

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

LCB FILE NO. R026-22

The following statement is submitted by the State of Nevada, Board of Oriental Medicine, for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 634A.

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

Response: The need for the proposed NAC 634A regulation is to update regulations regarding the applicants and the exams to better align with NRS 634A, streamline CEU approval process by accepting certain NCCAOM approved courses, eliminate certain inactive transfer fees, allow the acceptance of credit and debit cards, and eliminate regulations such as the English proficiency tests and the registration of practicing under a fictitious name which is already required by business licensing.

(B) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

Response: On 3/3/2022, a small business impact survey was sent to all licensed Oriental Medicine Doctors and interested persons on the Board’s email list to determine the impact of the proposed regulations.

Also, the Board of Oriental Medicine conducted a public workshop on 4/5/2022 via Zoom to solicit comments from small businesses. Notice of these workshops were posted at Nevada State Board of Oriental Medicine, Nevada State Board of Oriental Medicine website: <http://orientalmedicine.nv.gov/>, Office of the Attorney General (Carson City), Office of the Attorney General (Las Vegas), State Library and Archives, website @ Notice.NV.GOV, and State of Nevada Register of Administrative Regulations. The Workshop notice and the proposed regulation was emailed to individuals on the Board’s emailing list.

There were 2 responses received which stated that there was no impact.

Copies of comments submitted by the public is accessible in the workshop minutes of the Board’s website or obtained from the Board Office directly upon request.

The minutes of the workshop contains summaries of the public response to the proposed regulations. A copy of the minutes may be obtained from the Board of Oriental Medicine, 3191 E. Warm Springs Road, Las Vegas, NV 89120, telephone: 702-675-5326 or email @ omboardexecutivedirector@gmail.com, or on its website at <http://orientalmedicine.nv.gov/>

- (C) The number of persons who:**
- (1) Attended each hearing;**
 - (2) Testified at each hearing; and**
 - (3) Submitted to the agency written statements.**

Response: There were 2 members of the public at the public workshop on 4/5/2022. There were some comments throughout the workshop from the Board members and members of the public. There were no written statements submitted at the public workshop on 4/5/2022.

There were 2 members of the public at the public adoption hearing on July 27, 2022. There were no public comments and no written statements submitted at the public adoption hearing.

- (D) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:**

- (1) Name;**
- (2) Telephone number;**
- (3) Business address;**
- (4) Business telephone number;**
- (5) Electronic mail address; and**
- (6) Name of entity or organization represented.**

Response: Board members who attended the workshop were: Dr. Maggie Tracey, OMD, Dr. Michael Ferris, OMD, Dr. Eric Richardson, MD, Dr. Lisa Grant, OMD and Jennifer Braster.

Members of the public who attended the workshop were: Laura Fink-Soto, OMD and Fiona Kelley, OMD.

Board members who attended the public adoption hearing were: Dr. Maggie Tracey, OMD, Dr. Lisa Grant, OMD, Dr. Michael Ferris, OMD, and Jennifer Braster.

Members of the public who attended the public adoption hearing were: Jin Ngan and Yoojin Lee Sedera, OMD.

- (E) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Response: On 3/3/2022, a small business impact survey was sent to all licensed Oriental Medicine Doctors and interested persons on the Board's email list to determine the impact of the proposed regulations. The 2 responses received stated that there was no impact.

Copies of comments can be obtained from the Board Office directly upon request.

The minutes of the workshop contain summaries of the public response to the proposed regulations. A copy of the minutes may be obtained from the Board Office directly upon request.

- (F) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Response: At the Workshop on 4/5/22, the Board went through each new proposed regulation and made the appropriate and necessary changes as suggested by its members and/or the public. If the proposed regulation did not have any suggested changes, then no changes were made.

(G) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

- (1) Both adverse and beneficial effects; and**
- (2) Both immediate and long-term effects.**

Response: There is no adverse impact based upon the small business impact survey. The benefits include provisions relating to qualifications of applicants, sections in the state exam, automatic credits of continuing education if they fall within certain categories of NCCAOM approved classes, deletion of prorated fees, elimination of certain Board fees, and acceptance of credit and debit cards, and non-refundability of state exam fees, renewal fees and other matters properly relating thereto.

The immediate and long-term effect is that it will be less costly for the renewal process as the licensees do not have to pay a fee to the Board for CEU course approval; it will be less costly as the new licensees no longer have to pay prorated license fees when they received their license; and it will be less costly as there will no longer be inactive transfer fees.

(H) The estimated cost to the agency for enforcement of the proposed regulation.

Response: None

(I) 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.

Response: None

(J) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

Response: None

(K) 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.

Response: None