

**ADOPTED REGULATION OF THE NEVADA STATE  
BOARD OF VETERINARY MEDICAL EXAMINERS**

**LCB File No. R110-02**

Effective November 6, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-5, NRS 638.070.

**Section 1.** NAC 638.800 is hereby amended to read as follows:

638.800 As used in NAC 638.800 to 638.840, inclusive, ~~“veterinary”~~ *“animal* chiropractic” means the examination and treatment of a nonhuman animal through the manipulation and adjustment of specific joints and cranial sutures of the animal.

**Sec. 2.** NAC 638.810 is hereby amended to read as follows:

638.810 1. A person shall not practice ~~veterinary~~ *animal* chiropractic in this state unless he is:

(a) A veterinarian; or

(b) A chiropractor who has obtained a registration certificate pursuant to this section and complies with the provisions of NAC 638.830.

2. A chiropractor who desires to secure a registration certificate to practice ~~veterinary~~ *animal* chiropractic in this state must make written application to the board.

3. The application must be on a form provided by the board, include any information required by the board and be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character;

(b) Has been an active licensed chiropractor in this state for at least 1 year;

(c) Is in good standing with the chiropractic physicians' board of Nevada; and

(d) Is certified by the American Veterinary Chiropractic Association.

4. The application must be signed by the applicant, notarized and accompanied by a fee of \$50.

5. Except as otherwise provided in NAC 638.840, upon receipt of the application and information required by subsection 3 and payment of the fee, the board will issue to the chiropractor a certificate of registration.

**Sec. 3.** NAC 638.820 is hereby amended to read as follows:

638.820 1. Each certificate of registration issued pursuant to NAC 638.810 or renewed pursuant to this section expires on January 1 of each year.

2. Each application for renewal of a certificate of registration must be:

(a) Submitted in the form established by the board;

(b) Signed by the chiropractor, notarized and accompanied by a fee of \$25;

(c) Accompanied by proof that the chiropractor completed, during the 12-month period immediately preceding the beginning of the new registration year, at least 15 hours of continuing education in ~~[veterinary]~~ *animal* chiropractic approved by the board; and

(d) Accompanied by proof that his license as a chiropractor in this state is active and that he is in good standing with the chiropractic physicians' board of Nevada.

3. A chiropractor who fails to renew his certificate of registration before it expires forfeits his certificate of registration.

4. Except as otherwise provided in NAC 638.840, upon receipt of the application for renewal and information required by subsection 2 and payment of the fee, the board will renew the certificate of registration of the chiropractor.

**Sec. 4.** NAC 638.830 is hereby amended to read as follows:

638.830 1. A chiropractor who has been issued a certificate of registration pursuant to NAC 638.810 may practice ~~[/veterinary]~~ *animal* chiropractic only:

(a) Under the direction of a veterinarian licensed in this state who has established a valid veterinarian-client-patient relationship concerning the animal receiving the ~~[/veterinary]~~ *animal* chiropractic before the ~~[/veterinary]~~ *animal* chiropractic is performed; and

(b) If the chiropractor assumes individual liability for the quality of the ~~[/veterinary]~~ *animal* chiropractic performed.

2. The veterinarian under whose direction the chiropractor performs the ~~[/veterinary]~~ *animal* chiropractic:

(a) Is not required to supervise the chiropractor during the ~~[/veterinary]~~ *animal* chiropractic.

(b) Is not liable for the acts or omissions of the chiropractor who performs ~~[/veterinary]~~ *animal* chiropractic.

3. Each chiropractor who has been issued a certificate of registration shall:

(a) Maintain in this state for at least 4 years a separate written medical record of each animal receiving ~~[/veterinary]~~ *animal* chiropractic.

(b) Within 48 hours after the initial visit with the animal, mail or transmit by facsimile machine a complete copy of the medical record to the veterinarian under whose direction the chiropractor performs the ~~[/veterinary]~~ *animal* chiropractic.

(c) Within 48 hours after each subsequent visit with the animal, mail or transmit by facsimile machine a progress report to the veterinarian under whose direction the chiropractor performs the ~~[/veterinary]~~ *animal* chiropractic.

