

**LCB File No. R081-05**

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

(This proposed regulation was previously adopted as T053-05)

**NOTICE OF WORKSHOP  
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS AND  
NOTICE OF HEARING  
FOR THE AMENDMENT OF REGULATIONS OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS**

**Workshop Notice:** The Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada 89502, is proposing the amendment of regulations pertaining to Chapter 630 of the Nevada Administrative Code. Two (2) Workshops have been set for the purpose of soliciting comments from interested persons on the adoption of the amendments of the regulations.

The first workshop will be conducted **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 at 1105 Terminal Way, Suite 301, Reno, Nevada.

The second workshop will be conducted **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.

**Action – Proposed amendments to two NAC Regulations**

1. Amendment to NAC 630.560(1), to increase the membership of the Practitioners of Respiratory Care Advisory Committee from three (3) to five (5) members.
2. Amendment to NAC 630.050(4), to provide that when an application for licensure is denied, reapplication may be denied for from one (1) to three (3) years.

**Public Hearing Notice:** The Nevada State Board of Medical Examiners will hold a **public hearing 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 at 1105 Terminal Way, Suite 301, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of Nevada Administrative Code Sections 630.560(1) and NAC 630.050(4). If no interested person, who is directly affected by the proposed action, appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

The proposed amendments are necessary to insure the competency of physicians, physician assistants and practitioners of respiratory care licensed by the Board.

The proposed changes to Chapter 630 of the Nevada Administrative Code are set out hereinafter.

- The proposed amendments are needed to ensure the competency of physicians, physician assistants and practitioners of respiratory care licensed to practice medicine and respiratory therapy in the State.
- The proposed amendments will not have a direct economic effect on the business of the practice of medicine or respiratory therapy or any other business or on the public.
- Enforcement of the proposed amendments will not result in an increased cost to the Nevada State Board of Medical Examiners.
- To the Board's knowledge, the proposed amendments do not overlap or duplicate the regulations of other State or local governmental agencies.
- The proposed amendments do not establish any new fees or increases to existing fees.
- The proposed amendments do not affect small businesses in any way.

Persons wishing to comment on the proposed action may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, P.O. Box 7238, Reno, Nevada 89510-7238. **Written submissions must be received by the Board on or before five (5) days prior to the date set for the public hearing.**

A copy of this notice and the regulations to be amended will be on file at the State Library, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be amended will be available at the offices of the Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada, and in all counties in which an office of the Board is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the regulations to be amended are also available 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>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against adoption.

This notice of hearing has been 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  
Reno Office of the Nevada State Board of Medical Examiners  
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

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

**AUTHORITY:       NRS 630.003, 630.130, 630.275 AND 233B.040**

NAC 630.560(1) is hereby amended to read as follows:

**NAC 630.560 Advisory Committee (NRS 630.130, 630.279)**

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.