
SENATE BILL NO. 275—COMMITTEE ON COMMERCE AND LABOR

MARCH 23, 2005

Referred to Committee on Commerce and Labor

SUMMARY—Provides for certification, regulation and discipline of alcohol and drug abuse prevention specialists and interns, and problem gambling prevention specialists and interns. (BDR 54-144)

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: 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 professions; providing for the certification, regulation and discipline of alcohol and drug abuse prevention specialists and interns, and problem gambling prevention specialists and interns, by the Board of Examiners for Alcohol, Drug and Gambling Counselors; prohibiting the practice of such persons without certification; authorizing the Board to adopt regulations relating to such persons; revising provisions governing alcohol and drug abuse counselors and problem gambling counselors; authorizing and increasing certain fees; providing a penalty; 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 641.029 is hereby amended to read as follows:
2 641.029 The provisions of this chapter do not apply to:
3 1. A physician who is licensed to practice in this State;
4 2. A person who is licensed to practice dentistry in this State;
5 3. A person who is licensed as a marriage and family therapist
6 pursuant to chapter 641A of NRS;



1 4. A person who is licensed to engage in social work pursuant
2 to chapter 641B of NRS;

3 5. A person who is licensed as an occupational therapist or
4 occupational therapy assistant pursuant to NRS 640A.010 to
5 640A.230, inclusive;

6 6. A person who is ~~licensed or certified as an alcohol and drug~~
7 ~~abuse counselor or certified as an alcohol and drug abuse counselor~~
8 ~~intern, a problem gambling counselor or a problem gambling~~
9 ~~counselor intern} a licensed counselor, a certified counselor, a~~
10 ~~certified intern or a certified prevention specialist~~ pursuant to
11 chapter 641C of NRS; or

12 7. Any clergyman,
13 ↪ if such a person does not commit an act described in NRS
14 641.440 or represent himself as a psychologist.

15 **Sec. 2.** NRS 641B.040 is hereby amended to read as follows:

16 641B.040 The provisions of this chapter do not apply to:

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

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

19 3. A person who is licensed as a psychologist pursuant to
20 chapter 641 of NRS;

21 4. A person who is licensed as a marriage and family therapist
22 pursuant to chapter 641A of NRS;

23 5. A person who is licensed as an occupational therapist or
24 occupational therapy assistant pursuant to NRS 640A.010 to
25 640A.230, inclusive;

26 6. A person who is ~~licensed or certified as an alcohol and drug~~
27 ~~abuse counselor or certified as an alcohol and drug abuse counselor~~
28 ~~intern, a problem gambling counselor or a problem gambling~~
29 ~~counselor intern} a licensed counselor, a certified counselor, a~~
30 ~~certified intern or a certified prevention specialist~~ pursuant to
31 chapter 641C of NRS;

32 7. Any clergyman;

33 8. A county welfare director;

34 9. Any person who may engage in social work or clinical social
35 work in his regular governmental employment but does not hold
36 himself out to the public as a social worker; or

37 10. A student of social work and any other person preparing for
38 the profession of social work under the supervision of a qualified
39 social worker in a training institution or facility recognized by the
40 Board, unless the student or other person has been issued a
41 provisional license pursuant to paragraph (b) of subsection 1 of NRS
42 641B.275. Such a student must be designated by the title "student of
43 social work" or "trainee in social work," or any other title which
44 clearly indicates his training status.



1 **Sec. 3.** Chapter 641C of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 4 to 10, inclusive, of this
3 act.

4 **Sec. 4.** *“Certified prevention specialist” means a person who*
5 *is certified as an alcohol and drug abuse prevention specialist or a*
6 *problem gambling prevention specialist pursuant to the provisions*
7 *of this chapter.*

8 **Sec. 5.** *“Client” means a natural person, couple or family*
9 *that receives counseling services for alcohol and drug abuse or for*
10 *problem gambling.*

11 **Sec. 6.** *“Practice of providing prevention services” means the*
12 *application of counseling to promote constructive lifestyles and*
13 *norms that discourage alcohol and drug abuse and problem*
14 *gambling.*

15 **Sec. 7. 1.** *The Board shall issue a certificate as an alcohol*
16 *and drug abuse prevention specialist to a person who:*

17 (i) *Is not less than 21 years of age;*

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

20 (iii) *Has a high school diploma or a general equivalency*
21 *diploma;*

22 (iv) *Has completed 70 hours of training related to alcohol and*
23 *drug abuse prevention;*

24 (v) *Passes the written and oral examinations prescribed by the*
25 *Board pursuant to NRS 641C.290;*

26 (vi) *Pays the fees required pursuant to NRS 641C.470; and*

27 (vii) *Submits the statement required pursuant to NRS 641C.280.*

28 **2.** *A certificate as an alcohol and drug abuse prevention*
29 *specialist is valid for 2 years and may be renewed.*

30 **3.** *A certified alcohol and drug abuse prevention specialist*
31 *may:*

32 (i) *Engage in the practice of providing prevention services*
33 *related to alcohol and drug abuse;*

34 (ii) *Refer clients for treatment related to alcohol and drug*
35 *abuse; and*

36 (iii) *Supervise certified alcohol and drug abuse prevention*
37 *specialist interns.*

38 **Sec. 8. 1.** *The Board shall issue a certificate as an alcohol*
39 *and drug abuse prevention specialist intern to a person who:*

40 (i) *Is not less than 21 years of age;*

41 (ii) *Is a citizen of the United States or is lawfully entitled to*
42 *remain and work in the United States;*

43 (iii) *Has a high school diploma or a general equivalency*
44 *diploma;*



(d) Has completed 20 hours of training related to alcohol and drug abuse prevention;

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

(f) Submits the statement required pursuant to NRS 641C.280.

