

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

NOTICE OF PUBLIC WORKSHOP FOR PROPOSED REGULATION

DATE: Thursday, September 23, 2021
TIME: 9:30 AM

LOCATIONS VIA VIDEO CONFERENCE:

Zoom Meeting Info:

To access the meeting, please register using the following:

Topic: Public Workshop

Time: Sep 23, 2021 09:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82325319637?pwd=cTZDR29EdnNCcStzNmRTdEczVUpLQT09>

Meeting ID: 823 2531 9637

Passcode: 874979

One tap mobile

+16699006833,,82325319637#,,,,*874979# US (San Jose)

+12532158782,,82325319637#,,,,*874979# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 823 2531 9637

Passcode: 874979

Find your local number: <https://us06web.zoom.us/u/key6pTtAEs>

After registering, you will receive a confirmation email containing information about joining the meeting.

Attendees wishing to speak during public comment must raise their hand through the zoom platform to be called on or will be called upon by the chair.

ITEMS MAY BE TAKEN OUT OF ORDER; ITEMS MAY BE COMBINED FOR CONSIDERATION BY THE BOARD AND; ITEMS MAY BE PULLED OR REMOVED FROM THE AGENDA AT ANY TIME. PUBLIC COMMENT WILL BE TAKEN AT THE BEGINNING AND AT THE END OF THE MEETING

- 1) Welcome, Call to Order.
- 2) Public Comments.
- 3) **WORKSHOP for Proposed Regulation. The proposed regulation amends NAC 641C.250 to allow for the electronic supervision of interns and NAC 641C.290 to allow for an extension of time for completing the education and training requirements for a certified intern.**
- 4) Public Comments
- 5) Adjournment

Note: Regarding public comment no vote may be taken upon a matter raised under this agenda item until the matter itself has been specifically included on a future agenda as an item upon which action may be taken. (NRS 241.020). The Chair may allow comment on individual agenda items at his or her discretion. Please limit public comments to 5 minutes. Prior to the commencement and conclusion of a contested case, or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment.

The Board of Examiners for Alcohol, Drug and Gambling Counselors may address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting. Interested persons may present oral and/or written comments at the time and place of the meeting, or written comments may be sent to Agata Gawronski at agawronski@adgc.nv.gov

**To request supporting materials, including a copy of the regulation, please contact: Agata Gawronski, Executive Director
via email: agawronski@adgc.nv.gov .**

This notice has been posted in accordance with NRS Chapter 241 in the following locations:

Board of Examiners for Alcohol, Drug and Gambling Counselors Website: www.alcohol.nv.gov

Nevada Public Notice website: <https://notice.nv.gov/Notice>

Carson City Library, 900 N. Roop Street, Carson City, NV 89701

Churchill County Library, 553 S. Main Street, Fallon, NV 89406

Las Vegas Library, 2851 E. Bonanza Road, Las Vegas, Nevada 89101

Douglas County Library, 1625 Library Lane, Minden, NV 89423

Elko County Library, 720 Court Street, Elko, NV 89801

Esmeralda County Library, 10190 Monroe St. Eureka, NV 89316

Humboldt County Library, 85 East 5th St., Winnemucca, NV 89445

Battle Mountain Branch Library (Lander County), 625 South Broad St., Battle Mountain, NV 89820

Lincoln County Library, 63 Main St., Pioche NV 89043

Lyon County Library, 20 Nevin Way, Yerington NV 89447

Mineral County Library, 110 1st St., PO Box 1390 833, Hawthorn, NV 89415
Tonopah Public Library, 167 S. Central St., PO Box 449, Tonopah, NV 89049
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419
Storey County Public Library (CLOSED), instead sent to Storey County Clerk's Office, Drawer
D, Virginia City, NV 89440
White Pine County Library, 950 Campton St., Ely, NV 89301

**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.

Sec. 2. NAC 641C.290 is hereby amended to read as follows:

NAC 641C.290 1. Any hours which a certified intern accumulates while:

(a) Working under the supervision of a licensed or certified alcohol and drug counselor, a licensed clinical alcohol and drug counselor or a certified problem gambling counselor who has not been approved by the Board to supervise certified interns;

(b) Working in an arrangement covered by an agreement relating to the supervision of the certified intern if the agreement has not been approved by the Board;

(c) Engaged in any activities that are not within the scope of 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, the practice of counseling persons with an addictive disorder related to gambling or the provision of any services relating thereto; or

(d) Not in compliance with the requirements of this chapter and chapter 641C of NRS concerning certified interns,

Ê will not be counted toward the number of hours necessary to become a licensed or certified counselor.

2. If the supervisor of a certified intern changes, the certified intern must submit a new agreement concerning the supervision of the certified intern by the new supervisor to the Board for its approval not later than 5 working days after the date on which the supervisor has changed.

3. Except as otherwise provided in this subsection, if, at the time when a certified intern received his or her most current certification from the Board, the certified intern is enrolled in a program of education from which he or she will receive an associate's degree, bachelor's degree, master's degree or doctoral degree in a field of social science, the licensed or certified alcohol and drug counselor, licensed clinical alcohol and drug counselor or certified problem gambling counselor supervising the certified intern shall ensure that the certified intern is properly enrolled in that program of education during each semester within the certification period and shall

include documentation of all completed course work from the program of education in each progress report required pursuant to NAC 641C.285. If a certified intern completes and receives his or her degree from his or her program of education during a certification period and a new semester for that program of education begins before the end of the certification period, the licensed or certified alcohol and drug counselor, licensed clinical alcohol and drug counselor or certified problem gambling counselor supervising the certified intern is not required to ensure that the certified intern is enrolled in the program of education for the new semester.

4. Except as otherwise provided in this subsection, a certified intern may not accumulate any hours necessary to become a licensed or certified counselor during the remainder of any semester from which the certified intern has withdrawn from his or her courses such that he or she is no longer enrolled in at least 3 credit hours for a given semester. Upon request of a certified intern, the Board may waive the provisions of this subsection if the Board determines the existence of good cause, including, without limitation, extreme illness of the certified intern or the cancellation of classes by a college or university. To obtain a waiver, the certified intern:

(a) Must provide the Board with documentation of any requested waiver within 30 days after each occurrence; and

(b) May be requested to appear before the Board to determine if a waiver should be granted.

5. ~~[A]~~ *Except as otherwise provided in this subsection, a* certified intern must complete the education and training necessary to become a licensed or certified counselor not later than 5 years after the date on which he or she initially applies to become a certified intern. *A certified intern may apply to the Board to request an extension of 5-year time limit imposed by this subsection. Such an extension must be requested on a form provided by and submitted to the*

Board. Upon receipt of a request for an extension, the Board may grant the extension if it finds that the:

(a) Reason for or cause necessitating the request for an extension is the result of circumstances that are unforeseeable or otherwise outside the control of the certified intern.

(b) Length of the requested extension is reasonable under the circumstances.

(c) Certified intern will complete the education and training necessary to become a licensed or certified counselor within the requested extension of time.