

## CHAPTER 641A - MARRIAGE AND FAMILY THERAPISTS AND CLINICAL PROFESSIONAL COUNSELORS

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#### GENERAL PROVISIONS

**NRS 641A.010 Legislative declaration.** The practice of marriage and family therapy and the practice of clinical professional counseling are hereby declared to be learned professions profoundly affecting public safety and welfare and charged with the public interest, and therefore subject to protection and regulation by the State.

(Added to NRS by 1973, 486; A 1987, 2124; [2007, 3055](#))

**NRS 641A.020 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 641A.025](#) to [641A.080](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1973, 486; A [2007, 3055](#))

**NRS 641A.025 “Approved supervisor” defined.** “Approved supervisor” means a licensed marriage and family therapist or licensed clinical professional counselor who is approved by the Board to supervise a person who is acquiring the supervised experience in marriage and family therapy or clinical professional counseling, as appropriate, that is required for licensure as a marriage and family therapist or clinical professional counselor pursuant to this chapter.

(Added to NRS by [2007, 3052](#))

**NRS 641A.030 “Board” defined.** “Board” means the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors.

(Added to NRS by 1973, 486; A 1987, 2124; [2007, 3055](#))

**NRS 641A.031 “Clinical professional counselor” defined.** “Clinical professional counselor” means a person who describes himself or herself or his or her services to the public by any title or description which incorporates the term “clinical professional counselor” and under such a title offers to provide or provides services to any person.

(Added to NRS by [2007, 3052](#))

**NRS 641A.040 “License” defined.** “License” means a license issued by the Board pursuant to this chapter to practice as a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor or a clinical professional counselor intern.

(Added to NRS by 1973, 486; A 1987, 2124; [2007, 3055](#))

**NRS 641A.050 “Licensee” defined.** “Licensee” means a person licensed as a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor or a clinical professional counselor intern by the Board.

(Added to NRS by 1973, 486; A 1987, 2124; [2007, 3055](#))

**NRS 641A.060 “Marriage and family therapist” defined.** “Marriage and family therapist” means a person who describes himself or herself or his or her services to the public by any title or description which incorporates the term “marriage and family therapist” or “marriage and family counselor,” and under such a title offers to render or renders services to any person.

(Added to NRS by 1973, 486; A 1987, 2124)

**NRS 641A.065 “Practice of clinical professional counseling” defined.** “Practice of clinical professional counseling” means the provision of treatment, assessment and counseling, or equivalent activities, to a person or group of persons to achieve mental, emotional, physical and social development and adjustment. The term includes counseling interventions to prevent, diagnose and treat mental, emotional or behavioral disorders and associated distresses which interfere with mental health. The term does not include:

1. The practice of psychology or medicine;
2. The assessment or treatment of couples or families;
3. The prescription of drugs or electroconvulsive therapy;
4. The treatment of physical disease, injury or deformity;
5. The diagnosis or treatment of a psychotic disorder;
6. The use of projective techniques in the assessment of personality;
7. The use of psychological, neuropsychological or clinical tests designed to identify or classify abnormal or pathological human behavior;
8. The use of individually administered intelligence tests, academic achievement tests or neuropsychological tests; or
9. The use of psychotherapy to treat the concomitants of organic illness except in consultation with a qualified physician or licensed clinical psychologist.

(Added to NRS by [2007, 3052](#))

**NRS 641A.080 “Practice of marriage and family therapy” defined.**

1. "Practice of marriage and family therapy" means the diagnosis and treatment of mental and emotional disorders, whether cognitive, affective or behavioral, within the context of interpersonal relationships, including, without limitation, marital and family systems, and involves the professional application or use of psychotherapy, counseling, evaluation, assessment instruments, consultation, treatment planning, supervision, research and prevention of mental and emotional disorders. The term includes, without limitation, the rendering of professional marital and family therapy services to a person, couple, family or family group or other group of persons.

2. The term does not include:

(a) The diagnosis or treatment of a psychotic disorder; or

(b) The use of a psychological or psychometric assessment test to determine intelligence, personality, aptitude, interests or addictions.

