

ASSEMBLY BILL NO. 85—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE BOARD OF EXAMINERS FOR
ALCOHOL, DRUG AND GAMBLING COUNSELORS)

PREFILED DECEMBER 20, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing alcohol, drug and
gambling counselors. (BDR 54-388)

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

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

AN ACT relating to professions; transferring certain duties of the Secretary-Treasurer of the Board of Examiners for Alcohol, Drug and Gambling Counselors to the Executive Director of the Board; authorizing the Executive Director to delegate his or her duties; revising provisions governing alcohol, drug and gambling counselors and interns; authorizing the certification by the Board of peer support specialists; repealing the prospective transfer of the authority and duties relating to the certification of detoxification technicians to the Board; establishing fees; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Board of Examiners for Alcohol, Drug and
2 Gambling Counselors and authorizes the Board to license or certify persons
3 engaged in the practice or clinical practice of counseling alcohol and drug abusers
4 and problem gamblers. (Chapter 641C of NRS)

5 **Sections 1.3-1.5** of this bill provide for the certification of peer support
6 specialists by the Board. **Section 1.45** establishes the requirements for obtaining a
7 certificate as a peer support specialist. **Section 1.5** authorizes a certified peer
8 support specialist to engage in the practice of providing peer support specialist
9 services only under the supervision of certain licensed professionals. **Section 1.45**



10 requires an applicant for the issuance or renewal of a certificate as a peer support
11 specialist to pay to the Board a fee which, pursuant to **section 12.7** of this bill, must
12 not exceed \$150 for the initial application or \$300 for the renewal of a certificate.

13 **Section 2** of this bill transfers certain duties of the Secretary-Treasurer of the
14 Board to the Executive Director of the Board. **Section 2** also authorizes the
15 Executive Director to delegate certain duties to a designee.

16 **Sections 3-10** of this bill make various changes regarding the requirements for
17 obtaining and renewing a license or certificate as an alcohol, drug or gambling
18 counselor or intern. **Sections 8, 10 and 12** of this bill reduce the duration of
19 certificates for certain counseling interns from 1 year to 6 months.

20 **Section 13** of this bill authorizes the Board, when determining whether to issue,
21 renew, restore, suspend, revoke or reinstate a license or certificate or imposing
22 disciplinary action upon an existing licensee or certificate holder, to consider any
23 original criminal charges filed against the applicant, licensee or certificate holder,
24 even if that person was convicted of a lesser crime.

25 **Section 14** of this bill eliminates the 30-day grace period authorizing an
26 otherwise qualified person to engage in the practice of counseling alcohol and drug
27 abusers or problem gamblers without a license or certificate while his or her
28 application is being reviewed. **Section 15** of this bill prohibits a person who is not
29 licensed or certified by the Board from engaging in the practice or clinical practice
30 of counseling alcohol and drug abusers and problem gamblers or the practice of
31 providing peer support specialist services.

32 **Section 24** of this bill repeals the authority of the Board to provide for the
33 certification of detoxification technicians. (NRS 641C.500) **Sections 16-20** of this
34 bill make conforming changes to account for the repeal of NRS 641C.500 regarding
35 the certification of detoxification technicians by the Board. The effect of **sections**
36 **16-20 and 24** is to leave the authority to certify detoxification technicians with the
37 Division of Public and Behavioral Health of the Department of Health and Human
38 Services pursuant to chapter 458 of NRS.

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

- 1 **Section 1.** NRS 641.029 is hereby amended to read as follows:
2 641.029 The provisions of this chapter do not apply to:
3 1. A physician who is licensed to practice in this State;
4 2. A person who is licensed to practice dentistry in this State;
5 3. A person who is licensed as a marriage and family therapist
6 or marriage and family therapist intern pursuant to chapter 641A of
7 NRS;
8 4. A person who is licensed as a clinical professional counselor
9 or clinical professional counselor intern pursuant to chapter 641A of
10 NRS;
11 5. A person who is licensed to engage in social work pursuant
12 to chapter 641B of NRS;
13 6. A person who is licensed as an occupational therapist or
14 occupational therapy assistant pursuant to NRS 640A.010 to
15 640A.230, inclusive;



1 7. A person who is licensed as a clinical alcohol and drug
2 abuse counselor, licensed or certified as an alcohol and drug abuse
3 counselor or certified as an alcohol and drug abuse counselor intern,
4 a clinical alcohol and drug abuse counselor intern, a problem
5 gambling counselor, ~~or~~ a problem gambling counselor intern ~~;~~ **or**
6 **a certified peer support specialist**, pursuant to chapter 641C of
7 NRS; or

8 8. Any member of the clergy,
9 ↪ if such a person does not commit an act described in NRS
10 641.440 or represent himself or herself as a psychologist.

11 **Sec. 1.1.** NRS 641B.040 is hereby amended to read as follows:

12 641B.040 The provisions of this chapter do not apply to:

- 13 1. A physician who is licensed to practice in this State;
- 14 2. A nurse who is licensed to practice in this State;
- 15 3. A person who is licensed as a psychologist pursuant to
16 chapter 641 of NRS;
- 17 4. A person who is licensed as a marriage and family therapist
18 or marriage and family therapist intern pursuant to chapter 641A of
19 NRS;
- 20 5. A person who is licensed as a clinical professional counselor
21 or clinical professional counselor intern pursuant to chapter 641A of
22 NRS;
- 23 6. A person who is licensed as an occupational therapist or
24 occupational therapy assistant pursuant to NRS 640A.010 to
25 640A.230, inclusive;
- 26 7. A person who is licensed as a clinical alcohol and drug
27 abuse counselor, licensed or certified as an alcohol and drug abuse
28 counselor, or certified as a clinical alcohol and drug abuse counselor
29 intern, an alcohol and drug abuse counselor intern, a problem
30 gambling counselor, ~~or~~ a problem gambling counselor intern ~~;~~ **or**
31 **a certified peer support specialist**, pursuant to chapter 641C of
32 NRS;
- 33 8. Any member of the clergy;
- 34 9. A county welfare director;
- 35 10. Any person who may engage in social work or clinical
36 social work in his or her regular governmental employment but does
37 not hold himself or herself out to the public as a social worker; or
- 38 11. A student of social work and any other person preparing for
39 the profession of social work under the supervision of a qualified
40 social worker in a training institution or facility recognized by the
41 Board, unless the student or other person has been issued a
42 provisional license pursuant to paragraph (b) of subsection 1 of NRS
43 641B.275. Such a student must be designated by the title "student of
44 social work" or "trainee in social work," or any other title which
45 clearly indicates the student's training status.



1 **Sec. 1.2.** Chapter 641C of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 1.3 to 1.5, inclusive, of
3 this act.

