (3) *The name and occupation of the provider of health care*  
27 *who will supervise the applicant pursuant to section 18 of this act*  
28 *and, if the provider of health care is not a psychologist,*  
29 *documentation from the professional licensing board that licenses*  
30 *the provider of health care stating that he or she has an active*  
31 *license in good standing; and*

32 (4) *Proof that the applicant has passed an examination*  
33 *approved by the Board on the practice of behavioral health*  
34 *promotion and prevention.*

35 2. *Within 120 days after receiving an application and the*  
36 *accompanying evidence from an applicant, the Board shall:*

37 (a) *Evaluate the application and accompanying evidence and*  
38 *determine whether the applicant is qualified pursuant to this*  
39 *section for licensure; and*

40 (b) *Issue a written statement to the applicant of its*  
41 *determination.*

42 3. *If the Board determines that the qualifications of the*  
43 *applicant are insufficient for licensure, the written statement*  
44 *issued to the applicant pursuant to subsection 2 must include a*  
45 *detailed explanation of the reasons for that determination.*



1     **Sec. 16.** *Each license to practice behavioral health*  
2 *promotion and prevention must be renewed 3 years after the date*  
3 *on which it was issued and every 3 years thereafter. The holder of*  
4 *such a license may renew the license before that date by*  
5 *submitting to the Board:*

6     1. *A completed application for renewal on a form prescribed*  
7 *by the Board;*

8     2. *Proof that the applicant has completed not less than 20*  
9 *hours of continuing education within the immediately preceding 3*  
10 *years. Such continuing education must include, without*  
11 *limitation:*

12       (a) *At least 2 hours of continuing education in ethics;*

13       (b) *At least 2 hours of continuing education in prevention*  
14 *science; and*

15       (c) *Any additional continuing education required by the Board*  
16 *pursuant to section 13 of this act; and*

17     3. *The renewal fee prescribed by the Board.*

18     **Sec. 17.** 1. *A license to practice behavioral health*  
19 *promotion and prevention that is not renewed on or before the*  
20 *date prescribed by section 16 of this act is delinquent. The Board*  
21 *shall, within 30 days after the license becomes delinquent, send a*  
22 *notice to the licensee by certified mail, return receipt requested, to*  
23 *the address of the licensee as indicated in the records of the*  
24 *Board.*

25     2. *A licensee may renew a delinquent license within 60 days*  
26 *after the license becomes delinquent by submitting to the Board*  
27 *the documents required by section 16 of this act.*

28     3. *A license to practice behavioral health promotion and*  
29 *prevention expires 60 days after it becomes delinquent if it is not*  
30 *renewed within that period.*

31     **Sec. 18.** *A behavioral health and wellness practitioner may*  
32 *be supervised by:*

33     1. *A psychiatrist licensed pursuant to chapter 630 or 633 of*  
34 *NRS;*

35     2. *An advanced practice registered nurse who has the*  
36 *psychiatric training and experience prescribed by the State Board*  
37 *of Nursing pursuant to NRS 632.120;*

38     3. *A psychologist;*

39     4. *A clinical professional counselor;*

40     5. *A marriage and family therapist; or*

41     6. *A clinical social worker.*

42     **Sec. 19.** NRS 641.010 is hereby amended to read as follows:  
43     641.010 The ~~{practice}~~ *practices* of psychology ~~{is}~~ *and*  
44 *behavioral health promotion and prevention are* hereby declared to  
45 be ~~{a}~~ *learned* ~~{profession,}~~ *professions*, affecting public safety,



1 health and welfare and subject to regulation to protect the public  
2 from the practice of psychology *and behavioral health promotion*  
3 *and prevention* by unqualified persons and from unprofessional  
4 conduct by persons licensed to practice psychology ~~§~~ *and*  
5 *behavioral health promotion and prevention.*

6 **Sec. 20.** NRS 641.020 is hereby amended to read as follows:

7 641.020 As used in this chapter, unless the context otherwise  
8 requires, the words and terms defined in NRS 641.021 to 641.027,  
9 inclusive, *and sections 10 and 11 of this act* have the meanings  
10 ascribed to them in those sections.

11 **Sec. 21.** NRS 641.022 is hereby amended to read as follows:

12 641.022 “Community” means the entire area customarily  
13 served by psychologists *or behavioral health and wellness*  
14 *practitioners* among whom a patient may reasonably choose, not  
15 merely the particular area inhabited by the patients of an individual  
16 psychologist *or behavioral health and wellness practitioner* or the  
17 particular city or place where the psychologist *or behavioral health*  
18 *and wellness practitioner* has his or her office.

19 **Sec. 22.** NRS 641.023 is hereby amended to read as follows:

20 641.023 “Gross malpractice” means malpractice where the  
21 failure to exercise the requisite degree of care, diligence or skill  
22 consists of:

23 1. Practicing psychology , ~~for~~ psychotherapy *or behavioral*  
24 *health promotion and prevention* with a patient while the  
25 psychologist *or behavioral health and wellness practitioner* is  
26 under the influence of an alcoholic beverage as defined in NRS  
27 202.015 or any controlled substance;

28 2. Gross negligence;

29 3. Willful disregard of established methods and procedures in  
30 the practice of psychology ~~§~~ *or behavioral health promotion and*  
31 *prevention, as applicable;* or

32 4. Willful and consistent use of methods and procedures  
33 considered by psychologists *or behavioral health and wellness*  
34 *practitioners, as applicable,* in the community to be inappropriate  
35 or unnecessary in the cases where used.

36 **Sec. 23.** NRS 641.024 is hereby amended to read as follows:

37 641.024 “Malpractice” means failure on the part of a  
38 psychologist *or a behavioral health and wellness practitioner* to  
39 exercise the degree of care, diligence and skill ordinarily exercised  
40 by psychologists *or behavioral health and wellness practitioners,*  
41 *as applicable,* in good standing in the community.

42 **Sec. 24.** NRS 641.0245 is hereby amended to read as follows:

43 641.0245 “Patient” means a person who ~~consults~~:

44 1. *Consults* or is examined or interviewed by a psychologist  
45 for purposes of diagnosis or treatment ~~§~~ ; *or*



1 **2. *Receives behavioral health promotion and prevention***  
2 ***services from a behavioral health and wellness practitioner.***

3 **Sec. 25.** NRS 641.026 is hereby amended to read as follows:

4 641.026 “Professional incompetence” means lack of ability to  
5 practice psychology ***or behavioral health promotion and***  
6 ***prevention*** safely and skillfully arising from:

- 7 1. Lack of knowledge or training;
- 8 2. Impaired physical or mental ability; or
- 9 3. Dependence upon an alcoholic beverage as defined in NRS  
10 202.015 or any controlled substance.

11 **Sec. 26.** NRS 641.029 is hereby amended to read as follows:

12 641.029 The provisions of this chapter do not apply to:

- 13 1. A physician who is licensed to practice in this State;
- 14 2. A person who is licensed to practice dentistry in this State;
- 15 3. A person who is licensed as a marriage and family therapist  
16 or marriage and family therapist intern pursuant to chapter 641A of  
17 NRS;
- 18 4. A person who is licensed as a clinical professional counselor  
19 or clinical professional counselor intern pursuant to chapter 641A of  
20 NRS;
- 21 5. A person who is licensed to engage in social work pursuant  
22 to chapter 641B of NRS;
- 23 6. A person who is licensed as an occupational therapist or  
24 occupational therapy assistant pursuant to chapter 640A of NRS;
- 25 7. A person who is licensed as a clinical alcohol and drug  
26 counselor, licensed or certified as an alcohol and drug counselor or  
27 certified as an alcohol and drug counselor intern, a clinical alcohol  
28 and drug counselor intern, a problem gambling counselor or a  
29 problem gambling counselor intern, pursuant to chapter 641C of  
30 NRS;
- 31 8. A person who provides or supervises the provision of peer  
32 recovery support services in accordance with the provisions of NRS  
33 433.622 to 433.641, inclusive;
- 34 9. A person who is licensed as a behavior analyst or an  
35 assistant behavior analyst or registered as a registered behavior  
36 technician pursuant to chapter 641D of NRS, while engaged in the  
37 practice of applied behavior analysis as defined in NRS 641D.080;  
38 or
- 39 10. Any member of the clergy,  
40 ↪ if such a person does not commit an act described in NRS  
41 641.440 or represent himself or herself as a psychologist ***or a***  
42 ***behavioral health and wellness practitioner.***

43 **Sec. 27.** NRS 641.040 is hereby amended to read as follows:

44 641.040 1. The Governor shall appoint to the Board:



1 (a) Four members who are licensed psychologists in the State of  
2 Nevada with at least 5 years of experience in the practice of  
3 psychology after being licensed.

4 (b) One member who is a licensed psychologist in the State of  
5 Nevada with at least 5 years of experience in the practice of  
6 psychology after being licensed and who is a core faculty member at  
7 a doctorate-level program or internship location that is accredited by  
8 the American Psychological Association for at least 3 years before  
9 the time of appointment. If such a licensed psychologist is not  
10 available to serve, the Governor shall appoint one member who  
11 meets the requirements set forth in paragraph (a).

12 (c) One member who has resided in this State for at least 5 years  
13 and who represents the interests of persons or agencies that  
14 regularly provide health care to patients who are indigent, uninsured  
15 or unable to afford health care.

16 (d) One member who is a representative of the general public.

17 2. A person is not eligible for appointment unless he or she is:

18 (a) A citizen of the United States; and

19 (b) A resident of the State of Nevada.

20 3. The member who is a representative of the general public  
21 must not be a psychologist ~~§~~ *or behavioral health and wellness*  
22 *practitioner*, an applicant or a former applicant for licensure as a  
23 psychologist ~~§~~ *or behavioral health and wellness practitioner*, a  
24 member of a health profession, the spouse or the parent or child, by  
25 blood, marriage or adoption, of a psychologist ~~§~~ *or behavioral*  
26 *health and wellness practitioner*, or a member of a household that  
27 includes a psychologist ~~§~~ *or a behavioral health and wellness*  
28 *practitioner*.

29 4. Board members must not have any conflicts of interest or the  
30 appearance of such conflicts in the performance of their duties as  
31 members of the Board.

32 **Sec. 28.** NRS 641.100 is hereby amended to read as follows:

33 641.100 1. The Board shall adopt regulations:

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

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

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



1 2. The Board may make and promulgate any other rules and  
2 regulations not inconsistent with the provisions of this chapter  
3 governing its procedure, the examination and licensure of  
4 applicants, the granting, refusal, revocation or suspension of  
5 licenses, the registration of persons as psychological assistants,  
6 psychological interns or psychological trainees and the ~~[practice]~~  
7 *practices* of psychology ~~[ ]~~ *and behavioral health promotion and*  
8 *prevention.*

9 3. On the date that the Board gives notice pursuant to NRS  
10 233B.060 of its intent to adopt, amend or repeal a regulation, the  
11 Board shall submit the regulation to the Commission on Behavioral  
12 Health for review. The Commission shall review the regulation and  
13 make recommendations to the Board concerning the advisability of  
14 adopting, amending or repealing the regulation and any changes that  
15 the Commission deems advisable.

16 **Sec. 29.** NRS 641.111 is hereby amended to read as follows:

17 641.111 ~~[AH]~~ *Except as otherwise provided in section 13 of*  
18 *this act, all* money coming into possession of the Board must be  
19 kept or deposited by the Secretary-Treasurer in banks, credit unions,  
20 savings and loan associations or savings banks in the State of  
21 Nevada to be expended for payment of compensation and expenses  
22 of board members and for other necessary or proper purposes in the  
23 administration of this chapter.

24 **Sec. 30.** NRS 641.160 is hereby amended to read as follows:

25 641.160 1. Each person desiring a license must:

26 (a) Make application to the Board upon a form, and in a manner,  
27 prescribed by the Board pursuant to NRS 641.117. The application  
28 must be accompanied by the application fee prescribed by the Board  
29 and include all information required to complete the application.

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

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

34 (2) Submit to the Board:

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

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



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

8 2. The Board may:

9 (a) Unless the applicant's fingerprints are directly forwarded  
10 pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph  
11 (b) of subsection 1, submit those fingerprints to the Central  
12 Repository for Nevada Records of Criminal History for submission  
13 to the Federal Bureau of Investigation and to such other law  
14 enforcement agencies as the Board deems necessary; and

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

18 3. An application is not considered complete and received for  
19 purposes of evaluation pursuant to subsection 2 of NRS 641.170 *or*  
20 *subsection 2 of section 15 of this act, as applicable*, until the Board  
21 receives a complete set of fingerprints or verification that the  
22 fingerprints have been forwarded electronically or by other means to  
23 the Central Repository for Nevada Records of Criminal History, and  
24 written authorization from the applicant pursuant to this section.

25 **Sec. 31.** NRS 641.220 is hereby amended to read as follows:

26 641.220 1. To renew a license *as a psychologist* issued  
27 pursuant to this chapter, each person must, on or before the first day  
28 of January of each odd-numbered year:

29 (a) Apply to the Board for renewal;

30 (b) Pay the biennial fee for the renewal of a license ~~§~~ *as a*  
31 *psychologist*;

32 (c) Submit evidence to the Board of completion of the  
33 requirements for continuing education as set forth in regulations  
34 adopted by the Board; and

35 (d) Submit all information required to complete the renewal.

36 2. Upon renewing his or her license, a psychologist shall  
37 declare his or her areas of competence, as determined in accordance  
38 with NRS 641.112.

39 3. The Board shall, as a prerequisite for the renewal of a  
40 license ~~§~~ *as a psychologist*, require each holder to comply with the  
41 requirements for continuing education adopted by the Board.

42 4. The requirements for continuing education adopted by the  
43 Board pursuant to subsection 3 must include, without limitation:

44 (a) A requirement that the holder of a license *as a psychologist*  
45 receive at least 2 hours of instruction on evidence-based suicide



1 prevention and awareness or another course of instruction on suicide  
2 prevention and awareness that is approved by the Board which the  
3 Board has determined to be effective and appropriate. The hours of  
4 instruction required by this paragraph must be completed within 2  
5 years after initial licensure and at least every 4 years thereafter.

6 (b) A requirement that the holder of a license *as a psychologist*  
7 must biennially receive at least 6 hours of instruction relating to  
8 cultural competency and diversity, equity and inclusion. Such  
9 instruction:

10 (1) May include the training provided pursuant to NRS  
11 449.103, where applicable.