(Added to NRS by 1973, 486; A 1987, 2124; 1989, 1202; [1999, 795](#); [2007, 3055](#))

## **BOARD OF EXAMINERS FOR MARRIAGE AND FAMILY THERAPISTS AND CLINICAL PROFESSIONAL COUNSELORS**

**NRS 641A.090 Creation; number and appointment of members.** The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, consisting of nine members appointed by the Governor, is hereby created.

(Added to NRS by 1973, 486; A 1977, 1258; 1987, 2124; [2007, 3056](#))

**NRS 641A.100 Qualifications of members; representative of general public not to participate in examination; removal for misconduct.**

1. The Governor shall appoint to the Board:

(a) Four members who are licensed marriage and family therapists and are in good standing with or acceptable for membership in their local or state societies and associations when they exist;

(b) Three members who are licensed clinical professional counselors and are in good standing with or acceptable for membership in their local or state societies and associations when they exist; and

(c) Two members who are representatives of the general public. These members must not be:

(1) A marriage and family therapist;

(2) A clinical professional counselor; or

(3) The spouse or the parent or child, by blood, marriage or adoption, of a marriage and family therapist or clinical professional counselor.

2. The members who are representatives of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

3. The Governor may, after notice and hearing, remove any member of the Board for misconduct in office, incompetence, neglect of duty or other sufficient cause.

(Added to NRS by 1973, 486; A 1977, 1258; 1987, 2124; [2003, 1198](#); [2007, 3056](#), [3057](#))

**NRS 641A.110 Eligibility for membership.** A person is not eligible for appointment or to hold office as a member of the Board unless the person is:

1. A citizen of the United States.

2. A resident of Nevada.

(Added to NRS by 1973, 487; A 1977, 1259)

**NRS 641A.130 Meetings; quorum.** The Board shall meet at least once every 6 months at a time and place fixed by the Board. The Board shall hold a special meeting upon a call of the President or upon a request by a majority of the members. Five members of the Board constitute a quorum.

(Added to NRS by 1973, 487; A 1987, 2125; [2007, 3057](#))

**NRS 641A.140 Officers.** At the regular meeting the Board shall elect from its membership a President, a Vice President and a Secretary-Treasurer, who shall hold office for 1 year and until the election and qualification of their successors.

(Added to NRS by 1973, 487; A 1987, 2125)

**NRS 641A.150 Duties of Secretary-Treasurer.** The Secretary-Treasurer shall make and keep on behalf of the Board, the following:

1. A record of all meetings and proceedings.

2. A record of all examinations and applicants.
  3. A register of all licenses and licensees.
  4. An inventory of the property of the Board and of the State in the Board's possession.
- (Added to NRS by 1973, 487; A 1987, 2125)

**NRS 641A.160 Regulations.** 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.

(Added to NRS by 1973, 487; A 1987, 2125; [2007, 3057](#))

**NRS 641A.170 General powers.** The Board shall under the provisions of this chapter:

1. Examine and pass upon the qualifications of the applicants for licensing.
2. License qualified applicants.
3. Revoke or suspend licenses.
4. Establish requirements for continuing education.
5. Collect all fees and make disbursements pursuant to this chapter.

(Added to NRS by 1973, 487; A 1987, 2125)

**NRS 641A.180 Courses of study: Regulations specifying criteria; evaluation.** The Board shall:

1. Adopt regulations specifying the criteria for courses of study that are sufficient for the purposes of licensing; and

2. Determine which schools in and out of this State have courses of study for the preparation of marriage and family therapy and clinical professional counseling which are sufficient for the purposes of licensing. Published lists of educational institutions accredited by recognized accrediting organizations may be used in the evaluation of those courses of study.

(Added to NRS by 1973, 487; A 1987, 2126; 1989, 1570; [2007, 3057](#))

**NRS 641A.185 Subpoenas: Issuance; enforcement; penalty for failure to obey.**

1. The Board or any member thereof may issue subpoenas for the attendance of witnesses and the production of books and papers.

