

**PROPOSED REGULATION OF THE
BOARD OF MEDICAL EXAMINERS**

LCB FILE NO. R009-191

**The following document is the initial draft regulation proposed
by the agency submitted on 06/25/2019**

Proposed Regulation of the Board of Medical Examiners

LCB File No. _____

Authority: NRS 622.530; 630.130, 630.279

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

NAC _____: *License by endorsement as a practitioner of respiratory care*

1. *An application for licensure by endorsement as a practitioner of respiratory care must be made on a form supplied by the Board. The application must include:*

(a) The information set forth in NAC 630.505(1);

(b) Whether the application holds a corresponding valid and unrestricted license to engage in the practice of respiratory care in the District of Columbia or any state or territory of the United States;

(c) Whether the applicant is a citizen of the United States or otherwise has the legal right to work in the United States;

(d) Whether the applicant has been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

(e) Whether the applicant has been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

(f) Whether the applicant has ever had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

(g) Whether the applicant has ever been denied or refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

(h) Whether the applicant has pending any disciplinary action concerning his or license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

(i) The statement required by NRS 425.520.

2. *An applicant must submit to the Board:*

(a) Proof of completion of an educational program as a practitioner of respiratory care that is approved by the Commission on Accreditation of Allied Health Education Programs or its successor organization or the Commission on Accreditation for Respiratory Care or its successor organization, or other education program as approved by the Board;

(b) Proof of passage of the examinations required by NRS 630.277 and NAC 630.500 and 630.515;

(c) Proof that the applicant has engaged in the occupation or profession of respiratory care for at least one year immediately preceding the date of the application;

(d) A complete set of his or her fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(e) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(f) Such further evidence and other documents or proof of qualifications as required by the Board.

3. Each application must be signed by the applicant and sworn to before a notary public or other officer authorized to administer oaths.

4. The application must be accompanied by the applicable fees for the application for licensure and biennial registration.

5. An applicant shall pay the reasonable costs of any examination required for licensure.

6. Not later than 21 business days after receiving an application for a license by endorsement to engage in the practice of respiratory care pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in the practice of respiratory care to the applicant not later than:

(a) Sixty days after receiving the application, or

(b) Fifteen days after the Board receives the report on the applicant's background based on the submission of the applicant's fingerprints,

whichever occurs later.

7. A license by endorsement to engage in the practice of respiratory care in this State may be issued at a meeting of the Board or between its meetings by the presiding member of the Board and the executive director of the Board. Such an action shall be deemed to be an action of the Board.

8. The Board may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph (d) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.