

**PROPOSED REGULATION OF THE  
STATE BOARD OF ORIENTAL MEDICINE  
LCB FILE NO. R026-22I**

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by the agency submitted on 03/02/2022**

## CHAPTER 634A - DOCTORS OF ORIENTAL MEDICINE

### **NAC 634A.080 Evidence of qualifications of applicant; approval of program of study. (NRS 634A.070, 634A.080, 634A.140)**

1. An applicant for a license to practice Oriental medicine must submit, together with his or her application, evidence that he or she has successfully completed a 4-year program of study, or its equivalent, in Oriental medicine at a school or college of Oriental medicine which is approved by the Board.

2. If the application is submitted pursuant to subsection 1 of NRS 634A.140, the applicant must submit evidence showing that he or she has earned a bachelor's degree from an accredited college or university in the United States.

3. If the application for licensure by endorsement is submitted pursuant to subsection 2 of NRS 634A.140, the applicant must submit evidence that he or she:

(a) Has lawfully practiced Oriental medicine in another state or foreign country for at least 4 years; and

(b) Holds Oriental Medicine Certification by the National Certification Commission for Acupuncture and Oriental Medicine or its successor organization.

4. For the purposes of subsection 1, the Board may approve a 4-year program of study, or its equivalent, in Oriental medicine at a school or college of Oriental medicine if the Board finds that:

(a) The school or college of Oriental medicine is:

(1) Accredited by the Accreditation Commission for Acupuncture and Oriental Medicine or its successor organization; or

(2) In pre-accreditation status with the Accreditation Commission for Acupuncture and Oriental Medicine or its successor organization and satisfies the requirements of paragraph (b).

(b) The program of study includes training or instruction in the subjects of acupuncture, moxibustion, herbology, Oriental physiology, Oriental pathology, Oriental diagnosis, tuina or qigong, biology, chemistry or biochemistry, anatomy, Western physiology, Western pathology, Western diagnosis, pharmacology, ~~laboratory and radiology.~~

(c) The program of study:

(1) Required the completion of at least 2,800 hours of instruction, including not less than 2,500 didactic hours, for a student to have graduated before November 25, 2002; or

(2) Requires the completion of at least 3,000 hours of instruction, including not less than 2,500 didactic hours, for a student to graduate on or after November 25, 2002.

(3) A combined Bachelors/Masters degree is considered sufficient to satisfy paragraph 2.

5. For the purposes of subsection 1, the Board will deem a master's degree to be the equivalent of a 4-year program of study if the program of study for the degree conforms to the requirements of paragraphs (b) and (c) of subsection 4.

6. For the purposes of subsections 2 and 3, evidence that the applicant is qualified for licensure as a doctor of Oriental medicine must include certified copies of any diplomas, transcripts, licenses and certificates issued to the applicant. If possible, all certified copies of official diplomas, transcripts, licenses or certificates must be forwarded directly to the Executive Director from the issuing entity rather than from the applicant.

[Bd. of Oriental Med., Art. IV part § 1, eff. 7-19-76; + Art. V part § 1, eff. 4-26-74] — (NAC A 1-22-92; R071-02, 11-25-2002; R072-18, 12-19-2018)

**NAC 634A.085 Compliance with requirement of passing examination administered by national organization.** (NRS 634A.070, 634A.120) To comply with the requirement of passing an examination in Oriental medicine that is administered by a national organization approved by the Board pursuant to NRS 634A.120, an applicant for licensure as a doctor of Oriental medicine ~~must:~~

~~— 1. Have *shall pass* the examinations for Oriental Medicine Certification administered by the National Certification Commission for Acupuncture and Oriental Medicine or its successor organization. within the 12 months preceding the date of application for licensure; or~~

~~— 2. Be certified by the National Certification Commission for Acupuncture and Oriental Medicine or its successor organization.~~

(Added to NAC by Bd. of Oriental Med. by R071-02, eff. 11-25-2002; A by R193-07, 6-17-2008; R072-18, 12-19-2018)

