

LCB File No. R081-06

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

NOTICE OF INTENT TO ACT UPON A REGULATION

**NOTICE OF HEARING FOR THE ADOPTION
AND AMENDMENT OF REGULATIONS OF
THE NEVADA STATE BOARD OF NURSING**

The Nevada State Board of Nursing will hold a public hearing at 9:00 a.m., on Wednesday, May 17, 2006, at the Palace Station Hotel & Casino, Grand Ballroom-2nd floor, 2411 West Sahara Avenue, Las Vegas, NV 89102. The purpose of the public hearing is to receive comments from all interested persons regarding the adoption and amendment of regulations that pertain to chapter 632 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603.

Amendment of Nevada Administrative Code 632.020 “Advanced practitioner of nursing” defined.

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amendment to NAC 632.020 will clarify which types of persons may be defined as an advanced practitioner of nursing.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The change of the regulation will benefit the nurses to be regulated and the public by providing clarification to the definition of advanced practitioner of nursing.

- (b) Both immediate and long-term effects.

This amendment in the definition will have immediate and long-term beneficial effects through the clarification of the definition of advanced practitioner of nursing.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.____ “Nurse midwife” defined.

1. The need for and the purpose of the proposed regulation or amendment.

This proposed regulation is needed to provide the nursing profession and the public with a definition of a Nurse Midwife.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The benefit will be a definition of the term Nurse Midwife.

(b) Both immediate and long-term effects.

The immediate and long-term beneficial effects of this regulation will be the knowledge and definition of what is a Nurse Midwife.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.059 “Immediate supervision” defined.

1. The need for and the purpose of the proposed regulation or amendment.

This proposed amendment is needed to provide the nursing profession and the public with a definition of immediate supervision. The change in the regulation is merely to remove the last two words of the existing regulation. Those last two words were found to be confusing and duplicative.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The change will benefit the regulated nurses and the public by providing clarity in the definition of the term “immediate supervision.”

- (b) Both immediate and long-term effects.

The immediate and long-term beneficial effect would be the clarity in the definition of the term “immediate supervision.”

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.062 “Nurse psychotherapist” defined.

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amendment would provide clarity in refining the definition of the term “nurse psychotherapist.” This proposed regulation change would add the term “at a minimum” thereby providing clarity on who could be a nurse psychotherapist.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The regulated nurses and the public will benefit through clarification of the term “nurse psychotherapist.”

(b) Both immediate and long-term effects.

The immediate and long-term beneficial effects of this regulatory change would be the through clarification of the term “nurse psychotherapist.”

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.072 “Protocol” defined.

1. The need for and the purpose of the proposed regulation or amendment.

The proposed regulation amendment is needed and the purpose is to provide further clarity on the term “protocol.” The only change would be to remove one word from the existing definition.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The regulated nurses and the public would benefit from this regulation change in the clarity of the definition of the term “protocol.”

- (b) Both immediate and long-term effects.

The immediate and long-term beneficial effect should be the clarity of the definition of the term “protocol.”

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.155 Application and examination.

1. The need for and the purpose of the proposed regulation or amendment.

The purpose of the proposed amendment is needed to remove obstacles for nurses to apply for licensure in the State of Nevada by applying on-line. The need for on-line application for licensure is to make the process quicker, safer and more cost effective for the Nevada State Board of Nursing. The only change to the existing regulation is to remove the requirement that a photograph be included in an application for licensure.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The benefit to the regulated nurses and the public would be a savings in not having to obtain a photograph for their application and also a savings in time and postage through the ability to apply for licensure on-line.

- (b) Both immediate and long-term effects.

The immediate and long-term beneficial effects would be the cost savings to the Nevada State Board of Nursing, and the savings to the applicants and the public in time and money spent on photographs for the applications for licensure.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

**Amendment of Nevada Administrative Code 632.167 Application for certification:
Submission to Board.**

1. The need for and the purpose of the proposed regulation or amendment.

The purpose of the proposed amendment is to remove obstacles for certified nursing assistants to apply for certification in the State of Nevada by applying on-line. The need for online application for certification is to make the process quicker, safer and more cost effective for the Nevada State Board of Nursing. The only change to the existing regulation is to remove the requirement that a photograph be included in an application for certification.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The benefit to the regulated certified nursing assistants and the public would be a savings in not having to obtain a photograph for their application and also a savings in time and postage through the ability to apply for certification on-line.

- (b) Both immediate and long-term effects.

The immediate and long-term beneficial effects would be the cost savings to the Nevada State Board of Nursing, and the savings to the applicants and the public in time and money spent on photographs for the applications for certification.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.170 Qualifications for license or certificate without examination.

1. The need for and the purpose of the proposed regulation or amendment.

The purpose of the proposed amendment is to remove obstacles for nurses to apply for licensure in the State of Nevada by applying on-line. The need for online application for licensure is to make the process quicker, safer and more cost effective for the Nevada State Board of Nursing. The only change to the existing regulation is to remove the requirement that a photograph be included in an application for licensure.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The benefit to the regulated nurses and the public would be a savings in not having to obtain a photograph for their application and also a savings in time and postage through the ability to apply for licensure on-line.

(b) Both immediate and long-term effects.

The immediate and long-term beneficial effects would be the cost savings to the Nevada State Board of Nursing, and the savings to the applicants and the public in time and money spent on photographs for the applications for licensure.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.175 Temporary license or certificate.

1. The need for and the purpose of the proposed regulation or amendment.

The need for this regulation amendment is to change the length of a time a temporary license is valid from 4 to 6 months. This amendment is needed because the Nevada State Board of Nursing requires all applicants to submit fingerprints to the Nevada State Department of Public Safety for examination and also for forwarding to the Federal Bureau of Investigation for review. Today, the length of time it takes for Nevada and the FBI to review the fingerprints often takes longer than four (4) months and occasionally takes longer than six (6) months. The purpose of this regulation amendment would be to let otherwise qualified nurses continue to practice while their fingerprints are being reviewed.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The regulated nurses and the public will benefit by allowing otherwise qualified nurses to practice in the State of Nevada while their fingerprints are being reviewed by the Nevada State Department of Public Safety and the Federal Bureau of Investigation.

- (b) Both immediate and long-term effects.

