

**Proposed Changes to NAC for January 2018 BOE Meeting**

*Draft updated on 12/28/17*

**Note to public: rationale and explanation for the proposed change will be written in blue font.**

**Note to public: new additions since October 20 will be written in blue**

**Note to public: proposals removed since October 20 will be written with ~~striketrough~~**

**NAC 641A.045**

*Current:* 1. The Board will hold meetings at least twice yearly.  
2. The members of the Board must be given 5 days' notice of any special meeting.

*Change to:* 1. The Board will hold meetings at least **quarterly**.  
2. The members of the Board must be given 5 **business** days' notice of any special meeting.

As currently written, the Board could choose to meet only twice per year, hindering workforce growth and, in turn, harming the public that so desperately needs greater access to treatment. Furthermore, the sheer volume of work cannot be completed in a timely fashion with such infrequent meetings. The addition of "business" means that members cannot be surprised over a three-day weekend.

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**NAC 641A.055**

*Current:* Every written communication to the Board must include the name and address of the sender.

*Change to:* Every written communication to the Board must include the name and **physical or e-mail** address of the sender.

Updated to reflect modern correspondence methods

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**NAC 641C.060**

*Current:* Does not exist

*Change to:* "**Staff**" shall mean the staff of the Board and include anyone in its employ.

Added for clarity

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**NAC 641A.065, section 1(b)**

*Current:* Official transcripts from each institution of higher education he or she attended which are sent directly to the Board from the institution

*Change to:* Official transcripts from each institution of higher education he or she attended **which**

substantiate the required coursework are sent directly to the Board from the institution

The Board submits that asking for undergraduate transcripts is redundant to the graduate transcripts and has proven overly restrictive for applicants who have attended multiple locations (military personnel, etc.) and/or attended their undergraduate courses long ago.

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**Section 1(e)**

*Current:* A total of three letters of personal or professional reference, or both, written by persons not related to the applicant which are addressed and sent directly to the Board;

*Change to:* **DELETE THIS SECTION**

This seems to be merely another hoop for applicants irrelevant to any public protection. Requiring letters of recommendation only appears to inhibit the process and restrict fluidity of obtaining licensure. The Board questioned the original intentionality of this requirement and could not arrive at a reasonable answer that merited its retention in code. To address NRS requirement that the Board assess for “fit moral character,” that is sufficed by a background check.

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**Section 1(f)**

*Current:* (f) If the person is licensed as a marriage and family therapist or clinical professional counselor in another state, evidence satisfactory to the Board of such licensure and of good standing as a marriage and family therapist or clinical professional counselor in that state; and

*Change to:* (f) If the person is licensed as a marriage and family therapist or clinical professional counselor in **the District of Columbia or any state or territory of the United States**, evidence satisfactory to the Board of such licensure and of good standing as a marriage and family therapist or clinical professional counselor in **the District of Columbia or any state or territory of the United States**; and

Language cleanup to bring congruence with other sections

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**Section 1(h)**

*Current:* Does not exist

*Change to:* **Any applicant currently licensed in the District of Columbia or any state or territory of the United States applying for license pursuant to NRS 641A.241 is exempted from the requirements of this section**

Added to bring congruence with NRS 641A.214 (expedited licensure by endorsement)

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**NAC 641A.070**

*Current:* Does not exist

*Change to:* **Action by staff upon receipt of application for license or certificate. (NRS 641A.160)**

1. Upon receiving an application for licensure as a marriage and family therapist, clinical professional counselor, marriage and family therapist intern, or clinical professional counselor intern, the staff shall review the application to determine whether the application is complete and the applicant satisfies all the requirements for the licensure sought as set forth in statute and code.
2. If the application is for licensure or internship is determined to be complete and it provides evidence that the applicant has satisfied all the requirements for the licensure or internship sought, the staff shall notify the applicant:
  - (a) That the application is in order;
  - (b) Issue a temporary license valid for 60 days, and;
  - (c) Advise the licensee that their consideration for a full license will be taken up at an upcoming scheduled Board meeting.

This is proposed to expedite recent graduates' ability to work as licensed interns. Presently a substantial lag exists between concluding school and entering the workforce, which the Board believes unnecessarily hinders access to care. Language in red was modified from existing codes in the drug, alcohol, and gambling board.