~~— NAC 634A.095 Proficiency of applicant in English language.~~ (NRS 634A.070, 634A.120)

~~— 1. Except as otherwise provided in subsection 2, an applicant for a license to practice Oriental medicine must:~~

~~— (a) Before taking the practical examination:~~

~~— (1) Pass the Test of English as a Foreign Language Paper-Based Test with a score of at least 550; or~~

~~— (2) Pass the Test of English as a Foreign Language Internet-Based Test with a total score of at least 80; and~~

~~— (b) At the time of the practical examination, demonstrate a reasonable proficiency in the English language through an oral interview.~~

~~— 2. Subsection 1 does not apply to an applicant who graduated from a high school or college in the United States.~~

~~— [Bd. of Oriental Med., Art. V, part § 1 & part § 4, eff. 4-26-74] — (NAC A 7-19-82; R071-02, 11-25-2002; R072-18, 12-19-2018) — (Substituted in revision for NAC 634A.055)~~

**NAC 634A.100 Practical examination of applicant; subjects included in examination.** (NRS 634A.070, 634A.120)

1. Until such time as the Board implements a process for administering a practical examination online:

(a) The practical examination will be given at least two times a year, and at least once in June and December of each year.

(b) An applicant may not take the practical examination unless the applicant has first passed the examinations required pursuant to NAC 634A.085. The Executive Director shall notify an applicant of the time and place of the practical examination not later than 20 days before the date on which the practical examination is scheduled.

(c) During the practical examination, only the testing consultant and the applicants will be allowed in the examination rooms.

2. Upon the implementation of a process for administering the practical examination online:

(a) Examinations will be offered at times and places established by the Board but at least two times each year in accordance with NRS 634A.120.

(b) The Board will notify an applicant of his or her eligibility to take the practical examination online. Not later than 90 days after notification by the Board, the applicant must take the examination online at the facility that is designated by the Board.

3. As a part of the practical examination, the Board may examine an applicant as to his or her basic knowledge of the following subjects:

~~— (a) Basic medical science concerning anatomy, physiology, pathology, bacteriology and communicable diseases.~~

~~— (b) The Clean Needle Technique, as presented in the current guidelines of the Clean Needle Technique course administered by the Council of Colleges of Acupuncture and Oriental Medicine.~~

~~— (c) Oriental medicine theory, herbology and acupuncture.~~

~~— (d) Oriental herb safety and herb-drug interactions.~~

(e) Applicable laws and regulations pertaining to health and safety and *ethics*.

4. The practical examination will be given in written form. Each applicant shall take the examination in the English language.

5. An applicant must receive an overall score of at least 70 percent on the practical examination ~~and 65 percent on each of its sections or subparts~~ to pass the examination.

[Bd. of Oriental Med., Art. IV §§ 1 & 2, eff. 4-26-74; renumbered as §§ 2 & 3, 7-19-76; part §§ 1 & 4, eff. 7-19-76; + Art. V § 2, eff. 4-26-74] — (NAC A 7-19-82; 1-22-92; 1-24-94; R071-02, 11-25-2002; R072-18, 12-19-2018)

**NAC 634A.110 Reexamination of applicant who fails practical examination.** (NRS 634A.070, 634A.120)

1. An applicant for a license to practice Oriental medicine who fails the practical examination may retake the examination on the next scheduled examination date. A person seeking reexamination must notify the Executive Director by completing a form prescribed by the Board and submitting the fee set forth in NAC 634A.165.

