

**PROPOSED REGULATION OF THE
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

LCB File No. R169-22

September 29, 2022

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 634.030 and 634.090; § 2, NRS 634.030; § 3, NRS 634.030 and 634.130.

A REGULATION relating to chiropractors; setting forth the documents that an applicant for a license to practice chiropractic may provide to the Chiropractic Physicians' Board of Nevada to demonstrate that he or she has a high school education; requiring chiropractic physicians and chiropractor's assistants to provide the Board with electronic mail addresses used for work purposes; providing for the award of credit for continuing education to chiropractic physicians and chiropractor's assistants who attend a meeting of the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Chiropractic Physicians' Board of Nevada to adopt reasonable regulations for the transaction of business and to enable the Board to carry out its duties under the provisions of law governing chiropractic physicians and chiropractic assistants. (NRS 634.030)

Existing law requires an applicant for a license to practice chiropractic to furnish to the Board satisfactory evidence that he or she has a high school education and is a graduate from an accredited college of chiropractic. (NRS 634.090) **Section 1** of this regulation sets forth the documents an applicant may provide to the Board for the purposes of furnishing satisfactory evidence that he or she has a high school education.

Existing regulations require a chiropractic physician or chiropractor's assistant who is licensed or certified by the Board to provide the Board with the address of his or her current legal residence. (NAC 634.380) **Section 2** of this regulation additionally requires such a chiropractic physician or chiropractor's assistant to provide the Board with the electronic mail address that he or she uses for work purposes.

Existing regulations establish provisions concerning the continuing education of persons who hold a license to practice chiropractic or a certificate to practice as a chiropractor's assistant. (NAC 634.385) **Section 3** of this regulation provides that the Board will award 4 hours of

continuing education once during a calendar year to a licensee or a holder of a certificate who attends a meeting of the Board during that calendar year.

Section 1. Chapter 634 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of an applicant furnishing satisfactory evidence to the Board that he or she has a high school education in accordance with paragraph (b) of subsection 1 of NRS 634.090, the applicant may provide to the Board:

- 1. A diploma issued by a high school in this State or any other state or territory of the United States;*
- 2. An official transcript issued by a high school in this State or any other state or territory of the United States;*
- 3. A certificate of general educational development or an equivalent document issued by the Department of Education or the appropriate authority of any other state or territory of the United States; or*
- 4. A certificate of completion of high school or an equivalent document issued by a charter school or homeschool that is lawfully operated in this State or any other state or territory of the United States.*

Sec. 2. NAC 634.380 is hereby amended to read as follows:

634.380 1. A chiropractic physician or chiropractor's assistant who is licensed or certified by the Board shall ~~†~~

~~—(a) Provide†~~ provide the Board with ~~†the†~~ :

(a) The address of his or her current legal residence ~~†~~ and

~~{(b) Notify}~~ *notify* the Board, in writing, of any change in his or her legal residence within 15 days after the change ~~{H}~~; *and*

(b) The electronic mail address that he or she uses for work purposes.

2. In addition to providing the Board with the address of each office where he or she practices pursuant to NRS 634.129, and the address of his or her legal residence, a chiropractic physician or chiropractor's assistant may provide the number of a post office box which is to be used as his or her mailing address.

Sec. 3. NAC 634.385 is hereby amended to read as follows:

634.385 1. Except as otherwise provided in subsection 7, the Board may approve or endorse an educational class or a seminar if it concerns:

- (a) The practice of chiropractic;
- (b) Performing chiropractic adjustment;
- (c) Avoiding unprofessional conduct or malpractice, including, without limitation, gross malpractice;
- (d) Performing manipulation;
- (e) Diagnosis and treatment of subluxation complex;
- (f) Compliance with chapter 629 or 634 of NRS or chapter 634 of NAC; or
- (g) Lifesaving skills, as described in subsection 4 of NRS 634.130.

2. The Board may approve or endorse the attendance by licensees or holders of certificates, in person or on-line, of an educational seminar or seminars if:

- (a) The syllabus and curriculum of the instructors of the seminar or seminars and the required fee are submitted to the Board;

(b) The seminar or seminars provide instruction in conformity with subsection 3 or 4 of NRS 634.130, as applicable;

(c) The seminar or seminars concern a subject described in subsection 1;

(d) The sponsor of the seminar or seminars ensures that each licensee and holder of a certificate who requests credit for continuing education to satisfy the requirement set forth in subsection 3 or 4 of NRS 634.130, as applicable, attends at least 50 minutes of each hour of instruction; and

(e) The seminar or seminars are sponsored by:

(1) A chiropractic college which has been accredited by:

(I) The Council on Chiropractic Education; or

(II) Another educational entity that has been approved by the Board;

(2) A state chiropractic board or association;

(3) The American Chiropractic Association, the International Chiropractors Association or the successor of either;

(4) A major hospital, as defined in NRS 439B.115;

(5) An accredited university or college; or

(6) A regulatory body as defined in NRS 622.060.

3. As an alternative to the method of approval and endorsement provided in subsection 2, the Board will approve and endorse the attendance by licensees or holders of certificates, as applicable, in person or on-line, of an educational seminar or seminars if the seminar or seminars have been granted recognition status by the Providers of Approved Continuing Education of the Federation of Chiropractic Licensing Boards and concern a subject described in subsection 1.

4. The sponsor of the seminar or seminars shall ensure that each licensee or holder of a certificate, as applicable, attending that seminar is in attendance in a timely manner at the start of each lecture. If the sponsor fails to maintain the proper monitoring procedure, such failure may constitute grounds for the Board to withdraw its approval of a current or future seminar or seminars hosted or arranged by that sponsor.

5. The sponsor of a seminar shall allow any representative of the Board to attend all or part of the seminar in order to monitor the content of the course or lecture and the procedures for taking attendance. A representative who is taking the seminar to satisfy the requirements of subsection 3 or 4 of NRS 634.130, as applicable, shall pay the full registration fee.

6. The sponsor of a seminar which has received the approval of the Board shall report to the Board all changes in the seminar as soon as possible.

7. Except as otherwise provided in this subsection, the Board will not award credit for continuing education to a licensee or holder of a certificate, as applicable, for an educational class or seminar that is of a nonclinical nature, including, without limitation, an educational class or seminar regarding the building or management of a chiropractic practice. For the purposes of this subsection, an educational class or seminar regarding proper billing procedures shall not be deemed to be an educational class or seminar regarding the building or management of a chiropractic practice.

8. The Board will not award credit for continuing education to an instructor of an educational class or seminar unless the instructor obtained from the Board approval for such credit before teaching the educational class or seminar.

9. Continuing education hours earned through the completion of a specific educational class or seminar may be counted only once during a calendar year toward the hours of continuing education required by subsection 3 or 4 of NRS 634.130, as applicable, even if the licensee or holder of a certificate completes that class or seminar more than once during that calendar year.

10. The Board will award credit for continuing education to a licensee or a holder of a certificate for all educational classes or seminars which are approved and endorsed by the Board pursuant to this section and are attended by the licensee or holder of a certificate.

11. The Board will award 4 hours of credit for continuing education once during a calendar year to a licensee or a holder of a certificate who attends a meeting of the Board during that calendar year.