

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE R082-22

The following statements is submitted for adopted amendments to the Nevada Administrative Code (NAC) Chapter 638.

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

This regulation is necessary to update the regulations pertaining to various licensing and administrative language to improve efficiency, clarity to licensees, and public protection.

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 email to persons who were known to have an interest in the subject of veterinary medicine as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada Board of Veterinary Medical Examiners, nvvetboard.nv.gov, the office of the Nevada Board of Veterinary Medical Examiners at 4600 Kietzke Ln. Suite O-265, Reno, NV 89502, Sierra View and Clark County library, notice.nv.gov, the Office of the Attorney General in Reno and Las Vegas. A copy of the notice of hearing with proposed regulation was mailed to 22 county public libraries in Nevada.

A workshop was held in conjunction with the quarterly meeting of the Board on September 14, 2022, and the minutes of that meeting, attached hereto, contain a summary of the discussion held regarding the proposed amendments.

Thereafter, a public hearing was held on October 21, 2022, the Executive Director of the Board of Veterinary Medical Examiners issued a Notice of Intent to Act Upon a Regulation which included changes incorporated in the proposed amendments from public comment submitted during the rulemaking process.

A copy of this summary of the written submissions to the proposed regulation are included.

3. The number persons who:

- (a) Attended each hearing:** September 14, 2022(1); October 21, 2022 (0)
- (b) Testified at each hearing:** September 14, 2022(1); October 21, 2022 (0)
- (c) Submitted to the agency written comments:** 1

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.

- Neil Haley, misterneilhaley@gmail.com;

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.

Comments were solicited from affected businesses in an email correspondence sent August 25, 2022, to 390 facility associated emails and the Board office mailing list with a copy of the proposed regulations and request to submit any questions or comments regarding the regulations and if there would be any foreseeable impact on business. All written responses are attached in Exhibit A below.

Interested parties may obtain a copy of the summary by contacting the Board office at 775-688-1788 or emailing at vetbdinfo@vetboard.nv.gov

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 permanent regulation was adopted on October 21, 2022, with no changes. Changes were considered and made during the workshop phase, and at the hearing no changes were suggested by the public or Board.

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;

(b) Both immediate and long-term effects;

(c) Both direct and indirect effects.

(a) Both adverse and beneficial effects

The regulations should have no foreseeable negative effect. Beneficially, the various changes to definitions and updates to scope of practice are intended to simplify for the public and licensees what the updated language applies to regarding changing practice conditions as well as clarify the rights and responsibilities of each party. As with all regulation changes, there will be initial education period to update licensees and the public regarding what the changes entail, but the Board office staff will conduct outreach efforts to minimize any confusion regarding the changes.

(b) Both immediate and long-term effects.

As an immediate effect, there will be changes to the process of determining an animal abandoned at a veterinary facility and the rights and responsibilities therein. Regarding long term, it is expected that the changes in definitions will allow for more expeditious and overall humane treatment of patients in emergency situations and overall care for abandoned animals. The changes regarding fraudulent, negligent, and/or incompetent acts has been updated to include all licensed individuals and is intended to bring consistency to any disciplinary actions that may need to be taken in the future.

(c) Both direct and indirect effects.

As a direct effect, the licensees will have clearer language regarding emergency situations that may require discretionary decisions by the practitioner. This language should aid them in giving clearer guidelines during that time. Additionally, the language should give licensees clarity on their responsibilities for reporting to the Board. Lastly, the updated definition should give individual licensees practicing animal chiropractic a clearer and more up to date understanding of their scope of practice. Indirectly, the public will be more aware as to their rights and limitations given to relinquishing their pets at a veterinary hospital and the medical records that will be maintained therein.

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.

There are no other state or government regulations that the proposed regulation duplicates.

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

There are no federal regulations that apply.

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.