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**NAC 641A.085, sections 1 and 2**

*Change to:* **DELETE "Minimum Number of Semester or Quarter Hours of Credit 'OR equivalent'" and add the following:**

To MFT area of study requirements:

One course in Crisis and/or Trauma

One course in Grief and/or Loss

One course in Group Counseling

To CPC area of study requirements:

Two courses in Couple or Family Systems

One course in Crisis and/or Trauma

One course in Grief and/or Loss

Credit-hour assignments vary from institution to institution. Some may deem a class to be three credits while others determine the same class to be two. Admissions and records departments and universities do not consistently assign credits to classes in a predictable enough manner to retain this requirement. For example, some regionally accredited institutions have a practicum/internship period that spans four quarters and a calendar year, yet only provide for eight credit-hours (two per class), which falls short of the nine-credit requirement currently listed in NAC. This sends students scrambling to find a single credit of practicum – which does not exist – prior to obtaining a license. The Board believes that if the contact time is achieved and academic instruction accomplished, the number of specific credit-hours is irrelevant, particularly when it only serves to inhibit or delay workforce development and public access to care from otherwise qualified clinicians.

Current course requirements are deficient when compared with national standards of practice. Adding these requirements will bring Nevada citizens better informed care and elevate the field overall.

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**NAC 641A.085, section 3**

*Current:* The courses in the supervised practice of marriage and family therapy required pursuant to subsection 1 must include clinical experience working with individuals, couples and families. An applicant will not fulfill the course requirement for the supervised practice of marriage and family therapy if all of his or her clinical experience involves working only with individuals.

*Change to:* The courses in the supervised practice of marriage and family therapy **or clinical professional counseling** required pursuant to subsection 1 must include clinical experience working with individuals, couples and families.

Adding “or clinical professional counseling” pulls this code in line with NRS 641A.065 and removing the second sentence removes the language redundancy.

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**NAC 641A.085, section 4**

*Current:* The courses in the supervised practice of marriage and family therapy and clinical professional counseling required pursuant to subsection 1 or 2 must include three courses taken during three semesters or four courses taken during four quarters over a minimum of 1 year.

*Change to:* The courses in the supervised practice of marriage and family therapy and clinical professional counseling required pursuant to subsection 1 or 2 must **be equivalent to** three courses taken during three semesters or four courses taken during four quarters **which provide a minimum of 40 weeks of supervised practice.**

This change is proposed for two reasons. First, it is in response to regionally accredited online institutions that do not necessarily align with the traditional brick-and-mortar academic patterns of yesteryear. Second, the language of “minimum of 1 year” is nebulous, neither indicating a calendar year nor an academic year. Because the traditional academic year spans approximately 40 weeks (10 months) from fall through spring, or from spring through fall (including summer, excluding breaks), this number was chosen. COAMFTE- and CACREP-accredited online programs have open enrollment, which is why the Board chose not to land on either on the language of “academic year” or “calendar year.”

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**NAC 641A.085, section 5**

*Current:* ~~For a graduate degree to fulfill the educational requirements for licensure as a marriage and family therapist, clinical professional counselor or intern pursuant to this section, the degree must require at least 48 semester hours or 72 quarter hours.~~

*Change to:* ~~For a graduate degree to fulfill the educational requirements for licensure as a marriage~~

~~and family therapist, clinical professional counselor or intern pursuant to this section, the degree must require at least 60 semester hours or 72 quarter hours.~~

~~No regionally accredited program requires fewer than 60 hours. In order to guarantee to the public that the licensees vetted by this Board are of the minimum academic caliber required by accredited programs for entry-level therapeutic work, this adjustment is proposed.~~

Removed following feedback from 10.20.17 meeting.

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**NAC 641A.085, section 8(b)**

*Current:* Years of clinical experience as a licensed marriage and family therapist or clinical professional counselor in lieu of specific academic courses.

*Change to:* Years of clinical experience as a licensed marriage and family therapist or clinical professional counselor **or licensed intern** in lieu of specific academic courses.

