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SENATE BILL NO. 372—SENATOR SEEVERS GANSERT

MARCH 20, 2019

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Referred to Committee on Commerce and Labor

**SUMMARY**—Revises provisions relating to school counselors, school psychologists and school social workers. (BDR 54-546)

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

CONTAINS UNFUNDED MANDATE (§§ 8-11)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to certain professions; requiring a person who desires to practice as a school psychologist to be licensed as a school psychologist by the Board of Psychological Examiners; requiring one member of the Board to be a licensed school psychologist; requiring a person who desires to practice as a school counselor to be licensed as a school counselor by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors; requiring two members of the Board to be licensed school counselors; providing that a licensed social worker may receive an endorsement from the Board of Examiners for Social Workers to practice as a school social worker; prohibiting the Commission on Professional Standards in Education from issuing certain endorsements through regulations; requiring certain monies received from the Federal Government by a school district, charter school or university school for profoundly gifted pupils to be used for providing mental health services to pupils; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

Existing regulations provide the qualifications and procedures for obtaining an endorsement from the Department of Education to serve as a school psychologist. (NAC 391.315-391.319) **Section 6** of this bill replaces existing regulations by requiring a person who desires to practice as a school psychologist to obtain a license as a school psychologist from the Board of Psychological Examiners. **Section 6** requires each application for licensure as a school psychologist to be accompanied by evidence that the applicant: (1) has accomplished certain educational requirements; (2) holds a certificate as a nationally certified school psychologist issued by the National School Psychology Certification System of the National Association of School Psychologists; or (3) has completed a program approved by the Board which prepares a person to be a school psychologist. **Section 6** requires the Board to adopt certain regulations to implement this licensure program. **Section 5** of this bill makes a conforming change. **Sections 7, 11 and 12** of this bill make clarifying changes.

Existing law authorizes the Board to issue a license by endorsement as a psychologist to an applicant who meets certain requirements. (NRS 641.195, 641.196) **Sections 8 and 9** of this bill authorize the Board to issue a license by endorsement as a school psychologist to an applicant who meets certain requirements.

Existing regulations provide the requirements that the holder of an endorsement from the Department of Education to serve as a school psychologist must satisfy to renew his or her endorsement. (NAC 391.315) **Section 10** of this bill replaces existing regulations by requiring a person seeking to renew a license as a school psychologist to satisfy certain requirements, including paying a biennial fee established by the Board for the renewal of a license as a school psychologist.

Existing law creates the Board and provides that the Board consists of six members. (NRS 641.030) Existing law requires the Governor to appoint to the Board certain members, including members who are licensed psychologists in this State. (NRS 641.040) **Section 3** of this bill revises the membership of the Board to consist of seven members. **Section 4** of this bill requires the Governor to appoint to the Board one member who is a licensed school psychologist in this State.

Existing regulations provide the qualifications and procedures for obtaining an endorsement from the Department of Education to serve as a school counselor. (NAC 391.180, 391.185) **Section 15** of this bill replaces existing regulations by requiring a person who desires to practice as a school counselor to obtain a license as a school counselor from the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors. **Section 15** requires each applicant for a license to practice as a school counselor to furnish evidence that the applicant: (1) has met certain educational requirements; (2) holds a specialty credential as a National Certified School Counselor issued by the National Board for Certified Counselors; or (3) has at least 2 years of teaching experience or at least 2 years of school counseling experience. **Sections 22-25** of this bill make clarifying changes.

Existing law authorizes the Board to issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor to an applicant who meets certain requirements. (NRS 641A.241, 641A.242) **Sections 22 and 23** of this bill authorize the Board to issue a license by endorsement to practice as a school counselor to an applicant who meets certain requirements.

Existing law creates the Board and provides that the Board consists of nine members. (NRS 641A.090) Existing law requires the Governor to appoint to the Board certain members, including members who are licensed marriage and family therapists and licensed clinical professional counselors. (NRS 641A.100) **Section 19** of this bill revises the membership of the Board to consist of 11 members. **Section 20** of this bill requires the Governor to appoint to the Board two members who are licensed school counselors. **Sections 17-19, 27, 28 and 34** of this bill make



conforming changes by changing the Board's name to the Board of Examiners for Marriage and Family Therapists, Clinical Professional Counselors and School Counselors.

Existing regulations provide the qualifications and procedures for obtaining an endorsement from the Department of Education to serve as a social worker in a school. (NAC 391.320) **Section 26** of this bill replaces existing regulations by authorizing a person to obtain an endorsement as a school social worker from the Board of Examiners for Social Workers. **Section 26** requires each applicant for an endorsement to practice as a school social worker to: (1) hold a current license issued by the Board or a current equivalent license issued by a similar agency in another state and agree to obtain a license issued by the Board within 1 year after the date the person applied for the endorsement; and (2) satisfy certain other requirements. A licensed social worker is required to obtain this endorsement to practice as a school social worker only if the school or school district which employs the person requires the endorsement.

Existing law requires the Commission on Professional Standard in Education to adopt certain regulations, including regulations prescribing the qualifications for licensing teachers and other educational personnel. Existing law further authorizes the Commission to adopt such other regulations as it deems necessary for its own government or to carry out its duties. (NRS 391.019) **Section 33** of this bill prohibits the Commission from adopting regulations which require a person to obtain an endorsement from the Department of Education to practice as a school counselor, school psychologist or school social worker.

Existing law requires the Superintendent of Public Instruction, the Department of Education or the State Board of Education to administer money received from the Federal Government in a manner that is designed to attain the goals of the Legislature regarding educational reform in this State. (NRS 387.049) Existing law requires a university school for profoundly gifted pupils to comply with all applicable federal laws to prevent the loss of any federal money for education provided to this State and the school districts in this State by the Federal Government. (NRS 388C.070) **Section 29** of this bill provides that, if a school district or charter school receives money from the Federal Government for the reimbursement of services provided by a school counselor, school psychologist or school social worker, the school district or charter school must use the money only for providing mental health services to the pupils of the school district or charter school. **Section 31** of this bill implements a similar requirement for a university school for profoundly gifted pupils. **Section 30** of this bill makes a conforming change.