12 (2) Must be based upon a range of research from diverse  
13 sources.

14 (3) Must address persons of different cultural backgrounds,  
15 including, without limitation:

16 (I) Persons from various gender, racial and ethnic  
17 backgrounds;

18 (II) Persons from various religious backgrounds;

19 (III) Lesbian, gay, bisexual, transgender and questioning  
20 persons;

21 (IV) Children and senior citizens;

22 (V) Veterans;

23 (VI) Persons with a mental illness;

24 (VII) Persons with an intellectual disability,  
25 developmental disability or physical disability; and

26 (VIII) Persons who are part of any other population that  
27 the holder of a license *as a psychologist* may need to better  
28 understand, as determined by the Board.

29 **Sec. 32.** NRS 641.222 is hereby amended to read as follows:

30 641.222 1. The license of any ~~person~~ *psychologist* who fails  
31 to pay the biennial fee for the renewal of a license *to practice*  
32 *psychology* within 60 days after the date when it is due is  
33 automatically suspended. The Board may, within 2 years after the  
34 date the license is so suspended, reinstate the license upon payment  
35 to the Board of the amount of the then current biennial fee for the  
36 renewal of a license *to practice psychology* and the amount of the  
37 fee for the restoration of a license so suspended. If the license is not  
38 reinstated within 2 years, the Board may reinstate the license only if  
39 it also determines that the holder of the license is competent to  
40 practice psychology.

41 2. A notice must be sent to any ~~person~~ *psychologist* who fails  
42 to pay the biennial fee, informing the ~~person~~ *psychologist* that the  
43 license is suspended.





1       **Sec. 33.** NRS 641.228 is hereby amended to read as follows:  
2       641.228 1. The Board shall charge and collect not more than  
3 the following fees respectively:

4		
5	For the national examination, in addition to the	
6	actual cost to the Board of the examination .....	\$100
7	For any other examination required pursuant to	
8	the provisions of subsection 1 of NRS	
9	641.180, in addition to the actual costs to the	
10	Board of the examination .....	100
11	For the issuance of an initial license <i>to practice</i>	
12	<i>psychology</i> .....	25
13	For the issuance of an initial license by	
14	endorsement <i>to practice psychology</i> .....	125
15	For the biennial renewal of a license of a	
16	psychologist.....	850
17	For the restoration of a license <i>of a psychologist</i>	
18	suspended for the nonpayment of the biennial	
19	fee for the renewal of a license.....	200
20	For the restoration of a license <i>of a psychologist</i>	
21	suspended for the nonsubmission of evidence	
22	to the Board of completion of the	
23	requirements for continuing education as	
24	required for the renewal of the license .....	200
25	For the registration of a firm, partnership or	
26	corporation which engages in or offers to	
27	engage in the practice of psychology .....	300
28	For the registration of a nonresident to practice	
29	as a consultant .....	100
30	For the initial registration of a psychological	
31	assistant, psychological intern or	
32	psychological trainee.....	250
33	For the renewal of a registration of a	
34	psychological assistant, psychological intern	
35	or psychological trainee .....	150
36	<i>For the issuance of an initial license to practice</i>	
37	<i>behavioral health promotion and prevention .....</i>	<i>200</i>
38	<i>For the triennial renewal of a license to</i>	
39	<i>practice behavioral health promotion and</i>	
40	<i>prevention .....</i>	<i>200</i>

41  
42       2. An applicant who passes the national examination and any  
43 other examination required pursuant to the provisions of subsection  
44 1 of NRS 641.180 and who is eligible for a license as a psychologist  
45 shall pay the biennial fee for the renewal of a license, which must be



1 prorated for the period from the date the license is issued to the end  
2 of the biennium.

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

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

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

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

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

21 6. If an applicant submits an application for initial registration  
22 as a psychological assistant, psychological intern or psychological  
23 trainee pursuant to NRS 641.226 and the applicant has previously  
24 been registered as a psychological assistant, psychological intern or  
25 psychological trainee, the Board must waive the fee set forth in  
26 subsection 1 for the initial registration.

27 7. As used in this section, "veteran" has the meaning ascribed  
28 to it in NRS 417.005.

29 **Sec. 34.** NRS 641.2291 is hereby amended to read as follows:

30 641.2291 1. A program of education for mental health  
31 professionals approved by the Board, a mental health professional or  
32 a person receiving training for mental health professionals is not  
33 required to retain a recording of the provision of mental health  
34 services by a psychologist *or a behavioral health and wellness*  
35 *practitioner* to a patient that meets the requirements of subsection 2  
36 if:

37 (a) The recording is used for a training activity that is part of a  
38 program of education for mental health professionals approved by  
39 the Board;

40 (b) The patient has provided informed consent in writing on a  
41 form that meets the requirements prescribed by the Board pursuant  
42 to subsection 3 to the use of the recording in the training activity;

43 (c) Destroying the recording does not result in noncompliance  
44 with the obligations described in subsection 4; and



1 (d) The recording is destroyed after the expiration of the period  
2 of time prescribed by the Board pursuant to paragraph (b) of  
3 subsection 3.

4 2. A recording of the provision of mental health services by a  
5 psychologist *or a behavioral health and wellness practitioner* to a  
6 patient used for the purpose described in paragraph (a) of  
7 subsection 1:

8 (a) Must meet all requirements of the Health Insurance  
9 Portability and Accountability Act of 1996, Public Law 104-191,  
10 and any regulations adopted pursuant thereto, that are designed to  
11 prevent the reproduction, copying or theft of the recording; and

12 (b) Must not contain any personally identifiable information  
13 relating to the patient unless the patient has provided informed  
14 consent in writing specifically authorizing the inclusion of that  
15 information in the recording.

16 3. The Board shall adopt regulations:

17 (a) Prescribing requirements governing the provision of  
18 informed written consent pursuant to paragraph (b) of subsection 1,  
19 including, without limitation, requirements governing:

20 (1) The form on which such informed written consent must  
21 be provided; and

22 (2) The length of time that a psychologist *or a behavioral*  
23 *health and wellness practitioner* who obtains such informed written  
24 consent must maintain the informed written consent;

25 (b) Prescribing the length of time that a program of education  
26 for mental health professionals, a mental health professional or a  
27 person receiving training for mental health professionals that uses  
28 a recording of the provision of mental health services by a  
29 psychologist *or a behavioral health and wellness practitioner* to a  
30 patient for the purposes described in paragraph (a) of subsection 1  
31 may retain the recording before destroying it; and

32 (c) Defining "training activity" for the purposes of this section.

33 4. The provisions of this section do not abrogate, alter or  
34 otherwise affect the obligation of a psychologist *or a behavioral*  
35 *health and wellness practitioner* to comply with the applicable  
36 requirements of chapter 629 of NRS, including, without limitation,  
37 the requirement to retain records concerning the mental health  
38 services that he or she provides to patients in accordance with NRS  
39 629.051 to 629.069, inclusive.

40 5. Except where necessary for compliance with subsection 4,  
41 a recording of the provision of mental health services by a  
42 psychologist *or a behavioral health and wellness practitioner* to a  
43 patient that is used for a training activity by a program of education  
44 for mental health professionals, a mental health professional or a  
45 person receiving training for mental health professionals in



1 accordance with the provisions of this section is not a health care  
2 record for the purposes of chapter 629 of NRS.

3 6. As used in this section, “mental health professional” means  
4 a psychologist, *a behavioral health and wellness practitioner*, a  
5 marriage and family therapist, a clinical professional counselor, a  
6 social worker, a master social worker, an independent social worker,  
7 a clinical social worker, a clinical alcohol and drug counselor, an  
8 alcohol and drug counselor or problem gambling counselor.

9 **Sec. 35.** NRS 641.230 is hereby amended to read as follows:

10 641.230 1. The Board may suspend or revoke a person’s  
11 license as a psychologist *or behavioral health and wellness*  
12 *practitioner* or registration as a psychological assistant,  
13 psychological intern or psychological trainee, place the person on  
14 probation, require remediation for the person or take any other  
15 action specified by regulation if the Board finds by a preponderance  
16 of the evidence that the person has:

17 (a) Been convicted of a felony relating to the practice of  
18 psychology *or behavioral health promotion and prevention* or to  
19 practicing as a psychological assistant, psychological intern or  
20 psychological trainee.

21 (b) Been convicted of any crime or offense that reflects the  
22 inability of the person to practice psychology *or behavioral health*  
23 *promotion and prevention* or to practice as a psychological  
24 assistant, psychological intern or psychological trainee with due  
25 regard for the health and safety of others.

26 (c) Been convicted of violating any of the provisions of NRS  
27 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,  
28 inclusive.

29 (d) Engaged in gross malpractice or repeated malpractice or  
30 gross negligence in the practice of psychology *or behavioral health*  
31 *promotion and prevention* or the practice as a psychological  
32 assistant, psychological intern or psychological trainee.

33 (e) Aided or abetted the practice of psychology *or behavioral*  
34 *health promotion and prevention* or the practice as a psychological  
35 assistant, psychological intern or psychological trainee by a person  
36 not licensed or registered by the Board.

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

38 (g) Violated a regulation adopted by the Board.

39 (h) Had a license to practice psychology *or behavioral health*  
40 *promotion and prevention* or registration to practice as a  
41 psychological assistant, psychological intern or psychological  
42 trainee suspended or revoked or has had any other disciplinary  
43 action taken against the person by another state or territory of the  
44 United States, the District of Columbia or a foreign country, if at



1 least one of the grounds for discipline is the same or substantially  
2 equivalent to any ground contained in this chapter.

3 (i) Failed to report to the Board within 30 days the revocation,  
4 suspension or surrender of, or any other disciplinary action taken  
5 against, a license or certificate to practice psychology *or behavioral*  
6 *health promotion and prevention* or registration to practice as a  
7 psychological assistant, psychological intern or psychological  
8 trainee issued to the person by another state or territory of the  
9 United States, the District of Columbia or a foreign country.

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

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

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

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

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

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

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

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

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

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

30 **Sec. 36.** NRS 641.245 is hereby amended to read as follows:

31 641.245 1. The Board, any member thereof, a panel of its  
32 members or a hearing officer may issue subpoenas to compel the  
33 attendance of witnesses and the production of books, papers,  
34 documents, the records of patients, and any other article related to  
35 the practice of psychology *or behavioral health promotion and*  
36 *prevention* or to the practice as a psychological assistant,  
37 psychological intern or psychological trainee.

38 2. If any witness refuses to attend or testify or produce any  
39 article as required by the subpoena, the Board may file a petition  
40 with the district court stating that:

41 (a) Due notice has been given for the time and place of  
42 attendance of the witness or the production of the required articles;

43 (b) The witness has been subpoenaed pursuant to this section;  
44 and



1 (c) The witness has failed or refused to attend or produce the  
2 articles required by the subpoena or has refused to answer questions  
3 propounded to him or her,

4 and asking for an order of the court compelling the witness to  
5 attend and testify before the Board, a panel of its members or a  
6 hearing officer, or produce the articles as required by the subpoena.

7 3. Upon such a petition, the court shall enter an order directing  
8 the witness to appear before the court at a time and place to be fixed  
9 by the court in its order, the time to be not more than 10 days after  
10 the date of the order, and then and there show cause why the witness  
11 has not attended or testified or produced the articles. A certified  
12 copy of the order must be served upon the witness.

13 4. If it appears to the court that the subpoena was regularly  
14 issued, the court shall enter an order that the witness appear before  
15 the Board, a panel of its members or a hearing officer at the time  
16 and place fixed in the order and testify or produce the required  
17 articles, and upon failure to obey the order the witness must be dealt  
18 with as for contempt of court.

19 **Sec. 37.** NRS 641.250 is hereby amended to read as follows:

20 641.250 1. The Board *or the Behavioral Health and*  
21 *Wellness Practitioner Advisory Group, if established pursuant to*  
22 *section 14 of this act*, or any of ~~its~~ *the* members ~~of~~ *of the Board*  
23 *or Advisory Group*, any review panel of a hospital or an association  
24 of psychologists *or behavioral health and wellness practitioners*  
25 which becomes aware that any one or combination of the grounds  
26 for initiating disciplinary action may exist as to a person practicing  
27 psychology *or behavioral health promotion and prevention* or  
28 practicing as a psychological assistant, psychological intern or  
29 psychological trainee in this State shall, and any other person who is  
30 so aware may, file a written complaint specifying the relevant facts  
31 with the Board.

32 2. *As soon as practicable after receiving a written complaint*  
33 *concerning a behavioral health and wellness practitioner who is*  
34 *not supervised by a psychologist, the Board shall:*

35 *(a) Identify the licensing board of the supervisor of the*  
36 *behavioral health and wellness practitioner; and*

37 *(b) Notify that licensing board of the complaint.*

38 3. The Board shall retain all complaints filed with the Board  
39 pursuant to this section for at least 10 years, including, without  
40 limitation, any complaints not acted upon.

41 **Sec. 38.** NRS 641.2705 is hereby amended to read as follows:

42 641.2705 1. The Board, through the President of the Board  
43 and the investigator designated by the Board, shall conduct an  
44 investigation of each complaint filed pursuant to NRS 641.250



1 which sets forth reason to believe that a person has violated  
2 NRS 641.390.

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

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

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

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

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

16 (2) *Behavioral health promotion and prevention in this*  
17 *State without the proper license issued by the Board pursuant to*  
18 *this chapter; or*

19 (3) As a psychological assistant, psychological intern or  
20 psychological trainee in this State without the proper registration  
21 issued by the Board pursuant to this chapter.

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

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

29 (a) For a first violation, \$500.

30 (b) For a second violation, \$1,000.

31 (c) For a third or subsequent violation, \$1,500.

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

35 **Sec. 39.** NRS 641.272 is hereby amended to read as follows:

36 641.272 1. Notwithstanding the provisions of chapter 622A  
37 of NRS, the Board may require the person named in a complaint to  
38 submit to a mental examination conducted by a panel of three  
39 psychologists designated by the Board or a physical examination  
40 conducted by a physician designated by the Board.

