

Chiropractic Physicians' Board of Nevada

Nevada Revised Statutes Chapter 634

Board members (NRS 634.020)—The Board consists of seven members appointed by the Governor, as follows:

- Four members who are graduates of chiropractic schools or colleges, licensed under Chapter 634 of NRS, and engaged in the practice of chiropractic in Nevada for at least three years prior to appointment;
- One member who represents the interests of persons or agencies that provide health care to indigent, uninsured, or low income patients; and
- Two members who represent the general public as provided by statute.

NRS 634.023 provides that Board members serve terms of four years, are limited to two consecutive full terms, and may be removed by the Governor for good cause.

Powers and duties of the Board—The Board:

- Shall adopt reasonable regulations for the transaction of business and to carry out its duties under NRS 634;
- May inspect the premises of a licensee or authorize an agent of the Board to conduct such inspections;
- May issue subpoenas;
- May delegate to a hearing officer or hearing panel its authority to take disciplinary action, impose fines, and deposit money from those fines in financial institutions in Nevada;
- Shall deposit money from fines in the State General Fund, if the Board does not authorize a hearing officer or panel to take disciplinary action;
- Shall exam and license qualified applicants;
- May without examination grant a temporary license to a person who holds a corresponding license or certificate in another jurisdiction;
- May charge fees not to exceed amounts as provided in statute;
- Shall establish a preceptor program to provide supervised clinical experience to students enrolled in chiropractic colleges; and

- May consider an appeal from a party aggrieved by a decision of a hearing officer or panel.

NRS 634.160 provides a complaint must be reviewed either by the president or a Board member designated by the president.

Operations of the Board—The Board:

- May fix a salary for Board members of not more than \$150 per day. Members may receive per diem allowance and travel expenses;
- Shall appoint an executive director and fix compensation;
- May maintain as many offices in Nevada as it deems necessary; and
- May employ attorneys, investigators, consultants, and support personnel.

Background

Legislation:

- 1923—Senate Bill 17 (Chapter 23, *Statutes of Nevada*)—Created the Nevada State Board of Chiropractic Examiners, consisting of three members; defined chiropractic; provided for curriculum, examination, and licensing; provided that any violation of the act is a misdemeanor; grandfathered in individuals practicing in Nevada prior to enactment; and established fees;
- 1929—Assembly Bill 210 (Chapter 172, *Statutes of Nevada*)—Revised examination requirements to include specific courses and number of hours of instruction and increased fees;
- 1949—AB 358 (Chapter 322, *Statutes of Nevada*)—Increased the Board from three members to five; revised qualifications of members; defined chiropractic-physiotherapy; revised eligibility for examination; repealed provisions for licensure without examination and reciprocity; and required an annual financial report to the Governor;
- 1977—AB 278 (Chapter 530, *Statutes of Nevada*)—Increased the Board from five members to six by adding one member to represent the general public;
- 1983—SB 80 (Chapter 177, *Statutes of Nevada*)—Revised the hearing process and disciplinary actions and provided for judicial review of the Board's order;
- 1997—AB 309 (Chapter 227, *Statutes of Nevada*)—Changed the name of the Board to Chiropractic Physicians' Board of Nevada;

- 2003—SB 310 (Chapter 213, *Statutes of Nevada*)—Revised the Board membership to require that one member must represent the interests of persons or agencies that provide health care to indigent, uninsured, or low income patients; and
- 2005—SB 174 (Chapter 502, *Statutes of Nevada*)—Increased the Board membership from six members to seven by adding another representative of the general public; increased certain fees; and provided that any practitioner of chiropractic who does not maintain liability insurance must notify patients of such.

Legislative history—The following legislative histories have been compiled and are available on the website of the Research Library:

- AB 278 [Part 1](#), [Part 2](#), and [Part 3](#) (1977)—Sponsored by the Assembly Committee on Government Affairs;
- [SB 80](#) (1983)—Sponsored by the Senate Committee on Commerce and Labor; and
- [AB 309](#) (1997)—Sponsored by the Assembly Committee on Commerce on behalf of the Nevada State Board of Chiropractic Examiners.

In addition, the bill pages for the following legislation are available on the Legislature’s website:

- [SB 310](#) (2003)—Sponsored by Senator Maggie Carlton; and
- [SB 174](#) (2005)—Sponsored by Senator Maggie Carlton.

Reports to the Legislature—No reports to the Legislature are required pursuant to NRS 634.

NRS 622.100 requires a report to the Director of the Legislative Counsel Bureau (LCB) including information relating to licensing and disciplinary actions. (Senate Bill 69 [Chapter 518, *Statutes of Nevada 2017*] revised the reporting provisions.)

Records held by the LCB—The following are recent publications held by the Research Library:

- *CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA: Biennial Report of Budget Summary, Issuance of Licenses and Disciplinary Actions* (Series), required by SB 420 (Chapter 193, *Statutes of Nevada 2001*); requirement repealed by SB 310 (Chapter 507, *Statutes of Nevada 2007*).

Current contact—Julie Strandberg, Executive Director

Website—<http://chirobd.nv.gov/>

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

ADMINISTRATIVE REGULATIONS.

Practice before Board, [NAC 634.610-634.775](#)

NRS 634.020 Creation; number, appointment and qualifications of members.

1. The Chiropractic Physicians' Board of Nevada, consisting of seven members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) Four members who are:

(1) Graduates of chiropractic schools or colleges giving a course of study embracing the following subjects: Anatomy, bacteriology, chiropractic theory and practice, diagnosis or analysis, elementary chemistry and toxicology, histology, hygiene and sanitation, obstetrics and gynecology, pathology, physiology and symptomatology;

(2) Licensed under this chapter; and

(3) Actually engaged in the practice of chiropractic in this State and who have been so engaged in this State for at least 3 years preceding their appointment.

(b) One member who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

(c) Two members who are representatives of the general public. A member appointed pursuant to this paragraph must not be:

(1) A chiropractor or a chiropractor's assistant; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a chiropractor or a chiropractor's assistant.

