

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R112-11**

The Nevada State Board of Nursing adopted regulations assigned LCB File No. R112-11, which pertain to chapter 632 of the Nevada Administrative Code.

**INFORMATIONAL STATEMENT**

**1. 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 Nevada State Board of Nursing (“Board”) solicited public comment in a variety of ways. The Board complied with NRS Chapter 233B by providing notice of the workshop and hearing. Additionally, Board staff announced the opportunity for, and the Board’s desire to receive public comment on all regulation changes at every Board committee meeting and every speaking engagement.

A summary of the public response would be, in a word, positive. Although the Board can certainly make the tough choices about changing regulations to better protect the public, none of the adopted regulations were controversial. This group of adopted regulations were generally proposed by nurses to better the practice of nursing and better protect the public. Additionally, the Board was required to pass regulations in support of the recently passed Nevada Revised Statute that created the classification of Medication Aide – Certified.

An explanation of how an interested person may obtain a copy of the summary of public response would be to go to the Nevada State Board of Nursing’s website.

**2. The number of persons who:**

- (a) **Attended each hearing:** Several people attended the hearing on these regulations, and several people attended the workshop on these regulations.
- (b) **Testified at each hearing:** One person testified at the hearing on these regulations, and one person testified at the workshop on these regulations. The comments of both persons resulted in changes to the proposed regulations. Both persons were happy with the changes.
- (c) **Submitted written comments:** No one submitted written comments on proposed regulation change at the workshop.

3. **A description of how comment was solicited from businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comment was solicited from businesses in the same way that comment was solicited from individuals.

An explanation of how an interested person may obtain a copy of the summary of public response would be to go to the Nevada State Board of Nursing's website. Additionally, an explanation of the process was printed in the NSBN News magazine. Also, a summary of the public response was available at the workshop and hearing.

4. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

All of the regulations, but for two proposed regulations, were adopted without changing any part of the proposed regulation. A summary of the reasons for this would be that the Board has had extensive meetings, workshops, hearings, and discussions with the LCB about the proposed regulations and therefore, the final proposed regulations that were adopted had gone through the necessary revisions prior to adoption of the regulations.

5. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include: Both adverse and beneficial effects; and both immediate and long term effects.**

**The Nevada State Board of Nursing adopted approximately twenty new regulations in response to the passage of Senate Bill 411, which created a new classification of certificate holders to be certified by the Nevada State Board of Nursing: Medication Aide – Certified.**

- . (a) Both adverse and beneficial effects would be zero adverse effects and great beneficial effects because now there is a new classification of health care worker to administer medications to patients in limited facilities to the citizens of Nevada.
- .
- . (b) Both immediate and long-term effects would be good because of the added health care workers to Nevada.

**NAC 632.010**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds clarifying language.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds clarifying language.

**NAC 632.037**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds clarifying language.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds clarifying language.

**NAC 632.039**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.060**

- . (a) Both adverse and beneficial effects would be zero as the regulations would conform to the statute which allows Advanced Practitioners of Nursing, PAs and others to prescribe dangerous drugs.
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- . (b) Both immediate and long-term effects would be beneficial as the regulations would conform to the statute which allows Advanced Practitioners of Nursing, PAs and others to prescribe dangerous drugs.

**NAC 632.096**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.150**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice. That is, applicants no longer “obtain a passing score” since the test is now a pass or fail examination.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice. That is, applicants no longer “obtain a passing score” since the test is now a pass or fail examination.

**NAC 632.155**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice. That is, applicants no longer have to apply “4 months before the date of the examination” and the examination is offered year around upon demand.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice. That is, applicants no longer have to apply “4 months before the date of the examination” and the examination is offered year around upon demand.

**NAC 632.166**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.167**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.168**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice. The Board no longer administers a competency examination.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice. The Board no longer administers a competency examination

### **NAC 632.170**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation, and inserts language allowing applicants to submit fingerprints by two methods.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation, and inserts language allowing applicants to submit fingerprints by two methods.