The immediate and long-term beneficial effect would be to allow otherwise qualified nurses to practice in the State of Nevada while their fingerprints are being reviewed by the Nevada State Department of Public Safety and the Federal Bureau of Investigation.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.192 Expiration and renewal of license or certificate.

1. The need for and the purpose of the proposed regulation or amendment.

The need for this regulation amendment is to change the length of a time a temporary license is valid from 4 to 6 months. This amendment is needed because the Nevada State Board of Nursing requires all applicants to submit fingerprints to the Nevada State Criminal History Depository for examination and also for forwarding to the Federal Bureau of Investigation for review. Today, the length of time it takes for Nevada and the

FBI to review the fingerprints often takes longer than four (4) months and occasionally takes longer than six (6) months. The purpose of this regulation amendment would be to let otherwise qualified nurses continue to practice while their fingerprints are being reviewed.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The regulated nurses and the public will benefit by allowing otherwise qualified nurses to practice in the State of Nevada while their fingerprints are being reviewed by the Nevada State Criminal History Repository and the Federal Bureau of Investigation.

(b) Both immediate and long-term effects.

The immediate and long-term beneficial effect would be to allow otherwise qualified nurses to practice in the State of Nevada while their fingerprints are being reviewed by the Nevada State Criminal History Repository and the Federal Bureau of Investigation.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.255 Scope of practice.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment will remove a task that is too specific and add a provision to allow APNs to perform practices which are taught to them by physicians or other APNs which are identified as being within their scope of practice in the Cumulative Index to Nursing and Allied Health Literature (CINAHL) that was most recently approved by the board.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the regulated nurses or public. This will benefit the regulated nurses and the public because the clarity provided by the amendment will allow the nurses to easily recognize their scope of practices.

(b) Both immediate and long-term effects.

The immediate and long-term effects are the same: greater clarity in scopes of practice result in greater protection for the public.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.2555 Requirements for protocol.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment better describes the ongoing nature of the collaborative relationship between the APN and the physician. The ongoing collaborative relationship is a more accurate and desirable relationship, rather than one that is documented only at the time of renewal.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect of the amendment of the regulation is to encourage and monitor the ongoing collaborative relationship rather than one that is documented only at the time of renewal.

- (b) Both immediate and long-term effects.

The immediate and long-term effects are the same: The beneficial effect of the amendment of the regulation is to encourage and monitor the ongoing collaborative relationship rather than one that is documented only at the time of renewal.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.256 Records.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment will replace the physician's review of a representative sample of an APN's records with a more comprehensive review of the APN's records based on a system of quality assurance.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The amendment will promote greater collaboration between the physician and the APN through a continuous system of review of records.

(b) Both immediate and long-term effects.

The immediate and long-term effects are the same: greater collaboration between the physician and the APN through a continuous system of review of records which will provide a comprehensive reporting of outcomes for review, rather than a “sample”.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.
This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code NAC 632.259 Controlled substances, poisons, dangerous drugs or devices that may be prescribed; review and revision of list of drugs.

1. The need for and the purpose of the proposed regulation or amendment.

In practice, medications are not listed individually in APN protocols, but rather referred to in terms of classes of drugs. Drug lists are no longer required due to the ongoing development of new drugs. The amendment will remove barriers and streamline the collaborative relationship between the physician and the APN.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect will be the removal of barriers and streamline the collaborative relationship between the physician and the APN.

(b) Both immediate and long-term effects.

The immediate and long-term effects are the same: The removal of barriers and streamline the collaborative relationship between the physician and the APN.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code NAC 632.260 Qualifications for certificate of recognition; practice by student.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment removes barriers to the processing of APN applications. When APNs apply to practice in the State of Nevada by endorsement, those applicants often have varied credentials, based upon the requirements of the state from which the applicant is applying. It has proven difficult for APN applicants to provide evidence of 3 out of 5 years of practice. By this amendment, Nevada will require an active license or certificate in the endorsing state, which means the applicant has met the continuing practice requirement in the state where they're coming from.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect will be the clarification and removal of barriers to the processing of APN applications.

- (b) Both immediate and long-term effects.

The immediate and long-term effects are the same: The clarification and removal of barriers to the processing of APN applications.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

**Amendment of Nevada Administrative Code 632.290 Certificate of recognition:
Expiration; renewal; reinstatement.**

1. The need for and the purpose of the proposed regulation or amendment.

The amendment simplifies the application process by not requiring the APN to go through the entire initial application process just because the APN let the certificate of recognition lapse.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect will be to simplify the application process by not requiring APNs to

go through the entire initial application process just because the APN let the certificate of recognition lapse.

(b) Both immediate and long-term effects.

The immediate and long-term effects are the same: To simplify the application process

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.291 Certificate of recognition: Requirements for renewal; issuance of temporary certificate.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment maintains the continuing education requirement for certificate renewal, but allows the APN to attest to certain assurances of the APN's ongoing competency. Attestation is subject to board audit. In addition, the amendment makes the renewal requirements equivalent to those APNs who are applying for licensure in Nevada through endorsement.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect would be making the renewal requirements equivalent to those APNs who are applying for licensure in Nevada through endorsement

- (b) Both immediate and long-term effects.

The immediate and long-term effects would be the same: Making the renewal requirements equivalent to those APNs who are applying for licensure in Nevada through endorsement

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.293 Application to renew practice after period of inactivity or infrequent activity.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment makes the practice requirement for APNs the same as for RNs—practice within the last five years. In addition, the revision gives the specific number of hours (800) that an APN must practice under supervision of a physician or another APN if the APN has not practiced in the previous five years.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect would be making the practice requirement for APNs the same as for RNs—practice within the last five years. In addition, the revision gives the specific number of hours (800) that an APN must practice under supervision of a physician or another APN if the APN has not practiced in the previous five years.

(b) Both immediate and long-term effects.

This will streamline the renewal application process for APNs.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.300 General requirements.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment will clarify the circumstances that the clinical nurse specialist must meet to seek recognition through a certificate of recognition by the board as an Advanced Practitioner of Nursing.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect would be to provide clarity to those Clinical Nurse Specialists who wish to be APNs.

- (b) Both immediate and long-term effects.

This will clarify for both new APNs and those seeking certification through endorsement from other jurisdictions.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.515 Qualifications for initial approval.

1. need for and the purpose of the proposed regulation or amendment.

