

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive

Reno, NV 89521

Nick M. Spirtos, M.D., F.A.C.O.G.
Board President

Edward O. Cousineau, J.D.
Executive Director



Informational Statement LCB File No. R117-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 630.

1. A Clear and Concise Explanation of the Need for the Adopted Regulation.

The proposed regulation is necessary to make updates to existing regulations in order to conform with changes made to NRS Chapter 630 with regard to continuing education requirements for licensees; to streamline and clarify licensing requirements for physician assistants, practitioners of respiratory care, perfusionists, and anesthesiologist assistants; to clarify and update regulations regarding hearing and disciplinary proceedings; to protect the public by adding requirements for physician assistants when providing non-medically necessary procedures for patients utilizing anesthesia or sedation; and to repeal two provisions that are no longer necessary.

2. A Description of How Public Comment Was Solicited, a Summary of Public Response, and an Explanation How Other Interested Persons May Obtain a Copy of the Summary.

The Board solicited comment from any potentially impacted businesses by reaching out to various business chambers and associations. Copies of the Board's proposed regulation draft was sent to the following organizations on August 12, 2024:

- Better Business Bureau of Northern Nevada, Inc.
- Better Business Bureau of Southern Nevada, Inc.
- Churchill Entrepreneur Development Association
- City of Winnemucca
- Clark County Medical Society
- Ely Rural Nevada Development Corporation
- Great Basin College
- Las Vegas Asian Chamber of Commerce
- Las Vegas Chamber of Commerce
- Las Vegas Latin Chamber of Commerce
- Nevada State Medical Association
- Pahrump Small Business Development Center
- Reno/Sparks Chamber of Commerce
- Washoe County Medical Society

Copies of the Board's regulation draft and workshop notice were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of medical regulation, as well as any persons who had specifically requested such notice. These documents were also made available on the website of the Nevada State Board of Medical Examiners, available at http://medboard.nv.gov/About/Proposed_Regulations/, and the website of the Legislative Counsel Bureau, available at <https://www.leg.state.nv.us/App/Notice/A/>.

Copies of the Board's Notice of Intent to Act Upon a Regulation, the proposed regulation draft, and the Board's preliminary Small Business Impact Statement were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of medical regulation, as well as any persons who had specifically requested such notice. These documents were also made available on the website of the Nevada State Board of Medical Examiners, available at http://medboard.nv.gov/About/Proposed_Regulations/, and the website of the Legislative Counsel Bureau, available at <https://www.leg.state.nv.us/App/Notice/A/>.

In the Notice of Intent to Act Upon a Regulation, the public was notified that a copy of the proposed regulation was on file at the Nevada State Library, 100 N. Stewart St., Carson City, Nevada; available at the offices of the Board located at 9600 Gateway Drive, Reno, Nevada and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada; 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 <https://www.leg.state.nv.us/register/>, as well as posted at the following locations:

Nevada State Board of Medical Examiners - Las Vegas, NV

Nevada State Board of Medical Examiners - Reno, NV

Nevada State Board of Medical Examiners Website - <https://medboard.nv.gov/>

State Library, Archives and Public Records - Carson City, NV

No public comment was received at the regulation workshop or public hearing indicating that the Board's proposed regulation would have a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business. At the regulation workshop held on September 12, 2024, and the public hearing held on November 19, 2024, stakeholders and members of the public were invited to attend, ask questions about the regulation, and provide public comment regarding the regulation. No written public comment was received prior to the regulation workshop, public hearing, or adoption hearing indicating that the Board's proposed regulation would have a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business.

The Board received a letter from the Nevada Academy of Physician Assistants (NAPA) on November 12, 2024, regarding R117-24 which indicated that NAPA opposed this regulation because NAPA deemed it "overburdensome" and stated that the practice of physician assistants and physicians providing cosmetic surgeries that are not medically necessary may be impacted. Brian Lauf, PA-C, President of NAPA came to the public hearing on November 19, 2024, and indicated that this regulation is "potentially a restriction on PA practice" which NAPA is concerned about.

While the NAPA voiced possible concerns with the regulation, NAPA did not say that the regulation would have a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business. They identified a possible concern regarding the restriction of the practice for physician assistants providing cosmetic surgeries that are not medically necessary. The Board reviewed NAPA's concerns at the regulation's adoption hearing on June 6, 2025, and the Board voted to adopt the regulation as presented because it believed it was necessary in order to protect the public from cosmetic surgeries being done by individuals without the proper training and experience. Of note, no public comment regarding this regulation was received at the regulation adoption hearing on June 6, 2025, and NAPA's President Brian Lauf, PA-C, was present at that meeting and provided other comments on other issues at the meeting.

A summary of the public comment received regarding LCB File No. R117-24 is available upon request by contacting Deputy Executive Director Bradley at bradleys@medboard.nv.gov or by telephone at 775-324-9365.

3. The Number Persons Who:

(a) Attended Each Hearing:

September 12, 2024 (Regulation Workshop): 6;
November 19, 2024 (Public Hearing): 5.

(b) Testified at Each Hearing:

September 12, 2024 (Regulation Workshop): 1;
November 19, 2024 (Public Hearing): 2.

(c) Submitted to the Agency Written Comments:

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4. A List of Names and Contact Information, Including Telephone Number, Business Address, Business Telephone Number, Electronic Mail Address, and Name of Entity or Organization Represented, for Each Person Identified Above In #3, As Provided to The Agency.

