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**STATE OF NEVADA  
BOARD OF EXAMINERS  
FOR  
ALCOHOL, DRUG AND GAMBLING COUNSELORS  
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**LCB File No.R058-14**

**NOTICE OF INTENT TO ACT UPON A REGULATION  
Notice of hearing for the adoption of Regulations of the Board of Examiners  
for Alcohol, Drug and Gambling Counselors.**

The Board of Examiners for Alcohol, Drug and Gambling Counselors will hold a public hearing at

**9.00 am, on November 7, 2014, at TMCC Redfield Campus 18600 Wedge Parkway, Building B, Room #102, Reno Nevada 89511, and CSN Cheyenne Campus 3200 E. Cheyenne Ave. Room #2638 A in Las Vegas , Nevada 89030 (video conference).** T

he purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapters:

**641C.215;641C.225;641C.235;641C.245;641C.250;641C.250;641C.280;641C.285;  
641C.290;641C.300;641C.305;641C.320;641C.405;641C.425;641C.430** of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of Nevada Revised Statute (“NRS”) 233b.0603 and directives of the Governor:

**A REGULATION:** relating to counselors for alcohol, drug and gambling addictions; revising provisions relating to applications for licensure or certification for counselors and counseling interns; revising provisions relating to certain fees charged and collected by the Board of Examiners for Alcohol, Drug and Gambling Counselors; clarifying the Scope of certain licenses; revising provisions relating to the supervision of counseling interns; revising provisions relating to educational requirements for counseling interns; requiring certain continuing education courses and programs to be primarily related to the practice of counseling alcohol and drug abusers or problem gamblers; revising provisions relating to standards of practice for counseling alcohol and drug abusers or

problem gamblers; prohibiting a counselor or intern from performing services outside the scope of his or her license, certificate, training or experience; revising provisions relating to certain notification of civil actions that must be provided to the Board; and providing other matters properly relating thereto.

- 1) Why is the regulation necessary and what is its purpose?  
*It is necessary to clarify the language of the regulation, implement previously adopted changes, and ensure the quality of service provided by licensed and certified counselors, interns and supervisors.*
- 2) What are the terms or substance of the proposed regulation?  
*(all the proposed changes are described below)*
- 3) What is the anticipated impact of the regulation on the problem(s)?  
*The amendments /changes will ensure that the counselors in the field of substance abuse are obtaining relevant education and training to provide quality services*  
*The economic impact effect:*  
*Adverse: none anticipated*  
*Beneficial: none anticipated*  
*Long term: unknown*  
*Short term: unknown*
- 4) *The Board of Examiners for Alcohol, Drug and Gambling Counselors is not anticipating any direct cost related to the changes.*
- 5) Do other regulations address the same problems , *No*
- 6) Are alternate forms of regulation sufficient to address the problem(s)?  
*No*
- 7) What value does the regulation have to the public?  
*This regulation aids the Board of Examiners for Alcohol, Drug and Gambling Counselors in ensuring that the certified and licensed substance abuse counselors, interns and supervisors in the State of Nevada are educated and qualified to provide services.*
- 8) *The proposed regulation established increase in existing fees.*
- 9) Provide a description of any regulation of other state or local governmental agencies which the proposed regulation overlaps or duplicates, and statement explaining why the duplication or overlapping is necessary.  
*N/A*
- 10) *The regulation is not required pursuant to federal law*
- 11) *The regulation does not include the provisions that are more stringent than a federal regulation that regulates the same activity.*
1. **NAC 641C.215 Action by staff or Board upon receipt of application for license or certificate;** verbiage change for clarification purpose only.
2. **NAC 641C.225 Licensure or certification without examination of applicant who holds license, certificate or other credential from another jurisdiction.** (3) “a detailed statement disclosing any past disciplinary actions taken against their license or certificate from another state or territory or possession of the United States if there has ever been such an action taken”; this section

was added to insure and enhance the quality of care; section(H) the verbiage was change for clarification purpose only.

