

SENATE BILL NO. 162--SENATOR GANSERT

PREFILED FEBRUARY 13, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to psychological assistants, psychological interns and psychological trainees. (BDR 54-614)

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

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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; requiring the registration of psychological assistants by the Board of Psychological Examiners; authorizing the registration of psychological interns and psychological trainees by the Board; requiring an applicant for such a registration to submit an application, an application fee and his or her fingerprints; prescribing the fee for the initial registration and annual renewal of such a registration; requiring a licensed psychologist to supervise any activity or service provided by a psychological assistant, psychological intern or psychological trainee; authorizing a psychologist who supervises the performance of certain services by a psychological assistant, psychological intern or psychological trainee to be reimbursed for such services under the State Plan for Medicaid, to the extent authorized by federal law; 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) Under existing regulations: (1)
- 3 a person who wishes to obtain certain postdoctoral experience in psychology must
- 4 register with the Board as a psychological assistant and perform certain activities
- 5 only under the supervision of a licensed psychologist; and (2) a person who is in a
- 6 doctoral program in psychology and who is engaged in an internship is not required



7 to register with the Board but may perform certain activities under the supervision  
8 of a licensed psychologist. (NAC 641.1507-641.161)

9 **Sections 1-10** of this bill provide for the registration of psychological  
10 assistants, psychological interns and psychological trainees. **Section 5** of this bill:  
11 (1) requires a person who wishes to obtain certain postdoctoral experience in  
12 psychology to register with the Board as a psychological assistant; (2) authorizes a  
13 person who is in a doctoral program or certain doctorate-level training in  
14 psychology and who wishes to engage in an internship to register with the Board as  
15 a psychological intern; and (3) authorizes a person who is in a doctoral program or  
16 certain doctorate-level training and who wishes to perform certain activities or  
17 services which are not part of an internship program to register with the Board as a  
18 psychological trainee. **Section 5** further requires an applicant for such a registration  
19 to submit to the Board: (1) an application; (2) an application fee; and (3) a complete  
20 set of fingerprints and a fee for obtaining a criminal background check on the  
21 applicant. Under **section 5**, a person registered as a psychological assistant,  
22 psychological intern or psychological trainee must renew his or her registration  
23 annually. However, the registration may not be renewed if the renewal would cause  
24 the psychological assistant, psychological intern or psychological trainee to be  
25 registered for more than 3 years.

26 **Section 9.5** of this bill establishes a fee of not more than \$250 for the initial  
27 registration of a psychological assistant, psychological intern or psychological  
28 trainee and a fee of not more than \$150 for the annual renewal of such a  
29 registration. However, under **section 9.5**, the Board is required to waive the fee for  
30 the initial registration as a psychological assistant, psychological intern or  
31 psychological trainee if the applicant has previously been registered as a  
32 psychological assistant, psychological intern or psychological trainee.

33 **Section 9** of this bill requires an applicant for a registration to include in the  
34 application his or her social security number and a statement relating to compliance  
35 with certain child support orders. **Section 10** of this bill requires the Board to  
36 suspend a registration if the registered person fails to comply with certain  
37 requirements related to child support orders. Under **section 5**, a person registered as  
38 a psychological assistant, psychological intern or psychological trainee is  
39 authorized to perform professional activities and services only under the  
40 supervision of a licensed psychologist. **Section 7** of this bill authorizes the Board to  
41 adopt regulations relating to the registration of persons as psychological assistants,  
42 psychological interns and psychological trainees, and to suspend or revoke such a  
43 registration under certain circumstances.

44 Existing law requires the Director of the Department of Health and Human  
45 Services to adopt a State Plan for Medicaid, to be implemented by the Division of  
46 Health Care Financing and Policy of the Department. (NRS 422.063) Existing law  
47 also requires that various services rendered by certain providers of health care be  
48 reimbursable under the State Plan for Medicaid. (NRS 422.2717-422.27241)  
49 **Section 11** of this bill authorizes the Department, through the Division and to the  
50 extent authorized by federal law, to reimburse a psychologist for certain services  
51 rendered by a registered psychological assistant, psychological intern or  
52 psychological trainee under the supervision of the psychologist.

