
SENATE BILL NO. 24—SENATOR MATHEWS

PREFILED JANUARY 21, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes concerning psychology. (BDR 54-253)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to psychology; specifying that the practice of psychology includes the diagnosis and treatment of alcoholism and substance abuse; reducing the number of members of the board of psychological examiners required for a quorum; revising provisions governing the written examination required for licensure as a psychologist; revising the grounds for disciplinary action against a psychologist; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 641.025 is hereby amended to read as follows:
2 641.025 “Practice of psychology” means the observation, description,
3 evaluation, interpretation or modification of human behavior by the
4 application of psychological principles, methods or procedures to prevent or
5 eliminate problematic, unhealthy or undesired behavior and to enhance
6 personal relationships and behavioral and mental health. The term includes,
7 without limitation, such specialized areas of competence as:
8 1. Psychological testing and the evaluation of personal characteristics,
9 including, without limitation, intelligence, personality, abilities, interests,
10 aptitudes and neuropsychological functioning;
11 2. Counseling;
12 3. Psychoanalysis;
13 4. Psychotherapy;
14 5. Hypnosis;
15 6. Biofeedback;
16 7. Analysis and therapy relating to behavior;

1 8. Diagnosis and treatment of mental or emotional disorders,
2 **alcoholism and substance abuse**, including, without limitation, disorders of
3 habit or conduct;

4 9. Psychological aspects of physical injury, illness, accident or
5 disability; and

6 10. Evaluation, therapy, remediation and consultation relating to the
7 academic performance of the patient.

8 **Sec. 2.** NRS 641.070 is hereby amended to read as follows:

9 641.070 The board shall hold a regular meeting at least once a year.
10 The board shall hold a special meeting upon a call of the president or upon
11 ~~{a request by}~~ **the request of** a majority of the members. ~~{Four members}~~ **A**
12 **majority** of the board ~~{shall constitute}~~ **constitutes** a quorum.

13 **Sec. 3.** NRS 641.180 is hereby amended to read as follows:

14 641.180 1. ~~{The board shall administer to each}~~ **Except as otherwise**
15 **provided in this section and NRS 641.190, each** applicant for a license ~~{a~~
16 ~~written examination on his knowledge of psychology. The examination~~
17 ~~administered must be}~~ **must pass** the Examination for the Professional
18 Practice of Psychology in the form ~~{most recently provided by the~~
19 ~~Professional Examination Service before January 1, 1987.}~~ **administered by**
20 **the Association of State and Provincial Psychology Boards and approved**
21 **for use in this state by the board.** In addition ~~{,}~~ **to this written**
22 **examination**, the board may require an oral examination in whatever
23 applied or theoretical fields it deems appropriate.

24 2. The examination must be given at least once a year, and may be
25 given more often if deemed necessary by the board. The examination must
26 be given at a time and place, and under such supervision, as the board may
27 determine. ~~{A grade of 70 percent is a passing grade.}~~

28 3. The board shall notify each applicant of the results of his written
29 examination and supply him with a copy of all material information about
30 those results provided to the board by the ~~{Professional Examination~~
31 ~~Service.}~~ **Association of State and Provincial Psychology Boards.**

32 4. If an applicant fails the examination, he may request in writing that
33 the board review his examination.

34 5. The board may waive the requirement of a written examination for a
35 person who:

36 (a) Is licensed in another state;

37 (b) Has 10 years experience; and

38 (c) Is a diplomate in the American Board of Professional Psychology ~~{,}~~
39 **or** a fellow in the American Psychological Association, **or who has** other
40 equivalent status as determined by the board.

41 **Sec. 4.** NRS 641.230 is hereby amended to read as follows:

42 641.230 The board may suspend the license of a psychologist, place a
43 psychologist on probation, revoke the license of a psychologist, require

- 1 remediation for a psychologist or take any other action specified by
- 2 regulation if the board finds by a preponderance of the evidence that the
- 3 psychologist has:
 - 4 1. Been convicted of a felony.
 - 5 2. Been convicted of any crime or offense that reflects the inability of
 - 6 the psychologist to practice psychology with due regard for the health and
 - 7 safety of others.
 - 8 3. Been convicted of violating any of the provisions of NRS 616D.200,
 - 9 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.
 - 10 4. Engaged in gross malpractice or repeated malpractice or gross
 - 11 negligence in the practice of psychology.
 - 12 5. Aided or abetted the practice of psychology by a person not licensed
 - 13 by the board.
 - 14 6. Made any fraudulent or untrue statement to the board.
 - 15 7. Violated a regulation adopted by the board.
 - 16 8. Had his license to practice psychology suspended or revoked **or has**
 - 17 ***had any other disciplinary action taken against him*** by another state ~~[-]~~ **or**
 - 18 ***territory of the United States, the District of Columbia or a foreign***
 - 19 ***country, if at least one of the grounds for discipline is the same or***
 - 20 ***substantially equivalent to any ground contained in this chapter.***
 - 21 9. Failed to report to the board within 30 days the revocation,
 - 22 suspension or surrender of , ***or any other disciplinary action taken against,***
 - 23 a license or certificate to practice psychology issued ***to him*** by another state
 - 24 ~~[-]~~ ***or territory of the United States, the District of Columbia or a foreign***
 - 25 ***country.***
 - 26 10. Violated or attempted to violate, directly or indirectly, or assisted in
 - 27 or abetted the violation of or conspired to violate a provision of this chapter.
 - 28 11. Performed or attempted to perform any professional service while
 - 29 impaired by alcohol, drugs or by a mental or physical illness, disorder or
 - 30 disease.
 - 31 12. Engaged in sexual activity with a patient.
 - 32 13. Been convicted of abuse or fraud in connection with any state or
 - 33 federal program which provides medical assistance.
 - 34 14. Been convicted of submitting a false claim for payment to the
 - 35 insurer of a patient.
 - 36 **Sec. 5.** This act becomes effective upon passage and approval.