

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

LCB File No. R080-05

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.

A REGULATION relating to physicians; authorizing the Board of Medical Examiners to prohibit a person whose application for a license to practice medicine is denied from reapplying for a certain period of time; and providing other matters properly relating thereto.

Section 1. NAC 630.050 is hereby amended to read as follows:

630.050 1. The Board will not accept any application for any type of license to practice medicine in this State if the Board cannot substantiate that the medical school from which the applicant graduated provided the applicant with a resident course of professional instruction equivalent to that provided in the United States or a Canadian medical school approved by *either* the Liaison Committee on Medical Education of the American Medical Association *and the Association of American Medical Colleges* or *by* the Committee ~~[for]~~ *on* Accreditation of Canadian Medical Schools.

2. Except as otherwise provided in NAC 630.130, an applicant for any license to practice medicine must file his sworn application with the Board. The application must include or indicate the following:

(a) If the applicant is not a citizen of the United States, satisfactory evidence from the Bureau of Citizenship and Immigration Services that he is lawfully entitled to remain and work in the United States.

(b) All documentation required by the application.

(c) Complete answers to all questions on the form.

3. The application must be accompanied by the applicable fee.

4. If the Board denies an application for any type of license to practice medicine in this State, the Board may prohibit the person whose application was denied from reapplying for a period of 1 year to 3 years after the date of the denial.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R080-05

The Board of Medical Examiners adopted regulations assigned LCB File No. R080-05 which pertain to chapter 630 of the Nevada Administrative Code on September 9, 2005.

Notice date: 7/6/2005
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 Workshops to solicit comments on proposed changes to the regulation, and that the workshops were to be conducted on Monday, August 22, 2005, at the hour of 9:00 o'clock a.m., or as soon thereafter as it may be conducted on that date, at the offices of the Board of Medical Examiners at 1105 Terminal Way, Suite 301, Reno, Nevada, and on Tuesday, August 23, 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 301, Reno, Nevada.

In the notices the public was notified that a copy of the proposed changes in the regulation was on file at the State Library, 100 Stewart St., Carson City, Nevada; and available at the offices of the Board of Medical Examiners 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:

The public response was very limited. Larry Matheis, Director of the Nevada State Medical Association, was the only person to testify at the workshops or hearing. Mr. Matheis testified that the Board needed to exercise care not to apply this regulation just to one ethnic group or groups.

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

On file at the offices of the Board of Medical Examiners 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 each workshop and hearing:

Workshop, Monday, August 22, 2005
at the offices of the Board of Medical Examiners,
1105 Terminal Way, Suite 301, Reno, Nevada

One member of the public attended or testified at the workshop.

Workshop, Tuesday, August 23, 2005
at the Grant Sawyer State Office Building,
555 E. Washington Avenue, Room #4412E, Las Vegas, Nevada

No member of the public appeared to testify at the workshop.

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:

One member of the public appeared to testify at the public hearing.

The number of persons who submitted written statements:

No written comment was submitted to the Board of Medical Examiners.

**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 thereunder applies to this portion of the informational statement as well.

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

The proposed regulation to provide that when an application for licensure is denied, reapplication may be denied for from one to three years 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 regulation on the medical profession:

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

The economic effect of the regulation 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