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

**Section 1.** Chapter 641 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

**Sec. 2.** *“Psychological assistant” means a person registered with the Board as a psychological assistant pursuant to subsection 1 of section 5 of this act.*

**Sec. 3.** *“Psychological intern” means a person registered with the Board as a psychological intern pursuant to subsection 2 of section 5 of this act.*

**Sec. 4.** *“Psychological trainee” means a person registered with the Board as a psychological trainee pursuant to subsection 3 of section 5 of this act.*

**Sec. 5. 1.** *A person who wishes to obtain any postdoctoral supervised experience that is required for licensure as a psychologist pursuant to paragraph (e) of subsection 1 of NRS 641.170 must register with the Board as a psychological assistant.*

**2.** *A person who:*

*(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and*

*(b) Wishes to engage in a predoctoral internship pursuant to the requirements of the training program,*

*↪ may register with the Board as a psychological intern.*

**3.** *A person who:*

*(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and*

*(b) Wishes to perform professional activities or services under the supervision of a psychologist,*

*↪ may register with the Board as a psychological trainee.*

**4.** *A person desiring to register as a psychological assistant, psychological intern or psychological trainee must:*

*(a) Make application to the Board on a form, and in a manner, prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.*

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



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

(2) Submit to the Board:

(I) A complete set of fingerprints, a fee for the processing of fingerprints established by the Board 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 a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or

(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to 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 to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

5. The Board may:

(a) Unless the applicant's fingerprints are directly forwarded pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 4, 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.

6. An application for initial registration as a psychological assistant, psychological intern or psychological trainee is not considered complete and received 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 section.

7. The registration of a psychological assistant, psychological intern or psychological trainee expires 1 year after the date of registration unless the registration is renewed pursuant to this



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1 *subsection. The Board may not renew such a registration if the*  
2 *renewal would cause the psychological assistant, psychological*  
3 *intern or psychological trainee to be registered for more than 3*  
4 *years. To renew a registration, a psychological assistant,*  
5 *psychological intern or psychological trainee must, on or before*  
6 *the expiration of the registration:*

7 (a) *Apply to the Board for renewal;*

8 (b) *Pay the fee prescribed by the Board pursuant to NRS*  
9 *641.228 for the annual renewal of a registration as a*  
10 *psychological assistant, psychological intern or psychological*  
11 *trainee; and*

12 (c) *Submit all information required to complete the renewal.*

13 8. *Any activity or service performed by a psychological*  
14 *assistant, psychological intern or psychological trainee must be*  
15 *performed under the supervision of a psychologist in accordance*  
16 *with regulations adopted by the Board.*

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

18 641.020 As used in this chapter, unless the context otherwise  
19 requires, the words and terms defined in NRS 641.0202 to 641.027,  
20 inclusive, *and sections 2, 3 and 4 of this act* and 689A.0435 have  
21 the meanings ascribed to them in those sections.

22 **Sec. 7.** NRS 641.100 is hereby amended to read as follows:

23 641.100 The Board may make and promulgate rules and  
24 regulations not inconsistent with the provisions of this chapter  
25 governing its procedure, the examination and licensure of  
26 applicants, the granting, refusal, revocation or suspension of  
27 licenses, *the registration of persons as psychological assistants,*  
28 *psychological interns or psychological trainees,* the practice of  
29 psychology and the practice of applied behavior analysis.

30 **Sec. 8.** NRS 641.110 is hereby amended to read as follows:

31 641.110 1. The Board may, under the provisions of this  
32 chapter:

33 (a) Examine and pass upon the qualifications of the applicants  
34 for licensure.

35 (b) License qualified applicants.

36 (c) *Register a person as a psychological assistant,*  
37 *psychological intern or psychological trainee.*

38 (d) Revoke or suspend licenses ~~and~~ *and registrations.*

39 ~~and~~ (e) Collect all fees and make disbursements pursuant to  
40 this chapter.

41 2. The member of the Board who is a representative of the  
42 general public shall not participate in preparing, conducting or  
43 grading any examination required by the Board.



**Sec. 9.** NRS 641.175 is hereby amended to read as follows:

641.175 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license *or registration* shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license *or registration* shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license ~~H~~ *or registration*; or

(b) A separate form prescribed by the Board.