The amendment will delete one word from the existing regulation. That word is notarized. The need for and the purpose of the proposed amendment would be the removal of the obligation that an applicant obtain a notary to witness an applicant's signature. No other applicant for licensure or certificate is required to submit a notarized signature on their application.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effects of the amendment would be to remove an unnecessary step to an applicant for a certificate.

(b) Both immediate and long-term effects.

The immediate and long-term effect would be to streamline the application process.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.530 Certificate of recognition: Issuance, restrictions.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment better describes the current standard of care.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect would be to better describe the current standard of care.

(b) Both immediate and long-term effects.

The revision will have no immediate or long-term effects.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

**Amendment of Nevada Administrative Code 632.540 Certificate of recognition:
Expiration; renewal.**

1. The need for and the purpose of the proposed regulation or amendment.

The amendment deletes a timeline, which is no longer applicable.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effect would be to delete a timeline that is no longer applicable.

- (b) Both immediate and long-term effects.

There are no immediate and long-term effects.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

**Amendment of Nevada Administrative Code 632.545 Certificate of recognition:
Expiration due to lapse in practice.**

1. The need for and the purpose of the proposed regulation or amendment.

The amendment simplifies the language related to when a certificate lapses and provides for a clear requirement for ongoing national certification of certified registered nurse anesthetists.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse or beneficial economic effects of this regulation on the businesses or public.

(b) Both immediate and long-term effects.

No immediate and long-term effects.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.746 Instruction in basic nursing skills.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment allows a certified nursing assistant to document the care given. It will better protect patients and the CNAs.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The beneficial effects of the regulation would be allowing a certified nursing assistant to document the care given, which would better protect patients and the CNAs.

- (b) Both immediate and long-term effects.

The immediate and long-term effects would be the same: The amendment to the regulation would allow a certified nursing assistant to document the care given, which would better protect patients and the CNAs.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.890 Unprofessional conduct.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment of this regulation is needed to include the testing of a person's hair to be included in the list of tests allowed to determine whether or not alcohol or a controlled substance or dangerous drug is present in the body of a nurse or nurse aide.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

- (a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The amendment will benefit everyone by allowing the air test to be used to determine whether a nurse has alcohol or a controlled substance or dangerous drug in her body.

- (b) Both immediate and long-term effects.

The immediate and long-term effect should be to provide another diagnostic tool in determining whether a nurse has alcohol or a controlled substance or dangerous drug in her body.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Amendment of Nevada Administrative Code 632.926 Actions by board; surrender of license.

1. The need for and the purpose of the proposed regulation or amendment.

The amendment of this regulation is needed to conform the regulation to the statute found at NRS 632.325(3), which prohibits private reprimands.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There will be no adverse economic effect of this regulation on the businesses or public. The amendment will benefit everyone by deleting a regulation that conflicts with statute.

(b) Both immediate and long-term effects.

The immediate and long-term effect should be clarity by deleting a regulation that conflicts with statute.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Nevada State Board of Nursing is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Nevada State Board of Nursing is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public workshop and hearing or may address their comments, data, views, or arguments in written form to the Nevada State Board of Nursing, 5011 Meadowood Mall Way, Suite 201,

Reno, Nevada 89502, or at the e-mail address: nursingboard@nsbn.state.nv.us. Written submissions must be received by the Board by Friday, May 12, 2006 at 5:00 p.m. If no 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.

A copy of this notice and the regulations to be adopted and amended will be on file at the State Library, 100 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 adopted and amended will be available in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. The text of each regulation will include the entire text of any section of the Nevada Administrative Code which is proposed for amendment or repeal. This notice and the text of the proposed regulation 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 of this notice and the proposed regulations 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 its adoption.

This notice of hearing has been posted at the following locations:

Nevada State Board of Nursing
5011 Meadowood Mall Way, Suite 201
Reno, Nevada
Washoe County

Nevada State Board of Nursing
2500 W. Sahara Ave., Suite 207
Las Vegas, Nevada
Clark County

State Library and Archives
100 North Stewart Street
Carson City, Nevada 89701

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Douglas County Library
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Eureka Branch Library
P.O. BOX 293
Eureka, NV 89316

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89404

Battle Mountain Library
(Lander County)
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
P.O. Box 330
Pioche, NV 89043

Mineral County Library
P.O. Box 1390
Hawthorne, NV 89415

Pershing County Library
P.O. Box 781
Lovelock, NV 89419

Goldfield Public Library
(Esmeralda County)
P.O. Box 430
Goldfield, NV 89013

White Pine County Library
Courthouse Plaza
Ely, NV 89301

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Ormsby Public Library
900 North Roop Street
Carson City, NV 89701

Storey County Library
P.O. Box 14
Virginia City, NV 89440

Tonopah Public Library
(Nye County)
P.O. Box 449
Tonopah, NV 89049

LCB File No. R081-06

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

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

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; defining the term “Advanced Practitioner of Nursing.”

Section 1. NAC 632.020 is hereby amended as follows:

NAC 632.020 “Advanced practitioner of nursing” defined.

“Advanced practitioner of nursing” means a registered professional nurse who has specialized skill, knowledge and experience obtained from an organized formal program of training and who is authorized in special conditions as set forth in NAC 632.255 to 632.295, inclusive, to provide designated services in addition to those which a registered nurse is authorized to perform. ~~¶The term includes a nurse midwife, a nurse psychotherapist, a nurse practitioner and a clinical nurse specialist.¶~~

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; defining the term “Nurse Midwife.”

Section 2. NAC 632.____ is hereby adopted as follows:

NAC 632.____ “Nurse midwife” defined.

“Nurse midwife” means a registered professional nurse who has completed an organized formal program of training in the area of pregnancy, childbirth, the post partum period, care of the newborn, and the family planning and gynecological needs of women.

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; defining the term “Immediate supervision.”

Section 3. NAC 632.059 is hereby amended as follows:

NAC 632.059 “Immediate supervision” defined.

“Immediate supervision” means the direction given by a supervisor of nurses who is physically present at the site where care is provided to a patient and directly observing or assisting in that care ~~[, or both]~~.

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; defining the term “Nurse psychotherapist.”

Section 4. NAC 632.062 is hereby amended as follows:

NAC 632.062 “Nurse psychotherapist” defined.

“Nurse psychotherapist” means a *registered professional* nurse who has, *at a minimum*, a master’s degree in psychiatric or mental health nursing, counseling, social work or psychology.