~~—2.— If an applicant who has failed the practical examination failed only one section of the practical examination, the applicant will be reexamined only with respect to the section that he or she failed. If the applicant failed two or more sections of the practical examination, he or she must repeat the entire practical examination at the time of reexamination.~~

[Bd. of Oriental Med., Art. XV § 1, eff. 4-26-74; A 7-15-75; § 2, eff. 4-26-74; § 3, eff. 7-15-75] — (NAC A by R071-02, 11-25-2002; R193-07, 6-17-2008)

~~— NAC 634A.121 Practice under fictitious name; prohibition against multiple licenses and registration under same name.~~ (NRS 634A.070)

~~—1.— A licensee shall not operate under a fictitious name unless the licensee complies with chapter 602 of NRS and files with the Board a certified copy of the certificates issued by the county clerk.~~

~~—2.— Any licensee who wishes to practice under a fictitious name must submit to the Board an application, on a form provided by the Board, accompanied by a fee of \$50.~~

~~—3.— The Board will not issue more than one license or register more than one licensee under the same name.~~

~~—(Added to NAC by Bd. of Oriental Med. by R071-02, eff. 11-25-2002)~~

**NAC 634A.135 Continuing education; placement of license on inactive status; reinstatement to active status.** (NRS 634A.070, 634A.167)

1. Except as otherwise provided in this section, a licensee shall complete, during each calendar year, at least 10 hours of continuing education.

2. A licensee may only receive credit for hours of continuing education in courses that have been approved by the Board pursuant to NAC 634A.137 *or if the CEU course has been approved by NCCAOM as a core competency with the designation of AOM-ABT, AOM-AC, AOM-BIO, AOM-CH, AOM-OM, AOM-SA, and/or AOM-ET, then it will be automatically deemed approved and no Board approval is necessary.*

3. Beginning with the 2003 calendar year, a licensee who earns more than 10 hours of credit for continuing education in any calendar year may carry forward up to 10 hours of excess credit. ~~and apply such excess credit to the educational requirements for the next calendar year if the licensee indicates in writing, at the time he or she submits the form for renewal of his or her license pursuant to NRS 634A.167, that the licensee intends to carry forward such excess credit.~~

4. A licensee who is not practicing in this State may request the Board to classify his or her license as inactive. A person who holds an inactive license is exempt from the requirements set forth in this section regarding continuing education.

5. A person who is requesting the Board to change the classification of his or her license from inactive to active must:

(a) Satisfy the requirements of continuing education for the year in which the person seeks to reclassify his or her license;

(b) Submit proof to the Board that the person has satisfied the applicable requirements; and

(c) Submit the fee set forth in NAC 634A.165.

(Added to NAC by Bd. of Oriental Med., eff. 2-1-92; A 1-24-94; R071-02, 11-25-2002; R193-07, 6-17-2008)

**NAC 634A.140 Payment of annual renewal fee; ~~proration of fee for first renewal.~~** (NRS 634A.070, 634A.160) Except as otherwise provided in this section, each person who holds an active or inactive license to practice Oriental medicine shall pay to the Board an annual fee for the renewal of the license as required by NAC 634A.165. ~~The Board will prorate by month the annual fee for the first renewal of an active or inactive license to practice Oriental medicine.~~ All new licensees will not be charged a license fee until the first renewal. The first renewal date shall be January 31 of the next year unless the applicant is approved for an OMD license in January and then the first renewal date shall be January 31 of the following year.

[Bd. of Oriental Med., Art. IX part § 2, eff. 4-26-74; A 7-19-76; 4-4-78; 1-1-80] — (NAC A 1-22-92; R173-05, 12-29-2005; R072-18, 12-19-2018)

**NAC 634A.150 Reinstatement of license cancelled for failure to pay annual fee; reapplication for new license.** (NRS 634A.070, 634A.160)

1. Any person whose license has been cancelled pursuant to ~~NRS 634A.160~~ NRS 634A.167 and who desires to reinstate his or her license may have the license reinstated if:

(a) Not later than ~~1 year~~ 90 days after the date on which the license was cancelled:

(1) The person submits to the Board all required fees for the period during which his or her license was cancelled, plus any late fee set forth in NAC 634A.165; and

(2) The person submits proof of compliance with the applicable requirements concerning continuing education; and

(b) The Board reinstates the license of the person at a regularly scheduled meeting.

2. Any person whose license has been cancelled pursuant to ~~NRS 634A.160~~ NRS 634A.167 who fails to comply with the requirements of paragraph (a) ~~of subsection 1~~ and who desires a license must reapply for a new license.