2. A certificate as an alcohol and drug abuse prevention specialist intern is valid for 1 year and may be renewed.

3. A certified alcohol and drug abuse prevention specialist intern may, under the supervision of a certified alcohol and drug abuse prevention specialist:

(a) Engage in the practice of providing prevention services related to alcohol and drug abuse; and

(b) Refer clients for treatment related to alcohol and drug abuse.

Sec. 9. 1. The Board shall issue a certificate as a problem gambling prevention specialist to a person who:

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

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

(c) Has a high school diploma or a general equivalency diploma;

(d) Has completed 50 hours of training related to problem gambling prevention;

(e) Passes the written examination prescribed by the Board pursuant to NRS 641C.290;

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

(g) Submits the statement required pursuant to NRS 641C.280.

2. A certificate as a problem gambling prevention specialist is valid for 2 years and may be renewed.

3. A certified problem gambling prevention specialist may:

(a) Engage in the practice of providing prevention services related to problem gambling;

(b) Refer clients for treatment related to problem gambling; and

(c) Supervise certified problem gambling prevention specialist interns.

Sec. 10. 1. The Board shall issue a certificate as a problem gambling prevention specialist intern to a person who:

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

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

(c) Has a high school diploma or a general equivalency diploma;

(d) Has completed 20 hours of training related to problem gambling prevention;

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



1 (f) *Submits the statement required pursuant to NRS 641C.280.*
2 2. *A certificate as a problem gambling prevention specialist*
3 *intern is valid for 1 year and may be renewed.*

4 3. *A certified problem gambling prevention specialist intern*
5 *may, under the supervision of a certified problem gambling*
6 *prevention specialist:*

7 (a) *Engage in the practice of providing prevention services*
8 *related to problem gambling; and*

9 (b) *Refer clients for treatment related to problem gambling.*

10 **Sec. 11.** NRS 641C.020 is hereby amended to read as follows:
11 641C.020 As used in this chapter, unless the context otherwise
12 requires, the words and terms defined in NRS 641C.030 to
13 641C.110, inclusive, *and sections 4, 5 and 6 of this act* have the
14 meanings ascribed to them in those sections.

15 **Sec. 12.** NRS 641C.040 is hereby amended to read as follows:
16 641C.040 "Certificate" means a certificate issued to a person
17 who is certified as an alcohol and drug abuse counselor, an alcohol
18 and drug abuse counselor intern, *an alcohol and drug abuse*
19 *prevention specialist, an alcohol and drug abuse prevention*
20 *specialist intern,* a problem gambling counselor, ~~or~~ a problem
21 gambling counselor *intern, a problem gambling prevention*
22 *specialist or a problem gambling prevention specialist* intern.

23 **Sec. 13.** NRS 641C.060 is hereby amended to read as follows:
24 641C.060 "Certified intern" means a person who is certified as
25 an alcohol and drug abuse counselor intern ~~or~~, *an alcohol and*
26 *drug abuse prevention specialist intern,* a problem gambling
27 counselor intern *or a problem gambling prevention specialist*
28 *intern* pursuant to the provisions of this chapter.

29 **Sec. 14.** NRS 641C.150 is hereby amended to read as follows:
30 641C.150 1. The Board of Examiners for Alcohol, Drug and
31 Gambling Counselors, consisting of seven members appointed by
32 the Governor, is hereby created.

33 2. The Board must consist of:

34 (a) Three members who are licensed as alcohol and drug abuse
35 counselors pursuant to the provisions of this chapter.

36 (b) One member who is certified as an alcohol and drug abuse
37 counselor pursuant to the provisions of this chapter.

38 (c) Two members who are licensed pursuant to chapter 630,
39 632, 641, 641A or 641B of NRS and certified as problem gambling
40 counselors pursuant to the provisions of this chapter.

41 (d) One member who is a representative of the general public.
42 This member must not be:

43 (1) A licensed or certified alcohol and drug abuse counselor
44 ~~or~~, *a certified* problem gambling counselor ~~or~~ *a certified*
45 *prevention specialist; or*



(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensed or certified alcohol and drug abuse counselor ~~{or}~~ , *a certified* problem gambling counselor ~~{}~~ *or a certified prevention specialist.*

3. A person may not be appointed to the Board unless he is:

(a) A citizen of the United States or is lawfully entitled to remain and work in the United States; and

(b) A resident of this State.

4. No member of the Board may be held liable in a civil action for any act that he performs in good faith in the execution of his duties pursuant to the provisions of this chapter.