41 2. Every psychologist *and behavioral health and wellness*  
42 *practitioner* licensed under this chapter and every psychological  
43 assistant, psychological intern or psychological trainee registered  
44 under this chapter who accepts the privilege of practicing  
45 psychology *or behavioral health promotion and prevention* or



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

8 3. Except in extraordinary circumstances, as determined by the  
9 Board, the failure of a psychologist, *behavioral health and wellness*  
10 *practitioner*, psychological assistant, psychological intern or  
11 psychological trainee to submit to an examination as provided in  
12 this section constitutes grounds for the immediate suspension of the  
13 psychologist's *or behavioral health and wellness practitioner's*  
14 license or the psychological assistant's, psychological intern's or  
15 psychological trainee's registration.

16 **Sec. 40.** NRS 641.273 is hereby amended to read as follows:

17 641.273 Notwithstanding the provisions of chapter 622A of  
18 NRS, if the Board has reason to believe that the conduct of any  
19 psychologist, *behavioral health and wellness practitioner*,  
20 psychological assistant, psychological intern or psychological  
21 trainee has raised a reasonable question as to competence to practice  
22 psychology *or behavioral health promotion and prevention* or to  
23 practice as a psychological assistant, psychological intern or  
24 psychological trainee with reasonable skill and safety to patients, the  
25 Board may require the psychologist, *behavioral health and*  
26 *wellness practitioner*, psychological assistant, psychological intern  
27 or psychological trainee to take a written or oral examination to  
28 determine whether the psychologist, *behavioral health and wellness*  
29 *practitioner*, psychological assistant, psychological intern or  
30 psychological trainee is competent to practice psychology *or*  
31 *behavioral health promotion and prevention* or to practice as a  
32 psychological assistant, psychological intern or psychological  
33 trainee. If an examination is required, the reasons therefor must be  
34 documented and made available to the psychologist, *behavioral*  
35 *health and wellness practitioner*, psychological assistant,  
36 psychological intern or psychological trainee being examined.

37 **Sec. 41.** NRS 641.274 is hereby amended to read as follows:

38 641.274 Notwithstanding the provisions of chapter 622A of  
39 NRS, if the Board, a panel of its members or a hearing officer issues  
40 an order suspending the license of a psychologist *or behavioral*  
41 *health and wellness practitioner* or the registration of a  
42 psychological assistant, psychological intern or psychological  
43 trainee pending proceedings for disciplinary action and requires the  
44 psychologist, *behavioral health and wellness practitioner*,  
45 psychological assistant, psychological intern or psychological





1 trainee to submit to a mental or physical examination or an  
2 examination of his or her competency to practice psychology *or*  
3 *behavioral health promotion and prevention* or to practice as a  
4 psychological assistant, psychological intern or psychological  
5 trainee, the examination must be conducted and the results obtained  
6 within 60 days after the Board, panel of its members or hearing  
7 officer issues the order.

8 **Sec. 42.** NRS 641.285 is hereby amended to read as follows:

9 641.285 Notwithstanding the provisions of chapter 622A of  
10 NRS, in any disciplinary proceeding before the Board, a panel of its  
11 members or a hearing officer:

12 1. Proof of actual injury need not be established where the  
13 complaint charges deceptive or unethical professional conduct,  
14 practice of psychology ~~§~~ *or behavioral health promotion and*  
15 *prevention* or practice as a psychological assistant, psychological  
16 intern or psychological trainee harmful to the public.

17 2. A certified copy of the record of a court or a licensing  
18 agency showing a conviction or the suspension or revocation of a  
19 license to practice psychology *or behavioral health promotion and*  
20 *prevention* or registration to practice as a psychological assistant,  
21 psychological intern or psychological trainee or an order containing  
22 any other disciplinary action entered by a court in the District of  
23 Columbia or any state or territory of the United States is conclusive  
24 evidence of its occurrence.

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

28 **Sec. 43.** NRS 641.312 is hereby amended to read as follows:

29 641.312 1. Any person who has been placed on probation or  
30 whose license or registration has been limited, suspended or revoked  
31 is entitled to judicial review of the order.

32 2. Every order which limits the practice of psychology *or*  
33 *behavioral health promotion or prevention* or the practice as a  
34 psychological assistant, psychological intern or psychological  
35 trainee or suspends or revokes a license or registration is effective  
36 from the date the Board certifies the order until the date the order is  
37 modified or reversed by a final judgment of the court.

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

41 **Sec. 44.** NRS 641.314 is hereby amended to read as follows:

42 641.314 Notwithstanding the provisions of chapter 622A of  
43 NRS:

44 1. Pending disciplinary proceedings before the Board, a panel  
45 of its members or a hearing officer, the court may, upon application



1 by the Board or the Attorney General, issue a temporary restraining  
2 order or a preliminary injunction to enjoin any unprofessional  
3 conduct of a psychologist, *behavioral health and wellness*  
4 *practitioner*, psychological assistant, psychological intern or  
5 psychological trainee which is harmful to the public, to limit the  
6 psychologist's, *behavioral health and wellness practitioner's*,  
7 psychological assistant's, psychological intern's or psychological  
8 trainee's practice or to suspend the license to practice psychology *or*  
9 *behavioral health promotion and prevention* or registration to  
10 practice as a psychological assistant, psychological intern or  
11 psychological trainee, without proof of actual damage sustained by  
12 any person, this provision being a preventive as well as a punitive  
13 measure.

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

18 **Sec. 45.** NRS 641.316 is hereby amended to read as follows:

19 641.316 1. The Board through its President or Secretary-  
20 Treasurer or the Attorney General may maintain in any court of  
21 competent jurisdiction a suit for an injunction against any person  
22 practicing:

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

26 (b) *Behavioral health promotion and prevention without a*  
27 *license; or*

28 (c) As a psychological assistant, psychological intern or  
29 psychological trainee without a registration.

30 2. Such an injunction:

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

34 (b) Does not relieve any person from criminal prosecution for  
35 practicing without a license or registration.

36 **Sec. 46.** NRS 641.318 is hereby amended to read as follows:

37 641.318 In addition to any other immunity provided by the  
38 provisions of chapter 622A of NRS, the Board, a review panel of a  
39 hospital, an association of psychologists *or behavioral health and*  
40 *wellness practitioners* or any other person who or organization  
41 which initiates a complaint or assists in any lawful investigation or  
42 proceeding concerning the licensing of a psychologist *or behavioral*  
43 *health and wellness practitioner* or the registering of a  
44 psychological assistant, psychological intern or psychological  
45 trainee or the discipline of a psychologist, *behavioral health and*



1 *wellness practitioner*, psychological assistant, psychological intern  
2 or psychological trainee for gross malpractice, repeated malpractice,  
3 professional incompetence or unprofessional conduct is immune  
4 from any civil action for that initiation or assistance or any  
5 consequential damages, if the person or organization acted without  
6 malicious intent.

7 **Sec. 47.** NRS 641.320 is hereby amended to read as follows:  
8 641.320 1. Any person:

9 (a) Whose practice of psychology *or behavioral health*  
10 *promotion and prevention* or practice as a psychological assistant,  
11 psychological intern or psychological trainee has been limited;

12 (b) Whose license or registration has been revoked; or

13 (c) Who has been placed on probation,

14 ↪ by an order of the Board, a panel of its members or a hearing  
15 officer may apply to the Board after 1 year for removal of the  
16 limitation or termination of the probation or may apply to the Board  
17 pursuant to the provisions of chapter 622A of NRS for reinstatement  
18 of the revoked license or registration.

19 2. In hearing the application, the Board:

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

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

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

28 **Sec. 48.** NRS 641.390 is hereby amended to read as follows:

29 641.390 1. Except as authorized by the Psychology  
30 Interjurisdictional Compact enacted in NRS 641.227, a person shall  
31 not represent himself or herself as a psychologist within the  
32 meaning of this chapter or engage in the practice of psychology  
33 unless he or she is licensed *as a psychologist* under the provisions of  
34 this chapter.

35 2. *Except as authorized by subsection 6, a person shall not*  
36 *represent himself or herself as a behavioral health and wellness*  
37 *practitioner within the meaning of this chapter or engage in the*  
38 *practice of behavioral health promotion and prevention unless he*  
39 *or she is licensed as a behavioral health and wellness practitioner*  
40 *under the provisions of this chapter.*

41 3. This chapter does not prevent the teaching of psychology or  
42 *behavioral health promotion and prevention or* psychological  
43 research at an accredited educational institution, unless the teaching  
44 or research involves the delivery or supervision of direct  
45 psychological services *or behavioral health promotion and*



1 *prevention* to a person. Persons who have earned a doctoral degree  
2 in psychology from an accredited educational institution may use  
3 the title “psychologist” in conjunction with the activities permitted  
4 by this subsection.

5 ~~[3.]~~ 4. A graduate student in psychology whose activities are  
6 part of the course of study for a graduate degree in psychology at an  
7 accredited educational institution or a person pursuing postdoctoral  
8 training or experience in psychology to fulfill the requirements for  
9 licensure under the provisions of this chapter may use the terms  
10 “psychological trainee,” “psychological intern” or “psychological  
11 assistant” if the activities are performed under the supervision of a  
12 licensed psychologist in accordance with the regulations adopted by  
13 the Board.

14 ~~[4.]~~ 5. A person who is certified as a school psychologist by  
15 the State Board of Education may use the title “school psychologist”  
16 or “certified school psychologist” in connection with activities  
17 relating to school psychologists.

18 *6. A person who is performing services or participating in*  
19 *activities as part of a supervised course of study in an accredited*  
20 *or approved educational or internship program while pursuing*  
21 *study leading to a degree in or license to practice behavioral*  
22 *health promotion and prevention may, in accordance with the*  
23 *regulations adopted by the Board pursuant to section 13 of this*  
24 *act, engage in the supervised practice of behavioral health*  
25 *promotion and prevention without a license issued pursuant to this*  
26 *chapter if the person is designated by a title which clearly*  
27 *indicates the status of the person as a student or intern.*

28 **Sec. 49.** NRS 641.440 is hereby amended to read as follows:

29 641.440 Any person who:

30 1. Presents as his or her own the diploma, license, registration  
31 or credentials of another;

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

35 3. Practices psychology *or behavioral health promotion and*  
36 *prevention* or practices as a psychological assistant, psychological  
37 intern or psychological trainee under a false or assumed name or  
38 falsely personates another psychologist, *behavioral health and*  
39 *wellness practitioner*, psychological assistant, psychological intern  
40 or psychological trainee of a like or different name;

41 4. Except as provided in NRS 641.0295, 641.390 and  
42 641A.410, *and section 12 of this act*, represents himself or herself  
43 as a psychologist, or uses any title or description which incorporates  
44 the word “psychology,” “psychological,” “psychologist,”  
45 “psychometry,” “psychometrics,” “psychometrist” or any other term



1 indicating or implying that he or she is a psychologist, unless he or  
2 she has been issued a license;

3 5. *Except as otherwise provided in section 12 of this act,*  
4 *represents himself or herself as a behavioral health and wellness*  
5 *practitioner or uses any title or description which incorporates the*  
6 *words “behavioral health and wellness practitioner” or any other*  
7 *term indicating or implying that he or she is a behavioral health*  
8 *and wellness practitioner, unless he or she has been issued a*  
9 *license;*

10 6. Except as otherwise provided in NRS 641.390, represents  
11 himself or herself as a psychological assistant, psychological intern  
12 or psychological trainee, or uses any title or description which  
13 incorporates the words “psychological assistant,” “psychological  
14 intern” or “psychological trainee” or any other term indicating or  
15 implying that he or she is a psychological assistant, psychological  
16 intern or psychological trainee, unless he or she has been issued a  
17 registration;

18 ~~7.~~ 7. Practices psychology unless he or she has been issued a  
19 license; ~~or~~

20 ~~8.~~ 8. *Except as otherwise provided in NRS 641.390 and*  
21 *section 12 of this act, practices behavioral health promotion and*  
22 *prevention unless he or she has been issued a license; or*

23 9. Practices as a psychological assistant, psychological intern  
24 or psychological trainee unless he or she has been issued a  
25 registration,

26 ↪ is guilty of a gross misdemeanor.

27 **Sec. 50.** NRS 641A.297 is hereby amended to read as follows:

28 641A.297 1. A program of education for mental health  
29 professionals approved by the Board, a mental health professional or  
30 a person receiving training for mental health professionals is not  
31 required to retain a recording of the provision of mental health  
32 services by a marriage and family therapist or clinical professional  
33 counselor to a client that meets the requirements of subsection 2 if:

34 (a) The recording is used for a training activity that is part of a  
35 program of education for mental health professionals approved by  
36 the Board;

37 (b) The client has provided informed consent in writing on a  
38 form that meets the requirements prescribed by the Board pursuant  
39 to subsection 3 to the use of the recording in the training activity;

40 (c) Destroying the recording does not result in noncompliance  
41 with the obligations described in subsection 4; and

42 (d) The recording is destroyed after the expiration of the period  
43 of time prescribed by the Board pursuant to paragraph (b) of  
44 subsection 3.



1 2. A recording of the provision of mental health services by a  
2 marriage and family therapist or clinical professional counselor to a  
3 client used for the purpose described in paragraph (a) of  
4 subsection 1:

5 (a) Must meet all requirements of the Health Insurance  
6 Portability and Accountability Act of 1996, Public Law 104-191,  
7 and any regulations adopted pursuant thereto, that are designed to  
8 prevent the reproduction, copying or theft of the recording; and

9 (b) Must not contain any personally identifiable information  
10 relating to the client unless the client has provided informed consent  
11 in writing specifically authorizing the inclusion of that information  
12 in the recording.

13 3. The Board shall adopt regulations:

14 (a) Prescribing requirements governing the provision of  
15 informed written consent pursuant to paragraph (b) of subsection 1,  
16 including, without limitation, requirements governing:

17 (1) The form on which such informed written consent must  
18 be provided; and

19 (2) The length of time that a marriage and family therapist or  
20 clinical professional counselor who obtains such informed written  
21 consent must maintain the informed written consent;

22 (b) Prescribing the length of time that a program of education  
23 for mental health professionals, a mental health professional or a  
24 person receiving training for mental health professionals that uses a  
25 recording of the provision of mental health services by a marriage  
26 and family therapist or clinical professional counselor to a client for  
27 the purposes described in paragraph (a) of subsection 1 may retain  
28 the recording before destroying it; and

29 (c) Defining "training activity" for the purposes of this section.

30 4. The provisions of this section do not abrogate, alter or  
31 otherwise affect the obligation of a marriage and family therapist or  
32 clinical professional counselor to comply with the applicable  
33 requirements of chapter 629 of NRS, including, without limitation,  
34 the requirement to retain records concerning the mental health  
35 services that he or she provides to clients in accordance with NRS  
36 629.051 to 629.069, inclusive.