Existing regulations provide that a person who has not received an endorsement as a school counselor may serve as a school counselor in a school district or charter school if the school district or charter school demonstrates that a person with an endorsement is not available for employment. In such a situation, the person who has not received an endorsement must satisfy certain requirements. Such a person may not serve as a school counselor for more than 3 years. (NAC 391.187) **Section 32** of this bill incorporates these requirements from existing regulations into statute. **Section 40** of this bill provides that these provisions which authorize such a person to serve as a school counselor without being licensed pursuant to chapter 641A of NRS will expire by limitation on January 1, 2025.



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 a new section to read as follows:

*“School psychologist” means a person who meets the qualifications set forth in subsection 2 of NRS 641.170 and who is licensed as a school psychologist by the Board.*

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

641.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 641.0202 to 641.027, inclusive, *and section 1 of this act* and 689A.0435 have the meanings ascribed to them in those sections.

**Sec. 3.** NRS 641.030 is hereby amended to read as follows:

641.030 The Board of Psychological Examiners, consisting of ~~six~~ *seven* members appointed by the Governor, is hereby created.

**Sec. 4.** NRS 641.040 is hereby amended to read as follows:

641.040 1. The Governor shall appoint to the Board:

(a) Four members who are licensed psychologists in the State of Nevada with at least 5 years of experience in the practice of psychology after being licensed.

(b) *One member who is a licensed school psychologist in the State of Nevada.*

(c) One member who has resided in this State for at least 5 years and who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care.

~~(e)~~ (d) One member who is a representative of the general public.

2. A person is not eligible for appointment unless he or she is:

(a) A citizen of the United States; and

(b) A resident of the State of Nevada.

3. The member who is a representative of the general public must not be a psychologist, an applicant or a former applicant for licensure as a psychologist, a member of a health profession, the spouse or the parent or child, by blood, marriage or adoption, of a psychologist, or a member of a household that includes a psychologist.

4. Board members must not have any conflicts of interest or the appearance of such conflicts in the performance of their duties as members of the Board.

**Sec. 5.** NRS 641.160 is hereby amended to read as follows:

641.160 1. Each person desiring a license must:

(a) Make application to the Board upon a form, and in a manner, prescribed by the Board pursuant to NRS 641.117. The application



1 must be accompanied by the application fee prescribed by the Board  
2 and include all information required to complete the application.

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

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

7 (2) Submit to the Board:

8 (I) A complete set of fingerprints and written permission  
9 authorizing the Board to forward the fingerprints to the Central  
10 Repository for Nevada Records of Criminal History for submission  
11 to the Federal Bureau of Investigation for a report on the applicant's  
12 background, and to such other law enforcement agencies as the  
13 Board deems necessary for a report on the applicant's background;  
14 or

15 (II) Written verification, on a form prescribed by the  
16 Board, stating that the set of fingerprints of the applicant was taken  
17 and directly forwarded electronically or by other means to the  
18 Central Repository for Nevada Records of Criminal History and that  
19 the applicant provided written permission authorizing the law  
20 enforcement agency or other authorized entity taking the  
21 fingerprints to submit the fingerprints to the Central Repository for  
22 Nevada Records of Criminal History for submission to the Federal  
23 Bureau of Investigation for a report on the applicant's background,  
24 and to such other law enforcement agencies as the Board deems  
25 necessary for a report on the applicant's background.

26 2. The Board may:

27 (a) Unless the applicant's fingerprints are directly forwarded  
28 pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph  
29 (b) of subsection 1, submit those fingerprints to the Central  
30 Repository for Nevada Records of Criminal History for submission  
31 to the Federal Bureau of Investigation and to such other law  
32 enforcement agencies as the Board deems necessary; and

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

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

43 **Sec. 6.** NRS 641.170 is hereby amended to read as follows:

44 641.170 1. Except as otherwise provided in NRS 641.195  
45 and 641.196, each application for licensure as a psychologist must



be accompanied by evidence satisfactory to the Board that the applicant:

- (a) Is at least 21 years of age.
- (b) Is of good moral character as determined by the Board.
- (c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.
- (d) Has earned a doctorate in psychology from an accredited educational institution approved by the Board, or has other doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training.
- (e) Has at least 2 years of experience satisfactory to the Board, 1 year of which must be postdoctoral experience in accordance with the requirements established by regulations of the Board.

2. *Except as otherwise provided in NRS 641.195 and 641.196, each application for licensure as a school psychologist must be accompanied by evidence satisfactory to the Board that the applicant:*

- (a) *Has accomplished each of the following:*
  - (1) *Holds a graduate degree from an accredited institution;*
  - (2) *Has preparation in school psychology;*
  - (3) *Has successfully completed any areas of study that the Board requires pursuant to paragraph (a) of subsection 3;*
  - (4) *Has earned 60 semester hours of graduate credits in the areas of study that the Board requires pursuant to paragraphs (a) and (b) of subsection 3; and*
  - (5) *Has completed an internship in school psychology;*
- (b) *Holds a certificate as a nationally certified school psychologist issued by the National School Psychology Certification System of the National Association of School Psychologists, or its successor organization; or*
- (c) *Has completed a program approved by the Board which prepares a person to be a school psychologist.*

3. *For the purposes of subsection 2, the Board shall adopt regulations setting forth:*

- (a) *The required areas of study that a person must successfully complete to be licensed as a school psychologist pursuant to subparagraphs (3) and (4) of paragraph (a) of subsection 2;*
- (b) *Any optional areas of study that may be counted toward the 60 semester hours of graduate credits required pursuant to subparagraph (4) of paragraph (a) of subsection 2;*
- (c) *If any of the areas of study set forth pursuant to paragraph (a) or (b) require a practicum, the requirements a person must satisfy to receive credit for completing the practicum;*



(d) *The criteria that an internship in school psychology required pursuant to subparagraph (5) of paragraph (a) of subsection 2 must meet;*

(e) *The types of completed programs and the procedure through which the Board may approve a completed program pursuant to paragraph (c) of subsection 2; and*

(f) *Any additional requirements for licensing a person as a school psychologist.*

4. Except as otherwise provided in NRS 641.195 and 641.196, within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for licensure; and

(b) Issue a written statement to the applicant of its determination.