Sec. 15. NRS 641C.200 is hereby amended to read as follows:

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

(a) The ethical standards for licensed ~~{and}~~ *or* certified counselors , *certified prevention specialists* and certified interns; and

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

2. The Board may adopt regulations that prescribe:

(a) The contents of a written examination concerning the practice of ~~{counseling problem gamblers;}~~ *licensed or certified counselors, certified prevention specialists and certified interns;*

(b) The grounds for initiating disciplinary action against ~~{a certified problem gambling counselor or certified problem gambling counselor intern;}~~ *licensed or certified counselors, certified prevention specialists and certified interns;* and

(c) Disciplinary procedures for ~~{certified problem gambling counselors and certified problem gambling counselor}~~ *licensed or certified counselors, certified prevention specialists and certified interns, including the suspension, revocation and reinstatement of a {certificate} license as a {problem gambling counselor or problem gambling counselor} licensed counselor, or the suspension, revocation and reinstatement of a certificate as a certified counselor, certified prevention specialist or certified intern.*

Sec. 16. NRS 641C.210 is hereby amended to read as follows:

641C.210 The Secretary-Treasurer of the Board shall prepare and maintain:

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

(a) The applicants for a license;

(b) The applicants for a certificate;

(c) The licensed counselors;

(d) The certified counselors; ~~{and}~~

(e) *The certified prevention specialists; and*



- 1 (f) The certified interns.
- 2 2. A record of each examination conducted by the Board.
- 3 3. An inventory of:
- 4 (a) The property of the Board; and
- 5 (b) The property of this State that is in the possession of the
- 6 Board.

7 **Sec. 17.** NRS 641C.290 is hereby amended to read as follows:
8 641C.290 1. Each applicant for a license or certificate as an
9 alcohol and drug abuse counselor must pass a written and oral
10 examination concerning his knowledge of the practice of counseling
11 alcohol and drug abusers, the applicable provisions of this chapter
12 and any applicable regulations adopted by the Board pursuant to the
13 provisions of this chapter.

14 2. *Each applicant for a certificate as an alcohol and drug*
15 *abuse prevention specialist must pass a written and oral*
16 *examination concerning his knowledge of the practice of*
17 *providing prevention services, the applicable provisions of this*
18 *chapter and any applicable regulations adopted by the Board*
19 *pursuant to the provisions of this chapter.*

20 3. Each applicant for a certificate as a problem gambling
21 counselor must pass a written examination concerning his
22 knowledge of the practice of counseling problem gamblers, the
23 applicable provisions of this chapter and any applicable regulations
24 adopted by the Board pursuant to the provisions of this chapter.

25 ~~[3-]~~ 4. *Each applicant for a certificate as a problem gambling*
26 *prevention specialist must pass a written examination concerning*
27 *his knowledge of the practice of providing prevention services, the*
28 *applicable provisions of this chapter and any applicable*
29 *regulations adopted by the Board pursuant to the provisions of this*
30 *chapter.*

31 5. The Board shall:

- 32 (a) Examine applicants at least two times each year.
- 33 (b) Establish the time and place for the examinations.
- 34 (c) Provide such books and forms as may be necessary to
- 35 conduct the examinations.
- 36 (d) Establish, by regulation, the requirements for passing the
- 37 examination.

38 ~~[4-]~~ 6. The Board may employ other persons to conduct the
39 examinations.

40 **Sec. 18.** NRS 641C.300 is hereby amended to read as follows:
41 641C.300 The Board shall issue a license or certificate without
42 examination to a person who holds a license or certificate as an
43 alcohol and drug abuse counselor , *a problem gambling counselor*
44 *or a certified prevention specialist* in another state, a territory or
45 possession of the United States or the District of Columbia if the



requirements of that jurisdiction at the time the license or certificate was issued are deemed by the Board to be substantially equivalent to the requirements set forth in the provisions of this chapter.

Sec. 19. NRS 641C.310 is hereby amended to read as follows:

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

2. The Board may refuse to issue a license or certificate to an applicant if the Board determines that the applicant:

(a) Is not of good moral character as it relates to the practice of counseling alcohol and drug abusers ~~§~~, *the practice of counseling problem gamblers or the practice of providing prevention services;*

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

(c) Has been disciplined in another state, a possession or territory of the United States or the District of Columbia in connection with the practice of counseling alcohol and drug abusers ~~§~~, *the practice of counseling problem gamblers or the practice of providing prevention services;*

(d) Has committed an act in another state, a possession or territory of the United States or the District of Columbia in connection with the practice of counseling alcohol and drug abusers *, the practice of counseling problem gamblers or the practice of providing prevention services* that would be a violation of the provisions of this chapter if the act were committed in this State; or

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

Sec. 20. NRS 641C.320 is hereby amended to read as follows:

641C.320 1. The Board may issue a provisional license or certificate as an alcohol and drug abuse counselor *, or a provisional certificate as a problem gambling counselor or certified prevention specialist,* to a person who has applied to the Board to take the examination for a license or certificate as an alcohol and drug abuse counselor *, or for a certificate as a problem gambling counselor or certified prevention specialist,* and is otherwise eligible for that license or certificate pursuant to NRS 641C.350 or 641C.390 ~~§~~ *or 641C.430 or section 7 or 9 of this act.*

2. A provisional license or certificate is valid for not more than 1 year and may not be renewed.

Sec. 21. NRS 641C.360 is hereby amended to read as follows:

641C.360 1. A license as an alcohol and drug abuse counselor is valid for 2 years and may be renewed.