4. The veterinarian shall include the copy of the medical record received pursuant to subsection 3 in the medical record required pursuant to NAC 638.037. The written medical record must include, without limitation:

- (a) The name, address and telephone number of the owner of the animal;
- (b) The name or identifying number, or both, of the animal;
- (c) The age, sex and breed of the animal;
- (d) The dates of care, custody or treatment of the animal;
- (e) The results of a basic physical examination related to musculoskeletal manipulation;
- (f) The diagnosis and treatment plan related to musculoskeletal manipulation recommended by the chiropractor for the animal; and
- (g) The progress and disposition of the case.

**Sec. 5.** NAC 638.840 is hereby amended to read as follows:

638.840 1. A violation of a provision of chapter 634 or 638 of NRS or a regulation adopted by the chiropractic physicians' board of Nevada or the Nevada state board of veterinary medical examiners is a ground for disciplinary action.

2. If the Nevada state board of veterinary medical examiners determines that an applicant for a certificate of registration pursuant to NAC 638.810 or a person who has been issued a certificate of registration pursuant to NAC 638.810 has committed any act which is a ground for disciplinary action, the board may:

- (a) Refuse to issue a certificate of registration;
- (b) Refuse to renew a certificate of registration;
- (c) Revoke a certificate of registration;

- (d) Suspend a certificate of registration for a definite period or until further order of the board;
- (e) Impose a fine in an amount not to exceed \$10,000 for each act that constitutes a ground for disciplinary action;
- (f) Place a person who has been issued a certificate of registration on probation subject to any reasonable conditions imposed by the board, including, without limitation, requiring courses in continuing education or a periodic or continuous review of his ~~veterinary~~ *animal* chiropractic practice;
- (g) Administer a public reprimand;
- (h) Require the person who has been issued a certificate of registration to take a competency examination or a mental or physical examination; and
- (i) Require the person who has been issued a certificate of registration to pay all costs, including, without limitation, attorney's fees, incurred by the board in taking disciplinary action against him.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R110-02**

The Nevada State Board of Veterinary Medical Examiners adopted regulations assigned LCB File No. R110-02 which pertain to chapter 638 of the Nevada Administrative Code on September 20, 2002.

**Notice date:** 8/16/2002  
**Hearing date:** 9/20/2002

**Date of adoption by agency:** 9/20/2002  
**Filing date:** 11/06/2002

**INFORMATIONAL STATEMENT**

**1. PUBLIC COMMENT SOLICITED:**

As per NRS 233B.0607 a copy of the regulation and the Notice of Hearing was posted at all Nevada County Public Libraries. As indicated in the Notice of Hearing, a copy of any of these proceedings could be obtained at the State Board of Veterinary Medical Examiners office at 4600 Kietzke Lane, Bldg. O-265, Reno, Nevada 89502. All active veterinarians were noticed regarding the workshop and hearing on August 30, 2002. There was a workshop and public hearing held September 20, 2002 in Las Vegas.

**2. ATTENDANCE:**

There were four veterinarians and two veterinary technicians present at the workshop and hearing. There were no questions or comments regarding this issue at the workshop or hearing.

**3. REASONS FOR ADOPTING REGULATION WITHOUT CHANGE:**

The permanent regulation was adopted at the State Board of Veterinary Medical Examiners meeting on September 20, 2002 with no changes to the proposed regulation.

**4. ECONOMIC EFFECT OF THE REGULATION ON THE BUSINESS:**

There would be no economic effect of these new regulations on the business of veterinary medicine.

**5. ESTIMATED COST TO THE AGENCY FOR ENFORCEMENT:**

There are no costs to this agency for enforcement of these regulations.

**6. OVERLAP OR DUPLICATION OF PROPOSED REGULATION:**

To our knowledge, there is no other state or government agency, which the proposed regulations duplicate.

**7. REGULATION PROVIDES A NEW FEE OR INCREASES EXISTING FEE:**

These regulations do not provide a new fee or increase existing fees.