~~3.3~~ 5. The written statement issued to the applicant pursuant to subsection ~~2.2~~ 4 must include:

(a) If the Board determines that the qualifications of the applicant are insufficient for licensure, a detailed explanation of the reasons for that determination.

(b) If the applicant for licensure as a psychologist has not earned a doctorate in psychology from an accredited educational institution approved by the Board and the Board determines that the doctorate-level training from an accredited educational institution is not equivalent in subject matter and extent of training, a detailed explanation of the reasons for that determination.

**Sec. 7.** NRS 641.180 is hereby amended to read as follows:

641.180 1. Except as otherwise provided in NRS 641.180 to 641.196, inclusive, each applicant for a license as a psychologist must pass the national examination. In addition to the national examination, the Board may require an examination in whatever applied or theoretical fields it deems appropriate.

2. The Board shall notify each applicant *for a license as a psychologist* of the results of the national examination and any other examination required pursuant to subsection 1.

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

(a) Is licensed in another state;

(b) Has at least 10 years' experience; and

(c) Is a diplomate in the American Board of Professional Psychology or a fellow in the American Psychological Association, or who has other equivalent status as determined by the Board.



**Sec. 8.** NRS 641.195 is hereby amended to read as follows:

641.195 1. The Board may issue a license by endorsement as a psychologist *or school psychologist* to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as a psychologist *or school psychologist, as applicable*, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(3) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a psychologist ~~or~~ *or school psychologist, as applicable*; and

(4) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641.160;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Board pursuant to NRS 641.228 for the issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a psychologist *or school psychologist* pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a psychologist *or school psychologist, as applicable*, to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints, ➔ whichever occurs later.

4. A license by endorsement as a psychologist *or school psychologist* may be issued at a meeting of the Board or between its





meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

**Sec. 9.** NRS 641.196 is hereby amended to read as follows:

641.196 1. The Board may issue a license by endorsement as a psychologist *or school psychologist* to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a psychologist *or school psychologist, as applicable*, in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(3) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a psychologist ~~or~~ *or school psychologist, as applicable*; and

(4) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641.160;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Board pursuant to NRS 641.228 for the issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a psychologist *or school psychologist* pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a psychologist *or school psychologist, as applicable*, to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or



(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints, whichever occurs later.

4. A license by endorsement as a psychologist *or school psychologist* may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a psychologist *or school psychologist, as applicable*, in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

**Sec. 10.** NRS 641.220 is hereby amended to read as follows:

641.220 1. ~~Fe~~ *Except as otherwise provided in subsection 3, to renew a license as a psychologist* issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the Board for renewal;

(b) Pay the biennial fee for the renewal of a license;

(c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and

(d) Submit all information required to complete the renewal.

2. Upon renewing his or her license, a psychologist shall declare his or her areas of competence, as determined in accordance with NRS 641.112.

*3. To renew a license as a school psychologist issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:*

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

*(b) Pay the biennial fee for the renewal of a license as a school psychologist as set forth in regulations adopted by the Board;*

*(c) Submit all information required to complete the renewal; and*

*(d) Accomplish one of the following:*

*(1) Hold a certificate of renewal as a nationally certified school psychologist issued by the National School Psychology Certification System of the National Association of School Psychologists, or its successor organization; or*

*(2) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board.*



4. The Board shall, as a prerequisite for the renewal of a license, require each holder to comply with the requirements for continuing education adopted by the Board.

~~[4.]~~ 5. The requirements for continuing education adopted by the Board pursuant to subsection ~~[3]~~ 4 must include, without limitation, a requirement that the holder of a license receive at least 2 hours of instruction on evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate. The hours of instruction required by this subsection must be completed within 2 years after initial licensure and at least every 4 years thereafter.

**Sec. 11.** NRS 641.222 is hereby amended to read as follows:

641.222 1. The license of any person who fails to pay the biennial fee for the renewal of a license within 60 days after the date when it is due is automatically suspended. The Board may, within 2 years after the date the license is so suspended, reinstate the license upon payment to the Board of the amount of the then current biennial fee for the renewal of a license and the amount of the fee for the restoration of a license so suspended. If the license is not reinstated within 2 years, the Board may reinstate the license only if it also determines that the holder of the license is competent to practice ~~[psychology.]~~ *as a psychologist or a school psychologist, as applicable.*

2. A notice must be sent to any person who fails to pay the biennial fee, informing the person that the license is suspended.

**Sec. 12.** NRS 641.225 is hereby amended to read as follows:

641.225 1. Except as otherwise provided in subsection 2, ~~each~~ *each* psychologist *and school psychologist* may practice only under the name that appears on the license to practice psychology issued to the psychologist *or the license to practice as a school psychologist issued to the school psychologist* by the Board ~~[.]~~, *as applicable.*

2. A psychologist may associate with a firm, partnership or corporation which engages in or offers to engage in the practice of psychology if:

(a) The firm, partnership or corporation is registered with the Board; and

(b) The name and license of each psychologist associated with the firm, partnership or corporation is displayed conspicuously at the place where he or she practices psychology.

**Sec. 13.** Chapter 641A of NRS is hereby amended by adding thereto the provisions set forth as sections 14, 15 and 16 of this act.