4 **Sec. 1.3.** *“Certified peer support specialist” means a person*
5 *who is certified as a peer support specialist pursuant to the*
6 *provisions of this chapter.*

7 **Sec. 1.4.** 1. *“Practice of providing peer support specialist*
8 *services” means the practice of giving nonprofessional,*
9 *nonclinical assistance, including, without limitation, mentoring,*
10 *coaching, educating or serving as a role model, with the intent of*
11 *achieving long-term recovery from severe psychiatric, traumatic or*
12 *addiction-related stress by sharing appropriate portions of the*
13 *person’s own recovery from severe psychiatric, traumatic or*
14 *addiction-related stress.*

15 2. *The term does not include:*

16 (a) *The diagnosis or treatment of a substance abuse, mental*
17 *health, psychiatric or psychotic disorder; or*

18 (b) *The use of a psychological or psychometric assessment test*
19 *to determine intelligence, personality, aptitude or interests.*

20 **Sec. 1.45.** *The Board shall issue a certificate as a peer*
21 *support specialist to a person who:*

22 1. *Is not less than 21 years of age;*

23 2. *Is a citizen of the United States or is lawfully entitled to*
24 *remain and work in the United States;*

25 3. *Has:*

26 (a) *A high school diploma; or*

27 (b) *A general equivalency diploma or an equivalent document;*

28 4. *Submits evidence satisfactory to the Board that the person*
29 *has completed a training program approved by the Board and*
30 *consisting of at least 46 hours of training, including, without*
31 *limitation:*

32 (a) *Ten hours of training in each of the following domains, as*
33 *they relate to the practice of providing peer support specialist*
34 *services:*

35 (1) *Advocacy;*

36 (2) *Mentoring and education; and*

37 (3) *Recovery and wellness support; and*

38 (b) *Sixteen hours of training in the domain of confidentiality*
39 *and ethical responsibility, as it relates to the practice of providing*
40 *peer support specialist services;*

41 5. *Submits evidence satisfactory to the Board that the person*
42 *has completed at least 25 hours of work in each of the domains*
43 *described in subsection 4, as they relate to the practice of*
44 *providing peer support specialist services, under the supervision of*



1 *a person who normally provides supervision of such work for the*
2 *entity or organization for which the work is completed;*

3 *6. Submits, on a form prescribed by the Board, evidence*
4 *satisfactory to the Board that the person has completed at least*
5 *500 hours of paid or volunteer work in each of the domains*
6 *described in subsection 4, as they relate to the practice of*
7 *providing peer support specialist services. The form must be*
8 *signed by a person who normally provides supervision or*
9 *management for the entity or organization for which the work is*
10 *completed, attesting that the applicant has completed the paid or*
11 *volunteer work required by this subsection;*

12 *7. If the person is in recovery from a mental health or*
13 *substance abuse disorder, provides to the Board a statement*
14 *attesting that the person remains in active recovery and that the*
15 *disorder is stable or in sustained remission;*

16 *8. Has not been convicted of, or entered a plea of guilty,*
17 *guilty but mentally ill or nolo contendere to, a crime of violence or*
18 *a sexual offense as that term is defined in NRS 179.245;*

19 *9. If the person has been convicted of, or entered a plea of*
20 *guilty, guilty but mentally ill or nolo contendere to, a crime other*
21 *than a crime described in subsection 8, has been released from*
22 *parole, probation or custody for at least 12 months before applying*
23 *for certification;*

24 *10. Provides evidence satisfactory to the Board that the*
25 *person has experienced the process of recovering from severe*
26 *psychiatric, traumatic or addiction-related stress and as a result is*
27 *qualified to engage in the practice of providing peer support*
28 *specialist services;*

29 *11. Passes the written and oral examinations prescribed by*
30 *the Board pursuant to NRS 641C.290;*

31 *12. Pays the fees required pursuant to NRS 641C.470; and*

32 *13. Submits all information required to complete an*
33 *application for a certificate.*

34 **Sec. 1.5.** *1. A certificate as a peer support specialist is valid*
35 *for 2 years and may be renewed. The Board may waive any*
36 *requirement for the renewal of a certificate upon good cause*
37 *shown by the holder of the certificate.*

38 *2. A certified peer support specialist may engage in the*
39 *practice of providing peer support specialist services only under*
40 *the supervision of a licensed clinical alcohol and drug abuse*
41 *counselor, a licensed or certified alcohol and drug abuse*
42 *counselor, a psychologist licensed pursuant to chapter 641 of*
43 *NRS, a clinical professional counselor licensed pursuant to*
44 *chapter 641A of NRS, a marriage and family therapist licensed*



1 *pursuant to chapter 641A of NRS or a social worker licensed*
2 *pursuant to chapter 641B of NRS.*

3 **Sec. 1.6.** NRS 641C.010 is hereby amended to read as follows:

4 641C.010 The practice of counseling alcohol and drug abusers,
5 the clinical practice of counseling alcohol and drug abusers , ~~and~~
6 the practice of counseling problem gamblers *and the practice of*
7 *providing peer support specialist services* are hereby declared
8 to be learned professions affecting public health, safety and welfare
9 and are subject to regulation to protect the public from the practice
10 of counseling alcohol and drug abusers, the clinical practice of
11 counseling alcohol and drug abusers , ~~and~~ the practice of
12 counseling problem gamblers *and the practice of providing peer*
13 *support specialist services* by unqualified persons and from
14 unprofessional conduct by persons who are licensed or certified to
15 engage in the practice of counseling alcohol and drug abusers,
16 licensed to engage in the clinical practice of counseling alcohol and
17 drug abusers , ~~or~~ certified to engage in the practice of counseling
18 problem gamblers ~~or~~ *or certified to engage in the practice of*
19 *providing peer support specialist services.*

20 **Sec. 1.7.** NRS 641C.020 is hereby amended to read as follows:

21 641C.020 As used in this chapter, unless the context otherwise
22 requires, the words and terms defined in NRS 641C.030 to
23 641C.110, inclusive, *and sections 1.3 and 1.4 of this act* have the
24 meanings ascribed to them in those sections.

25 **Sec. 1.8.** NRS 641C.040 is hereby amended to read as follows:

26 641C.040 "Certificate" means a certificate issued to a person
27 who is certified as an alcohol and drug abuse counselor, a clinical
28 alcohol and drug abuse counselor intern, an alcohol and drug abuse
29 counselor intern, a problem gambling counselor , ~~or~~ a problem
30 gambling counselor intern ~~or~~ *or a peer support specialist.*

31 **Sec. 1.9.** NRS 641C.150 is hereby amended to read as follows:

32 641C.150 1. The Board of Examiners for Alcohol, Drug and
33 Gambling Counselors, consisting of seven members appointed by
34 the Governor, is hereby created.

35 2. The Board must consist of:

36 (a) Three members who are licensed as clinical alcohol and drug
37 abuse counselors or alcohol and drug abuse counselors pursuant to
38 the provisions of this chapter.

39 (b) One member who is certified as an alcohol and drug abuse
40 counselor pursuant to the provisions of this chapter.

41 (c) Two members who are licensed pursuant to chapter 630,
42 632, 641, 641A or 641B of NRS and certified as problem gambling
43 counselors pursuant to the provisions of this chapter.

44 (d) One member who is a representative of the general public.
45 This member must not be:



1 (1) A licensed clinical alcohol and drug abuse counselor or a
2 licensed or certified alcohol and drug abuse counselor , ~~for~~ a
3 certified problem gambling counselor ~~for~~ *or a certified peer support*
4 *specialist*; or

5 (2) The spouse or the parent or child, by blood, marriage or
6 adoption, of a licensed clinical alcohol and drug abuse counselor or
7 a licensed or certified alcohol and drug abuse counselor , ~~for~~ a
8 certified problem gambling counselor ~~for~~ *or a certified peer support*
9 *specialist*.

10 3. A person may not be appointed to the Board unless he or she
11 is:

12 (a) A citizen of the United States or is lawfully entitled to
13 remain and work in the United States; and

14 (b) A resident of this State.

15 4. No member of the Board may be held liable in a civil action
16 for any act that he or she performs in good faith in the execution of
17 his or her duties pursuant to the provisions of this chapter.

18 **Sec. 1.95.** NRS 641C.200 is hereby amended to read as
19 follows:

20 641C.200 1. The Board shall adopt such regulations as are
21 necessary to carry out the provisions of this chapter, including,
22 without limitation, regulations that prescribe:

23 (a) The ethical standards for licensed and certified counselors ,
24 ~~and~~ certified interns ~~for~~ *and certified peer support specialists*; and

25 (b) The requirements for continuing education for the renewal,
26 restoration or reinstatement of a license or certificate.

