ADDENDUM TO WRITTEN PUBLIC COMMENT REGARDING LCB FILE NO. R088-26P

Behavioral Health and Wellness Practitioners

Submitted for the August 21, 2026 Regulation Hearing

Rebecca Savio
Nevada Citizen and Public-Interest Researcher
Supplement to Written Public Comment Submitted August 17, 2026 to NBOPE
August 20, 2026

Purpose of This Addendum

Members of the Board:

Thank you for the opportunity to supplement my August 17, 2026 written public comment regarding LCB File No. R088-26P.

I continue to support the purpose of Senate Bill 165 and the responsible development of Nevada's Behavioral Health and Wellness Practitioner profession. I support expanding access to appropriately trained and supervised behavioral-health promotion, prevention, and early-intervention services. **At this time, however, I respectfully ask the Board to defer final adoption of R088-26P in its current form for further consideration of the public safety, procedural, competency, supervision, and educational issues identified in this addendum and my August 17, 2026 written comment, including whether the public has sufficient access to the records and materials associated with the Advisory Group's regulatory-development work and whether the available regulatory record is sufficiently complete for informed review.**

I am not submitting this addendum as a subject-matter expert in behavioral-health workforce regulation, nor am I a psychologist. I submit it as a Nevada member of the public and public-interest researcher who believes that meaningful public participation depends, in part, upon the public's ability to identify and review records and materials relevant to important regulatory decisions. Access to that information allows interested persons to better understand the development of a proposal, verify relevant facts, and provide more informed data, views, and arguments during the rulemaking process.

That concern is particularly relevant here because Oregon is simultaneously developing a closely analogous Licensed Behavioral Health and Wellness Practitioner profession and has provided public access to its Rules Advisory Committee (RAC) meetings, including meeting videos and transcripts. That open and transparent access has allowed me to review portions of Oregon's regulatory-development discussions directly and to better understand the reasoning behind several important policy choices. I have

attempted to conduct a comparable review of Nevada's process, but I have not been able to identify an equivalent public record of the substance of the Nevada Advisory Group's separately held meetings.

Accordingly, this addendum reflects my effort to review the Nevada regulatory-development record that is publicly available, compare relevant portions of Nevada's proposed framework with Oregon's developing process, verify the sources upon which I rely, and identify questions that appear important to public protection, transparent rulemaking, and effective public participation.

This addendum is necessary in substantial part because of timing. I submitted my original written comment in time for inclusion in the August 21 Board meeting packet. I appreciate that the Board did include that comment in the packet. At the time I submitted it, however, Oregon's August 17, 2026 LBHWP Rules Advisory Committee meeting had not yet occurred. My original comment expressly contemplated supplementation if later information materially affected the analysis. The August 21 packet confirms that my original comment is part of the R088 hearing materials.

I therefore needed to wait for Oregon's August 17 meeting before completing this supplemental analysis. Oregon was the jurisdiction in which I was able to review the closely analogous LBHWP advisory group's actual regulatory-development discussions. Oregon publicly identifies its Rules Advisory Committee meetings and makes those discussions available through the Mental Health Regulatory Agency's public video archive. The August 17 afternoon meeting, which I attended and observed by way of Zoom, contained helpful discussion directly relevant to Nevada's proposed competency and supervision provisions.

By contrast, despite Nevada records requests beginning July 20, increasingly specific follow-up requests, repeated review of the Board's public materials, requests for assistance locating responsive records, and my offer to inspect responsive records at the Board office in person, I have not been able to identify a comparable substantive meeting record for the Nevada SB165 Advisory Group's own separately held meetings.

The purpose of this addendum is therefore twofold: first, to place into Nevada's rulemaking record relevant information that became available through Oregon's August 17 public RAC meeting after my original comment had been submitted; and second, to address a broader procedural question concerning public access to, preservation of, and future usability of the regulatory-development record associated with Nevada's Advisory Group.