2. The district court, in and for the county in which any hearing is held, may compel the attendance of witnesses, the giving of testimony and the production of books and papers as required by any subpoena issued by the Board.

3. If any witness refuses to attend or testify or produce any books or papers required by a subpoena, the Board may file a petition ex parte with the district court, setting forth that:

(a) Notice has been given of the time and place for the attendance of the witness or the production of the books or papers;

(b) The witness has been subpoenaed by the Board pursuant to this section;

(c) The witness has failed or refused to attend or produce the books or papers required by the subpoena before the Board in the cause or proceeding named in the subpoena, or has refused to answer questions propounded to him or her in the course of the hearing; and

(d) The Board therefore requests an order of the court compelling the witness to attend and testify or produce the books or papers before the Board.

4. The court, upon such a petition, shall enter an order directing the witness to appear before the court at a time and place fixed by the court in the order, and then and there to show cause why the witness has not attended or testified or produced the books or papers before the Board. The time may not be more than 10 days after the date of the order. A certified copy of the order must be served upon the witness.

5. If the court determines that the subpoena was regularly issued by the Board, the court shall thereupon enter an order that the witness appear before the Board at the time and place fixed in the order, and testify or produce the required books or papers. Failure to obey the order is a contempt of the court that issued the order.

(Added to NRS by [1999, 794](#))

**NRS 641A.191 Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records; communication and cooperation with other agencies.**

1. Except as otherwise provided in this section and [NRS 239.0115](#), any records or information obtained during the course of an investigation by the Board and any record of the investigation are confidential.

2. The complaint or other document filed by the Board to initiate disciplinary action and all documents and information considered by the Board when determining whether to impose discipline are public records.

3. This section does not prohibit the Board from communicating or cooperating with any other licensing board or agency or any agency which is investigating a licensee, including a law enforcement agency.

(Added to NRS by 1989, 1569; A [2003, 3458](#); [2007, 2145](#))

#### **NRS 641A.200 Compensation of members and employees.**

1. A member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. Compensation and expenses of the members and employees of the Board are payable out of the money derived from fees and penalties paid or transmitted to the Board pursuant to the provisions of this chapter, and no part thereof may be paid out of the State Treasury.

(Added to NRS by 1973, 488; A 1975, 306; 1981, 1994; 1989, 1703; [2007, 2955](#))

## **LICENSING**

### **General Provisions**

**NRS 641A.210 Application and fee.** 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.

(Added to NRS by 1973, 488; A 1987, 2126; 1997, 2154; [2005, 2757, 2807](#))

**NRS 641A.215 Payment of child support: Submission of certain information by applicant; grounds for denial of license; duty of Board.** [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Board.

3. A license may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2154; A [2005, 2758, 2807](#); [2007, 3057](#))

**NRS 641A.215 Payment of child support: Submission of certain information by applicant; grounds for denial of license; duty of Board.** [Effective on the date of the repeal of the federal law requiring each state to

**establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]**

1. In addition to any other requirements set forth in this chapter, an applicant for the issuance or renewal of a license shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Board.

3. A license may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2154; A [2005, 2758, 2807](#); [2007, 3057, 3058](#), effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

**NRS 641A.220 Marriage and family therapists: Qualifications of applicants.** Each applicant for a license to practice as a marriage and family therapist must furnish evidence satisfactory to the Board that the applicant:

1. Is at least 21 years of age;

2. Is of good moral character;

3. Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;

4. Has completed residency training in psychiatry from an accredited institution approved by the Board, has a graduate degree in marriage and family therapy, psychology or social work from an accredited institution approved by the Board or has completed other education and training which is deemed equivalent by the Board;

5. Has:

(a) At least 2 years of postgraduate experience in marriage and family therapy; and

(b) At least 3,000 hours of supervised experience in marriage and family therapy, of which at least 1,500 hours must consist of direct contact with clients; and

6. Holds an undergraduate degree from an accredited institution approved by the Board.

(Added to NRS by 1973, 488; A 1977, 1567; 1987, 2126; 1989, 1570; [2007, 3059](#))

**NRS 641A.230 Marriage and family therapists: Examinations.**

1. Except as otherwise provided in subsection 2, each qualified applicant for a license to practice as a marriage and family therapist must pass a written examination given by the Board on his or her knowledge of marriage and family therapy. Examinations must be given at a time and place and under such supervision as the Board may determine.