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; defining the term “Protocol.”

Section 5. NAC 632.072 is hereby amended as follows:

NAC 632.072 “Protocol” defined.

“Protocol” means the written directions for assessment and management of ~~[specified]~~ medical conditions that the advanced practitioner of nursing and collaborating physician have agreed upon as a basis for their practice.

AUTHORITY: NRS 632.120, 632.140, 632.270, 632.2852

A REGULATION relating to nursing; removing the requirement that nurses submit a photograph with their application, thereby allowing for on-line initial application for licensure.

Section 6. NAC 632.155 is hereby amended as follows:

NAC 632.155 Application and examination.

1. An application must be completed and filed in the office of the Board at least 4 months before the date of the examination.
2. The application must be accompanied by:
 - ~~[(a) A 2 inch by 2 inch photograph of the applicant taken within the preceding 2 years;]~~
 - ~~[(b)]~~ (a) A complete set of the applicant's fingerprints; and
 - ~~[(c)]~~ (b) The appropriate fee.
3. Examinations will be offered at least once a year at a time and place determined by the Board.
4. The candidate must write the first examination within 90 days after receiving authorization from the Board to write the examination.

AUTHORITY: NRS 632.120, 632.2852

A REGULATION relating to nursing; removing the requirement that certified nursing assistants submit a photograph with their application, thereby allowing for on-line initial application for licensure.

Section 7. NAC 632.167 is hereby amended as follows:

NAC 632.167 Application for certification: Submission to Board.

1. A trainee who receives an application for certification to practice as a nursing assistant must submit to the Board the completed application not later than 6 weeks before the date of the competency evaluation test for which he is applying.

2. The application must be accompanied by:

(a) A copy of a certificate or transcript received by the applicant upon the completion of an approved program.

~~[(b) A 2 inch by 2 inch photograph of himself taken within the preceding 2 years. The photograph may not be taken with a camera that produces pictures instantly.]~~

~~[(e)]~~ (b) The appropriate fee.

~~[(d)]~~ (c) A complete set of the applicant's fingerprints.

AUTHORITY: NRS 632.120, 632.140, 632.160, 632.270, 632.280, 632.2852

A REGULATION relating to nursing; removing the requirement that nurses submit a photograph with their application, thereby allowing for on-line initial application for licensure.

Section 8. NAC 632.170 is hereby amended as follows:

NAC 632.170 Qualifications for license or certificate without examination.

In addition to the requirements set forth in NAC 632.173, to be licensed without examination:

1. An applicant for a license to practice as a registered nurse must:

(a) Have completed a course of study in an accredited school of professional nursing. If the applicant graduated on or after January 1, 1952, he must have theory and clinical experience in medical-surgical nursing, maternal and child health nursing and mental health and psychiatric nursing.

(b) Hold a current license in good standing from another state or foreign country which was issued by a recognized legal agency.

(c) Submit to the Board:

(1) A completed application;

~~[(2) A 2 inch by 2 inch photograph of himself taken within the preceding 2 years;]~~

~~[(3)]~~ (2) A complete set of his fingerprints; and

~~[(4)]~~ (3) The appropriate fee.

2. An applicant for a license to practice as a licensed practical nurse must:

(a) Have graduated from high school or passed the general educational development test.

(b) Have completed a course of study in an accredited school of practical or vocational nursing. If the applicant graduated on or after January 1, 1952, he must have theory and clinical experience in medical-surgical nursing and maternal-child nursing, including mental health concepts.

(c) Hold a current license in good standing from another state or country which was issued by a recognized legal agency.

(d) Submit to the Board:

(1) A completed application;

~~[(2) A 2-inch by 2-inch photograph of himself taken within the preceding 2 years;]~~

~~[(3)]~~ (2) A complete set of his fingerprints; and

~~[(4)]~~ (3) The appropriate fee.

3. An applicant for certification to practice as a nursing assistant must:

(a) Submit to the Board ~~[-~~

~~—(1) A] a~~ completed application accompanied by a complete set of his fingerprints. ~~[-; and~~

~~—(2) A 2-inch by 2-inch photograph of himself taken within the preceding 2 years.]~~

(b) Request and confirm receipt by the Board of verification from the appropriate agency that he holds a current certificate to practice as a nursing assistant.

AUTHORITY: NRS 632.120, 632.300, 632.341

A REGULATION relating to nursing; extending the period of time that a temporary license or certificate is valid from 4 to 6 months because, occasionally, it is taking longer than 4 months for an applicants fingerprint results to return from the Nevada Department of Public Safety and the Federal Bureau of Investigation, thereby delaying the permanent licensure of an otherwise qualified nurse.

Section 9. NAC 632.175 is hereby amended as follows:

NAC 632.175 Temporary license or certificate.

1. A temporary license or certificate may be issued upon application for a period of ~~4~~ 6 months. The fee for a temporary license or certificate applies toward the fee for a permanent license or certificate.

2. A nurse or nursing assistant seeking renewal of his license or certificate may be issued a temporary license or certificate if he needs additional time to provide the Board with evidence that he is of good moral character and is free from physical or mental disability which would impair or interfere with his ability to perform in his area of practice safely and competently.

3. If it is determined that satisfactory proof of an applicant's ability to read, write and speak English as required by NAC 632.180 is not evident, no temporary license or certificate will be issued.

AUTHORITY: NRS 632.120, 632.341, 632.342

A REGULATION relating to nursing; extending the period of time that a temporary license or certificate is valid from 4 to 6 months to maintain consistency in only having one length of time a temporary license or certificate is valid.

Section 10. NAC 632.192 is hereby amended as follows:

NAC 632.192 Expiration and renewal of license or certificate.

1. Two months before the expiration of each license or certificate, the Board will mail to the person authorized to practice as a registered nurse, licensed practical nurse or nursing assistant,

at his address of record, a form to apply for the renewal of his license or certificate. The application for renewal must be received in the office of the Board on or before the end of the business day on which the authorization to practice expires.

2. The Board will find that the holder of the license or certificate has made sufficient application for renewal of the authorization to practice if:

(a) The application for renewal is:

(1) Truthful, accurate and complete, and made on the form supplied by the Board.

(2) Accompanied by payment of the required fee. If the fee is paid in a form other than cash, it must be made on an account with a sufficient amount of money for payment of the instrument.

