

**ADOPTED REGULATION OF
THE BOARD OF MEDICAL EXAMINERS**

LCB File No. R054-05

Effective October 31, 2005

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

AUTHORITY: §1, NRS 630.130 and 630.160.

A REGULATION relating to physicians; limiting the number of attempts for passing the steps of the United States Medical Licensing Examination; setting forth time limits for passing the steps of the United States Medical Licensing Examination; and providing other matters properly relating thereto.

Section 1. NAC 630.080 is hereby amended to read as follows:

630.080 1. For the purposes of paragraph (e) of subsection 2 of NRS 630.160, an applicant for a license to practice medicine must pass:

(a) A written examination concerning the statutes and regulations relating to the practice of medicine in this State; and

(b) Except as otherwise provided in subsection 2, an examination, designated by the Board, to test the competency of the applicant to practice medicine, including, without limitation:

- (1) The Special Purpose Examination;
- (2) An examination testing competence to practice medicine conducted by physicians; or
- (3) Any other examination designed to test the competence of the applicant to practice medicine.

2. The Board will deem an applicant to have satisfied the requirements of paragraph (b) of subsection 1 if, within 10 years before the date of an application for a license to practice medicine in this State, the applicant has passed:

- (a) Part III of the examination given by the National Board of Medical Examiners;
- (b) Component II of the Federation Licensing Examination;
- (c) Step ~~III~~ 3 of the United States Medical Licensing Examination;
- (d) All parts of the examination to become a licentiate of the Medical Council of Canada;
- (e) The examination for primary certification or recertification by a specialty board of the American Board of Medical Specialties and received primary certification from that board; or
- (f) The Special Purpose Examination.

3. *For the purposes of subparagraph (3) of paragraph (c) of subsection 2 of NRS 630.160:*

(a) An applicant for a license to practice medicine must pass Step 1, Step 2 and Step 3 of the United States Medical Licensing Examination in not more than a total of nine attempts; and

(b) An applicant:

(1) Who holds a degree of doctor of medicine must pass all steps of the examination within 7 years after the date on which the applicant first took any step of the examination; or

(2) Who holds a degree of doctor of medicine and a degree of doctor of philosophy must pass all steps of the examination within 10 years after the date on which the applicant first took any step of the examination.

4. For any examination conducted by the Board for a license to practice medicine, an applicant must answer correctly at least 75 percent of the questions propounded. The Board will use the weighted average score of 75, as determined by the Federation of State Medical Boards of the United States, Inc., to satisfy the required score of 75 percent for passage of the Special Purpose Examination and the United States Medical Licensing Examination.

~~{4.}~~ 5. The Board will authorize the Federation of State Medical Boards of the United States, Inc., to administer the Special Purpose Examination or the United States Medical Licensing Examination on behalf of the Board.

~~{5.}~~ 6. An applicant for a license to practice medicine and a person who holds a license to practice medicine ~~{shall}~~ *must* pay the reasonable costs of any examination required for licensure and any examination ordered pursuant to NRS 630.318.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R054-05**

The Board of Medical Examiners adopted regulations assigned LCB File No. R054-05 which pertain to chapter 630 of the Nevada Administrative Code on September 9, 2005.

Notice date: 7/11/2005
Hearing date: 8/29/2005

Date of adoption by agency: 9/9/2005
Filing date: 10/31/2005

INFORMATIONAL STATEMENT

**DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED
SUMMARY OF THE PUBLIC RESPONSE
EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN
A COPY OF THE SUMMARY**

How public comment was solicited:

The Nevada State Board of Medical Examiners published a Notice of Workshop to solicit comments on proposed changes to the regulation, and that the workshop was to be conducted on Wednesday, August 10, 2005, at the hour of 10:00 o'clock a.m., or as soon thereafter as it may be conducted on that date, at the Grant Sawyer State Office Building, 555 E. Washington Avenue, Room #4412E, Las Vegas, Nevada. The Nevada State Board of Medical Examiners published Notice of a Public Hearing to receive comments from all interested persons regarding the proposed changes to the regulation, and that the public hearing was to be held at 10:00 o'clock a.m., on Monday, August 29, 2005, or as soon thereafter as it may be heard on that date, at the offices of the Board of Medical Examiners located at 1105 Terminal Way, Suite 310, Reno, Nevada.