### **NAC 632.173**

- . (a) Both adverse and beneficial effects of the adoption of this regulation would be an improvement in the quality of health care in Nevada because until the regulation was passed nurses applying for licensure in Nevada from another state were not required to have practiced within the last five years. Prior to these regulation amendment only nurses who renew their Nevada licenses must attest they have practiced nursing in the last five years. This is necessary to ensure that nurses who come from other states are safe to practice and meet the same standards as Nevada nurses.
- .
- . (b) Both immediate and long-term effects would be an improvement in the quality of health care in Nevada because until the regulation was passed nurses becoming licensed in Nevada from another state were not required to have practiced within the last five years. Prior to these regulation amendment only nurses who renew their Nevada licenses must attest they have practiced nursing in the last five years. This is necessary to ensure that nurses who come from other states are safe to practice and meet the same standards as Nevada nurses.

### **NAC 632.175**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice because although the Board issues temporary licenses, there is no separate fee involved. An applicant pays one fee and, if qualified, she is issued a temporary license. The applicant is issued a permanent license when all remaining requirements are met.
- .
- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice because although the Board issues temporary licenses, there is no separate fee involved. An applicant pays one fee and, if qualified, she is issued a temporary license. The applicant is issued a permanent license when all remaining requirements are met.

### **NAC 632.190**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation, and the amendment deletes fees that are no longer assessed.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation, and the amendment deletes fees that are no longer assessed.

### **NAC 632.192**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

### **NAC 632.193**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, because the Board no longer requires CNAs to provide certificates of continuing education hours or hours of employment. The Board randomly audits CNAs for compliance with the regulation. Requirements for Medication Aide – Certified were also added.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, because the Board no longer requires CNAs to provide certificates of continuing education hours or hours of employment. The Board randomly audits CNAs for compliance with the regulation. Requirements for Medication Aide – Certified were also added.

### **NAC 632.200**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.210**

- . (a) Both adverse and beneficial effects would be zero because the amendment only changes the term “chemically dependent” to the new, nationally recognized descriptive term “substance use disorder”.
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- . (b) Both immediate and long-term effects would be zero because the amendment only changes the term “chemically dependent” to the new, nationally recognized descriptive term “substance use disorder”.

**NAC 632.211**

- . (a) Both adverse and beneficial effects would be zero because the amendment only deletes committees that are no longer utilized.
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- . (b) Both immediate and long-term effects would be zero because the amendment only deletes committees that are no longer utilized.

**NAC 632.212**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.

**NAC 632.216**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.

**NAC 632.222**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.

**NAC 632.224**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and allows nurses to delegate duties to medication aides – certified and other qualified persons.

**NAC 632.225**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.226**

- . (a) Adverse effects would be zero because the amendment only brings the wording of the regulation into current practice, but beneficial effects are that students are better protected by requiring anyone who administers medications to document the administration.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice; students are better protected by requiring anyone who administers medications to document the administration.

**NAC 632.230**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.242**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.249**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the medication aide – certified to the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation.

**NAC 632.470**

- . (a) Adverse would be zero because the amendment only brings the wording of the regulation into current practice, but beneficial effects are that instructors for IV therapy would be better prepared.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and instructors for IV therapy would be better prepared.

**NAC 632.475**

- . (a) Adverse effects would be zero because the amendment only brings the wording of the regulation into current practice, but beneficial effects are that LPNs may practice within their prescribed scope of practice and be better able to care for patients in a timely manner.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice and LPNs may practice within their prescribed scope of practice and be better able to care for patients in a timely manner.

**NAC 632.575**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice and clarifies the regulation.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice and clarifies the regulation.