3. At least two of the appointees must have had a course in physiotherapy in a school or college of chiropractic. Not more than two persons who are resident graduates of the same school or college of chiropractic may serve simultaneously as members of the Board.

[Part 1:23:1923; A 1929, 280; 1949, 655; 1943 NCL § 1080]—(NRS A [1969, 348](#); [1977, 1253](#); [1983, 420](#); [1997, 819](#); [2003, 1193](#); [2005, 2821](#))

NRS CROSS REFERENCES.

Residency requirements, qualifications of representative of general public, [NRS 232A.020, 622.205](#)

REVISER'S NOTES.

Ch. 213, Stats. 2003, which amended this section to revise the qualifications of certain members of the Chiropractic Physicians' Board of Nevada, contains the following provision not included in NRS:

"The amendatory provisions of this act do not abrogate or affect the current term of office of any member of a board or commission who is serving in that term on October 1, 2003."

Ch. 502, Stats. 2005, which amended this section to add to the Chiropractic Physicians' Board of Nevada an additional member who is a representative of the general public, contains the following provision not included in NRS:

"The Governor shall appoint to the Chiropractic Physicians' Board of Nevada the additional representative of the general public required by paragraph (c) of subsection 2 of [NRS 634.020](#), as amended by section 3 of this act, to a term that begins on November 1, 2005, and expires on October 31, 2009."

Subsection 4 previously contained in this section was moved in revision to subsection 3 of [NRS 634.070](#).

NRS 634.023 Term of office; limitation on consecutive terms; removal from Board.

1. The term of office of each member of the Board is 4 years.

2. No member of the Board may serve more than two consecutive full terms. If a person was appointed to fill an

unexpired term of more than 2 years, the person shall be deemed to have served a full term.

3. The Governor may remove any member of the Board for good cause.

(Added to NRS by [1993, 327](#))

NRS CROSS REFERENCES.

Vacancies, [NRS 232A.020](#)

NRS 634.025 Salary of members; per diem allowance and travel expenses of members and employees.

1. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

(Added to NRS by [1963, 152](#); A [1975, 304](#); [1981, 1992](#); [1983, 420](#); [1989, 1698](#); [2007, 2947](#))

NRS 634.030 Officers; regulations.

1. The Board shall elect a President, Vice President and a Secretary. The Secretary shall serve also as Treasurer of the Board.

2. The Board shall adopt reasonable regulations for the transaction of business and to enable it to carry out its duties under this chapter.

[Part 1:23:1923; A 1929, 280; 1949, 655; 1943 NCL § 1080]—(NRS A [1963, 83](#); [1981, 876](#); [1983, 420](#))

ADMINISTRATIVE REGULATIONS.

Election of officers, [NAC 634.140](#)

NRS 634.040 Meetings: Regular meetings; emergency meetings; notice; location.

1. The Board shall hold regular meetings to transact business semiannually. Emergency meetings may be called by the President or by any three members.

2. Except in an emergency, written notice of each meeting must be given at least 3 working days before the meeting. The notice must include the time, place, location and agenda of the meeting.

3. Each meeting must be held in this State at a place designated by the President and the Secretary.

[2:23:1923; A 1949, 655; 1951, 258] + [3:23:1923; NCL § 1082]—(NRS A [1963, 83](#); [1965, 352](#); [1983, 420](#); [1987, 1466](#); [1993, 2639](#))

NRS CROSS REFERENCES.

Meetings of public agencies, [NRS ch. 241](#), 622.320

NRS 634.042 Special meeting of Board: Costs; limitations.

1. The costs of any special meeting held by the Board at the request of an institution, organization, chiropractic physician or an applicant for any license or certificate issued pursuant to the provisions of this chapter must be paid by the person or entity requesting the meeting.

2. A special meeting may not be held pursuant to such a request unless the person or entity requesting the meeting has submitted to the Board a deposit of money sufficient to defray the expenses of the meeting.

(Added to NRS by [1993, 328](#))

NRS 634.043 Appointment and compensation of Executive Director; offices; additional employees; inspection of premises of holder of license or certificate.

1. The Board shall appoint an Executive Director who serves at the pleasure of the Board and is entitled to receive such compensation as may be fixed by the Board.

2. The Board may:

(a) Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.

(b) Employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties.

3. The Board or any agent of the Board may enter any premises in this State where a person who holds a license or certificate issued pursuant to the provisions of this chapter practices chiropractic or as a chiropractor's assistant and inspect it to determine whether a violation of any provision of this chapter has occurred, including, without limitation, an inspection to determine whether any person at the premises is practicing chiropractic or as a chiropractor's assistant without the appropriate license or certificate issued pursuant to the provisions of this chapter.

(Added to NRS by [1963, 152](#); A [1969, 348](#); [1991, 2081](#); [2013, 2226](#))

NRS CROSS REFERENCES.

Contracts for services to be in writing and approved, [NRS 284.013](#)

Employment of immediate relatives, conditions and limitations, [NRS 622.210-622.230](#)

Executive Director, qualifications, [NRS 622.220](#)

NRS 634.044 Subpoenas.

1. For the purposes of this chapter, the Secretary or President of the Board may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

2. If any witness refuses to attend or testify or produce any books and papers as required by the subpoena, the Secretary or President of the Board may report to the district court by petition, setting forth that:

(a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

(b) The witness has been subpoenaed by the Board pursuant to this section; and

(c) The witness has failed or refused to attend or produce the books and papers required by the subpoena before the Board which is named in the subpoena, or has refused to answer questions propounded to him or her, and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the Board.

3. Upon such a petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days from the date of the order, and then and there show cause why the witness has not attended or testified or produced the books or papers before the Board. A certified copy of the order must be served upon the witness.

4. If it appears to the court that the subpoena was regularly issued by the Board, the court shall enter an order that the witness appear before the Board at the time and place fixed in the order and testify or produce the required books or papers, and upon failure to obey the order the witness must be dealt with as for contempt of court.