2. A licensed counselor may:

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



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

(c) Supervise certified *alcohol and drug abuse counselors, certified alcohol and drug abuse counselor interns, certified alcohol and drug abuse prevention specialists and certified alcohol and drug abuse prevention specialist* interns ~~and~~; and

(d) *Provide education and training concerning alcohol and drug abuse, the human immunodeficiency virus and acquired immune deficiency syndrome.*

Sec. 22. NRS 641C.390 is hereby amended to read as follows:

641C.390 1. The Board shall issue a certificate as an alcohol and drug abuse counselor to a person who:

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

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

(c) Except as otherwise provided in subsection 2, has received a bachelor's degree from an accredited college or university in a field of social science approved by the Board;

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

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

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

(g) Submits the statement required pursuant to NRS 641C.280.

2. The Board may waive the educational requirement set forth in paragraph (c) of subsection 1 if an applicant for a certificate has contracted with or receives a grant from the Federal Government to provide services as an alcohol and drug abuse counselor to persons who are authorized to receive those services pursuant to 25 U.S.C. §§ 450 et seq. or 25 U.S.C. §§ 1601 et seq. An alcohol and drug abuse counselor certified pursuant to this section for whom the educational requirement set forth in paragraph (c) of subsection 1 is waived may provide services as an alcohol and drug abuse counselor only to those persons who are authorized to receive those services pursuant to 25 U.S.C. §§ 450 et seq. or 25 U.S.C. §§ 1601 et seq.

3. A certificate as an alcohol and drug abuse counselor is valid for 2 years and may be renewed.

4. A certified alcohol and drug abuse counselor may:

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

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



1 (c) *Provide education and training concerning alcohol and*
2 *drug abuse, the human immunodeficiency virus and acquired*
3 *immune deficiency syndrome.*

4 **Sec. 23.** NRS 641C.390 is hereby amended to read as follows:

5 641C.390 1. The Board shall issue a certificate as an alcohol
6 and drug abuse counselor to a person who:

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

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

10 (c) Except as otherwise provided in subsection 2, has received a
11 bachelor's degree from an accredited college or university in a field
12 of social science approved by the Board;

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

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

17 (f) Pays the fees required pursuant to NRS 641C.470.

18 2. The Board may waive the educational requirement set forth
19 in paragraph (c) of subsection 1 if an applicant for a certificate has
20 contracted with or receives a grant from the Federal Government to
21 provide services as an alcohol and drug abuse counselor to persons
22 who are authorized to receive those services pursuant to 25 U.S.C.
23 §§ 450 et seq. or 25 U.S.C. §§ 1601 et seq. An alcohol and drug
24 abuse counselor certified pursuant to this section for whom the
25 educational requirement set forth in paragraph (c) of subsection 1 is
26 waived may provide services as an alcohol and drug abuse
27 counselor only to those persons who are authorized to receive those
28 services pursuant to 25 U.S.C. §§ 450 et seq. or 25 U.S.C. §§ 1601
29 et seq.

30 3. A certificate as an alcohol and drug abuse counselor is valid
31 for 2 years and may be renewed.

32 4. A certified alcohol and drug abuse counselor may:

33 (a) Engage in the practice of counseling alcohol and drug
34 abusers; ~~and~~

35 (b) Diagnose or classify a person as an alcoholic or abuser of
36 drugs ~~[-]~~; and

37 (c) *Provide education and training concerning alcohol and*
38 *drug abuse, the human immunodeficiency virus and acquired*
39 *immune deficiency syndrome.*

40 **Sec. 24.** NRS 641C.420 is hereby amended to read as follows:

41 641C.420 1. The Board shall issue a certificate as an alcohol
42 and drug abuse counselor intern to a person who:

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

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



(c) Has a high school diploma or a general equivalency diploma;

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

(e) Submits proof to the Board that he:

(1) Is enrolled in a program from which he will receive an associate's degree, bachelor's degree, master's degree or doctoral degree in a field of social science approved by the Board; or

(2) Has received an associate's degree, bachelor's degree, master's degree or doctoral degree in a field of social science approved by the Board; and

(f) Submits the statement required pursuant to NRS 641C.280.

2. A certificate as an alcohol and drug abuse counselor intern is valid for 1 year and may be renewed. The Board may waive any requirement for the renewal of a certificate upon good cause shown by the holder of the certificate.

3. A certified *alcohol and drug abuse counselor* intern may, under the supervision of a licensed counselor:

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

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

Sec. 25. NRS 641C.420 is hereby amended to read as follows:

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

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

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

(c) Has a high school diploma or a general equivalency diploma;

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

(e) Submits proof to the Board that he:

(1) Is enrolled in a program from which he will receive an associate's degree, bachelor's degree, master's degree or doctoral degree in a field of social science approved by the Board; or

(2) Has received an associate's degree, bachelor's degree, master's degree or doctoral degree in a field of social science approved by the Board.