27 2. The Board may adopt regulations that prescribe:

28 (a) The contents of a written *and oral* examination concerning
29 the practice of counseling problem gamblers;

30 (b) The grounds for initiating disciplinary action against a
31 certified problem gambling counselor or certified problem gambling
32 counselor intern; and

33 (c) Disciplinary procedures for certified problem gambling
34 counselors and certified problem gambling counselor interns,
35 including the suspension, revocation and reinstatement of a
36 certificate as a problem gambling counselor or problem gambling
37 counselor intern.

38 3. Any regulations adopted by the Board pursuant to this
39 section must be consistent with the provisions of chapter 622A of
40 NRS.

41 **Sec. 2.** NRS 641C.210 is hereby amended to read as follows:

42 641C.210 The ~~Secretary-Treasurer~~ *Executive Director* of the
43 Board *or his or her designee* shall prepare and maintain:

44 1. A separate list of the names and addresses of:

45 (a) The applicants for a license;



- 1 (b) The applicants for a certificate;
- 2 (c) The licensed counselors;
- 3 (d) The certified counselors; ~~and~~
- 4 (e) The certified interns ~~;~~ *and*
- 5 *(f) The certified peer support specialists.*
- 6 2. A record of each examination conducted by the Board.
- 7 3. An inventory of:
- 8 (a) The property of the Board; and
- 9 (b) The property of this State that is in the possession of the
- 10 Board.

11 **Sec. 3.** NRS 641C.290 is hereby amended to read as follows:

12 641C.290 1. Each applicant for a license as a clinical alcohol
13 and drug abuse counselor must pass a written and oral examination
14 concerning his or her knowledge of the clinical practice of
15 counseling alcohol and drug abusers, the applicable provisions of
16 this chapter and any applicable regulations adopted by the Board
17 pursuant to the provisions of this chapter.

18 2. Each applicant for a license or certificate as an alcohol and
19 drug abuse counselor must pass a written and oral examination
20 concerning his or her knowledge of the practice of counseling
21 alcohol and drug abusers, the applicable provisions of this chapter
22 and any applicable regulations adopted by the Board pursuant to the
23 provisions of this chapter.

24 3. Each applicant for a certificate as a problem gambling
25 counselor must pass a written *and oral* examination concerning his
26 or her knowledge of the practice of counseling problem gamblers,
27 the applicable provisions of this chapter and any applicable
28 regulations adopted by the Board pursuant to the provisions of this
29 chapter.

30 4. *Each applicant for a certificate as a peer support specialist*
31 *must pass a written and oral examination concerning his or her*
32 *knowledge of the practice of providing peer support specialist*
33 *services, the applicable provisions of this chapter and any*
34 *applicable regulations adopted by the Board pursuant to the*
35 *provisions of this chapter.*

36 5. The Board shall:

- 37 (a) Examine applicants at least two times each year.
- 38 (b) Establish the time and place for the examinations.
- 39 (c) Provide such books and forms as may be necessary to
- 40 conduct the examinations.
- 41 (d) Except as otherwise provided in NRS 622.090, establish, by
- 42 regulation, the requirements for passing the examination.

43 ~~§~~ 6. The Board may employ other persons to conduct the
44 examinations.



1 **Sec. 4.** NRS 641C.300 is hereby amended to read as follows:

2 641C.300 The Board ~~shall~~ *may* issue a license or certificate
3 without examination to a person who holds a license or certificate as
4 a clinical alcohol and drug abuse counselor , ~~or~~ an alcohol and
5 drug abuse counselor *or a peer support specialist* in another state, a
6 territory or possession of the United States or the District of
7 Columbia if the requirements of that jurisdiction at the time the
8 license or certificate was issued are deemed by the Board to be
9 substantially equivalent to the requirements set forth in the
10 provisions of this chapter.

11 **Sec. 5.** NRS 641C.310 is hereby amended to read as follows:

12 641C.310 1. The Board may hold hearings and conduct
13 investigations concerning any matter related to an application for a
14 license or certificate. In the hearings and investigations, the Board
15 may require the presentation of evidence.

16 2. The Board may refuse to issue a license or certificate to , *or*
17 *renew the license or certificate of*, an applicant if the Board
18 determines that the applicant:

19 (a) Is not of good moral character as it relates to the practice of
20 counseling alcohol and drug abusers , ~~or~~ the clinical practice of
21 counseling alcohol and drug abusers ~~or~~ *or the practice of providing*
22 *peer support specialist services;*

23 (b) Has submitted a false credential to the Board;

24 (c) Has been disciplined in another state, a possession or
25 territory of the United States or the District of Columbia in
26 connection with the practice of counseling alcohol and drug abusers
27 , ~~or~~ the clinical practice of counseling alcohol and drug abusers ~~or~~
28 *or the practice of providing peer support specialist services;*

29 (d) Has committed an act in another state, a possession or
30 territory of the United States or the District of Columbia in
31 connection with the practice of counseling alcohol and drug abusers
32 , ~~or~~ the clinical practice of counseling alcohol and drug abusers *or*
33 *the practice of providing peer support specialist services* that would
34 be a violation of the provisions of this chapter if the act were
35 committed in this State; or

36 (e) Has failed to comply with any of the requirements for a
37 license or certificate.

38 **Sec. 6.** NRS 641C.320 is hereby amended to read as follows:

39 641C.320 1. The Board may issue:

40 (a) A provisional license as a clinical alcohol and drug abuse
41 counselor to a person who has applied to the Board to take the
42 examination for a license as a clinical alcohol and drug abuse
43 counselor and is otherwise eligible for that license pursuant to NRS
44 641C.330; or



1 (b) A provisional license or certificate as an alcohol and drug
2 abuse counselor to a person who has applied to the Board to take the
3 examination for a license or certificate as an alcohol and drug abuse
4 counselor and is otherwise eligible for that license or certificate
5 pursuant to NRS 641C.350 or 641C.390.

6 2. A provisional license or certificate is valid for not more than
7 ~~1 year~~ **6 months** and may not be renewed.

8 **Sec. 7.** NRS 641C.331 is hereby amended to read as follows:

9 641C.331 1. A license as a clinical alcohol and drug abuse
10 counselor is valid for ~~1 year~~ **2 years** and may be renewed.

11 2. A licensed clinical alcohol and drug abuse counselor may:

12 (a) Engage in the clinical practice of counseling alcohol and
13 drug abusers;

14 (b) Diagnose or classify a person as an alcoholic or abuser of
15 drugs; and

16 (c) Supervise certified clinical alcohol and drug abuse counselor
17 interns and alcohol and drug abuse counselor interns.

18 **Sec. 8.** NRS 641C.340 is hereby amended to read as follows:

19 641C.340 1. The Board shall issue a certificate as a clinical
20 alcohol and drug abuse counselor intern to a person who:

21 (a) Is not less than 21 years of age;

22 (b) Is a citizen of the United States or is lawfully entitled to
23 remain and work in the United States;

24 (c) Pays the fees required pursuant to NRS 641C.470;

25 (d) Submits proof to the Board that the person has received a
26 master's degree or doctoral degree in a field of social science
27 approved by the Board that includes comprehensive course work in
28 clinical mental health, including the diagnosis of mental health
29 disorders; and

30 (e) Submits all the information required to complete an
31 application for a certificate.

32 2. A certificate as a clinical alcohol and drug abuse counselor
33 intern is valid for ~~1 year~~ **6 months** and may be renewed. The
34 Board may waive any requirement for the renewal of a certificate
35 upon good cause shown by the holder of the certificate.