In the notices the public were notified that a copy of the proposed changes in the regulations were on file at the State Library, 100 Stewart St., Carson City, Nevada; available at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada; in all counties in the state of Nevada in which the Board does not maintain an office; at the main public library; in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653; and, on the Internet at <http://www.leg.state.nv.us>., as well as posted at the following locations:

Washoe County Courthouse - Reno, Nevada
Reno City Hall - Reno, Nevada
Elko County Courthouse - Elko, Nevada
White Pine County Courthouse - Ely, Nevada
Clark County Health Department - Las Vegas, Nevada
Carson City Office of the State Attorney General
Las Vegas Office of the State Attorney General

Office of the Nevada State Board of Medical Examiners – Reno, Nevada
Carson City Public Library - Carson City, Nevada
Churchill County Public Library - Fallon, Nevada
Las Vegas Public Library - Las Vegas, Nevada
Douglas County Public Library - Minden, Nevada
Elko County Public Library - Elko, Nevada
Goldfield Public Library - Goldfield, Nevada
Eureka Branch Public Library - Eureka, Nevada
Humboldt County Public Library - Winnemucca, Nevada
Lincoln County Public Library - Pioche, Nevada
Lyon County Public Library - Yerington, Nevada
Mineral County Public Library - Hawthorne, Nevada
Tonopah Public Library - Tonopah, Nevada
Pershing County Public Library - Lovelock, Nevada
Storey County Public Library - Virginia City, Nevada
Washoe County Public Library – Reno, Nevada
White Pine County Public Library - Ely, Nevada
Battle Mountain Branch Public Library - Battle Mountain, Nevada

Attached hereto, and made a part hereof, are copies of certifications of posting from many of the above named.

Summary of the public response:

No public response was received by the Nevada State Board of Medical Examiners, either verbally or in writing.

How other interested persons may obtain a copy of the public response to the regulations:

On file with the Board at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada, is a complete transcript of the hearing conducted on the regulation change, and documentation of the public comment offered at the workshops.

Any member of the public may visit the offices of the Board and may review any or all of transcript referred to above. Also, any member of the public may request copies of the entire transcript of all the public by contacting the court reporter and requesting the preparation of a transcript.

The court reporter may be contacted at:

Bonanza Reporting
1111 Forest Street
Reno, Nevada 89509
(775) 786-7655

The number of persons who attended the workshop and hearing:

Workshop, Wednesday, August 10, 2005, at the Grant Sawyer State Office Building, 555 E. Washington Avenue, Room #4412E, Las Vegas, Nevada

One member of the public attended the workshop and hearing.

Persons who testified at the public hearing:

Public Hearing, Monday, August 29, 2005, at the offices of the Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada:

No member of the public testified at the public hearing.

The number of persons who submitted written statements:

No written comment was submitted to the Board.

**HOW COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES,
A SUMMARY OF THEIR RESPONSE, AND
HOW INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY**

The comments, conclusions, and information set out above and all information contained there under applies to this portion of the informational statement as well.

**THE REGULATION WAS ADOPTED WITHOUT CHANGE TO
THE PROPOSED REGULATION**

The proposed regulations concerning limiting the combined number of attempts an applicant may take to pass the three steps of the United States Medical Licensing Examination and the timeframe for completion of all three steps was not changed, and was adopted by the Board as originally proposed.

**THE ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE
BUSINESS WHICH THE BOARD REGULATES AND ON THE PUBLIC**

The economic effect of the regulations on the medical profession:

There will be no economic effect to the medical profession by adoption instant regulation.

The economic effect of the regulations on the general public:

There will be no economic effect to the medical profession by adoption instant regulation.

THE ESTIMATED COST TO THE NEVADA STATE BOARD OF MEDICAL EXAMINERS TO ENFORCE THE PROPOSED REGULATION

The Nevada State Board of Medical Examiners estimates that there will be no additional cost to itself to enforce the proposed regulation.

THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS DOES NOT OVERLAP OR DUPLICATE ANY REGULATIONS OF ANY OTHER STATE OR GOVERNMENTAL AGENCIES, INCLUDING THE FEDERAL GOVERNMENT

THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS DOES NOT INCLUDE PROVISIONS WHICH ARE MORE STRINGENT THAN A FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY

THE NEW REGULATION DOES NOT PROVIDE OR INVOLVE A NEW FEE