37 5. Except where necessary for compliance with subsection 4, a  
38 recording of the provision of mental health services by a marriage  
39 and family therapist or clinical professional counselor to a client that  
40 is used for a training activity by a program of education for mental  
41 health professionals, a mental health professional or a person  
42 receiving training for mental health professionals in accordance with  
43 the provisions of this section is not a health care record for the  
44 purposes of chapter 629 of NRS.



6. As used in this section, “mental health professional” means a psychologist, *a behavioral health and wellness practitioner*, a marriage and family therapist, a clinical professional counselor, a social worker, a master social worker, an independent social worker, a clinical social worker, a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor.

**Sec. 51.** NRS 641B.040 is hereby amended to read as follows:  
641B.040 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;

2. A nurse who is licensed to practice in this State;

3. A person who is licensed as a psychologist pursuant to chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. *A person who is licensed as a behavioral health and wellness practitioner pursuant to chapter 641 of NRS;*

5. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

~~5.~~ 6. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

~~6.~~ 7. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

~~7.~~ 8. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as a clinical alcohol and drug counselor intern, an alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

~~8.~~ 9. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive;

~~9.~~ 10. Any member of the clergy;

~~10.~~ 11. A county welfare director;

~~11.~~ 12. Any person who may engage in social work or clinical social work in his or her regular governmental employment but does not hold himself or herself out to the public as a social worker; or

~~12.~~ 13. A student of social work and any other person preparing for the profession of social work under the supervision of a qualified social worker in a training institution or facility recognized by the Board, unless the student or other person has been issued a provisional license pursuant to paragraph (b) of subsection 1 of NRS 641B.275. Such a student must be designated by the title



1 “student of social work” or “trainee in social work,” or any other  
2 title which clearly indicates the student’s training status.

3 **Sec. 52.** NRS 641B.355 is hereby amended to read as follows:

4 641B.355 1. A program of education for mental health  
5 professionals approved by the Board, a mental health professional or  
6 a person receiving training for mental health professionals is not  
7 required to retain a recording of the provision of mental health  
8 services by a social worker, a master social worker, an independent  
9 social worker or a clinical social worker to a client that meets the  
10 requirements of subsection 2 if:

11 (a) The recording is used for a training activity that is part of a  
12 program of education for mental health professionals approved by  
13 the Board;

14 (b) The client has provided informed consent in writing on a  
15 form that meets the requirements prescribed by the Board pursuant  
16 to subsection 3 to the use of the recording in the training activity;

17 (c) Destroying the recording does not result in noncompliance  
18 with the obligations described in subsection 4; and

19 (d) The recording is destroyed after the expiration of the period  
20 of time prescribed by the Board pursuant to paragraph (b) of  
21 subsection 3.

22 2. A recording of the provision of mental health services by a  
23 social worker, a master social worker, an independent social worker  
24 or a clinical social worker to a client used for the purpose described  
25 in paragraph (a) of subsection 1:

26 (a) Must meet all requirements of the Health Insurance  
27 Portability and Accountability Act of 1996, Public Law 104-191,  
28 and any regulations adopted pursuant thereto, that are designed to  
29 prevent the reproduction, copying or theft of the recording; and

30 (b) Must not contain any personally identifiable information  
31 relating to the client unless the client has provided informed consent  
32 in writing specifically authorizing the inclusion of that information  
33 in the recording.

34 3. The Board shall adopt regulations:

35 (a) Prescribing requirements governing the provision of  
36 informed written consent pursuant to paragraph (b) of subsection 1,  
37 including, without limitation, requirements governing:

38 (1) The form on which such informed written consent must  
39 be provided; and

40 (2) The length of time that a social worker, a master social  
41 worker, an independent social worker or a clinical social worker  
42 who obtains such informed written consent must maintain the  
43 informed written consent;

44 (b) Prescribing the length of time that a program of education  
45 for mental health professionals, a mental health professional or a





1 person receiving training for mental health professionals that uses a  
2 recording of the provision of mental health services by a social  
3 worker, a master social worker, an independent social worker or a  
4 clinical social worker to a client for the purposes described in  
5 paragraph (a) of subsection 1 may retain the recording before  
6 destroying it; and

7 (c) Defining “training activity” for the purposes of this section.

8 4. The provisions of this section do not abrogate, alter or  
9 otherwise affect the obligation of a social worker, a master social  
10 worker, an independent social worker or a clinical social worker to  
11 comply with the applicable requirements of chapter 629 of NRS,  
12 including, without limitation, the requirement to retain records  
13 concerning the mental health services that he or she provides to  
14 clients in accordance with NRS 629.051 to 629.069, inclusive.

15 5. Except where necessary for compliance with subsection 4, a  
16 recording of the provision of mental health services by a social  
17 worker, a master social worker, an independent social worker or a  
18 clinical social worker to a client that is used for a training activity by  
19 a program of education for mental health professionals, a mental  
20 health professional or a person receiving training for mental health  
21 professionals in accordance with the provisions of this section is not  
22 a health care record for the purposes of chapter 629 of NRS.

23 6. As used in this section, “mental health professional” means  
24 a psychologist, *a behavioral health and wellness practitioner*,  
25 a marriage and family therapist, a clinical professional counselor, a  
26 social worker, a master social worker, an independent social worker,  
27 a clinical social worker, a clinical alcohol and drug counselor, an  
28 alcohol and drug counselor or a problem gambling counselor.

29 **Sec. 53.** NRS 641C.130 is hereby amended to read as follows:  
30 641C.130 The provisions of this chapter do not apply to:

31 1. A physician who is licensed pursuant to the provisions of  
32 chapter 630 or 633 of NRS;

33 2. A nurse who is licensed pursuant to the provisions of chapter  
34 632 of NRS and is authorized by the State Board of Nursing to  
35 engage in the practice of counseling persons with alcohol and other  
36 substance use disorders or the practice of counseling persons with  
37 an addictive disorder related to gambling;

38 3. A psychologist who is licensed pursuant to the provisions of  
39 chapter 641 of NRS or authorized to practice psychology in this  
40 State pursuant to the Psychology Interjurisdictional Compact  
41 enacted in NRS 641.227;

42 4. *A person who is licensed as a behavioral health and*  
43 *wellness practitioner pursuant to chapter 641 of NRS;*

44 5. A clinical professional counselor or clinical professional  
45 counselor intern who is licensed pursuant to chapter 641A of NRS;



~~15.1~~ 6. 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 alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling;

~~16.1~~ 7. A person who is:

(a) Licensed as:

(1) A clinical social worker pursuant to the provisions of chapter 641B of NRS; or

(2) A master social worker or an independent social worker pursuant to the provisions of chapter 641B of NRS and is engaging in clinical social work as part of an internship program approved by the Board of Examiners for Social Workers; and

(b) Authorized by the Board of Examiners for Social Workers to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling; or

~~17.1~~ 8. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive.

**Sec. 54.** NRS 641C.610 is hereby amended to read as follows:

641C.610 1. A program of education for mental health professionals approved by the Board, a mental health professional or a person receiving training for mental health professionals is not required to retain a recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client that meets the requirements of subsection 2 if:

(a) The recording is used for a training activity that is part of a program of education for mental health professionals approved by the Board;

(b) The client has provided informed consent in writing on a form that meets the requirements prescribed by the Board pursuant to subsection 3 to the use of the recording in the training activity;

(c) Destroying the recording does not result in noncompliance with the obligations described in subsection 4; and

(d) The recording is destroyed after the expiration of the period of time prescribed by the Board pursuant to paragraph (b) of subsection 3.

2. A recording of the provision of mental health services by a clinical alcohol and drug counselor, an alcohol and drug counselor or a problem gambling counselor to a client used for the purpose described in paragraph (a) of subsection 1:



1 (a) Must meet all requirements of the Health Insurance  
2 Portability and Accountability Act of 1996, Public Law 104-191,  
3 and any regulations adopted pursuant thereto, that are designed to  
4 prevent the reproduction, copying or theft of the recording; and

5 (b) Must not contain any personally identifiable information  
6 relating to the client unless the client has provided informed consent  
7 in writing specifically authorizing the inclusion of that information  
8 in the recording.

9 3. The Board shall adopt regulations:

10 (a) Prescribing requirements governing the provision of  
11 informed written consent pursuant to paragraph (b) of subsection 1,  
12 including, without limitation, requirements governing:

13 (1) The form on which such informed written consent must  
14 be provided; and

15 (2) The length of time that a clinical alcohol and drug  
16 counselor, alcohol and drug counselor or problem gambling  
17 counselor who obtains such informed written consent must maintain  
18 the informed written consent;

19 (b) Prescribing the length of time that a program of education  
20 for mental health professionals, a mental health professional or a  
21 person receiving training for mental health professionals that uses a  
22 recording of the provision of mental health services by a clinical  
23 alcohol and drug counselor, an alcohol and drug counselor or a  
24 problem gambling counselor to a client for the purposes described in  
25 paragraph (a) of subsection 1 may retain the recording before  
26 destroying it; and

27 (c) Defining "training activity" for the purposes of this section.

28 4. The provisions of this section do not abrogate, alter or  
29 otherwise affect the obligation of a clinical alcohol and drug  
30 counselor, an alcohol and drug counselor or a problem gambling  
31 counselor to comply with the applicable requirements of chapter 629  
32 of NRS, including, without limitation, the requirement to retain  
33 records concerning the mental health services that he or she  
34 provides to clients in accordance with NRS 629.051 to 629.069,  
35 inclusive.

36 5. Except where necessary for compliance with subsection 4, a  
37 recording of the provision of mental health services by a clinical  
38 alcohol and drug counselor, an alcohol and drug counselor or a  
39 problem gambling counselor to a client that is used for a training  
40 activity by a program of education for mental health professionals, a  
41 mental health professional or a person receiving training for mental  
42 health professionals in accordance with the provisions of this section  
43 is not a health care record for the purposes of chapter 629 of NRS.

44 6. As used in this section, "mental health professional" means a  
45 psychologist, *a behavioral health and wellness practitioner*, a



1 marriage and family therapist, a clinical professional counselor, a  
2 social worker, a master social worker, an independent social worker,  
3 a clinical social worker, a clinical alcohol and drug counselor, an  
4 alcohol and drug counselor or a problem gambling counselor.

5 **Sec. 55.** NRS 641D.110 is hereby amended to read as follows:  
6 641D.110 The provisions of this chapter do not apply to:

7 1. A physician who is licensed to practice in this State;  
8 2. A person who is licensed to practice dentistry in this State;  
9 3. A person who is licensed as a psychologist *or behavioral*  
10 *health and wellness practitioner* pursuant to chapter 641 of NRS;  
11 4. A person who is licensed as a marriage and family therapist  
12 or marriage and family therapist intern pursuant to chapter 641A of  
13 NRS;

14 5. A person who is licensed as a clinical professional counselor  
15 or clinical professional counselor intern pursuant to chapter 641A of  
16 NRS;

17 6. A person who is licensed to engage in social work pursuant  
18 to chapter 641B of NRS;

19 7. A person who is licensed as an occupational therapist or  
20 occupational therapy assistant pursuant to chapter 640A of NRS;

21 8. A person who is licensed as a clinical alcohol and drug  
22 counselor, licensed or certified as an alcohol and drug counselor or  
23 certified as an alcohol and drug counselor intern, a clinical alcohol  
24 and drug counselor intern, a problem gambling counselor or a  
25 problem gambling counselor intern, pursuant to chapter 641C of  
26 NRS;

27 9. Any member of the clergy;

28 10. A family member, guardian or caregiver of a recipient of  
29 applied behavior analysis services who performs activities as  
30 directed by a behavior analyst or assistant behavior analyst; or

31 11. An employee of a school district or charter school when  
32 providing services to a pupil in a public school in a manner  
33 consistent with the duties of his or her position,

34 ➤ if such a person does not commit an act described in NRS  
35 641D.910 or represent himself or herself as a behavior analyst,  
36 assistant behavior analyst or registered behavior technician.

37 **Sec. 56.** NRS 7.095 is hereby amended to read as follows:

38 7.095 1. An attorney shall not contract for or collect a fee  
39 contingent on the amount of recovery for representing a person  
40 seeking damages in connection with an action for injury or death  
41 against a provider of health care based upon professional negligence  
42 in excess of 35 percent of the amount recovered.

43 2. The limitations set forth in subsection 1 apply to all forms of  
44 recovery, including, without limitation, settlement, arbitration and  
45 judgment.



1 3. For the purposes of this section, “recovered” means the net  
2 sum recovered by the plaintiff after deducting any disbursements or  
3 costs incurred in connection with the prosecution or settlement of  
4 the claim. Costs of medical care incurred by the plaintiff and general  
5 and administrative expenses incurred by the office of the attorney  
6 are not deductible disbursements or costs.

7 4. As used in this section:

8 (a) “Professional negligence” means a negligent act or omission  
9 to act by a provider of health care in the rendering of professional  
10 services, which act or omission is the proximate cause of a personal  
11 injury or wrongful death. The term does not include services that are  
12 outside the scope of services for which the provider of health care is  
13 licensed or services for which any restriction has been imposed by  
14 the applicable regulatory board or health care facility.

15 (b) “Provider of health care” means a physician licensed under  
16 chapter 630 or 633 of NRS, dentist, registered nurse, dispensing  
17 optician, optometrist, registered physical therapist, podiatric  
18 physician, licensed psychologist, *behavioral health and wellness*  
19 *practitioner*, chiropractic physician, naprapath, doctor of Oriental  
20 medicine, holder of a license or a limited license issued under the  
21 provisions of chapter 653 of NRS, medical laboratory director or  
22 technician, licensed dietitian or a licensed hospital and its  
23 employees.

24 **Sec. 57.** NRS 41A.017 is hereby amended to read as follows:

25 41A.017 “Provider of health care” means a physician licensed  
26 pursuant to chapter 630 or 633 of NRS, physician assistant,  
27 anesthesiologist assistant, dentist, licensed nurse, dispensing  
28 optician, optometrist, registered physical therapist, podiatric  
29 physician, licensed psychologist, *behavioral health and wellness*  
30 *practitioner*, chiropractic physician, naprapath, doctor of Oriental  
31 medicine, holder of a license or a limited license issued under the  
32 provisions of chapter 653 of NRS, medical laboratory director or  
33 technician, licensed dietitian or a licensed hospital, clinic, surgery  
34 center, physicians’ professional corporation or group practice that  
35 employs any such person and its employees.

