AN ACT relating to professional licensing; requiring the Board of Psychological Examiners, the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, the Board of Examiners for Social Workers and the Board of Examiners for Alcohol, Drug and Gambling Counselors to report certain information to the Commission on Behavioral Health; requiring new members of those boards to complete an orientation; requiring those boards to adopt certain policies and regulations; authorizing those boards to enter into certain agreements; authorizing a person aggrieved by certain actions of those boards to appeal to the Commission; requiring the Commission to review all regulations adopted by those boards; revising the qualifications of certain members of the Commission; prohibiting certain persons from serving on the Commission; and providing other matters properly relating thereto.

Legislative Counsel's Digest:
1 Existing law establishes: (1) the Board of Psychological Examiners, which regulates psychologists, behavior analysts and assistant behavior analysts; (2) the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, which regulates marriage and family therapists and clinical professional counselors; (3) the Board of Examiners for Social Workers, which
regulates social workers; and (4) the Board of Examiners for Alcohol, Drug and
Gambling Counselors, which regulates alcohol, drug and problem gambling
counselors. (Chapters 641-641C of NRS) Sections 2, 11, 18 and 25 of this bill
require those boards to submit an annual report to the Commission on Behavioral
Health concerning investigations and review of applications for the issuance or
renewal of a license or certificate. Sections 3, 12, 19 and 26 of this bill: (1) require
each new member of those boards to complete an orientation within 60 days after
appointment; and (2) require each board to establish policies concerning
compensation and reviewing the performance of the staff of the board. Sections 4,
13, 20 and 27 of this bill authorize the boards to enter into agreements with the
Department of Health and Human Services or a division thereof to carry out or
improve the performance of the boards' duties.
Sections 5, 16, 21 and 28 of this bill require the same boards to adopt online
application forms for the issuance or renewal of a license or certificate. Sections 6,
14, 22, 29 and 34 of this bill authorize a person aggrieved by an order of any of
those boards in refusing to issue or renew a license or certificate or imposing
disciplinary action to appeal that order to the Commission on Behavioral Health.
Sections 7, 15, 23 and 30 of this bill require each of the boards to adopt regulations
establishing: (1) standards concerning the locations at which interns provide
services; (2) standards concerning the supervision of interns working at remote
sites; and (3) a manner in which the qualifications for issuance or renewal of a
license will be made available to the public. Sections 7, 15, 23, 30 and 34 also
require the Commission to review and make recommendations concerning all
regulations adopted by the boards. Section 32 of this bill: (1) revises the
qualifications of certain members of the Commission; and (2) prohibits a member
of any of those boards from serving concurrently as a member of the Commission.
Section 35 of this bill requires each of the boards to submit a report to the
Commission on or before January 1, 2018, concerning the costs of the board, the
fees imposed by the board and the efforts of the board to recognize licenses,
certificates and other credentials from jurisdictions outside this State and to carry
out the provisions of this bill.

WHEREAS, Licensing boards that issue licenses and certificates
to behavioral health professionals have an obligation to protect the
safety of the public, promote the provision of high-quality
behavioral health care and facilitate the licensure and certification of
behavioral health professionals; and
WHEREAS, To achieve these objectives, such boards must
develop and implement fair and transparent policies and procedures
for the licensing, certification and regulation of behavioral health
professionals; and
WHEREAS, The implementation of such policies and procedures
will increase the availability and accessibility of high-quality
behavioral health services to the residents of this State; now,
therefore,
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 641 of NRS is hereby amended by adding
thereunto the provisions set forth as sections 2 to 6, inclusive, of this
act.

Sec. 2. On or before February 1 of each year, the Board
shall submit to the Commission on Behavioral Health a report
which must include:
1. The number of complaints received, investigations
completed, cases dismissed, cases settled and cases for which
hearings were held within the immediately preceding calendar
year; and
2. The number of applications for the issuance or renewal of
a license received by the Board during the immediately preceding
calendar year and the number of those applications for which the
Board conducted additional review beyond the standard review
regularly conducted by the Board.