2. A certificate as an alcohol and drug abuse counselor intern is valid for 1 year and may be renewed. The Board may waive any requirement for the renewal of a certificate upon good cause shown by the holder of the certificate.

3. A certified *alcohol and drug abuse counselor* intern may, under the supervision of a licensed counselor:

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

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



1 **Sec. 26.** NRS 641C.435 is hereby amended to read as follows:
2 641C.435 1. A certificate as a problem gambling counselor is
3 valid for 2 years and may be renewed.

4 2. A certified problem gambling counselor may:

- 5 (a) Engage in the practice of counseling problem gamblers;
6 (b) Assess and evaluate a person as a problem gambler; ~~{and}~~
7 (c) If approved by the Board, supervise certified problem
8 gambling ~~{counseling—interns.}~~ *counselor interns, problem*
9 *gambling prevention specialists and problem gambling prevention*
10 *specialist interns; and*

11 (d) *Provide education and training concerning problem*
12 *gambling.*

13 **Sec. 27.** NRS 641C.450 is hereby amended to read as follows:
14 641C.450 Except as otherwise provided in NRS 641C.320,
15 641C.440 and 641C.530, a person may renew his license or
16 certificate by submitting to the Board:

- 17 1. An application for the renewal of his license or certificate;
18 2. The fee for the renewal of a license or certificate prescribed
19 in NRS 641C.470;
20 3. Evidence of his completion of the continuing education
21 required by the Board;
22 4. If the applicant is a certified intern, the name of the licensed
23 ~~{or}~~ *counselor*, certified counselor *or certified prevention specialist*
24 who supervises him; and
25 5. The statement required pursuant to NRS 641C.280.

26 **Sec. 28.** NRS 641C.450 is hereby amended to read as follows:
27 641C.450 Except as otherwise provided in NRS 641C.320,
28 641C.440 and 641C.530, a person may renew his license or
29 certificate by submitting to the Board:

- 30 1. An application for the renewal of his license or certificate;
31 2. The fee for the renewal of a license or certificate prescribed
32 in NRS 641C.470;
33 3. Evidence of his completion of the continuing education
34 required by the Board; and
35 4. If the applicant is a certified intern, the name of the licensed
36 ~~{or}~~ *counselor*, certified counselor *or certified prevention specialist*
37 who supervises him.

38 **Sec. 29.** NRS 641C.460 is hereby amended to read as follows:
39 641C.460 1. A license or certificate that is not renewed on or
40 before the date on which it expires is delinquent. The Board shall,
41 within 30 days after the license or certificate becomes delinquent,
42 send a notice to the licensed or certified counselor , ~~{or}~~ certified
43 intern *or certified prevention specialist* by certified mail, return
44 receipt requested, to the address of the counselor , ~~{or}~~ intern *or*
45 *specialist* as indicated in the records of the Board.



2. A licensed or certified counselor , ~~or~~ certified intern *or certified prevention specialist* may renew a delinquent license or certificate within 60 days after the license or certificate becomes delinquent by complying with the requirements of NRS 641C.450 and paying, in addition to the fee for the renewal of the license or certificate, the fee for the renewal of a delinquent license or certificate prescribed in NRS 641C.470.

3. A license or certificate expires 60 days after it becomes delinquent if it is not renewed within that period.

4. Except as otherwise provided in NRS 641C.530, a license or certificate that has expired may be restored if the applicant:

(a) Submits to the Board an application to restore the license or certificate;

(b) Submits to the Board the statement required pursuant to NRS 641C.280;

(c) Pays the renewal fees for the period during which the license or certificate was expired and the fee for the restoration of a license or certificate prescribed in NRS 641C.470;

(d) Passes the oral and written examinations prescribed by the Board; and

(e) Submits to the Board evidence of his completion of the continuing education required by the Board.

Sec. 30. NRS 641C.460 is hereby amended to read as follows:

641C.460 1. A license or certificate that is not renewed on or before the date on which it expires is delinquent. The Board shall, within 30 days after the license or certificate becomes delinquent, send a notice to the licensed or certified counselor , ~~or~~ certified intern *or certified prevention specialist* by certified mail, return receipt requested, to the address of the counselor , ~~or~~ intern *or specialist* as indicated in the records of the Board.

2. A licensed or certified counselor , ~~or~~ certified intern *or certified prevention specialist* may renew a delinquent license or certificate within 60 days after the license or certificate becomes delinquent by complying with the requirements of NRS 641C.450 and paying, in addition to the fee for the renewal of the license or certificate, the fee for the renewal of a delinquent license or certificate prescribed in NRS 641C.470.

3. A license or certificate expires 60 days after it becomes delinquent if it is not renewed within that period.

4. Except as otherwise provided in NRS 641C.530, a license or certificate that has expired may be restored if the applicant:

(a) Submits to the Board an application to restore the license or certificate;



(b) Pays the renewal fees for the period during which the license or certificate was expired and the fee for the restoration of a license or certificate prescribed in NRS 641C.470;

(c) Passes the oral and written examinations prescribed by the Board; and

(d) Submits to the Board evidence of his completion of the continuing education required by the Board.

