

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R157-17

January 18, 2018

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

AUTHORITY: §§1 and 3, NRS 640E.110 and 640E.150 and section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510; §2, NRS 640E.110 and section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510; §4, NRS 640E.110, 640E.150, 640E.180, 640E.190, 640E.220, 640E.240 and 640E.250 and section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510.

A REGULATION relating to dietitians; prescribing the requirements for licensure by endorsement; authorizing the Executive Officer of the State Board of Health to request certain documents from an applicant for licensure or holder of a license; revising certain fees; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain regulatory bodies to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who: (1) holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States; (2) possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and (3) meets certain other requirements. (Section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510) **Section 2** of this regulation prescribes the requirements for licensure by endorsement as a dietitian.

Existing law provides for the licensure of dietitians by the State Board of Health. (NRS 640E.140-640E.260) **Section 3** of this regulation authorizes the Executive Officer of the Board to request any documents from an applicant for or holder of a license that the Executive Officer determines are necessary to carry out the duties of the Executive Officer concerning the licensure of dietitians.

Existing law requires the Board to adopt regulations establishing fees for certain services of the Board relating to the licensure of dietitians. (NRS 640E.240) **Section 4** of this regulation reduces the amount of certain fees.

Section 1. Chapter 640E of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *The Executive Officer may issue a license by endorsement to an applicant who is registered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics or its successor organization and holds a corresponding and unrestricted license as a dietitian in the District of Columbia or any state or territory of the United States if the applicant:*

(a) Provides to the Executive Officer the name of the state or territory of the United States, or the District of Columbia, in which the applicant holds a corresponding and unrestricted license and the number of that license;

(b) Attests, under penalty of perjury, that he or she meets the requirements of paragraphs (a) to (f), inclusive, of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510;

(c) Complies with the requirements of paragraphs (g) and (h) of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510; and

(d) Submits to the Executive Officer the information required by NRS 640E.200 and NAC 640E.050.

2. For the purposes of paragraph (h) of subsection 2 of section 3 of Senate Bill No. 69, chapter 518, Statutes of Nevada 2017, at page 3510, a corresponding and unrestricted license as a dietitian in the District of Columbia or any state or territory of the United States shall be deemed to be proof that the applicant has previously passed a comparable criminal background check if the applicant was required to pass such a background check, including,

without limitation, the submission of fingerprints to the Federal Bureau of Investigation, as a condition for obtaining that license.

Sec. 3. *The Executive Officer may request any documents from an applicant for a license or the holder of a license that the Executive Officer determines are necessary to carry out the duties prescribed in NAC 640E.050 to 640E.130, inclusive, and sections 2 and 3 of this regulation.*

Sec. 4. NAC 640E.060 is hereby amended to read as follows:

640E.060 1. The following nonrefundable fees must be paid by a licensee or an applicant for a license to engage in the practice of dietetics, as applicable:

- (a) For the issuance of a license ~~[\$200]~~ **\$100**
- (b) For the issuance of a provisional license..... ~~[200]~~ **100**
- (c) For the issuance of a temporary license.....25
- (d) For the renewal of a license..... ~~[200]~~ **100**
- (e) For the late renewal of a license *or the issuance of a duplicate license* ~~[100]~~ **5**
- (f) For the reinstatement of a license ~~[200]~~ **100**
- (g) For ~~the issuance of a duplicate license or~~ changing the name on a license20

2. The amount of the fees charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories must be paid by the applicant.