36 3. A certified clinical alcohol and drug abuse counselor intern
37 may, under the supervision of a licensed clinical alcohol and drug
38 abuse counselor:

39 (a) Engage in the clinical practice of counseling alcohol and
40 drug abusers; and

41 (b) Diagnose or classify a person as an alcoholic or drug abuser.

42 **Sec. 9.** NRS 641C.350 is hereby amended to read as follows:

43 641C.350 The Board shall issue a license as an alcohol and
44 drug abuse counselor to:

45 1. A person who:



- 1 (a) Is not less than 21 years of age;
- 2 (b) Is a citizen of the United States or is lawfully entitled to
- 3 remain and work in the United States;
- 4 (c) Has received a master's degree or a doctoral degree from an
- 5 accredited college or university in a field of social science approved
- 6 by the Board;
- 7 (d) Has completed 4,000 hours of supervised counseling of
- 8 alcohol and drug abusers;
- 9 (e) Passes the written and oral examinations prescribed by the
- 10 Board pursuant to NRS 641C.290;
- 11 (f) Pays the fees required pursuant to NRS 641C.470; and
- 12 (g) Submits all information required to complete an application
- 13 for a license.
- 14 2. A person who:
- 15 (a) Is not less than 21 years of age;
- 16 (b) Is a citizen of the United States or is lawfully entitled to
- 17 remain and work in the United States;
- 18 (c) Is:
- 19 (1) Licensed as a clinical social worker pursuant to chapter
- 20 641B of NRS;
- 21 (2) Licensed as a clinical professional counselor pursuant to
- 22 chapter 641A of NRS;
- 23 (3) Licensed as a marriage and family therapist pursuant to
- 24 chapter 641A of NRS;
- 25 (4) A nurse who is licensed pursuant to chapter 632 of NRS
- 26 and has received a master's degree or a doctoral degree from an
- 27 accredited college or university; or
- 28 (5) Licensed as a clinical alcohol and drug abuse counselor
- 29 pursuant to this chapter;
- 30 (d) Has completed ~~at least 6 months~~ **1,000 hours** of supervised
- 31 counseling of alcohol and drug abusers approved by the Board;
- 32 (e) Passes the written and oral examinations prescribed by the
- 33 Board pursuant to NRS 641C.290;
- 34 (f) Pays the fees required pursuant to NRS 641C.470; and
- 35 (g) Submits all information required to complete an application
- 36 for a license.
- 37 **Sec. 10.** NRS 641C.420 is hereby amended to read as follows:
- 38 641C.420 1. The Board shall issue a certificate as an alcohol
- 39 and drug abuse counselor intern to a person who:
- 40 (a) Is not less than 21 years of age;
- 41 (b) Is a citizen of the United States or is lawfully entitled to
- 42 remain and work in the United States;
- 43 (c) ~~Has:~~
- 44 ~~(1) A high school diploma; or~~



- 1 ~~(2) A general equivalency diploma or an equivalent~~
2 ~~document;~~
3 ~~(d)~~ Pays the fees required pursuant to NRS 641C.470;
4 ~~(e)~~ (d) Submits proof to the Board that the person:
5 (1) Is enrolled in a program ~~from~~ in which he or she ~~will~~
6 ~~receive an associate's degree,~~ *has completed at least 60 hours of*
7 *credit toward the completion of a* bachelor's degree ~~in~~ *in a field of*
8 *social science approved by the Board;*
9 (2) *Is enrolled in a program from which he or she will*
10 *receive a* master's degree or doctoral degree in a field of social
11 science approved by the Board; or
12 ~~(2)~~ (3) Has received an associate's degree, bachelor's
13 degree, master's degree or doctoral degree *that included at least 18*
14 *hours of credit specifically related to the practice of counseling*
15 *alcohol and drug abusers* in a field of social science approved by
16 the Board; ~~and~~
17 (e) *Has completed not less than 30 hours of training specific to*
18 *alcohol and drug abuse which must:*
19 (1) *Include at least 6 hours of instructions relating to*
20 *confidentiality and 6 hours of instruction relating to ethics; and*
21 (2) *Be approved by the Board; and*
22 (f) Submits all information required to complete an application
23 for a certificate.
24 2. A certificate as an alcohol and drug abuse counselor intern is
25 valid for ~~1-year~~ *6 months* and may be renewed. The Board may
26 waive any requirement for the renewal of a certificate upon good
27 cause shown by the holder of the certificate.
28 3. A certified alcohol and drug abuse counselor intern may,
29 under the supervision of a licensed alcohol and drug abuse
30 counselor or licensed clinical alcohol and drug abuse counselor:
31 (a) Engage in the practice of counseling alcohol and drug
32 abusers; and
33 (b) Diagnose or classify a person as an alcoholic or drug abuser.
34 **Sec. 11.** NRS 641C.430 is hereby amended to read as follows:
35 641C.430 The Board may issue a certificate as a problem
36 gambling counselor to:
37 1. A person who:
38 (a) Is not less than 21 years of age;
39 (b) Is a citizen of the United States or is lawfully entitled to
40 remain and work in the United States;
41 (c) Has received a bachelor's degree, master's degree or a
42 doctoral degree from an accredited college or university in a field of
43 social science approved by the Board;
44 (d) Has completed not less than 60 hours of training specific to
45 problem gambling approved by the Board;



- 1 (e) Has completed at least 2,000 hours of supervised counseling
- 2 of problem gamblers in a setting approved by the Board;
- 3 (f) Passes the written *and oral* examination prescribed by the
- 4 Board pursuant to NRS 641C.290;
- 5 (g) Presents himself or herself when scheduled for an interview
- 6 at a meeting of the Board;
- 7 (h) Pays the fees required pursuant to NRS 641C.470; and
- 8 (i) Submits all information required to complete an application
- 9 for a certificate.
- 10 2. A person who:
 - 11 (a) Is not less than 21 years of age;
 - 12 (b) Is a citizen of the United States or is lawfully entitled to
 - 13 remain and work in the United States;
 - 14 (c) Is licensed as:
 - 15 (1) A clinical social worker pursuant to chapter 641B of
 - 16 NRS;
 - 17 (2) A clinical professional counselor pursuant to chapter
 - 18 641A of NRS;
 - 19 (3) A marriage and family therapist pursuant to chapter 641A
 - 20 of NRS;
 - 21 (4) A physician pursuant to chapter 630 of NRS;
 - 22 (5) A nurse pursuant to chapter 632 of NRS and has received
 - 23 a master's degree or a doctoral degree from an accredited college or
 - 24 university;
 - 25 (6) A psychologist pursuant to chapter 641 of NRS;
 - 26 (7) An alcohol and drug abuse counselor pursuant to this
 - 27 chapter; or
 - 28 (8) A clinical alcohol and drug abuse counselor pursuant to
 - 29 this chapter;
 - 30 (d) Has completed not less than 60 hours of training specific to
 - 31 problem gambling approved by the Board;
 - 32 (e) Has completed at least 1,000 hours of supervised counseling
 - 33 of problem gamblers in a setting approved by the Board;
 - 34 (f) Passes the written *and oral* examination prescribed by the
 - 35 Board pursuant to NRS 641C.290;
 - 36 (g) Pays the fees required pursuant to NRS 641C.470; and
 - 37 (h) Submits all information required to complete an application
 - 38 for a certificate.
- 39 **Sec. 12.** NRS 641C.440 is hereby amended to read as follows:
 - 40 641C.440 1. The Board may issue a certificate as a problem
 - 41 gambling counselor intern to a person who:
 - 42 (a) Is not less than 21 years of age;
 - 43 (b) Is a citizen of the United States or is lawfully entitled to
 - 44 remain and work in the United States;
 - 45 (c) Submits proof to the Board that the person:



1 (1) Has received a bachelor's degree, master's degree or a
2 doctoral degree from an accredited college or university in a field of
3 social science approved by the Board; or

4 (2) Is enrolled in a program at an accredited college or
5 university from which he or she will receive a bachelor's degree,
6 master's degree or a doctoral degree in a field of social science
7 approved by the Board;

8 (d) Has completed not less than 30 hours of training specific to
9 problem gambling approved by the Board;

10 (e) Demonstrates that a certified problem gambling counselor
11 approved by the Board has agreed to supervise him or her in a
12 setting approved by the Board;

13 (f) Pays the fees required pursuant to NRS 641C.470; and

14 (g) Submits all information required to complete an application
15 for a certificate.

