

STATE OF NEVADA

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**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF OPTOMETRY**

Re: R074-25RP3

To Whom It May Concern:

The Nevada State Board of Optometry ("the Board" or "NSBO") discussed the above-referenced proposed regulation at its most recent open meeting on March 12, 2026 for potential commentary for the upcoming workshop. Please ensure this correspondence is included in the workshop's meeting materials where appropriate:

1) R074-25RP3 appears to be a series of unfunded mandates, with no consideration for the kinds of stressors these would place on the Board and other similarly situated boards with limited staff and resources. The Board would expect other similarly situated boards to have the same position, and likely have the same concern that additional staff may have to be hired where the boards would have no choice but to pass those costs onto their respective memberships/licensees. This is especially true when the regulation makes no true mention of any technology or online services for the boards to utilize to make it more efficient for all involved. It was the Board's belief that Boards & Commissions (B&C)'s purpose was to make board regulation less cumbersome and make it more efficient for the boards and in turn the licensees. But the proposed regulation on the whole appears to be the opposite of that purpose. The underlying intent of this regulation appears to be that B&C is under the impression that the boards exist to work for B&C or to make B&C's functions easier for B&C. But in reality, the boards exist to work for the public to help protect public health and safety, and the general welfare of the people of this State.

2) section 12 regards the Board members having to attend Attorney General training/presentation on auditing and that the Board is required to pay the Attorney General for it. Absent B&C providing in the regulation that the boards could avail themselves to funds available from B&C, this regrettably is an unfunded mandate upon boards with already limited operating capital and staff.

3) section 15 regards the tracking of bills. The scope and breadth of this section ignores how difficult a task this will be for essentially the boards to be all-knowing when it comes to all the bills being proposed which might potentially affect the boards in some manner. The other concern for the Board is that if one bill is somehow missed, then the Board could be seen as non-compliant and run the risk of some kind of admonishment or sanction from B&C.

4) section 18 regards quarterly reports on license issuance and the like. The Board understands there is value to B&C keeping track of licensees being issued across the State. But this section, in addition to those quarterly mandates, requires an otherwise redundant report every two years. This is a microcosm of the concerns with this regulation overall- why are boards having to provide data that is already available on the board's website? Why can't B&C staff obtain the sought data just like any member of the public can with a basic review of the website?

5) section 19 regards budgets and audits being publicly available. This ignores that those are already on the Board's website every June in order to be approved entering the then-upcoming fiscal year. Ala the above, B&C staff can obtain those just like any member of the public can so why are the boards mention to expend already limited time and staff resources on these tasks?

Sincerely,

/s/ Adam Schneider

Adam Schneider, Esq.

Executive Director

on behalf of Nevada State Board of Optometry