

**PROPOSED REGULATION OF THE  
BOARD OF MEDICAL EXAMINERS**

**LCB File No. R024-15**

July 10, 2015

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

AUTHORITY: §§1 and 2, NRS 630.130 and 630.279.

A REGULATION relating to practitioners of respiratory care; revising the date by which a holder of a license to practice respiratory care is required to pay the fee for biennial registration; 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 require each holder of a license to practice respiratory care to pay the fee for biennial registration to the Secretary-Treasurer of the Board on or before July 1 of each odd-numbered year. (NAC 630.525) **Section 1** of this regulation: (1) changes that date to June 30 of each odd-numbered year; and (2) provides an exception if the required date for payment of the fee falls on a Saturday, Sunday or legal holiday. In such a case, the holder of a license to practice respiratory care is required to pay the fee on or before the next business day after June 30.

**Section 1.** NAC 630.525 is hereby amended to read as follows:

630.525 1. ~~{On or before July 1 of each odd-numbered year after March 1, 2010, each}~~

*Each* holder of a license to practice respiratory care ~~{shall}~~ *must, on or before June 30 or, if June 30 is a Saturday, Sunday or legal holiday, the next business day after June 30, of each odd-numbered year,* pay the applicable fee for biennial registration to the Secretary-Treasurer of the Board.

2. A practitioner of respiratory care who has been licensed by the Board but is not currently licensed, has surrendered his or her license or has failed to renew his or her license may be

disciplined by the Board, if the Board deems necessary, upon hearing a complaint for disciplinary action against him or her.

3. If the Board determines that the conduct of a practitioner of respiratory care when he or she was on inactive status in another jurisdiction would have resulted in the denial of an application for licensure in this State, the Board will, if appropriate, refuse to license the practitioner of respiratory care.

**Sec. 2.** NAC 630.530 is hereby amended to read as follows:

630.530 1. The license of a practitioner of respiratory care may be renewed biennially upon dates set by the Board. The license will not be renewed unless the practitioner of respiratory care provides satisfactory proof:

(a) Of current certification by the National Board for Respiratory Care or its successor organization; and

(b) That he or she has completed the number of contact hours of continuing professional education required by subsections 2 and 3.

2. To renew a license for the practice of respiratory care, a licensee must complete the number of contact hours of continuing education required by subsection 3, of which:

(a) Sixty percent must be from an approved educational source directly related to the practice of respiratory care. Two hours of this 60 percent must be in medical ethics.

(b) Forty percent must be in any program approved by the American Association for Respiratory Care for Continuing Respiratory Care Education or any program of another organization approved by the Board.

3. The following contact hours for continuing education are required for a licensee to renew a license for the practice of respiratory care:

- (a) If licensed during the first 6 months of the biennial period of registration, 20 hours.
- (b) If licensed during the second 6 months of the biennial period of registration, 15 hours.
- (c) If licensed during the third 6 months of the biennial period of registration, 10 hours.
- (d) If licensed during the fourth 6 months of the biennial period of registration, 5 hours.

4. A practitioner of respiratory care shall notify the Board within 10 days if his or her certification by the National Board for Respiratory Care or its successor organization is withdrawn.

5. To allow for the renewal of a license to practice respiratory care by each person to whom a license was issued or renewed in the preceding renewal period, the Board will make such reasonable attempts as are practicable to:

- (a) Mail a renewal notice at least 60 days before the expiration of a license to practice respiratory care; and
- (b) Send a renewal application to a licensee at the last known address of the licensee on record with the Board.

6. If a licensee fails to pay the fee for biennial registration *on or before the date* required by NAC 630.525 ~~{on or before July 1 of each odd-numbered year,}~~ or fails to submit proof that the licensee completed the number of contact hours of continuing education required by subsections 2 and 3, his or her license to practice respiratory therapy in this State expires. Within 2 years after the date on which the license expires, the holder may be reinstated to practice respiratory care if he or she:

- (a) Pays twice the amount of the current fee for biennial registration to the Secretary-Treasurer of the Board;

(b) Submits proof that he or she completed the number of contact hours of continuing education required by subsections 2 and 3; and

(c) Is found to be in good standing and qualified pursuant to the provisions of this chapter and NRS 630.277.

7. The Board may issue not more than 10 contact hours of continuing education during a biennial licensing period to a licensee if the licensee performs a medical review for the Board.

The hours issued by the Board:

(a) May be credited against the hours required for a biennial licensing period pursuant to subsections 2 and 3; and

(b) Must be equal to the actual time involved in performing the medical review, not to exceed 10 hours.