16 2. A certificate as a problem gambling counselor intern is valid
17 for ~~1-year~~ **6 months** and, except as otherwise provided in
18 subsection 3, may be renewed.

19 3. A certificate as a problem gambling counselor intern issued
20 to a person on the basis that the person is enrolled in a program at an
21 accredited college or university from which he or she will receive a
22 bachelor's degree, master's degree or a doctoral degree in a field of
23 social science approved by the Board may be renewed not more than
24 nine times.

25 4. A certified problem gambling counselor intern may, under
26 the supervision of a certified problem gambling counselor:

27 (a) Engage in the practice of counseling problem gamblers; and

28 (b) Assess and evaluate a person as a problem gambler.

29 **Sec. 12.3.** NRS 641C.460 is hereby amended to read as
30 follows:

31 641C.460 1. A license or certificate that is not renewed on or
32 before the date on which it expires is delinquent. The Board shall,
33 within 30 days after the license or certificate becomes delinquent,
34 send a notice to the licensed or certified counselor or certified intern
35 by certified mail, return receipt requested, to the address of the
36 counselor or intern as indicated in the records of the Board.

37 2. A licensed or certified counselor, ~~or~~ certified intern **or**
38 **certified peer support specialist** may renew a delinquent license or
39 certificate within 60 days after the license or certificate becomes
40 delinquent by complying with the requirements of NRS 641C.450
41 and paying, in addition to the fee for the renewal of the license or
42 certificate, the fee for the renewal of a delinquent license or
43 certificate prescribed in NRS 641C.470.

44 3. A license or certificate expires 60 days after it becomes
45 delinquent if it is not renewed within that period.



1 4. Except as otherwise provided in NRS 641C.530, a license or
2 certificate that has expired may be restored if the applicant:

3 (a) Submits to the Board an application to restore the license or
4 certificate;

5 (b) Pays the renewal fees for the period during which the license
6 or certificate was expired and the fee for the restoration of a license
7 or certificate prescribed in NRS 641C.470;

8 (c) Passes the oral and written examinations prescribed by the
9 Board;

10 (d) Submits to the Board evidence of completion of the
11 continuing education required by the Board; and

12 (e) Submits all information required to complete the application.

13 **Sec. 12.7.** NRS 641C.470 is hereby amended to read as
14 follows:

15 641C.470 1. The Board shall charge and collect not more
16 than the following fees:

17		
18	For the initial application for a license or	
19	certificate.....	\$150
20	For the issuance of a provisional license or	
21	certificate.....	125
22	For the issuance of an initial license or certificate	60
23	For the renewal of a license or certificate as an	
24	alcohol and drug abuse counselor, a license as	
25	a clinical alcohol and drug abuse counselor ,	
26	for a certificate as a problem gambling	
27	counselor <i>or a certificate as a peer support</i>	
28	<i>specialist</i>	300
29	For the renewal of a certificate as a clinical	
30	alcohol and drug abuse counselor intern, an	
31	alcohol and drug abuse counselor intern or a	
32	problem gambling counselor intern.....	75
33	For the renewal of a delinquent license or	
34	certificate.....	75
35	For the restoration of an expired license or	
36	certificate.....	150
37	For the restoration or reinstatement of a suspended	
38	or revoked license or certificate	300
39	For the issuance of a license or certificate without	
40	examination	150
41	For an examination.....	150
42	For the approval of a course of continuing	
43	education	150



1 2. The fees charged and collected pursuant to this section are
2 not refundable.

3 **Sec. 13.** NRS 641C.530 is hereby amended to read as follows:

4 641C.530 1. The Board may use any information included in
5 a report of criminal history that is obtained pursuant to this section
6 or NRS 641C.260 in determining whether:

7 (a) To issue, renew, restore, suspend, revoke or reinstate a
8 license or certificate pursuant to this chapter; or

9 (b) Any ground for imposing any disciplinary action exists
10 pursuant to NRS 641C.700.

11 2. Before renewing, restoring or reinstating the license or
12 certificate of a licensed counselor, certified counselor, ~~certified~~
13 intern ~~or certified peer support specialist~~, the Board may, by
14 regulation, require the licensed counselor, certified counselor, ~~certified~~
15 intern ~~or certified peer support specialist~~ to submit to the
16 Board a complete set of fingerprints and written permission
17 authorizing the Board to forward the fingerprints to the Central
18 Repository for Nevada Records of Criminal History for submission
19 to the Federal Bureau of Investigation for its report.

20 3. ~~[A regulation adopted pursuant to subsection 2 must set~~
21 ~~forth the circumstances under which the Board will require a~~
22 ~~detoxification technician to submit fingerprints and written~~
23 ~~authorization specified in that subsection before renewing, restoring~~
24 ~~or reinstating a certificate.] *Except as otherwise provided in this*~~
25 ~~subsection, in reviewing the information included in a report of~~
26 ~~criminal history that is obtained pursuant to this section or NRS~~
27 ~~641C.260, the Board may consider any original charge filed~~
28 ~~against an applicant, licensed counselor, certified counselor,~~
29 ~~certified intern or certified peer support specialist that alleges a~~
30 ~~particular criminal act regardless of whether the person was~~
31 ~~convicted of, or entered a plea of guilty or nolo contendere to, a~~
32 ~~lesser charge. The Board shall not consider a charge filed against~~
33 ~~an applicant, licensed counselor, certified counselor, certified~~
34 ~~intern or certified peer support specialist that alleges a particular~~
35 ~~criminal act for which, in the absence of a plea of guilty or nolo~~
36 ~~contendere to a lesser charge:~~

37 (a) *The applicant, licensed counselor, certified counselor,*
38 *certified intern or certified peer support specialist was found not*
39 *guilty; or*

40 (b) *The charges against the applicant, licensed counselor,*
41 *certified counselor, certified intern or certified peer support*
42 *specialist were dismissed.*



1 **Sec. 13.3.** NRS 641C.700 is hereby amended to read as
2 follows:

3 641C.700 The grounds for initiating disciplinary action
4 pursuant to the provisions of this chapter include:

5 1. Conviction of:

6 (a) A felony relating to the practice of counseling alcohol and
7 drug abusers, the clinical practice of counseling alcohol and drug
8 abusers , ~~for~~ the practice of counseling problem gamblers ~~for~~ *or the*
9 *practice of providing peer support specialist services;*

10 (b) An offense involving moral turpitude; or

11 (c) A violation of a federal or state law regulating the
12 possession, distribution or use of a controlled substance or
13 dangerous drug as defined in chapter 453 of NRS;

14 2. Fraud or deception in:

15 (a) Applying for a license or certificate;

16 (b) Taking an examination for a license or certificate;

