

**REVISED PROPOSED REGULATION OF THE
STATE BOARD OF ORIENTAL MEDICINE**

LCB File No. R151-03

March 23, 2004

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

AUTHORITY: §§1, 3, 4 and 10-12, NRS 634A.070; §§2 and 5, NRS 634A.070 and 634A.090; §§6 and 7, NRS 634A.070 and 634A.120; §§8 and 9, NRS 634A.070 and 634A.160.

A REGULATION relating to Oriental medicine; prohibiting an educational institution in this State from offering the degree of doctor of Oriental medicine unless the educational institution first obtains approval from the State Board of Oriental Medicine; providing that an educational institution that is approved by the Board to offer the degree of doctor of Oriental medicine may employ only instructors who have certain credentials and may admit only students that have certain credentials; making various changes concerning the curriculum offered by an educational institution that issues the degree of doctor of Oriental medicine; revising certain requirements for an applicant for a license to practice Oriental medicine; increasing for a certain period the annual registration fee for a person who holds a license to practice Oriental medicine; and providing other matters properly relating thereto.

Section 1. Chapter 634A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. 1. *An educational institution in this State shall not offer to students the degree of doctor of Oriental medicine unless the educational institution has first obtained approval to do so from the Board.*

2. *An educational institution in this State that applies to the Board for approval to offer the degree of doctor of Oriental medicine must:*

(a) Be currently licensed by the Commission on Postsecondary Education;

(b) Submit to the Board the proposed curriculum of the educational institution for approval by the Board; and

(c) Submit to the Board any other information requested by the Board.

3. *Each educational institution in this State that is approved by the Board to offer the degree of doctor of Oriental medicine must annually submit to the Board the curriculum of the educational institution for reapproval by the Board.*

Sec. 3. *An educational institution in this State that is approved by the Board to offer the degree of doctor of Oriental medicine may employ a person as an instructor of Oriental medicine if the person submits to the Board:*

1. *Evidence that he possesses the degree of doctor of Oriental medicine, the degree of doctor of medicine, or a doctorate degree in a field related to Oriental medicine; and*

2. *Any other evidence required by the Board regarding his experience.*

Sec. 4. 1. *An educational institution in this State that is approved by the Board to offer the degree of doctor of Oriental medicine may:*

(a) Enroll only students who:

(1) Possess at least a bachelor's degree from an accredited college or university in the United States; and

(2) Have completed with a passing grade undergraduate courses in physics, biology, chemistry and organic chemistry; and

(b) Grant the degree of doctor of Oriental medicine only to students who have completed a curriculum approved by the Board.

2. As used in this section, “accredited” has the meaning ascribed to it in NRS 394.006.

Sec. 5. Each educational institution in this State that is approved by the Board to offer the degree of doctor of Oriental medicine must offer the curriculum approved by the Board which consists of not less than 4,000 hours of credit and which includes, without limitation:

1. Classroom and laboratory instruction in:

(a) Human anatomy;

(b) Western physiology;

(c) Western pathology;

(d) Biochemistry;

(e) Histology;

(f) Microbiology;

(g) Preventive medicine;

(h) Pharmacology;

(i) Oriental physiology;

(j) Oriental pathology;

(k) Meridian, acupuncture points;

(l) Herbology; and

(m) Oriental prescription; and

2. Instruction in:

- (a) *Infectious diseases;*
- (b) *Psychology;*
- (c) *Neurology;*
- (d) *Western internal medicine;*
- (e) *Embryology;*
- (f) *Clinical pathology;*
- (g) *Forensic medicine;*
- (h) *Radiology;*
- (i) *Western diagnostics;*
- (j) *Western surgery;*
- (k) *Physiotherapy;*
- (l) *Principles of Oriental medicine;*
- (m) *Oriental medical history;*
- (n) *Oriental medical classics;*
- (o) *Acupuncture and moxibustion;*
- (p) *Oriental surgery;*
- (q) *Treatise on exogenous febrile disease;*
- (r) *Oriental gynecology;*
- (s) *Oriental orthopedics;*
- (t) *Oriental pediatrics;*
- (u) *Oriental otolaryngology;*
- (v) *Oriental ophthalmology;*
- (w) *Oriental internal medicine - liver system;*

- (x) Oriental internal medicine - circulatory system;*
- (y) Oriental internal medicine - digestive system;*
- (z) Oriental internal medicine - respiratory system;*
- (aa) Oriental internal medicine - urogenital system;*
- (bb) Sa Sang constitutional medicine;*
- (cc) Medical statistics; and*
- (dd) Hospital management.*

Sec. 6. NAC 634A.095 is hereby amended to read as follows:

634A.095 1. Except as otherwise provided in subsection 2, an applicant for a license to practice Oriental medicine must:

- (a) Before taking the practical examination, pass the Test of English as a Foreign Language with a score of at least ~~550;~~ 500; and
- (b) At the time of the practical examination, demonstrate a reasonable proficiency in the English language through an oral interview.