Sec. 3. The Board shall:
1. Require each new member of the Board to complete
orientation within 60 days after his or her appointment to the
Board. The orientation must include, without limitation,
instruction concerning:
   (a) The purposes of the Board and the duties of its members;
   (b) Applicable laws and regulations, including, without
   limitation, the provisions of NRS 641.230 to 641.320, inclusive,
   and section 6 of this act and the importance of complying with
   applicable laws and regulations in a timely manner; and
   (c) Requirements concerning managing the finances of the
   Board.
2. Establish policies concerning compensation and reviewing
the performance of the staff of the Board.

Sec. 4. The Board may enter into an agreement with the
Department of Health and Human Services or a division thereof to
provide services to carry out or improve any function of the Board.
Such services may include, without limitation:
1. Assistance in processing applications for the issuance or
renewal of licenses;
2. Technical assistance;
3. Facilitating cooperation with other boards and licensing
entities in this State or any other jurisdiction;
4. Recommendations to improve and standardize procedures
used by the Board; and
5. Assistance in identifying resources for improving the
operations of the Board.
Sec. 5. The Board shall prescribe forms for applying for the issuance or renewal of a license. The forms must:
1. Be available to be completed on the Internet website maintained by the Board;
2. Provide immediate, automatic feedback to the applicant concerning whether the applicant has submitted all required information; and
3. Automatically store the data submitted by the applicant upon completion of the application.

Sec. 6. 1. Not later than 30 days after the Board denies an application for the issuance or renewal of a license or issues an order imposing disciplinary action against a licensee, the applicant or licensee aggrieved by the order may submit an appeal to the Commission on Behavioral Health. The Commission shall notify the Board not later than 10 days after receiving such an appeal.
2. The Commission shall, upon an appeal submitted pursuant to subsection 1, investigate the refusal of the Board to issue or renew a license or any disciplinary action imposed by the Board. The action of the Board remains in effect until the Commission renders a decision pursuant to subsection 3.
3. After conducting an investigation pursuant to subsection 2, the Commission shall render a decision on the appeal. In rendering a decision, the Commission shall presume that the action of the Board was proper and shall not substitute its judgment for that of the Board concerning the weight of evidence on a question of fact. The Commission may order the Board to issue or renew the license or modify or set aside the disciplinary action, as applicable, only if the Commission finds that the action of the Board:
   (a) Violates constitutional or statutory provisions;
   (b) Exceeds the statutory authority of the agency;
   (c) Was made upon unlawful procedure;
   (d) Is affected by other error of law;
   (e) Is clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
   (f) Is arbitrary or capricious or characterized by abuse of discretion.
4. An investigation conducted by the Commission pursuant to the provisions of this section is limited to the application for the issuance or renewal of a license and any information submitted in conjunction with the application or the record of the disciplinary proceeding created by the Board, as applicable. The Board shall provide those records to the Commission upon request. Unless the information is deemed a public record under the provisions of
NRS 641.090 or 641.240 or other applicable law, the Commission shall keep the information confidential.

Sec. 7. NRS 641.100 is hereby amended to read as follows:

641.100 1. The Board shall adopt regulations prescribing:
(a) Uniform standards concerning the locations at which interns provide services;
(b) Standards concerning the electronic supervision of interns working at remote sites; and
(c) A manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.

2. The Board may make and promulgate any other rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and licensure of applicants, the granting, refusal, revocation or suspension of licenses, the practice of psychology and the practice of applied behavior analysis.

3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.

Sec. 8. NRS 641.160 is hereby amended to read as follows:

641.160 1. Each person desiring a license must:
(a) Make application to the Board upon a form, and in a manner, prescribed by the Board pursuant to section 5 of this act. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.
(b) As part of the application and at his or her own expense:
(1) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and
(2) Submit to the Board:
(I) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant’s background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant’s background; or
(II) Written verification, on a form prescribed by the
Board, stating that the set of fingerprints of the applicant was taken
and directly forwarded electronically or by other means to the
Central Repository for Nevada Records of Criminal History and that
the applicant provided written permission authorizing the law
enforcement agency or other authorized entity taking the
fingerprints to submit the fingerprints to the Central Repository for
Nevada Records of Criminal History for submission to the Federal
Bureau of Investigation for a report on the applicant's background,
and to such other law enforcement agencies as the Board deems
necessary for a report on the applicant's background.