17 (c) Documenting the continuing education required to renew or
18 reinstate a license or certificate;

19 (d) Submitting a claim for payment to an insurer; or

20 (e) The practice of counseling alcohol and drug abusers , ~~for~~ the
21 clinical practice of counseling alcohol and drug abusers ~~for~~ *or the*
22 *practice of providing peer support specialist services;*

23 3. Allowing the unauthorized use of a license or certificate
24 issued pursuant to this chapter;

25 4. Professional incompetence;

26 5. The habitual use of alcohol or any other drug that impairs
27 the ability of a licensed or certified counselor , ~~for~~ certified intern
28 *or certified peer support specialist* to engage in the practice of
29 counseling alcohol and drug abusers , ~~for~~ the clinical practice of
30 counseling alcohol and drug abusers ~~for~~ *or the practice of providing*
31 *peer support specialist services, as applicable;*

32 6. Engaging in the practice of counseling alcohol and drug
33 abusers , ~~for~~ the clinical practice of counseling alcohol and drug
34 abusers *or the practice of providing peer support specialist services*
35 with an expired, suspended or revoked license or certificate;

36 7. Engaging in behavior that is contrary to the ethical standards
37 as set forth in the regulations of the Board; and

38 8. The operation of a medical facility, as defined in NRS
39 449.0151, at any time during which:

40 (a) The license of the facility is suspended or revoked; or

41 (b) An act or omission occurs which results in the suspension or
42 revocation of the license pursuant to NRS 449.160.

43 ➔ This subsection applies to an owner or other principal responsible
44 for the operation of the facility.



1 **Sec. 13.7.** NRS 641C.720 is hereby amended to read as
2 follows:

3 641C.720 1. The Board or any of its members who become
4 aware of any ground for initiating disciplinary action against a
5 person engaging in the practice of counseling alcohol and drug
6 abusers , ~~for~~ the clinical practice of counseling alcohol and drug
7 abusers *or the practice of providing peer support specialist services*
8 in this State shall, and any other person who is so aware may, file a
9 written complaint specifying the relevant facts with the Board. The
10 complaint must specifically charge one or more of the grounds for
11 initiating disciplinary action.

12 2. If, after notice and a hearing as required by law, the Board
13 determines that a licensed or certified counselor , ~~for~~ certified
14 intern *or certified peer support specialist* has violated a provision of
15 this chapter or any regulation adopted pursuant to this chapter, it
16 may:

17 (a) Administer a public reprimand;

18 (b) Suspend the license or certificate and impose conditions for
19 the removal of the suspension;

20 (c) Revoke the license or certificate and prescribe the
21 requirements for the reinstatement of the license or certificate;

22 (d) If he or she is a licensed or certified counselor, require him
23 or her to be supervised by another person while engaging in the
24 practice of counseling alcohol and drug abusers or the clinical
25 practice of counseling alcohol and drug abusers;

26 (e) Require him or her to participate in treatment or counseling
27 and pay the expenses of that treatment or counseling;

28 (f) Require him or her to pay restitution to any person adversely
29 affected by his or her acts or omissions;

30 (g) Impose a fine of not more than \$5,000; or

31 (h) Take any combination of the actions authorized by
32 paragraphs (a) to (g), inclusive.

33 3. If a license or certificate is revoked or suspended pursuant to
34 subsection 2, the licensed or certified counselor , ~~for~~ certified intern
35 *or certified peer support specialist* may apply to the Board for
36 reinstatement of the suspended license or certificate or may apply to
37 the Board pursuant to the provisions of chapter 622A of NRS for
38 reinstatement of the revoked license or certificate. The Board may
39 accept or reject the application and may require the successful
40 completion of an examination as a condition of reinstatement of the
41 license or certificate.

42 4. The Board shall not administer a private reprimand.

43 5. An order that imposes discipline and the findings of fact and
44 conclusions of law supporting that order are public records.



1 6. The Board shall retain all complaints filed with the Board
2 pursuant to this section for at least 10 years, including, without
3 limitation, any complaints not acted upon.

4 **Sec. 14.** NRS 641C.900 is hereby amended to read as follows:

5 641C.900 ~~1. Except as otherwise provided in subsection 2,~~

6 ~~a] A~~ *A* person shall not engage in the practice of counseling alcohol
7 and drug abusers, the clinical practice of counseling alcohol and
8 drug abusers, ~~or] the practice of counseling problem gamblers~~ *or*
9 *the practice of providing peer support specialist services* unless the
10 person is a licensed counselor, certified counselor, ~~or] certified~~
11 intern ~~].~~

12 ~~2. A person may engage in the practice of counseling alcohol~~
13 ~~and drug abusers under the supervision of a licensed counselor,~~
14 ~~the clinical practice of counseling alcohol and drug abusers under~~
15 ~~the supervision of a clinical alcohol and drug abuse counselor or the~~
16 ~~practice of counseling problem gamblers under the supervision of a~~
17 ~~certified counselor for not more than 30 days if that person:~~

18 ~~—(a) Is qualified to be licensed or certified pursuant to the~~
19 ~~provisions of this chapter; and~~

20 ~~—(b) Submits an application to the Board for a license or~~
21 ~~certificate pursuant to the provisions of this chapter.]~~ *or certified*
22 *peer support specialist.*

23 **Sec. 15.** NRS 641C.910 is hereby amended to read as follows:

24 641C.910 1. A person shall not:

25 (a) Hold himself or herself out to a member of the general public
26 as a clinical alcohol and drug abuse counselor, a clinical alcohol and
27 drug abuse counselor intern, an alcohol and drug abuse counselor,
28 an alcohol and drug abuse counselor intern, a problem gambling
29 counselor, ~~or] a problem gambling counselor intern~~ ~~].~~ *or a peer*
30 *support specialist;*

31 (b) Use the title “clinical alcohol and drug abuse counselor,”
32 “clinical alcohol and drug abuse counselor intern,” “alcohol and
33 drug abuse counselor,” “alcohol and drug abuse counselor intern,”
34 “drug abuse counselor,” “substance abuse counselor,” “problem
35 gambling counselor,” “problem gambling counselor intern,”
36 “gambling counselor,” ~~“detoxification technician”]~~ *“peer support*
37 *specialist”* or any similar title in connection with his or her work;
38 ~~or]~~

39 (c) Imply in any way that he or she is licensed or certified by the
40 Board ~~].~~

41 (d) *Engage in the practice of counseling alcohol and drug*
42 *abusers;*

43 (e) *Engage in the clinical practice of counseling alcohol and*
44 *drug abusers;*

45 (f) *Engage in the practice of counseling problem gamblers; or*



1 *(g) Engage in the practice of providing peer support specialist*
2 *services,*

3 ↪ unless the person is licensed or certified by the Board pursuant to
4 the provisions of this chapter . ~~for a regulation adopted pursuant to~~
5 ~~NRS 641C.500.~~

6 2. If the Board believes that any person has violated or is about
7 to violate any provision of this chapter or a regulation adopted
8 pursuant thereto, it may bring an action in a court of competent
9 jurisdiction to enjoin the person from engaging in or continuing the
10 violation. An injunction:

11 (a) May be issued without proof of actual damage sustained by
12 any person.

13 (b) Does not prevent the criminal prosecution and punishment of
14 a person who violates a provision of this chapter or a regulation
15 adopted pursuant thereto.

