

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Informational Statement LCB File No. R009-19

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 630.

1. A Clear and Concise Explanation of the Need for the Adopted Regulation.

This regulation is necessary to comply with recent statutory changes. Specifically, NRS 622.530 requires regulatory bodies, including the Nevada State Board of Medical Examiners (Board), to adopt regulations providing for the issuance of a license by endorsement 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. This regulation establishes standards for licensure by endorsement of a person as a practitioner of respiratory care.

2. A Description of How Public Comment Was Solicited, a Summary of Public Response, and an Explanation How Other Interested Persons May Obtain a Copy of the Summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in regulations adopted by the Board as well as any persons who had specifically requested such notice. These documents were also made available at the Board's website, http://medboard.nv.gov/About/Proposed_Regulations/, posted at notice.nv.gov and <https://www.leg.state.nv.us/App/Notice/A/>, mailed to all county libraries in Nevada for posting, and posted at the following locations:

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521

Nevada State Board of Medical Examiners
6010 S. Rainbow Boulevard, Building A, Suite 2
Las Vegas, NV 89118

A regulation workshop on LCB File No. R009-19 was held on Tuesday, February 11, 2020, at 11 a.m. at the Nevada State Board of Dental Examiners, located at 6010 S. Rainbow Boulevard, Building A, Suite 1,

Telephone 775-688-2559 Fax 775-688-2321 www.medboard.nv.gov nsbme@medboard.nv.gov

Las Vegas, NV 89118. This regulation workshop was video-conferenced to the Board's office located at 9600 Gateway Drive, Reno, NV 89521. One member of the public, representing J.K. Belz & Associates, attended in Las Vegas and did not provide any public comment or written comment.

A public hearing on LCB File No. R009-19 was held on Wednesday, February 26, 2020, at 11 a.m. at the Board's office located at 9600 Gateway Drive, Reno, NV 89521. This public hearing was video-conferenced to the Nevada State Board of Dental Examiners, located at 6010 S. Rainbow Boulevard, Building A, Suite 1, Las Vegas, NV 89118. No members of the public were present. No written comment was received regarding the proposed regulation.

3. The Number Persons Who:

(a) Attended Each Hearing:

February 11, 2020 (Regulation Workshop) 1; February 26, 2020 (Public Hearing) 0.

(b) Testified at Each Hearing:

February 11, 2020 (Regulation Workshop) 0; February 26, 2020 (Public Hearing) 0.

(c) Submitted to the Agency Written Comments:

No written comments were submitted. On January 9, 2020, Deputy Executive Director Bradley received an email inquiry from Mary Ann McCauley at the Washoe County Medical Society regarding the public comment deadline. Deputy Executive Director Bradley responded to Ms. McCauley and send the notices for both the Regulation Workshop and Public Hearing to Ms. McCauley. No further communication was received from Ms. McCauley or the Washoe County Medical Society and no written comment was received from Ms. McCauley or the Washoe County Medical Society.

4. A List Of Names and Contact Information, Including Telephone Number, Business Address, Business Telephone Number, Electronic Mail Address, and Name of Entity or Organization Represented, for Each Person Identified Above In #3, As Provided To The Agency.

Attendee at the February 11, 2020 Regulation Workshop in Las Vegas:

Chaz Fernandez
Telephone: 702-858-3735
Email: cf@jkbelz.com
Representing J.K. Belz & Associates
(No business address provided.)

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.

Copies of the proposed regulation, notice of workshop and notice of intent to act upon the regulation were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of medical regulation, as well as any persons who had specifically requested such notice. These documents were also made available on the website of the Nevada State Board of Medical Examiners, available at http://medboard.nv.gov/About/Proposed_Regulations/, the website of the Legislative Counsel Bureau, available

at <https://www.leg.state.nv.us/App/Notice/A/>, the Department of Administration website, available at notice.nv.gov, and mailed to the main public library in all counties in Nevada.

In the Notice of Intent to Act Upon Regulation, the public was notified that a copy of the proposed regulation was on file at the Nevada State Library, 100 N. Stewart St., Carson City, Nevada; available at the office of the Board at 9600 Gateway Drive, Reno, Nevada; in all counties in the State of Nevada in which the Board does not maintain an office, at the main public library or county office; in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653; and on the Internet at <https://www.leg.state.nv.us/register/>, as well as posted at the following locations:

Washoe County Courthouse	Reno, Nevada
Carson City Library	Carson City, Nevada
Clark County District Library	Las Vegas, Nevada
Churchill County Library	Fallon, Nevada
Douglas County Library	Minden, Nevada
Elko County Courthouse	Elko, Nevada
Elko County Library	Elko, Nevada
Esmeralda County Library	Goldfield, Nevada
Humboldt County Library	Winnemucca, Nevada
Lander County Library	White Pine, Nevada
Lincoln County Library	Pioche, Nevada
Lyon County Library	Yerington, Nevada
Mineral County Library	Hawthorne, Nevada
NV State Board of Medical Examiners	Reno, Nevada
Office of the Attorney General	Las Vegas, Nevada
Office of the Attorney General	Carson City, Nevada
Pershing County Library	Lovelock, Nevada
Storey County Commissioners Office	Virginia City, Nevada
Tonopah Library	Tonopah, Nevada
White Pine County Courthouse	Ely, Nevada
White Pine County Library	Ely, Nevada

The Board solicited any potentially impacted businesses by reaching out to various business chambers and associations. Correspondence regarding this regulation was sent to the following organizations:

- Las Vegas Metro Chamber of Commerce
- Las Vegas Latin Chamber of Commerce
- Las Vegas Asian Chamber of Commerce
- Better Business Bureau of Southern Nevada, Inc.
- Better Business Bureau of Northern Nevada, Inc.
- Reno/Sparks Chamber of Commerce
- City of Winnemucca
- Elko Great Basin College
- Pahrump Rural Nevada Development Corp.
- Ely Rural Nevada Development Corp.
- Churchill County Economic Development Authority
- Nevada State Medical Association
- Clark County Medical Society

No public comment was received at the regulation workshop or public hearing. In addition, no written comment was received from any person or entity.

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.

This regulation was adopted by the Board at a public meeting held on June 5, 2020. It was adopted without changes because no comments or suggested changes were received.

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 are no adverse effects of this regulation. The beneficial effects of this regulation are that it will make it easier for individuals that qualify for licensure by endorsement to obtain licensure as a practitioner of respiratory care.

(b) Both Immediate and Long-Term Effects.

Immediate and long-term effects are that it will be easier for practitioners of respiratory care who are licensed in other states or territories or the District of Columbia to obtain licensure in Nevada by endorsement.

8. The Estimated Cost to the Agency for Enforcement of the Adopted Regulation.

There are no estimated costs to the agency for enforcement of the adopted regulation. The Board charges application fees, as authorized by the Nevada Legislature, to offset its costs in processing applications for licensure; any increased cost that may result due to increased applications for licensure as a practitioner of respiratory care by endorsement will be covered by the corresponding application fees.

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.

There are no other state or government agency regulations that the proposed regulation duplicates. Instead, this regulation implements what the Nevada Legislature mandated in NRS 622.530, as enacted by Section 17 of AB 474 (2017).

10. If the Regulation Includes Provisions That Are More Stringent Than a Federal Regulation Which Regulates the Same Activity, a Summary of Such Provisions.

There are no federal regulations that apply.

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.

This regulation does not provide a new fee or increase an existing fee.