2. The Board shall accept receipt of a passing grade by a qualified applicant on the national examination sponsored by the Association of Marital and Family Therapy Regulatory Boards in lieu of requiring a written examination pursuant to subsection 1.

3. In addition to the requirements of subsections 1 and 2, the Board may require an oral examination. The Board may examine applicants in whatever applied or theoretical fields it deems appropriate.

(Added to NRS by 1973, 488; A 1987, 2126; 1989, 1203; 1991, 379; [2007, 2955, 3059](#))

**NRS 641A.231 Clinical professional counselors: Qualifications of applicants.** Each applicant for a license to practice as a clinical professional counselor must furnish evidence satisfactory to the Board that the applicant:

1. Is at least 21 years of age;

2. Is of good moral character;

3. Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;
4. Has:
  - (a) Completed residency training in psychiatry from an accredited institution approved by the Board;
  - (b) A graduate degree from a program approved by the Council for Accreditation of Counseling and Related Educational Programs as a program in mental health counseling or community counseling; or
  - (c) An acceptable degree as determined by the Board which includes the completion of a practicum and internship in mental health counseling which was taken concurrently with the degree program and was supervised by a licensed mental health professional; and
5. Has:
  - (a) At least 2 years of postgraduate experience in professional counseling;
  - (b) At least 3,000 hours of supervised experience in professional counseling which includes, without limitation:
    - (1) At least 1,500 hours of direct contact with clients; and
    - (2) At least 100 hours of counseling under the direct supervision of an approved supervisor of which at least 1 hour per week was completed for each work setting at which the applicant provided counseling; and
  - (c) Passed the National Clinical Mental Health Counseling Examination which is administered by the National Board for Certified Counselors.

(Added to NRS by [2007, 3052](#); A [2007, 3094](#))

**NRS 641A.235 License: Issuance; expiration; proration of fee.**

1. The Board shall issue a license to an applicant who meets the requirements imposed pursuant to this chapter.
  2. Except as otherwise provided in [NRS 641A.2872](#) and [641A.2882](#), a license expires on January 1 of each year.
  3. The Board may prorate the fee for a license which expires less than 6 months after the date of issuance.
- (Added to NRS by 1987, 2123; A 1989, 1570; [2007, 3059](#))

**NRS 641A.260 Renewal: Application; fee; continuing education.**

1. To renew a license issued pursuant to this chapter, each person must, on or before the date of expiration of the current license:
    - (a) Apply to the Board for renewal;
    - (b) Pay the fee for renewal set by the Board;
    - (c) Submit evidence to the Board of completion of the requirements for continuing education; and
    - (d) Submit all information required to complete the renewal.
  2. The Board shall, as a prerequisite for the renewal of a license, require each holder to comply with the requirements for continuing education adopted by the Board.
- (Added to NRS by 1973, 489, 490; A 1985, 548; 1987, 2127; 1997, 2155; [2005, 2759](#), [2807](#))

**NRS 641A.265 Waiver of requirements for continuing education.** The Board may waive all or part of the requirement of continuing education in a particular year if the marriage and family therapist or clinical professional counselor was prevented from fulfilling the requirement because of circumstances beyond his or her control.

(Added to NRS by 1989, 1202; A [2007, 3059](#))

**NRS 641A.270 Automatic revocation of license for failure to pay biennial fee for registration; reinstatement.** Failure to pay the fee for renewal automatically effects a revocation of the license on the date of expiration of the license. The license may not be reinstated except upon:

1. Written application;
  2. Submission of evidence of the completion of the required continuing education for the period the license was revoked; and
  3. The payment of the fee for renewal and the fee for reinstatement required by this chapter.
- (Added to NRS by 1973, 490; A 1987, 2127; 1989, 1570)

**NRS 641A.280 Reinstatement of license after lapse.** After a license has lapsed continuously for 5 years, a person applying for reinstatement of a license must reapply under the laws and regulations in effect at the time of application.