Granting work as an intern in another state in lieu of coursework required by Nevada fits with the reciprocity clause mandated in NRS 641A.241. NRS 641A.241 created an unintended loophole with its language, which does not address licensure by endorsement to interns from other states. Under current law, a licensed intern from another state might not meet academic criteria in Nevada, and Nevada would have to send that person back to school before resuming his or her career. The same is not true of unsupervised licensees, whose academic credentials are not considered in that statute. This plugs that hole so that the Board has discretion to grant intern reciprocity if years of experience are commensurate with the missing coursework. We do not want to be automatically denying interns with multiple years of valid experience the ability to serve the public simply because they lack a required course, especially because we do not presently do that with unrestricted licensees.

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**NAC 641A.095, section 1**

*Current:* A failed examination required pursuant to NRS 641A.230 may be retaken at the next scheduled offering of the examination, except that the examination may be taken only one additional time within the 12 months following the date of the original examination. Thereafter, only one examination in any calendar year may be taken. If an applicant fails the exam for a third time, the Board may require additional courses of study or may impose other conditions before allowing the applicant to retake the examination.

*Change to:* A failed examination required pursuant to NRS 641A.230 may be retaken at the next scheduled offering of the examination, Thereafter, **a candidate may take the examination no more than three times in any 12-month period.** If an applicant fails the exam for a third time, the Board may require additional courses of study or may impose other conditions before allowing the applicant to retake the examination.

This proposed change matches limitations set forth by the AMFTRB, which administers the MFT National examination.

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**NAC 641A.111**

*Current:* 1. The Board will, after verifying that an applicant for licensure meets the requirements of NRS 641A.220 or 641A.231 and holds an active, equivalent license in good standing from another jurisdiction, issue an interim permit authorizing the applicant to practice as a marriage and family therapist or clinical professional counselor, under the supervision of a person approved by the Board, until the results of the examination required by NRS 641A.230 or 641A.231 are received.

2. If the applicant does not pass the examination, the interim permit expires upon notification by the Board. The interim permit is not renewable.

*Change to:* **DELETE THIS SECTION**

Rendered obsolete by NRS 641A.214 (expedited licensure by endorsement)

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**NAC 641A.131, section 1**

*Current:* To maintain licensure, a marriage and family therapist or clinical professional counselor must complete at least 20 hours of continuing education each year, at least 3 hours of which must be on ethics issues specifically pertaining to the field of practice of the marriage and family therapist or clinical professional counselor.

*Change to:* To maintain licensure, a marriage and family therapist or clinical professional counselor must complete at least 20 hours of continuing education each year, at least 3 hours of which must be on ethics issues specifically pertaining to the field of practice of the marriage and family **therapy\*** or clinical professional **counseling\***, and at least 2 hours of instruction on evidence-based suicide prevention\*\*. Graduate-level coursework specifically pertaining to the professional field may be utilized for continuing education at a ratio of 15 continuing education hours to 1 graduate credit-hour for semesterly institutions and 12 continuing education credits to 1 graduate credit-hour for quarterly institutions\*\*\*.

\*Grammar correction

\*\*Under the advice of our Deputy Attorney General Rosalie Bordelove, we aim to have this NAC reflect and align with the NRS 641A.260 addition from the 2015 legislature

\*\*\*Allows CEU credit for relevant graduate coursework

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**NAC 641A.131, sections 2 and 6**

*Current:* 2. A marriage and family therapist or clinical professional counselor shall not use more than ~~10~~ 6 hours of **static** distance education to satisfy the requirements of subsection 1.

6. As used in this section, “**static distance education**” means education, training, courses or programs that are delivered to a student ~~who is geographically separate from the instructor~~ via **non-interactive materials including but not limited to: downloadable pdf, pre-recorded video, or mail-in workbooks.**

*Change to:* **DELETE THESE SECTIONS**

The Board submits that in an era where entire degrees can be obtained online, limiting online CEUs is regressive, overly restrictive, and lacks intentionality.

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**NAC 641A.131, section 3**

*Current:* 3. With the approval of the Board, a marriage and family therapist or clinical professional counselor may satisfy the requirements of subsection 1 by teaching at an institution, seminar, workshop, conference or other program. The content of the teaching material must be related to the field of practice of the marriage and family therapist or clinical professional counselor and may not be part of the primary or regular employment of the marriage and family therapist or clinical professional counselor. For each such hour taught, 2 hours of continuing education may be credited pursuant to this subsection.