This addendum supplements and does not replace, narrow, withdraw, or supersede my August 17 written comment or my outstanding public-records requests. My August 17 comment addresses continuing post-licensure criminal and fitness-event notice, renewal screening, supervisor accountability, youth safeguards, patient and parent information, complaint and privacy protections, and related public-safety matters. I incorporate those recommendations rather than repeat them here.

Priority	Issue	Requested Board Action
1	Advisory Group status and separate meeting record	Clarify Chapter 241 status and identify what record exists
2	Public access and institutional recordkeeping	Ensure the development record can be located and understood
3	Alternative competency pathway	Establish objective, predetermined standards
4	Pre-licensure supervision	Consider guaranteed one-on-one supervision
5	Education and accreditation	Further examine instructional depth and accreditation safeguards

1. The Board Record Refers to Separately Held Advisory Group Meetings

The Board's regular public meetings contain meaningful discussion of R088-26P and updates concerning the Advisory Group's work. I have reviewed and relied upon those materials. My concern is narrower.

The regular Board record refers to **meetings of the SB165 Behavioral Health and Wellness Practitioner Advisory Group held separately from the regular Board meetings**.

Earlier Board materials identify the Advisory Group's first meeting as occurring on December 3, 2025, an all-day meeting scheduled for January 30, 2026, and another meeting scheduled for March 27, 2026. The January materials also state that the Advisory Group would work on the SB165 regulations and forward materials to the Board after its January meeting.

At the April 17 Board workshop, Dr. Michelle Paul subsequently explained that the Advisory Group had **"met twice"** since the March workshop to incorporate and address the public comment received. Dr. Paul then publicly reviewed with the Board the revisions resulting from that work.

The distinction is important. The regular Board record provides useful **Board-level summaries, discussion, successive regulatory drafts, and descriptions of Advisory Group work**. I do not suggest otherwise.

What I have not been able to identify is a separately discernible record of the **substance of the Advisory Group's own separately held meetings**, for example, the Group's agendas, minutes, audio-recording information, transcripts, substantive notes, attendance records, or equivalent documentation showing what occurred during those meetings.

Such a record, if it exists, could provide information different from a later Board-level summary: what alternatives were considered, what concerns members raised, what information was relied upon, how public comments were evaluated, and why particular revisions were accepted or declined.

It is that separate Advisory Group meeting record that I have been attempting to identify and review. By comparison, Oregon's meeting recordings and transcripts were readily accessible for public review.

2. The August 21 Packet Confirms the Advisory Group's Substantial and Continuing Role

I have now reviewed the August 21, 2026 meeting packet.

The packet's R088 staff report states that the Board established a four-member Advisory Group and included within the Group's charge **drafting the regulations for BHWPs and the practice of BHPP**. It further states that the Advisory Group met and drafted proposed regulations for the March 6 and April 17 workshops.

The current legislative and regulation status materials also state:

> "The BHWP Advisory Group continues to meet and work toward satisfying the Board's charge as it relates to the SB165 requirements."

Accordingly, the access and recordkeeping question is not solely historical. The August 21 materials indicate that the Advisory Group's work is continuing.

Tomorrow's agenda separately includes **Item 11, "Discussion and Possible Action on Updates Regarding the Work of the 2025 SB165 Behavioral Health and Wellness Practitioner Advisory Group."**

I appreciate that the packet contains substantial Board-level material concerning R088 and that my August 17 public comment has been included. After reviewing the complete packet, however, **I did not identify a separately labeled supporting report or attachment for Item 11, nor did I locate a reference identifying where audio recordings or transcripts of the Advisory Group's separately held meetings may be accessed.**

I do not infer from that observation that such records do not exist or that Board members have not received other information through an appropriate channel. I simply have not been able to identify that material in the public record available to me.

Because the August 21 materials state that the Advisory Group continues to meet, I respectfully believe clarification now would assist not only in understanding the historical development of R088-26P, but also in establishing a clear public-access and recordkeeping framework for the Group's continuing work.