2. The Board may:
   (a) Unless the applicant's fingerprints are directly forwarded
       pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph
       (b) of subsection 1, submit those fingerprints to the Central
       Repository for Nevada Records of Criminal History for submission
       to the Federal Bureau of Investigation and to such other law
       enforcement agencies as the Board deems necessary; and
   (b) Request from each agency to which the Board submits the
       fingerprints any information regarding the applicant's background
       as the Board deems necessary.

3. An application is not considered complete and received for
   purposes of evaluation pursuant to subsection 4 of NRS 641.170
   until the Board receives a complete set of fingerprints or verification
   that the fingerprints have been forwarded electronically or by other
   means to the Central Repository for Nevada Records of Criminal
   History, and written authorization from the applicant pursuant to
   this section.

Sec. 9. NRS 641.312 is hereby amended to read as follows:

641.312 1. Any person who has been placed on probation or
whose license has been limited, suspended or revoked, and whose
appeal pursuant to section 6 of this act has been denied, is entitled
to judicial review of the order.

2. Every order which limits the practice of psychology or
suspends or revokes a license is effective from the date the Board
certifies the order until the date the order is modified or reversed by
an order of the Commission on Behavioral Health pursuant to
section 6 of this act or a final judgment of the court.

3. The district court shall give a petition for judicial review of
the order priority over other civil matters which are not expressly
given priority by law.

Sec. 10. Chapter 641A of NRS is hereby amended by adding
thereto the provisions set forth as sections 11 to 14, inclusive, of this
act.
Sec. 11. On or before February 1 of each year, the Board shall submit to the Commission on Behavioral Health a report which must include:

1. The number of complaints received, investigations completed, cases dismissed, cases settled and cases for which hearings were held within the immediately preceding calendar year; and

2. The number of applications for the issuance or renewal of a license received by the Board during the immediately preceding calendar year and the number of those applications for which the Board conducted additional review beyond the standard review regularly conducted by the Board.

Sec. 12. The Board shall:

1. Require each new member of the Board to complete orientation within 60 days after his or her appointment to the Board. The orientation must include, without limitation, instruction concerning:
   (a) The purposes of the Board and the duties of its members;
   (b) Applicable laws and regulations, including, without limitation, the provisions of NRS 641A.310 to 641A.400, inclusive, and section 14 of this act and the importance of complying with applicable laws and regulations in a timely manner; and
   (c) Requirements concerning managing the finances of the Board.

2. Establish policies concerning compensation and reviewing the performance of the staff of the Board.

Sec. 13. The Board may enter into an agreement with the Department of Health and Human Services or a division thereof to provide services to carry on or improve any function of the Board. Such services may include, without limitation:

1. Assistance in processing applications for the issuance or renewal of licenses;

2. Technical assistance;

3. Facilitating cooperation with other boards and licensing entities in this State or any other jurisdiction;

4. Recommendations to improve and standardize procedures used by the Board; and

5. Assistance in identifying resources for improving the operations of the Board.

Sec. 14. 1. Not later than 30 days after the Board denies an application for the issuance or renewal of a license or issues an order imposing disciplinary action against a licensee, the applicant or licensee aggrieved by the order may submit an appeal to the Commission on Behavioral Health. The Commission shall
notify the Board not later than 10 days after receiving such an
appeal.

2. The Commission shall, upon an appeal submitted pursuant
to subsection 1 or its own motion, investigate the refusal of the
Board to issue or renew a license or any disciplinary action
imposed by the Board. The action of the Board remains in effect
until the Commission renders a decision pursuant to subsection 3.

3. After conducting an investigation pursuant to subsection 2,
the Commission shall render a decision on the appeal. In
rendering a decision, the Commission shall presume that the
action of the Board was proper and shall not substitute its
judgment for that of the Board concerning the weight of evidence
on a question of fact. The Commission may order the Board to
issue or renew the license or modify or set aside the disciplinary
action, as applicable, only if the Commission finds that the action
of the Board:

(a) Violates constitutional or statutory provisions;
(b) Exceeds the statutory authority of the agency;
(c) Was made upon unlawful procedure;
(d) Is affected by other error of law;
(e) Is clearly erroneous in view of the reliable, probative and
substantial evidence on the whole record; or
(f) Is arbitrary or capricious or characterized by abuse of
discretion.