(Added to NRS by [1983, 418](#))—(Substituted in revision for NRS 634.196)

NRS 634.045 Fiscal year. The Board shall operate on the basis of a fiscal year commencing on July 1 and terminating on June 30.

(Added to NRS by [1963, 152](#))

NRS 634.050 Deposit and use of money; delegation of authority to take disciplinary action; deposit of fines; claims for attorney's fees and costs of investigation.

1. Except as otherwise provided in subsection 3, all money collected by the Board must be deposited in banks, credit unions or savings and loan associations in the State of Nevada, and must be used by the Board to defray its legitimate expenses.

2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in banks, credit unions or savings and loan associations in this State.

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

[12:23:1923; A 1949, 655; 1943 NCL § 1091]—(NRS A [1963, 153](#); [1965, 61](#); [1983, 1536](#); [1999, 1533](#))

NRS 634.055 Records: General requirements; certain records relating to applicant or licensee deemed confidential; disclosure to other agencies; notice of disclosure.

1. The Board shall keep a record of its proceedings relating to licensing and disciplinary actions. Except as otherwise provided in [NRS 634.214](#), the records must be open to public inspection at all reasonable times and must contain the name, known place of business and residence, and the date and number of the license of every chiropractor licensed under this chapter. The Board may keep such other records as it deems desirable.

2. Except as otherwise provided in this subsection and [NRS 239.0115](#), all information pertaining to the personal background, medical history or financial affairs of an applicant or licensee which the Board requires to be furnished to it under this chapter, or which it otherwise obtains, is confidential and may be disclosed in whole or in part only as necessary in the course of administering this chapter or upon the order of a court of competent jurisdiction. The Board may, under procedures established by regulation, permit the disclosure of this information to any agent of the Federal Government, of another state or of any political subdivision of this State who is authorized to receive it.

3. Notice of the disclosure and the contents of the information disclosed pursuant to subsection 2 must be given to the applicant or licensee who is the subject of that information.

(Added to NRS by [1983, 419](#); A [2003, 3448](#); [2007, 2137](#))—(Substituted in revision for NRS 634.212)

NRS 634.160 Filing of written complaint against person practicing chiropractic; retention of complaints.

1. The Board or any of its members who become aware that any one or a combination of the grounds for initiating disciplinary action may exist as to a person practicing chiropractic in this State shall, and any other person who is so aware may, file a written complaint specifying the relevant facts with the Executive Director of the Board. A complaint may be filed anonymously. If a complaint is filed anonymously, the Board may accept the complaint but may refuse to consider the complaint if anonymity of the complainant makes processing the complaint impossible or unfair to the person who is the subject of the complaint.

2. The Board shall retain all complaints filed with the Executive Director pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

[Part 11:23:1923; A 1951, 258]—(NRS A [1983, 423](#); [1991, 2084](#); [2009, 887](#); [2013, 2226](#))

NRS 634.170 Complaint to be considered by President or designee; notice of hearing; discussion of insufficient complaints by Board.

1. When a complaint is filed with the Executive Director of the Board, it must be considered by the President or

a member of the Board designated by the President. If, from the complaint or from other official records, it appears that the complaint may be well founded in fact, the Executive Director shall cause written notice of the charges in the complaint to be served upon the person charged at least 20 days before the date fixed for the hearing. If the Board receives a report pursuant to subsection 5 of [NRS 228.420](#), a hearing must be held within 30 days after receiving the report.

2. If the complaint is not deemed by the President or designated member of the Board to be of sufficient import or sufficiently well founded to merit bringing proceedings against the person charged, the complaint must be held in abeyance and discussed at the next meeting of the Board.

[Part 11:23:1923; A 1951, 258]—(NRS A [1983, 423](#); [1991, 2084](#); [1993, 788](#))

NRS CROSS REFERENCES.

Industrial Insurance Act, reports of violations, [NRS 228.420](#)

NRS 634.190 Hearing; authorized disciplinary action; disposition of fines; private reprimands prohibited; orders imposing discipline deemed public records.

1. The person charged is entitled to a hearing before the Board, but the failure of the person charged to attend a hearing or to defend himself or herself does not delay or void the proceedings. The Board may, for good cause shown, continue any hearing from time to time.

2. If the Board finds the person guilty as charged in the complaint, it may by order:

(a) Place the person on probation for a specified period or until further order of the Board.

(b) Administer to the person a public reprimand.

(c) Limit the practice of the person to, or by the exclusion of, one or more specified branches of chiropractic.

(d) Suspend the license of the person to practice chiropractic for a specified period or until further order of the Board.

(e) Revoke the license of the person to practice chiropractic.

(f) Impose a fine of not more than \$5,000 for each act which constitutes a ground for disciplinary action, which must be deposited with the State Treasurer for credit to the State General Fund.

➤ The order of the Board may contain such other terms, provisions or conditions as the Board deems proper and which are not inconsistent with law.

3. If the Board finds that a licensee has violated the provisions of [NRS 439B.425](#), the Board shall suspend the license for a specified period or until further order of the Board.

4. The Board shall not administer a private reprimand.

5. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

[Part 11:23:1923; A 1951, 258]—(NRS A [1975, 193](#); [1979, 959](#); [1983, 424](#); [1991, 2439](#); [1993, 886](#), [2598](#); [2003, 3447](#); [2009, 1020](#))

NRS 634.193 Disciplinary action by hearing officer or panel: Procedural requirements; powers and duties of officer or panel; appeals.

1. Any disciplinary action taken by a hearing officer or panel pursuant to [NRS 634.050](#) is subject to the same procedural requirements which apply to disciplinary actions taken by the Board, and the officer or panel has those powers and duties given to the Board in relation thereto.

2. A decision of the hearing officer or panel relating to the imposition of a fine is a final decision in a contested case. Any party aggrieved by a decision of the officer or panel to place a licensee on probation or revoke or suspend a license may appeal that decision to the Board.