I have attempted in good faith to determine what meeting-record requirements, if any, apply to the Advisory Group. I would welcome clarification regardless of the answer.

The continuing absence of a clear answer leaves unresolved a practical question concerning whether interested members of the public can identify and review the regulatory-development record relevant to evaluating the proposal and participate as fully and effectively as reasonably possible.

3. My Records-Request History Illustrates a Broader Procedural Question

I include my own request history because it provides a practical example of what an interested member of the public may encounter when attempting to reconstruct the Advisory Group's regulatory-development process. **My principal concern is not that I personally did not receive a particular record. It is whether the Board's procedures provide a sufficiently clear, accessible, and durable regulatory-development record for the public and for future institutional review.**

I first requested R088-26P and related hearing and regulatory-development materials on **July 20, 2026**. When I could not identify the Advisory Group's separate meeting record in the publicly posted materials, I submitted a detailed public-records request on August 5 and additional requests or clarifications on August 11, August 12, August 18 and August 20. My August 17 public comment documents part of that history and the specific categories requested.

My August 12 request specifically sought the dates of Advisory Group meetings or work sessions and available notices or agendas, minutes or notes, recordings or transcripts, attendance information, supporting materials, drafts, redlines, recommendations, and other work product. I also requested any existing nonprivileged record reflecting whether the Board considers the Advisory Group a public body subject to NRS Chapter 241.

I also offered to come to the Board office to inspect responsive records in person if that would assist.

The Board's responses have stated that the records 'currently available' regarding the regulation are available on the Board Meetings webpage. I have repeatedly reviewed that page, the 2025 and 2026 meeting materials, and now the August 21 packet.

I recognize that **it is possible I have overlooked responsive material**. That possibility is one reason I have repeatedly requested clarification and assistance rather than concluding that records do not exist. I also recognize that Board staff and counsel may have information or legal considerations that are not apparent from the public materials available to me, and I welcome clarification where my understanding is incomplete.

As of this submission, however, I have not been provided a specific location for the substantive record of the Advisory Group's separately held meetings, confirmation that no such records exist, or a direct answer concerning the Advisory Group's Chapter 241 status. I also did not receive a response to my offer to inspect responsive records at the Board office before preparing this addendum.

Any of those answers would be useful.

If no separate audio recordings, transcripts, substantive minutes, or comparable records exist, confirmation would clarify the record. If the Board's position is that the Advisory Group is not a public body subject to Chapter 241, identifying that position and, to the extent appropriate, its basis would likewise clarify the process. If responsive records exist and are publicly accessible, identifying their specific location would resolve much of the access question.

I therefore do not present the present uncertainty as proof of noncompliance. I present it as a procedural and practical recordkeeping question that warrants clarification.

4. The Concern Extends Beyond One Commenter

This issue extends beyond my ability to prepare this particular public comment.

NRS 233B.061 provides interested persons a **"reasonable opportunity to submit data, views or arguments"** concerning a proposed regulation.

I do not contend that NRS 233B.061 independently requires disclosure of every developmental document, nor do I ask the Board in this comment to make a legal finding that a violation has occurred.

The narrower concern is practical:

How can interested members of the public make full use of a "reasonable opportunity" to contribute data, views, or arguments if a material portion of regulatory development occurred in separately held Advisory Group meetings but the public cannot readily determine what substantive record exists of those meetings or where that record may be reviewed?

The regular Board record tells the public that the Advisory Group met, developed and revised regulatory language, considered public comment, and continued its work. What I have not been able to identify is a record of the substance of those separate Advisory Group discussions themselves.

That distinction matters beyond a current commenter.

A sufficiently preserved and accessible regulatory-development record may assist **current Board members** in independently evaluating recommendations; **future Board members** who may later interpret or amend provisions developed before their service; **the Legislative Counsel Bureau and other governmental reviewers** evaluating the regulatory framework; and **future policymakers, oversight officials, researchers, affected stakeholders, and members of the public** attempting to understand how and why particular regulatory choices were made.

