

**PROPOSED REGULATION OF THE
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

LCB FILE NO. R007-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 05/07/2019**

**PROPOSED REGULATION OF THE
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

LCB File No. *-****

April 23, 2019

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

AUTHORITY: NRS 634.030 and 634.014.

A REGULATION relating to

Section 1. NAC chapter 634 is hereby amended to add the following new language:

A chiropractic physician shall submit a self-inspection on a form prescribed by the Board between January and March of each year. The completed form must be received no later than March 31 of each year. The board will not accept a form that is not complete at the time of its submittal and will return an incomplete form to the chiropractic physician who submitted it.

Section 2. NAC chapter 634 is hereby amended to add the following new language:

1. A chiropractic physician shall ensure that each employee of the chiropractic physician who provides services for the patients in the office of the chiropractic physician, other than chiropractic or clerical services, provides those services only under the direct supervision of the chiropractic physician.

2. A chiropractic physician who authorizes an independent contractor to provide services in the office of the chiropractic physician pursuant to the provisions of this section shall establish procedures which ensure that each patient of the chiropractic physician to whom the independent contractor provides services is notified that:

(a) The independent contractor is not an employee of the chiropractic physician;

(b) The services provided by the independent contractor in the office of the chiropractic physician are not provided under the direct supervision or control of the chiropractic physician.

Sec. 3. NAC chapter 634 is hereby amended to add the following new language:

1. The Board may perform random audits of registrants or audits that are based on complaints or charges against registrants to ensure compliance with the requirements for continuing education.

2. If the Board chooses to conduct an audit of a registrant, the Board will notify the registrant of its decision to conduct an audit. The registrant shall provide to the Board detailed information and documentation concerning the continuing education units claimed. Falsification of documentation concerning continuing education is grounds for disciplinary action.

Sec. 4. NAC chapter 634.385 is hereby amended to read as follows:

NAC 634.385 1. Except as otherwise provided in subsection 7, the Board may approve or endorse an educational class or a seminar if it is designed to advance the professional skills and knowledge of the chiropractic physicians licensed, or chiropractors' assistants certified, in this State for the purpose of ensuring an optimum quality of chiropractic health care.

2. The Board may approve or endorse the attendance by licensees or holders of certificates, in person or on-line, of an educational seminar or seminars if:

(a) The syllabus and curriculum of the instructors of the seminar or seminars and the required fee are submitted to the Board;

(b) The seminar or seminars provide instruction in conformity with subsection 3 or 4 of NRS 634.130, as applicable;

(c) The seminar or seminars concern the clinical aspects of a practice or another topic that the Board determines to be in the best interest of the public;

(d) The sponsor of the seminar or seminars ensures that each licensee and holder of a certificate who requests credit for continuing education to satisfy the requirement set forth in subsection 3 or 4 of NRS 634.130, as applicable, attends at least 50 minutes of each hour of instruction;

(e) The seminar or seminars are sponsored by:

(1) A chiropractic college which has been accredited by:

(I) The Council on Chiropractic Education; or

(II) Another educational entity that has been approved by the Board;

(2) A state chiropractic board or association;

(3) The American Chiropractic Association, the International Chiropractors Association or the successor of either;

(4) A major hospital, as defined in NRS 439B.115;

(5) An accredited university or college; or

(6) A regulatory body as defined in NRS 622.060; and

~~[(f) An original or a copy of a certificate of attendance at the seminar or seminars is provided directly to the Board by the sponsor, or licensee or holder of a certificate, as applicable, on or before January 1 of each odd-numbered year before the issuance of a renewal certificate.]~~

3. As an alternative to the method of approval and endorsement provided in subsection 2, the Board will approve and endorse the attendance by licensees or holders of certificates, as applicable, in person or on-line, of an educational seminar or seminars if the seminar or seminars

have been granted recognition status by the Providers of Approved Continuing Education of the Federation of Chiropractic Licensing Boards.

4. The sponsor of the seminar or seminars shall ensure that each licensee or holder of a certificate, as applicable, attending that seminar is in attendance in a timely manner at the start of each lecture. If the sponsor fails to maintain the proper monitoring procedure, such failure may constitute grounds for the Board to withdraw its approval of a current or future seminar or seminars hosted or arranged by that sponsor.

5. The sponsor of a seminar shall allow any representative of the Board to attend all or part of the seminar in order to monitor the content of the course or lecture and the procedures for taking attendance. A representative who is taking the seminar to satisfy the requirements of subsection 3 or 4 of NRS 634.130, as applicable, shall pay the full registration fee.

6. The sponsor of a seminar which has received the approval of the Board shall report to the Board all changes in the seminar as soon as possible.

7. Except as otherwise provided in this subsection, the Board will not award credit for continuing education to a licensee or holder of a certificate, as applicable, for an educational class or seminar that is of a nonclinical nature, including, without limitation, an educational class or seminar regarding the building or management of a chiropractic practice. For the purposes of this subsection, an educational class or seminar regarding proper billing procedures shall not be deemed to be an educational class or seminar regarding the building or management of a chiropractic practice.

8. The Board will not award credit for continuing education to an instructor of an educational class or seminar unless the instructor obtained from the Board approval for such credit before teaching the educational class or seminar.

9. Continuing education hours earned through the completion of a specific educational class or seminar may be counted only once during a calendar year toward the hours of continuing education required by subsection 3 or 4 of NRS 634.130, as applicable, even if the licensee or holder of a certificate completes that class or seminar more than once during that calendar year.

10. The Board will award credit for continuing education to a licensee or a holder of a certificate for all educational classes or seminars which are approved and endorsed by the Board pursuant to this section and are attended by the licensee or holder of a certificate.

Sec. 5. NAC 634.635 is hereby amended to read as follows:

NAC 634.635 1. A complaint as described in NRS 634.160 may be made against a licensee charging him or her with one or more of the causes set forth in chapter 634 of NRS for which he or she is subject to disciplinary action.

2. The original complaint must be in writing [~~, signed and verified by the person making it~~] and filed with the Executive Director of the Board.