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CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA

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INFORMATIONAL STATEMENT FOR ADOPTED PERMANENT REGULATION

NRS 233B.066

LCB FILE R179-20

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 634.

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

The purpose of the proposed regulation is to add new language and amend current provisions related to chiropractic physicians and chiropractor's assistants.

Pursuant to NRS 622.530 the regulatory body is to adopt regulations for license by endorsement, which will allow chiropractic physicians the ability to obtain licensure in an efficient manner. The revision to NAC 634.355 will allow programs for students to obtain jobs out of high school. The revision to NAC 634.384 will stream-line the self-inspection process with the chiropractic physicians' renewal period.

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 via e-mail to all of the Board's licensees and chiropractic assistants who maintain an e-mail address with the Board, totaling 1,003. The Board also sent a copy of the proposed regulations, notice of workshop and notice of intent to act upon the regulation to the Nevada Chiropractic Association and Nevada Chiropractic Council, the trade associations that represents chiropractic physicians. The documents were also posted at the following locations:

- Chiropractic Physicians' Board, 4600 Kietzke Lane, Suite M245, Reno
- Nevada State Library & Archives, 100 Stewart St., Carson City

- Office of the Attorney General, Grant Sawyer Bldg., 555 E. Washington Avenue, Las Vegas, NV 89101
- Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701
- Legislative Building, 401 South Carson St., Carson City

A workshop was held regarding the regulations on October 15, 2020. Any person who desired to make comments regarding the regulations was invited to participate in the workshop. A representative of the Nevada Chiropractic Association was present at the Workshop on October 15, 2020. Interested persons could obtain a copy of the summary of public response by contacting the Chiropractic Physicians' Board, 4600 Kietzke Lane, Suite M245, Reno, NV 89502 or calling 775-688-1921.

On August 25, 2021, the Board issued a Notice of Intent to Act Upon a Regulation which incorporated the proposed amendments and suggestions of the parties attending the meetings and workshops. On October 28, 2021 the Board conducted a hearing regarding the final language of the proposed regulation. No written comments were submitted prior to the hearing, and no member of the public attended or spoke at the hearing. At the conclusion of the hearing, the Board announced its final determinations regarding the language of the regulation.

3. The number of persons who:

(a) Attended the October 15, 2020 Workshop – 1
Testified at the October 15, 2020 Workshop – 1

(b) Attended the October 28, 2021 Hearing – 0
Testified at the October 28, 2021 Hearing - 0

(c) Submitted written statements for the October 15, 2020 Workshop – 0
Submitted written comments for the October 28, 2021 Hearing – 0

4. For each person identified in subparagraph (b) and (c) above, see attached for the following information that was provided to the Chiropractic Physicians' Board:

(a) Name

Benjamin S. Lurie, DC

(b) Telephone number

(702) 236-8500

(c) Business address

8678 W. Spring Mountain Rd., Ste. 110, Las Vegas, NV 89117

(d) Business telephone number

(702) 384-000

(e) Electronic mail address

Drlurie@theneckandbackclinics.com

(f) Name of entity or organization represented

The Neck and Back Clinics

A list containing the requested information is attached as Exhibit 1.

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.

The comment received at the workshop was received from a chiropractic physician. The comments were considered by the Board in determining to proceed with the regulation.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation with change.

The permanent regulation was adopted on October 28, 2021 and included the changes, additions, and amendments suggested at the workshop, hearing, and the Board's Legislative Committee that were acceptable to the Board as being within the legislative intent of the empowering statutes (NRS 634.030(2)).

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.

The regulations were not intended to and will not have adverse economic effects upon the practice and businesses of chiropractic in Nevada, however will make it easier for licensees to get licensed in Nevada. Rather, the Board expects that the new regulation will have positive, though unquantifiable, beneficial effects by streamlining licensure through an endorsement process, by allowing high school and community college students to seek employment as chiropractic assistants upon completing their studies, and by aligning the timing of the self-inspection forms concurrent with the renewal period for chiropractic physicians.

The regulations were not intended to and will not have adverse economic effects upon the public. The public will benefit by having access to more chiropractic physicians since the licensing process will be completed in a timelier manner and this will allow for more jobs for students out of high school.

(b) Both immediate and long-term effects.

The proposed regulations will have the same effects immediately and in the long-term on the practice of chiropractic and the chiropractic businesses in Nevada. These effects being that chiropractic physicians will be able to obtain licensure in an efficient manner, will allow programs for students to obtain jobs out of high school and stream-line the self-inspection process with the chiropractic physicians' renewal period.

The proposed regulations will have the same effects immediately and in the long-term on the Nevada public. The effects being that there will be access to more chiropractic physicians since the licensing process will be completed in a timelier manner and this will allow for more job opportunities for students out of high school.

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

There is no additional cost to the agency for enforcement of this regulation.

- 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.**

The Chiropractic Physicians' Board is not aware of any similar regulations of other state or government agencies that the proposed regulations overlap or duplicate.

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

This regulation is not more stringent than a federal regulation.

- 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.**

The proposed regulations do not recommend new or increased fees.

This Informational Statement was prepared by Julie Strandberg, Executive Director, and is accurate and complete.

Signed this ____ day of October, 2021.

Julie Strandberg
Executive Director