4. An investigation conducted by the Commission pursuant to
the provisions of this section is limited to the application for the
issuance or renewal of a license and any information submitted in
conjunction with the application or the record of the disciplinary
proceeding created by the Board, as applicable. The Board shall
provide those records to the Commission upon request. Unless the
information is deemed a public record under the provisions of
NRS 641A.191 or 641A.320 or other applicable law, the
Commission shall keep the information confidential.

5. An order of the Board suspending or revoking a license or
imposing other disciplinary action against a licensee is final for
purposes of judicial review upon the denial of an appeal pursuant
to this section.

Sec. 15. NRS 641A.160 is hereby amended to read as follows:
641A.160 1. The Board shall adopt regulations not
inconsistent with the provisions of this chapter governing its
procedure, the examination and licensing of applicants, the granting,
refusal, revocation or suspension of licenses, and the practice of
marriage and family therapy and the practice of clinical professional
counseling as those practices apply to this chapter.
2. The regulations adopted pursuant to subsection 1 must prescribe:
   (a) Uniform standards concerning the locations at which interns provide services;
   (b) Standards concerning the electronic supervision of interns working at remote sites; and
   (c) A manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood.
3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.
Sec. 16. NRS 641A.210 is hereby amended to read as follows:
641A.210 1. Each person desiring a license must apply to the Board upon a form, and in a manner, prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board and all information required to complete the application.
2. The Board shall prescribe forms for applying for the issuance or renewal of a license. The forms must:
   (a) Be available to be completed on the Internet website maintained by the Board;
   (b) Provide immediate, automatic feedback to the applicant concerning whether the applicant has submitted all required information; and
   (c) Automatically store the data submitted by the applicant upon completion of the application.
Sec. 17. Chapter 641B of NRS is hereby amended by adding thereto the provisions set forth as sections 18 to 22, inclusive, of this act.
Sec. 18. On or before February 1 of each year, the Board shall submit to the Commission on Behavioral Health a report which must include:
1. The number of complaints received, investigations completed, cases dismissed, cases settled and cases for which hearings were held within the immediately preceding calendar year; and
2. The number of applications for the issuance or renewal of a license received by the Board during the immediately preceding calendar year and the number of those applications for which the
Board conducted additional review beyond the standard review regularly conducted by the Board.

Sec. 19. The Board shall:

1. Require each new member of the Board to complete orientation within 60 days after his or her appointment to the Board. The orientation must include, without limitation, instruction concerning:

   (a) The purposes of the Board and the duties of its members;
   (b) Applicable laws and regulations, including, without limitation, the provisions of NRS 641B.400 to 641B.450, inclusive, and section 22 of this act and the importance of complying with applicable laws and regulations in a timely manner; and
   (c) Requirements concerning managing the finances of the Board.

2. Establish policies concerning compensation and reviewing the performance of the staff of the Board.

Sec. 20. The Board may enter into an agreement with the Department of Health and Human Services or a division thereof to provide services to carry out or improve any function of the Board. Such services may include, without limitation:

1. Assistance in processing applications for the issuance or renewal of licenses;
2. Technical assistance;
3. Facilitating cooperation with other boards and licensing entities in this State or any other jurisdiction;
4. Recommendations to improve and standardize procedures used by the Board; and
5. Assistance in identifying resources for improving the operations of the Board.

Sec. 21. The Board shall prescribe forms for applying for the issuance or renewal of a license. The forms must:

1. Be available to be completed on the Internet website maintained by the Board;
2. Provide immediate, automatic feedback to the applicant concerning whether the applicant has submitted all required information; and
3. Automatically store the data submitted by the applicant upon completion of the application.