(Added to NRS by 1973, 490; A 1987, 2127)

**NRS 641A.285 Inactive license.**

1. Upon written request to the Board and payment of the fee prescribed by the Board, a licensee in good standing may have his or her name and license transferred to an inactive list for a period not to exceed 3 continuous



years. A licensee shall not practice marriage and family therapy or clinical professional counseling during the time the license is inactive. If an inactive licensee desires to resume the practice of marriage and family therapy or clinical professional counseling, the Board must reactivate the license upon the:

- (a) Completion of an application for reactivation;
- (b) Payment of the fee for renewal of the license; and
- (c) Demonstration, if deemed necessary by the Board, that the licensee is then qualified and competent to practice.

↳ Except as otherwise provided in subsection 2, the licensee is not required to pay the delinquency fee or the renewal fee for any year while the license was inactive.

2. Any license that remains inactive for a period which exceeds 3 continuous years is deemed:

- (a) To effect a revocation for the purposes of [NRS 641A.270](#).
- (b) To have lapsed at the beginning of that period for the purposes of [NRS 641A.280](#).

3. The Board may adopt such regulations as it deems necessary to carry out the provisions of this section, including without limitation, regulations governing the renewal of inactive licenses and any requirement of continuing education for inactive licensees.

(Added to NRS by 1989, 1201; A [2007, 3059](#))

## Interns

### **NRS 641A.287 Marriage and family therapist interns: Qualifications of applicants.**

1. A person who wishes to obtain the supervised experience that is required for licensure as a marriage and family therapist pursuant to this chapter must obtain a license as a marriage and family therapist intern before beginning the supervised experience.

2. An applicant for a license as a marriage and family therapist intern must furnish evidence satisfactory to the Board that the applicant:

- (a) Is at least 21 years of age;
- (b) Is of good moral character;
- (c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;
- (d) Possesses a graduate degree in marriage and family therapy, psychology or social work from an accredited institution approved by the Board or has completed other education and training which is deemed equivalent by the Board; and
- (e) Has entered into a supervision agreement with an approved supervisor.

(Added to NRS by [2007, 3054](#))

**NRS 641A.2872 Marriage and family therapist interns: License duration; expiration.** A license as a marriage and family therapist intern:

1. Is valid for 3 years and may be renewed not more than once; and
2. Expires upon:

- (a) The termination of the supervision agreement with an approved supervisor;
- (b) A change in the approved supervisor; or
- (c) The issuance of a license as a marriage and family therapist to the holder of the license as a marriage and family therapist intern.

(Added to NRS by [2007, 3054](#))

**NRS 641A.2874 Marriage and family therapist interns: Scope of authorized activities.** The holder of a license as a marriage and family therapist intern:

1. May engage in the practice of marriage and family therapy only for the purposes of obtaining the supervised experience required by subsection 5 of [NRS 641A.220](#) for a license to practice as a marriage and family therapist; and

2. Shall not engage in the practice of marriage and family therapy independently.

(Added to NRS by [2007, 3054](#))

### **NRS 641A.2876 Marriage and family therapist interns: Disclosure to client.**

1. The holder of a license as a marriage and family therapist intern shall, before providing any counseling or other therapeutic service to a client:

(a) Inform the client that he or she holds a license as a marriage and family therapist intern and is practicing under the supervision of an approved supervisor; and

- (b) Provide to the client the name of the approved supervisor.
- 2. A violation of subsection 1 constitutes a ground for initiating disciplinary action or denying licensure.  
(Added to NRS by [2007, 3055](#))

**NRS 641A.2878 Marriage and family therapist interns: Change in or termination of supervision agreement.**

- 1. The holder of a license as a marriage and family therapist intern who makes a change in a supervision agreement or enters into a new supervision agreement shall notify the Board within 30 days after the date of the change or new agreement.
- 2. Each party to a supervision agreement shall, upon its termination, notify the Board in writing not more than 5 days after the date of termination.  
(Added to NRS by [2007, 3055](#))

