

**PROPOSED REGULATION OF THE
COMMITTEE ON DOMESTIC VIOLENCE**

LCB File No. R116-16

July 21, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 228.470.

A REGULATION relating to domestic violence; revising training requirements for providers of treatment and supervisors of treatment at programs for the treatment of persons who commit domestic violence; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Committee on Domestic Violence to adopt regulations for the evaluation, certification and monitoring of programs for the treatment of persons who commit domestic violence. (NRS 228.470) Existing regulations prescribe the training requirements for providers of treatment and supervisors of treatment at programs for the treatment of persons who commit domestic violence. (NAC 228.110) This regulation revises such training requirements and removes the requirement that providers of treatment and supervisors of treatment complete in-service training.

Section 1. NAC 228.110 is hereby amended to read as follows:

228.110 1. Except as otherwise provided in subsection ~~3~~ 4, a person may be employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program if he or she:

(a) Possesses a master’s or doctorate degree in a field of clinical human services from an accredited college or university;

(b) Except as otherwise provided in subsection ~~4~~ 5, is licensed in good standing in this State:

(1) As a psychologist pursuant to chapter 641 of NRS;

- (2) As a marriage and family therapist pursuant to chapter 641A of NRS;
- (3) As a clinical professional counselor pursuant to chapter 641A of NRS;
- (4) As a clinical social worker pursuant to chapter 641B of NRS; or
- (5) To practice medicine pursuant to chapter 630 of NRS and practices psychiatry;

(c) Has:

(1) At least 2 years of experience in a supervisory capacity in the provision of services to victims of domestic violence or in the treatment of persons who commit domestic violence; or

(2) At least 5 years of experience in the direct provision of services to victims of domestic violence or treatment of persons who commit domestic violence;

(d) ~~If the person is employed, or retained as an independent contractor, in the position of a supervisor of treatment on or before January 1, 2015, has~~ *Has* satisfactorily completed at least 60 hours of formal training in domestic violence which includes at least 30 hours of training in the provision of services to victims of domestic violence and at least 30 hours of training in the provision of treatment to persons who commit domestic violence;

(e) ~~If the person is employed, or retained as an independent contractor, in the position of a supervisor of treatment after January 1, 2015, has satisfactorily completed the following formal training:~~

- ~~— (1) Eight hours in the dynamics of power and control and batterer tactics;~~
- ~~— (2) Eight hours in gender roles, socialization and the nature and function of violence;~~
- ~~— (3) Eight hours in shelter movement, victim safety and sensitivity;~~
- ~~— (4) Two hours in Nevada domestic violence laws;~~
- ~~— (5) Four hours in substance abuse and domestic violence;~~
- ~~— (6) Four hours in victims who use violent self defense;~~

- ~~— (7) Four hours in the effects of violence on children;~~
- ~~— (8) Four hours in post-trauma stress;~~
- ~~— (9) Four hours in cultural competency and diversity;~~
- ~~— (10) Two hours in batterer intervention programs and coordinated community response;~~
- ~~— (11) Four hours in group facilitation;~~
- ~~— (12) Two hours in intake and assessment;~~
- ~~— (13) Two hours in confidentiality;~~
- ~~— (14) Two hours in ethics, including, without limitation, collusion; and~~
- ~~— (15) Two hours in the provisions of chapter 228 of NAC;~~
- ~~— (f) If the person is employed, or retained as an independent contractor, in the position of a supervisor of treatment after January 1, 2015, has~~ **Has** satisfactorily completed at least 12 hours of Committee approved training in clinical supervision;

~~{(g)}~~ **(f)** Has satisfactorily completed at least 15 hours of ~~{the}~~ training in ***the following*** domestic violence ~~{required by paragraph (d) or (e)}~~ ***topics*** during the 2 years immediately preceding the date on which the person is employed, or retained as an independent contractor, in the position of a supervisor of treatment at the program ~~;~~

~~— (h) Has satisfactorily completed at least 60 hours of in-service training;~~

~~— (i) :~~

- (1) The dynamics of power and control and batterer tactics;***
- (2) Gender roles, socialization and the nature and function of violence;***
- (3) Shelter movement, victim safety and sensitivity;***
- (4) Substance abuse and domestic violence;***
- (5) Victims who use violent self-defense;***

- (6) The effects of violence on children;*
- (7) Post-trauma stress;*
- (8) Cultural competency and diversity;*
- (9) Batterer intervention programs and coordinated community response;*
- (10) Group facilitation;*
- (11) Intake and assessment; and*
- (12) In accordance with the requirements set forth in subsection 2:*
 - (I) Confidentiality;*
 - (II) Ethics;*
 - (III) Nevada domestic violence laws; and*
 - (IV) The provisions of chapter 228 of NAC;*

(g) Has never:

- (1) Entered a plea of guilty, guilty but mentally ill or nolo contendere to;
- (2) Been found guilty or guilty but mentally ill of; or
- (3) Been convicted of,

↳ a crime which demonstrates the person’s unfitness to act as a supervisor of treatment, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal;

~~(h)~~ *(h)* Is free of violence in his or her life; and

~~(i)~~ *(i)* Is not currently an abuser of prescription drugs or alcohol or a user of illegal drugs.