(Added to NRS by [1983, 1536](#))

Follow these instructions when filling out the form:

1. Download the form to your personal computer.
2. Complete the downloaded form using Adobe Reader.
3. Save the completed form to your personal computer.
4. Then send the saved form and any additional documents in PDF format to stonefield@lcb.state.nv.us

**Information Concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**

as required by *Nevada Revised Statutes* 232B.230



Board or commission name:

Chiropractic Physicians' Board of Nevada

**Members' names with
expiration date of term, and
indicate the number of
vacancies:**

Benjamin Lurie, DC Term Expires: 10/31/18
Margaret Colucci, DC Term Expires: 10/31/18
Tracy DiFillippo, Esq. Term Expires: 10/31/19
Jason O. Jaeger, DC Term Expires: 10/31/19
Xavier Martinez, DC Term Expires: 10/31/20

Physical address:

4600 Kietzke Lane, Suite M245, Reno, NV 89502

Mailing address:

4600 Kietzke Lane, Suite M245, Reno, NV 89502

Web site address (if any):

chirobd.nv.gov

**Web site developer (if not EITS,
please indicate if EITS approved
the web site):**

Enterprise Information Technology Services

**Executive director's name and
contact information:**

Julie Strandberg
4600 Kietzke Lane, Suite M245
Reno, NV 89502
Email: chirobd@chirobd.nv.gov

**Staff members' names including
titles and status as full-time or
part-time (attach additional pages
as necessary):**

Julie Strandberg, Executive Director - full-time
Brett Canady, Licensing Specialist - full-time

Days and hours of operation:

Monday through Friday 7:00 a.m. to 4:00 p.m.

Created by what authority:

NRS 634 and NAC 634

**Authority to adopt regulations
(NRS) and citation to
regulations (NAC), if applicable:**

NRS 634.030

**Information Concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**

List by LCB File No. and date of adoption the five regulations most recently adopted by the board or commission, with any applicable deadline for the adoption of any such regulation:

LCB #R150-13 - March 28, 2014
LCB #T007-14 - March 30, 2015
LCB #R072-15 - April 5, 2016
LCB #R010-17 - December 19, 2017
LCB #R064-17 - Approved by the Legislative Committee on February 27, 2018.

List any required regulations that have not been adopted, with any applicable deadline for the adoption of any such regulation. Please identify each such regulation by LCB File No., if available, or by reference to the provision of NRS or Statutes of Nevada requiring adoption of the regulation:

None

Governing structure of the board or commission pursuant to statute:

Pursuant to NRS 634.020, the Board is composed of seven members appointed by the Governor. Board membership is comprised of four members who are licensed in Nevada and have been engaged in the practice of chiropractic in this State for at least 3 years preceding their appointment; one member who represents the interests of persons or

Duties of the board or commission:

NRS Chapter 634 provides various duties for the Board to perform, which include:
Examining and initial licensing of chiropractors
Biennially renewing of licensing of chiropractors
Examining and certifying chiropractor's assistants
Biennially renewing of certificates for chiropractor's assistants
Processing and Issuing temporary chiropractic licenses
Processing Preceptor applications
Investigating consumer complaints

Statement of the objectives and programs of the board or commission:

See attached narrative report.

**Information Concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**

Itemized list of services offered by the board or commission:

The Board prides itself on its responsiveness to the public, its applicants, and its licensees. The Board's telephone is answered by the Licensing Specialist or the Executive Director, so questions of whatever nature are usually answered on-the-spot, thus saving the caller considerable time and frustration. Some of the services offered by the Board include:
Initial licensure/certification
Renewal of licenses/certificates
Receipt of and investigation of consumer complaints regarding chiropractors and chiropractor's assistants
Receipt of and investigation of complaint regarding unlicensed practice

Dates of the immediately preceding six meetings and the online location where the minutes can be found:

January 11, 2018; October 12, 2017; July 14, 2017; April 21, 2017; January 13, 2017; September 10, 2016
The Board minutes can be viewed at chirobd.nv.gov/Mtgs

Statutory tax exemptions, abatements, or money set aside for the board or commission:

None

Description of the manner in which the board or commission is funded, including all funding sources:

The Chiropractic Physicians' Board is funded from fees collected from chiropractor's, chiropractor's assistants and other miscellaneous fees. The Board does not receive funds from the State General Fund.

Please identify any forms required by the board or commission to be used by members of the public which are not available for downloading from the web site of the board or commission:

None

**Information Concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**

Does the board or commission have any recommendations for consolidation with another board or commission? If so, which one(s) could be revised to include the charge to the board or commission that is the subject of this review?

The Chiropractic Physicians Board does not have any recommendations for consolidation.

Does the board or commission believe that its objectives and programs have been effective in accomplishing the purposes for which the board or commission was created? Please explain the response with any information the board or commission believes is relevant:

See attached narrative report.

Any recommendations for statutory changes which are necessary for the board or commission to carry out its objectives and programs:

The Chiropractic Physician's Board anticipates submitting a BDR to propose revisions to NRS 634 to include omitting the language in NRS 634.080 and 634.090, which requires an applicant to submit their application to the Board 60 days before the date of the examination. The Board is in discussion of additional revisions.

If additional space is necessary, please attach additional pages and refer to the attachments on the form.

Please include with this form:

1. The operating budget of the board or commission.
2. A statement setting forth the income and expenses of the board or commission for at least 3 years immediately preceding the date on which the board or commission submits this form, including the balances of any fund or account maintained by or on behalf of the board or commission.
3. The most recent legislative audit or other audit of the board or commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.
4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.
5. A copy of the organizational chart showing the governing structure of the board or commission and its staff.
6. A copy of the most recent strategic plan of the board or commission.