**NRS 641A.288 Clinical professional counselor interns: Qualifications of applicants.**

- 1. A person who wishes to obtain the supervised experience that is required for licensure as a clinical professional counselor pursuant to this chapter must obtain a license as a clinical professional counselor intern before beginning the supervised experience.
- 2. An applicant for a license as a clinical professional counselor intern must furnish evidence satisfactory to the Board that the applicant:
  - (a) Is at least 21 years of age;
  - (b) Is of good moral character;
  - (c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;
  - (d) Possesses a graduate degree in counseling from an accredited college or university approved by the Board which required the completion of a practicum or internship; and
  - (e) Has entered into a supervision agreement with an approved supervisor.  
(Added to NRS by [2007, 3053](#))

**NRS 641A.2882 Clinical professional counselor interns: License duration; expiration.** A license as a clinical professional counselor intern:

- 1. Is valid for 3 years and may be renewed not more than once; and
- 2. Expires upon:
  - (a) The termination of the supervision agreement with an approved supervisor;
  - (b) A change in the approved supervisor; or
  - (c) The issuance of a license as a clinical professional counselor to the holder of the license as a clinical professional counselor intern.  
(Added to NRS by [2007, 3053](#))

**NRS 641A.2884 Clinical professional counselor interns: Scope of authorized activity.** The holder of a license as a clinical professional counselor intern:

- 1. May engage in the practice of clinical professional counseling only for the purposes of obtaining the supervised experience required by subsection 5 of [NRS 641A.231](#) for a license to practice as a clinical professional counselor; and
- 2. Shall not engage in the practice of clinical professional counseling independently.  
(Added to NRS by [2007, 3054](#))

**NRS 641A.2886 Clinical professional counselor interns: Disclosure to client.**

- 1. The holder of a license as a clinical professional counselor intern shall, before providing any counseling or other therapeutic service to a client:
  - (a) Inform the client that he or she holds a license as a clinical professional counselor intern and is practicing under the supervision of an approved supervisor; and
  - (b) Provide to the client the name of the approved supervisor.
- 2. A violation of subsection 1 constitutes a ground for initiating disciplinary action or denying licensure.  
(Added to NRS by [2007, 3054](#))

**NRS 641A.2888 Clinical professional counselor interns: Change in or termination of supervision agreement.**

1. The holder of a license as a clinical professional counselor intern who makes a change in a supervision agreement or enters into a new supervision agreement shall notify the Board within 30 days after the date of the change or new agreement.

2. Each party to a supervision agreement shall, upon its termination, notify the Board in writing not more than 5 days after the date of termination.

(Added to NRS by [2007, 3054](#))

### Fees

**NRS 641A.290 Fees.** The Board shall charge and collect not more than the following fees, respectively:

For application for a license.....	\$75
For examination of an applicant for a license.....	200
For issuance of a license.....	50
For annual renewal of a license.....	150
For reinstatement of a license revoked for nonpayment of the fee for renewal.....	100
For an inactive license.....	150

(Added to NRS by 1973, 490; A 1985, 651; 1987, 2127; 1989, 1202)

**NRS 641A.300 Deposit and expenditure of money.** All money coming into possession of the Board must be kept or deposited by the Secretary-Treasurer in banks, credit unions or savings and loan associations in the State of Nevada to be expended for payment of compensation and expenses of Board members and for other necessary or proper purposes in the administration of this chapter.