36 **Sec. 58.** NRS 42.021 is hereby amended to read as follows:

37 42.021 1. In an action for injury or death against a provider  
38 of health care based upon professional negligence, if the defendant  
39 so elects, the defendant may introduce evidence of any amount  
40 payable as a benefit to the plaintiff as a result of the injury or death  
41 pursuant to the United States Social Security Act, any state or  
42 federal income disability or worker’s compensation act, any health,  
43 sickness or income-disability insurance, accident insurance that  
44 provides health benefits or income-disability coverage, and any  
45 contract or agreement of any group, organization, partnership or



1 corporation to provide, pay for or reimburse the cost of medical,  
2 hospital, dental or other health care services. If the defendant elects  
3 to introduce such evidence, the plaintiff may introduce evidence of  
4 any amount that the plaintiff has paid or contributed to secure the  
5 plaintiff's right to any insurance benefits concerning which the  
6 defendant has introduced evidence.

7 2. A source of collateral benefits introduced pursuant to  
8 subsection 1 may not:

9 (a) Recover any amount against the plaintiff; or

10 (b) Be subrogated to the rights of the plaintiff against a  
11 defendant.

12 3. In an action for injury or death against a provider of health  
13 care based upon professional negligence, a district court shall, at the  
14 request of either party, enter a judgment ordering that money  
15 damages or its equivalent for future damages of the judgment  
16 creditor be paid in whole or in part by periodic payments rather than  
17 by a lump-sum payment if the award equals or exceeds \$50,000 in  
18 future damages.

19 4. In entering a judgment ordering the payment of future  
20 damages by periodic payments pursuant to subsection 3, the court  
21 shall make a specific finding as to the dollar amount of periodic  
22 payments that will compensate the judgment creditor for such future  
23 damages. As a condition to authorizing periodic payments of future  
24 damages, the court shall require a judgment debtor who is not  
25 adequately insured to post security adequate to assure full payment  
26 of such damages awarded by the judgment. Upon termination of  
27 periodic payments of future damages, the court shall order the return  
28 of this security, or so much as remains, to the judgment debtor.

29 5. A judgment ordering the payment of future damages by  
30 periodic payments entered pursuant to subsection 3 must specify the  
31 recipient or recipients of the payments, the dollar amount of the  
32 payments, the interval between payments, and the number of  
33 payments or the period of time over which payments will be made.  
34 Such payments must only be subject to modification in the event of  
35 the death of the judgment creditor. Money damages awarded for loss  
36 of future earnings must not be reduced or payments terminated by  
37 reason of the death of the judgment creditor, but must be paid to  
38 persons to whom the judgment creditor owed a duty of support, as  
39 provided by law, immediately before the judgment creditor's death.  
40 In such cases, the court that rendered the original judgment may,  
41 upon petition of any party in interest, modify the judgment to award  
42 and apportion the unpaid future damages in accordance with this  
43 subsection.

44 6. If the court finds that the judgment debtor has exhibited a  
45 continuing pattern of failing to make the periodic payments as



1 specified pursuant to subsection 5, the court shall find the judgment  
2 debtor in contempt of court and, in addition to the required periodic  
3 payments, shall order the judgment debtor to pay the judgment  
4 creditor all damages caused by the failure to make such periodic  
5 payments, including, but not limited to, court costs and attorney's  
6 fees.

7 7. Following the occurrence or expiration of all obligations  
8 specified in the periodic payment judgment, any obligation of the  
9 judgment debtor to make further payments ceases and any security  
10 given pursuant to subsection 4 reverts to the judgment debtor.

11 8. As used in this section:

12 (a) "Future damages" includes damages for future medical  
13 treatment, care or custody, loss of future earnings, loss of bodily  
14 function, or future pain and suffering of the judgment creditor.

15 (b) "Periodic payments" means the payment of money or  
16 delivery of other property to the judgment creditor at regular  
17 intervals.

18 (c) "Professional negligence" means a negligent act or omission  
19 to act by a provider of health care in the rendering of professional  
20 services, which act or omission is the proximate cause of a personal  
21 injury or wrongful death. The term does not include services that are  
22 outside the scope of services for which the provider of health care is  
23 licensed or services for which any restriction has been imposed by  
24 the applicable regulatory board or health care facility.

25 (d) "Provider of health care" means a physician licensed under  
26 chapter 630 or 633 of NRS, dentist, licensed nurse, dispensing  
27 optician, optometrist, registered physical therapist, podiatric  
28 physician, naprapath, licensed psychologist, *behavioral health and*  
29 *wellness practitioner*, chiropractic physician, doctor of Oriental  
30 medicine, holder of a license or a limited license issued under the  
31 provisions of chapter 653 of NRS, medical laboratory director or  
32 technician, licensed dietitian or a licensed hospital and its  
33 employees.

34 **Sec. 59.** Chapter 49 of NRS is hereby amended by adding  
35 thereto a new section to read as follows:

36 *1. A patient has a privilege to refuse to disclose, and to*  
37 *prevent any other person from disclosing, confidential*  
38 *communications among the patient, the patient's behavioral*  
39 *health and wellness practitioner or any other person who is*  
40 *participating in the behavioral health promotion and prevention*  
41 *services under the direction of the behavioral health and wellness*  
42 *practitioner or the supervisor thereof.*

43 *2. For the purposes of subsection 1, a communication is*  
44 *confidential if it is not intended to be disclosed to third persons*  
45 *other than:*



1 (a) *Those present to further the interest of the patient during*  
2 *the provision of behavioral health promotion and prevention*  
3 *services;*

4 (b) *Persons reasonably necessary for the transmission of the*  
5 *communication; or*

6 (c) *Persons who are participating in the behavioral health*  
7 *promotion and prevention services under the direction of the*  
8 *behavioral health and wellness practitioner or his or her*  
9 *supervisor, including members of the patient's family.*

10 3. *The privilege established by subsection 1 may be claimed*  
11 *by the patient, by the patient's guardian or conservator, or by the*  
12 *personal representative of a deceased patient.*

13 4. *The behavioral health and wellness practitioner may claim*  
14 *the privilege established by subsection 1 but only on behalf of the*  
15 *patient. The behavioral health and wellness practitioner's*  
16 *authority to do so is presumed in the absence of evidence to the*  
17 *contrary.*

18 5. *There is no privilege under subsection 1:*

19 (a) *If the patient communicates to the behavioral health and*  
20 *wellness practitioner that the patient intends or plans to commit*  
21 *what the patient knows or reasonably should know is a crime.*

22 (b) *If the behavioral health and wellness practitioner is*  
23 *required to testify in an administrative or court-related*  
24 *investigation or proceeding involving the welfare of his or her*  
25 *patient or the minor children of his or her patient.*

26 (c) *For communications relevant to an issue in proceedings to*  
27 *hospitalize the patient for mental illness, if the supervisor of the*  
28 *behavioral health and wellness practitioner, in the course of*  
29 *diagnosis or treatment, has determined that the patient is in need*  
30 *of hospitalization.*

31 (d) *As to communications relevant to an issue of the*  
32 *behavioral health promotion and prevention services provided to*  
33 *the patient in any proceeding in which those services is an element*  
34 *of a claim or defense.*

35 6. *As used in this section:*

36 (a) *"Behavioral health and wellness practitioner" has the*  
37 *meaning ascribed to it in section 10 of this act.*

38 (b) *"Behavioral health promotion and prevention" has the*  
39 *meaning ascribed to it in section 11 of this act.*

40 (c) *"Patient" has the meaning ascribed to it in NRS 641.0245.*

41 (d) *"Supervisor" means a provider of health care who*  
42 *supervises a behavioral health and wellness practitioner pursuant*  
43 *to section 18 of this act.*

44 **Sec. 60.** NRS 200.471 is hereby amended to read as follows:

45 200.471 1. As used in this section:





1 (a) "Assault" means:

2 (1) Unlawfully attempting to use physical force against  
3 another person; or

4 (2) Intentionally placing another person in reasonable  
5 apprehension of immediate bodily harm.

6 (b) "Fire-fighting agency" has the meaning ascribed to it in  
7 NRS 239B.020.

8 (c) "Health care facility" means a facility licensed pursuant to  
9 chapter 449 of NRS, an office of a person listed in NRS 629.031, a  
10 clinic or any other location, other than a residence, where health  
11 care is provided.

12 (d) "Officer" means:

13 (1) A person who possesses some or all of the powers of a  
14 peace officer;

15 (2) A person employed in a full-time salaried occupation of  
16 fire fighting for the benefit or safety of the public;

17 (3) A member of a volunteer fire department;

18 (4) A jailer, guard or other correctional officer of a city or  
19 county jail;

20 (5) A prosecuting attorney of an agency or political  
21 subdivision of the United States or of this State;

22 (6) A justice of the Supreme Court, judge of the Court of  
23 Appeals, district judge, justice of the peace, municipal judge,  
24 magistrate, court commissioner, master or referee, including a  
25 person acting pro tempore in a capacity listed in this subparagraph;

26 (7) An employee of this State or a political subdivision of  
27 this State whose official duties require the employee to make home  
28 visits;

29 (8) A civilian employee or a volunteer of a law enforcement  
30 agency whose official duties require the employee or volunteer to:

31 (I) Interact with the public;

32 (II) Perform tasks related to law enforcement; and

33 (III) Wear identification, clothing or a uniform that  
34 identifies the employee or volunteer as working or volunteering for  
35 the law enforcement agency;

36 (9) A civilian employee or a volunteer of a fire-fighting  
37 agency whose official duties require the employee or volunteer to:

38 (I) Interact with the public;

39 (II) Perform tasks related to fire fighting or fire  
40 prevention; and

41 (III) Wear identification, clothing or a uniform that  
42 identifies the employee or volunteer as working or volunteering for  
43 the fire-fighting agency; or



1 (10) A civilian employee or volunteer of this State or a  
2 political subdivision of this State whose official duties require the  
3 employee or volunteer to:

4 (I) Interact with the public;

5 (II) Perform tasks related to code enforcement; and

6 (III) Wear identification, clothing or a uniform that  
7 identifies the employee or volunteer as working or volunteering for  
8 this State or a political subdivision of this State.

9 (e) "Provider of health care" means:

10 (1) A physician, a medical student, a perfusionist, an  
11 anesthesiologist assistant or a physician assistant licensed pursuant  
12 to chapter 630 of NRS, a practitioner of respiratory care, a  
13 homeopathic physician, an advanced practitioner of homeopathy, a  
14 homeopathic assistant, an osteopathic physician, a physician  
15 assistant or anesthesiologist assistant licensed pursuant to chapter  
16 633 of NRS, a podiatric physician, a podiatry hygienist, a physical  
17 therapist, a medical laboratory technician, an optometrist, a  
18 chiropractic physician, a chiropractic assistant, a naprapath, a doctor  
19 of Oriental medicine, a nurse, a student nurse, a certified nursing  
20 assistant, a nursing assistant trainee, a medication aide - certified, a  
21 person who provides health care services in the home for  
22 compensation, a dentist, a dental student, a dental hygienist, a dental  
23 hygienist student, an expanded function dental assistant, an  
24 expanded function dental assistant student, a pharmacist, a  
25 pharmacy student, an intern pharmacist, an attendant on an  
26 ambulance or air ambulance, a psychologist, *a behavioral health  
27 and wellness practitioner*, a social worker, a marriage and family  
28 therapist, a marriage and family therapist intern, a clinical  
29 professional counselor, a clinical professional counselor intern, a  
30 behavior analyst, an assistant behavior analyst, a registered behavior  
31 technician, a mental health technician, a licensed dietitian, the  
32 holder of a license or a limited license issued under the provisions of  
33 chapter 653 of NRS, a public safety officer at a health care facility,  
34 an emergency medical technician, an advanced emergency medical  
35 technician, a paramedic or a participant in a program of training to  
36 provide emergency medical services; or

37 (2) An employee of or volunteer for a health care facility  
38 who:

39 (I) Interacts with the public;

40 (II) Performs tasks related to providing health care; and

41 (III) Wears identification, clothing or a uniform that  
42 identifies the person as an employee or volunteer of the health care  
43 facility.



1 (f) "School employee" means a licensed or unlicensed person  
2 employed by a board of trustees of a school district pursuant to NRS  
3 391.100 or 391.281.

4 (g) "Sporting event" has the meaning ascribed to it in  
5 NRS 41.630.

6 (h) "Sports official" has the meaning ascribed to it in  
7 NRS 41.630.

8 (i) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

9 (j) "Taxicab driver" means a person who operates a taxicab.

10 (k) "Transit operator" means a person who operates a bus or  
11 other vehicle as part of a public mass transportation system.

12 (l) "Utility worker" means an employee of a public utility as  
13 defined in NRS 704.020 whose official duties require the employee  
14 to:

15 (1) Interact with the public;

16 (2) Perform tasks related to the operation of the public  
17 utility; and

18 (3) Wear identification, clothing or a uniform that identifies  
19 the employee as working for the public utility.

20 2. A person convicted of an assault shall be punished:

21 (a) If paragraph (c) or (d) does not apply to the circumstances of  
22 the crime and the assault is not made with the use of a deadly  
23 weapon or the present ability to use a deadly weapon, for a  
24 misdemeanor.

25 (b) If the assault is made with the use of a deadly weapon or the  
26 present ability to use a deadly weapon, for a category B felony by  
27 imprisonment in the state prison for a minimum term of not less  
28 than 1 year and a maximum term of not more than 6 years, or by a  
29 fine of not more than \$5,000, or by both fine and imprisonment.

30 (c) If paragraph (d) does not apply to the circumstances of the  
31 crime and if the assault:

32 (1) Is committed upon:

33 (I) An officer, a school employee, a taxicab driver, a  
34 transit operator or a utility worker who is performing his or her  
35 duty;

36 (II) A provider of health care while the provider of health  
37 care is performing his or her duty or is on the premises where he or  
38 she performs that duty; or

39 (III) A sports official based on the performance of his or  
40 her duties at a sporting event; and

41 (2) The person charged knew or should have known that the  
42 victim was an officer, a provider of health care, a school employee,  
43 a taxicab driver, a transit operator, a utility worker or a sports  
44 official,



1   ↳ for a gross misdemeanor, unless the assault is made with the use  
2 of a deadly weapon or the present ability to use a deadly weapon,  
3 then for a category B felony by imprisonment in the state prison for  
4 a minimum term of not less than 1 year and a maximum term of not  
5 more than 6 years, or by a fine of not more than \$5,000, or by both  
6 fine and imprisonment.