*Change to:* 3. With the approval of the Board, a marriage and family therapist or clinical professional counselor may satisfy the requirements of subsection 1 by;

- (a) teaching at an institution, seminar, workshop, conference or other program
  - 1. The content of the teaching material must be related to the field of practice of the marriage and family therapist or clinical professional counselor and may not be part of the primary or regular employment of the marriage and family therapist or clinical professional counselor. For each such hour taught, 2 hours of continuing education may be credited pursuant to this subsection.
- (b) participating on this Board of Examiners
  - 1. For every meeting attended, one hour of continuing education may be credited
  - 2. Up to three hours may be credited toward the ethics requirement as set forth in subsection 1.
- (c) participating in community health care-related coalitions, committees, and boards
  - 1. For every event or meeting attended one hour of continuing education may be credited.
  - 2. For events related to suicide awareness, assessment, intervention, prevention, or education, up to two hours shall be credited toward the suicide requirement as set forth in NRS 641A.260
  - 3. Evidence of participation shall be documented through the retention of official records as kept by the Board, coalition, or committee, or by receipt of paid admission for attendance at the event. Licensees shall be responsible for retaining proof of participation.

The Board submits that credit should be given for community participation in endeavors that grow awareness of and involvement in the field of counseling and psychotherapy. Encouraging clinician participation community coalitions, committees, and boards promotes a vibrant and active profession, the engagement in which often provides a more robust and worthwhile educational experience than mere attendance at a seminar.

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**NAC 641A.146, section 4(a)**

*Current:* ~~At least 1,500 hours of direct contact with clients in the practice of marriage and family~~

~~therapy or the practice of clinical professional counseling, as applicable~~

~~Change to: At least 1,500 hours of direct contact with clients in the practice of marriage and family therapy or the practice of clinical professional counseling, as applicable. For marriage and family therapy interns, at least 500 of these hours must be conducted in the context of families and/or couples.~~

~~Addition of the 500 couple- or family-specific training hours aligns with current code requirements for CPCs per R091-14. The aim of this proposed change is to achieve congruence between CPC and MFT license requirements so that NAC is consistent.~~

**Removed following feedback from 10.20.17 meeting and inclusion of additional coursework.**

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**NAC 641A.146, section 3**

*Current:* 3. If an intern does not complete an internship within 3 years after the Board approves the internship pursuant to subsection 1, the intern must request an extension of the internship from the Board. The Board may only grant one 3year extension of the internship. If the Board grants an extension of an internship pursuant to this subsection and an intern fails to complete the internship successfully within 3 years after the Board grants the extension, the intern:

*Change to:* 3. If an intern does not complete an internship within 3 years after the Board approves the internship pursuant to subsection 1, the intern must request an extension of the internship from the Board. The Board may only grant one 3year extension of the internship; **under extenuating circumstances, the Board President may approve a temporary extension until the Board can consider the request at the next scheduled Board meeting.** If the Board grants an extension of an internship pursuant to this subsection and an intern fails to complete the internship successfully within 3 years after the Board grants the extension, the intern:

Board Presidents have already been doing this for several years, afoul of NAC, but in harmony with ethical continuity of care so that interns do not have to suspend practice for a few weeks while awaiting the next meeting. Adding this language would legalize the practice already in place.

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**NAC 641A.146, section 4(b)(2)**

*Current:* At least 40 hours supervised by the secondary approved supervisor of the intern

*Change to:* At least 40 hours supervised by the secondary approved **supervisor(s)** of the intern

Makes official the practice of retaining multiple secondary supervisors

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**NAC 641A.146, section 6**

*Current:* As used in this section, “mental health professional” means a person licensed in the State of Nevada as a psychiatrist, psychologist, marriage and family therapist, clinical professional counselor or clinical social worker.



*Change to:* As used in this section, “mental health professional” means a person licensed in **the District of Columbia or any state or territory of the United States** as a psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, or clinical social worker.

