

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066

LCB FILE R067-17

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 640A.

1. A clear and concise explanation of the need for the adopted regulation.

The need for the adopted regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent occupational therapists and occupational therapy assistants are licensed in the state.

The purpose of the adopted regulation is to provide clarity for the public, individuals and licensees through regulations.

The adopted regulation revises certain provisions relating to the licensing of occupational therapists and occupational therapy assistants; revises provisions relating to continuing education requirements for occupational therapists and occupational therapy assistants; revises provisions relating to payments made to the Board of Occupational Therapy; and providing other matters properly relating thereto.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Copies of the proposed regulation, notice of workshop and notice of intent to act upon the regulation were sent by e-mail and U.S. mail to persons who were known to have an interest in occupational therapy as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Board of Occupational Therapy, www.nvot.org, mailed to all county libraries in Nevada and posted at the following locations:

Board of Occupational Therapy, Administrative Office
6160 Mae Anne Ave., Suite 3, Reno, Nevada 89523
Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701
Office of the Attorney General, 5420 Kietzke Lane, Ste 202, Reno, Nevada 89511
Office of the Attorney General, Grant Sawyer State Office Building,
555 E. Washington Avenue #3900, Las Vegas, Nevada 89101
Washoe County Court House, 75 Court Street, Reno, Nevada 89520
Washoe County Clerk, 1001 E. 9th St. Bldg A, P.O. Box 30083, Reno, Nevada 89502

A Workshop was held to solicit comments on the proposed regulations on **August 12, 2017**. There were five (5) individuals from the public in attendance at the workshop, and one (1) written comment was received. Thereafter, on or about **February 20, 2018** a Notice of Intent to Act Upon Regulations was issued.

A Public Hearing was held on **March 24, 2018**. There were three (3) written comments received and there were twenty-four (24) interested parties in attendance; eleven (11) individuals provided oral comments at the Public Hearing.

A copy of this summary of the public response to the adopted regulations may be obtain from the Board of Occupational Therapy, P.O. Box 34779, Reno, Nevada 89533-4779, 775-746-4101, or email to board@nvot.org .

3. The number of persons who:

(a)	Attended each workshop:	Las Vegas, August 12, 2017	5
(b)	Attended public hearing:	Las Vegas, March 24, 2018	24
(c)	Testified at hearing:	March 24, 2018	11
(d)	Submitted written comments:		3

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name; SEE ATTACHED LISTING
- (b) Telephone number;
- (c) Business address;
- (d) Business telephone number;
- (e) Electronic mail address;
- (f) Name of entity or organization represented.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. No comments were received from businesses.

A copy of this summary of the public response to the adopted regulations may be obtain from the Board of Occupational Therapy, P.O. Box 34779, Reno, Nevada 89533-4779, 775-746-4101, or email to board@nvot.org.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Board of Occupational Therapy adopted the regulation on **March 24, 2018**. Public Comments received at the public workshop and public hearing where considered and revisions were made and adopted in the regulation.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and
- (b) Both immediate and long-term effects.

- (a) Both adverse and beneficial effects

There will be **no adverse economic effect of these adopted regulations** on the businesses which it is to regulate (occupational therapists and occupational therapy assistants) or the public. The adopted regulations will benefit the occupational therapy practitioners and the public by providing clarifications to the regulations.

(b) Both immediate and long-term effects.

Immediate effect will be improved administration through clarification of existing law and regulatory requirements. Long-term effect will be clarity and consistency in regulation and licensing of occupational therapy practitioners in Nevada.

8. The estimated cost to the agency for enforcement of the adopted regulations.

There are no additional costs involved in the enforcement of these adopted regulations.

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

The Board of Occupational Therapy is not aware of any similar regulations of other state or government agencies that the adopted regulations overlap or duplicate.

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

The Board of Occupational Therapy is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not provide for any new or increased fees. The regulation does revise the term of a standard license to 2 years, effectively decreasing renewal fees for licensees as a result.

ATTACHMENT - LISTING OF ATTENDEES

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name;**
- (b) Telephone number;**
- (c) Business address;**
- (d) Business telephone number;**
- (e) Electronic mail address;**
- (f) Name of entity or organization represented.**

PIMA Medical Institute, Occupational Therapy Assistant Program:

Heather Johnson, Occupational Therapist	OTA Program Director
John Whalen, COTA/L	Instructor
Kim Rieck, Occupational Therapist	Instructor
Kyndra Richardson, OTA Student	
Kylara Adettser, OTA Student	
Daisia Amaya, OTA Student	
Stacey Sillitoe, OTA Student	
Ian Perry, OTA Student	
Darlene Hinojosa, OTA Student	
Ann Peena, OTA Student	
Heather Omlin, OTA Student	
Danielle Sales, OTA Student	
Isaac Lee, OTA Student	
Kelly Tengan, OTS Student	
Inna Feldman, OTA Student	

Paula Cook, Occupational Therapist	Nevada Occupational Therapy Association
Allison Christoff, OTD, OTR/L	Nevada Occupational Therapy Association
Chuck Willmarth, CAE, Associate Chief Officer Health Policy and State Affairs	American Occupational Therapy Association
Yvonne Randall, Occupational Therapist	Self
Ashley Fecht, OTR/L	Touro University
Joyce Mosely, Occupational Therapist	St. Rose Home Health
Sheryll Collings, Occupational Therapist	Sunrise Hospital / Functional Skills Therapy Services
Roy Collings, COTA/L	Sunrise Hospital / Functional Skills Therapy Services
Allen Espelita, OTR/L	Sunrise Hospital