This is therefore not solely a public-records issue. It also presents a **practical institutional-memory and recordkeeping concern.**

A useful regulatory history allows a later reviewer to determine whether a provision was deliberately selected after consideration of competing alternatives, what concerns were addressed, and why a

particular approach was chosen. A sufficiently preserved record may also be useful to other jurisdictions evaluating similar regulatory frameworks in the future.

If the Advisory Group's substantive meeting record exists, identifying where it is maintained would substantially address this concern.

If no such record exists, confirmation of that fact would itself improve the intelligibility of the record.

5. The Advisory Group's Status Under NRS Chapter 241 Warrants Clarification

NRS 241.015 includes within the definition of a public body, under specified circumstances, a subcommittee or working group of at least two persons appointed by a public body, including where the group is authorized to make a recommendation to the appointing public body for action.

The August 21 staff report confirms that the Board established the four-member Advisory Group and expressly included **drafting the BHWP regulations** within its charge.

I do **not** offer a legal conclusion that the Advisory Group is therefore a public body under Chapter 241. That determination may depend upon facts or legal considerations not available to me.

I respectfully ask a question and request clarification on the record:

> **Does the Nevada Board of Psychological Examiners consider the SB165 Behavioral Health and Wellness Practitioner Advisory Group a public body subject to NRS Chapter 241?**

If yes, I respectfully request identification of the applicable meeting notices, agendas, minutes, audio-recording or transcript information, attendance records, supporting materials, and recommendations, to the extent maintained and available under applicable law.

If no, I respectfully request that the Board identify the basis for that determination to the extent appropriate.

If no separate audio recordings, transcripts, minutes, or substantive meeting records exist, I respectfully request confirmation of that fact.

If the Advisory Group is determined to be a Chapter 241 public body, it is my understanding that NRS 241.035 contains requirements concerning written minutes and meeting audio recordings or transcripts, subject to the statute's terms and exceptions.

Again, my purpose is not to prejudge that legal question. **Clarifying the Group's status and the applicable recordkeeping framework would itself strengthen the public regulatory record.**

Because the August 21 packet states that the Advisory Group **continues to meet**, I respectfully suggest that this clarification would be useful prospectively as well as historically.

6. Oregon Demonstrates the Practical Value of an Accessible Advisory-Group Record

Oregon provides a useful contemporary comparison because it is developing the same-named Licensed Behavioral Health and Wellness Practitioner profession under its own separate statute and regulatory process.

Nevada and Oregon are not legally interchangeable, and I do not suggest that Nevada is required to duplicate Oregon's procedures.

Oregon is nevertheless particularly useful here because its Rules Advisory Committee expressly considered Nevada's developing framework and because the public can review the Oregon advisory-group discussions themselves. A complete development record may also help future reviewers understand what comparative models, if any, were considered during Nevada's regulatory development.

Oregon publicly identifies its LBHWP Rules Advisory Committee meetings and makes the recordings available through the Oregon Mental Health Regulatory Agency's public meeting archive:

Oregon Mental Health Regulatory Agency – Public Meeting Videos
https://www.youtube.com/@Oregon-MHRA

I include this address so Board members, members of the public, LCB personnel, and other interested persons can independently review the same source material and reach their own conclusions.

I reviewed and analyzed Oregon RAC recordings and/or transcripts from **June 15, July 7, July 27, and August 17, 2026**. My August 17 Nevada comment already documented my review of the June and July discussions and the issues examined.

I also communicated directly in writing with **LaReé Stashek, Policy Advisor for the Oregon Mental Health Regulatory Agency**, concerning several regulatory and implementation questions. Ms. Stashek provided clarifying information and a current Oregon LBHWP draft as a courtesy. She has expressly authorized me to attribute the regulatory information and quotations used in this addendum.

