

**STATE OF NEVADA
BOARD OF EXAMINERS FOR
ALCOHOL, DRUG AND GAMBLING COUNSELORS**

NOTICE OF INTENT TO ACT UPON A TEMPORARY REGULATION

DATE: Monday, April 12, 2021

TIME: 9:30 AM

LOCATIONS VIA VIDEO CONFERENCE:

Due to the COVID-19 Pandemic and the Governor's Directives, this meeting will be conducted via Zoom. Anyone wishing to participate in the meeting via Zoom must email the Board at agawronski@adgc.nv.gov to receive the Zoom meeting information and password. The email will be monitored during the meeting for anyone who wishes to attend the meeting and participate.

**Notice of Hearing for the Adoption of a Temporary Regulations of the
State of Nevada Board of Examiners for Alcohol, Drug and Gambling Counselors**

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. This regulation is needed to authorize supervisors to electronically supervise interns.
2. This regulation is a temporary regulation and allows supervisors to electronically supervise interns, provided that the supervisor is present at the session through a secured electronic connection.
3. This is not a permanent regulation.
4. Estimated economic effects on businesses:

Adverse effects: There are no adverse effects of this regulation on the businesses it regulates nor on the public.

Beneficial effects: Supervisors will be able to electronically supervise interns, which allows more options for supervision of interns.

Immediate effects: Supervisors will be able to electronically supervise interns.

Long-term effects: More options to supervise interns.

5. The Board staff reviewed the regulation with its legal counsel to determine the economic impact to small businesses. The Board's Executive Director also had meetings interested parties that would be impacted by this regulation. There is an no impact to small business.

6. There is no cost to the Board for enforcement of this regulation.
7. There no other regulations that overlap.
8. This regulation is not required pursuant to a federal law.
9. This regulation does not contain any provisions which are more stringent than a federal regulation that regulates the same activity.
10. This regulation does not establishes a new fee.
11. Interested persons may provide their views regarding the regulation at the following locations or by submitted written comments to the Board:

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Persons wishing to comment upon the proposed action of the Nevada State 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 Agata Gawronski, Executive Director, 4600 Kietzke Lane B-115, Reno, NV 89502, 775-689-0563, agawronski@adgc.nv.gov. Written submissions must be received by April 10, 2021. 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.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at Board's Offices, 4600 Kietzke Lane B-115, Reno, NV 89502, 775-689-0563, agawronski@adgc.nv.gov, and the Board's website at <https://alcohol.nv.gov/> and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation 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.us/>. Copies of this notice and the proposed regulation also will be mailed to members of the public at no charge upon request.

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

This notice of hearing has been posted at the following locations:

State Library and Archives, 100 Stewart Street, Carson City, Nevada 89701
Carson City Library 900 North Rook Street, Carson City, Nevada 89701-3101
Lincoln County Library 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, Las Vegas Boulevard North, Las Vegas, Nevada 89101-2062
Mineral County Public Library, P.O. Box 1390 833, 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
Storey County Public Library (CLOSED, instead, send to the Storey County Clerk's Office, see below)
Esmeralda County Library Corner of Crook & 4th Street, 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 (Lander County), 625 South Broad Street, Battle Mountain, Nevada 89820
White Pine County Library, 950 Campton Street, Ely, Nevada 89301
The Department of Administration's website at www.notice.nv.gov
The Legislative Counsel Bureau's website at <https://leg.state.nv.us/App/Notice/A/>
Board of Examiners for Alcohol, Drug and Gambling Counselors Website: www.alcohol.nv.gov
Nevada Public Notice website: <https://notice.nv.gov/Notice>

Certification on file in the office of the Board of Examiners for Alcohol, Drug and Gambling Counselors in Reno, NV. In compliance with the Americans with Disabilities Act (ADA) please contact the Board of Examiners for Alcohol and Drug Counselors, (775) 689 0562, if you are disabled or require special services to attend.

Section 1. NAC 641C.250 is hereby amended to read as follows:

NAC 641C.250 1. A person who is licensed or certified as an alcohol and drug counselor may:

(a) Provide counseling for the use of alcohol and other substance use disorders, including, without limitation:

- (1) Making a diagnosis or classification;
- (2) Providing a referral; or
- (3) Planning a course of treatment;

(b) Provide counseling to a person who has a significant relationship with an identified or suspected person with an alcohol or other substance use disorder, only to the extent necessary to treat the identified or suspected person or engage the identified or suspected person in treatment; and

(c) Conduct testing for which the counselor was trained.

2. A person who is licensed as a clinical alcohol and drug counselor may:

(a) Provide counseling for alcohol and other substance use disorders, including, without limitation:

- (1) Making a diagnosis or classification;
- (2) Providing a referral; or
- (3) Planning a course of treatment;

(b) Provide counseling for a mental illness to a person with mental illness so long as the person's mental illness is not a psychotic disorder and the person also has an alcohol or other substance use disorder, including, without limitation:

- (1) Making a diagnosis or classification;
- (2) Providing a referral; or

(3) Planning a course of treatment;

(c) Provide counseling to a person who has a significant relationship with an identified or suspected person with an alcohol or other substance use disorder, only to the extent necessary to treat the identified or suspected person or engage the identified or suspected person in treatment; and

(d) Conduct testing for which the counselor was trained.