7   (d) If the assault:

8       (1) Is committed by a probationer, a prisoner who is in  
9 lawful custody or confinement or a parolee upon:

10       (I) An officer, a school employee, a taxicab driver, a  
11 transit operator or a utility worker who is performing his or her  
12 duty;

13       (II) A provider of health care while the provider of health  
14 care is performing his or her duty or is on the premises where he or  
15 she performs that duty; or

16       (III) A sports official based on the performance of his or  
17 her duties at a sporting event; and

18       (2) The probationer, prisoner or parolee charged knew or  
19 should have known that the victim was an officer, a provider of  
20 health care, a school employee, a taxicab driver, a transit operator, a  
21 utility worker or a sports official,

22   ↳ for a category D felony as provided in NRS 193.130, unless the  
23 assault is made with the use of a deadly weapon or the present  
24 ability to use a deadly weapon, then for a category B felony by  
25 imprisonment in the state prison for a minimum term of not less  
26 than 1 year and a maximum term of not more than 6 years, or by a  
27 fine of not more than \$5,000, or by both fine and imprisonment.

28   **Sec. 61.** NRS 200.5093 is hereby amended to read as follows:

29       200.5093 1. Any person who is described in subsection 4 and  
30 who, in a professional or occupational capacity, knows or has  
31 reasonable cause to believe that an older person or vulnerable  
32 person has been abused, neglected, exploited, isolated or abandoned  
33 shall:

34       (a) Except as otherwise provided in subsection 2, report the  
35 abuse, neglect, exploitation, isolation or abandonment of the older  
36 person or vulnerable person to:

37       (1) The local office of the Aging and Disability Services  
38 Division of the Department of Health and Human Services;

39       (2) A police department or sheriff's office; or

40       (3) A toll-free telephone service designated by the Aging and  
41 Disability Services Division of the Department of Health and  
42 Human Services; and

43       (b) Make such a report as soon as reasonably practicable but not  
44 later than 24 hours after the person knows or has reasonable cause to



1 believe that the older person or vulnerable person has been abused,  
2 neglected, exploited, isolated or abandoned.

3 2. If a person who is required to make a report pursuant to  
4 subsection 1 knows or has reasonable cause to believe that the  
5 abuse, neglect, exploitation, isolation or abandonment of the older  
6 person or vulnerable person involves an act or omission of the  
7 Aging and Disability Services Division, another division of the  
8 Department of Health and Human Services or a law enforcement  
9 agency, the person shall make the report to an agency other than the  
10 one alleged to have committed the act or omission.

11 3. Each agency, after reducing a report to writing, shall forward  
12 a copy of the report to the Aging and Disability Services Division of  
13 the Department of Health and Human Services and the Unit for the  
14 Investigation and Prosecution of Crimes.

15 4. A report must be made pursuant to subsection 1 by the  
16 following persons:

17 (a) Every physician, dentist, dental hygienist, expanded function  
18 dental assistant, chiropractic physician, naprapath, optometrist,  
19 podiatric physician, medical examiner, resident, intern, professional  
20 or practical nurse, physician assistant licensed pursuant to chapter  
21 630 or 633 of NRS, anesthesiologist assistant, perfusionist,  
22 psychiatrist, psychologist, *behavioral health and wellness*  
23 *practitioner*, marriage and family therapist, clinical professional  
24 counselor, clinical alcohol and drug counselor, alcohol and drug  
25 counselor, music therapist, athletic trainer, driver of an ambulance,  
26 paramedic, licensed dietitian, holder of a license or a limited license  
27 issued under the provisions of chapter 653 of NRS, behavior  
28 analyst, assistant behavior analyst, registered behavior technician,  
29 peer recovery support specialist, as defined in NRS 433.627, peer  
30 recovery support specialist supervisor, as defined in NRS 433.629,  
31 or other person providing medical services licensed or certified to  
32 practice in this State, who examines, attends or treats an older  
33 person or vulnerable person who appears to have been abused,  
34 neglected, exploited, isolated or abandoned.

35 (b) Any personnel of a hospital or similar institution engaged in  
36 the admission, examination, care or treatment of persons or an  
37 administrator, manager or other person in charge of a hospital or  
38 similar institution upon notification of the suspected abuse, neglect,  
39 exploitation, isolation or abandonment of an older person or  
40 vulnerable person by a member of the staff of the hospital.

41 (c) A coroner.

42 (d) Every person who maintains or is employed by an agency to  
43 provide personal care services in the home.

44 (e) Every person who maintains or is employed by an agency to  
45 provide nursing in the home.



1 (f) Every person who operates, who is employed by or who  
2 contracts to provide services for an intermediary service  
3 organization as defined in NRS 449.4304.

4 (g) Any employee of the Department of Health and Human  
5 Services, except the State Long-Term Care Ombudsman appointed  
6 pursuant to NRS 427A.125 and any of his or her advocates or  
7 volunteers where prohibited from making such a report pursuant to  
8 45 C.F.R. § 1321.11.

9 (h) Any employee of a law enforcement agency or a county's  
10 office for protective services or an adult or juvenile probation  
11 officer.

12 (i) Any person who maintains or is employed by a facility or  
13 establishment that provides care for older persons or vulnerable  
14 persons.

15 (j) Any person who maintains, is employed by or serves as a  
16 volunteer for an agency or service which advises persons regarding  
17 the abuse, neglect, exploitation, isolation or abandonment of an  
18 older person or vulnerable person and refers them to persons and  
19 agencies where their requests and needs can be met.

20 (k) Every social worker.

21 (l) Any person who owns or is employed by a funeral home or  
22 mortuary.

23 (m) Every person who operates or is employed by a community  
24 health worker pool, as defined in NRS 449.0028, or with whom a  
25 community health worker pool contracts to provide the services of a  
26 community health worker, as defined in NRS 449.0027.

27 (n) Every person who is enrolled with the Division of Health  
28 Care Financing and Policy of the Department of Health and Human  
29 Services to provide doula services to recipients of Medicaid  
30 pursuant to NRS 422.27177.

31 5. A report may be made by any other person.

32 6. If a person who is required to make a report pursuant to  
33 subsection 1 knows or has reasonable cause to believe that an older  
34 person or vulnerable person has died as a result of abuse, neglect,  
35 isolation or abandonment, the person shall, as soon as reasonably  
36 practicable, report this belief to the appropriate medical examiner or  
37 coroner, who shall investigate the cause of death of the older person  
38 or vulnerable person and submit to the appropriate local law  
39 enforcement agencies, the appropriate prosecuting attorney, the  
40 Aging and Disability Services Division of the Department of Health  
41 and Human Services and the Unit for the Investigation and  
42 Prosecution of Crimes his or her written findings. The written  
43 findings must include the information required pursuant to the  
44 provisions of NRS 200.5094, when possible.



1 7. A division, office or department which receives a report  
2 pursuant to this section shall cause the investigation of the report to  
3 commence within 3 working days. A copy of the final report of the  
4 investigation conducted by a division, office or department, other  
5 than the Aging and Disability Services Division of the Department  
6 of Health and Human Services, must be forwarded within 30 days  
7 after the completion of the report to the:

8 (a) Aging and Disability Services Division;

9 (b) Repository for Information Concerning Crimes Against  
10 Older Persons or Vulnerable Persons created by NRS 179A.450;  
11 and

12 (c) Unit for the Investigation and Prosecution of Crimes.

13 8. If the investigation of a report results in the belief that an  
14 older person or vulnerable person is abused, neglected, exploited,  
15 isolated or abandoned, the Aging and Disability Services Division  
16 of the Department of Health and Human Services or the county's  
17 office for protective services may provide protective services to the  
18 older person or vulnerable person if the older person or vulnerable  
19 person is able and willing to accept them.

20 9. A person who knowingly and willfully violates any of the  
21 provisions of this section is guilty of a misdemeanor.

22 10. As used in this section, "Unit for the Investigation and  
23 Prosecution of Crimes" means the Unit for the Investigation and  
24 Prosecution of Crimes Against Older Persons or Vulnerable Persons  
25 in the Office of the Attorney General created pursuant to  
26 NRS 228.265.

27 **Sec. 62.** NRS 226.454 is hereby amended to read as follows:

28 226.454 "Provider of health care" means:

29 1. A physician;

30 2. A physician assistant licensed pursuant to chapter 630 or  
31 633 of NRS;

32 3. A dentist;

33 4. A licensed nurse;

34 5. A person who holds a license as an attendant or is certified  
35 as an emergency medical technician, advanced emergency medical  
36 technician or paramedic pursuant to chapter 450B of NRS;

37 6. An optometrist;

38 7. An audiologist;

39 8. A practitioner of respiratory care;

40 9. A podiatric physician;

41 10. A psychologist;

42 11. A clinical professional counselor;

43 12. A perfusionist;

44 13. A pharmacist or pharmacy technician;



1 14. An associate in social work, a social worker, a master  
2 social worker, an independent social worker or a clinical social  
3 worker licensed pursuant to chapter 641B of NRS;

4 15. A midwife; ~~or~~

5 16. A provider of doula services who is enrolled with the  
6 Division of Health Care Financing and Policy of the Department of  
7 Health and Human Services to receive reimbursement through  
8 Medicaid pursuant to NRS 422.27177 ~~or~~; *or*

9 ***17. A behavioral health and wellness practitioner.***

10 **Sec. 63.** NRS 232.320 is hereby amended to read as follows:

11 232.320 1. The Director:

12 (a) Shall appoint, with the consent of the Governor,  
13 administrators of the divisions of the Department, who are  
14 respectively designated as follows:

15 (1) The Administrator of the Aging and Disability Services  
16 Division;

17 (2) The Administrator of the Division of Welfare and  
18 Supportive Services;

19 (3) The Administrator of the Division of Child and Family  
20 Services;

21 (4) The Administrator of the Division of Health Care  
22 Financing and Policy; and

23 (5) The Administrator of the Division of Public and  
24 Behavioral Health.

25 (b) Shall administer, through the divisions of the Department,  
26 the provisions of chapters 63, 424, 425, 427A, 432A to 442,  
27 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS  
28 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*  
29 *section 66 of this act*, 422.580, 432.010 to 432.133, inclusive,  
30 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,  
31 and 445A.010 to 445A.055, inclusive, and all other provisions of  
32 law relating to the functions of the divisions of the Department, but  
33 is not responsible for the clinical activities of the Division of Public  
34 and Behavioral Health or the professional line activities of the other  
35 divisions.

36 (c) Shall administer any state program for persons with  
37 developmental disabilities established pursuant to the  
38 Developmental Disabilities Assistance and Bill of Rights Act of  
39 2000, 42 U.S.C. §§ 15001 et seq.

40 (d) Shall, after considering advice from agencies of local  
41 governments and nonprofit organizations which provide social  
42 services, adopt a master plan for the provision of human services in  
43 this State. The Director shall revise the plan biennially and deliver a  
44 copy of the plan to the Governor and the Legislature at the  
45 beginning of each regular session. The plan must:





1 (1) Identify and assess the plans and programs of the  
2 Department for the provision of human services, and any  
3 duplication of those services by federal, state and local agencies;

4 (2) Set forth priorities for the provision of those services;

5 (3) Provide for communication and the coordination of those  
6 services among nonprofit organizations, agencies of local  
7 government, the State and the Federal Government;

8 (4) Identify the sources of funding for services provided by  
9 the Department and the allocation of that funding;

10 (5) Set forth sufficient information to assist the Department  
11 in providing those services and in the planning and budgeting for the  
12 future provision of those services; and

13 (6) Contain any other information necessary for the  
14 Department to communicate effectively with the Federal  
15 Government concerning demographic trends, formulas for the  
16 distribution of federal money and any need for the modification of  
17 programs administered by the Department.

18 (e) May, by regulation, require nonprofit organizations and state  
19 and local governmental agencies to provide information regarding  
20 the programs of those organizations and agencies, excluding  
21 detailed information relating to their budgets and payrolls, which the  
22 Director deems necessary for the performance of the duties imposed  
23 upon him or her pursuant to this section.

24 (f) Has such other powers and duties as are provided by law.

25 2. Notwithstanding any other provision of law, the Director, or  
26 the Director's designee, is responsible for appointing and removing  
27 subordinate officers and employees of the Department.

28 **Sec. 64.** NRS 287.010 is hereby amended to read as follows:

29 287.010 1. The governing body of any county, school  
30 district, municipal corporation, political subdivision, public  
31 corporation or other local governmental agency of the State of  
32 Nevada may:

33 (a) Adopt and carry into effect a system of group life, accident  
34 or health insurance, or any combination thereof, for the benefit of its  
35 officers and employees, and the dependents of officers and  
36 employees who elect to accept the insurance and who, where  
37 necessary, have authorized the governing body to make deductions  
38 from their compensation for the payment of premiums on the  
39 insurance.

40 (b) Purchase group policies of life, accident or health insurance,  
41 or any combination thereof, for the benefit of such officers and  
42 employees, and the dependents of such officers and employees, as  
43 have authorized the purchase, from insurance companies authorized  
44 to transact the business of such insurance in the State of Nevada,  
45 and, where necessary, deduct from the compensation of officers and



1 employees the premiums upon insurance and pay the deductions  
2 upon the premiums.

3 (c) Provide group life, accident or health coverage through a  
4 self-insurance reserve fund and, where necessary, deduct  
5 contributions to the maintenance of the fund from the compensation  
6 of officers and employees and pay the deductions into the fund. The  
7 money accumulated for this purpose through deductions from the  
8 compensation of officers and employees and contributions of the  
9 governing body must be maintained as an internal service fund as  
10 defined by NRS 354.543. The money must be deposited in a state or  
11 national bank or credit union authorized to transact business in the  
12 State of Nevada. Any independent administrator of a fund created  
13 under this section is subject to the licensing requirements of chapter  
14 683A of NRS, and must be a resident of this State. Any contract  
15 with an independent administrator must be approved by the  
16 Commissioner of Insurance as to the reasonableness of  
17 administrative charges in relation to contributions collected and  
18 benefits provided. The provisions of NRS 439.581 to 439.597,  
19 inclusive, 686A.135, 687B.352, 687B.408, 687B.692, 687B.723,  
20 687B.725, 687B.805, 689B.030 to 689B.0317, inclusive, *and*  
21 *section 69 of this act*, paragraphs (b) and (c) of subsection 1 of NRS  
22 689B.0319, subsections 2, 4, 6 and 7 of NRS 689B.0319, 689B.033  
23 to 689B.0369, inclusive, 689B.0375 to 689B.050, inclusive,  
24 689B.0675, 689B.265, 689B.287 and 689B.500 apply to coverage  
25 provided pursuant to this paragraph, except that the provisions of  
26 NRS 689B.0378, 689B.03785 and 689B.500 only apply to coverage  
27 for active officers and employees of the governing body, or the  
28 dependents of such officers and employees.