(3) Accompanied by proof that the requirement of continuing education is met.

(4) Accompanied by a complete set of the applicant's fingerprints, if so required by the Board.

(5) Accompanied by proof that the licensee has satisfied the requirements of subsection 4, if the application is for renewal of a license and the licensee has not practiced nursing during the immediately preceding 5-year period.

(6) Accompanied by the documentation required pursuant to NAC 632.193, if the application is for the renewal of a certificate to practice as a nursing assistant.

(b) The applicant attests that he has committed no act which could subject his application to denial nor developed any condition which may interfere with his ability to practice in a safe and effective manner.

3. If an application does not meet the requirements of subsection 2, the staff of the Board will not renew the license or certificate. The applicant may apply for reinstatement, appear before the

Board, or both. If a timely application to appear before the Board is made, the staff may issue a temporary license or certificate which remains valid until the Board hears the case and makes a determination. If the license or certificate is not renewed because the applicant paid the required fee with an instrument written on an account with an insufficient amount of money for payment of the instrument, the staff may require the payment of a late fee and a fee to cover the administrative cost of handling the instrument.

4. An applicant for renewal of a license who has not practiced nursing during the immediately preceding 5-year period must complete a course or program approved by the Board if he has otherwise satisfied the requirements for renewal set forth in this chapter and chapter 632 of NRS. The Board may issue to the applicant a temporary license for not more than ~~4~~ 6 months after the date on which it was issued for the purpose of completing the course or program in which he is enrolled. Upon submission of evidence of completion of the course or program, the Board will issue to the applicant a permanent license if he has satisfied the requirements of subsection 2.

5. An original license or certificate is valid for the period from the date of issuance to the licensee's or certificate holder's second birthday after issuance. Thereafter each license or certificate will expire biennially on the licensee's or certificate holder's birthday. In a leap year the license or certificate of a licensee or certificate holder born on February 29 expires on February 28.

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the scope of practice of an Advanced Practitioner of Nursing.

Section 11. NAC 632.255 is hereby amended as follows:

NAC 632.255 Scope of practice.

An advanced practitioner of nursing may perform the following acts in addition to the ~~ordinary~~ functions of a registered nurse if he is properly prepared and the acts are currently within the standard of ~~medical~~ practice for his specialty and appear in his protocols:

1. Systematically assess the health status of persons and families by:

(a) Taking, recording and interpreting medical histories and performing physical examinations; and

(b) Performing or initiating selected diagnostic procedures.

2. Based on information obtained in the assessment of a person's health, manage the care of selected persons and families with common, acute, recurrent or long-term health problems.

Management may include:

(a) Initiation of a program of treatment;

(b) Evaluation of responses to health problems and programs of treatment;

(c) Informing a person or family of the status of the patient's health and alternatives for care;

(d) Evaluation of compliance with a program of treatment agreed upon by the person or family and the advanced practitioner of nursing;

(e) Modification of programs of treatment based on the response of the person or family to treatment;

(f) Referral to appropriate providers of health care; *and*

(g) ~~Treatment of minor lacerations which do not involve damage to a nerve, tendon or major blood vessel; and~~

~~(h)~~ Commencement of care required to stabilize a patient's condition in an emergency until a physician can be consulted.

3. Any other act if:

(a) The advanced practitioner of nursing is certified to perform that act by an organization recognized by the Board;

(b) The performance of the act was taught in the program of education attended by the advanced practitioner of nursing;

(c) The performance of the act was taught in a comprehensive program of instruction successfully completed by the advanced practitioner of nursing, which included clinical experience; ~~or~~

(d) The act is within the scope of practice of an advanced practitioner of nursing as determined by the Board; *or*

(e) The advanced practitioner of nursing is trained to perform that act by a physician or another advanced practitioner of nursing and the act is within the scope of practice for advanced practitioners of nursing as described in the Cumulative Index to Nursing and Allied Health Literature that was most recently approved by the board.

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the required elements of a protocol established between a physician and an Advanced Practitioner of Nursing.

Section 12. NAC 632.2555 is hereby amended as follows:

NAC 632.2555 Requirements for protocol.

1. A protocol must *reflect the ongoing collaborative relationship between the advanced practitioner of nursing and the physician, and:*

(a) Reflect the current practice of the advanced practitioner of nursing;

(b) Reflect established national or customary standards for his medical specialty;

- (c) Be maintained at the place of his practice; and
- (d) Be available for review by the Board.

~~[2. A comprehensive review and revision of the protocols of an advanced practitioner of nursing must be conducted and documented by the advanced practitioner and the collaborating physician at the time of renewal].~~

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the system of review of the records required to be maintained by the advanced practitioner of nursing for and with the physician.

Section 12. NAC 632.256 is hereby amended as follows:

NAC 632.256 Records.

1. An advanced practitioner of nursing shall maintain accurate records documenting all physical findings concerning a patient, the diagnosis and treatment, and any prescriptions written for a patient for whom he provides care.

2. ~~[A representative sample of these records must be reviewed by the collaborating physician for compliance with the protocols of the advanced practitioner of nursing.]~~ *A system of quality assurance must be in place and set forth in protocols.*

3. All the records must be available for review by the Board. Any review will be conducted in accordance with the laws relating to the confidentiality of medical records.

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the controlled substances, poisons, dangerous drugs and devices that an advanced practitioner of nursing may prescribe.

Section 13. NAC 632.259 is hereby amended as follows:

NAC 632.259 Controlled substances, poisons, dangerous drugs or devices that may be prescribed; review and revision of list of drugs.

~~[1.] An advanced practitioner of nursing may only prescribe controlled substances, poisons, dangerous drugs or devices which are~~

~~—(a) C] currently within the standard of medical practice in his identified medical specialty. [;~~
~~and~~

~~—(b) Listed in his protocols.~~

~~—2. The collaborating physician must approve, in writing, any change in the list of controlled substances, poisons, dangerous drugs or devices in the protocol. He may approve the change only if the advanced practitioner of nursing is capable of safely prescribing the controlled substance, poison, dangerous drug or device.~~

~~—3. A comprehensive review and revision of the list of drugs must be conducted and documented by the advanced practitioner of nursing and the collaborating physician at least once each year.]~~

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the required elements for an application for a certificate of recognition as an advanced practitioner of nursing submitted by a person who is already has a certificate of recognition in another state.