For occupational and professional licensing boards and commissions, please provide the following additional information:

1. Statement of the fee charged for each license, certificate, registration, permit, or other similar authorization issued by the board or commission.
2. Statement of how frequently each license, certificate, registration, permit, or other similar authorization issued by the board or commission must be renewed and the fee charged for such renewal.
3. For each license, certificate, registration, permit, or other similar authorization issued by the board or commission, list the fee charged for an equivalent license, certificate, registration, permit, or other similar authorization in each of the following states: Arizona, California, Idaho, Oregon, and Utah.
4. For each license, certificate, registration, permit, or other similar authorization issued by the board or commission, provide a statement of how frequently an equivalent license, certificate, registration, permit, or other similar authorization must be renewed and the fee charged for such renewal in the following states: Arizona, California, Idaho, Oregon, and Utah.

STATE OF NEVADA



CHIROPRACTIC PHYSICIANS' BOARD

REPORT PREPARED FOR THE SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION

2017-2018 INTERIM

STATE OF NEVADA



CHIROPRACTIC PHYSICIANS' BOARD

4600 KIETZKE LANE, SUITE M245

RENO, NV 89502

PHONE: (775) 688-1921/FAX: (775) 688-1920

CHIROBD@CHIROBD.NV.GOV

April 5, 2018

Dear Members of the Sunset Subcommittee of the Legislative Commission:

The Chiropractic Physicians' Board of Nevada is pleased to submit this Report, which is intended to supplement the information form submitted with this Report. The Board's hope and intent with this Report is to demonstrate the effectiveness of the Board and its staff in carrying out its responsibilities in a manner consistent with statutes, regulations, good administrative practice, and the public's interest.

Our Board members and I look forward to working closely with the committee and its staff during the review process.

Respectfully submitted,

**Julie Strandberg
Executive Director**

TABLE OF CONTENTS

I.	The Chiropractic Physicians' Board of Nevada	4
II.	Present Board Members	4
III.	The Board's Website	5
IV.	The Board's Executive Director	5
V.	The Board's Staff	5
VI.	Created by What Authority	5
VII.	Authority to Adopt Regulations and Citation to Regulations	5
VIII.	Five Most Recently Adopted Regulations	6
IX.	Any Required Regulations That Have Not Been Adopted	6
X.	Governing Structure of the Board	6
XI.	Duties of the Board	6
XII.	Statement of Objectives of the Board	7
XIII.	Itemized List of Services Offered by the Board	9
XIV.	Dates of the Immediately Preceding Six Meetings	10
XV.	Tax Abatements, Abatements, or Money Set Aside for the Board	10
XVI.	Funding of the Board	10
XVII.	Publicly Available or Unavailable Forms	11
XVIII.	Recommendations for Consolidation	11
XIX.	Effectiveness of Board in Meeting Objectives	11
XX.	Recommendations for Statutory Changes	12

SUPPLEMENTAL DOCUMENTATION

Tab 1. The Operating Budget of the Board for 2017-2018

Tab 2. Income and Expenses for fiscal year-end 2015, 2016, and 2017, including
balances of all accounts

Tab 3. Bertrand & Associates - Audit 2017

Tab 4. Legislative or Executive Branch Reports

Tab 5. Statement of Fees

Introduction

The practice of chiropractic is a learned profession, affecting public safety and welfare and charged with the public interest, and is, therefore, subject to protection and regulation by the State through the licensing, investigative, and enforcement activities of the Board.

The Board has been recognized nationally as a leading board of chiropractic medicine by the Federation of Chiropractic Licensing Boards (FCLB) through the FCLB's awarding of the Pennebaker/Wiley Outstanding Chiropractic Licensing Board Award to the Board in 2013 and 2016. Furthermore, in May 2017 Dr. Maggie Colucci, D.C. became the first female president of the FCLB in its 91-year history. Dr Benjamin S. Lurie was elected in July 2017 as the District IV Director for the NBCE. Dr Jason O. Jaeger holds adjunct faculty positions at Southern California University of Health Sciences, Cleveland Chiropractic College, Parker University, and Palmer Chiropractic University. Dr. Jaeger is a professional speaker and has lectured throughout the United States, Europe, and Australia on spinal biomechanics, research and the clinical work he has performed. Additionally, the Board's statutes and regulations related to the licensure of chiropractor's assistants are used as a pattern nationwide by other states.

I. The Chiropractic Physicians' Board of Nevada

The Chiropractic Physicians' Board of Nevada was created in 1923. The Board enforces NRS and NAC chapters 634 which taken together authorize the Board to reasonably ensure that the citizens of Nevada receive competent chiropractic care from properly educated and licensed chiropractors. Without examination of basic knowledge and required continuing education throughout the careers of Nevada's chiropractors, Nevadans would be at risk of receiving substandard services.

II. Present Board Members

The present members of the Board are listed in the following table:

Member Name	Term	Status
Jason O. Jaeger, DC	Term Expires October 2019	Chiropractor President
Morgan Rovetti, DC	Term Expires October 2020	Chiropractor Vice-President
Xavier Martinez, DC	Term Expires October 2020	Chiropractor Secretary-Treasurer
Benjamin S. Lurie, DC	Term Expires October 2018	Chiropractor Member
Margaret Colucci, DC	Term Expires October 2018	Chiropractor Member
Tracy DiFillippo, Esq.	Term Expires October 2019	Consumer Member
John L. Bertoldo, Esq.	Term Expires October 2021	Consumer Member

III. The Board's Website

The Board's website is: www.chirobd.nv.gov. The website was constructed and is maintained by Enterprise Information Technology Services.