29 (d) Defray part or all of the cost of maintenance of a self-  
30 insurance fund or of the premiums upon insurance. The money for  
31 contributions must be budgeted for in accordance with the laws  
32 governing the county, school district, municipal corporation,  
33 political subdivision, public corporation or other local governmental  
34 agency of the State of Nevada.

35 2. If a school district offers group insurance to its officers and  
36 employees pursuant to this section, members of the board of trustees  
37 of the school district must not be excluded from participating in the  
38 group insurance. If the amount of the deductions from compensation  
39 required to pay for the group insurance exceeds the compensation to  
40 which a trustee is entitled, the difference must be paid by the trustee.

41 3. In any county in which a legal services organization exists,  
42 the governing body of the county, or of any school district,  
43 municipal corporation, political subdivision, public corporation or  
44 other local governmental agency of the State of Nevada in the  
45 county, may enter into a contract with the legal services



1 organization pursuant to which the officers and employees of the  
2 legal services organization, and the dependents of those officers and  
3 employees, are eligible for any life, accident or health insurance  
4 provided pursuant to this section to the officers and employees, and  
5 the dependents of the officers and employees, of the county, school  
6 district, municipal corporation, political subdivision, public  
7 corporation or other local governmental agency.

8 4. If a contract is entered into pursuant to subsection 3, the  
9 officers and employees of the legal services organization:

10 (a) Shall be deemed, solely for the purposes of this section, to be  
11 officers and employees of the county, school district, municipal  
12 corporation, political subdivision, public corporation or other local  
13 governmental agency with which the legal services organization has  
14 contracted; and

15 (b) Must be required by the contract to pay the premiums or  
16 contributions for all insurance which they elect to accept or of which  
17 they authorize the purchase.

18 5. A contract that is entered into pursuant to subsection 3:

19 (a) Must be submitted to the Commissioner of Insurance for  
20 approval not less than 30 days before the date on which the contract  
21 is to become effective.

22 (b) Does not become effective unless approved by the  
23 Commissioner.

24 (c) Shall be deemed to be approved if not disapproved by the  
25 Commissioner within 30 days after its submission.

26 6. As used in this section, "legal services organization" means  
27 an organization that operates a program for legal aid and receives  
28 money pursuant to NRS 19.031.

29 **Sec. 65.** NRS 287.04335 is hereby amended to read as  
30 follows:

31 287.04335 If the Board provides health insurance through a  
32 plan of self-insurance, it shall comply with the provisions of NRS  
33 439.581 to 439.597, inclusive, 686A.135, 687B.352, 687B.409,  
34 687B.692, 687B.723, 687B.725, 687B.805, 689B.0353, 689B.255,  
35 695C.1723, 695G.150, 695G.155, 695G.160, 695G.162,  
36 695G.1635, 695G.164, 695G.1645, 695G.1665, 695G.167,  
37 695G.1675, 695G.170 to 695G.1712, inclusive, 695G.1714 to  
38 695G.174, inclusive, *and section 77 of this act*, 695G.176,  
39 695G.177, 695G.200 to 695G.230, inclusive, 695G.241 to  
40 695G.310, inclusive, 695G.405 and 695G.415, in the same manner  
41 as an insurer that is licensed pursuant to title 57 of NRS is required  
42 to comply with those provisions.



1     **Sec. 66.** Chapter 422 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     1. *To the extent that federal financial participation is*  
4 *available, the Director shall include under Medicaid coverage for*  
5 *behavioral health promotion and prevention provided by a*  
6 *behavioral health and wellness practitioner.*

7     2. *The Department shall:*

8     (a) *Apply to the Secretary of Health and Human Services for*  
9 *any waiver of federal law or apply for any amendment to the State*  
10 *Plan for Medicaid that is necessary for the Department to receive*  
11 *federal funding to provide the coverage described in subsection 1.*

12     (b) *Fully cooperate in good faith with the Federal Government*  
13 *during the application process to satisfy the requirements of the*  
14 *Federal Government for obtaining a waiver or amendment*  
15 *pursuant to paragraph (a).*

16     3. *As used in this section:*

17     (a) *“Behavioral health and wellness practitioner” has the*  
18 *meaning ascribed to it in section 10 of this act.*

19     (b) *“Behavioral health promotion and prevention” has the*  
20 *meaning ascribed to it in section 11 of this act.*

21     **Sec. 67.** Chapter 689A of NRS is hereby amended by adding  
22 thereto a new section to read as follows:

23     1. *An insurer that issues a policy of health insurance shall*  
24 *include in the policy coverage for behavioral health promotion*  
25 *and prevention provided by a behavioral health and wellness*  
26 *practitioner.*

27     2. *An insurer shall ensure that the benefits required by*  
28 *subsection 1 are made available to an insured through a*  
29 *behavioral health and wellness practitioner who participates in the*  
30 *network plan of the insurer.*

31     3. *A policy of health insurance subject to the provisions of*  
32 *this chapter that is delivered, issued for delivery or renewed on or*  
33 *after July 1, 2026, has the legal effect of including the coverage*  
34 *required by subsection 1, and any provision of the policy that*  
35 *conflicts with the provisions of this section is void.*

36     4. *As used in this section:*

37     (a) *“Behavioral health and wellness practitioner” has the*  
38 *meaning ascribed to it in section 10 of this act.*

39     (b) *“Behavioral health promotion and prevention” has the*  
40 *meaning ascribed to it in section 11 of this act.*

41     (c) *“Network plan” means a policy of health insurance offered*  
42 *by an insurer under which the financing and delivery of medical*  
43 *care, including items and services paid for as medical care, are*  
44 *provided, in whole or in part, through a defined set of providers*



1 *under contract with the insurer. The term does not include an*  
2 *arrangement for the financing of premiums.*

3 **Sec. 68.** NRS 689A.330 is hereby amended to read as follows:

4 689A.330 If any policy is issued by a domestic insurer for  
5 delivery to a person residing in another state, and if the insurance  
6 commissioner or corresponding public officer of that other state has  
7 informed the Commissioner that the policy is not subject to approval  
8 or disapproval by that officer, the Commissioner may by ruling  
9 require that the policy meet the standards set forth in NRS 689A.030  
10 to 689A.320, inclusive **[H]**, *and section 67 of this act.*

11 **Sec. 69.** Chapter 689B of NRS is hereby amended by adding  
12 thereto a new section to read as follows:

13 *1. An insurer that issues a policy of group health insurance*  
14 *shall include in the policy coverage for behavioral health*  
15 *promotion and prevention provided by a behavioral health and*  
16 *wellness practitioner.*

17 *2. An insurer shall ensure that the benefits required by*  
18 *subsection 1 are made available to an insured through a*  
19 *behavioral health and wellness practitioner who participates in the*  
20 *network plan of the insurer.*

21 *3. A policy of group health insurance subject to the*  
22 *provisions of this chapter that is delivered, issued for delivery or*  
23 *renewed on or after July 1, 2026, has the legal effect of including*  
24 *the coverage required by subsection 1, and any provision of the*  
25 *policy that conflicts with the provisions of this section is void.*

26 *4. As used in this section:*

27 *(a) "Behavioral health and wellness practitioner" has the*  
28 *meaning ascribed to it in section 10 of this act.*

29 *(b) "Behavioral health promotion and prevention" has the*  
30 *meaning ascribed to it in section 11 of this act.*

31 *(c) "Network plan" means a policy of group health insurance*  
32 *offered by an insurer under which the financing and delivery of*  
33 *medical care, including items and services paid for as medical*  
34 *care, are provided, in whole or in part, through a defined set of*  
35 *providers under contract with the insurer. The term does not*  
36 *include an arrangement for the financing of premiums.*

37 **Sec. 70.** Chapter 689C of NRS is hereby amended by adding  
38 thereto a new section to read as follows:

39 *1. A carrier that issues a health benefit plan shall include in*  
40 *the plan coverage for behavioral health promotion and prevention*  
41 *provided by a behavioral health and wellness practitioner.*

42 *2. A carrier shall ensure that the benefits required by*  
43 *subsection 1 are made available to an insured through a*  
44 *behavioral health and wellness practitioner who participates in the*  
45 *network plan of the carrier.*



1       3. *A health benefit plan subject to the provisions of this*  
2 *chapter that is delivered, issued for delivery or renewed on or after*  
3 *July 1, 2026, has the legal effect of including the coverage*  
4 *required by subsection 1, and any provision of the plan that*  
5 *conflicts with the provisions of this section is void.*

6       4. *As used in this section:*

7       (a) *“Behavioral health and wellness practitioner” has the*  
8 *meaning ascribed to it in section 10 of this act.*

9       (b) *“Behavioral health promotion and prevention” has the*  
10 *meaning ascribed to it in section 11 of this act.*

11       (c) *“Network plan” means a health benefit plan offered by a*  
12 *carrier under which the financing and delivery of medical care,*  
13 *including items and services paid for as medical care, are*  
14 *provided, in whole or in part, through a defined set of providers*  
15 *under contract with the carrier. The term does not include an*  
16 *arrangement for the financing of premiums.*

17       **Sec. 71.** NRS 689C.425 is hereby amended to read as follows:

18       689C.425 A voluntary purchasing group and any contract  
19 issued to such a group pursuant to NRS 689C.360 to 689C.600,  
20 inclusive, are subject to the provisions of NRS 689C.015 to  
21 689C.355, inclusive, *and section 70 of this act*, to the extent  
22 applicable and not in conflict with the express provisions of NRS  
23 687B.408 and 689C.360 to 689C.600, inclusive.

24       **Sec. 72.** Chapter 695A of NRS is hereby amended by adding  
25 thereto a new section to read as follows:

26       1. *A society that issues a benefit contract shall include in the*  
27 *contract coverage for behavioral health promotion and prevention*  
28 *provided by a behavioral health and wellness practitioner.*

29       2. *A society shall ensure that the benefits required by*  
30 *subsection 1 are made available to an insured through a*  
31 *behavioral health and wellness practitioner who participates in the*  
32 *network plan of the insurer.*

33       3. *A benefit contract subject to the provisions of this chapter*  
34 *that is delivered, issued for delivery or renewed on or after July 1,*  
35 *2026, has the legal effect of including the coverage required by*  
36 *subsection 1, and any provision of the contract that conflicts with*  
37 *the provisions of this section is void.*

38       4. *As used in this section:*

39       (a) *“Behavioral health and wellness practitioner” has the*  
40 *meaning ascribed to it in section 10 of this act.*

41       (b) *“Behavioral health promotion and prevention” has the*  
42 *meaning ascribed to it in section 11 of this act.*

43       (c) *“Network plan” means a benefit contract offered by a*  
44 *society under which the financing and delivery of medical care,*  
45 *including items and services paid for as medical care, are*



1 *provided, in whole or in part, through a defined set of providers*  
2 *under contract with the society. The term does not include an*  
3 *arrangement for the financing of premiums.*

4 **Sec. 73.** Chapter 695B of NRS is hereby amended by adding  
5 thereto a new section to read as follows:

6 *1. A hospital or medical services corporation that issues a*  
7 *policy of health insurance shall include in the policy coverage for*  
8 *behavioral health promotion and prevention provided by a*  
9 *behavioral health and wellness practitioner.*

10 *2. A hospital or medical services corporation shall ensure*  
11 *that the benefits required by subsection 1 are made available to an*  
12 *insured through a behavioral health and wellness practitioner who*  
13 *participates in the network plan of the hospital or medical services*  
14 *corporation.*

15 *3. A policy of health insurance subject to the provisions of*  
16 *this chapter that is delivered, issued for delivery or renewed on or*  
17 *after July 1, 2026, has the legal effect of including the coverage*  
18 *required by subsection 1, and any provision of the policy that*  
19 *conflicts with the provisions of this section is void.*

20 *4. As used in this section:*

21 *(a) "Behavioral health and wellness practitioner" has the*  
22 *meaning ascribed to it in section 10 of this act.*

23 *(b) "Behavioral health promotion and prevention" has the*  
24 *meaning ascribed to it in section 11 of this act.*

25 *(c) "Network plan" means a policy of health insurance offered*  
26 *by a hospital or medical services corporation under which the*  
27 *financing and delivery of medical care, including items and*  
28 *services paid for as medical care, are provided, in whole or in part,*  
29 *through a defined set of providers under contract with the hospital*  
30 *or medical services corporation. The term does not include an*  
31 *arrangement for the financing of premiums.*

32 **Sec. 74.** Chapter 695C of NRS is hereby amended by adding  
33 thereto a new section to read as follows:

34 *1. A health maintenance organization that issues a health*  
35 *care plan to provide medical services to recipients of Medicaid*  
36 *under the State Plan for Medicaid or insurance pursuant to the*  
37 *Children's Health Insurance Program pursuant to a contract with*  
38 *the Division of Health Care Financing and Policy of the*  
39 *Department of Health and Human Services shall include in the*  
40 *plan coverage for behavioral health promotion and prevention*  
41 *provided by a behavioral health and wellness practitioner.*

42 *2. A health care plan subject to the provisions of this section*  
43 *that is delivered, issued for delivery or renewed on or after*  
44 *January 1, 2026, has the legal effect of including the coverage*



1 *required by subsection 1, and any provision of the plan that*  
2 *conflicts with the provisions of this section is void.*

3 *3. As used in this section:*

4 *(a) "Behavioral health and wellness practitioner" has the*  
5 *meaning ascribed to it in section 10 of this act.*

6 *(b) "Behavioral health promotion and prevention" has the*  
7 *meaning ascribed to it in section 11 of this act.*

8 **Sec. 75.** NRS 695C.050 is hereby amended to read as follows:

9 695C.050 1. Except as otherwise provided in this chapter or  
10 in specific provisions of this title, the provisions of this title are not  
11 applicable to any health maintenance organization granted a  
12 certificate of authority under this chapter. This provision does not  
13 apply to an insurer licensed and regulated pursuant to this title  
14 except with respect to its activities as a health maintenance  
15 organization authorized and regulated pursuant to this chapter.