The significance of Oregon for present purposes is procedural.

Because Oregon's committee discussions are publicly accessible, an interested person can evaluate both the proposed regulatory language and portions of the reasoning that produced it. Members of the public can independently listen to discussions, identify alternatives, understand where Oregon considered Nevada's approach, and assess whether a commenter has fairly characterized the proceedings.

That is an important feature of a transparent regulatory-development record: the public need not rely solely upon one person's summary because the underlying discussion remains available for independent review.

I have not been able to perform an equivalent analysis of Nevada's separately held Advisory Group meetings.

That difference does not establish that Nevada acted improperly. It illustrates the practical value of identifying and preserving the substantive record of a group performing significant regulatory-development work.

7. Oregon's Public Process Identified a Material Competency Difference

Nevada law expressly permits the Board to establish an alternative method of demonstrating competency when the national examination does not exist or is not being administered. My concern therefore is not whether Nevada possesses authority to establish an alternative pathway.

The question is whether the pathway described in R088-26P is sufficiently predetermined, objective, and consistent before it is used to license applicants.

Section 11 permits the Board, when the national examination is unavailable, to evaluate competency through methods that may include practicum performance, a competency portfolio, a structured oral examination, or supervisor attestation concerning competence, ethical conduct, and fitness. The August 21 packet confirms those alternatives in the current LCB draft.

Those methods may each provide useful evidence. **They are not necessarily equivalent assessment instruments.**

This issue arose in Nevada's own public process. During the March workshop, questions were raised regarding the absence of a national examination, who would develop an examination, and how validity and reliability would be ensured.

The matter then returned to the Advisory Group, which subsequently met and returned revised language. The separate Advisory Group discussion explaining how those concerns were analyzed is precisely the type of development record I have been attempting to locate.

During Oregon's publicly accessible August 17 RAC meeting, Ms. Stashek addressed Nevada's fallback approach and stated, in discussing the absence of a national test:

> "if there is no test in place, then we go through this sort of arbitrary process to approve somebody without an exam, which I do not recommend for Oregon administrative rulemaking."

I characterize that statement carefully. **The term "arbitrary" is Ms. Stashek's characterization during the Oregon regulatory discussion; it is not my legal characterization of Nevada's proposed regulation.** I understand her statement to mean that she did not recommend Nevada's alternative competency approach for Oregon administrative rulemaking. I do not present her statement as a formal determination of the Oregon Board of Psychology, and Oregon's statutory framework does not control Nevada.

The important policy question is:

How will applicants be evaluated consistently and defensibly when the national competency examination is unavailable?

Oregon's current developing draft answers that question differently. It requires standard applicants to pass an approved competency examination and identifies the national Ballmer Institute examination, or its successor. I did not identify a counterpart to Nevada's portfolio, oral-examination, or supervisor-attestation fallback in the Oregon draft.

Had Nevada's Advisory Group substantive meeting record been available, it could have explained **why Nevada selected its alternative pathway, what alternatives were considered, and what criteria the Group believed would adequately address validity, reliability, and consistency concerns.**

I respectfully recommend that, before such an alternative pathway is used, the Board establish predetermined competency domains, evaluator qualifications, required assessment methods, documentation standards, minimum performance criteria, and mechanisms designed to promote consistency among applicants.

8. Oregon Also Added Guaranteed One-on-One Practicum Supervision

Nevada and Oregon each contain different strengths. Nevada has post-licensure supervision provisions. My narrower concern involves the **700-hour pre-licensure practicum**.

Both developing frameworks use 700 hours of supervised practice and at least 175 hours of direct client contact. Nevada requires at least one hour of direct supervision for every 20 practicum hours and limits such supervision to no more than three students at once.

Oregon's developing framework additionally requires that at least **25 percent of required practicum supervision be individual, one-on-one supervision**.