Language cleanup to bring congruence with other sections

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**NAC 641A.156, section(1)(c)**

*Current:* Complete a personal interview and, if requested by the Board, pass an oral examination conducted by the Board;

*Change to:* Complete a personal interview **if requested by the Board;**

As the state has grown in population, the personal interviews, while enjoyable and useful, have become a burden to schedule. Furthermore, legal counsel has suggested that other licensing boards across the country have abandoned the practice due to possible discrimination issues. This change allows the Board the option of interviewing for further context while not mandating something that may delay licensing if scheduling does not align properly.

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**NAC 641A.156, section 1(d)1&2**

*Current:* (1) If the applicant is applying for licensure as a marriage and family therapist intern, at any time after completing 1 year as a marriage and family therapist intern and before the expiration of his or her license as a marriage and family therapist intern.

(2) If the applicant is applying for licensure as a clinical professional counselor intern, at any time during his or her final semester of graduate study and before the expiration of his or her license as a clinical professional counselor intern

*Change to:* (1) **If the applicant is applying for licensure as a marriage and family therapist intern, at any time during his or her final semester of graduate study and before the expiration of his or her license as a marriage and family therapist intern or clinical professional counselor intern**

Language cleanup brings congruence to license testing time frame, allowing MFT interns and intern candidates to take the exam prior to graduation.

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**NAC 641A.176, section 4**

*Current:* Does not exist

*Change to:* **For purposes of this section, in cases of license suspension or revocation, the “good cause shown” shall be articulated by the Board in the minutes for the meeting at which decision was made and a copy of said cause placed into the licensee’s file.**

This has always been implied but with this change the Board would be required to articulate in the record their reasons for suspending or revoking a license. The aim of this is to improve transparency of process and to make plain how the Board is protecting the public, along with what specific

actions a licensee may have taken that violated the privilege of licensure. It also makes clear the Board’s reasons in the case of an appeal so that the reviewing body knows plainly the rationale behind the suspension or revocation.

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**NAC 641A.178, section 1(b)**

*Current:* The secondary approved supervisor shall meet with the intern for at least 40 hours.

*Change to:* The intern shall meet with the secondary approved supervisor(s) for at least 40 hours.

Makes official the practice of retaining multiple secondary supervisors and brings congruence with NAC 641A.146, 4(b)(2).

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**NAC 641A.178, section 1(c)**

*Current:* Does not exist

*Change to:* (c) The primary supervisor shall meet with the intern at least one hour weekly during the course of the internship period. Any discrepancies or disruptions shall be documented.

(1) Violation of this subsection may result in suspension or revocation of intern license and/or supervisor credential pursuant to NAC 641A.176.

This change ensures continuity of supervisory contact throughout the internship period. The “discrepancies...shall be documented” language is to account for vacations, illnesses, etc., and does not need to be reported to the Board unless the Board requests an audit of supervision hours.

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**NAC 641A.178, section 5**

*Current:* The Board will approve the use of conference calls for supervision of an intern in extenuating circumstances.

*Change to:* **DELETE THIS SECTION**

Technological advances have rendered this section obsolete.

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**NAC 641A182, section 2**

*Current:* In extenuating circumstances, the Board may approve as a secondary supervisor a person who is a licensed psychologist, psychiatrist or social worker who has received training in supervision.

*Change to:* In extenuating circumstances, the Board may approve as a secondary supervisor a person who is a licensed psychologist, psychiatrist or **clinical** social worker who has received training in supervision.

Best practice is to ensure that supervisors have clinical education and training.

**NAC 641A. 182, section 3(a)**

*Current:* Have been licensed in this State for at least 3 years.

*Change to:* Have been licensed in the District of Columbia or any state or territory of the United States for at least 3 years.

Making this change allows for anyone relocating to Nevada and possessing requisite experience to begin supervising without simply having to mark time within the state’s borders.

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**NAC 641A.196, section 1**

*Current:* Except as otherwise provided in subsection 4, an intern may engage in private practice only at facilities which have a licensed marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, psychologist, psychiatrist or social worker on the site.

*Change to:* Except as otherwise provided in subsection 4, an intern may engage in private practice only at facilities which have a licensed marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, psychologist, psychiatrist, or **clinical social worker available to the intern either in-person or by phone during the intern’s hours of employment.** To fulfill this requirement an intern may have more than one site supervisor.