Sec. 22. 1. Not later than 30 days after the Board denies an application for the issuance or renewal of a license or issues an order imposing disciplinary action against a licensee, the applicant or licensee aggrieved by the order may submit an appeal to the Commission on Behavioral Health. The Commission shall notify the Board not later than 10 days after receiving such an appeal.
2. The Commission shall, upon an appeal submitted pursuant to subsection 1 or its own motion, investigate the refusal of the Board to issue or renew a license or any disciplinary action imposed by the Board. The action of the Board remains in effect until the Commission renders a decision pursuant to subsection 3.

3. After conducting an investigation pursuant to subsection 2, the Commission shall render a decision on the appeal. In rendering a decision, the Commission shall presume that the action of the Board was proper and shall not substitute its judgment for that of the Board concerning the weight of evidence on a question of fact. The Commission may order the Board to issue or renew the license or modify or set aside the disciplinary action, as applicable, if the Commission finds that the action of the Board:

(a) Violates constitutional or statutory provisions;
(b) Exceeds the statutory authority of the agency;
(c) Was made upon unlawful procedure;
(d) Is affected by other error of law;
(e) Is clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
(f) Is arbitrary or capricious or characterized by abuse of discretion.

4. An investigation conducted by the Commission pursuant to the provisions of this section is limited to the application for the issuance or renewal of a license and any information submitted in conjunction with the application or the record of the disciplinary proceeding created by the Board, as applicable. The Board shall provide those records to the Commission upon request. Unless the information is deemed a public record under the provisions of NRS 641B.170 or 641B.430 or other applicable law, the Commission shall keep the information confidential.

5. An order of the Board suspending or revoking a license or imposing other disciplinary action against a licensee is final for purposes of judicial review upon the denial of an appeal pursuant to this section.

Sec. 23. NRS 641B.160 is hereby amended to read as follows:

641B.160 1. The Board shall adopt:

(a) Such regulations as are necessary or desirable to enable it to carry out the provisions of this chapter; [and
(b) Regulations establishing reasonable standards for the psychiatric training and experience necessary for a clinical social worker to be authorized to make the certifications described in NRS 433A.170, 433A.195 and 433A.200];
(c) Regulations prescribing uniform standards concerning the locations at which interns provide services;
(d) Regulations prescribing standards concerning the
electronic supervision of interns working at remote sites; and
(e) Regulations prescribing the manner by which the
qualifications for the issuance or renewal of a license under the
provisions of this chapter will be made available to the public such
that those qualifications are clearly defined and easily understood.
2. On the date that the Board gives notice pursuant to NRS
233B.060 of its intent to adopt, amend or repeal a regulation, the
Board shall submit the regulation to the Commission on
Behavioral Health for review. The Commission shall review the
regulation and make recommendations to the Board concerning
the advisability of adopting, amending or repealing the regulation
and any changes that the Commission deems advisable.
Sec. 24. Chapter 641C of NRS is hereby amended by adding
thereto the provisions set forth as sections 25 to 29, inclusive, of this
act.
Sec. 25. On or before February 1 of each year, the Board
shall submit to the Commission on Behavioral Health a report
which must include:
1. The number of complaints received, investigations
completed, cases dismissed, cases settled and cases for which
hearings were held within the immediately preceding calendar
year; and
2. The number of applications for the issuance or renewal of
a license or certificate received by the Board during the
immediately preceding calendar year and the number of those
applications for which the Board conducted additional review
beyond the standard review regularly conducted by the Board.
Sec. 26. The Board shall:
1. Require each new member of the Board to complete
orientation within 60 days after his or her appointment to the
Board. The orientation must include, without limitation,
instruction concerning:
   (a) The purposes of the Board and the duties of its members;
   (b) Applicable laws and regulations, including, without
limitation, the provisions of NRS 641C.700 to 641C.760, inclusive,
and section 29 of this act and the importance of complying with
applicable laws and regulations in a timely manner; and
   (c) Requirements concerning managing the finances of the
Board.
2. Establish policies concerning compensation and reviewing
the performance of the staff of the Board.
Sec. 27. The Board may enter into an agreement with the
Department of Health and Human Service or a division thereof to
provide services to carry out or improve any function of the Board. Such services may include, without limitation:

1. Assistance in processing applications for the issuance or renewal of licenses and certificates;
2. Technical assistance;
3. Facilitating cooperation with other boards and licensing entities in this State or any other jurisdiction;
4. Recommendations to improve and standardize procedures used by the Board; and
5. Assistance in identifying resources for improving the operations of the Board.