IV. The Board's Executive Director

The Board employs a full-time Executive Director, Ms. Julie Strandberg. Ms. Strandberg has served the Board as its Executive Director for 3 years. Her contact information is:

Julie Strandberg, Executive Director
Chiropractic Physicians' Board of Nevada
4600 Kietzke Lane, Suite M245
Reno, NV 89502
Telephone: (775) 688-1921
Facsimile: (775) 688-1920
E-mail: chirobd@chirobd.nv.gov

V. The Board's Staff

Position	Name	Address	Telephone	E-Mail address web-site:
Executive Director	Julie Strandberg	4600 Kietzke Lane, Ste. M245, Reno, NV 89502	(775) 688-1923	chirobd@chirobd.nv.gov
Licensing Specialist	Ms. Brett Canady	4600 Kietzke Lane, Ste. M245, Reno, NV 89502	(775) 688-1921	cpbn@chirobd.nv.gov

VI. Created by What Authority

The Board was created in 1923 by the Nevada State Legislature for the protection of the public and chiropractic patients in particular in an effective, fair, and accountable manner. The Board presently enforces NRS and NAC chapters 634 as well as NRS 629. The Board regulates the standards of conduct for the profession, reviews complaints, and takes disciplinary action against chiropractors and chiropractor's assistants who have violated the statutes or regulations. The Board develops and designs the jurisprudence examination for the licensing of chiropractors, and renews their licenses on a biennial basis. The Board also develops and designs the jurisprudence and chiropractor's assistant exams, which are administered twice each year, and renews their certificates on a biennial basis. The Board also reviews continuing education applications from providers to allow Nevada chiropractor's and chiropractor's assistants to obtain continuing education credits.

VII. Authority to Adopt Regulations and Citation to Regulations

The Board's authority to adopt regulations is found at NRS 634.030. Pursuant to this authority, the Board has created a set of regulations presently codified as NAC chapter 634.

VIII. Five Most Recently Adopted Regulations

LCB #R150-13 – March 28, 2014.

LCB #T007-14 – March 30, 2015

LCB #R072-15 – April 4, 2016

LCB #R010-17 – December 19, 2017

LCB #R064-17 – Approved by the Legislative Commission on February 27, 2018

IX. Any Required Regulations That Have Not Been Adopted

None.

X. Governing Structure of the Board

Pursuant to NRS 634.020, the Board is composed of seven members appointed by the Governor. Board membership is comprised of four members who are graduates of chiropractic schools or colleges giving a course of study embracing the following subjects: Anatomy, bacteriology, chiropractic theory and practice, diagnosis or analysis, elementary chemistry and toxicology, histology, hygiene and sanitation, obstetrics and gynecology, pathology, physiology and symptomatology; Licensed under this chapter; and actually engaged in the practice of chiropractic in this State and who have been so engaged in this State for at least 3 years preceding their appointment; One member who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter; and two members who are representatives of the general public.

The Board meets quarterly, alternating its meetings as it can between meeting sites in Las Vegas and Reno. The Board will hold special meetings as needed, usually to conduct disciplinary hearings. When the volume of the Board's work allows, some meetings are held telephonically or via video conference to conserve Board funds.

XI. Duties of the Board

NRS chapter 634 provides various duties for the Board to perform, which include:

DUTY	NRS	NAC
Examining and initial licensing of chiropractors	634-070 - 634.093; 634.100	634.220 – 634.330
Biennially renewing of licensing of chiropractors	634.130	634.385
Examining and certifying chiropractor's assistants	634.100	634.123,634.305,634.350- 634.355, 634.360
Biennially renewing of certificates for chiropractor's assistants	634.130	634.385
Processing and Issuing Temporary chiropractic licenses	634.115	634.367

Processing and approving participation in the Preceptor Program	634.137 – 634.1379	634.331 – 634.347
Pleadings: Complaints	634.160; 634.170	634.635
Investigating consumer complaints	634.050; 634.214	634.430(1)(h), 634.750
Conducting disciplinary proceedings	634.140; 634.145 634.190 634.216	634.810
Investigating and prosecuting unlicensed activity	634.226, 634.227 – 634.240	
Approval of Continuing Education courses	634.030, 634.130	634.385
Setting and enforcing practice standards	634.220 -	634.410 – 634.460
Administration and public information	634.020 – 634.055	634.130 – 634.140

XII. Statement of the Objectives and Programs of the Board

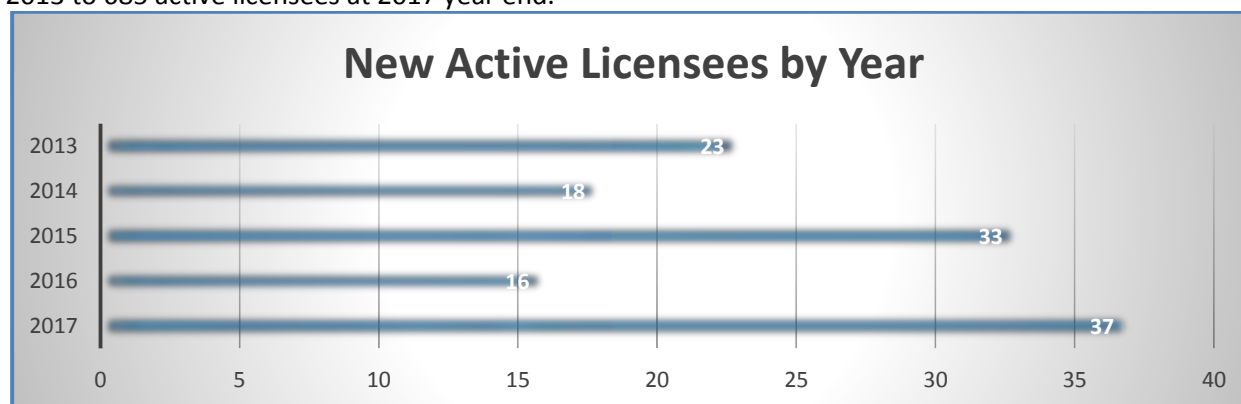
The Board's objectives are to fulfill its various duties for the protection of the health, safety, and welfare of Nevada's chiropractic patients. Following is a discussion of the Board's five objectives and a demonstration of how the Board has been, presently is, and intends to meet each objective.

LICENSING

STATEMENT OF OBJECTIVE: The Board's objective regarding licensure is to license all qualified applicants promptly and courteously.