2. *The 15 hours of training required pursuant to paragraph (f) of subsection 1 must include:*

- (a) Two hours in confidentiality;*
- (b) Two hours in ethics;*

(c) Three hours in Nevada domestic violence laws; and

(d) Three hours in the provisions of chapter 228 of NAC.

3. The Committee may review the qualifications of a person who may be employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program, to determine whether the person satisfies the requirements of ~~subsection~~ *subsections 1* ~~1~~ ~~—3.1~~ *and 2.*

4. The provisions of ~~paragraphs~~ *paragraph (c)* ~~and (h)~~ of subsection 1 do not apply to a person who is employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program on August 1, 2000.

~~4.1~~ 5. A person who does not comply with the requirements of paragraph (b) of subsection 1 may be employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program if:

(a) The person submits a written request to the Committee that includes, without limitation, a statement concerning his or her work history, education and experience;

(b) The person participates in an interview with the Committee; and

(c) The Committee determines that the person is qualified to be employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program.

~~5.1~~ 6. Within 120 days after the Committee receives a request pursuant to subsection ~~4.1~~ 5, the Committee will provide written notice of its approval or denial of the request to the person who submitted the request. If the Committee denies the request, the notice will include the reasons for the denial of the request.

~~6.1~~ 7. A person who is employed, or retained as an independent contractor, in the position of a supervisor of treatment at a program pursuant to subsection ~~4.1~~ 5 is qualified as a supervisor

of treatment until the person is no longer employed, or retained as an independent contractor, by an organization that operates a program if he or she meets the annual continuing education requirements set forth in NAC 228.210.

~~17.1~~ **8.** Except as otherwise provided in subsection ~~19.1~~ **11**, a person may be employed, or retained as an independent contractor, in the position of a provider of treatment at a program if the person:

(a) Possesses a bachelor's degree or more advanced degree;

(b) Is supervised by a supervisor of treatment who is qualified pursuant to *subsections 1 and 2 or* subsection ~~1, 3 or~~ *4 or 5* and that supervision includes, without limitation, meeting with the supervisor of treatment in person at least once each month and having the supervisor of treatment submit annual reports of satisfactory performance to the Committee;

(c) ~~If the person is employed, or retained as an independent contractor, in the position of a provider of treatment on or before January 1, 2015, has~~ **Has** satisfactorily completed at least 60 hours of formal training in domestic violence that includes, without limitation, at least 30 hours of training in the provision of services to victims of domestic violence and at least 30 hours of training in the provision of treatment to persons who commit domestic violence;

(d) ~~If the person is employed, or retained as an independent contractor, in the position of a provider of treatment after January 1, 2015, has satisfactorily completed the following formal training:~~

~~——(1) Eight hours in the dynamics of power and control and batterer tactics;~~

~~——(2) Eight hours in gender roles, socialization and the nature and function of violence;~~

~~——(3) Eight hours in shelter movement, victim safety and sensitivity;~~

~~——(4) Two hours in Nevada domestic violence laws;~~

- ~~— (5) Four hours in substance abuse and domestic violence;~~
- ~~— (6) Four hours in victims who use violent self-defense;~~
- ~~— (7) Four hours in the effects of violence on children;~~
- ~~— (8) Four hours in post-trauma stress;~~
- ~~— (9) Four hours in cultural competency and diversity;~~
- ~~— (10) Two hours in batterer intervention programs and coordinated community response;~~
- ~~— (11) Four hours in group facilitation;~~
- ~~— (12) Two hours in intake and assessment;~~
- ~~— (13) Two hours in confidentiality;~~
- ~~— (14) Two hours in ethics, including, without limitation, collusion; and~~
- ~~— (15) Two hours in the provisions of chapter 228 of NAC;~~

~~— (e)†~~ Has satisfactorily completed at least 15 hours of ~~{the}~~ training in *the following* domestic violence ~~{required by paragraph (e) or (d)}~~ *topics* during the 2 years immediately preceding the date on which the person is employed, or retained as an independent contractor, in the position of a provider of treatment at the program ~~†~~;