**Sec. 14.** *“School counselor” means a person who describes himself or herself or his or her services to the public by any title or description which incorporates the term “school counselor,” and*



1 *under such a title offers to provide or provides services to any*  
2 *pupils enrolled in kindergarten through grade 12.*

3 **Sec. 15. 1.** *Except as otherwise provided in NRS 641A.241*  
4 *and 641A.242, each applicant for a license to practice as a school*  
5 *counselor must furnish evidence satisfactory to the Board that the*  
6 *applicant:*

7 *(a) Holds a master's degree or a more advanced degree in*  
8 *school counseling;*

9 *(b) Holds a specialty credential as a National Certified School*  
10 *Counselor issued by the National Board for Certified Counselors,*  
11 *or its successor organization;*

12 *(c) Holds a master's degree or a more advanced degree with a*  
13 *major in counseling conferred by a regionally accredited college*  
14 *or university and meets the requirements of subsection 2; or*

15 *(d) Satisfies the following:*

16 *(1) Holds a master's degree or a more advanced degree*  
17 *conferred by a regionally accredited college or university;*

18 *(2) Has at least 2 years of teaching experience or at least 2*  
19 *years of school counseling experience; and*

20 *(3) Meets the requirements of subsection 2.*

21 **2.** *An applicant for a license pursuant to paragraph (c) or (d)*  
22 *of subsection 1 must furnish evidence satisfactory to the Board*  
23 *that the applicant has completed:*

24 *(a) At least 600 hours of a practicum, internship or field*  
25 *experience in school counseling at any grade level in kindergarten*  
26 *through grade 12; and*

27 *(b) At least 36 semester hours of graduate credits in school*  
28 *guidance and counseling in any area of study that the Board*  
29 *requires pursuant to regulation.*

30 **3.** *The Board may adopt regulations setting forth any*  
31 *additional requirements for licensing a person to practice as a*  
32 *school counselor.*

33 **Sec. 16.** NRS 641A.020 is hereby amended to read as follows:

34 641A.020 As used in this chapter, unless the context otherwise  
35 requires, the words and terms defined in NRS 641A.025 to  
36 641A.080, inclusive, *and section 14 of this act* have the meanings  
37 ascribed to them in those sections.

38 **Sec. 17.** NRS 641A.030 is hereby amended to read as follows:

39 641A.030 "Board" means the Board of Examiners for  
40 Marriage and Family Therapists , ~~and~~ Clinical Professional  
41 Counselors ~~and~~ *School Counselors.*

42 **Sec. 18.** NRS 641A.050 is hereby amended to read as follows:

43 641A.050 "Licensee" means a person licensed as a marriage  
44 and family therapist, a marriage and family therapist intern, a



clinical professional counselor , ~~or~~ a clinical professional counselor intern *or a school counselor* by the Board.

**Sec. 19.** NRS 641A.090 is hereby amended to read as follows:

641A.090 The Board of Examiners for Marriage and Family Therapists , ~~and~~ Clinical Professional Counselors ~~and~~ *School Counselors*, consisting of ~~nine~~ *11* members appointed by the Governor, is hereby created.

**Sec. 20.** NRS 641A.100 is hereby amended to read as follows:

641A.100 1. The Governor shall appoint to the Board:

(a) Four members who are licensed marriage and family therapists and are in good standing with or acceptable for membership in their local or state societies and associations when they exist;

(b) Three members who are licensed clinical professional counselors and are in good standing with or acceptable for membership in their local or state societies and associations when they exist; ~~and~~

(c) *Two members who are licensed school counselors and are in good standing with or acceptable for membership in their local or state societies and associations when they exist; and*

(d) Two members who are representatives of the general public. These members must not be:

(1) A marriage and family therapist;

(2) A clinical professional counselor; ~~or~~

(3) *A school counselor; or*

(4) The spouse or the parent or child, by blood, marriage or adoption, of a marriage and family therapist , ~~or~~ clinical professional counselor ~~and~~ *or school counselor*.

2. The Governor may, after notice and hearing, remove any member of the Board for misconduct in office, incompetence, neglect of duty or other sufficient cause.

**Sec. 21.** NRS 641A.230 is hereby amended to read as follows:

641A.230 1. Except as otherwise provided in subsection 2 and NRS 641A.241 and 641A.242, each qualified applicant for a license to practice as a marriage and family therapist must pass a written examination given by the Board on his or her knowledge of marriage and family therapy. Examinations must be given at a time and place and under such supervision as the Board may determine.

2. The Board shall accept receipt of a passing grade by a qualified applicant *for a license to practice as a marriage and family therapist* on the national examination sponsored by the Association of Marital and Family Therapy Regulatory Boards in lieu of requiring a written examination pursuant to subsection 1.

3. In addition to the requirements of subsections 1 and 2, the Board may require an oral examination. The Board may examine



1 applicants *for a license to practice as a marriage and family*  
2 *therapist* in whatever applied or theoretical fields it deems  
3 appropriate.

4 **Sec. 22.** NRS 641A.241 is hereby amended to read as follows:

5 641A.241 1. The Board may issue a license by endorsement  
6 to practice as a marriage and family therapist , ~~or~~ clinical  
7 professional counselor *or school counselor* to an applicant who  
8 meets the requirements set forth in this section. An applicant may  
9 submit to the Board an application for such a license if the applicant  
10 holds a corresponding valid and unrestricted license as a marriage  
11 and family therapist , ~~or~~ clinical professional counselor ~~or~~ *or*  
12 *school counselor*, as applicable, in the District of Columbia or any  
13 state or territory of the United States.

14 2. An applicant for a license by endorsement pursuant to this  
15 section must submit to the Board with his or her application:

16 (a) Proof satisfactory to the Board that the applicant:

17 (1) Satisfies the requirements of subsection 1;

18 (2) Is a citizen of the United States or otherwise has the legal  
19 right to work in the United States;

20 (3) Has not been disciplined or investigated by the  
21 corresponding regulatory authority of the District of Columbia or  
22 any state or territory in which the applicant currently holds or has  
23 held a license as a marriage and family therapist , ~~or~~ clinical  
24 professional counselor ~~or~~ *or school counselor*, as applicable; and

25 (4) Has not been held civilly or criminally liable for  
26 malpractice in the District of Columbia or any state or territory of  
27 the United States;

28 (b) An affidavit stating that the information contained in the  
29 application and any accompanying material is true and correct;

30 (c) The fees prescribed by the Board pursuant to NRS 641A.290  
31 for the application for and initial issuance of a license; and

32 (d) Any other information required by the Board.