The Board licenses chiropractors after determining that they have attained the necessary education and have passed both the requisite national examination and the Board's jurisprudence examination. However, pursuant to NRS 634.080 – 634.090 an applicant must file an application not less than 60 days before the date of the jurisprudence examination. For qualified applicants who do not have derogatory information in their background, the Board issues an initial license immediately following the passing of the jurisprudence examination. Pursuant NRS 634.130 chiropractors must renew their license biennially accompanied by 36 hours of continuing education.

The Board's licensee count continues steady growth year over year. The present number of licensed chiropractors in Nevada is 685. The Board's growth of total active licensees went from 577 active licensees in 2013 to 685 active licensees at 2017 year end.



TEMPORARY LICENSURE

STATEMENT OF OBJECTIVE: The Board's objective regarding temporary licensure is to ensure out-of-state persons have valid credentials and are in good standing.

A person who holds a corresponding license or certificate in another jurisdiction and is in good standing and actively practices chiropractic in that jurisdiction may apply for a temporary license to treat patients in this State. A temporary license is valid for up to 10 days and a person may only be granted two temporary licenses per calendar year.

CHIROPRACTOR'S ASSISTANTS CERTIFICATIONS

STATEMENT OF OBJECTIVE: The Board's objective regarding certifications is to certify all qualified applicants promptly and courteously.

The Board certifies chiropractor's assistants once they have passed the Board's jurisprudence and chiropractor's assistant examination, which are currently administered by the Board twice per year. Prior to an applicant being eligible to take the exam they must fulfill 6-months of full time, on-the-job training (21 hours/week or more) or 12-months of part-time on-the-job training. Pursuant to NAC 634.130, chiropractor's assistants must renew their certificates biennially and 12 hours of continuing education must accompany their renewal.

The Board's certified Chiropractor's Assistants average 250 per year. The current active number of chiropractor's assistants is 261.

PRECEPTOR PROGRAM

STATEMENT OF OBJECTIVE: The Board's objective regarding its Preceptor Program is to provide on-the-job experience to students to safely serve the public.

The preceptor program is established to provide supervised clinical experience to students enrolled in colleges of chiropractic. The doctor and the student must submit an application accompanied by approval from the chiropractic college to the Board for approval to participate in the Preceptor Program. The Preceptor and the student must enter into an agreement prior to commencing the practice of chiropractic.

DISCIPLINARY PROCESS

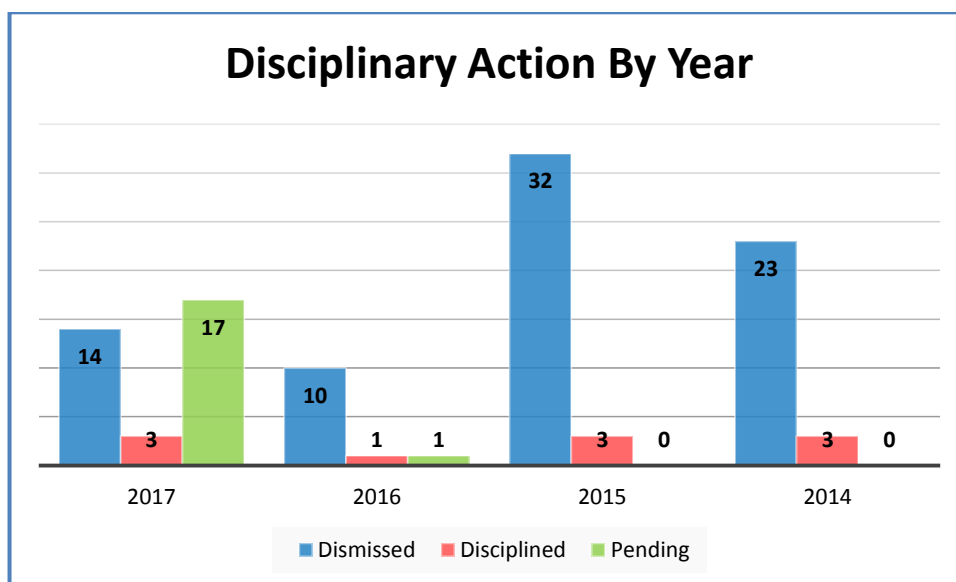
STATEMENT OF OBJECTIVE: The Board's objective regarding its disciplinary process is to make the filing of a complaint by the public as simple as possible, to investigate every case thoroughly and in a timely manner, and to address all meritorious complaints openly and publicly.

A complaint against a Board's licensee or Chiropractor's Assistant is initiated through the receipt of a written complaint. The Board investigates every complaint. Complaints are received by the Executive Director and assigned to an Investigating Board Member by the President of the Board to conduct the investigation. Depending on the complexity of the case the Investigating Board Member may involve the board's counsel, or retained private investigators. When an investigation is completed, the Board determines at a public

meeting the outcome of each complaint based on a detailed complaint by the Investigating Board Member. The complaint includes a summary of the facts as determined by the investigation with all identifying information regarding the licensee at issue removed to assure the fairest, unbiased review of the information by the members of the Board.

If the Investigating Board Member determines that a case should proceed to a formal disciplinary action, the Board's staff prepares the formal documents for filing and service upon the licensee. Cases may be resolved through negotiations between the licensee and the Investigating Board Member. Some cases are serious, present novel issues, or cannot be resolved through negotiations, and those cases are heard at a formal disciplinary hearing presented to the full Board at a public meeting.

The following table details the Board's complaints and disciplinary activities for the four most recent years:



UNLICENSED ACTIVITY

STATEMENT OF OBJECTIVE: The Board's objective regarding unlicensed activity is to investigate and take appropriate action regarding the unlicensed activity.

NRS 634.018 & NRS 634.240 provide the Board's legal authority by which it may investigate, cite, and fine a person who practices chiropractic without a license. While there does not seem to be a strong presence of unlicensed activity, the Board does from time to time receive information of unlicensed activity.