Sec. 31. NRS 641C.470 is hereby amended to read as follows:

641C.470 1. The Board shall charge and collect not more than the following fees:

For the initial application for a license or certificate.....	\$150
For the issuance of a provisional license or certificate	125
For the issuance of an initial license or certificate	60
For the renewal of a license or certificate as an alcohol and drug abuse counselor , or a certificate as a problem gambling counselor <i>or a certified prevention specialist</i>	300
For the renewal of a certificate as [an alcohol and drug abuse counselor intern or a problem gambling counselor intern] <i>a certified intern</i>	[75] 100
For the renewal of a delinquent license or certificate	75
For the restoration of an expired license or certificate.....	150
For the restoration or reinstatement of a suspended or revoked license or certificate	300
For the issuance of a license or certificate without examination	150
For an examination	150
For the approval of a course of continuing education	150

2. The fees charged and collected pursuant to this section are not refundable.

Sec. 32. NRS 641C.530 is hereby amended to read as follows:

641C.530 1. The Board may use any information included in a report of criminal history that is obtained pursuant to this section or NRS 641C.260 in determining whether:

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

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

2. Before renewing, restoring or reinstating the license or certificate of a licensed counselor, certified counselor , ~~[or]~~ *certified intern* ~~[or]~~ *or certified prevention specialist*, the Board may, by regulation, require the licensed counselor, certified counselor , ~~[or]~~ *certified intern* *or certified prevention specialist* to submit to the



1 Board a complete set of his fingerprints and written permission
2 authorizing the Board to forward the fingerprints to the Central
3 Repository for Nevada Records of Criminal History for submission
4 to the Federal Bureau of Investigation for its report.

5 3. A regulation adopted pursuant to subsection 2 must set forth
6 the circumstances under which the Board will require a
7 detoxification technician to submit his fingerprints and written
8 authorization specified in that subsection before renewing, restoring
9 or reinstating his certificate.

10 **Sec. 33.** NRS 641C.700 is hereby amended to read as follows:
11 641C.700 The grounds for initiating disciplinary action
12 pursuant to the provisions of this chapter include:

13 1. Conviction of:

14 (a) A felony relating to the practice of counseling alcohol and
15 drug abusers , ~~or~~ the practice of counseling problem gamblers ~~;~~
16 *or the practice of providing prevention services;*

17 (b) An offense involving moral turpitude; or

18 (c) A violation of a federal or state law regulating the
19 possession, distribution or use of a controlled substance or
20 dangerous drug as defined in chapter 453 of NRS;

21 2. Fraud or deception in:

22 (a) Applying for a license or certificate;

23 (b) Taking an examination for a license or certificate;

24 (c) Documenting the continuing education required to renew or
25 reinstate a license or certificate;

26 (d) Submitting a claim for payment to an insurer; or

27 (e) The practice of counseling alcohol and drug abusers ~~;~~ , *the*
28 *practice of counseling problem gamblers or the practice of*
29 *providing prevention services;*

30 3. Allowing the unauthorized use of a license or certificate
31 issued pursuant to this chapter;

32 4. Professional incompetence;

33 5. The habitual use of alcohol or any other drug that impairs
34 the ability of a licensed or certified counselor , ~~or~~ certified intern
35 *or certified prevention specialist* to engage in the practice of
36 counseling alcohol and drug abusers ~~;~~ *or problem gamblers;*

37 6. Engaging in the practice of counseling alcohol and drug
38 abusers , *the practice of counseling problem gamblers or the*
39 *practice of providing prevention services* with an expired,
40 suspended or revoked license or certificate; and

41 7. Engaging in behavior that is contrary to the ethical standards
42 as set forth in the regulations of the Board.

43 **Sec. 34.** NRS 641C.720 is hereby amended to read as follows:

44 641C.720 1. The Board or any of its members who become
45 aware of any ground for initiating disciplinary action against a



1 person engaging in the practice of counseling alcohol and drug
2 abusers , *the practice of counseling problem gamblers or the*
3 *practice of providing prevention services* in this State shall, and any
4 other person who is so aware may, file a written complaint
5 specifying the relevant facts with the Board. The complaint must
6 specifically charge one or more of the grounds for initiating
7 disciplinary action.

8 2. As soon as practicable after the filing of the complaint, the
9 Board shall set a date for a hearing thereon. The date must not be
10 earlier than 30 days after the complaint is filed, except that the date
11 may be changed upon agreement of the parties. The Board shall
12 immediately notify the licensed or certified counselor, ~~for~~ certified
13 intern *or certified prevention specialist* of the complaint and the
14 date and place set for the hearing. A copy of the complaint must be
15 attached to the notice.

16 3. The failure of the licensed or certified counselor , ~~for~~
17 certified intern *or certified prevention specialist* to appear at the
18 hearing does not delay or void the proceeding.

19 4. The Board may, for good cause, continue a hearing from
20 time to time.

