



State of Nevada

The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors

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January 30, 2019

The State of Nevada Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors has submitted SB 37 for consideration by the Nevada Legislature in 2019. Below is an outline of what the bill would do, if passed. Rationale is stated in [blue](#).

- 1) Expands practice scope for MFTs and CPCs by removing the current prohibition against psychotic disorder diagnosis and treatment.
- 2) Removes restrictive language for CPCs that suggests they must meet extra conditions to treat couples and families.

[These two modifications will result in workforce expansion as the state will be able to attract and retain qualified clinicians who had previously been resistant to move here and/or had willingly departed. Furthermore, the removal of these restrictions should expand the applicant pool for places like NNAMHS and SNAMHS, along with rural clinics, DCFS, and many more governmental and non-governmental entities.](#)

- 3) Increases fees and adds new fees. Prior to this bill, the board's fee structure had not been modified since 1989, meaning that it had not kept pace with inflation, nor had it kept pace with the new labor demands upon the office.

[Presently the office only has enough money to pay for a part-time \(20hr/wk\) executive director and has no money for a complaint investigator, resulting a backlog of licensee complaints dating to 2014. This also requires board members to volunteer their time to cover basic office duties, such as minute keeping, payroll and banking, and applicant academic reviews. The board's last statutory alteration to fees was in 1989, which have the spending power of roughly 48% of what they did 30 years ago.](#)

- 4) Moves licenses to biennial renewals

[This will encourage licensee attendance at extended conferences where continuing education credits exceed the 20 required annually and also pulls into alignment this board's practices with those of other professions that no longer perform annual renewals.](#)

- 5) Cleans up language that suggests internships must terminate when supervisors are changed,

which is inconsistent with other parts of statute that suggest otherwise.

As currently written, sections 2878 and 2888 state that interns can change supervisors and their agreements and merely have to notify the Board. However, sections 2872 and 2882 state that internships (and, the intern's ability to practice) terminate with the termination of a supervision agreement, which obviously occurs with any supervisory change. Both cannot exist simultaneously so the Board would like to allow supervisory changes without resulting in internship termination, as that obstructs practice and, in turn, care access.

6) Balances public representation on the board by removing one MFT member and adding one public member.

This is in response to some national trends in case law where the licensing boards and the professional associations were a bit too cozy and resulted in an erosion of the public protections.

The MFT-CPC Board of Examiners believes that these changes will equip it to deal with the mental health needs of our state, whereas a failure to adopt these changes will create more public suffering, which the board is charged with preventing, so to speak. The board believes that its statutory duty to protect the health, safety, and welfare of Nevada citizens cannot be achieved without also promoting the same, which is the impetus for these changes. The board cannot fully protect the public without adequate operational funding, nor can it promote the public's interests if its licensees cannot practice with scopes equivalent to those granted by the other 49 states in this nation.

The Nevada Psychological Association has helped the board by way of an amendment that refines and clarifies language related to psychometric testing, which is listed below. The board adopted this amendment on January 18 and it was grateful for the professional courtesy the NPA extended in having a dialogue about their concerns while being able to compromise over them. This language in no way restricts diagnosis or treatment, just the administration of testing instruments.

Section 1.3 and in Section 2.3 be clarified to read as follows:

"The term does not include:

- a.) the use of psychometric tests, assessments, or measures including psychological, neuropsychological, developmental, neurodevelopmental, cognitive, intelligence, achievement, personality, and projective tests*
- b.) the use of psychometric tests, assessments, and measures as listed above to determine level of development, intelligence or cognitive abilities, educational or employment aptitude, level of academic achievement, or personality.*
- c.) the use of psychometric tests, assessments, and measures as listed above to diagnose neurodevelopmental disorders, neurocognitive disorders, and/or other developmental, learning, behavioral, or mental disorders"*

The MFT-CPC Board thanks you for your audience and for your support of this important endeavor.