During Oregon's August 17 RAC discussion, that requirement was described as **"the most meaningful place that we differ from Nevada."**

Nevada need not adopt Oregon's precise percentage. I respectfully ask the Board to consider the underlying policy question:

Should every Nevada BHWP trainee be assured some minimum amount of individualized supervisory attention before licensure?

Individual supervision provides protected time to evaluate professional judgment, ethical reasoning, competency deficiencies, boundary concerns, remediation needs, and readiness for the responsibilities of the BHWP role in order to serve vulnerable populations.

9. Education and Accreditation Deserve Further Examination

Oregon's current developing draft also uses a more prescriptive educational framework, including quantified substantive behavioral-health coursework and specified minimum study within important competency areas.

Nevada's proposed Section 10 contains program-structure, competency, direct-observation, and practicum safeguards. It also permits the Board to recognize a nationally recognized organization that accredits behavioral-health-promotion-and-prevention educational programs, with completion of such an accredited program constituting prima facie evidence of satisfaction of Section 10.

I do not suggest that national program accreditation is inherently inadequate. My narrower question is **what substantive quality-assurance criteria Nevada will apply before relying upon such an accreditation pathway.**

As part of my comparative research, Ms. Stashek provided a December 5, 2025 public memorandum from the **Oregon Board of Licensed Professional Counselors and Therapists** as a starting point for additional accreditation research.

That memorandum concerns a different Oregon board, different professions, and separate rulemaking. I do not present it as an Oregon Board of Psychology LBHWP determination.

Ms. Stashek expressly permitted me to draw relevant research issues from that memorandum.

The memorandum raises broader questions concerning changes in the federal accreditation landscape, accreditor recognition, competency-based and experiential education, movement among accreditors, and the distinction between federal recognition of an accreditor and a licensing board's independent determination that education is sufficient for professional licensure.

I respectfully suggest that Nevada independently examine the substantive educational standards of any proposed accreditor; instructional depth; faculty qualifications; supervised experience and competency assessment; treatment of experiential or competency-based learning; monitoring and enforcement mechanisms; consequences of material changes or loss of accreditation; and how the public will identify the accreditors and programs recognized by the Board.

The central question should not merely be whether an accrediting organization is nationally recognized. It should be whether its standards provide reliable assurance that future Nevada BHWP graduates have received the education, supervised training, and competency preparation Nevada considers necessary for safe practice.

Further Reading on Accreditation

With Ms. Stashek's permission, I identify the following materials referenced in the Oregon memorandum as resources for further research. I provide them for review and do not represent that Nevada should adopt any particular author's conclusions:

Walter Hudson, "Department of Education Relaxes Accreditation Change Rules, Raising Quality Concerns," *The EDU Ledger*, May 1, 2025; **U.S. Department of Education**, "Distance Education and

Innovation," *Federal Register*, April 2, 2020; **Daniel Kees**, "Changing Credentials in College Accreditation," *The Regulatory Review*, February 25, 2020; and **Paul Fain**, "New Rules on Accreditation and State Authorization," *Inside Higher Ed*, October 31, 2019.

10. My August 17 Public-Safety Recommendations Remain in Effect

My August 17 written comment addresses in detail continuing post-licensure criminal and fitness-event notice, renewal screening, supervisor accountability, youth safeguards, patient and parent information, privacy, complaint procedures, and related public-protection measures. That comment is now included in the August 21 packet.

I do not repeat that analysis here.

I preserve one implementation question:

If R088-26P proceeds before R089-26P, what continuing-notice mechanism will apply to BHWPs and approved supervisors during that interval, and is R089 ultimately intended to apply to BHWPs?

The August 21 status materials confirm that R089 has an LCB draft but that its regulation hearing has not yet been scheduled, while R088 is proceeding to hearing on August 21.

If an existing statute, regulation, renewal process, supervisor or employer duty, background-notification mechanism, or other system resolves that question, identifying it on the record would substantially address the concern.