3. **NAC 641C.235 Application renewal of license or certificate;** (c) change in verbiage for clarification purpose only.
4. **NAC 641C.240 The Board will collect and charge the following fees**  
Fee changes have been implemented in the past this is for the clarification purposes only
5. **NAC 641C.245 Payment of fees and remittance ; lapse of application** (1) “ Fees and remittance to the Board must be made by money order, bank draft, check or credit card through the board’s website; the” credit card” was added to reflect the new payment options via website.
6. **NAC 641C.250 (3) Authorized activities of counselor and certified intern; scope of practice of counseling.**  
(3) a certified intern may provide any of the services described in subsection 1) **only in a treatment agency setting or the private practice setting of a licensed alcohol and drug counselor (..) the entries into the clinical record of a client ( including diagnosis or classification, treatment plan) must be countersigned by the licensed counselor supervising the certified intern;** the paragraph was altered to clarify the role of the intern, scope of practice as well as the role of the supervisor.
7. **NAC 641C.250 Authorized activities of counselor and certified intern; scope of practice of counseling;** terms “clinical professional counselor” and “qualified clinical professional counselor” were added to clarify and include the new type of Licenses this Board is offering.
8. **NAC 641C.250 Authorized activities of counselor and certified intern; scope of practice of counseling;** LCADC was added for clarification and to include the new type of Licensure.
9. **NAC 641C.280 Supervisors of certified interns: Generally.**  
(c)” **have engaged in the practice of counseling as licensed or certified alcohol and drug abuse counselor or the practice of counseling problem gamblers as a certified problem gambling counselor for at least two years”;** verbiage change for the clarification purpose, and to ensure that potential candidates for supervisors have enough experience to provide mentoring and oversee the work of interns.
10. **NAC 641C.290 Education and training of certified intern;** change of supervisor; verbiage change in the paragraph for the clarification purpose only.  
(5) **The duration of the internship will be reduced from 10 to 5 years**
11. **NAC 641C.300 Requirements for maintenance or renewal of license or certificate; grounds for disciplinary action.**  
2 (a) **“at least 12 hours of training during the first 6 months of certification (...) at least 6 hours of training during the first 6 months of certification period that pertain to ethics; and at least 6 hours of training during the first 6 months of certification that pertain to the standards of confidentiality (...);** the change was made in the hours of training and in the deadline to accommodate the interns and to be in conjunction with the training offered by the CASAT in Reno and Las Vegas.
12. **NAC 641C.305 Affidavit of completion: Submission; verification of authenticity; maintenance of documentation;** the verbiage was changed for clarification purpose only.

- 13. NAC 641C. 320 Requirements for approval of course or program of education;** verbiage change of clarification purpose only.
- 14. NAC 641C.405 Professional responsibility;** verbiage changes were made for the clarification purpose.
- 15. NAC 641C.425 Confidentiality of information.**
1. A licensed or certified alcohol and drug abuse counselor or certified alcohol and drug abuse confidentiality set forth in the provisions of 42 CFR Part 2 **and HIPPA as set forth in the provisions of 45 CFR Part 160 and Part 164 (...)** or **45 CFR part 164;** the adjustment to this paragraph was made to make it consistent with the federal regulations.
- 16. NAC 641C.430 Coordination of care;** the verbiage change was made in the paragraph for clarification and to ensure the quality of care.

Persons wishing to comment upon the proposed action of the Board of Examiners for Alcohol, Drug and Gambling Counselors may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Board of Examiners for Alcohol, Drug and Gambling Counselors at 400 West Kind Street, Suite 111, Carson City, NV 89703, or visit our website at [www.alcohol.state.nv.us](http://www.alcohol.state.nv.us). **Written submission must be received by the Board on or before October 30, 2014.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

This Notice of Intent to Act Upon Regulations has been sent either by mail or email to persons on the agency's mailing list for administrative regulation, and posted at the office of the Board of Examiners for Alcohol, Drug and Gambling Counselors, the Board's website at: [www.alcohol.state.nv.us](http://www.alcohol.state.nv.us) and the following locations:

Attorney General's Office- 100 N. Carson Street, Carson City, Nevada 89701  
 Capitol Police- Grant Sawyer Building – 555. E. Washington Blvd., Las Vegas, Nevada 89101  
 Legislative Counsel Bureau-401 S. Carson Street, Carson City, Nevada 89701  
<https://www.leg.state.nv.us/App/Notice/A/>.  
 Nevada State Library and Archives- 100 N. Stewart St., Carson City, Nevada 89701  
 Nevada Public Notice website: <https://notice.nv.gov/Notice>  
 Nevada County Public Libraries :

Carson City Library  
 900 North Roop  
 Carson City, Nevada 89701

Lincoln County Library  
 Street 63 Main Street  
 Pioche, Nevada 89043

Churchill County Library  
 553 South Main Street  
 Fallon, Nevada 89406-3306

Lyon County Library System  
 20 Nevin Way  
 Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District  
Headquarters  
833 Las Vegas Boulevard North  
Las Vegas, Nevada 89101-2062

Mineral County Public Library  
P.O. Box 1390  
Hawthorne, Nevada 89415

Douglas County Public Library  
1625 Library Lane  
Minden, Nevada 89423-0337

Pershing County Library  
1125 Central Avenue  
Lovelock, Nevada 89419

Elko County Library  
720 Court Street  
Elko, Nevada 89801-3397

Esmeralda County Library  
Corner of Crook & 4th  
P.O. Box 430  
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office  
Drawer D  
Virginia City, Nevada 89440

Eureka County Library  
10190 Monroe Street  
Eureka, Nevada 89316

Tonopah Public Library (Nye County)  
P.O. Box 449  
Tonopah, Nevada 89049

Humboldt County Library  
85 East 5th Street  
Winnemucca, Nevada 89445-3095

Washoe County Library System  
301 South Center Street  
Reno, Nevada 89501-2102

Battle Mountain Branch Library  
625 South Broad Street  
Battle Mountain, Nevada 89820

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301