

**PROPOSED REGULATION OF THE BOARD OF EXAMINERS
FOR ALCOHOL, DRUG AND GAMBLING COUNSELORS**

LCB File No. R086-23

November 20, 2023

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

AUTHORITY: § 1, NRS 641C.200, 641C.450 and 641C.530; § 2, NRS 641C.200 and 641C.470.

A REGULATION relating to counselors for alcohol, drug and gambling addictions; eliminating requirements for the holder of a license or certificate issued by the Board of Examiners for Alcohol, Drug and Gambling Counselors to submit a complete set of fingerprints and the fees charged for a criminal history check in order to renew his or her license or certificate; revising provisions relating to certain fees charged and collected by the Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Examiners for Alcohol, Drug and Gambling Counselors, before renewing, restoring or reinstating the license or certificate of a licensed counselor, certified counselor or certified intern, to require such a person to submit to the Board a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (NRS 641C.530) Existing regulations require the holder of a license or certificate issued by the Board to submit to the Board a complete set of fingerprints and the fees charged for a criminal history check with each renewal application if the license or certificate is valid for 2 years, or with every second renewal application if the license or certificate is valid for 1 year. (NAC 641C.235) **Section 1** of this regulation removes the requirements for the holder of a license or certificate to submit to the Board a complete set of fingerprints and the fees charged for a criminal history check in order to renew his or her license or certificate.

Existing law requires the Board to charge and collect certain fees. (NRS 641C.470) Existing regulations set forth the amount of such fees. Under existing regulations, the amount of the fee for the approval of a course of continuing education varies based on the number of hours of continuing education that the course includes. (NAC 641C.240) **Section 2** of this regulation: (1) increases from \$250 to \$300 the amount of the fee for the renewal of a license or certificate as a counselor; (2) increases from \$100 to \$150 the amount of the fee for an examination; and (3) establishes a fee of \$150 for the approval of all courses of continuing education, regardless of the number of hours of continuing education the course includes.

Section 1. NAC 641C.235 is hereby amended to read as follows:

641C.235 1. To renew a license or certificate issued by the Board, the holder of the license or certificate must submit:

(a) An application for the renewal of a license or certificate on a form provided by the Board on or before the date on which the license or certificate expires.

(b) The appropriate renewal fee.

~~[(c) Pursuant to the requirements set forth in subsection 2, a complete set of fingerprints and the amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprints and issuance of the reports of criminal histories.]~~

2. ~~[An applicant for the renewal of a license or certificate is only required to submit the fingerprints and the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation:~~

~~—(a) If a license or certificate is valid for 1 year, with the application for renewal for the second biennial renewal period after the initial licensure or certification and every second biennial renewal period thereafter.~~

~~—(b) If a license or certificate is valid for 2 years, with each application for renewal after the initial licensure and certification.~~

~~—3.]~~ If a complete application for the renewal of a license or certificate, including the required renewal fee, ~~[and a complete set of fingerprints, if applicable,]~~ is not postmarked on or before the last day for submitting the application for the renewal of the license or certificate, the license or certificate becomes delinquent.

Sec. 2. NAC 641C.240 is hereby amended to read as follows:

641C.240 The Board will charge and collect the following fees:

1. For the initial application for a license or certificate\$150
2. For the application for a certificate as a supervisor of certified interns.....\$60
3. For the issuance of a provisional license or certificate\$125
4. For the issuance of an initial license or certificate\$60
5. For the issuance of a certificate as a supervisor of certified interns\$60
6. For the renewal of a license or certificate as a counselor ~~[\$250]~~ **\$300**
7. For the renewal of a certificate as a certified intern.....\$75
8. For the renewal of a delinquent license or certificate\$75
9. For the restoration of an expired license or certificate.....\$150
10. For the deactivation of a license or certificate\$25
11. For the reactivation of a license or certificate.....\$25
12. For the replacement of a license or certificate\$25
13. For the restoration or reinstatement of a suspended or revoked license
or certificate\$300
14. For the issuance of a license or certificate without examination\$150
15. For an examination..... ~~[\$100]~~ **\$150,**

plus the amount required by a testing company,
if any, used by the Board for testing applicants.

16. For the approval of a course of continuing education ~~that includes:~~
 - ~~(a) Less than 10 hours of continuing education\$30~~
 - ~~(b) At least 10 but less than 20 hours of continuing education\$50~~
 - ~~(c) At least 20 but less than 30 hours of continuing education\$75~~

- ~~—(d) At least 30 but less than 40 hours of continuing education.....\$100~~
- ~~—(e) Forty or more hours of continuing education].....\$150~~

17. The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the complete set of fingerprints and issuance of the reports of criminal histories.