Conclusion

I support Nevada's creation of the Behavioral Health and Wellness Practitioner profession and the goal of expanding access to behavioral-health promotion, prevention, and early-intervention services.

I respectfully ask the Board to consider deferring final adoption of R088-26P in its current form because several important issues warrant further review, particularly the Advisory Group regulatory-development record, objective standards governing the alternative competency pathway, individualized pre-licensure supervision, educational and accreditation safeguards and the criminal reporting and other issues raised in my August 17 public comment.

My request is not that the Board abandon SB165 or unnecessarily delay workforce development. It is that Nevada establish a regulatory framework, and preserve a regulatory-development record, that is sufficiently **transparent, objective, durable, and protective before implementation.**

The regular Board record contains meaningful public discussion, regulatory drafts, and summaries of the Advisory Group's work. The August 21 packet further confirms that drafting the BHWP regulations was part of the Group's charge and that the Group **continues to meet and work** toward satisfying that charge.

At the same time, after requests beginning July 20, subsequent detailed requests, repeated review of the Board's public materials, requests for assistance locating responsive records, and an offer to inspect responsive records at the Board office, I have not been able to identify the substantive meeting record for the Advisory Group's separately held meetings or a reference directing the public to audio recordings or transcripts of those meetings.

I recognize that I may have overlooked material. For that reason, I have sought clarification rather than assuming that the records do not exist or that the Board failed to satisfy a legal requirement.

The question nevertheless has broader significance.

The public should be able to determine what record exists of a body performing substantial regulatory-development work and where that record may be reviewed. Current Board members should have an adequate basis for independently evaluating recommendations. Future Board members should be able to understand why provisions were developed. LCB, future policymakers, and oversight officials should be able to reconstruct the regulatory history without relying solely on institutional memory or later summaries.

This is therefore a matter of **public access, informed participation, practical recordkeeping, and institutional continuity.**

For the public, it also bears upon the practical value of the "reasonable opportunity" to submit data, views, and arguments contemplated by NRS 233B.061. The issue is not whether a person is technically permitted to submit a written statement. It is whether an interested person who chooses to analyze the development of a proposed regulation can reasonably determine what underlying governmental record exists and how to review it.

By the final hours before the R088 written-comment deadline, the opportunity to obtain, analyze, and meaningfully incorporate any unidentified Nevada Advisory Group meeting record into this particular submission had effectively passed. I include that experience as a practical illustration, **not as the sole or primary concern**.

Oregon provides a useful procedural comparison. Because its LBHWP RAC meetings are publicly accessible, I was able to review multiple meeting discussions, compare them with developing regulatory language, identify important differences, and seek focused clarification from agency staff. Other members of the public can independently review those same underlying discussions.

The value of that transparency is not that every member of the public will review every meeting. It is that the underlying regulatory-development record is available to those who need or choose to examine it.

I therefore respectfully ask the Board to clarify on the record:

whether the SB165 Behavioral Health and Wellness Practitioner Advisory Group is considered a public body subject to NRS Chapter 241; where the substantive record of its separately held

meetings may be reviewed if such a record exists; what procedures govern access to and preservation of the Group's continuing work; or, if no such meeting record exists, that fact.

Providing that clarification would improve the present rulemaking record and preserve a clearer institutional record for future public, Board, legislative, and oversight review.

Finally, this profession is intended to serve people who may include **children, families, and individuals experiencing behavioral-health needs.**

We owe it to Nevada's children and vulnerable populations to ensure that this new profession is built on a sound foundation, with meaningful competency standards, effective supervision, appropriate educational requirements, transparent regulatory development, and public-protection safeguards established before preventable problems arise rather than after them.

Expanding access and protecting the public are not competing goals. A carefully constructed regulatory framework can and should accomplish both.

I therefore respectfully ask the Board to defer final adoption of R088-26P in its current form until these questions can be adequately examined and, where appropriate, addressed through further revision or clarification. If R088-26P is adopted, my prior request pursuant to **NRS 233B.064** remains in effect. I respectfully request the concise statement provided for under that statute concerning the principal reasons for and against adoption and the reasons for overruling considerations urged against adoption.

