

Senate Bill No. 24—Senator Mathews

CHAPTER.....

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:

Section 1. NRS 641.025 is hereby amended to read as follows:

641.025 “Practice of psychology” means the observation, description, evaluation, interpretation or modification of human behavior by the application of psychological principles, methods or procedures to prevent or eliminate problematic, unhealthy or undesired behavior and to enhance personal relationships and behavioral and mental health. The term includes, without limitation, such specialized areas of competence as:

1. Psychological testing and the evaluation of personal characteristics, including, without limitation, intelligence, personality, abilities, interests, aptitudes and neuropsychological functioning;
2. Counseling;
3. Psychoanalysis;
4. Psychotherapy;
5. Hypnosis;
6. Biofeedback;
7. Analysis and therapy relating to behavior;
8. Diagnosis and treatment of mental or emotional disorders, **alcoholism and substance abuse**, including, without limitation, disorders of habit or conduct;
9. Psychological aspects of physical injury, illness, accident or disability; and
10. Evaluation, therapy, remediation and consultation relating to the academic performance of the patient.

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

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

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

641.180 1. ~~{The board shall administer to each}~~ **Except as otherwise provided in this section and NRS 641.190, each** applicant for a license ~~{a written examination on his knowledge of psychology. The examination administered must be}~~ **must pass** the Examination for the Professional Practice of Psychology in the form ~~{most recently provided by the}~~

~~Professional Examination Service before January 1, 1987.~~ *administered by the Association of State and Provincial Psychology Boards and approved for use in this state by the board.* In addition ~~to this written examination,~~ the board may require an oral examination in whatever applied or theoretical fields it deems appropriate.

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

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

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

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

- (a) Is licensed in another state;
- (b) Has 10 years experience; and
- (c) Is a diplomate in the American Board of Professional Psychology ~~or~~ *or* a fellow in the American Psychological Association, *or who has* other equivalent status as determined by the board.

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

641.230 The board may suspend the license of a psychologist, place a psychologist on probation, revoke the license of a psychologist, require remediation for a psychologist or take any other action specified by regulation if the board finds by a preponderance of the evidence that the psychologist has:

- 1. Been convicted of a felony.
- 2. Been convicted of any crime or offense that reflects the inability of the psychologist to practice psychology with due regard for the health and safety of others.
- 3. Been convicted of violating any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.
- 4. Engaged in gross malpractice or repeated malpractice or gross negligence in the practice of psychology.
- 5. Aided or abetted the practice of psychology by a person not licensed by the board.
- 6. Made any fraudulent or untrue statement to the board.
- 7. Violated a regulation adopted by the board.
- 8. Had his license to practice psychology suspended or revoked *or has had any other disciplinary action taken against him* by another state ~~or territory of the United States, the District of Columbia or a foreign country, if at least one of the grounds for discipline is the same or substantially equivalent to any ground contained in this chapter.~~

9. Failed to report to the board within 30 days the revocation, suspension or surrender of , *or any other disciplinary action taken against*, a license or certificate to practice psychology issued *to him* by another state ~~H~~ *or territory of the United States, the District of Columbia or a foreign country.*

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

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

12. Engaged in sexual activity with a patient.

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

14. Been convicted of submitting a false claim for payment to the insurer of a patient.

Sec. 5. This act becomes effective upon passage and approval.

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