Sec. 28. The Board shall prescribe forms for applying for the issuance or renewal of a license or certificate. The forms must:

1. Be available to be completed on the Internet website maintained by the Board;
2. Provide immediate, automatic feedback to the applicant concerning whether the applicant has submitted all required information; and
3. Automatically store the data submitted by the applicant upon completion of the application.

Sec. 29. 1. Not later than 30 days after the Board denies an application for the issuance or renewal of a license or certificate or issues an order imposing disciplinary action against a licensee or the holder of a certificate, the applicant, licensee or holder of a certificate aggrieved by the order may submit an appeal to the Commission on Behavioral Health. The Commission shall notify the Board not later than 10 days after receiving such an appeal.
2. The Commission shall, upon an appeal submitted pursuant to subsection 1 or its own motion, investigate the refusal of the Board to issue or renew a license or certificate or any disciplinary action imposed by the Board. The action of the Board remains in effect until the Commission renders a decision pursuant to subsection 3.
3. After conducting an investigation pursuant to subsection 2, the Commission shall render a decision on the appeal. In rendering a decision, the Commission shall presume that the action of the Board was proper and shall not substitute its judgment for that of the Board concerning the weight of evidence on a question of fact. The Commission may order the Board to issue or renew the license or certificate or modify or set aside the disciplinary action, as applicable, only if the Commission finds that the action of the Board:
   (a) Violates constitutional or statutory provisions;
   (b) Exceeds the statutory authority of the agency;
   (c) Was made upon unlawful procedure;
(d) Is affected by other error of law;
(e) Is clearly erroneous in view of the reliable, probative and
substantial evidence on the whole record; or
(f) Is arbitrary or capricious or characterized by abuse of
discretion.

4. An investigation conducted by the Commission pursuant to
the provisions of this section is limited to the application for the
issuance or renewal of a license or certificate and any information
submitted in conjunction with the application or the record of the
disciplinary proceeding created by the Board, as applicable. The
Board shall provide those records to the Commission upon
request. Unless the information is deemed a public record under
the provisions of NRS 641C.720 or 641C.760 or other applicable
law, the Commission shall keep the information confidential.

5. An order of the Board suspending or revoking a license or
certificate or imposing other disciplinary action against a licensee
or the holder of a certificate is final for purposes of judicial review
upon the denial of an appeal pursuant to this section.

Sec. 30. NRS 641C.200 is hereby amended to read as follows:
641C.200 1. The Board shall adopt such regulations as are
necessary to carry out the provisions of this chapter, including,
without limitation, regulations that prescribe:
   (a) The ethical standards for licensed and certified counselors
and certified interns; [+][+][+]
   (b) The requirements for continuing education for the renewal,
restoration or reinstatement of a license or certificate [+];
   (c) Uniform standards concerning the locations at which
interns provide services;
   (d) Standards concerning the electronic supervision of interns
working at remote sites; and
   (e) The manner by which the qualifications for the issuance or
renewal of a license or certificate under the provisions of this
chapter will be made available to the public such that those
qualifications are clearly defined and easily understood.

2. The Board may adopt regulations that prescribe:
   (a) The contents of a written and oral examination concerning
the practice of counseling problem gamblers;
   (b) The grounds for initiating disciplinary action against a
certified problem gambling counselor or certified problem gambling
counselor intern; and
   (c) Disciplinary procedures for certified problem gambling
counselors and certified problem gambling counselor interns,
including the suspension, revocation and reinstatement of a
certificate as a problem gambling counselor or problem gambling
counselor intern.
3. Any regulations adopted by the Board pursuant to this section must be consistent with the provisions of chapter 622A of NRS.

4. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.

Sec. 31. NRS 641C.260 is hereby amended to read as follows:

641C.260 Each applicant for a license or certificate must submit to the Board:

1. An application on a form prescribed by the Board pursuant to section 28 of this act;
2. A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and
3. The application fee prescribed in NRS 641C.470.