21 5. If, after notice and a hearing, the Board determines that the
22 licensed or certified counselor , ~~for~~ certified intern *or certified*
23 *prevention specialist* has violated a provision of this chapter or any
24 regulation adopted pursuant to this chapter, it may:

25 (a) Administer a public reprimand;

26 (b) Suspend his license or certificate and impose conditions for
27 the removal of the suspension;

28 (c) Revoke his license or certificate and prescribe the
29 requirements for the reinstatement of the license or certificate;

30 (d) If he is a licensed or certified counselor ~~for~~ *or a certified*
31 *prevention specialist*, require him to be supervised by another
32 person while he engages in the practice of counseling alcohol and
33 drug abusers ~~for~~ , *the practice of counseling problem gamblers or*
34 *the practice of providing prevention services*;

35 (e) Require him to participate in treatment or counseling and pay
36 the expenses of that treatment or counseling;

37 (f) Require him to pay restitution to any person adversely
38 affected by his acts or omissions;

39 (g) Impose a fine of not more than \$5,000; ~~for~~

40 (h) Take any combination of the actions authorized by
41 paragraphs (a) to (g), inclusive ~~for~~ ; *or*

42 (i) *Accept the voluntary surrender of his license or certificate*
43 *in lieu of imposing any other disciplinary action set forth in this*
44 *subsection.*



6. If his license or certificate is revoked or suspended pursuant to subsection 5, the licensed or certified counselor, ~~{or}~~ *certified intern or certified prevention specialist* may apply to the Board for a rehearing within 10 days after the license or certificate is revoked or suspended. The licensed or certified counselor, ~~{or}~~ *certified intern or certified prevention specialist* may apply to the Board for reinstatement of his revoked license or certificate not earlier than 1 year after the license or certificate is revoked. The Board may accept or reject the application and may require the successful completion of an examination as a condition of reinstatement of the license or certificate.

7. The Board shall not administer a private reprimand.

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

Sec. 35. NRS 641C.900 is hereby amended to read as follows:

641C.900 1. Except as otherwise provided in subsection 2, a person shall not engage in the practice of counseling alcohol and drug abusers, ~~{or}~~ the practice of counseling problem gamblers *or the practice of providing prevention services* unless he is a licensed counselor, certified counselor, ~~{or}~~ *certified intern or certified prevention specialist in accordance with the provisions of this chapter or any regulation adopted pursuant thereto.*

2. A person may engage in the practice of counseling alcohol and drug abusers, ~~{under the supervision of a licensed counselor or}~~ the practice of counseling problem gamblers *or the practice of providing prevention services* under the supervision of a *licensed or* certified counselor, *as appropriate*, for not more than 30 days if that person:

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

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

Sec. 36. NRS 641C.910 is hereby amended to read as follows:

641C.910 1. A person shall not:

(a) Hold himself out to a member of the general public as ~~{an alcohol and drug abuse counselor, alcohol and drug abuse counselor intern, problem gambling counselor or problem gambling counselor intern;}~~ *a licensed or certified counselor, a certified intern or a certified prevention specialist;*

(b) Use the title "alcohol and drug abuse counselor," "alcohol and drug abuse counselor intern," "drug abuse counselor," "substance abuse counselor," "problem gambling counselor," "problem gambling counselor intern," "gambling counselor," "detoxification technician ~~{}~~," *"alcohol and drug abuse prevention specialist," "alcohol and drug abuse prevention*



1 *specialist intern,” “problem gambling prevention specialist,”*
2 *“problem gambling prevention specialist intern”* or any similar
3 title in connection with his work; or

4 (c) Imply in any way that he is licensed or certified by the
5 Board,

6 ➡ unless he is licensed or certified by the Board pursuant to the
7 provisions of this chapter or a regulation adopted pursuant to
8 NRS 641C.500.

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

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

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

19 **Sec. 37.** Section 7 of this act is hereby amended to read as
20 follows:

21 Sec. 7. 1. The Board shall issue a certificate as an
22 alcohol and drug abuse prevention specialist to a person who:

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

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

26 (c) Has a high school diploma or a general equivalency
27 diploma;

28 (d) Has completed 70 hours of training related to alcohol
29 and drug abuse prevention;

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

32 (f) Pays the fees required pursuant to NRS 641C.470 . ~~and~~

33 ~~and~~
34 ~~—(g) Submits the statement required pursuant to~~
35 ~~NRS 641C.280.]~~

36 2. A certificate as an alcohol and drug abuse prevention
37 specialist is valid for 2 years and may be renewed.

38 3. A certified alcohol and drug abuse prevention
39 specialist may:

40 (a) Engage in the practice of providing prevention
41 services related to alcohol and drug abuse;

42 (b) Refer clients for treatment related to alcohol and drug
43 abuse; and

44 (c) Supervise certified alcohol and drug abuse prevention
45 specialist interns.