3. A person who is certified as a problem gambling counselor may:

(a) Provide counseling for problem gambling, including, without limitation:

(1) Making a diagnosis or classification;

(2) Providing a referral; or

(3) Planning a course of treatment;

(b) Provide counseling to a person who has a significant relationship with an identified or suspected person with an addictive disorder related to gambling, only to the extent necessary to treat the identified or suspected person or engage the identified or suspected person in treatment; and

(c) Conduct testing for which the counselor was trained.

4. A certified intern may provide any services allowed by law only at a treatment agency, if the licensed or certified counselor supervising the certified intern is physically present at the treatment agency while the certified intern is providing such services *or if the certified intern is electronically supervised by a licensed or certified counselor*, or at the practice of the licensed or certified counselor supervising the certified intern, subject to the clinical supervision and allowance by the licensed or certified counselor supervising the certified intern. Any entry made by a certified intern in the clinical record of a client must be substantiated in the clinical record

and countersigned by the licensed or certified counselor supervising the certified intern. *A supervisor who is electronically supervising a certified intern must be available at all times that the certified intern is providing services.* As used in this subsection ~~}, “treatment agency”~~:

(a) *“Electronically supervised” means that the licensed or certified counselor is using secured electronic means.*

(b) *“Treatment agency” means any public or private agency which provides for the treatment of alcohol and drug abusers or problem gamblers, including, without limitation, a satellite location of the agency.*

5. Except as otherwise provided in subsection 6 and in [NRS 641C.130](#), the provision of counseling services related to alcohol and other substance use disorders or an addictive disorder related to gambling to a client in this State through any means, including, without limitation, electronic means or by telephone, regardless of the location of the person providing that counseling, constitutes the practice of counseling persons with alcohol and other substance use disorders, the clinical practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling which is subject to the provisions of this chapter and [chapter 641C](#) of NRS.

6. The practice of counseling persons with alcohol and other substance use disorders, the clinical practice of counseling persons with alcohol and other substance use disorders and the practice of counseling persons with an addictive disorder related to gambling in this State does not include counseling activities or services provided by the following persons:

(a) A student of psychology or any other person preparing for the profession of psychology under the supervision of a qualified psychologist in a training institution or facility recognized by the Board of Psychological Examiners pursuant to the provisions of [chapter 641](#) of NRS. Such a

student or person must be designated by the title “psychological trainee,” “psychological intern,” “psychological resident” or “psychological assistant,” or any other title which clearly indicates his or her training status.

(b) A student of marriage and family therapy or clinical professional counseling, or any other person preparing for the profession of marriage and family therapy or clinical professional counseling, under the supervision of a qualified marriage and family therapist or a qualified clinical professional counselor in a training institution or facility recognized by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to [chapter 641A](#) of NRS. Such a student or person must be designated by the title “intern in marriage and family therapy,” “intern in clinical professional counseling” or any other title which clearly indicates his or her training status.

(c) A student of social work or any other person preparing for the profession of social work under the supervision of a qualified social worker in a training institution or facility recognized by the Board of Examiners for Social Workers pursuant to [chapter 641B](#) of NRS. Such a student must be designated by the title “student of social work” or “trainee in social work,” or any other title which clearly indicates his or her training status.

7. A person who engages in the practice of counseling persons with alcohol and other substance use disorders may represent himself or herself as:

(a) A licensed alcohol and drug counselor, or use the initials “LADC” after his or her name, only if the counselor is licensed as such by the Board.

(b) A certified alcohol and drug counselor, or use the initials “CADC” after his or her name, only if the counselor is certified as such by the Board.

(c) If the person is issued a certificate as an alcohol and drug counselor pursuant to [NAC 641C.276](#) or [641C.277](#), a Native American certified alcohol and drug counselor, or use the initials “NACADC” after his or her name.

8. A person who engages in the clinical practice of counseling persons with alcohol and other substance use disorders may represent himself or herself as a licensed clinical alcohol and drug counselor, or use the initials “LCADC” after his or her name, only if the counselor is licensed as such by the Board.

9. A person who engages in the practice of counseling persons with an addictive disorder related to gambling may represent himself or herself as a certified problem gambling counselor, or use the initials “CPGC” after his or her name, only if the counselor is certified as such by the Board.

10. Except as otherwise provided in subsection 11, a certified intern may represent himself or herself as:

(a) A certified alcohol and drug counselor intern, or use the words “CADC Intern” after his or her name, only if the certified intern is certified as such by the Board.

(b) A certified clinical alcohol and drug counselor intern, or use the words “CCADC Intern” after his or her name, only if the certified intern is certified as such by the Board.

(c) A certified problem gambling counselor intern, or use the words “CPGC Intern” after his or her name, only if the certified intern is certified as such by the Board.

11. The representation used by a certified intern must ensure that a client does not confuse or misunderstand the fact that the certified intern is not a licensed or certified counselor.