

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

LCB File No. R103-15

Effective April 4, 2016

AUTHORITY: §1, NRS 630.130 and 630.253; §2, NRS 630.130, 630.253 and 630.275.

A REGULATION relating to continuing medical education; revising provisions relating to credits received by holders of a license to practice medicine and physician assistants for continuing medical education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Medical Examiners to establish by regulation the standards for licensure for physicians, physician assistants and related professions. (NRS 630.130) Existing law also requires the Board to: (1) require, as a prerequisite to renewal, the holders of licenses to practice medicine and to practice as a physician assistant to comply with the requirements for continuing education adopted by the Board; and (2) encourage the holders of such licenses who treat and care for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology. (NRS 630.253) In Senate Concurrent Resolution No. 2 of the 78th Legislative Session, the Legislature encouraged the Board to incentivize and promote the awareness and education of health care providers concerning caring for persons with Alzheimer's disease and other forms of dementia by approving or requiring continuing education programs relating to that topic. (File No. 34, Statutes of Nevada 2015, at page 4064)

Existing regulations authorize a holder of a license to practice medicine or to practice as a physician assistant to receive double the hours of credit, up to a maximum of 8 hours of credit, toward the continuing medical education required for a biennial licensing period if the holder of the license attends a continuing education class on geriatrics and gerontology. (NAC 630.155, 630.357) This regulation expands the scope of the courses a holder of a license to practice medicine or to practice as a physician assistant may attend to receive that increased amount of credit to include courses on the recent developments, research and treatment of Alzheimer's disease and other forms of dementia. This regulation also provides that a holder of a license to practice medicine or to practice as a physician assistant may not receive additional hours of credit for a particular continuing education course pursuant to both the provision authorizing additional credit for continuing education courses on geriatrics and gerontology and the provision authorizing additional credit for continuing education courses on the recent developments, research and treatment of Alzheimer's disease or other forms of dementia. For example, the holder of such a license would only receive a total credit of 4 hours of continuing

medical education for attending a single 2-hour continuing education course that qualifies for additional credit pursuant to both of those provisions.

Section 1. NAC 630.155 is hereby amended to read as follows:

630.155 1. Except as otherwise provided in ~~subsection 2,~~ *subsections 3 and 4*, if a holder of a license to practice medicine takes a continuing education ~~class~~ *course* on geriatrics and gerontology, the holder *of the license* is entitled to receive credit towards the continuing medical education required pursuant to NAC 630.153 equal to twice the number of hours the holder of the license actually spends in ~~the~~ *the* continuing education ~~class~~ *course* on geriatrics and gerontology.

2. *Except as otherwise provided in subsections 3 and 4, if a holder of a license to practice medicine takes a continuing education course on the recent developments, research and treatment of Alzheimer's disease or other forms of dementia, the holder of the license is entitled to receive credit towards the continuing medical education required pursuant to NAC 630.153 equal to twice the number of hours the holder of the license actually spends in the continuing education course on the recent developments, research and treatment of Alzheimer's disease or other forms of dementia.*

3. During any biennial licensing period, a holder of a license to practice medicine may receive a maximum credit pursuant to ~~subsection 1~~ *this section* of 8 hours of continuing medical education for 4 hours of time spent in a continuing education ~~class on geriatrics and gerontology.~~

~~3. As used in this section, "continuing education class on geriatrics and gerontology" means a class that meets the requirements of:~~

~~(a) For a class of continuing medical education, NAC 630.153; and~~

~~—(b) For a continuing education class on geriatrics and gerontology, NRS 630.253, course described in subsection 1 or 2, or both.~~

4. A holder of a license to practice medicine is only entitled to receive the additional credit for a continuing education course pursuant to either subsection 1 or 2, but not both.

Sec. 2. NAC 630.357 is hereby amended to read as follows:

630.357 1. Except as otherwise provided in ~~{subsection 2,}~~ *subsections 3 and 4*, if a physician assistant takes a continuing education ~~{class}~~ *course* on geriatrics and gerontology, the physician assistant is entitled to receive credit towards the continuing medical education required pursuant to NAC 630.350 equal to twice the number of hours the physician assistant actually spends in ~~{a} the~~ continuing education ~~{class}~~ *course* on geriatrics and gerontology.

2. Except as otherwise provided in subsections 3 and 4, if a physician assistant takes a continuing education course on the recent developments, research and treatment of Alzheimer's disease or other forms of dementia, the physician assistant is entitled to receive credit towards the continuing medical education required pursuant to NAC 630.350 equal to twice the number of hours the physician assistant actually spends in the continuing education course on the recent developments, research and treatment of Alzheimer's disease or other forms of dementia.

3. During any biennial licensing period, a physician assistant may receive a maximum credit pursuant to ~~{subsection 1}~~ this section of 8 hours of continuing medical education for 4 hours of time spent in a continuing education ~~{class on geriatrics and gerontology}.~~

~~—3.— As used in this section, “continuing education class on geriatrics and gerontology” means a class that meets the requirements of:~~

~~—(a) For a class of continuing medical education, NAC 630.350; and~~

~~—(b) For a continuing education class on geriatrics and gerontology, NRS 630.253.]~~ *course described in subsection 1 or 2, or both.*

4. A physician assistant is only entitled to receive the additional credit for a continuing education course pursuant to either subsection 1 or 2, but not both.

**REGULATION ADOPTED BY THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS
LCB File No. R103-15**

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 Thursday, February 4, 2016, 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	Reno, Nevada
Carson City Library	Carson City, Nevada
Clark County District Library	Las Vegas, Nevada
Churchill County Library	Fallon, Nevada
Douglas County Library	Minden, Nevada
Elko County Library	Elko, Nevada
Esmeralda County Library	Goldfield, Nevada
Humboldt County Library	Winnemucca, Nevada
Lander County Library	White Pine, Nevada
Lincoln County Library	Pioche, Nevada
Lyon County Library	Yerington, Nevada
Mineral County Library	Hawthorne, Nevada
Tonopah Library	Tonopah, Nevada
Pershing County Library	Lovelock, Nevada
Storey County Library	Virginia City, Nevada

**White Pine County Library
Washoe County Library**

**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 impetus for this regulatory change was the Senate Concurrent Resolution Number 2 that was passed during the 2015 Legislative Session. The resolution states, “that the members of the 78th Session of the Nevada State Legislature hereby encourage the Board of Medical Examiners to incentivize and promote awareness and education of health care providers by approving or requiring, as applicable, continuing education programs that provide primary care physicians and other allied health care professionals with ongoing education and training about recent developments, research and treatments of Alzheimer’s disease and other forms of dementia.”

The Board was supportive of the concept of incentivizing physicians and physician assistants in obtaining continuing medical education in the areas of Alzheimer’s disease and other form of dementia.

Summary of the public response:

There was no public comment or response. There was no one that attended the workshop or hearing.

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

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 hearing:

None.

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 receive two responses from the correspondence that was sent relative to economic impact of this regulation change. The first was from Churchill Economic Development Authority stating there would be no impact. The second was from Elko County and they stated that there would be no impact regarding regulation R-103-15.

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.