Section 14. NAC 632.260 is hereby amended as follows:

NAC 632.260 Qualifications for certificate of recognition; practice by student.

1. An applicant for a certificate of recognition as an advanced practitioner of nursing must:

(a) Have completed a program designed to prepare an advanced practitioner of nursing which must:

(1) Be at least 1 academic year in length, including at least 4 months of instruction in the classroom and clinical experience with a qualified physician or advanced practitioner of nursing;

(2) Be accredited or approved by an organization approved by the Board to accredit or approve those programs;

(3) Include an advanced course in the following areas of study:

(I) The assessment of the health of patients;

(II) Pathophysiology; and

(III) The preparation for practice as an advanced practitioner of nursing;

(4) Include a concentration of courses in at least one medical specialty;

(5) Include clinical experience that requires the student to integrate the knowledge and skills that are taught in the program and emphasizes the medical specialty chosen by the student; and

(6) Include training in making clinical decisions, including, but not limited to, diagnosing medical conditions and providing appropriate medical care.

(b) ~~[Except as otherwise provided in this paragraph, present to the Board evidence of continuous practice in 3 of the 5 years immediately preceding the date of the application as an advanced practitioner of nursing in the specialty for which certification is requested. The continuous practice must include 400 hours of practice per year. An applicant is not required to comply with the provisions of this paragraph if:]~~ ***Present evidence to the Board that:***

(1) Within ~~[a time]~~ ***two years*** before the date of his application which is specified by the Board, he completed a program to prepare an advanced practitioner of nursing; or

(2) He presents evidence to the Board that he will complete 1,000 hours of practice, without the privilege of writing prescriptions, under the supervision of a qualified physician or certified advanced practitioner of nursing, within a time specified by the Board.

(c) If previously licensed or certified as an advanced practitioner of nursing in another state or jurisdiction, have maintained the licensure or certification in good standing and complied with the requirements for continuing education of that state or jurisdiction.

(d) If the applicant completes a program designed to prepare an advanced practitioner of nursing on or after July 1, 1992:

(1) Be certified as an advanced practitioner of nursing by a nationally recognized certification agency; or

(2) Hold a bachelor's degree in nursing from an accredited school.

(e) If the applicant completes a program designed to prepare an advanced practitioner of nursing on or after June 1, 2005, hold a master's degree in nursing or in a related health field approved by the Board.

2. A student enrolled in a formal educational program for an advanced practitioner of nursing may perform the functions of an advanced practitioner of nursing, except writing prescriptions, if he does so under the supervision of a licensed physician or a certified advanced practitioner of nursing. The student:

(a) Must hold a license as a registered nurse in this State; and

(b) Shall notify the Board in writing of the agreement concerning the practice between the student and the supervisor.

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the system for renewal of certificate issued to be an advanced practitioner or nursing.

Section 15. NAC 632.290 is hereby amended as follows:

NAC 632.290 Certificate of recognition: Expiration; renewal; reinstatement.

1. The certificate issued to an advanced practitioner of nursing expires at the same time as a license for a registered nurse.

2. An advanced practitioner of nursing may renew his certificate by *renewing his license, submitting the information required to renew a certificate, and the fee for renewal of the certificate.* †:

~~(a) Renewing his license as a registered nurse, ; and~~

~~—(b) Submitting documentation of maintenance and improvement of his skills by a statement from the collaborating physician or by peer review.~~

~~—3. To reinstate a certificate of recognition which has expired because the fee for renewal has not been paid, the applicant must submit:~~

~~—(a) The information required for an original application for a certificate on forms provided by the Board and submit the fee required;~~

~~—(b) The information required to renew a certificate; and~~

~~—(c) The fee for renewal.]~~

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the system for renewal of certificate to be an advanced practitioner of nursing.

Section 16. NAC 632.291 is hereby amended as follows:

NAC 632.291 Certificate of recognition: Requirements for renewal; issuance of temporary certificate.

When he renews his certificate, an advanced practitioner of nursing must submit, on forms supplied by the Board:

1. ~~[Proof that he has reviewed the protocols with the collaborating physician.~~

~~—2. Proof that he has practiced a minimum of 800 hours in his area of specialization.~~

~~3.~~ *An Attestation* ~~[statement]~~ that:

- (a) He has not been named as a defendant in any malpractice suits; and
- (b) He has never had his clinical privileges limited, suspended or revoked.

If an advanced practitioner of nursing *attests in the affirmative to either sub-paragraph (a) or (b) above* ~~[answers yes to these questions]~~, a temporary certificate may be issued until the next Board meeting.

~~4.~~ 2. Proof that he has completed satisfactorily 45 hours of continuing education directly related to his area of specialization which may include the requirements for continuing education for renewal of a license for a registered nurse.

~~5.~~ 3. Any other information required by the Board.

AUTHORITY: NRS 632.120, 632.237

A REGULATION relating to nursing; clarifying the system of renewal of certificate to be an advanced practitioner of nursing when the advanced practitioner of nursing has been inactive for an extended period of time.

Section 17. NAC 632.293 is hereby amended as follows:

NAC 632.293 Application to renew practice after period of inactivity or infrequent activity.

If an advanced practitioner of nursing has not engaged in at least 800 hours of ~~[active]~~ practice during the previous ~~2]~~ 5 years, or wishes to return from inactive to active status, he must submit to the Board an application to renew his practice which includes evidence that:

- 1. He has satisfactorily completed the continuing education required for that period; and
- 2. He has entered into an agreement with a collaborating physician or an advanced practitioner of nursing who is in the same medical specialty which provides that the practice of

the applicant will be closely supervised by that physician or advanced practitioner of nursing *for a period of 800 hours.*

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; clarifying the requirements for a clinical nurse specialist to be an advanced practitioner of nursing.

Section 18. NAC 632.300 is hereby amended as follows:

NAC 632.300 General requirements.

1. A nurse using the title “clinical nurse specialist” must:
 - (a) Be licensed to practice nursing as a registered nurse in this State;
 - (b) Have a master’s or doctorate degree in nursing; and
 - (c) Be educated in an area of clinical specialty by completing a program designed to prepare clinical nurse specialists.
2. A nurse using the title “clinical nurse specialist” shall present his credentials to any client, employer or representative of the Board upon request.
3. *A clinical nurse specialist may seek recognition as an advanced practitioner of nursing if he meets the requirements for a certificate of recognition by the board pursuant to NAC 632.260 and 632.300.*

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; deleting the requirement that an applicant to be a registered nurse anesthetist have their signature notarized on the application.