33 3. Not later than 15 business days after receiving an application  
34 for a license by endorsement to practice as a marriage and family  
35 therapist , ~~or~~ clinical professional counselor *or school counselor*  
36 pursuant to this section, the Board shall provide written notice to the  
37 applicant of any additional information required by the Board to  
38 consider the application. Unless the Board denies the application for  
39 good cause, the Board shall approve the application and issue a  
40 license by endorsement to practice as a marriage and family  
41 therapist , ~~or~~ clinical professional counselor ~~or~~ *or school*  
42 *counselor*, as applicable, to the applicant not later than 45 days after  
43 receiving the application.

44 4. A license by endorsement to practice as a marriage and  
45 family therapist , ~~or~~ clinical professional counselor *or school*



*counselor* may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

**Sec. 23.** NRS 641A.242 is hereby amended to read as follows:

641A.242 1. The Board may issue a license by endorsement to practice as a marriage and family therapist , ~~or~~ clinical professional counselor *or school counselor* to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a marriage and family therapist , ~~or~~ clinical professional counselor ~~or~~ *or school counselor*, as applicable, in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(3) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a marriage and family therapist , ~~or~~ clinical professional counselor ~~or~~ *or school counselor*, as applicable; and

(4) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) The fees prescribed by the Board pursuant to NRS 641A.290 for the application for and initial issuance of a license; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a marriage and family therapist , ~~or~~ clinical professional counselor *or school counselor* pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a marriage and family therapist , ~~or~~ clinical professional counselor ~~or~~ *or school*





1 *counselor*, as applicable, to the applicant not later than 45 days after  
2 receiving all the additional information required by the Board to  
3 complete the application.

4 4. A license by endorsement to practice as a marriage and  
5 family therapist , ~~for~~ clinical professional counselor *or school*  
6 *counselor* may be issued at a meeting of the Board or between its  
7 meetings by the President of the Board. Such an action shall be  
8 deemed to be an action of the Board.

9 5. At any time before making a final decision on an application  
10 for a license by endorsement pursuant to this section, the Board may  
11 grant a provisional license authorizing an applicant to practice as a  
12 marriage and family therapist , ~~for~~ clinical professional counselor  
13 ~~for~~ *or school counselor*, as applicable, in accordance with  
14 regulations adopted by the Board.

15 6. As used in this section, "veteran" has the meaning ascribed  
16 to it in NRS 417.005.

17 **Sec. 24.** NRS 641A.265 is hereby amended to read as follows:

18 641A.265 The Board may waive all or part of the requirement  
19 of continuing education in a particular year if the marriage and  
20 family therapist , ~~for~~ clinical professional counselor *or school*  
21 *counselor* was prevented from fulfilling the requirement because of  
22 circumstances beyond his or her control.

23 **Sec. 25.** NRS 641A.285 is hereby amended to read as follows:

24 641A.285 1. Upon written request to the Board and payment  
25 of the fee prescribed by the Board, a licensee in good standing may  
26 have his or her name and license transferred to an inactive list for a  
27 period not to exceed 3 continuous years. A licensee shall not  
28 practice marriage and family therapy , ~~for~~ clinical professional  
29 counseling *or school counseling* during the time the license is  
30 inactive. If an inactive licensee desires to resume the practice of  
31 marriage and family therapy , ~~for~~ clinical professional counseling  
32 ~~for~~ *or school counseling*, the Board must reactivate the license upon  
33 the:

34 (a) Completion of an application for reactivation;

35 (b) Payment of the fee for renewal of the license; and

36 (c) Demonstration, if deemed necessary by the Board, that the  
37 licensee is then qualified and competent to practice.

38 ➤ Except as otherwise provided in subsection 2, the licensee is not  
39 required to pay the delinquency fee or the renewal fee for any year  
40 while the license was inactive.

41 2. Any license that remains inactive for a period which exceeds  
42 3 continuous years is deemed:

43 (a) To effect a revocation for the purposes of NRS 641A.270.

44 (b) To have lapsed at the beginning of that period for the  
45 purposes of NRS 641A.280.





3. The Board may adopt such regulations as it deems necessary to carry out the provisions of this section, including without limitation, regulations governing the renewal of inactive licenses and any requirement of continuing education for inactive licensees.

**Sec. 26.** Chapter 641B of NRS is hereby amended by adding thereto a new section to read as follows:

*1. To receive an endorsement to serve as a school social worker, a person must:*

*(a) Hold a current:*

*(1) License issued by the Board of Examiners for Social Workers; or*

*(2) Equivalent license issued by a similar agency in another state and agree to obtain a license issued by the Board of Examiners for Social Workers within 1 year after the date on which the person applied for an endorsement; and*

*(b) Have completed an educational program for social workers in schools which includes a practicum in schools or the equivalent professional or practicum experience providing services directly to children of school age, both individually and in groups, and to their families.*

*2. In addition to the requirements listed in subsection 1, a person who applies for such an endorsement must:*

*(a) Have completed a program to serve as a social worker in schools that is approved by the Board;*

*(b) Hold the credential issued by the National Association of Social Workers, or its successor organization, certifying that the holder is a Certified School Social Work Specialist; or*

*(c) Hold a master's degree in social work from a college or university that has been accredited by the Council on Social Work Education, or its successor organization.*

*3. An endorsement to serve as a school social worker held by a person who is not licensed in this State expires 1 year after the date on which the holder applied for the endorsement if the holder has not obtained a license issued by the Board of Examiners for Social Workers by that date.*

*4. Every holder of an endorsement issued pursuant to this section may renew his or her license annually by:*

*(a) Continuing to hold a valid license issued by the Board of Examiners for Social Workers; and*