Sec. 38. Section 8 of this act is hereby amended to read as follows:

Sec. 8. 1. The Board shall issue a certificate as an alcohol and drug abuse prevention specialist intern to a person who:

- (a) Is not less than 21 years of age;
- (b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States;
- (c) Has a high school diploma or a general equivalency diploma;
- (d) Has completed 20 hours of training related to alcohol and drug abuse prevention; *and*
- (e) Pays the fees required pursuant to NRS 641C.470 . ~~;~~

~~and~~

~~—(f) Submits the statement required pursuant to NRS 641C.280.]~~

2. A certificate as an alcohol and drug abuse prevention specialist intern is valid for 1 year and may be renewed.

3. A certified alcohol and drug abuse prevention specialist intern may, under the supervision of a certified alcohol and drug abuse prevention specialist:

- (a) Engage in the practice of providing prevention services related to alcohol and drug abuse; and
- (b) Refer clients for treatment related to alcohol and drug abuse.

Sec. 39. Section 9 of this act is hereby amended to read as follows:

Sec. 9. 1. The Board shall issue a certificate as a problem gambling prevention specialist to a person who:

- (a) Is not less than 21 years of age;
- (b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States;
- (c) Has a high school diploma or a general equivalency diploma;
- (d) Has completed 50 hours of training related to problem gambling prevention;
- (e) Passes the written examination prescribed by the Board pursuant to NRS 641C.290; *and*

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

~~and~~

~~—(g) Submits the statement required pursuant to NRS 641C.280.]~~

2. A certificate as a problem gambling prevention specialist is valid for 2 years and may be renewed.



3. A certified problem gambling prevention specialist may:

(a) Engage in the practice of providing prevention services related to problem gambling;

(b) Refer clients for treatment related to problem gambling; and

(c) Supervise certified problem gambling prevention specialist interns.

Sec. 40. Section 10 of this act is hereby amended to read as follows:

Sec. 10. 1. The Board shall issue a certificate as a problem gambling prevention specialist intern to a person who:

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

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

(c) Has a high school diploma or a general equivalency diploma;

(d) Has completed 20 hours of training related to problem gambling prevention; *and*

(e) Pays the fees required pursuant to NRS 641C.470 . ~~and~~

~~(f) Submits the statement required pursuant to NRS 641C.280.]~~

2. A certificate as a problem gambling prevention specialist intern is valid for 1 year and may be renewed.

3. A certified problem gambling prevention specialist intern may, under the supervision of a certified problem gambling prevention specialist:

(a) Engage in the practice of providing prevention services related to problem gambling; and

(b) Refer clients for treatment related to problem gambling.

Sec. 41. 1. Notwithstanding the provisions of sections 7 to 10, inclusive, of this act, the Board of Examiners for Alcohol, Drug and Gambling Counselors shall issue a certificate to an applicant as an alcohol and drug abuse prevention specialist, an alcohol and drug abuse prevention specialist intern, a problem gambling prevention specialist or a problem gambling prevention specialist intern if the applicant submits to the Board on or before June 30, 2005:

(a) An application on a form provided by the Board;

(b) Proof of 3 years of proficiency providing alcohol and drug prevention services in an approved alcohol and drug prevention program in the State of Nevada or proof of 3 years of proficiency



1 providing problem gambling prevention and education services, as
2 appropriate; and

3 (c) Except as otherwise provided in subsection 2, proof of
4 compliance with the requirements of:

5 (1) Subsection 1 of section 7 of this act if the application is
6 for a certificate as an alcohol and drug abuse prevention specialist;

7 (2) Subsection 1 of section 8 of this act if the application is
8 for a certificate as an alcohol and drug abuse prevention specialist
9 intern;

10 (3) Subsection 1 of section 9 of this act if the application is
11 for a certificate as a problem gambling prevention specialist; or

12 (4) Subsection 1 of section 10 of this act if the application is
13 for a certificate as a problem gambling prevention specialist intern.

14 2. An applicant pursuant to subsection 1 is not required to
15 comply with any requirement set forth in sections 7 to 10, inclusive,
16 of this act relating to education, training or examination.

17 **Sec. 42.** 1. This section and sections 1 to 22, inclusive, 24,
18 26, 27, 29, 31 to 36, inclusive, and 41 of this act become effective
19 upon passage and approval.

20 2. Sections 7 to 10, inclusive, 22, 24, 27 and 29 of this act
21 expire by limitation on the date on which the provisions of 42
22 U.S.C. § 666 requiring each state to establish procedures under
23 which the state has authority to withhold or suspend, or to restrict
24 the use of professional, occupational and recreational licenses of
25 persons who:

26 (a) Have failed to comply with a subpoena or warrant relating to
27 a proceeding to determine the paternity of a child or to establish or
28 enforce an obligation for the support of a child; or

29 (b) Are in arrears in the payment for the support of one or more
30 children,

31 ➤ are repealed by the Congress of the United States.

32 3. Sections 23, 25, 28, 30 and 37 to 40, inclusive, of this act
33 become effective on the date on which the provisions of 42 U.S.C. §
34 666 requiring each state to establish procedures under which the
35 state has authority to withhold or suspend, or to restrict the use of
36 professional, occupational and recreational licenses of persons who:

37 (a) Have failed to comply with a subpoena or warrant relating to
38 a procedure to determine the paternity of a child or to establish or
39 enforce an obligation for the support of a child; or

40 (b) Are in arrears in the payment for the support of one or more
41 children,

42 ➤ are repealed by the Congress of the United States.