Record-Inclusion Request

I respectfully request that **this August 20, 2026 addendum and my August 17, 2026 written public comment be considered together and preserved as part of the complete record concerning LCB File No. R088-26P**, including the August 21, 2026 regulation-hearing record, the Board's meeting record and minutes, the rulemaking record, and any informational statement or other rulemaking materials prepared or transmitted in connection with the regulation. I further respectfully request that both submissions be attached to, linked in, incorporated by reference into, or otherwise clearly identified in the minutes and regulatory record so that the Board, Legislative Counsel Bureau, Legislative Commission, future Board members, interested members of the public, and other reviewers can readily locate and consider them as part of the regulatory history of R088-26P.

Thank you for your consideration.

Respectfully submitted,

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August 20, 2026

Official Sources and Public Records Reviewed

Nevada: Nevada Revised Statutes, Chapters 233B, 241, and 641; Senate Bill 165 (2025), Chapter 379, Statutes of Nevada 2025; LCB File No. R088-26P, Proposed Regulation of the Nevada Board of Psychological Examiners, July 6, 2026; LCB File Nos. R089-26I and R089-26P; Nevada Board of Psychological Examiners public agendas, meeting packets, minutes, transcripts, workshop materials, and August 21, 2026 regulation-hearing materials.

August 21, 2026 Meeting Packet: Nevada Board of Psychological Examiners, 145-page meeting packet for the August 21, 2026 meeting and R088-26P regulation hearing, including the hearing notice, R088 staff report, proposed regulation, public comments, July 10 meeting minutes submitted for approval, legislative/regulatory status materials, and other supporting materials. The public meeting itself is scheduled for August 21, 2026 at 8:00 a.m.

Oregon: Oregon Senate Bill 1547 (2026); Oregon Board of Psychology/Mental Health Regulatory Agency, *LBHWP Rules, Combined Final Draft*, Chapter 858, Division 60; Oregon SB1547 Rules Advisory Committee public meetings and recordings, including June 15, July 7, July 27, and August 17, 2026; relevant comparative Oregon supervision rules; and August 2026 written communications with LaReé Stashek, Policy Advisor, Oregon Mental Health Regulatory Agency. Ms. Stashek expressly authorized attribution of the regulatory information and quotations used in this addendum.

Oregon Mental Health Regulatory Agency Public Meeting Video Archive:
https://www.youtube.com/@Oregon-MHRA

Oregon Public Meeting Passages Relied Upon: Oregon SB1547 Rules Advisory Committee, August 17, 2026, discussion concerning Nevada's alternative competency pathway, approximately **30:55–31:22**, and discussion concerning individual supervision and comparison with Nevada, approximately **4:57–8:27**. These are source references, not separate exhibits.

Accreditation Background: Oregon Board of Licensed Professional Counselors and Therapists, *Rulemaking Agenda Item, Unaccredited Program Requirements*, December 5, 2025. Reviewed solely as comparative accreditation background and a research starting point suggested by Ms. Stashek. It concerns a separate Oregon board, professions, and rulemaking and is not presented as an Oregon Board of Psychology LBHWP determination. Consistent with Ms. Stashek's recommendation, the memorandum is not attached in its entirety.

Further Reading on Accreditation, as suggested within the memo provided by Policy Advisor Ms. Stashek: Walter Hudson, "Department of Education Relaxes Accreditation Change Rules, Raising Quality Concerns," *The EDU Ledger*, May 1, 2025; U.S. Department of Education, "Distance Education and Innovation," *Federal Register*, April 2, 2020; Daniel Kees, "Changing Credentials in College Accreditation," *The Regulatory Review*, February 25, 2020; Paul Fain, "New Rules on Accreditation and State Authorization," *Inside Higher Ed*, October 31, 2019.