*(b) Each time that the license is renewed by the Board of Examiners for Social Workers, delivering a copy of the license to the Department of Education.*

*5. The Board may adopt regulations setting forth any:*

*(a) Fees a person must pay for receiving an endorsement to serve as a school social worker pursuant to subsection 1;*



*(b) Fees a person must pay for renewing an endorsement pursuant to subsection 4;*

*(c) Additional reasonable fees that the Board determines to be necessary to carry out the provisions of this section; and*

*(d) Additional requirements for endorsing a person to practice as a school social worker.*

*6. A person is not required to obtain an endorsement pursuant to this section to work in a school, unless the school district or school that employs the person requires the endorsement.*

**Sec. 27.** NRS 641C.130 is hereby amended to read as follows:

641C.130 The provisions of this chapter do not apply to:

1. A physician who is licensed pursuant to the provisions of chapter 630 or 633 of NRS;

2. A nurse who is licensed pursuant to the provisions of chapter 632 of NRS and is authorized by the State Board of Nursing to engage in the practice of counseling alcohol and drug abusers or the practice of counseling problem gamblers;

3. A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. A clinical professional counselor or clinical professional counselor intern who is licensed pursuant to chapter 641A of NRS;

5. A marriage and family therapist or marriage and family therapist intern who is licensed pursuant to the provisions of chapter 641A of NRS and is authorized by the Board of Examiners for Marriage and Family Therapists , ~~and~~ Clinical Professional Counselors *and School Counselors* to engage in the practice of counseling alcohol and drug abusers or the practice of counseling problem gamblers; or

6. A person who is licensed as a clinical social worker pursuant to the provisions of chapter 641B of NRS and is authorized by the Board of Examiners for Social Workers to engage in the practice of counseling alcohol and drug abusers or the practice of counseling problem gamblers.

**Sec. 28.** NRS 232.361 is hereby amended to read as follows:

232.361 1. There is hereby created in the Department a Commission on Behavioral Health consisting of 10 members appointed by the Governor, at least 3 of whom have training or experience in dealing with intellectual disabilities.

2. The Governor shall appoint:

(a) A psychiatrist licensed to practice medicine in this State, from a list of three candidates submitted by the Nevada Psychiatric Association;



(b) A psychologist licensed to practice in this State and experienced in clinical practice, from a list of four candidates submitted by the Nevada Psychological Association, two of whom must be from northern Nevada and two of whom must be from southern Nevada;

(c) A physician, other than a psychiatrist, licensed to practice medicine in this State and who has experience in dealing with intellectual disabilities, from a list of three candidates submitted by the Nevada State Medical Association;

(d) A clinical social worker licensed to practice in this State who has experience in dealing with mental illness or intellectual disabilities, or both;

(e) A registered nurse licensed to practice in this State who has experience in dealing with mental illness or intellectual disabilities, or both, from a list of three candidates submitted by the Nevada Nurses Association;

(f) A marriage and family therapist or clinical professional counselor licensed pursuant to chapter 641A of NRS;

(g) A person who is licensed or certified pursuant to chapter 641C of NRS who is not an intern;

(h) A current or former recipient of mental health services provided by the State or any agency thereof;

(i) A representative of the general public who has a special interest in the field of mental health; and

(j) A representative of the general public who has a special interest in the field of intellectual disabilities.

3. The Governor shall appoint the Chair of the Commission from among its members.

4. After the initial terms, each member shall serve a term of 4 years. If a vacancy occurs during a member's term, the Governor shall appoint a person qualified under this section to replace that member for the remainder of the unexpired term.

5. A person may not serve concurrently as a member of the Commission and a member of the Board of Psychological Examiners, the Board of Examiners for Marriage and Family Therapists, ~~and~~ Clinical Professional Counselors ~~and~~ *School Counselors*, the Board of Examiners for Social Workers or the Board of Examiners for Alcohol, Drug and Gambling Counselors.

**Sec. 29.** Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

*If a school district or charter school receives money from the Federal Government for the reimbursement of services provided by a school counselor licensed pursuant to chapter 641A of NRS, school psychologist licensed pursuant to chapter 641 of NRS or school social worker licensed pursuant to chapter 641B of NRS,*



*the school district or charter school must use the money only for providing mental health services to the pupils of the school district or charter school.*

**Sec. 30.** NRS 387.049 is hereby amended to read as follows:

387.049 ~~[When]~~ *Except as otherwise provided in section 29 of this act, when* administering money received from the Federal Government, the Superintendent of Public Instruction, the Department or the State Board, as applicable, shall, to the extent practicable, administer the money in a manner that is designed to attain the goals of the Legislature regarding educational reform in this State.

**Sec. 31.** NRS 388C.070 is hereby amended to read as follows:

388C.070 1. A university school for profoundly gifted pupils shall comply with all applicable federal laws to prevent the loss of any federal money for education provided to the State of Nevada and the school districts in this State by the Federal Government.

2. A university school for profoundly gifted pupils may apply for and accept any gift, bequest, grant, appropriation or donation from any source, except that the acceptance of any gift, bequest, grant, appropriation or donation may not violate any state or federal law.

