



Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB No. R125-23 Of the

State of Nevada Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors

The Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors will hold a Public Hearing at 9:00 AM on Friday, February 16, 2024, at the Board Administrative Office, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129, **ZOOM Access:** <https://us06web.zoom.us/j/86519802039> **Meeting ID: 865 1980 2039 Telephone Audio Only: (253) 215-8782.**

The purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to LCB No. R125-23, Chapter 641A of the Nevada Administrative Code.

The proposed regulation includes the following and other matters properly relating thereto:

- NAC 641A.055 – removes that communications to the Board must include an email address and the person's name.
- NAC 641A.095 paragraph 1 – removes the restriction of how many times an applicant can attempt to take their national licensing exam in a 12-month period.
- NAC 641A.095 paragraph 2, subsection (a) – removes that a person must take the national licensing exam within one year of being notified of eligibility.
- NAC 641A.095 paragraph 2, subsection (b) – removes that a person must retake the national licensing exam within one year after failing the examination and that their license is deemed lapsed.
- NAC 641A.126 paragraph 3, subsection (a) – removes that a provider of continuing education must transmit to the Board the title of the course or program within thirty (30) days.
- NAC 641A.126 paragraph 3, subsection (b) – removes that a provider of continuing education must transmit to the Board the name of the instructor of the course or program within thirty (30) days.

- NAC 641A.126 paragraph 3, subsection (c) – removes that a provider of continuing education must transmit to the Board the date, time and location of the course or program within thirty (30) days.
- NAC 641A.126 paragraph 3, subsection (d) – removes that a provider of continuing education must transmit to the Board the names and total number of attendees who were issued certificates.
- NAC 641A.126 paragraph 3, subsection (e) – removes that a provider of continuing education must transmit to the Board the number of hours available for credit for attending the Board to the course or program.
- NAC 641A.126 paragraph 3, subsection (f), number (1) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the course or program.
- NAC 641A.126 paragraph 3, subsection (f), number (2) – removes that a provider of continuing education must transmit to the Board the registration number assigned by the Board to the approved provider of continuing education.
- NAC 641A.129, paragraph 1 – removes that an approved provider of continuing education must keep records of the course or program for three years.
- NAC 641A.129, paragraph 1, subsection (a) – removes that an approved provider of continuing education must keep records of the course or program for three years including each attendee of the course or program.
- NAC 641A.129, paragraph 1, subsection (b) – removes that an approved provider of continuing education must keep records of the course or program for three years including the number of hours available for credit for attending the course or program.

The following information is provided pursuant to the requirements of NRS 233B.0603: **LCB File No. RO57-22**

1. Need and purpose of the proposed regulations or amendments.

The need for the proposed regulations is to protect the public health, safety, and welfare while promoting entrepreneurship and economic growth. The purpose of the adopted regulation is to provide clarity for the public, individuals, and licensees through regulations. The proposed regulation streamlines, clarifies, reduces or otherwise improves administrative code to ensure the regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

2. How to obtain the approved or revised text of regulations prepared by LCB.

You may obtain a copy of the proposed regulations by writing to the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129; or by calling the Board office at 702-486-7388. The proposed regulations are also available for review and download on the Board website <https://marriage.nv.gov/>.

3. Methods used in determining the impact on a small business.

The agency used informed, reasonable judgment in determining that there will be no impact on small businesses due to the nature of the regulatory changes.

4. Estimated economic effect of regulations on business and the public.

a. Adverse and beneficial effects

The adoption of these regulations should have no adverse economic effect on business, the public or practitioners of marriage and family therapy or clinical professional counseling. The benefits of these regulations are that the public, providers of continuing education and the practitioners, (marriage and family therapists, clinical professional counselors, marriage and family therapist interns and clinical professional counselor interns), will be provided clarity in NAC 641A and continuing education provider requirements streamlined and reduced. In addition, this proposed regulation has an impact on workforce development because it allows for more qualified professionals to remain in the field serving the citizens of our State.

b. Immediate and long-term effects

The immediate and long-term effects of the regulations proposed in R125-23 ensure regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

5. Cost for enforcement of the regulations

There are no additional costs involved in enforcing the proposed regulations.

6. Overlap or duplication of other state or local governmental agencies.

The proposed regulations do not overlap or duplicate any regulation of other state or local governmental entities.

7. Regulation required by federal law.

Not applicable

8. More stringent than federal regulations

The Board is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

9. New or increases in existing fees.

The proposed regulations do not contain any new fees or increases in existing fees.

Persons wishing to comment on the proposed action of the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors may appear at the scheduled public hearing or address their comments, data, views or arguments in written form to the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129. The Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors must receive all written submissions on or

before **February 15, 2024**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors may proceed immediately to action upon any written submissions.

A copy of this notice and the regulations to be adopted, R125-23, will be available from the Board of Examiners for Marriage Family Therapists and Clinical Professional Counselors, 7324 W. Cheyenne Ave. Suite 10, Las Vegas, NV 89129. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of the proposed regulations are available for viewing or printing on the Board's website <https://marriage.nv.gov/>. Written comments will be accepted in hard copy or by email addressed to mftbd2@mftbd.nv.gov.

Upon adoption of any regulations, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

All licensees and interested parties are encouraged to participate in the regulatory review process.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Joelle McNutt at (702) 486-7388 or mftbd2@mftbd.nv.gov no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

THIS NOTICE OF HEARING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING PUBLIC LOCATIONS AND WEB SITES:

State of Nevada Administrative Website: <https://notice.nv.gov/>

Legislative Counsel Bureau Website: <https://www.leg.state.nv.us/>

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors:
7324 W. Cheyenne Ave. Suite #10 Las Vegas, Nevada 89129

State of Nevada Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors
Website: <https://marriage.nv.gov/>

Dated: January 5, 2024