

LCB File No. R042-08

PROPOSED REGULATION OF THE STATE BOARD OF ORIENTAL MEDICINE

(NOTE: The provisions of this regulation were split out from
LCB File No. R193-07 (§§3, 6 and 7 of the LCB Draft))

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

AUTHORITY: §§3 and 6, NRS 634A.070; §7, NRS 634A.070 and 634A.120.

A REGULATION relating to Oriental medicine; revising provisions governing licensing of persons who practice Oriental medicine; and providing other matters properly relating thereto.

Sec. 1. NAC 634A.080 is hereby amended to read as follows:

634A.080 1. An applicant for a license to practice Oriental medicine must submit, together with his application, evidence that he has successfully completed an accredited 4-year program of study, or its equivalent ~~[]~~ *in hours of instruction*, in Oriental medicine at a school or college of Oriental medicine which is *currently* approved by the Board.

2. If the application is submitted pursuant to subsection 1 of NRS 634A.140, the applicant must submit evidence showing that he has earned a bachelor's degree from an accredited college or university in the United States.

3. If the application is submitted pursuant to subsection 2 of NRS 634A.140, the applicant must submit evidence that he has lawfully practiced Oriental medicine in another state or foreign country for at least 4 years.

4. For the purposes of subsection 1, the Board may approve an accredited 4-year program of study, or its equivalent ~~[]~~ *in hours of instruction*, in Oriental medicine at a school or college of Oriental medicine if the Board finds that:

(a) The program of study includes *, without limitation, at least the following number of hours of training or instruction in the following subjects* ~~[of acupuncture, moxibustion, herbology, Oriental physiology, Oriental pathology, Oriental diagnosis, tuina, biology, physics, chemistry, biochemistry, anatomy, Western physiology, Western pathology, Western diagnosis, pharmacology, laboratory and radiology; and]~~ :

- (1) *Three hundred and eighty hours in acupuncture;*
- (2) *One hundred and twenty hours in classical Oriental medicine;*
- (3) *One hundred and twenty hours in herbal prescription;*
- (4) *One hundred and sixty hours in herbology;*
- (5) *Eighty hours in human anatomy;*
- (6) *One hundred and sixty hours in internal medicine;*
- (7) *Eighty hours in Oriental medical diagnosis;*
- (8) *Forty hours in Oriental medical principles;*
- (9) *Eighty hours in pathology;*
- (10) *Forty hours in pharmacology;*

- (11) Five hundred and forty hours in Western medical sciences;*
- (12) Three hundred clinical hours; and*
- (13) Seven hundred hours in elective courses.*

(b) The program of study:

(1) Required the completion of at least 2,800 hours of instruction, including not less than 2,500 didactic hours ~~[]~~ *and 300 clinical hours*, for a student to have graduated before November 25, 2002; ~~[or]~~

(2) Requires the completion of at least 3,000 hours of instruction, including not less than 2,500 didactic hours ~~[]~~ *and 500 clinical hours*, for a student to graduate on or after November 25, 2002 ~~[]~~, *but before November 25, 2010; or*

(3) Requires the completion of at least 4,000 hours of instruction, including not less than 2,800 didactic hours and 1,200 clinical hours, for a student to graduate on or after November 25, 2010.

5. *A program of study that includes training or instruction in which the delivery method includes distance education courses offered through video, interactive video or the Internet is subject to approval by the Board.*

6. For the purposes of subsections 2 and 3, evidence that the applicant is qualified for licensure as a doctor of Oriental medicine must include certified copies of any diplomas, transcripts, licenses and certificates issued to the applicant. If possible, all certified copies of official diplomas, transcripts, licenses or certificates must be forwarded directly to the Executive Director from the issuing entity rather than from the applicant.

Sec. 2. NAC 634A.095 is hereby amended to read as follows:

634A.095 1. Except as otherwise provided in subsection 2, an applicant for a license to practice Oriental medicine must:

(a) Before taking the practical examination, pass ~~[the]~~ :

(1) The Test of English as a Foreign Language with a score of at least ~~[550; and] 500;~~

(2) The Michigan Test of English Language Proficiency with a score of at least 76; or

(3) A test of general education development.

(b) At the time of the practical examination, demonstrate a reasonable proficiency in the English language through an oral interview.

2. Subsection 1 does not apply to an applicant who graduated from a high school or college in the United States.

Sec. 3. NAC 634A.100 is hereby amended to read as follows:

634A.100 1. The practical examination will be given in June and December of each year. An applicant may not take the practical examination unless the applicant has first passed the examinations required pursuant to NAC 634A.085. The Executive Director shall notify an applicant of the time and place of the practical examination not later than 20 days before the date on which the practical examination is scheduled.

2. During the practical examination, only the testing consultant and the applicants will be allowed in the examination rooms.

3. Various sections of the practical examination may be given in written, oral or demonstrative form.

4. As a part of any practical examination, the Board may examine an applicant as to his basic knowledge of the ~~following subjects:~~ *subjects included within any one or more of the following four sections of the examination:*

(a) *The first section may cover:*

(1) Needling. The Board may require a demonstration of needling on a patient or on the applicant himself.

~~[(b)]~~ (2) Skills pertaining to ~~sterilization-~~
~~—(c)]~~ *the clean needle technique.*

(3) Skills pertaining to the use of herbs.

~~[(d) Basic]~~

(b) *The second section may cover* medical science concerning anatomy, physiology, pathology, biochemistry, bacteriology and communicable diseases.

~~[(e) Applicable]~~

(c) *The third section may cover* laws and regulations pertaining to health and safety.

~~[(f) Use]~~

(d) *The fourth section may cover use* of the English language, as described in NAC 634A.095.

5. Each applicant ~~shall~~ *must* take the practical examination in the English language.

6. ~~[An]~~ *Except as otherwise provided in NRS 622.090, an* applicant must receive ~~an overall]~~ *a* score of ~~[75]~~ *at least 70* percent on ~~[the practical examination and 60 percent on all of its sections or subparts to pass]~~ *each section of* the practical examination ~~[.]~~ *to pass.*