

SENATE BILL NO. 40—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE BOARD OF PSYCHOLOGICAL EXAMINERS)

PREFILED DECEMBER 5, 2008

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to the licensure of psychologists. (BDR 54-320)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to psychologists; revising provisions relating to applications for licensure as a psychologist to require the submission of fingerprints or verification that the fingerprints were taken and directly forwarded by an authorized entity to the Central Repository for Nevada Records of Criminal History; revising provisions relating to examinations for licensure; eliminating the right of an applicant to request a review of his examination by the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill defines “national examination” to mean the Examination for Professional Practice in Psychology in the form administered by the Association of State and Provincial Psychology Boards and approved for use in this State by the Board of Psychological Examiners.

Section 3 of this bill revises the requirements for an application for a license to practice psychology in this State to add the submission of a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or verification that the set of fingerprints was directly forwarded to the Central Repository by the entity taking the prints.

Existing law provides that the Board may require an applicant for a license to pass an oral examination in whatever applied or theoretical fields it deems appropriate, in addition to a written examination. (NRS 641.180) **Section 4** of this bill eliminates: (1) the requirement that the additional examination be conducted orally; (2) the provisions relating to the frequency, time, location and supervision of



17 the examination; (3) the requirement that the Board supply each applicant with a
18 copy of the results of his written examination provided to the Board by the
19 Association; and (4) the right of the applicant to request that the Board review his
20 examination if he fails the examination.

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

1 **Section 1.** Chapter 641 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *“National examination” means the Examination for*
4 *Professional Practice in Psychology in the form administered by*
5 *the Association of State and Provincial Psychology Boards and*
6 *approved for use in this State by the Board.*

7 **Sec. 2.** NRS 641.020 is hereby amended to read as follows:

8 641.020 As used in this chapter, unless the context otherwise
9 requires, the words and terms defined in NRS 641.021 to 641.027,
10 inclusive, *and section 1 of this act* have the meanings ascribed to
11 them in those sections.

12 **Sec. 3.** NRS 641.160 is hereby amended to read as follows:

13 641.160 Each person desiring a license must ~~make~~ :

14 1. *Make* application to the Board upon a form, and in a
15 manner, prescribed by the Board. The application must be
16 accompanied by the application fee prescribed by the Board and
17 include all information required to complete the application.

18 2. *As part of his application and at his own expense:*

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

22 (b) *Submit to the Board:*

23 (1) *A complete set of fingerprints and written permission*
24 *authorizing the Board to forward the fingerprints to:*

25 (i) *The Central Repository for Nevada Records of*
26 *Criminal History for submission to the Federal Bureau of*
27 *Investigation for a report on the applicant’s background; and*

28 (ii) *Such other law enforcement agencies as the Board*
29 *deems necessary for a report on the applicant’s background; or*

30 (2) *Written verification, on a form prescribed by the Board*
31 *stating that the set of fingerprints of the applicant was taken and*
32 *directly forwarded electronically or by other means to the Central*
33 *Repository for Nevada Records of Criminal History and that the*
34 *applicant provided written permission authorizing the law*
35 *enforcement agency or other authorized entity taking the*
36 *fingerprints to submit the fingerprints to:*



(I) The Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background; and

(II) Such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

3. The Board may:

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

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

4. An application is not considered complete and received for purposes of evaluation pursuant to subsection 2 of NRS 641.170 until the Board receives a complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this subsection.

Sec. 4. NRS 641.180 is hereby amended to read as follows:

641.180 1. Except as otherwise provided in this section and NRS 641.190, each applicant for a license must pass the ~~Examination for the Professional Practice of Psychology in the form administered by the Association of State and Provincial Psychology Boards and approved for use in this State by the Board.~~ **national examination.** In addition to ~~this written~~ **the national** 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.~~

~~3.~~ The Board shall notify each applicant of the results of his ~~written~~ **national** examination and ~~supply him with a copy of all material information about those results provided to the Board by the 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.~~ **any other examination required pursuant to subsection 1.**

3. The Board may waive the requirement of ~~a written~~ **the national** examination for a person who:

(a) Is licensed in another state;



* S B 4 0 R 1 *

- 1 (b) Has *at least* 10 ~~{years}~~ *years'* experience; and
2 (c) Is a diplomate in the American Board of Professional
3 Psychology or a fellow in the American Psychological Association,
4 or who has other equivalent status as determined by the Board.

5 **Sec. 5.** NRS 641.370 is hereby amended to read as follows:

6 641.370 1. The Board shall charge and collect not more than
7 the following fees respectively:

8

9 For the {written} <i>national</i> examination, in	
10 addition to the actual cost to the Board of the	
11 examination.....	\$100
12 For {the special oral} <i>any other</i> examination {}	
13 <i>required pursuant to the provisions of</i>	
14 <i>subsection 1 of NRS 641.180</i> , in addition to	
15 the actual costs to the Board of the	
16 examination.....	100
17 For the issuance of an initial license	25
18 For the biennial renewal of a license.....	500
19 For the restoration of a license suspended for the	
20 nonpayment of the biennial fee for the	
21 renewal of a license.....	100
22 For the registration of a firm, partnership or	
23 corporation which engages in or offers to	
24 engage in the practice of psychology.....	300
25 For the registration of a nonresident to practice	
26 as a consultant	100

27

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

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

38 **Sec. 6.** This act becomes effective upon passage and approval.

