

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB FILE R076-21

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 640A.

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

The need for the proposed regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent occupational therapists and occupational therapy assistants are licensed in the state.

The proposed regulation clarifies the requirements relating to the renewal of a license to practice occupational therapy; revising provisions relating to the supervision of provisional licensees; revising provisions relating to continuing education requirements; and providing other matters properly relating thereto.

The regulation allows the Board to accept an application for renewal of any type of license up to 30 days after the expiration date of the license; eliminates the requirement to complete 640 hours of supervised practice if an applicant for a provisional license was previously certified but has not practiced for 5 years before application; and eliminates the requirements for submission of a form to comply with continuing education requirements.

2. A description of how public comment was solicited, a summary of public response, and an explanation of 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 e-mail to persons who were known to have an interest in occupational therapy as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Board of Occupational Therapy, www.nvot.org, and posted at the following locations:

Board of Occupational Therapy, Administrative Office
6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523
<https://www.leg.state.nv.us/App/Notice/A/> - Nevada Legislature Administrative Notices
<https://notice.nv.gov/> - State of Nevada Public Notices
<http://www.leg.state.nv.us/register/> - State of Nevada Register of Administrative Regulations

A Workshop was held to solicit comments on the proposed regulations on November 6, 2021. There were seven (7) individuals from the public in attendance at the workshop. Thereafter, on or about February 14, 2022 a Notice of Intent to Act Upon Regulations was issued.

A Public Hearing was held on March 19, 2022. There were no written or oral comments received at the Public Hearing. There were six (6) individuals representing the public present.

A copy of this summary of the public response to the adopted regulations may be obtained from the Board of Occupational Therapy, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523, telephone 775-746-4101, or email to board@nvot.org .

3. The number of persons who:

| | | |
|--|------------------|---|
| (a) Attended each workshop: | November 6, 2021 | 7 |
| (b) Attended public hearing: | March 19, 2022 | 6 |
| (c) Testified at hearing: | March 19, 2021 | 0 |
| (d) Submitted written comments: | | 0 |

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Lea Case, Belz & Case Governmental Services
- (b) Rachel Martin, OT
- (c) Joyce Mosely, OT
- (d) Robyn Otty, OT
- (e) Paula Cook, OT
- (f) Ki Ana Tseu, OT Student

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 Board used informed, reasonable judgment in determining that there will not be an impact on small businesses.

In making this determination, the Board considered the content of the regulation in making a determination the occupational therapy practitioners regulated by the Board will not have their practice impacted nor will there be an impact on a small business due to the nature of the regulatory changes.

A copy of this summary of the public response to the adopted regulations may be obtained from the Board of Occupational Therapy, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523, telephone 775-746-4101, or email to board@nvot.org .

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.

The Board of Occupational Therapy adopted the regulation on **March 19, 2022** without change. There were no written or oral comments on the proposed regulation.

The Board determined the regulation was appropriate and necessary and that undue burden is not placed upon licensees as a result of the provisions of the regulation.

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 will be **no significant adverse economic effect of these adopted regulations** on the businesses which it is to regulate (occupational therapists and occupational therapy assistants) nor the public. The adopted regulations will benefit the occupational therapy practitioners and the public by clarifying renewal requirements, and eliminating unnecessary practice requirements for a provisional license and obsolete continuing education documentation requirements for renewal of a license.

- (b) Both immediate and long-term effects.

Immediate effect will be improved administration through clarification of existing law and regulatory requirements. Long-term effect will be clarity and consistency in regulation of occupational therapy practitioners in Nevada.

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

There are no additional costs involved in the enforcement of these adopted regulations.

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 Board of Occupational Therapy is not aware of any similar regulations of other state or government agencies that the adopted 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.

The Board of Occupational Therapy is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

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 regulation does not provide for any new or increased fees.