Section 19. NAC 632.515 is hereby amended as follows:

NAC 632.515 Qualifications for initial approval.

1. An applicant for initial approval as a certified registered nurse anesthetist must:

- (a) Hold a current license in Nevada in good standing as a registered nurse;
- (b) Submit to the Board evidence of successful completion of a program for training as a nurse anesthetist that has been accredited by a national organization recognized by the Board;
- (c) Submit *an [notarized]* application, on forms supplied by the Board, which substantiates that the applicant meets the requirements of this section and chapter 632 of NRS;
- (d) Submit evidence that he has passed an examination for initial certification and evidence that he is currently certified by a nationally organized group recognized by the Board.

2. In addition to the requirements of subsection 1, any applicant who is a graduate of a program for training as a nurse anesthetist, after:

- (a) June 1, 1988, must submit evidence that he has received a baccalaureate degree in nursing;
- or
- (b) June 1, 2005, must submit evidence that he has received a master's degree in nursing or anesthetic care.

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; clarifying the language that allows certified registered nurse anesthetist's to administer certain types of anesthetics.

Section 20. NAC 632.530 is hereby amended as follows:

NAC 632.530 Certificate of recognition: Issuance; restrictions.

If the Board finds that the applicant has met all the appropriate requirements set forth in NAC 632.500 to 632.550, inclusive, he will be issued a certificate of recognition as a certified registered nurse anesthetist. The certificate may be restricted to administering certain types of anesthetics or to general, regional, *monitored anesthesia care*, or local anesthesia, or any combination thereof.

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; clarifying the requirements for renewal of a certificate to practice as a certified registered nurse anesthetist.

Section 22. NAC 632.540 is hereby amended as follows:

NAC 632.540 Certificate of recognition: Expiration; renewal.

1. A certificate of recognition as a certified registered nurse anesthetist expires biennially upon expiration of the holder's license as a registered nurse.

2. A certificate of recognition as a certified registered nurse anesthetist will be renewed upon:

(a) Submission of evidence of the renewal of a current license as a registered nurse in Nevada;

(b) Submission of evidence of current certification as a nurse anesthetist from the Council on Certification of Nurse Anesthetists or the Council on Recertification of Nurse Anesthetists; and

(c) Except as otherwise provided in subsection 3, documentation of 45 contact hours of continuing education related to practice as a nurse anesthetist, 15 hours of which must concern pharmacology in relation to the practice as an anesthetist.

3. If the national recertification occurs within 1 year before the nurse anesthetist's birthday, the Board will consider it sufficient evidence of:

(a) The successful completion of 40 contact hours of continuing education related to practice as a nurse anesthetist; and

(b) Validation of his professional practice during the previous 2 years.

~~[4. Each nurse anesthetist shall submit the application for renewal not later than 60 days after the expiration of the certificate.]~~

AUTHORITY: NRS 632.120

A REGULATION relating to nursing; clarifying the requirement for renewal of a certificate as a certified registered nurse anesthetist and the requirement of continued national certification.

Section 22. NAC 632.545 is hereby amended as follows:

NAC 632.545 Certificate of recognition: Expiration due to lapse in practice.

~~[1.]~~ A certificate of recognition as a certified registered nurse anesthetist expires automatically whenever there is a lapse in ~~[practice of at least 1 year.]~~ *his national certification.*

~~[2. If the lapse of practice is for more than 1 year and less than 3 years, before recertification, the Board will require evidence of the successful completion of procedures identified in accordance with applicable policies and procedures regarding the administration of anesthetics while under the supervision of a certified registered nurse anesthetist approved by the Board.~~

~~— 3. If the lapse of practice is for 3 years, but less than 5 years, before recertification the Board will require, in addition to a program of supervision pursuant to subsection 2, evidence of additional education by the nurse anesthetist applying for certification, as it finds appropriate.~~

~~— 4. If the lapse of practice is more than 5 years, the nurse anesthetist must, before recertification, provide evidence to the Board of the completion of the requirements for initial certification set forth in NAC 632.515.~~

~~— 5. As used in this section, a lapse in practice occurs when a certified registered nurse anesthetist has not, within a certain period, administered any of the types of anesthetics approved by the Board.]~~

AUTHORITY: NRS 632.120, 632.2856

A REGULATION relating to nursing; clarifying the types of training that must occur in nurse assistant training programs to produce qualified nurse aides.

Section 23. NAC 632.746 is hereby amended as follows:

NAC 632.746 Instruction in basic nursing skills.

Units of instruction in basic nursing skills must include instruction in the classroom and clinical practice in:

1. Assisting in the care of the patient when death is imminent.
2. Taking and recording vital signs.
3. Measuring and recording height and weight.
4. Caring for the environment of the patient.
5. Measuring and recording the intake and output of fluids and food.
6. *Observes, reports and records changes in condition, abnormal signs and symptoms.*

~~[Observing and reporting signs and symptoms, such as shortness of breath, rapid respiration, fever, coughs, chills, pains in the chest, lips which are blue, pain in the abdomen, nausea, vomiting, drowsiness, excessive thirst, sweating, pus, blood or sediment in a patient's urine, difficulty urinating, frequent urination in small amounts, pain or burning when urinating or urine with a dark color or strong odor.]~~

7. Procedures for noninvasive elimination, including:
 - (a) The care of the external part of the catheter;
 - (b) Emptying the drainage bag for the catheter;
 - (c) Perineal care of the bladder and the bowel;
 - (d) Cleansing enema; and
 - (e) The external care of an established colostomy.
8. The collection of specimens (stool and urine).
9. The application of unsterile warm and cold.
10. *Reports and records incidents.*

11. Reports and records patient care provided.

AUTHORITY: NRS 632.120, 632.320

A REGULATION relating to nursing; adding (to sections 10 and 11) to the regulatory language the admission of a test of a person's hair to serve as a basis for unprofessional conduct, if the hair test is positive for alcohol or a controlled substance or a dangerous drug.

Section 24. NAC 632.890 is hereby amended as follows:

NAC 632.890 Unprofessional conduct.