ADMINISTRATIVE OBJECTIVES

STATEMENT OF OBJECTIVE: The Board's objectives regarding its administration are: (1) to assure that all of the Board's funds are wisely and effectively collected and spent to keep the costs to the Board's licensees to a minimum; (2) to assure that the public has useful and simple access to the Board's resources and processes; and (3) to continually improve the Board's operations and functions.

BOARD FUNDING - The Board receives no general fund money. Instead, the Board operates on fees collected from licensees and chiropractor's assistants. The Board's chiropractor's application fee is \$200.00, the Board's initial license fee is \$225.00, and the Board's fee for renewal of a biennial license is \$700.00. The Board also operates on the application fee of \$100.00 from chiropractor's assistants.

The Board has its books independently audited annually. None of the Board's independent audits have ever noted irregularities or problems with the Board's financial management practices. The Board provides copies of these audits to the Department of Administration and to the Legislative Counsel Bureau. Pursuant to the request of the Committee, attached is the 2017 audit and the most recent budgeting and accounting for the Board. (Tab 1. - Operating Budget 2015, 2016, and 2017); (Tab 2. - Income/Expense Reports for 2015, 2016, and 2017); (Tab 3. - FY 2016-2017 Audit).

PUBLIC ACCESSIBILITY – The Board attempts to make its processes and resources available to the public it serves. Recent initiatives to increase or assure public access include:

- Continual Website Improvement – The Board knows that the public accesses its website regularly for information and assistance.
- Open Regulatory Process – Though the Board does not promulgate many regulations, it has always made its regulatory process transparent and open to the public.

XIII. Itemized List of Services Offered By the Board

The Board prides itself on its responsiveness to the public, its applicants, and its licensees. The Board's telephone is answered by the Board's Licensing Specialist or the Executive Director, so questions of whatever nature are usually answered on-the-spot, thus saving the caller considerable time and frustration. Some of the services offered by the Board include:

- Initial licensure/certification
- Renewal of licenses/certificates
- Issue Temporary DC Licenses
- Approval of Preceptors
- Receipt of and investigation of consumer complaints regarding chiropractors
- Receipt of and investigation of complaints regarding unlicensed practice
- Prosecuting disciplinary matters as needed
- Answering routine questions from licensees regarding their practices
- Communication through Newsletters and Bulletins
- Review of Continuing Education applications

XIV. Dates of the Immediately Preceding Six Meetings

- January 11, 2018
- October 12, 2017
- July 14, 2017
- April 21, 2017
- January 13, 2017
- September 10, 2016

The Boards' meeting minutes can be viewed at chirobd.nv.gov/Mtgs

XV. Statutory Tax Exemptions, Abatements, or Money Set Aside

- Pursuant to NRS 372.325, the Board is exempt from paying Nevada sales/use tax.
- Pursuant to §115 of the Internal Revenue Code, income of states and municipalities is not subject to federal income tax.
- According to the Internal Revenue Codes, gross income does not include: (1) income derived from any public utility or the exercise of any governmental function and accruing to a state or any political subdivision thereof, or the District of Columbia, or (2) income accruing to the government of any possession of the United States, or any political subdivision thereof.
- Pursuant to §1001 of the Internal Revenue Code, state and local governments are exempt from Social Security, except that beginning July 2, 1991, Social Security and Medicare HI coverage is mandatory for State and local government employees who meet the following conditions:
 - They are not members of a public retirement system; and
 - They are not covered under a Section 218 agreement, unless excluded by law.

XVI. Funding of the Board

The Chiropractic Physicians' Board of Nevada is funded from fees collected from chiropractors and chiropractic assistants and does not receive funds from the State General Fund.

XVII. Publicly Available or Unavailable Forms

The following forms can be found on the Board's website:

- DC Licensing Information and Application Request Form
- Application for Temporary License
- Application for Activation of License
- Active DC Renewal Application

- Inactive DC Renewal Application
- Preceptor Program Information & Applications
- Application for Chiropractor's Assistant Certificate
- Record Keeping Compliance Checklist
- HIPPA Compliance Checklist
- Chiropractic Advertising in Nevada
- Continuing Education Requirements and Application
- Board Approved Continuing Education Course List
- Change of Address
- Complaint Form

XVIII. Recommendation for Consolidation

The Chiropractic Physicians' Board does not have any recommendations for consolidation.

XIX. Effectiveness of the Board in Meeting Its Objectives

The Board believes that it meets its objectives in all respects. The Board licenses its new applicants efficiently. The Board investigates the consumer complaints it receives promptly, and is able to resolve most cases without the cost and disruption worked on the responding licensee and the Board from a disciplinary hearing.

XX. Recommendations for Statutory Changes

The Chiropractic Physician's Board anticipates submitting a BDR to propose revisions to NRS 634 to include omitting the language in NRS 634.080 and 634.090, which requires an applicant to submit their application to the Board 60 days before the date of the examination. The Board is in discussion of additional revisions.

Statement of Fees

	Nevada	Arizona	California	Idaho	Oregon	Utah
Active Licensee Count:	680	2,958	13,106	647	1,571	9,719

State:	Nevada	Arizona	California	Idaho	Oregon	Utah
Fee Type:	Initial License Fee					
Fee:	\$ 225.00	\$ 100.00	\$ 100.00	\$ 250.00	\$ 150.00	\$ 200.00

State:	Nevada	Arizona	California	Idaho	Oregon	Utah
Fee Type:	Active DC Renewal					
Fee:	\$ 700.00	\$ 185.00	\$ 300.00	\$ 100.00	\$ 425.00	\$ 103.00
Renewal						
Frequency:	Biennial	Annual	Annual	Annual	Annual	Biennial

State:	Nevada	Arizona	California	Idaho	Oregon	Utah
Fee Type:	Chiropractor's Assistant Renewal					
Fee:	\$ 120.00	\$ -	\$ -	\$ -	\$ 75.00	
Renewal						
Frequency:	Biennial	NA	NA	NA	Annual	NA