3. A license *or registration* may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 9.5.** NRS 641.228 is hereby amended to read as follows:

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

For the national examination, in addition to the actual cost to the Board of the examination .....	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination .....	100
For the issuance of an initial license, including a license by endorsement .....	25



1	For the biennial renewal of a license of a	
2	psychologist.....	\$500
3	For the biennial renewal of a license of a licensed	
4	behavior analyst .....	400
5	For the biennial renewal of a license of a licensed	
6	assistant behavior analyst.....	275
7	For the restoration of a license suspended for the	
8	nonpayment of the biennial fee for the renewal	
9	of a license.....	100
10	For the registration of a firm, partnership or	
11	corporation which engages in or offers to engage	
12	in the practice of psychology .....	300
13	For the registration of a nonresident to practice as a	
14	consultant .....	100
15	<i>For the initial registration of a psychological</i>	
16	<i>assistant, psychological intern or psychological</i>	
17	<i>trainee.....</i>	<i>250</i>
18	<i>For the annual renewal of a registration of a</i>	
19	<i>psychological assistant, psychological intern or</i>	
20	<i>psychological trainee.....</i>	<i>150</i>

21

22 2. An applicant who passes the national examination and any

23 other examination required pursuant to the provisions of subsection

24 1 of NRS 641.180 and who is eligible for a license as a psychologist

25 shall pay the biennial fee for the renewal of a license, which must be

26 prorated for the period from the date the license is issued to the end

27 of the biennium.

28 3. An applicant who passes the examination and is eligible for

29 a license as a behavior analyst or assistant behavior analyst shall pay

30 the biennial fee for the renewal of a license, which must be prorated

31 for the period from the date the license is issued to the end of the

32 biennium.

33 4. Except as otherwise provided in subsections 5 and 6 and

34 NRS 641.195, in addition to the fees set forth in subsection 1, the

35 Board 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 5. If an applicant submits an application for a license by

39 endorsement pursuant to NRS 641.195, the Board shall charge and

40 collect not more than the fee specified in subsection 1 for the

41 issuance of an initial license.

42 6. If an applicant submits an application for a license by

43 endorsement pursuant to NRS 641.196, the Board shall collect not

44 more than one-half of the fee set forth in subsection 1 for the initial

45 issuance of the license.



1     7. *If an applicant submits an application for initial*  
2 *registration as a psychological assistant, psychological intern or*  
3 *psychological trainee pursuant to section 5 of this act and the*  
4 *applicant has previously been registered as a psychological*  
5 *assistant, psychological intern or psychological trainee, the Board*  
6 *must waive the fee set forth in subsection 1 for the initial*  
7 *registration.*

8     **Sec. 10.** NRS 641.242 is hereby amended to read as follows:

9     641.242 1. If the Board receives a copy of a court order  
10 issued pursuant to NRS 425.540 that provides for the suspension of  
11 all professional, occupational and recreational licenses, certificates  
12 and permits issued to a person who is the holder of a license *or*  
13 *registration* issued pursuant to this chapter, the Board shall deem  
14 the license *or registration* issued to that person to be suspended at  
15 the end of the 30th day after the date on which the court order was  
16 issued unless the Board receives a letter issued to the holder of the  
17 license by the district attorney or other public agency pursuant to  
18 NRS 425.550 stating that the holder of the license *or registration*  
19 has complied with the subpoena or warrant or has satisfied the  
20 arrearage pursuant to NRS 425.560.

21     2. The Board shall reinstate a license *or registration* issued  
22 pursuant to this chapter that has been suspended by a district court  
23 pursuant to NRS 425.540 if the Board receives a letter issued by the  
24 district attorney or other public agency pursuant to NRS 425.550 to  
25 the person whose license *or registration* was suspended stating that  
26 the person whose license was suspended has complied with the  
27 subpoena or warrant or has satisfied the arrearage pursuant to  
28 NRS 425.560.

29     **Sec. 11.** Chapter 422 of NRS is hereby amended by adding  
30 thereto a new section to read as follows:

31     1. *The Department, through the Division, may reimburse,*  
32 *under the State Plan for Medicaid and to the extent authorized by*  
33 *the Federal Government, any psychologist licensed pursuant to*  
34 *chapter 641 of NRS who supervises a psychological assistant,*  
35 *psychological intern or psychological trainee for such services*  
36 *rendered under the authorized scope of practice of the*  
37 *psychological assistant, psychological intern or psychological*  
38 *trainee to persons eligible to receive that assistance if another*  
39 *provider of health care would be reimbursed for providing those*  
40 *same services.*

41     2. *As used in this section:*

42     (a) *“Psychological assistant” has the meaning ascribed to it in*  
43 *section 2 of this act.*

44     (b) *“Psychological intern” has the meaning ascribed to it in*  
45 *section 3 of this act.*





- 1       (c) *“Psychological trainee” has the meaning ascribed to it in*  
2       *section 4 of this act.*  
3       **Sec. 12.** This act becomes effective on July 1, 2017.