Sec. 32. NRS 232.361 is hereby amended to read as follows:

232.361 1. There is hereby created in the Department a Commission on Behavioral Health consisting of 10 members appointed by the Governor, at least 3 of whom have training or experience in dealing with intellectual disabilities.

2. The Governor shall appoint:

(a) A psychiatrist licensed to practice medicine in this State, from a list of three candidates submitted by the Nevada Psychiatric Association;

(b) A psychologist licensed to practice in this State and experienced in clinical practice, from a list of four candidates submitted by the Nevada Psychological Association, two of whom must be from northern Nevada and two of whom must be from southern Nevada;

(c) A physician, other than a psychiatrist, licensed to practice medicine in this State and who has experience in dealing with intellectual disabilities, from a list of three candidates submitted by the Nevada State Medical Association;

(d) A clinical social worker licensed to practice in this State who has a master's degree and has experience in dealing with mental illness or intellectual disabilities, or both;

(e) A registered nurse licensed to practice in this State who has experience in dealing with mental illness or intellectual disabilities, or both, from a list of three candidates submitted by the Nevada Nurses Association;
(f) A marriage and family therapist or clinical professional counselor licensed to practice in this State, from a list of three candidates submitted by the Nevada Association for Marriage and Family Therapy, pursuant to chapter 641A of NRS;

(g) A person who has knowledge and experience in the prevention of alcohol and drug abuse and the treatment and recovery of alcohol and drug abusers through a program or service provided is licensed or certified pursuant to chapter 458, 641C of NRS, from a list of three candidates submitted by the Division of Public and Behavioral Health of the Department, who is not an intern;

(h) A current or former recipient of mental health services provided by the State or any agency thereof;

(i) A representative of the general public who has a special interest in the field of mental health; and

(j) A representative of the general public who has a special interest in the field of intellectual disabilities.

3. The Governor shall appoint the Chair of the Commission from among its members.

4. After the initial terms, each member shall serve a term of 4 years. If a vacancy occurs during a member’s term, the Governor shall appoint a person qualified under this section to replace that member for the remainder of the unexpired term.

5. A person may not serve concurrently as a member of the Commission and a member of the Board of Psychological Examiners, the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, the Board of Examiners for Social Workers or the Board of Examiners for Alcohol, Drug and Gambling Counselors.

Sec. 33. NRS 239.010 is hereby amended to read as follows:

680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,
685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,
687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,
692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615,
696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230,
710.159, 711.600, and sections 6, 14, 22 and 29 of this act, sections
35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2
of chapter 391, Statutes of Nevada 2013 and unless otherwise
declared by law to be confidential, all public books and public
records of a governmental entity must be open at all times during
office hours to inspection by any person, and may be fully copied or
an abstract or memorandum may be prepared from those public
books and public records. Any such copies, abstracts or memoranda
may be used to supply the general public with copies, abstracts or
memoranda of the records or may be used in any other way to the
advantage of the governmental entity or of the general public. This
section does not supersedes or in any manner affect the federal laws
governing copyrights or enlarge, diminish or affect in any other
manner the rights of a person in any written book or record which is
copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record
which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a
public book or record shall not deny a request made pursuant to
subsection 1 to inspect or copy or receive a copy of a public book or
record on the basis that the requested public book or record contains
information that is confidential if the governmental entity can
redact, delete, conceal or separate the confidential information from
the information included in the public book or record that is not
otherwise confidential.

4. A person may request a copy of a public record in any
medium in which the public record is readily available. An officer,
employee or agent of a governmental entity who has legal custody
or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a
readily available medium because the officer, employee or agent has
already prepared or would prefer to provide the copy in a different
medium.
(b) Except as otherwise provided in NRS 239.030, shall, upon
request, prepare the copy of the public record and shall not require
the person who has requested the copy to prepare the copy himself
or herself.