*3. If a university school for profoundly gifted pupils receives money from the Federal Government for the reimbursement of services provided by a school counselor licensed pursuant to chapter 641A of NRS, school psychologist licensed pursuant to chapter 64I of NRS or school social worker licensed pursuant to chapter 64IB of NRS, the university school for profoundly gifted pupils shall use the money only for providing mental health services to the pupils of the university school for profoundly gifted pupils.*

**Sec. 32.** Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The Superintendent of Public Instruction may authorize a person who has not received an endorsement as a school counselor from the Department or who has not received a license to practice as a school counselor pursuant to chapter 641A of NRS to serve as a school counselor in a school district or charter school if the school district or charter school demonstrates that a person with such an endorsement or license is not available for employment. To receive an authorization pursuant to this subsection, a person must:*

*(a) Hold a current license issued by the Superintendent of Public Instruction, excluding a business and industry endorsement;*



(b) Hold a master's degree in a field related to school counseling or an advanced degree in a field related to school counseling;

(c) Have completed at least:

(1) Two years of teaching experience at any grade level in kindergarten through grade 12;

(2) Two years of school counseling experience at any grade level in kindergarten through grade 12; or

(3) A practicum, internship or field experience in school counseling at any grade level in kindergarten through grade 12 in addition to the practicum, internship or field experience that is completed pursuant to paragraph (e);

(d) Be admitted into a regionally accredited graduate-level program in school counseling;

(e) Complete at least 600 hours of an initial practicum, internship or field experience in school counseling at any grade level in kindergarten through grade 12; and

(f) Have completed at least 24 graduate credits in the following areas of study:

(1) The process of individual counseling;

(2) The process of group counseling;

(3) Testing and educational assessments, as applicable to a school setting at any grade level in kindergarten through grade 12;

(4) Legal and ethical issues in counseling;

(5) Developing careers and choosing occupations;

(6) Organization and administration of school counseling programs;

(7) Multicultural counseling;

(8) Child and family counseling, as applicable to a school setting at any grade level in kindergarten through grade 12; and

(9) One of the following:

(I) The use of technology in education.

(II) Exceptional children.

(III) Human growth and development.

(IV) Substance abuse counseling.

2. The Superintendent of Public Instruction shall not authorize a person to serve as a school counselor pursuant to subsection 1 for more than 3 years. Such an authorization may be issued only once per person.

3. The Board of Examiners for Marriage and Family Therapists, Clinical Professional Counselors and School Counselors may adopt regulations setting forth any fees a person must pay to be authorized to serve as a school counselor pursuant to subsection 1.



**Sec. 33.** NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in *subsection 3 and*  
NRS 391.027, the Commission shall adopt regulations:

(a) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses. The regulations:

(1) Must include, without limitation, the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure which provides that the required education and training may be provided by any qualified provider which has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education. The regulations adopted pursuant to this subparagraph must:

(I) Establish the requirements for approval as a qualified provider;

(II) Require a qualified provider to be selective in its acceptance of students;

(III) Require a qualified provider to provide supervised, school-based experiences and ongoing support for its students, such as mentoring and coaching;

(IV) Significantly limit the amount of course work required or provide for the waiver of required course work for students who achieve certain scores on tests;

(V) Allow for the completion in 2 years or less of the education and training required under the alternative route to licensure;

(VI) Provide that a person who has completed the education and training required under the alternative route to licensure and who has satisfied all other requirements for licensure may apply for a regular license pursuant to sub-subparagraph (VII) regardless of whether the person has received an offer of employment from a school district, charter school or private school; and

(VII) Upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person pursuant to the provisions of this chapter and the regulations adopted pursuant to this chapter.

(2) Must require an applicant for a license to teach middle school or junior high school education or secondary education to demonstrate proficiency in a field of specialization or area of concentration by successfully completing course work prescribed by



1 the Department or completing a subject matter competency  
2 examination prescribed by the Department with a score deemed  
3 satisfactory.

4 (3) Must not prescribe qualifications which are more  
5 stringent than the qualifications set forth in NRS 391.0315 for a  
6 licensed teacher who applies for an additional license in accordance  
7 with that section.

8 (b) Identifying fields of specialization in teaching which require  
9 the specialized training of teachers.

10 (c) Except as otherwise provided in NRS 391.125, requiring  
11 teachers to obtain from the Department an endorsement in a field of  
12 specialization to be eligible to teach in that field of specialization,  
13 including, without limitation, an endorsement to teach English as a  
14 second language.

15 (d) Setting forth the educational requirements a teacher must  
16 satisfy to qualify for an endorsement in each field of specialization.

17 (e) Setting forth the qualifications and requirements for  
18 obtaining a license or endorsement to teach American Sign  
19 Language, including, without limitation, being registered with the  
20 Aging and Disability Services Division of the Department of Health  
21 and Human Services pursuant to NRS 656A.100 to engage in the  
22 practice of interpreting in an educational setting.

23 (f) Requiring teachers and other educational personnel to be  
24 registered with the Aging and Disability Services Division pursuant  
25 to NRS 656A.100 to engage in the practice of interpreting in an  
26 educational setting if they:

27 (1) Provide instruction or other educational services; and

28 (2) Concurrently engage in the practice of interpreting, as  
29 defined in NRS 656A.060.

30 (g) Providing for the issuance and renewal of a special  
31 qualifications license to an applicant who holds a bachelor's degree,  
32 a master's degree or a doctoral degree from an accredited degree-  
33 granting postsecondary educational institution in a field for which  
34 the applicant will provide instruction in a classroom and who has:

35 (1) At least 2 years of experience teaching at an accredited  
36 degree-granting postsecondary educational institution in a field for  
37 which the applicant will provide instruction in a classroom and at  
38 least 3 years of experience working in that field; or

39 (2) At least 5 years of experience working in a field for  
40 which the applicant will provide instruction in a classroom.

41 ➡ An applicant for licensure pursuant to this paragraph who holds a  
42 bachelor's degree must submit proof of participation in a program of  
43 student teaching or mentoring or agree to participate in a program of  
44 mentoring or courses of pedagogy for the first 2 years of the



applicant's employment as a teacher with a school district or charter school.

(h) Requiring an applicant for a special qualifications license to:

(1) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(2) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the bachelor's degree, master's degree or doctoral degree held by the applicant.

(i) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the bachelor's degree, master's degree or doctoral degree held by that person.

(j) Providing for the issuance and renewal of a special qualifications license to an applicant who:

(1) Holds a bachelor's degree or a graduate degree from an accredited college or university in the field for which the applicant will be providing instruction;

(2) Is not licensed to teach public school in another state;

(3) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(4) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of the applicant's employment as a teacher with a school district or charter school if the applicant holds a graduate degree or, if the applicant holds a bachelor's degree, submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring or courses of pedagogy for the first 2 years of his or her employment as a teacher with a school district or charter school.