[Bd. of Oriental Med., Art. IX part § 2, eff. 4-26-74; A 7-19-76; 4-4-78; 1-1-80] — (NAC A by R071-02, 11-25-2002; R072-18, 12-19-2018)

**NAC 634A.160 Surrender of license and pocket license when suspended or revoked; replacement of lost, stolen or destroyed license or pocket license.** (NRS 634A.070)

1. If a license is revoked, the license and the pocket license previously issued by the Board must be surrendered by the licensee to the Executive Director within 5 days after receipt of a notice of revocation.

2. If a license is suspended for a fixed period, the license and pocket license previously issued by the Board must be surrendered by the licensee to the Executive Director within 5 days after receipt of a notice of suspension.

3. If a license or pocket license must be surrendered pursuant to subsection 1 or 2 but has been lost, stolen or destroyed, the licensee must complete and file an affidavit with the Board stating that the license or pocket license has been lost, stolen or destroyed and that the licensee will immediately return the license or pocket license if it is later recovered by the licensee.

4. If the license or pocket license of a licensee is lost, stolen or destroyed, the licensee must:

(a) Complete and file an affidavit with the Board stating that the license or pocket license has been lost, stolen or destroyed and that the licensee will immediately return the license or pocket license if it is later recovered by the licensee; and

(b) Pay the fee set forth in NAC 634A.165 for replacement of the license or pocket license.

[Bd. of Oriental Med., Art. XI part § 7, eff. 4-26-74] — (NAC A by R071-02, 11-25-2002; R193-07, 6-17-2008)

**NAC 634A.165 Fees of Board.** (NRS 634A.070, 634A.110, 634A.160, 634A.165) The Board will charge and collect the following fees not to exceed the amount stated below:

Original application for licensure as a doctor of Oriental medicine.....	\$1,000.00
Renewal of active license before February 1.....	700.00
Renewal of inactive license before February 1.....	500.00
Penalty for late renewal of license within 90 days after February 1.....	100.00
<del>Penalty for late renewal of license more than 90 days after February 1.....</del>	<del>200.00</del>
<del>Penalty for reinstatement of cancelled license.....</del>	<del>200.00</del>

Original application for use of fictitious name.....	100.00
Replacement of pocket license.....	100.00
Replacement of license.....	200.00
Original fee for practical examination.....	1,000.00
Reexamination fee for practical examination.....	500.00
Transfer of license from active status to inactive status.....	200.00
Transfer of license from inactive status to active status.....	500.00
Approval of course of continuing education.....	100.00
Temporary certificate for lecturing or training.....	100.00
Check returned for insufficient funds.....	25.00
For copies of this chapter and chapter 634A of NRS.....	10.00
For other copies, per page.....	0.25
For other copies, per compact disc or tape recording.....	20.00
Original application fee for a school or college of Oriental medicine.....	2,000.00
Annual fee for approval of curriculum before February.....	1,000.00

(Added to NAC by Bd. of Oriental Med. by R071-02, eff. 11-25-2002; A by R173-05, 12-29-2005; R026-06, 5-4-2006; R072-18, 12-19-2018)

**NAC 634A.230 Payment of fees and remittances; refund of application fee.** (NRS 634A.070, 634A.110)

1. Fees and remittances must be paid to the Board by credit card, debit card, money order, bank draft or check payable to "State Board of Oriental Medicine." Remittances in currency or coin are wholly at the risk of the remitter and the Board assumes no responsibility for their loss. Postage stamps will not be remitted.

2. The Board will not refund any part of the application fee to an applicant if the applicant:

(a) Does not complete his or her application by providing all the documentation required by the form for application within 6 months after the actual date of filing of the form by the applicant;



- (b) Withdraws his or her application; or
- (c) Dies before he or she is issued a license by the Board.

3. *The Board will not refund any state exam fees, renewal fees, or inactive fees.*

[Bd. of Oriental Med., Rule 2.4, eff. 7-26-77] — (NAC A 1-24-94; R071-02, 11-25-2002)