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## **NOTICE OF PUBLIC WORKSHOP**

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) 178.417.

In accordance with Governor Sisolak's Declaration of Emergency Directive 006; Subsection 1; The requirement contained in NRS 241.023 (1) (b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.

The workshop is scheduled to occur at **9:00 a.m. Wednesday, November 18, 2020** and can be accessed at the following link:

### **Meeting link**

<https://nveits.webex.com/nveits/j.php?MTID=m44519821dfe858ec248e1072bf62981c>

**Meeting number: 146 781 4863**

**Password: 8vdWBFDZ34**

### **Join by phone**

**+1-415-655-0002 United States Toll**

**Access code: 146 781 4863**

These workshops will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

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## **AGENDA**

- 1. Introduction of workshop process**
- 2. Public comment on proposed amendments to Nevada Administrative Code 178.417**
- 3. Public Comment**

The proposed changes will revise Nevada Administrative Code 178.417 and are being proposed in accordance with Nevada Revised Statute 178.400 through 178.471.

The proposed regulations provide provisions for the following:

1. Brings the proposed regulations in compliance with: [Senate Bill 227](#) of the 79<sup>th</sup> Nevada Legislative Session. This regulation will bring NAC 178.417 in compliance with the statute that allows Advanced Practice Registered Nurses (APRN) to be appointed by the court to perform criminal competency evaluations for misdemeanor offenders. The amendment also provides for withdrawal of certification for individuals who do not follow accepted national standards in providing this service to the courts.

2. Expands the number of mental health care providers that can provide competency evaluations in the State of Nevada.
3. Provides for an expanded fee structure to improve training opportunities for certified examiners, such as contracting with outside providers who can provide a greater variety of training.
4. Proposes initial certification fee for psychiatrists and psychologists of \$250 and \$125 for APRNs and Licensed Clinical Social Workers. Proposed renewal fees are \$150 for psychiatrists and psychologists and \$75 for APRNs and Licensed Clinical Social Workers.
5. Allows the Division of Public and Behavioral Health to establish a quality assurance program to maintain national standards for the delivery of competency evaluations.
6. Describes definition of an APRN who is psychiatrically trained and qualifies to perform competency evaluations; also describes standard for content of reports submitted to the court offering an opinion of competency to stand trial.
7. Clarifies procedures for appealing the cancellation of a certificate to perform competency evaluations.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to Janet Ashby, Administrative Assistant IV via email [jashby@health.nv.gov](mailto:jashby@health.nv.gov) or by mailing to the following address:

Division of Public and Behavioral Health  
Lake's Crossing Center  
500 Galletti Way  
Sparks, Nevada 89431  
775- 688-6651

Members of the public who require special accommodations or assistance related to the workshops are required to notify Janet Ashby, Administrative Assistant IV, at the above address in writing for the Division of Public and Behavioral Health, or by calling Ms. Ashby, at least five (5) working days prior to the date of the public workshop.

You may contact Elizabeth Neighbors, Ph.D., by calling 775-688-6651 or 775-848-9840, for further information on the proposed regulations or how to obtain copies of the supporting documents.

A copy of the regulations and small business impact statement can be found on the Division of Public and Behavioral Health's web page: [http://dpbh.nv.gov/Programs/Clinical\\_Services\\_-\\_Administrative\\_Health/](http://dpbh.nv.gov/Programs/Clinical_Services_-_Administrative_Health/)

A copy of the public workshop notice can also be found at Nevada Legislature's web page: <https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained by mail, or by calling the Division of Public and Behavioral Health at (775) 688-6654.

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to 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.