The Board will consider the following acts, among others, by a licensee or holder of a certificate as unprofessional conduct:

1. Discriminating on the basis of race, religious creed, color, national origin, age, disability, ancestry or sex in the rendering of nursing services.
2. Performing acts beyond the scope of the practice of nursing.
3. Assuming duties and responsibilities within the practice of nursing without adequate training.
4. Assuming duties and responsibilities within the practice of nursing if competency is not maintained, or the standards of competence are not satisfied, or both.
5. Disclosing the contents of the examination for licensure or certification, or soliciting, accepting or compiling information regarding the contents of the examination before, during or after its administration.
6. Assigning or delegating functions, tasks or responsibilities of licensed or certified persons to unqualified persons.
7. Failing to supervise a person to whom functions of nursing are delegated or assigned, if responsible for supervising that person.

8. Failing to safeguard a patient from the incompetent, abusive or illegal practice of any person.

9. Practicing nursing while, with or without good cause, his physical, mental or emotional condition impairs his ability to act in a manner consistent with established or customary nursing standards, or both.

10. Practicing nursing, if any amount of alcohol or a controlled substance or dangerous drug that is not legally prescribed is present in the body of the nurse or nursing assistant as determined by a test of the blood, saliva, breath, *hair* or urine of the nurse or nursing assistant given while the nurse or nursing assistant is on duty.

11. Having present in the body of the nurse or nursing assistant, alcohol or a controlled substance or dangerous drug that is not legally prescribed during a test of the blood, saliva, breath, *hair* or urine of the nurse or nursing assistant given as a condition of employment.

12. Failing to respect and maintain a patient's right to privacy.

13. Violating a patient's confidentiality.

14. Performing or offering to perform the functions of a licensee or holder of a certificate by false representation or under a false or an assumed name.

15. Failing to report the gross negligence of a licensee or holder of a certificate in the performance of his duties or a violation of the provisions of chapter 632 of NRS or this chapter.

16. Failing to document properly the administration of a controlled substance, including, but not limited to:

(a) Failing to document the administration of a controlled substance on the Controlled Substance Administration Record, the patient's Medication Administration Record and the Nursing Progress Notes, including the patient's response to the medication;

(b) Documenting as wastage a controlled substance and taking that controlled substance for personal or other use;

(c) Failing to document the wastage of a controlled substance that was not legally administered to a patient;

(d) Soliciting the signature on any record of a person as a witness to the wastage of a controlled substance when that person did not witness the wastage; or

(e) Signing any record as a witness attesting to the wastage of a controlled substance which he did not actually witness.

17. Soliciting services or soliciting or borrowing money, materials or other property, or any combination thereof, from a:

(a) Patient;

(b) Family member of a patient;

(c) Person with significant personal ties to a patient, whether or not related by blood; or

(d) Legal representative of a patient.

18. Diverting supplies, equipment or drugs for personal or unauthorized use.

19. Aiding, abetting or assisting any person in performing any acts prohibited by law.

20. Inaccurate recording, falsifying or otherwise altering or destroying records.

21. Obtaining, possessing, furnishing or administering prescription drugs to any person, including himself, except as directed by a person authorized by law to prescribe drugs.

22. Leaving an assignment without properly notifying the appropriate personnel or abandoning a patient in need of care.

23. Exploiting a patient for financial gain or offering, giving, soliciting or receiving fees or gifts for the referral of a:

- (a) Patient;
- (b) Family member of a patient;
- (c) Person with significant personal ties to a patient, whether or not related by blood; or
- (d) Legal representative of a patient.

24. Failing to collaborate with other members of a health care team as necessary to meet the health needs of a patient.

25. Failing to observe the conditions, signs and symptoms of a patient, to record the information or to report significant changes to the appropriate persons.

26. Failing to abide by any state or federal statute or regulation relating to the practice of nursing.

27. Failing to perform nursing functions in a manner consistent with established or customary standards.

28. Causing a patient physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

29. Engaging in sexual contact with a patient or client.

30. Failing as a chief nurse to:

(a) Institute standards of nursing practice so that safe and effective nursing care is provided to patients;

(b) Institute standards of competent organizational management and management of human resources so that safe and effective nursing care is provided to patients; or

(c) Create a safe and effective environment, including the failure to assess the knowledge, skills and ability of a licensee or holder of a certificate and determine his competence to carry out the requirements of his job.

31. Failing to report the unauthorized practice of nursing.
32. Endangering the safety of the general public, patients, clients or coworkers by making actual or implied threats of violence or carrying out an act of violence.
33. Abusing or neglecting a patient.
34. Misappropriating the property of a patient.
35. Failing to comply with a condition, limitation or restriction which has been placed on his license or certificate.
36. Engaging in the practice of nursing or performing the services of a nursing assistant without a license or certificate issued pursuant to the provisions of this chapter and chapter 632 of NRS.
37. Displaying a license, certificate, diploma or permit, or a copy of a license, certificate, diploma or permit, which has been fraudulently purchased, issued, counterfeited or materially altered.
38. Engaging in any other unprofessional conduct with a patient or client that the Board determines is outside the professional boundaries generally considered acceptable in the profession.

AUTHORITY: NRS 632.120, 632.320, 632.325

A REGULATION relating to nursing; deleting the regulatory language that allows a private reprimand, when the Nevada Revised Statute that prohibits such types of discipline was recently enacted.

Section 25. NAC 632.926 is hereby amended as follows:

NAC 632.926 Actions by Board; surrender of license.

1. Based on the evidence presented at the hearing, the Board will do one of the following:
 - (a) Dismiss the complaint.

- (b) Reprimand the licensee or holder of a certificate.
- (c) Deny licensure or certification.
- (d) Deny renewal or reissuance of a license or certificate.
- (e) Impose and collect an administrative fine.
- (f) Accept the voluntary surrender of the license or certificate in lieu of imposing any other disciplinary action set forth in this section.
- (g) Suspend the license or certificate and order its surrender.
- (h) Revoke the license or certificate and order its surrender.
- (i) Enter an order of suspension or revocation but stay the order for good cause subject to probation of a designated period and issue a restricted license.
- (j) ~~Issue a private reprimand or letter of concern.~~
- ~~(k)~~ Take any other action deemed appropriate by the Board.

2. If the Board accepts the voluntary surrender or orders a suspension or revocation of a license or certificate, the licensee or holder of a certificate must physically surrender his license or certificate to the Board on or before the date the order is effective.