

**ADOPTED REGULATION OF THE  
BOARD OF MEDICAL EXAMINERS**

**LCB File No. R023-15**

Effective December 30, 2015

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

AUTHORITY: §1, NRS 630.130 and 630.279.

A REGULATION relating to practitioners of respiratory care; revising provisions governing the application for licensure as a practitioner of respiratory care; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Board of Medical Examiners to adopt regulations regarding the licensure of practitioners of respiratory care, including, without limitation, the duration, renewal and termination of licenses of practitioners of respiratory care. (NRS 630.279)

Existing regulations set forth the information that an applicant for a license as a practitioner of respiratory care is required to submit to the Board. That information includes proof of completion of an education program as a practitioner of respiratory care that is approved by the Commission on Accreditation of Allied Health Education Programs or its successor organization or the Committee on Accreditation for Respiratory Care or its successor organization. (NAC 630.505)

This regulation revises the name of the Committee on Accreditation for Respiratory Care to accurately reflect the current name of the entity.

**Section 1.** NAC 630.505 is hereby amended to read as follows:

630.505 1. An application for licensure as a practitioner of respiratory care must be made on a form supplied by the Board. The application must include:

(a) The date of birth and the birthplace of the applicant, his or her sex and the various places of his or her residence after reaching 18 years of age;

(b) The education of the applicant, including, without limitation, all high schools, postsecondary institutions and professional institutions attended, the length of time in attendance at each high school or institution and whether he or she is a graduate of those schools and institutions;

(c) Whether the applicant has ever applied for a license or certificate as a practitioner of respiratory care in another state and, if so, when and where and the results of his or her application;

(d) The professional training and experience of the applicant;

(e) Whether the applicant has ever been investigated for misconduct as a practitioner of respiratory care or had a license or certificate as a practitioner of respiratory care revoked, modified, limited or suspended or whether any disciplinary action or proceedings have ever been instituted against him or her by a licensing body in any jurisdiction;

(f) Whether the applicant has ever been convicted of a felony or an offense involving moral turpitude;

(g) Whether the applicant has ever been investigated for, charged with or convicted of the use, illegal sale or distribution of controlled substances; and

(h) A public address where the applicant may be contacted by the Board.

2. An applicant must submit to the Board:

(a) Proof of completion of an educational program as a practitioner of respiratory care that is approved by the Commission on Accreditation of Allied Health Education Programs or its successor organization or the ~~Committee~~ *Commission* on Accreditation for Respiratory Care or its successor organization;

(b) Proof of passage of the examinations required by NRS 630.277 and NAC 630.500 and 630.515; and

(c) Such further evidence and other documents or proof of qualifications as required by the Board.

3. Each application must be signed by the applicant and sworn to before a notary public or other officer authorized to administer oaths.

4. The application must be accompanied by the applicable fees for the application for licensure and biennial registration.

5. An applicant shall pay the reasonable costs of any examination required for licensure.

**REGULATION ADOPTED BY THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS  
LCB File No. R023-15**

**INFORMATIONAL STATEMENT**

Pursuant to the provisions of NRS 233B.066, the following informational statement is submitted:

**DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED  
SUMMARY OF THE PUBLIC RESPONSE  
EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN  
A COPY OF THE SUMMARY**

**How public comment was solicited:**

The Nevada State Board of Medical Examiners (Board) published a Notice of Intent to Act Upon Regulation to solicit comments on proposed changes to the regulation. The hearing was to be conducted in Reno on Tuesday, October 13, 2015, at the hour of 10:00 o'clock a.m., at the Board office located at 1105 Terminal Way, Suite 301, Reno, Nevada, and videoconferenced to the Las Vegas Board office located at 6010 S. Rainbow Blvd., Bldg. A., Suite 1, Las Vegas, Nevada.