16 **Sec. 15.3.** NRS 200.5093 is hereby amended to read as
17 follows:

18 200.5093 1. Any person who is described in subsection 4 and
19 who, in a professional or occupational capacity, knows or has
20 reasonable cause to believe that an older person has been abused,
21 neglected, exploited or isolated shall:

22 (a) Except as otherwise provided in subsection 2, report the
23 abuse, neglect, exploitation or isolation of the older person to:

24 (1) The local office of the Aging and Disability Services
25 Division of the Department of Health and Human Services;

26 (2) A police department or sheriff's office;

27 (3) The county's office for protective services, if one exists
28 in the county where the suspected action occurred; or

29 (4) A toll-free telephone service designated by the Aging and
30 Disability Services Division of the Department of Health and
31 Human Services; and

32 (b) Make such a report as soon as reasonably practicable but not
33 later than 24 hours after the person knows or has reasonable cause to
34 believe that the older person has been abused, neglected, exploited or
35 isolated.

36 2. If a person who is required to make a report pursuant to
37 subsection 1 knows or has reasonable cause to believe that the
38 abuse, neglect, exploitation or isolation of the older person involves
39 an act or omission of the Aging and Disability Services Division,
40 another division of the Department of Health and Human Services
41 or a law enforcement agency, the person shall make the report to an
42 agency other than the one alleged to have committed the act or
43 omission.

44 3. Each agency, after reducing a report to writing, shall forward
45 a copy of the report to the Aging and Disability Services Division of



1 the Department of Health and Human Services and the Unit for the
2 Investigation and Prosecution of Crimes.

3 4. A report must be made pursuant to subsection 1 by the
4 following persons:

5 (a) Every physician, dentist, dental hygienist, chiropractor,
6 optometrist, podiatric physician, medical examiner, resident, intern,
7 professional or practical nurse, physician assistant licensed pursuant
8 to chapter 630 or 633 of NRS, perfusionist, psychiatrist,
9 psychologist, marriage and family therapist, clinical professional
10 counselor, clinical alcohol and drug abuse counselor, alcohol and
11 drug abuse counselor, *certified peer support specialist*, music
12 therapist, athletic trainer, driver of an ambulance, paramedic,
13 licensed dietitian or other person providing medical services
14 licensed or certified to practice in this State, who examines, attends
15 or treats an older person who appears to have been abused,
16 neglected, exploited or isolated.

17 (b) Any personnel of a hospital or similar institution engaged in
18 the admission, examination, care or treatment of persons or an
19 administrator, manager or other person in charge of a hospital or
20 similar institution upon notification of the suspected abuse, neglect,
21 exploitation or isolation of an older person by a member of the staff
22 of the hospital.

23 (c) A coroner.

24 (d) Every person who maintains or is employed by an agency to
25 provide personal care services in the home.

26 (e) Every person who maintains or is employed by an agency to
27 provide nursing in the home.

28 (f) Every person who operates, who is employed by or who
29 contracts to provide services for an intermediary service
30 organization as defined in NRS 449.4304.

31 (g) Any employee of the Department of Health and Human
32 Services.

33 (h) Any employee of a law enforcement agency or a county's
34 office for protective services or an adult or juvenile probation
35 officer.

36 (i) Any person who maintains or is employed by a facility or
37 establishment that provides care for older persons.

38 (j) Any person who maintains, is employed by or serves as a
39 volunteer for an agency or service which advises persons regarding
40 the abuse, neglect, exploitation or isolation of an older person and
41 refers them to persons and agencies where their requests and needs
42 can be met.

43 (k) Every social worker.

44 (l) Any person who owns or is employed by a funeral home or
45 mortuary.



1 5. A report may be made by any other person.

2 6. If a person who is required to make a report pursuant to
3 subsection 1 knows or has reasonable cause to believe that an older
4 person has died as a result of abuse, neglect or isolation, the person
5 shall, as soon as reasonably practicable, report this belief to the
6 appropriate medical examiner or coroner, who shall investigate the
7 cause of death of the older person and submit to the appropriate
8 local law enforcement agencies, the appropriate prosecuting
9 attorney, the Aging and Disability Services Division of the
10 Department of Health and Human Services and the Unit for the
11 Investigation and Prosecution of Crimes his or her written findings.
12 The written findings must include the information required pursuant
13 to the provisions of NRS 200.5094, when possible.

14 7. A division, office or department which receives a report
15 pursuant to this section shall cause the investigation of the report to
16 commence within 3 working days. A copy of the final report of the
17 investigation conducted by a division, office or department, other
18 than the Aging and Disability Services Division of the Department
19 of Health and Human Services, must be forwarded within 30 days
20 after the completion of the report to the:

21 (a) Aging and Disability Services Division;

22 (b) Repository for Information Concerning Crimes Against
23 Older Persons created by NRS 179A.450; and

24 (c) Unit for the Investigation and Prosecution of Crimes.

25 8. If the investigation of a report results in the belief that an
26 older person is abused, neglected, exploited or isolated, the Aging
27 and Disability Services Division of the Department of Health and
28 Human Services or the county's office for protective services may
29 provide protective services to the older person if the older person is
30 able and willing to accept them.

31 9. A person who knowingly and willfully violates any of the
32 provisions of this section is guilty of a misdemeanor.

33 10. As used in this section, "Unit for the Investigation and
34 Prosecution of Crimes" means the Unit for the Investigation and
35 Prosecution of Crimes Against Older Persons in the Office of the
36 Attorney General created pursuant to NRS 228.265.

37 **Sec. 15.7.** NRS 200.50935 is hereby amended to read as
38 follows:

39 200.50935 1. Any person who is described in subsection 3
40 and who, in a professional or occupational capacity, knows or has
41 reasonable cause to believe that a vulnerable person has been
42 abused, neglected, exploited or isolated shall:

43 (a) Report the abuse, neglect, exploitation or isolation of the
44 vulnerable person to a law enforcement agency; and



1 (b) Make such a report as soon as reasonably practicable but not
2 later than 24 hours after the person knows or has reasonable cause to
3 believe that the vulnerable person has been abused, neglected,
4 exploited or isolated.

5 2. If a person who is required to make a report pursuant to
6 subsection 1 knows or has reasonable cause to believe that the
7 abuse, neglect, exploitation or isolation of the vulnerable person
8 involves an act or omission of a law enforcement agency, the person
9 shall make the report to a law enforcement agency other than the
10 one alleged to have committed the act or omission.

11 3. A report must be made pursuant to subsection 1 by the
12 following persons:

13 (a) Every physician, dentist, dental hygienist, chiropractor,
14 optometrist, podiatric physician, medical examiner, resident, intern,
15 professional or practical nurse, perfusionist, physician assistant
16 licensed pursuant to chapter 630 or 633 of NRS, psychiatrist,
17 psychologist, marriage and family therapist, clinical professional
18 counselor, clinical alcohol and drug abuse counselor, alcohol and
19 drug abuse counselor, *certified peer support specialist*, music
20 therapist, athletic trainer, driver of an ambulance, paramedic,
21 licensed dietitian or other person providing medical services
22 licensed or certified to practice in this State, who examines, attends
23 or treats a vulnerable person who appears to have been abused,
24 neglected, exploited or isolated.

25 (b) Any personnel of a hospital or similar institution engaged in
26 the admission, examination, care or treatment of persons or an
27 administrator, manager or other person in charge of a hospital or
28 similar institution upon notification of the suspected abuse, neglect,
29 exploitation or isolation of a vulnerable person by a member of the
30 staff of the hospital.

31 (c) A coroner.

32 (d) Every person who maintains or is employed by an agency to
33 provide nursing in the home.

34 (e) Any employee of the Department of Health and Human
35 Services.

36 (f) Any employee of a law enforcement agency or an adult or
37 juvenile probation officer.

38 (g) Any person who maintains or is employed by a facility or
39 establishment that provides care for vulnerable persons.