~~— (f) Has satisfactorily completed at least 60 hours of in-service training;~~

~~— (g)† :~~

- (1) The dynamics of power and control and batterer tactics;*
- (2) Gender roles, socialization and the nature and function of violence;*
- (3) Shelter movement, victim safety and sensitivity;*
- (4) Substance abuse and domestic violence;*
- (5) Victims who use violent self-defense;*
- (6) The effects of violence on children;*

- (7) Post-trauma stress;*
- (8) Cultural competency and diversity;*
- (9) Batterer intervention programs and coordinated community response;*
- (10) Group facilitation;*
- (11) Intake and assessment; and*
- (12) In accordance with the requirements set forth in subsection 9:*
 - (I) Confidentiality;*
 - (II) Ethics;*
 - (III) Nevada domestic violence laws; and*
 - (IV) The provisions of chapter 228 of NAC;*

(e) Has never:

- (1) Entered a plea of guilty, guilty but mentally ill or nolo contendere to;
- (2) Been found guilty or guilty but mentally ill of; or
- (3) Been convicted of,

↳ a crime which demonstrates the person’s unfitness to act as a provider of treatment, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal;

~~(h)~~ *(f)* Is free of violence in his or her life; and

~~(i)~~ *(g)* Is not currently an abuser of prescription drugs or alcohol or a user of illegal drugs.

~~18.1~~ *9. The 15 hours of training required pursuant to paragraph (d) of subsection 8 must*

include:

- (a) Two hours in confidentiality;*
- (b) Two hours in ethics;*
- (c) Three hours in Nevada domestic violence laws; and*

(d) Three hours in the provisions of chapter 228 of NAC.

10. The Committee may review the qualifications of a person who may be employed, or retained as an independent contractor, in the position of a provider of treatment at a program, to determine whether the person satisfies the requirements of subsection ~~7.1~~ 8.

~~9.1~~ 11. A person may be employed, or retained as an independent contractor, in the position of a provider of treatment at a program although the person does not meet the requirements of paragraph (a) of subsection ~~7.1~~ 8, if the program is located in a county whose population is less than 50,000 and the person proves, to the satisfaction of the Committee, that:

- (a) There is not another program located within a 50-mile radius of the program, or within the city or county in which the program is located;
- (b) The person possesses the necessary skills and training to perform his or her job; and
- (c) The person has satisfied all other requirements of this section.

~~10.1~~ 12. A person who is employed, or retained as an independent contractor, in the position of a provider of treatment at a program pursuant to subsection ~~9.1~~ 11 is qualified as a provider of treatment for a period which ends on the expiration date of the certificate issued for the program pursuant to NAC 228.100.

~~11.1. The in-service training required by this section may be completed by observing a group counseling session via distance media if:~~

~~—(a) The in-service training is completed in a county whose population is less than 50,000 and which is located more than 50 miles from a program;~~

~~—(b) The distance media has been approved by the Committee; and~~

~~—(c) The person receiving the in-service training meets in person or via telephone with at least one provider of treatment or supervisor of treatment who is familiar with the group counseling session that was observed to discuss that group counseling session.~~

~~—12.} 13.~~ Not more than one-half of the ~~{formal}~~ training required by paragraphs (d) , ~~{and}~~ (e) *and* (f) of subsection 1 and paragraphs (c) and (d) of subsection ~~{7} 8~~ may be completed via distance media.

~~{13.} 14.~~ As used in this section ~~{:~~

~~—(a) “Free} , “free~~ of violence in his or her life” means that a person:

~~{(1)} (a)~~ Does not engage in acts of physical violence;

~~{(2)} (b)~~ Does not verbally abuse, threaten, coerce or intimidate other persons on a regular basis;

~~{(3)} (c)~~ Does not deny personal responsibility for the person’s actions or blame other persons for his or her mistakes on a regular basis; and

~~{(4)} (d)~~ Lives his or her life in a manner that is capable of serving as a model of nonviolent behavior.

~~{(b) “In-service training”:~~

~~—(1) Means participation or observation of a group counseling session that:~~

~~—(I) Is conducted for offenders in a program;~~

~~—(II) Complies with the requirements of NAC 228.010 to 228.225, inclusive; and~~

~~—(III) Includes a discussion reviewing the group counseling session that is conducted in person with both providers of treatment or the provider of treatment and the supervisor of treatment acting as a provider of treatment who conducted the group counseling session.~~

~~—— (2) Does not include the conducting of a group counseling session by a provider of treatment or a supervisor of treatment acting as a provider of treatment.]~~