In the notice the public was notified that a copy of the proposed regulation was on file at the State Library, 100 Stewart St., Carson City, Nevada; available at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada; in all counties in the state of Nevada in which the Board does not maintain an office, at the main public library; in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653; and on the Internet at <http://www.leg.state.nv.us>, as well as posted at the following locations:

**Washoe County Courthouse  
Carson City Library  
Clark County District Library  
Churchill County Library  
Douglas County Library  
Elko County Library  
Esmeralda County Library  
Humboldt County Library  
Lander County Library  
Lincoln County Library  
Lyon County Library  
Mineral County Library  
Tonopah Library  
Pershing County Library  
Storey County Library  
White Pine County Library  
Washoe County Library**

**Reno, Nevada  
Carson City, Nevada  
Las Vegas, Nevada  
Fallon, Nevada  
Minden, Nevada  
Elko, Nevada  
Goldfield, Nevada  
Winnemucca, Nevada  
White Pine, Nevada  
Pioche, Nevada  
Yerington, Nevada  
Hawthorne, Nevada  
Tonopah, Nevada  
Lovelock, Nevada  
Virginia City, Nevada  
Ely, Nevada  
Reno, Nevada**

Attached hereto and made parts hereof, are copies of certifications of posting from many of the above named.

**A clear and concise statement of the need for the regulation:**

The need to amend this regulation is an effort to accurately reflect the current organization name relative to the requirements for application for licensure in regard to practitioners of respiratory care.

**Summary of the public response:**

The Board did not receive any response from the public during the public workshop or hearing. Additionally, the Board did not receive anything in writing regarding this proposed regulation.

**How other interested persons may obtain a copy of the public response to the regulations:**

On file with the Board at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada, is a complete transcript of the hearing conducted on the regulation change.

Any member of the public may visit the offices of the Board and may review any or the entire transcript referred to above. Also, any member of the public may request copies of the transcript of all the public comment by contacting the court reporter and requesting a copy.

The court reporter may be contacted at:

Sunshine Litigation Services  
Reno, Nevada  
(775) 323-3411

**Persons who attended the workshop and/or hearing:**

1. Lea Cartwright, Nevada Psychiatric Association  
Reno, NV  
(775) 835-2570
2. Joanna Jacob, Ferrari Public Affairs  
(775) 351-8978

**Persons who testified at the workshop or public hearing:**

None

**The number of persons who submitted written statements:**

None

**ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE  
BUSINESS WHICH THE BOARD REGULATES AND ON THE PUBLIC**

The Nevada State Board of Medical Examiners solicited any potential impacted businesses by reaching out to various business chambers and associations. Correspondence was sent to the following organizations:

- Las Vegas Metro Chamber of Commerce
- Better Business Bureau of Southern Nevada, Inc.
- Reno/Sparks Chamber of Commerce
- City of Winnemucca
- Elko Great Basin College
- Better Business Bureau of Northern Nevada, Inc.
- Pahrump Rural Nevada Development Corp.
- Ely Rural Nevada Development Corp.
- Churchill County Economic Development Authority

The Board did not receive any communication back from these organizations relative to any potential economic impact regarding regulation R-023-15.

**The economic effect of the regulation on the medical profession:**

There will be no economic effect to the medical profession by adoption of this regulation.

**The economic effect of the regulation on the general public:**

There will be no economic effect to the general public by adoption of this regulation.

**The estimated cost to the Nevada State Board of Medical Examiners to enforce the  
proposed regulation:**

The Nevada State Board of Medical Examiners estimates that there will be no additional cost to itself to enforce the proposed regulation.

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS DOES NOT OVERLAP OR DUPLICATE ANY REGULATIONS OF ANY OTHER STATE OR GOVERNMENTAL AGENCIES, INCLUDING THE FEDERAL GOVERNMENT.**

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS DOES NOT INCLUDE PROVISIONS WHICH ARE MORE STRINGENT THAN A FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY.**

**THE NEW REGULATION DOES NOT PROVIDE OR INVOLVE A NEW FEE.**

**THE REGULATION WAS ADOPTED IN ENCLOSED FORM.**