(Added to NRS by 1973, 490; A [1999, 1536](#))

### DISCIPLINARY ACTION

**NRS 641A.310 Grounds for denial, suspension or revocation of license.** The Board may refuse to grant a license or may suspend or revoke a license for any of the following reasons:

1. Conviction of a felony relating to the practice of marriage and family therapy or clinical professional counseling or of any offense involving moral turpitude, the record of conviction being conclusive evidence thereof.
2. Habitual drunkenness or addiction to the use of a controlled substance.
3. Impersonating a licensed marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern or allowing another person to use his or her license.
4. Using fraud or deception in applying for a license or in passing the examination provided for in this chapter.
5. Rendering or offering to render services outside the area of his or her training, experience or competence.
6. Committing unethical practices contrary to the interest of the public as determined by the Board.
7. Unprofessional conduct as determined by the Board.
8. Negligence, fraud or deception in connection with services he or she is licensed to provide pursuant to this chapter.

9. Operation of a medical facility, as defined in [NRS 449.0151](#), at any time during which:

(a) The license of the facility is suspended or revoked; or

(b) An act or omission occurs which results in the suspension or revocation of the license pursuant to [NRS 449.160](#).

↳ This subsection applies to an owner or other principal responsible for the operation of the facility.

(Added to NRS by 1973, 489; A 1987, 1571, 2127; [2003, 2716](#); [2007, 3060](#); [2009, 901](#))

**NRS 641A.313 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license.** [Effective until 2 years after the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license, the Board shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the

license by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Board shall reinstate a license that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by 1997, 2154; A [2005, 2807](#); [2007, 3060](#))

#### **NRS 641A.315 Examination to determine competence.**

1. If the Board or any investigative committee of the Board has reason to believe that the conduct of any marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern has raised a reasonable question as to his or her competence to practice therapy or clinical professional counseling with reasonable skill and safety, it may order the marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern to undergo:

- (a) A mental or physical examination administered by an appropriately licensed provider of health care;
- (b) An examination testing his or her competence to practice therapy or clinical professional counseling; or
- (c) Any other examination designated by the Board,

↳ to assist the Board or committee in determining the fitness of the marriage and family therapist or marriage and family therapist intern to practice therapy or the clinical professional counselor or clinical professional counselor intern to practice clinical professional counseling.

2. For the purposes of this section:

(a) Every marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern who applies for a license or who is licensed pursuant to this chapter is deemed to have given consent to submit to any examination ordered pursuant to subsection 1 when ordered to do so in writing by the Board.

(b) The testimony and reports of the examining provider of health care are not privileged communications.

3. Except in extraordinary circumstances, as determined by the Board, the failure of a marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern licensed pursuant to this chapter to submit to an examination when ordered to do so as provided in this section constitutes an admission of the charges against him or her.

4. The Board may require the marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern to pay the cost of the examination.

(Added to NRS by 1989, 1201; A [2007, 3061](#))

#### **NRS 641A.320 Authorized disciplinary action; private reprimands prohibited; orders imposing discipline deemed public records.**

1. The Board may discipline the holder of any license whose default has been entered or who has been heard by the Board and found guilty, by any of the following methods:

- (a) Placing him or her upon probation for a period to be determined by the Board.
- (b) Suspending the license for not more than 1 year.
- (c) Revoking the license.
- (d) Administering a public reprimand.
- (e) Limiting his or her practice.
- (f) Imposing an administrative fine of not more than \$5,000.
- (g) Requiring him or her to complete successfully another examination.

2. The Board shall not administer a private reprimand.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

(Added to NRS by 1973, 489; A 1987, 2128; [1999, 79](#); [2003, 3459](#))

#### **NRS 641A.330 Complaints: Filing; retention.**

1. A complaint may be made against a licensee by an agency or inspector employed by the Board, any other licensee or any aggrieved person, charging one or more of the causes for which the license may be revoked or suspended with such particularity as to enable the defendant to prepare a defense thereto.

2. A complaint must be made in writing and signed and verified by the person making it. The original complaint and two copies must be filed with the Secretary-Treasurer.

3. The Board shall retain all complaints made pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

(Added to NRS by 1973, 489; A 1987, 2128; [2009, 902](#))

**NRS 641A.340 Notice of hearing.** As soon as practicable after the filing of a complaint, the Board shall fix a date for the hearing on the matter, which date must not be less than 30 days after the filing of the complaint. The Secretary-Treasurer shall immediately notify the licensee of the complaint and the date and place fixed for the hearing thereof. A copy of the complaint must be attached to the notice.

