

**INFORMATIONAL STATEMENT FOR
REGULATION PROPOSED BY THE NEVADA STATE BOARD OF PODIATRY
(LCB No. R025-19)**

The following statement is submitted for the proposed amendment and additions to NAC chapter 635.

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

The need and purpose of the proposed regulation is to add language regarding an application for podiatry hygienists related to training in the taking and developing of X-rays as mandated in SB 130 of the 2019 Legislature.

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.

On April 1, 2019, the Board held a workshop at its regular meeting regarding the draft language. All licensed podiatric physicians were noticed by email of the workshop and proposed language. Comments were taken from the public attending the meeting offering comments and the Board members modified the language. On May 6, 2019, the Board held a second workshop on the amended proposed language and no public comment was offered during the workshop and no written comments were received regarding the language that ultimately became R025-19. All podiatric physicians were again notified of the amended proposed language and second workshop by email. No participant in any of the discussions presented any evidence or argument that the proposed draft would have a positive or negative impact on small businesses.

On August 5, 2019, the Board at its regular meeting reviewed the draft language LCB R025-19 and moved to schedule the matter for public hearing. On September 23, 2019, the Board held a regulation hearing regarding R025-19 at its office in Reno, Nevada and telephonically. Copies of the Notice of Hearing and the proposed text of R025-19 were e-mailed to all of the Board's licensees for whom the Board had e-mail addresses and mailed to all people who have sought such public documents pursuant to the Nevada Open Meeting Law. The Board sent the Notice of Hearing and proposed text of R025-19 to a total of 144 people. At the hearing, no member of the public attending the meeting commented and no written comments regarding R025-19 were received. One written question was asked for the Board to consider from the Radiation Control Program. No participant in any of the discussions presented any evidence or argument that the proposed drafts would have a positive or negative impact on small businesses. The regulation was passed unanimously without amendment.

Interested persons may obtain a copy of the summary of the Board's proceedings by contacting Carolyn Cramer, Executive Director, Nevada State Board of Podiatry, 1325 Airmotive Way, Suite 175-I, Reno, Nevada 89502 / Telephone: (775) 789-2605 / Fax: (775) 786-4451 / Email: nvpodiatry@bop.nv.gov.

- 3. The number of persons who:**
(a) Attended the April 1, 2019 Workshop - 4
(b) Testified at the April 1, 2019 Workshop – 3
(c) Attended the May 6, 2019 Workshop – 0
(d) Testified at the May 6, 2019 Workshop - 0

- 4. The number of persons who:**
(a) Attended the September 23, 2019 Hearing - 1
(b) Testified at the September 23, 2019 Hearing – 0

- 5. The number of persons who:**
(a) Submitted written comments for the April 1, 2019 Workshop – 0
(b) Submitted written comments for the May 6, 2019 Workshop - 0
(c) Submitted written comments for the September 23, 2019 Hearing – 0

6. For each person identified in subparagraph (b) and (c) above, following is the information that was provided to the Nevada State Board of Podiatry: NONE

7. 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 by emailing the Notice of Hearing and the text of R025-19 to all 144 of the Board's licensees for whom the Board had a valid e-mail address, State of Nevada Radiation Control Program and to all persons on the Board's mailing list maintained pursuant to the Open Meeting Law. Other interested persons may obtain a copy of the comments received by contacting the Board's Executive Director.

8. If the regulation was adopted with changes to any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No changes were made, and the language of R025-19 was adopted unanimously by the Board without amendment. The language of R025-19 was adopted without change because the language as drafted by the Legislative Counsel Bureau accurately and adequately stated the intent of the Board.

9. 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:

Economic Effect on Businesses:

- (a) Both adverse and beneficial effects.**

The Board believes that the regulation will have neither adverse nor beneficial economic effects upon the practices of podiatry since the regulation does not change the licensure

requirements of podiatric hygienist but makes sure that specificity in documenting the training is made. The Board has been licensing podiatric hygienists since 1971, and x-raying has long been part of the scope of practice for podiatric hygienists. Please see the Board's Small Business Impact Statement for additional details.

(b) Both immediate and long-term effects.

The Board believes that the regulation will have neither immediate nor long-term economic effects upon the practices of podiatry for the reasons stated in the previous answer. Please see the Board's Small Business Impact Statement for additional details.

Economic Effect on the Public:

(a) Both adverse and beneficial effects.

The Board believes that the regulation will have neither adverse nor beneficial economic effects upon the public served by Nevada's podiatrists since the regulation only changes the requirements of the application for podiatric hygienists. Please see the Board's Small Business Impact Statement for additional details.

(b) Both immediate and long-term effects.

The Board believes that the regulation will have neither immediate nor long-term economic effects upon the public served by Nevada's podiatrists for the same reasons as contained in the previous answer. Please see the Board's Small Business Impact Statement for additional details.

10. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no significant cost to the Nevada State Board of Podiatry to enforce the proposed regulation.

11. 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 similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

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

This proposed regulation is not more stringent than any federal law or regulation.

13. 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 affect any fee.

Signed this _____ day of October, 2019.

Carolyn Cramer, Executive Director
Nevada State Board of Podiatry