

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Aury Nagy, M.D.
Board President

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Executive Director



Informational Statement LCB File No. R118-21

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.

The proposed regulation is necessary to update existing regulations to be consistent with other provisions of law, to clarify existing requirements in the law, to add to the provisions regarding the Board's advisory committees, and to repeal regulations that are no longer needed and/or duplicate other provisions of law.

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/>, and posted at the following locations:

Washoe County Courthouse	Reno, Nevada
NV State Board of Medical Examiners	Reno, Nevada
NV State Board of Medical Examiners	Las Vegas, Nevada
Office of the Attorney General	Las Vegas, Nevada
Office of the Attorney General	Carson City, Nevada
White Pine County Courthouse	Ely, Nevada
Nevada State Board of Medical Examiners Website	https://medboard.nv.gov

A regulation workshop on LCB File No. R118-21 was held on April 27, 2022, at 1:30 p.m., at the Las Vegas Office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. This public workshop was video conferenced to the Board's Reno office located at 9600 Gateway Drive, Reno, NV 89521. No members of the public attended the regulation workshop.

A public hearing on LCB File No. R118-21 was held on May 10, 2022, at 2:00 p.m., at the Board's Las Vegas office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119.

This public hearing was video conferenced to the Board's Reno office located at 9600 Gateway Drive, Reno, NV 89521. Three members of the public (physician assistants) signed in for the May 10, 2022 public hearing, talked with Deputy Executive Director Bradley regarding the proposed regulations, and left before the public hearing began. A summary of the public comment received regarding LCB File No. R118-21 is available upon request by contacting Deputy Executive Director Bradley at bradleys@medboard.nv.gov or by telephone at 775-324-9365.

3. The Number Persons Who:

(a) Attended Each Hearing:

April 27, 2022 (Regulation Workshop): 0;
May 10, 2022 (Public Hearing): 3.

(b) Testified at Each Hearing:

April 27, 2022 (Regulation Workshop): 0;
May 10, 2022 (Public Hearing): 0.

(c) Submitted to the Agency Written Comments:

Written comment was received from three physician assistants, Janet Wheble, Amie Duford, and Jessica Radivan prior to the regulation workshop held on April 27, 2022. The written comment received addressed both LCB File No. R171-20 and LCB File No. R118-21. The written comment indicates support for the number of physician assistants recommended for the physician assistant advisory committee. Note: This number is not changed in these proposed regulations. The written comment requests the ability to serve for multiple four-year terms as a member of the physician assistant advisory committee members. Note: Proposed regulation LCB File No. R118-21 creates a four-year term for physician assistant members of the physician assistant advisory committee. It does not prohibit members from serving more than one term on the committee. The written comment requests the Board consider allowing a maximum of two terms on the physician assistant advisory committee, for a total of eight years. Note: Proposed regulation LCB File No. R118-21 does not currently address this and a new regulation change would be needed to impose a maximum number of terms and years for members to serve on the physician assistant advisory committee. The written comment supports the update to the requirement of a graduate degree for a physician assistant and removing high school diploma as an option to qualify for licensure. The written comment requests that the Board notify individuals licensed as physician assistants without postgraduate degrees that if they let their licenses lapse for any reason, they would no longer qualify for licensure. The written comment also offers to provide any assistance to the Board with regard to the Board's regulations.

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.

Attendees at the May 10, 2022, Regulation Hearing in Las Vegas:

Janet Wheble, PA-C
Telephone: (702) 538-5711
Email: postaccutenetwork@gmail.com
Physician Assistants Advisory Committee

Jessica Radivan, PA-C
Telephone: (702) 326-3301
Email: JRadivan22@gmail.com
Physician Assistants Advisory Committee

Amie Duford, PA-C
Email: aduford@touro.edu
Physician Assistants Advisory Committee

All three physician assistants identified above signed in for the public hearing in Las Vegas on May 10, 2022, talked with Deputy Executive Director Sarah Bradley about the pending regulations, and then left the meeting. Written comment provided by these three physician assistants was previously provided prior to the April 27, 2022 regulation workshop and summarized on the record at that workshop.

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.

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 offices of the Board located at 9600 Gateway Drive, Reno, Nevada and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada; 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
NV State Board of Medical Examiners	Reno, Nevada
NV State Board of Medical Examiners	Las Vegas, Nevada
Office of the Attorney General	Las Vegas, Nevada
Office of the Attorney General	Carson City, Nevada
White Pine County Courthouse	Ely, Nevada
Nevada State Board of Medical Examiners Website	https://medboard.nv.gov

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:

- Better Business Bureau of Northern Nevada, Inc.
- Better Business Bureau of Southern Nevada, Inc.

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

No public comment was received at the regulation workshop or public hearing. Written comment was received from three physician assistants, Janet Wheble, Amie Duford, and Jessica Radivan prior to the regulation workshop held on April 27, 2022. The written comment received addressed both LCB File No. R171-20 and LCB File No. R118-21. The written comment was received prior to the regulation workshop and read into the record for that meeting. That written comment did not indicate that a small business would be affected by these proposed regulations. Instead, the written comment asked some questions about the proposed regulations and made some suggestions as to future regulation changes. A summary of the public comment received regarding LCB File No. R118-21 is available upon request by contacting Deputy Executive Director Bradley at bradleys@medboard.nv.gov or by telephone at 775-324-9365.

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 10, 2022. 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.

The Board does not believe that the proposed regulation will have an adverse or beneficial direct economic effect on the business of the practice of medicine, nor will it have a direct economic effect on the public.

(b) Both Immediate and Long-Term Effects.

The Board does not believe that the proposed regulation will have an immediate or long-term direct economic effect on the business of the practice of medicine, nor will it have a direct economic effect on the public.

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

Enforcement of the proposed regulations will not result in an increased cost to the Board.

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.

To the Board's knowledge, the proposed regulations do not overlap or duplicate the regulations of other state or local governmental agencies or any federal regulations.

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

To the Board's knowledge, the proposed regulations do not regulate the same activity addressed in 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.

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