

**REVISED PROPOSED REGULATION OF THE
BOARD OF MEDICAL EXAMINERS**

LCB File No. R243-03

March 11, 2004

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

AUTHORITY: §1, NRS 630.130.

A REGULATION relating to physicians; requiring physicians to demonstrate continued proficiency to practice medicine to the Board of Medical Examiners; and providing other matters properly relating thereto.

Section 1. Chapter 630 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, beginning July 1, 2007, and every 10th year thereafter, each holder of a license to practice medicine shall, at the time of the biennial registration for July 1, 2007, and every 10th year thereafter, submit to the Board, by the final date set by law for submitting applications for biennial registration, evidence, in such form as the Board requires, that he has demonstrated continuing proficiency to practice medicine by submitting proof that he:

(a) Is currently certified by a member board of the American Board of Medical Specialties and is required by that member board to recertify;

(b) Has, during the immediately preceding 10 years, taken and passed at his own expense:

(1) The Special Purpose Examination;

(2) The United States Medical Licensing Examination;

(3) A specialty module of the Special Purpose Examination; or

(4) Any other formal examination which has been:

(I) Approved by the Board; and

(II) Validated pursuant to the provisions of the Standards for Educational and Psychological Testing developed jointly by the American Educational Research Association, the American Psychological Association and the National Council on Measurement in Education; or

(c) During the immediately preceding 2 years:

(1) Maintained active or associate staff privileges or the privilege to assist with surgery at a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations or at a surgical or medical center that is affiliated with a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations;

(2) If the holder of the license is practicing medicine as a pathologist, was employed by a laboratory that is accredited by the College of American Pathologists or the Joint Commission on Accreditation of Healthcare Organizations;

(3) If the holder of the license is practicing medicine as a radiologist, was employed by a facility which provides radiological services that is accredited in one or more modalities by the American College of Radiology; or

(4) Passed at his own expense a program of peer review approved by the Board which includes, without limitation:

(I) A personal interview conducted with the holder of the license; and

(II) A review of randomly selected medical charts of patients of the holder of the license which reflect the treatment of the patients for the immediately preceding 10 years or for the period during which the holder of the license has practiced medicine if he has practiced for less than 10 years.

2. A holder of a license to practice medicine may submit an application, on a form approved by the Board, for an exemption from the requirements set forth in subsection 1 based on the unique circumstances of the practice of the holder of the license. Upon receipt of such an application, the Board may, at its discretion:

- (a) Exempt the holder of the license from the requirements set forth in subsection 1; and*
- (b) Permit the holder of the license to demonstrate continuing proficiency to practice medicine by comparable and appropriate means, as determined by the Board.*

3. As used in this section, “program of peer review” means a program to evaluate a holder of a license required to submit proof of continuing proficiency to practice medicine pursuant to subsection 1 that:

- (a) Is conducted by a licensed physician who practices in the same scope of practice as the holder of the license; and*
- (b) Concerns the quality of care provided by the holder of the license for the immediately preceding 10 years or for the period during which the holder of the license has practiced medicine if he has practiced for less than 10 years.*