

Purpose: The amendment updates and removes an outdated provision in NRS 638.017 regarding personal service. It also makes changes to various provisions of NRS 638 having to do with the Nevada State Board of Veterinary Medical Examiners; allowing for the Board to accept applications for licenses online; to hold renewals on a biannual basis and to move the expiration date to June 30; to review consumer complaints and make recommendations as the full Board or as a committee; allowing an inspection or committee to issue a letter of correction which would be limited to certain areas of practice; and authorizing a veterinary technician to administer zoonotic vaccinations, such as rabies, in addition to veterinarians.

This section of language changes removes an outdated provision requiring posting of a notice of hearing or action to be published in a newspaper if personal service cannot be made.

NRS 638.017 is hereby amended to read as follows:

638.017 Except as otherwise provided in chapter 622A of NRS:

1. Service of process made pursuant to and all notices required by this chapter must be either personal or by registered or certified mail with return receipt requested, addressed to the veterinarian, veterinary technician, or applicant for a license, at his or her last known address, as indicated on the records of the Board. ~~[If personal service cannot be made and if notice by mail is returned undelivered, the Executive Director of the Board shall cause a notice of the hearing or action to be published once a week for 4 consecutive weeks in a newspaper published in the county of that person's last known address or, if no newspaper is published in that county, then in a newspaper widely distributed in that county.]~~

2. Proof of service of process ~~[or publication of notice]~~ made pursuant to this chapter must be filed with the Executive Director and recorded in the minutes of the Board.

This language change would allow the Board to accept applications online by removing the requirement for notarization

NRS 638.100 is hereby amended to read as follows:

4. The application must be signed by the applicant ~~[, notarized]~~ and accompanied by a fee set by the Board, not to exceed \$500.

Changes to this section would allow the Board to hold renewals on a biannual basis and move the renewal expiration to June 30, which would be a less hectic time for licensees to conduct renewals of their licenses. It would also make more efficient use of Board staff time and expenditures.

NRS 638.127 is hereby amended to read as follows:

638.1271. On or before ~~[November]~~ *May* 15 of each *odd-numbered* year, ~~[the Executive Director shall mail to each person licensed under the provisions of this chapter an application form for renewal of the license.~~

~~2. [Each]~~ *each* applicant for renewal of *a license issued pursuant to this chapter* must ~~[complete the form and return it to the Executive Director, accompanied by all information required to complete the]~~:

(a) Submit an application for renewal [.] to the Board;

(b) Pay the renewal fee and make full payment of all fines and money which the applicant owes to the Board, [on or before January 1 of each year. Each application for renewal must be signed by the applicant. The renewal fee for licensees and persons on inactive status must be in an amount determined by the Board.]

(c) Submit evidence to the Board of compliance with any requirements for continuing education; and

(d) Submit to the Board all other information required by the Board to complete the application for renewal.

~~[3.]~~ 2. Upon receipt of the application and all required information and payment of the renewal fee and all fines *and money* owed, the Board shall issue to that person a certificate of renewal.

~~[4.]~~ 3. Any person who fails to renew a license on or before ~~[March 1]~~ *August 31* of each odd-numbered year forfeits the license.

~~[5.]~~ 4. When a person has forfeited his or her license in the manner provided in subsection ~~[4.]~~ 3, the Board may reinstate the license as applicable, and issue a certificate of renewal upon receipt of all information required to complete the renewal and payment of:

(a)The renewal fee;

(b)All fines *and money* owed~~[;]~~to the Board; and

(c)A delinquency penalty of \$50 for each month or fraction thereof the license as applicable, was not renewed after ~~[January 1.]~~ *June 30.*

~~[6.]~~5. If a licensee does not practice for more than 12 consecutive months, the Board may require the licensee to take an examination to determine his or her competency before renewing the license.

~~[7.If a licensee does not renew his or her license and is licensed to practice in another state or territory of the United States, the Board may not issue the licensee a license to practice in the State by reciprocity. Such a licensee must reinstate the license in the manner prescribed by the Board.]~~

The changes to this section would allow licensed veterinary technicians to administer zoonotic vaccinations (such as rabies) in addition to veterinarians.

NRS 638.134 is hereby amended to read as follows:

638.1341. Each licensed veterinarian to whom an animal is brought for treatment shall recommend to the owner of the animal or to the person delivering the animal for treatment that the animal receive the vaccinations for zoonotic diseases that are recommended by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services. The vaccinations must be administered by a licensed veterinarian or *a veterinary technician* under the direct supervision of a licensed veterinarian. The Board may adopt regulations to ensure compliance with the provisions of this subsection.

The changes to this section would allow for the Board to review consumer complaints and make recommendations as the full Board or as a committee. This would streamline the process for investigation complaints and create efficiencies for the Board to render decisions for both consumers and licensees.

NRS 638.1429 is hereby amended to read as follows:

638.1429

1. After the investigation of the complaint is completed, the member of the Board who conducted the investigation shall submit to the Board *or a committee thereof* a written report of his or her findings and recommendations concerning the disposition of the complaint.

2. If the Board *or a committee thereof, as applicable*, determines that there is not sufficient evidence to believe that a licensee has committed an act which constitutes a cause for disciplinary action, the Board *or committee* shall dismiss the complaint and send a written notice to the person who filed the complaint and the licensee who was the subject of the investigation that the complaint was dismissed.

3. If the Board *or a committee thereof, as applicable*, determines that there is sufficient evidence to believe that a licensee has committed an act which constitutes a ground for disciplinary action, the Board *or committee may commence a disciplinary action* or enter into a settlement agreement with the licensee ~~[. The]~~

4. If the Board or a committee there of enters into a settlement agreement with a licensee the agreement must be signed by the licensee and the President of the Board. The Board shall send a written notice of the settlement to the person who filed the complaint against the licensee. The notice must include a copy of the settlement agreement.

[The complaint]

5. A document initiating a disciplinary action and ~~[the]~~ any settlement agreement are public records.

The changes to this section would allow an inspection or committee to issue a letter of correction which would be limited to certain areas of practice. The intent is to fill a gap that the Board often finds between actions that are either disciplinary or non-disciplinary. The Board often finds that an individual's conduct does not rise to the level of permanent disciplinary action but could prevent further actions or harm by taking a course in record keeping or communication with clients. These letters of correction (akin to a moving violation ticket) would allow them to obtain education and prevent further liabilities.

NRS 638.147 is hereby amended to read as follows:

638.147

5. The Board may adopt regulations which provide for the Board to issue nondisciplinary letters of correction for violations of provisions of this chapter and the regulations adopted pursuant thereto as those provisions relate to recordkeeping, inspections of veterinary facilities and continuing education.