(Added to NRS by 1973, 489; A 1987, 2128)

**NRS 641A.360 Decision of Board.** Upon conclusion of the hearing or as soon as practicable thereafter, the Board shall make and announce its decision.

(Added to NRS by 1973, 490)

**NRS 641A.370 Rehearing: Time for application.** If the Board revokes or suspends a license for a fixed time, the licensee may apply for a rehearing within 10 days after the date of the suspension or revocation and the Board may grant the application upon the terms and conditions it deems appropriate within 30 days after the application.

(Added to NRS by 1973, 490; A 1987, 2128)

**NRS 641A.400 Reinstatement of license after revocation.** One year after the date of a revocation of a license, application may be made to the Board for reinstatement. The Board has complete discretion to accept or reject an application for reinstatement and may require examination for reinstatement.

(Added to NRS by 1973, 490; A 1987, 2129)

## UNLAWFUL ACTS; PENALTIES

**NRS 641A.410 Unlawful representation and practice as marriage and family therapist or clinical professional counselor without license; exceptions.**

1. It is unlawful for any person to engage in the practice of marriage and family therapy or the practice of clinical professional counseling unless the person is licensed under the provisions of this chapter.

2. The provisions of this chapter do not:

(a) Prevent any licensed physician, licensed nurse, licensed psychologist, certified alcohol or drug abuse counselor or other person licensed or certified by the State from carrying out the functions permitted by the respective license or certification if the person does not hold himself or herself out to the public by any title and description of service likely to cause confusion with the titles and descriptions of service set forth in this chapter.

(b) Apply to any activity or service of a student who is obtaining a professional education as recognized by the Board if the activity or service constitutes a part of the student's supervised course of study, the activities are supervised by a licensee under this chapter and the student is designated by the title "intern in marriage and family therapy" or any other title which clearly indicates his or her status as a student.

(c) Apply to any activity or service of an intern while obtaining the experience required for licensing as a marriage and family therapist or a clinical professional counselor.

(d) Apply to a licensed or ordained minister in good standing with his or her denomination whose duty is primarily to serve his or her congregation and whose practice of marriage and family therapy or clinical professional counseling is incidental to other duties if the minister does not hold himself or herself out to the public by any title or description of service that is likely to cause confusion with the titles and descriptions or services set forth in this chapter.

(Added to NRS by 1973, 490; A 1987, 2129; 1989, 1548, 1570; [2007, 3061](#))

**NRS 641A.430 Unlawful to use certain terms without license.** It is unlawful for any person, other than a person licensed under this chapter, to employ or use the term "marriage and family counselor," "marriage and family therapist," "marriage and family therapist intern," "marital adviser," "marital therapist," "marital consultant," "clinical professional counselor," "clinical professional counselor intern" or any similar title in connection with his or her work, or in any way imply that the person is licensed by the Board, unless he or she is licensed under this chapter.

(Added to NRS by 1973, 491; A 1987, 2130; [2007, 3062](#))

**NRS 641A.440 Penalty.** Any person who violates any of the provisions of this chapter or, having had his or her license suspended or revoked, continues to represent himself or herself as a marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern shall be punished by imprisonment in the county jail for not more than 1 year or by a fine of not more than \$5,000, or by both fine and imprisonment. Each violation is a separate offense.

(Added to NRS by 1973, 491; A 1987, 2130; [2007, 3062](#))

**NRS 641A.450 Injunctive relief.** A violation of this chapter by a person unlawfully representing himself or herself as a marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern may be enjoined by a district court on petition by the Board. In any such proceeding it is not necessary to show that any person is individually injured. If the respondent is found guilty of misrepresenting himself or herself as a marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern, the court shall enjoin the respondent from making such a representation until the respondent has been licensed. Procedure in those cases is the same as in any other application for an injunction. The remedy by injunction is in addition to criminal prosecution and punishment.

(Added to NRS by 1973, 491; A 1987, 2130; [2007, 3062](#))