2. Subsection 1 does not apply to an applicant who graduated from a high school or college in the United States.

Sec. 7. NAC 634A.100 is hereby amended to read as follows:

634A.100 1. The practical examination will be given in June and December of each year. An applicant may not take the practical examination unless the applicant has first passed the examinations required pursuant to NAC 634A.085. The Executive Director shall notify an applicant of the time and place of the practical examination not later than 20 days before the date on which the practical examination is scheduled.

2. During the practical examination, only the testing consultant and the applicants will be allowed in the examination rooms.

3. Various sections of the practical examination may be given in written, oral or demonstrative form.

4. ~~As a part of any~~ *The practical examination consists of three sections.*

5. *In section 1 of the* practical examination, the Board may examine an applicant as to his basic knowledge of the following subjects:

(a) Needling. The Board may require a demonstration of needling on a patient or on the applicant himself.

(b) Skills pertaining to sterilization.

(c) Skills pertaining to the use of herbs.

~~[(d) Basic]~~

6. *In section 2 of the practical examination, the Board may examine an applicant as to his basic knowledge of basic* medical science concerning anatomy, physiology, pathology, biochemistry, *pharmacology*, bacteriology and communicable diseases.

~~[(e) Applicable]~~

7. *In section 3 of the practical examination, the Board may examine an applicant as to his basic knowledge of applicable* laws and regulations pertaining to health and safety.

~~[(f) Use]~~

8. *As part of the practical examination, the Board may examine an applicant as to his basic knowledge and use* of the English language, as described in NAC 634A.095.

~~[5.]~~ 9. Each applicant shall take the practical examination in the English language.

~~6.~~ **10.** *An applicant may receive a maximum score of 100 points on each section of the practical examination.* An applicant must receive an overall score of *not less than* 75 percent on the practical examination and *not less than* 60 percent on ~~all of its sections or subparts~~ *each section of the practical examination* to pass the practical examination.

Sec. 8. NAC 634A.140 is hereby amended to read as follows:

FIRST
PARALLEL
SECTION

634A.140 ~~1.~~ Each person who holds a license to practice Oriental medicine ~~acupuncture or herbal medicine~~ shall pay to the Board an annual registration fee of ~~500.~~
~~2. Each person who holds a license to act as an assistant in acupuncture shall pay to the board an annual registration fee of 500.] 1,000.~~

Sec. 9. NAC 634A.140 is hereby amended to read as follows:

SECOND
PARALLEL
SECTION

634A.140 Each person who holds a license to practice Oriental medicine shall pay to the Board an annual registration fee of ~~1,000.] 400.~~

FIRST
PARALLEL
SECTION

Sec. 10. NAC 634A.165 is hereby amended to read as follows:

634A.165 The Board will charge and collect the following fees:

Original application for licensure as a doctor of Oriental medicine	\$400.00
Deposit for initial background investigation	300.00
Renewal of license before February 1	400.00] 1,000.00
Late renewal of license within 90 days after February 1	50.00
Late renewal of license more than 90 days after February 1.....	50.00
Reinstatement of cancelled license	100.00
Original application for use of fictitious name.....	50.00
Replacement of identification card	20.00

Replacement of license.....	40.00
Original fee for practical examination	1,000.00
Reexamination fee for practical examination.....	300.00
Transfer of license from active status to inactive status.....	50.00
Transfer of license from inactive status to active status.....	400.00
Approval of course of continuing education	100.00
Temporary certificate for lecturing or training.....	100.00
Check returned for insufficient funds.....	25.00
For copies of this chapter and chapter 634A of NRS.....	10.00
For other copies, per page	0.25
<i>For other copies, per compact disc</i>	<i>20.00</i>

SECOND
PARALLEL
SECTION

Sec. 11. NAC 634A.165 is hereby amended to read as follows:

634A.165 The Board will charge and collect the following fees:

Original application for licensure as a doctor of Oriental medicine	\$400.00
Deposit for initial background investigation.....	300.00
Renewal of license before February 1	[1,000.00] 400.00
Late renewal of license within 90 days after February 1	50.00
Late renewal of license more than 90 days after February 1.....	50.00
Reinstatement of cancelled license	100.00
Original application for use of fictitious name.....	50.00
Replacement of identification card	20.00
Replacement of license.....	40.00

Original fee for practical examination	1,000.00
Reexamination fee for practical examination.....	300.00
Transfer of license from active status to inactive status.....	50.00
Transfer of license from inactive status to active status.....	400.00
Approval of course of continuing education	100.00
Temporary certificate for lecturing or training.....	100.00
Check returned for insufficient funds.....	25.00
For copies of this chapter and chapter 634A of NRS.....	10.00
For other copies, per page	0.25
For other copies, per compact disc.....	20.00

Sec. 12. 1. This section and sections 1 to 7, inclusive, of this regulation become effective upon filing with the Secretary of State.

2. Sections 8 and 10 of this regulation become effective upon filing with the Secretary of State and expire by limitation on December 31, 2005.

3. Sections 9 and 11 of this regulation become effective on January 1, 2006, or upon filing with the Secretary of State, whichever occurs later.