In the spirit of ensuring quality care and public protection, the Board would like site supervisors to have reasonable contact with the interns and not simply rubber-stamp the document because they share space at a location. This should improve site supervisor accountability as well as diversity of supervisory perspectives.

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**NAC 641A.196, section 5**

*Current:* Does not exist

*Change to:* (5) As used in this section, “private practice” means any location or agency at which the intern is not a W2 employee. Examples include, but are not limited to; sole proprietorship, self-employment at intern’s own LLC or PLLC, or independent contractor work.

Defines private practice

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**NAC 641A.234, section 11**

*Current:* Shall critically examine and keep current with emerging knowledge relevant to the practice of marriage and family therapy or the practice of clinical professional counseling, as applicable.

*Change to:* Shall critically examine and keep current with emerging knowledge relevant to the practice of marriage and family therapy or the practice of clinical professional counseling, as applicable, **including adherence to national professional standards regarding distance services.**

## Addresses ethics of tele-therapy

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NAC 641A.243, section 12(c.)

*Current:* Does not exist

*Change to:* Shall, if a marriage and family therapist or clinical professional counselor is in private practice or on contract, remain in the primary custody of said marriage and family therapist or clinical professional counselor in perpetuity until a time in which the record shall be destroyed in accordance with current federal law.

Clarifies control and housing of client records when a clinician is in private practice or on contract

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NAC 641A.243, section 12(d)1&2

*Current:* Does not exist

*Change to:* Shall, if produced in the context of marital, family, couple, or group therapy, prior to being accessed, require written authorization to do so from all parties involved in the therapeutic treatment who are competent to execute such authorization.

- 1) Client record access shall be limited only in exceptional circumstances in which the marriage and family therapist or clinical professional counselor is concerned, based on compelling evidence, that such access could cause serious harm to one or more clients referenced in the record in question.
- 2) The client's request and rationale for withholding some or all of the record should be documented in the client's case file and steps should be taken to protect the confidentiality of other individuals identified in client records.

This articulates, and brings into harmony with new language in ethical code, the process for protecting client files in situations where releasing them could cause harm to the client. By adding this to NAC, the ethic becomes law.

## **Changes in R091-14**

### **See 3, section 1**

~~*Current:* To qualify for an endorsement, a clinical professional counselor or clinical professional counselor intern must: --3-- Adopted Regulation R091-14 (a) Except as otherwise provided in subsections 3, 4 and 5, successfully complete at least six graduate level courses, each of which must be worth at least 3 semester hours or 4 quarter hours, and each of which must cover one of the following areas of study: (1) Marital and family studies, including, without limitation, couple and family development and dynamics; (2) Marital and family systems theory and systemic therapy approach; (3) Couples counseling; (4) Family counseling; (5) Ethical and legal issues in marriage and family counseling; or (6) Diagnosis and assessment with couples and families. (b) Meet the supervised training or experience requirements of section 4 of this regulation. (c) Pass the national~~

examination sponsored by the Association of Marital and Family Therapy Regulatory Boards or its successor organization.

*Change to:* 1. To qualify for an endorsement, a clinical professional counselor or clinical professional counselor intern must: (a) Except as otherwise provided in subsections 3, 4 and 5, successfully complete at least six graduate level courses, each of which must be worth at least 3 semester hours or 4 quarter hours, and each of which must cover one of the following areas of study: (1) Marital and family studies, including, without limitation, couple and family development and dynamics; (2) Marital and family systems theory and systemic therapy approach; (3) Couples counseling; (4) Family counseling; (5) Ethical and legal issues in marriage and family counseling; or (6) Diagnosis and assessment with couples and families, ~~or~~ (b) Meet the supervised training or experience requirements of section 4 of this regulation, ~~or~~ (c) Pass the national examination ~~administered~~ by the Association of Marital and Family Therapy Regulatory Boards or its successor organization, ~~or the National Clinical Mental Health Counseling Exam administered by the National Board of Certified Counselors.~~

Rationale for this adjustment is manifold. First, NRS 641A.065 states that the practice of Clinical Professional Counseling can be provided by “a person who, through the completion of coursework or supervised training or experience, has demonstrated competency...” This brings NAC in alignment with the “or, or, or” series in NRS language as opposed to the “and, and, and” series as it is presently written through use of the word “must” in the second line, third word.

