

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

**LCB File No. R081-05**

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 630.279.

A REGULATION relating to practitioners of respiratory care; increasing the number of members of the practitioner of respiratory care advisory committee; and providing other matters properly relating thereto.

**Section 1.** NAC 630.560 is hereby amended to read as follows:

630.560 1. The Board will appoint ~~three~~ *five* licensed practitioners of respiratory care to an advisory committee. These practitioners of respiratory care must have lived in and actively and continuously practiced in this State as practitioners of respiratory care for at least 3 years before their appointment.

2. The Board will give appointees to the advisory committee written notice of their appointment and terms of office and a written summary of any projects pending before the committee.

3. At the request of the Board, the advisory committee shall review and make recommendations to the Board concerning any matters relating to licensed practitioners of respiratory care.

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R081-05**

The Board of Medical Examiners adopted regulations assigned LCB File No. R081-05 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:**

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 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 there under applies to this portion of the informational statement as well.

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

The proposed regulation to increase in the membership of the Practitioners of Respiratory Care Advisory Committee from three to five members 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**