Attendees at the September 12, 2024 Public Workshop in Reno:

Elissa Secrist
Telephone: 775-750-4530
Address: 100 Liberty Avenue, Reno, NV
Business Telephone: Not Provided
Email: esecrist@mcdonaldcarano.com
Representing: McDonald Carano

No testimony was provided.

Amber Beck
Telephone: 775-350-8933
Address: 1155 Mill Street, Reno, NV (Renown Regional Hospital)
Business Telephone: 775-982-4170
Email: amber.beck@renown.org
Representing: NSRC

No testimony was provided.

Victoria Supple
Telephone: 516-492-2699
Address: 6121 Lakeside Drive, Suite 208, Reno, NV 89511
Business Telephone: Not Provided
Email: tori@argentumnv.com
Representing: Nevada Academy of Physician Assistants

No testimony was provided.

Nick Spirtos, M.D.
Telephone: 702-326-0585
Address: 700 Shadow Lane, Las Vegas, NV 89105
Business Telephone: 702-693-6870
Email: nmspirtos@wccenter.com
Representing: Self

Asked questions about the regulation.

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Attendees at the September 12, 2024 Public Workshop in Las Vegas:

Jacqueline Nguyen
Telephone: 702-302-6157
Address: Not Provided
Business Telephone: Not Provided
Email: jacqueline@nvdoctors.org
Representing: Nevada State Medical Association

No testimony was provided.

Sabrina Scherr
Telephone: 702-518-5828
Address: 111 W Proctor Street, Carson City, NV
Business Telephone: Not Provided
Email: ss@belzcase.com
Representing: Belz & Case Government Affairs

No testimony was provided.

Attendees at the November 19, 2024 Public Hearing in Reno:

Brian Lauf
Telephone: 775-560-6021
Address: 18680 Wedge Parkway, Suite 104, Reno, NV 89511
Business Telephone: 775-682-7991
Email: blauf@att.net
Representing: Nevada Academy of Physician Assistants

Asked questions and stated that the Nevada Academy of Physician Assistants was concerned that this regulation may restrict the practice of physician assistants and that the term “direct supervision” could be used by the Board in other contexts in the future.

Victoria Supple
Telephone: 516-492-2699
Address: 6121 Lakeside Drive, Suite 208, Reno, NV 89511
Business Telephone: Not Provided
Email: tori@argentumnv.com
Representing: Argentum Partners

No testimony was provided.

Donya Jenkins
Telephone: 775-688-2559
Address: 9600 Gateway Drive, Reno, NV 89521
Business Telephone: 775-688-2559
Email: djnsbme@medboard.nv.gov
Representing: Nevada State Board of Medical Examiners

Asked a question about the regulation.

Attendees at the November 19, 2024 Public Hearing in Las Vegas:

Tomas Hammond
Telephone: 702-488-3880
Address: Not Provided
Business Telephone: Not Provided
Email: Not Provided
Representing: Carrara Nevada

No testimony was provided.

Sabrina Scherr
Telephone: 702-518-5828
Address: 111 W Proctor Street, Carson City, NV
Business Telephone: Not Provided
Email: ss@belzcase.com
Representing: Belz & Case Government Affairs

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5. A Description of How Comment Was Solicited from Affected Businesses, A Summary of Their Response, and an Explanation How Other Interested Persons May Obtain a Copy of the Summary.

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6. If the Regulation Was Adopted Without Changing Any Part of the Proposed Regulation, A Summary of the Reasons for Adopting the Regulation Without Change.

This regulation was adopted by the Board at a public meeting held on Friday, June 6, 2025. It was adopted without changes.

7. The Estimated Economic Effect of the Adopted Regulation on the Businesses Which It Is to Regulate and on the Public. These Must Be Stated Separately, And Each Case Must Include: (a) Both Adverse and Beneficial Effects; and (b) Both Immediate and Long-Term Effects.

(a) Both Adverse and Beneficial Effects.

No, the proposed regulation does not impose a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business. These regulations update NAC Chapter 630 to comport with changes to NRS 630 made by the Nevada Legislature, update NAC Chapter 630 to clarify and streamline licensing processes, and to codify in regulation a requirement that the Board already believes is part of the standard of care when providing cosmetic surgeries that are not medically necessary.

(b) Both Immediate and Long-Term Effects.

The Board believes that the proposed regulation will have positive immediate and long-term effects because it will clarify and update the Board’s regulations with regard to licensing, outdated

provisions, and incorporated continuing medical education requirements from statute into regulation, and it will allow the Board to better protect the public.

8. The Estimated Cost to the Agency for Enforcement of the Adopted Regulation.

There is no estimated cost to the Board for enforcing the adopted regulations.

9. A Description of Any Regulations of Other State or Government Agencies Which the Proposed Regulation Overlaps or Duplicates and a Statement Explaining Why the Duplication or Overlapping Is Necessary. If the Regulation Overlaps or Duplicates a Federal Regulation, the Name of the Regulating Federal Agency.

To the Board's knowledge, the proposed regulations do not overlap or duplicate the regulations of other state or local governmental agencies or any federal regulations.

10. If the Regulation Includes Provisions That Are More Stringent Than a Federal Regulation Which Regulates the Same Activity, a Summary of Such Provisions.

To the Board's knowledge, the proposed regulations do not regulate the same activity addressed in a federal regulation.

11. If the Regulation Provides a New Fee or Increases an Existing Fee, the Total Annual Amount the Agency Expects to Collect and the Manner in Which the Money Will Be Used.

This regulation does not provide a new fee or increase an existing fee.