

Errata - LCB File No. R089-24

Blue italic bold = Proposed new language found in LCB File No. R089-24

Green italic = New language proposed as Errata

~~[Red italic in brackets strike through bold]~~ = New stricken language proposed as Errata

Sec. 4.

~~1. [A facility licensed pursuant to the provisions of this chapter and chapter 449 of NRS shall not employ or otherwise allow a person to provide services as a mental health technician or psychiatric technician except in accordance with the requirements of subsections 2, 3 and 4.]~~

Within 12 months after a mental health technician or psychiatric technician is employed or otherwise begins providing services at a facility, the mental health technician or psychiatric technician must be in compliance with the provisions of subsection 2.

2. A mental health technician or psychiatric technician described in subsection 1 must:

(a) Have an associate degree or higher degree in psychology from a college or university that was, at the time the degree was awarded:

(1) Regionally accredited by an accrediting body recognized by the United States Department of Education to grant such degrees; or

(2) A foreign college or university deemed to be equivalent to subparagraph (1) by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services, or its successor organization;

(b) Hold current certification from the American Association of Psychiatric Technicians, or its successor organization, at Level 2 or higher;

(c) Hold a current license as a mental health technician or psychiatric technician issued by the District of Columbia or any state, territory or possession of the United States;

(d) Have held a license as a mental health technician or psychiatric technician issued by the District of Columbia or any state, territory or possession of the United States that was valid within the 5 years immediately preceding the date of employment or engagement in the provision of services at a facility in this State;

(e) Have completed the vocational and educational program described in NRS 433.279; or

(f) Have a high school diploma or general equivalency diploma and have completed a course or combination of courses that includes, without limitation:

(1) At least 30 hours of instruction in crisis prevention and crisis intervention from the American Crisis Prevention and Management Association or another similar nationally recognized agency, governmental entity or educational institution that provides such instruction; and

(2) At least 8 hours of instruction in behavioral violence from the American Crisis Prevention and Management Association or another similar nationally recognized agency, governmental entity or educational institution that provides such instruction.

3. A mental health technician or psychiatric technician described in subsection 1 must be supervised by a physician or physician assistant licensed pursuant to chapter 630 or 633 of NRS or a registered nurse.

4. Within 30 days after a mental health technician or psychiatric technician described in subsection 1 is employed or otherwise begins providing services at a facility, the mental health technician or psychiatric technician must be certified in first aid and cardiopulmonary resuscitation in accordance with the requirements of section 2 of this regulation.

5. As used in this section, “mental health technician or psychiatric technician”:

(a) Means a person who, for compensation:

(1) Administers or performs specific therapeutic procedures, techniques or treatments, excluding medical interventions, for persons with a mental illness or emotional disturbance; or

(2) Applies interpersonal and technical skills:

(I) In the observation and recognition of symptoms of patients with mental illnesses or emotional disturbances and the reactions of such patients;

(II) For the accurate recording of such symptoms and reactions; and

(III) For carrying out treatments authorized by the physician, physician assistant or advanced practice registered nurse of a patient with a mental illness or emotional disturbance.

(b) Does not include a person described in subsection 4 of NRS 433.279.

Sec. 88. This regulation is hereby amended by adding thereto the following transitory language which has the force and effect of law but which will not be codified in the Nevada Administrative Code:

~~*[1. Notwithstanding the provisions of section 4 of this regulation, a facility licensed pursuant to the provisions of chapter 449 of NAC and chapter 449 of NRS may employ or otherwise allow a person to provide services as a mental health technician or psychiatric technician who, on the effective date of this regulation, is not in compliance with the requirements set forth in section 4 of this regulation if the person meets the requirements of: (a) Subsection 2 of section 4 of this regulation within 12 months after the effective date of this regulation; and (b) Subsection 4 of section 4 of this regulation within 180 days after the effective date of this regulation.]*~~

~~*[2.]*~~ *1. Notwithstanding the provisions of sections 2 and 4 of this regulation and the amendatory provisions of sections 24, 26, 30, 32, 33, 49, 51, 52, 54, 59, 60, 63, 65, 68, 71, 77, 78 and 82 of this regulation, any person who is required by the provisions of this regulation and chapter 449 of NAC to be certified in first aid, cardiopulmonary resuscitation or first aid and cardiopulmonary resuscitation and who, on the effective date of this regulation, is not certified in accordance with the requirements of section 2 of this regulation shall be deemed to be in compliance with those requirements if the person obtains certification in accordance with the requirements of section 2 of this regulation within 180 days after the effective date of this regulation.*

~~*[3.]*~~ *2. As used in this section: (a) “Facility” has the meaning ascribed to it in NAC 449.0034. (b) “Mental health technician or psychiatric technician” has the meaning ascribed to it in section 4 of this regulation.*

Rationale

The Nevada Health Authority, Health Care Purchasing and Compliance Division, received feedback from the Department of Health and Human Services, Division of Child and Family Services, requesting that the education and training required to be employed as a mental health technician or psychiatric technician in a licensed health care facility be allowed to be completed while the person is working in such a capacity and that it not be a requirement that such education and training must be completed prior to being employed as a mental health technician or psychiatric technician in a licensed health care facility.

The proposed modifications include modifying Section 1 to allow the training/education to be completed within 12 months of hire and omitting the language in Section 88 that only allowed for the 12 months to complete such training/education for a temporary period within 12 months after the effective date of the regulations.