Second, the NCMHCE is an examination of practice competencies<sup>1</sup> whereas the AMFTRB is an examination of educational knowledge<sup>2</sup>. The Board submits that testing potential licensees on their competence is a better protection of the public than to test them on their knowledge of subject matter, which is presumed to have been evaluated already through degree conferral.

Third, license reciprocity (NRS 641A.241) allows for CPCs with years of experience with couples and families in other states to practice in Nevada. However, R091-14 as it is currently written requires that those individuals to take a knowledge test (the MFT National Exam) prior to assisting Nevada families, which seems to run counter to the mission of the Board, that being to protect the health, safety, and welfare of the public. The Board finds difficulty articulating to the public of a state that ranks consistently in the bottom third for mental health care that it is being “protected” with this kind of restriction upon practice to otherwise qualified individuals.

Fourth, the change from “sponsored” to “administered” is simply to improve the language. Tests are not sponsored; they are administered, issued, or given.

To bring congruence, the same option should probably be made available for MFTs to take the competence exam but changing that requirement requires legislative action because it is housed in NRS, not NAC, and as such must wait until the next legislative session.

<sup>1</sup>Candidate Handbook for State Credentialing for the National Clinical Mental Health Counseling Examination. (2016). Page 5

<sup>2</sup>AMFTRB Marital and Family Therapy National Examination Handbook for Candidates. (2017). Page 1

### **See 3, section 3**

*Current:* Pass the national examination sponsored by the Association of Marital and Family Therapy Regulatory Boards or its successor organization.—

*Change to:* Pass the national examination ~~administered~~ by the Association of Marital and Family Therapy Regulatory Boards or its successor organization, ~~or the National Clinical Mental Health Counseling Exam administered by the National Board of Certified Counselors.—~~

Same rationale as Section 1 changes

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### **Section 4, section 1**

*Current:* Except as otherwise provided in subsection 5, upon completion of the educational requirements of paragraph (a) of subsection 1 of section 3 of this regulation, an applicant for an endorsement must obtain supervised training or demonstrate experience in assessing and treating couples or families. Such training or experience must consist of at least 500 hours of face-to-face couples or family counseling and at least 100 hours of supervision related to that counseling, provided by a supervisor who meets the requirements of subsection

*Change to:* Except as otherwise provided in subsection 5, upon completion of the educational requirements of paragraph (a) of subsection 1 of section 3 of this regulation, an applicant for an endorsement must obtain supervised training or demonstrate experience in assessing and treating couples or families. Such training or experience must consist of at least 500 hours ~~in the context of families and/or couples,~~ and at least ~~50~~ hours of supervision related to that counseling provided by a supervisor who meets the requirements of subsection 3.

This proposed change moves the requirement from “face-to-face” which is not presently required for MFTs to a looser “context of” language so that the requirement is not overly restrictive to interns aiming to achieve this goal. Changing the supervision requirement from 100 hours to 50 hours makes for a 10-to-1 ratio, which is in alignment with the overall ratio of contact-to-supervision dictated by NRS and NAC (3000 contact hours and 300 supervision hours).

As NRS presently reads regarding licenses and scopes of practice, this Board can only issue one type of CPC license, that which meets the criteria listed in R091-14. The Board lacks any mechanism by which to issue - let alone police - a second non-couple/family CPC license.

This means that under current regulation, all CPC and CPC intern applicants who fail to meet the requirements outlined in R091-14 must be denied licensure altogether. This, however, runs afoul of the spirit in which CPC practice scope was expanded in NRS, as denying all CPCs their licenses is a clear detriment to Nevada citizens.

Because this regulation is in conflict with NRS 641A.065, because this Board lacks the authority to grant partial, or smaller-scope licenses, and because statute trumps regulation in all cases, the Board recommends that this regulation be struck from NAC.

The practice scope for CPCs “as determined by the Board” already is and/or will be worked into NAC 641A.085 and NAC 641A.146 through these proposed changes. This profession relies upon ethical adherence to reconcile gaps between practice scopes and competence scopes, that case being the same with this particular couple/family competence.