16 2. Solicitation of enrollees by a health maintenance  
17 organization granted a certificate of authority, or its representatives,  
18 must not be construed to violate any provision of law relating to  
19 solicitation or advertising by practitioners of a healing art.

20 3. Any health maintenance organization authorized under this  
21 chapter shall not be deemed to be practicing medicine and is exempt  
22 from the provisions of chapter 630 of NRS.

23 4. The provisions of NRS 695C.110, 695C.125, 695C.1691,  
24 695C.1693, 695C.170, 695C.1703, 695C.1705, 695C.1709 to  
25 695C.173, inclusive, 695C.1733, 695C.17335, 695C.1734,  
26 695C.1751, 695C.1755, 695C.1759, 695C.176 to 695C.200,  
27 inclusive, and 695C.265 do not apply to a health maintenance  
28 organization that provides health care services through managed  
29 care to recipients of Medicaid under the State Plan for Medicaid or  
30 insurance pursuant to the Children's Health Insurance Program  
31 pursuant to a contract with the Division of Health Care Financing  
32 and Policy of the Department of Health and Human Services. This  
33 subsection does not exempt a health maintenance organization from  
34 any provision of this chapter for services provided pursuant to any  
35 other contract.

36 5. The provisions of NRS 695C.16932 to 695C.1699,  
37 inclusive, 695C.1701, 695C.1708, 695C.1728, 695C.1731,  
38 695C.17333, 695C.17345, 695C.17347, 695C.1736 to 695C.1745,  
39 inclusive, *and section 74 of this act*, 695C.1757 and 695C.204  
40 apply to a health maintenance organization that provides health care  
41 services through managed care to recipients of Medicaid under the  
42 State Plan for Medicaid.

43 6. The provisions of NRS 695C.17095 do not apply to a health  
44 maintenance organization that provides health care services to  
45 members of the Public Employees' Benefits Program. This





1 subsection does not exempt a health maintenance organization from  
2 any provision of this chapter for services provided pursuant to any  
3 other contract.

4 7. The provisions of NRS 695C.1735 do not apply to a health  
5 maintenance organization that provides health care services to:

6 (a) The officers and employees, and the dependents of officers  
7 and employees, of the governing body of any county, school district,  
8 municipal corporation, political subdivision, public corporation or  
9 other local governmental agency of this State; or

10 (b) Members of the Public Employees' Benefits Program.

11 ➔ This subsection does not exempt a health maintenance  
12 organization from any provision of this chapter for services  
13 provided pursuant to any other contract.

14 **Sec. 76.** NRS 695C.330 is hereby amended to read as follows:

15 695C.330 1. The Commissioner may suspend or revoke any  
16 certificate of authority issued to a health maintenance organization  
17 pursuant to the provisions of this chapter if the Commissioner finds  
18 that any of the following conditions exist:

19 (a) The health maintenance organization is operating  
20 significantly in contravention of its basic organizational document,  
21 its health care plan or in a manner contrary to that described in and  
22 reasonably inferred from any other information submitted pursuant  
23 to NRS 695C.060, 695C.070 and 695C.140, unless any amendments  
24 to those submissions have been filed with and approved by the  
25 Commissioner;

26 (b) The health maintenance organization issues evidence of  
27 coverage or uses a schedule of charges for health care services  
28 which do not comply with the requirements of NRS 695C.1691 to  
29 695C.200, inclusive, *and section 74 of this act*, 695C.204 or  
30 695C.207;

31 (c) The health care plan does not furnish comprehensive health  
32 care services as provided for in NRS 695C.060;

33 (d) The Commissioner certifies that the health maintenance  
34 organization:

35 (1) Does not meet the requirements of subsection 1 of NRS  
36 695C.080; or

37 (2) Is unable to fulfill its obligations to furnish health care  
38 services as required under its health care plan;

39 (e) The health maintenance organization is no longer financially  
40 responsible and may reasonably be expected to be unable to meet its  
41 obligations to enrollees or prospective enrollees;

42 (f) The health maintenance organization has failed to put into  
43 effect a mechanism affording the enrollees an opportunity to  
44 participate in matters relating to the content of programs pursuant to  
45 NRS 695C.110;



1 (g) The health maintenance organization has failed to put into  
2 effect the system required by NRS 695C.260 for:

3 (1) Resolving complaints in a manner reasonably to dispose  
4 of valid complaints; and

5 (2) Conducting external reviews of adverse determinations  
6 that comply with the provisions of NRS 695G.241 to 695G.310,  
7 inclusive;

8 (h) The health maintenance organization or any person on its  
9 behalf has advertised or merchandised its services in an untrue,  
10 misrepresentative, misleading, deceptive or unfair manner;

11 (i) The continued operation of the health maintenance  
12 organization would be hazardous to its enrollees or creditors or to  
13 the general public;

14 (j) The health maintenance organization fails to provide the  
15 coverage required by NRS 695C.1691; or

16 (k) The health maintenance organization has otherwise failed to  
17 comply substantially with the provisions of this chapter.

18 2. A certificate of authority must be suspended or revoked only  
19 after compliance with the requirements of NRS 695C.340.

20 3. If the certificate of authority of a health maintenance  
21 organization is suspended, the health maintenance organization shall  
22 not, during the period of that suspension, enroll any additional  
23 groups or new individual contracts, unless those groups or persons  
24 were contracted for before the date of suspension.

25 4. If the certificate of authority of a health maintenance  
26 organization is revoked, the organization shall proceed, immediately  
27 following the effective date of the order of revocation, to wind up its  
28 affairs and shall conduct no further business except as may be  
29 essential to the orderly conclusion of the affairs of the organization.  
30 It shall engage in no further advertising or solicitation of any kind.  
31 The Commissioner may, by written order, permit such further  
32 operation of the organization as the Commissioner may find to be in  
33 the best interest of enrollees to the end that enrollees are afforded  
34 the greatest practical opportunity to obtain continuing coverage for  
35 health care.

36 **Sec. 77.** Chapter 695G of NRS is hereby amended by adding  
37 thereto a new section to read as follows:

38 *1. A managed care organization that issues a health care*  
39 *plan to provide medical services to recipients of Medicaid under*  
40 *the State Plan for Medicaid or insurance pursuant to the*  
41 *Children's Health Insurance Program pursuant to a contract with*  
42 *the Division of Health Care Financing and Policy of the*  
43 *Department of Health and Human Services shall include in the*  
44 *plan coverage for behavioral health prevention and promotion*  
45 *provided by a behavioral health and wellness practitioner.*



1 **2. A health care plan subject to the provisions of this section**  
2 **that is delivered, issued for delivery or renewed on or after**  
3 **January 1, 2026, has the legal effect of including the coverage**  
4 **required by subsection 1, and any provision of the plan that**  
5 **conflicts with the provisions of this section is void.**

6 **3. As used in this section:**

7 **(a) "Behavioral health and wellness practitioner" has the**  
8 **meaning ascribed to it in section 10 of this act.**

9 **(b) "Behavioral health promotion and prevention" has the**  
10 **meaning ascribed to it in section 11 of this act.**

11 **Sec. 78.** Section 74 of this act is hereby amended to read as  
12 follows:

13 Sec. 74. 1. A health maintenance organization that  
14 issues a health care plan ~~to provide medical services to~~  
15 ~~recipients of Medicaid under the State Plan for Medicaid or~~  
16 ~~insurance pursuant to the Children's Health Insurance~~  
17 ~~Program pursuant to a contract with the Division of Health~~  
18 ~~Care Financing and Policy of the Department of Health and~~  
19 ~~Human Services] shall include in the plan coverage for~~  
20 behavioral health promotion and prevention provided by a  
21 behavioral health and wellness practitioner.

22 **2. A health maintenance organization shall ensure that**  
23 **the benefits required by subsection 1 are made available to**  
24 **an enrollee through a behavioral health and wellness**  
25 **practitioner who participates in the network plan of the**  
26 **health maintenance organization.**

27 **3. A health care plan subject to the provisions of this**  
28 **[section] chapter that is delivered, issued for delivery or**  
29 **renewed on or after [January] July 1, 2026, has the legal**  
30 **effect of including the coverage required by subsection 1, and**  
31 **any provision of the plan that conflicts with the provisions of**  
32 **this section is void.**

33 ~~[3.]~~ **4. As used in this section:**

34 **(a) "Behavioral health and wellness practitioner" has the**  
35 **meaning ascribed to it in section 10 of this act.**

36 **(b) "Behavioral health promotion and prevention" has the**  
37 **meaning ascribed to it in section 11 of this act.**

38 **(c) "Network plan" means a health care plan offered by**  
39 **a health maintenance organization under which the**  
40 **financing and delivery of medical care, including items and**  
41 **services paid for as medical care, are provided, in whole or**  
42 **in part, through a defined set of providers under contract**  
43 **with the health maintenance organization. The term does**  
44 **not include an arrangement for the financing of premiums.**



1       **Sec. 79.** Section 77 of this act is hereby amended to read as  
2 follows:

3           Sec. 77. 1. A managed care organization that issues a  
4 health care plan ~~[to provide medical services to recipients of~~  
5 ~~Medicaid under the State Plan for Medicaid or insurance~~  
6 ~~pursuant to the Children's Health Insurance Program pursuant~~  
7 ~~to a contract with the Division of Health Care Financing and~~  
8 ~~Policy of the Department of Health and Human Services]~~  
9 shall include in the plan coverage for behavioral health  
10 prevention and promotion provided by a behavioral health  
11 and wellness practitioner.

12           2. *A managed care organization shall ensure that the*  
13 *benefits required by subsection 1 are made available to an*  
14 *insured through a behavioral health and wellness*  
15 *practitioner who participates in the network plan of the*  
16 *managed care organization.*

17           3. A health care plan subject to the provisions of this  
18 ~~[section]~~ chapter that is delivered, issued for delivery or  
19 renewed on or after ~~[January 1,]~~ *July 1,* 2026, has the legal  
20 effect of including the coverage required by subsection 1, and  
21 any provision of the plan that conflicts with the provisions of  
22 this section is void.

23           ~~[3.]~~ 4. As used in this section:

24           (a) "Behavioral health and wellness practitioner" has the  
25 meaning ascribed to it in section 10 of this act.

26           (b) "Behavioral health promotion and prevention" has the  
27 meaning ascribed to it in section 11 of this act.

28           (c) *"Network plan" means a health care plan offered by*  
29 *a managed care organization under which the financing*  
30 *and delivery of medical care, including items and services*  
31 *paid for as medical care, are provided, in whole or in part,*  
32 *through a defined set of providers under contract with the*  
33 *managed care organization. The term does not include an*  
34 *arrangement for the financing of premiums.*

35       **Sec. 80.** 1. There is hereby appropriated from the State  
36 General Fund to:

37           (a) The University of Nevada, Reno, the sum of \$574,980 to a  
38 program that awards a bachelor's degree for persons wishing to  
39 become behavioral health and wellness practitioners and award  
40 scholarships to students who enroll in that program.

41           (b) The University of Nevada, Reno, the sum of \$500,000 to  
42 establish a program that awards a micro-credential in behavioral  
43 health promotion and prevention and award scholarships to students  
44 who enroll in that program.



1 (c) The University of Nevada, Las Vegas, the sum of \$574,980  
2 to a program that awards a bachelor's degree for persons wishing to  
3 become behavioral health and wellness practitioners and award  
4 scholarships to students who enroll in that program.

5 (d) The University of Nevada, Las Vegas, the sum of \$500,000  
6 to establish a program that awards a micro-credential in behavioral  
7 health promotion and prevention and award scholarships to students  
8 who enroll in that program.

9 (e) Great Basin College the sum of \$574,980 to a program that  
10 awards a bachelor's degree for persons wishing to become  
11 behavioral health and wellness practitioners and award scholarships  
12 to students who enroll in that program.

13 (f) Great Basin College the sum of \$500,000 to establish a  
14 program that awards a micro-credential in behavioral health  
15 promotion and prevention and award scholarships to students who  
16 enroll in that program.

17 (g) The Nevada System of Higher Education the sum of  
18 \$1,200,000 to establish an accredited internship program for child  
19 psychologists; and

20 (h) The Nevada System of Higher Education the sum of  
21 \$2,000,000 for scholarships for students enrolled in programs for the  
22 education and training of providers of health care who are  
23 authorized to supervise behavioral health and wellness practitioners  
24 pursuant to section 18 of this act.

25 2. Any remaining balance of the appropriation made by  
26 subsection 1 must not be committed for expenditure after June 30,  
27 2028, by the entity to which the appropriation is made or any entity  
28 to which money from the appropriation is granted or otherwise  
29 transferred in any manner, and any portion of the appropriated  
30 money remaining must not be spent for any purpose after  
31 September 15, 2028, by either the entity to which the money was  
32 appropriated or the entity to which the money was subsequently  
33 granted or transferred, and must be reverted to the State General  
34 Fund on or before September 15, 2028.

35 3. As used in this section:

36 (a) "Behavioral health and wellness practitioner" has the  
37 meaning ascribed to it in section 10 of this act.

38 (b) "Behavioral health promotion and prevention" has the  
39 meaning ascribed to it in section 11 of this act.

40 **Sec. 81.** 1. Notwithstanding the amendatory provisions of  
41 this act, any person who is engaged in the practice of behavioral  
42 health promotion and prevention on or before January 1, 2024, may  
43 continue to engage in the practice of behavioral health promotion  
44 and prevention without obtaining a license pursuant to section 15 of  
45 this act until July 1, 2026.



1 2. As used in this section, “behavioral health promotion and  
2 prevention” has the meaning ascribed to it in section 11 of this act.

3 **Sec. 82.** The provisions of NRS 354.599 do not apply to any  
4 additional expenses of a local government that are related to the  
5 provisions of this act.

6 **Sec. 83.** 1. This section and section 82 of this act become  
7 effective upon passage and approval.

8 2. Section 80 of this act becomes effective on July 1, 2025.

9 3. Sections 1 to 63, inclusive, 66, 74 to 77, inclusive, and 81 of  
10 this act become effective:

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

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

15 4. Sections 64, 65, 67 to 73, inclusive, 78 and 79 of this act  
16 become effective on July 1, 2026.





