

**PROPOSED REGULATION OF THE
NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

LCB FILE NO. R099-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 11/05/2019**

**PROPOSED REGULATION OF THE NEVADA STATE BOARD
OF VETERINARY MEDICAL EXAMINERS**

LCB File No. R*-19**

October 17, 2019

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

AUTHORITY: §§1-5, 7 and 8, NRS 638.070; §6, NRS 638.070 and 638.147.

A REGULATION relating to veterinary medicine; requiring a person who performs certain acts constituting equine dentistry to be a licensed veterinarian, a licensed veterinary technician supervised by a licensed veterinarian or the holder of a certificate of registration to practice equine dentistry issued by the Nevada State Board of Veterinary Medical Examiners; establishing the requirements and fee for the issuance and renewal of a certificate of registration to practice equine dentistry; adopting provisions governing the practice of equine dentistry; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Nevada State Board of Veterinary Medical Examiners to adopt regulations concerning veterinary dentistry. (NRS 638.070) Section 2 of this regulation sets forth the scope of activities considered to be “equine dentistry.” Section 3 of this regulation prohibits a person from practicing equine dentistry unless the person is a licensed veterinarian, a licensed veterinary technician who is supervised by a licensed veterinarian or a provider of equine dentistry who has obtained a certificate of registration from the Board. Section 3 also establishes the requirements that an applicant must meet for the Board to issue a certificate of registration to practice equine dentistry in this State. Section 4 of this regulation establishes the requirements for a provider of equine dentistry to renew his or her certificate of registration. Section 7 of this regulation establishes the fee the Board will charge and collect for the issuance of a certificate of registration to practice equine dentistry or the renewal of such a certificate. Section 5 of this regulation authorizes a registered provider of equine dentistry to practice equine dentistry only under the direction of a licensed veterinarian and requires a provider of equine dentistry to maintain certain medical records and transmit such records to the treating veterinarian. Section 6 of this regulation authorizes the Board to impose certain disciplinary actions if a provider of equine dentistry violates the provisions of existing law and regulations

governing the practice of veterinary medicine or certain standards for the practice of equine dentistry.

Section 1. Chapter 638 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. Section 5 of the regulation designated LCB File No. 110-16 is hereby amended to read as follows:

1. A person shall not practice equine dentistry in this State unless he or she is: (a) A licensed veterinarian;

(b) A licensed veterinary technician who complies with the provisions of NAC 638.053;

(c) A veterinary technician in training who complies with the provisions of NAC 638.0525;

or

(d) An equine dental provider who has obtained a certificate of registration to practice as an equine dental provider pursuant to this section and complies with the provisions of section 7 of this regulation.

2. A person who desires to secure a certificate of registration to practice as an equine dental provider in this State must submit a written application to the Board.

3. The application must be on a form provided by the Board, include any information required by the Board and be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character;

(b) Is a citizen of the United States or lawfully entitled to remain and work in the United States;

(c) Holds a current certification from a professional equine dentistry organization approved by the Board;

(d) Has obtained a written statement from a licensed veterinarian experienced in large animal medicine that the applicant will be under direct supervision of the licensed veterinarian; and

~~[(e) Is covered by liability insurance for the practice as an equine dental provider.]~~

4. The application must be signed by the applicant and notarized.

5. Except as otherwise provided in section 8 of this regulation, upon receipt of the application and information required by subsection 3 and payment of the fee required pursuant to NAC 638.035, the Board will issue to the applicant a certificate of registration to practice as an equine dental provider.

Sec. 3. Section 7 of the regulation designated LCB File No. 110-16 is hereby amended to read as follows:

1. An equine dental provider who has been issued a certificate of registration pursuant to section 5 of this regulation may practice equine dentistry only:

(a) Under the direct supervision of a licensed veterinarian who has established a valid veterinarian-client-patient relationship concerning the animal receiving the equine dentistry treatment and has performed an appropriate examination of the animal not more than 12 hours before the equine dentistry is performed; ~~[and]~~

(b) If the equine dental provider assumes individual liability for the quality of the equine dentistry performed by the equine dental provider ~~[-]~~

2. The licensed veterinarian under whose direction the equine dental provider performs the equine dentistry:

(a) Is required to directly supervise the equine dental provider during the equine dentistry treatment.

(b) Is not liable for the acts or omissions of the equine dental provider who performs the equine dentistry.

3. Each equine dental provider who has been issued a certificate of registration shall:

(a) Maintain in this State for at least 4 years a separate written record of each animal receiving equine dentistry treatment from the equine dental provider. The written record must include, without limitation:

(1) The name, address and telephone number of the owner of the animal;

(2) The name or identifying number, or both, of the animal;

(3) The age, sex and breed of the animal;

(4) The dates of care, custody or treatment of the animal;

(5) The dental chart of the animal; and

(6) The progress and disposition of the case.

(b) Within 48 hours after the initial visit with the animal, mail or transmit electronically a complete copy of the record to the licensed veterinarian under whose direction the equine dental provider performs the equine dentistry.

(c) Within 48 hours after each subsequent visit with the animal, mail or transmit electronically a progress report to the licensed veterinarian under whose direction the equine dental provider performs the equine dentistry.

4. Any record made pursuant to subsection 3 must be available for inspection by the Board or its representative.

5. The licensed veterinarian shall include the copy of the written record received pursuant to subsection 3 in the medical record required pursuant to NAC 638.0475.