Sec. 34. NRS 433.314 is hereby amended to read as follows:

433.314 The Commission shall:
1. Establish policies to ensure adequate development and
administration of services for persons with mental illness, persons
with intellectual disabilities and persons with related conditions,
persons with substance use disorders or persons with co-occurring
disorders, including services to prevent mental illness, intellectual
disabilities and related conditions, substance use disorders and co-
occuring disorders, and services provided without admission to a
facility or institution;
2. Set policies for the care and treatment of persons with
mental illness, persons with intellectual disabilities and persons with
related conditions, persons with substance use disorders or persons
with co-occurring disorders provided by all state agencies;
3. Review the programs and finances of the Division; [and]
4. Report at the beginning of each year to the Governor and at
the beginning of each odd-numbered year to the Legislature on the
quality of the care and treatment provided for persons with mental
illness, persons with intellectual disabilities and persons with related
conditions, persons with substance use disorders or persons with co-
occuring disorders in this State and on any progress made toward
improving the quality of that care and treatment [ ];
5. Hear appeals, conduct investigations and issue orders
pursuant to sections 6, 14, 22 and 29 of this act; and
6. Review and make recommendations concerning
regulations submitted to the Commission for review pursuant to
Sec. 35. 1. On or before January 1, 2018, the Board of
Psychological Examiners, the Board of Examiners for Marriage and
Family Therapists and Clinical Professional Counselors, the Board
of Examiners for Social Workers and the Board of Examiners for
Alcohol, Drug and Gambling Counselors, respectively, shall each:
(a) Conduct an analysis of the necessity of the costs of the
Board, whether the fees charged by the Board are necessary and
sufficient to pay those costs, the Board’s compliance with applicable
law and the need for revision of the regulations of the Board. The
analysis must include, without limitation, an analysis of the Board’s;
(1) Recognition of licenses, certificates and other credentials
from jurisdictions outside this State, including, without limitation,
the number of licenses by endorsement it has issued during the 3-
year period ending on December 1, 2017; and
(2) Efforts to comply with the amendatory provisions of this
act.
(b) Submit to the Commission on Behavioral Health a report
containing the results of the analysis conducted pursuant to
paragraph (a).
2. On or before June 30, 2018, the Commission shall review
the reports submitted to subsection 1 and require the Board of
Psychological Examiners, the Board of Examiners for Marriage and
Family Therapists and Clinical Professional Counselors, the Board
of Examiners for Social Workers or the Board of Examiners for
Alcohol, Drug and Gambling Counselors, as applicable, to take any
action necessary to comply with existing law or improve the
processes used by the board.
Sec. 35.5. Not later than March 1, 2018, each person who is
serving on January 1, 2018, as a member of the Board of
Psychological Examiners, the Board of Examiners for Marriage and
Family Therapists and Clinical Professional Counselors, the Board
of Examiners for Social Workers or the Board of Examiners for
Alcohol, Drug and Gambling Counselors, shall complete the
orientation required for a new member of the Board of which he or
she is a member pursuant to section 3, 12, 19 or 26 of this act,
respectively.
Sec. 36. 1. The term of any member of the Commission on
Behavioral Health who is serving on the Commission pursuant to
paragraph (d) or (g) of subsection 2 of NRS 232.361 on October 1,
2017, who does not meet the qualifications prescribed by paragraph
(d) or (g) of subsection 2, as applicable, of NRS 232.361, as
amended by section 32 of this act, expires on that date. The
Governor shall appoint a person who meets the qualifications
prescribed by paragraph (d) or (g) of subsection 2, as applicable, of
NRS 232.361, as amended by section 32 of this act, to serve the
remainder of that term.
2. The term of any member of the Commission on Behavioral
Health who is serving on the Commission in violation of subsection
5 of NRS 232.361, as amended by section 32 of this act, on
October 1, 2017, expires on that date. The Governor shall appoint a
person similarly qualified to serve the remainder of that term.
Sec. 37. 1. This section and sections 1 to 31, inclusive, 33,
34, 35 and 35.5 of this act become effective upon passage and
approval for the purpose of adopting regulations and performing any
other administrative tasks that are necessary to carry out the
provisions of this act and on January 1, 2018, for all other purposes.
2. Sections 32 and 36 of this act become effective on
October 1, 2017.