40 (h) Any person who maintains, is employed by or serves as a
41 volunteer for an agency or service which advises persons regarding
42 the abuse, neglect, exploitation or isolation of a vulnerable person
43 and refers them to persons and agencies where their requests and
44 needs can be met.

45 (i) Every social worker.



1 (j) Any person who owns or is employed by a funeral home or
2 mortuary.

3 4. A report may be made by any other person.

4 5. If a person who is required to make a report pursuant to
5 subsection 1 knows or has reasonable cause to believe that a
6 vulnerable person has died as a result of abuse, neglect or isolation,
7 the person shall, as soon as reasonably practicable, report this belief
8 to the appropriate medical examiner or coroner, who shall
9 investigate the cause of death of the vulnerable person and submit to
10 the appropriate local law enforcement agencies and the appropriate
11 prosecuting attorney his or her written findings. The written findings
12 must include the information required pursuant to the provisions of
13 NRS 200.5094, when possible.

14 6. A law enforcement agency which receives a report pursuant
15 to this section shall immediately initiate an investigation of the
16 report.

17 7. A person who knowingly and willfully violates any of the
18 provisions of this section is guilty of a misdemeanor.

19 **Sec. 16.** Sections 14, 15 and 16 of chapter 207, Statutes of
20 Nevada 2003, at pages 1168 and 1169, are hereby amended to read
21 as follows:

22 Secs. 14-16. **(Deleted by amendment.)**

23 **Sec. 17.** Section 191 of chapter 1, Statutes of Nevada 2005,
24 22nd Special Session, at page 57, is hereby amended to read as
25 follows:

26 Sec. 191. **(Deleted by amendment.)**

27 **Sec. 18.** Section 193 of chapter 1, Statutes of Nevada 2005,
28 22nd Special Session, at page 58, is hereby amended to read as
29 follows:

30 Sec. 193. **(Deleted by amendment.)**

31 **Sec. 19.** Section 220 of chapter 1, Statutes of Nevada 2005,
32 22nd Special Session, at page 67, is hereby amended to read as
33 follows:

34 Sec. 220. 1. This section and section 211 of this act
35 become effective upon passage and approval.

36 2. Sections 1 to 185.7, inclusive, 186 to 188.5, inclusive,
37 and 208 to 219, inclusive, of this act become effective on
38 October 1, 2005.

39 3. Sections 185.9, 189, 190, 192 and 194 to 207,
40 inclusive, of this act, become effective on July 1, 2007.

41 ~~4. Sections 190, 192, 194 and 195 of this act expire by~~
42 ~~limitation on the date the regulation adopted by the Board of~~
43 ~~Examiners for Alcohol, Drug and Gambling Counselors for~~
44 ~~the certification of a person as a detoxification technician~~



~~pursuant to NRS 641C.500 becomes effective, unless a later date is otherwise specified in the regulation.~~

~~—5. Sections 191 and 193 of this act become effective on the date the regulation adopted by the Board of Examiners for Alcohol, Drug and Gambling Counselors for the certification of a person as a detoxification technician pursuant to NRS 641C.500 becomes effective, unless a later date is otherwise specified in the regulation.~~

Sec. 20. Section 69 of chapter 462, Statutes of Nevada 2013, at page 2746, is hereby amended to read as follows:

Sec. 69. 1. This section and sections 1, 2, 3, 5, 6, 7, 8 to 9.3, inclusive, 16.5 and 68 of this act become effective on July 1, 2013.

2. Sections 4, 7.1 to 7.9, inclusive, 13 to 16, inclusive, and 17 to 67, inclusive, of this act become effective:

(a) On July 1, 2013, for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2014, for all other purposes.

~~3. Section 29 of this act expires by limitation on the date the regulation adopted by the Board of Examiners for Alcohol, Drug and Gambling Counselors for certification as a detoxification technician pursuant to NRS 641C.500 becomes effective.~~

Sec. 21. 1. Any contracts or other agreements entered into by an officer or entity whose name has been changed pursuant to the provisions of this act are binding upon the officer or entity to which the responsibility for the administration of the provision of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or entity to which the responsibility for the enforcement of the provisions of the contract or other agreements has been transferred.

2. Any action taken by an officer or entity whose name has been changed pursuant to the provisions of this act remains in effect as if taken by the officer or entity to which the responsibility for the enforcement of such actions has been transferred.

Sec. 22. The Legislative Counsel shall:

1. In preparing the Nevada Revised Statutes, use the authority set forth in subsection 10 of NRS 220.120 to substitute appropriately the name of any agency or officer of the State whose name is changed by this act for the name which the agency or officer previously used; and

2. In preparing supplements to the Nevada Administrative Code, substitute appropriately the name of any agency or officer of



1 the State whose name is changed by this act for the name which the
2 agency or officer previously used.

3 **Sec. 23.** The amendatory provisions of sections 6, 7, 8 and 12
4 of this act, and the provisions of subsection 2 of NRS 641C.420 as
5 amended by section 10 of this act, do not apply to the length of time
6 a license or certificate is valid if the license or certificate is issued
7 pursuant to the provisions of chapter 641C of NRS before July 1,
8 2015.

9 **Sec. 24.** NRS 641C.500 is hereby repealed.

10 **Sec. 25.** This act becomes effective on July 1, 2015.

TEXT OF REPEALED SECTION

641C.500 Adoption of regulations governing certification; scope of regulations; prohibitions; inapplicability of certain provisions of chapter.

1. The Board may, by regulation, provide for the certification of a person as a detoxification technician.

2. Any regulation adopted pursuant to subsection 1 must be consistent with the provisions of chapter 622A of NRS and must include, without limitation, provisions relating to:

(a) The requirements for submitting an application for a certificate, including, without limitation, the submission of a complete set of fingerprints pursuant to NRS 641C.260;

(b) The scope of practice for a person who is issued a certificate;

(c) The conduct of any investigation or hearing relating to an application for a certificate;

(d) The examination of an applicant for a certificate or a waiver of examination for an applicant;

(e) The requirements for issuing a certificate or provisional certificate;

(f) The duration, expiration, renewal, restoration, suspension, revocation and reinstatement of a certificate;

(g) The grounds for refusing the issuance, renewal, restoration or reinstatement of a certificate;

(h) The conduct of any disciplinary or other administrative proceeding relating to a person who is issued a certificate;

(i) The filing of a complaint against a person who is issued a certificate;

(j) The issuance of a subpoena for the attendance of witnesses and the production of books, papers and records;

(k) The payment of fees for:



(1) Witnesses, mileage and attendance at a hearing or deposition; and

(2) The issuance, renewal, restoration or reinstatement of a certificate;

(l) The imposition of a penalty for a violation of any provision of the regulations; and

(m) The confidentiality of any record or other information maintained by the Board relating to an applicant or the holder of a certificate.

3. A person shall not engage in any activity for which the Board requires a certificate as a detoxification technician pursuant to this section unless the person is the holder of such a certificate.

4. In addition to the provisions of subsection 2, a regulation adopted pursuant to this section must include provisions that are substantially similar to the requirements set forth in NRS 641C.280 and 641C.710. Any provision included in a regulation pursuant to this subsection remains effective until the provisions of NRS 641C.280 and 641C.710 expire by limitation.

5. Except as otherwise provided in this section and NRS 641C.900, 641C.910 and 641C.950, the provisions of this chapter do not apply to the holder of a certificate that is issued in accordance with a regulation adopted pursuant to this section.

6. As used in this section, "detoxification technician" means a person who is certified by the Board to provide screening for the safe withdrawal from alcohol and other drugs.