➡ An applicant for licensure pursuant to this paragraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.

(k) Prescribing course work on parental involvement and family engagement. The Commission shall work in cooperation with the Office of Parental Involvement and Family Engagement created by NRS 385.630 in developing the regulations required by this paragraph.

(l) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency.



\* S B 3 7 2 \*



2. Except as otherwise provided in *subsection 3 and* NRS 391.027, the Commission may adopt such other regulations as it deems necessary for its own government or to carry out its duties.

*3. The Commission shall not adopt any regulations which require a person to obtain an endorsement from the Department to practice as a school counselor, school psychologist or school social worker.*

4. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the Commission.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

~~4.5~~ 5. A person who is licensed pursuant to paragraph (g) or (j) of subsection 1:

(a) Shall comply with all applicable statutes and regulations.

(b) Except as otherwise provided by specific statute, is entitled to all benefits, rights and privileges conferred by statutes and regulations on licensed teachers.

(c) Except as otherwise provided by specific statute, if the person is employed as a teacher by the board of trustees of a school district or the governing body of a charter school, is entitled to all benefits, rights and privileges conferred by statutes and regulations on the licensed employees of a school district or charter school, as applicable.

**Sec. 34.** NRS 458A.057 is hereby amended to read as follows:  
458A.057 1. "Qualified mental health professional" means any of the following persons:

(a) A person who is certified as a problem gambling counselor pursuant to the provisions of chapter 641C of NRS.

(b) A person who is certified as a problem gambling counselor intern pursuant to the provisions of chapter 641C of NRS.

(c) A physician who is licensed pursuant to the provisions of chapter 630 or 633 of NRS.

(d) A nurse who is licensed pursuant to the provisions of chapter 632 of NRS and is authorized by the State Board of Nursing to engage in the practice of counseling problem gamblers.

(e) A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227, or a psychological assistant who is



1 registered with the Board of Psychological Examiners pursuant to  
2 the provisions of chapter 641 of NRS and the regulations adopted  
3 pursuant thereto.

4 (f) A clinical professional counselor or clinical professional  
5 counselor intern who is licensed pursuant to chapter 641A of NRS.

6 (g) A marriage and family therapist or marriage and family  
7 therapist intern who is licensed pursuant to the provisions of chapter  
8 641A of NRS and is authorized by the Board of Examiners for  
9 Marriage and Family Therapists , ~~and~~ Clinical Professional  
10 Counselors *and School Counselors* to engage in the practice of  
11 counseling problem gamblers.

12 (h) A person who is licensed as a clinical social worker pursuant  
13 to the provisions of chapter 641B of NRS and is authorized by the  
14 Board of Examiners for Social Workers to engage in the practice of  
15 counseling problem gamblers.

16 2. As used in this section, “practice of counseling problem  
17 gamblers” has the meaning ascribed to it in NRS 641C.105.

18 **Sec. 35.** No new endorsements to serve as a school  
19 psychologist, school counselor or school social worker may be  
20 issued by the Department of Education on or after January 1, 2020.

21 **Sec. 36.** Notwithstanding the amendatory provisions of this  
22 act, if a person holds an endorsement to serve as a school  
23 psychologist pursuant to NAC 391.315 to 391.319, inclusive, on  
24 January 1, 2020, the person:

25 1. May continue to practice as a school psychologist in this  
26 State until December 31, 2020, without holding a license as a school  
27 psychologist issued by the Board of Psychological Examiners;

28 2. May, before January 1, 2021, apply for and be issued a  
29 license as a school psychologist issued by the Board pursuant to  
30 chapter 641 of NRS, as amended by sections 1 to 12, inclusive, of  
31 this act; and

32 3. Must, if the person wishes to continue to practice as a school  
33 psychologist in this State on or after January 1, 2021, hold a license  
34 as a school psychologist issued by the Board pursuant to chapter  
35 641 of NRS, as amended by sections 1 to 12, inclusive, of this act.

36 **Sec. 37.** Notwithstanding the amendatory provisions of this  
37 act, if a person holds an endorsement to serve as a school counselor  
38 pursuant to NAC 391.180, 391.185 or 391.187 on January 1, 2020,  
39 the person:

40 1. May continue to practice as a school counselor in this State  
41 until December 31, 2022, without holding a license as a school  
42 counselor issued by the Board of Examiners for Marriage and  
43 Family Therapists, Clinical Professional Counselors and School  
44 Counselors;



2. May, before January 1, 2023, apply for and be issued a license to practice as a school counselor issued by the Board pursuant to chapter 641A of NRS, as amended by sections 13 to 25, inclusive, of this act; and

3. Must, if the person wishes to continue to practice as a school counselor in this State on or after January 1, 2023, hold a license to practice as a school counselor issued by the Board pursuant to chapter 641A of NRS, as amended by sections 13 to 25, inclusive, of this act.

**Sec. 38.** Notwithstanding the amendatory provisions of this act, if a person holds an endorsement to serve as a social worker pursuant to NAC 391.320 on January 1, 2020, the person:

1. May continue to serve as a social worker in this State until December 31, 2020, without holding an endorsement as a school social worker issued by the Board of Examiners for Social Workers; and

2. May continue to practice as a school social worker in this State on or after January 1, 2021, by holding an endorsement to practice as a school social worker issued by the Board pursuant to chapter 641B of NRS, as amended by section 26 of this act.

**Sec. 39.** Any regulations adopted by the Commission on Professional Standards in Education that conflict with the amendatory provisions of this act are void. The Legislative Counsel shall remove those regulations:

1. That provide for the endorsement of a school psychologist or social worker of a school from the Nevada Administrative Code as soon as practicable after January 1, 2021; and

2. That provide for the endorsement to serve as a school counselor from the Nevada Administrative Code as soon as practicable after January 1, 2023.

**Sec. 40.** 1. This act becomes effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2020, for all other purposes.

2. Section 32 expires by limitation on January 1, 2025.