**NAC 632.605**

- . (a) Both adverse and beneficial effects of the adoption of this regulation would be an improvement in the quality of the programs for the education of nurses because the added requirements for starting a program would provide greater likelihood the program will succeed, and provide greater protection for the student who wants to graduate from an approved program.
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- . (b) Both immediate and long-term effects would be an improvement in the quality of the programs for the education of nurses because the added requirements for starting a program would provide greater likelihood the program will succeed, and provide greater protection for the student who wants to graduate from an approved program.

**NAC 632.615**

- . (a) Adverse effects would be zero because the amendment only brings the wording of the regulation into current practice, and beneficial effects are that including safety standards in nursing curriculum better protects Nevada citizens.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and including safety standards in nursing curriculum better protects Nevada citizens.

**NAC 632.660**

- . (a) Both adverse and beneficial effects of the adoption of this regulation would be an improvement in the quality of the programs for the education of nurses because the added requirements for starting a program would provide greater likelihood the

program will succeed, and provide greater protection for the student who wants to graduate from an approved program.

- . (b) Both immediate and long-term effects would be an improvement in the quality of the programs for the education of nurses because the added requirements for starting a program would provide greater likelihood the program will succeed, and provide greater protection for the student who wants to graduate from an approved program.

#### **NAC 632.665**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

#### **NAC 632.675**

- . (a) Both adverse and beneficial effects would be zero because the amendment only adds the term doctoral degree to the faculty educational requirement, which may improve nursing education in Nevada.
- . (b) Both immediate and long-term effects would be zero because the amendment only adds the term doctoral degree to the faculty educational requirement, which may improve nursing education in Nevada.

#### **NAC 632.685**

- . (a) The beneficial effects of the adoption of this regulation would be an improvement in the quality of the programs for the education of nurses because adding the restriction on the use of standardized tests protects the nursing student by not allowing a program to pass the student through the whole program but not allow the student to graduate from the program solely based on the student not passing a standardized test.
- . (b) Both immediate and long-term effects would be an improvement in the quality of the programs for the education of nurses adding the restriction on the use of standardized tests protects the nursing student by not allowing a program to pass the student through the whole program but not allow the student to graduate from the program solely based on the student not passing a standardized test.

**NAC 632.690**

- . (a) Adverse effects would be zero because the amendment only brings the wording of the regulation into current practice. Beneficial effects are greater protection of patient confidentiality.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and greater protection of patient confidentiality.

**NAC 632.703**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice, and clarifies the responsibility of the program administrator.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice, and clarifies the responsibility of the program administrator.

**NAC 632.890**

- . (a) Adverse effects would be zero because the amendment only adds the medication aide – certified to the regulation. Beneficial effects are that the amendment allows the Board to discipline nurses who make a medication error, who do not cooperate with a formal investigation, or who violate social media rules.
- .
- . (b) Both immediate and long-term effects would be zero because the amendment only adds the medication aide – certified to the regulation, and allows the Board to discipline nurses who make a medication error, who do not cooperate with a formal investigation, or who violate social media rules.

**NAC 632.926**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.929**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.935**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**NAC 632.940**

- . (a) Both adverse and beneficial effects would be zero because the amendment only brings the wording of the regulation into current practice.
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- . (b) Both immediate and long-term effects would be zero because the amendment only brings the wording of the regulation into current practice.

**6. The estimated cost to the agency for enforcement of the adopted regulation:**

The agency has adequate staff in place to enforce these adopted regulations, so there will be no additional cost to the agency.

**7. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulations overlap or duplicate.

- 8. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There is no federal regulation of the same activity, therefore these regulations are not more stringent than a federal regulation that regulates the same activity.

- 9. 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.**

The adoption of NAC 632.190 has one new fee. The new fee is sought in regards to certifying medication aides – certified.

- 10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?**

The proposed regulations will not impose a direct or significant economic burden upon a small business, or restrict the formation of a small business. The Nevada State Board of Nursing regulates the education of nurses and the practice of nursing. This authority does not regulate impact small businesses. The Board determines the impact of these regulations on small businesses by asking for comments or feedback on the regulations and no comments were received from small businesses.