

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Aury Nagy, M.D.
Board President



Edward O. Cousineau, J.D.
Executive Director

❖ **PUBLIC NOTICE** ❖

**NEVADA STATE BOARD OF MEDICAL EXAMINERS
REGULATION PUBLIC HEARING**

Conference Room at the Offices of the Nevada State Board of
Medical Examiners
9600 Gateway Drive, Reno, Nevada 89521

Videoconferenced to:

Conference Room at the Offices of the Nevada State Board of
Medical Examiners
325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119

January 4, 2023 – 1:30 p.m.

*** AGENDA ***

Please Note:

- Persons wishing to attend this public hearing may do so at either of the above-listed locations.
- Agenda items, other than those items posted with a specific time, may be taken out of sequence or may be combined for consideration by the Deputy Executive Director to accommodate persons appearing at the public hearing and/or to aid in the effectiveness of the hearing.
- Items may be pulled or removed from the Agenda at any time.
- Certain Agenda items, or portions thereof, may be conducted in closed session, in accordance with NRS 241.030.
- Public comment is scheduled under Agenda Item 2, at the beginning of the meeting, and again under Agenda Item 4, at the end of the meeting, and may also be called for at other times throughout the meeting by the Deputy Executive Director. When these Agenda items are called, members of the general public may bring matters not appearing on this Agenda to the attention of the Deputy Executive Director. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others, who may also wish to provide public comment, please avoid repetition and limit your comments to no more than four (4) minutes.
- Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

1. Call to Order and Introductions

2. Public Comment

Members of the public are invited to provide public comment. No action will be taken regarding this comment at this workshop. Public comment may be limited to four (4) minutes at the discretion of the Deputy Executive Director.

3. Public hearing on LCB File No. T006-22(for discussion only)

Public comment regarding LCB File No. T006-22 is welcomed and will be accepted. Any written comment received by 1:30 p.m. on January 4, 2023, will be read into the record.

4. Public Comment

Members of the public are invited to provide public comment. No action will be taken regarding this comment at this workshop. Public comment may be limited to four (4) minutes at the discretion of the Deputy Executive Director.

5. Adjournment (for possible action)

NOTICES POSTED AT THE FOLLOWING:

Washoe County Courthouse	Reno, NV
Elko County Courthouse	Elko, NV
Nevada State Board of Medical Examiners	Reno, NV
Nevada State Board of Medical Examiners	Las Vegas, NV
Office of the Attorney General	Carson City
Office of the Attorney General	Las Vegas, NV
Storey County Comm.	Virginia City, NV
White Pine County Courthouse	Ely, NV
Nevada Public Notice Website	www.notice.nv.gov
Nevada State Board of Medical Examiners:	https://medboard.nv.gov/

PLEASE NOTE:

- 1) Persons/facilities desiring copies of the Board's agenda must submit their request in writing every twelve (12) months. Check the address label for this agenda for expiration date.
- 2) With regard to any Board meeting, it is possible that an amended notice will be published adding new items to the original agenda. Amended notices will be posted in accordance with the Open Meeting Law.
- 3) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board office in writing at 9600 Gateway Drive, Reno, NV 89521, or by calling (775) 324-9380, prior to the date of the meeting.
- 4) Anyone desiring supporting material for the meeting is invited to call or email Mercedes Fuentes at fuentesm@medboard.nv.gov or 775-324-9380. Supporting material for the meeting is available at the Board's office at 9600 Gateway Drive, Reno, Nevada 89521.



Nevada State Board of Medical Examiners

NOTICE OF INTENT TO ACT UPON REGULATION

Notice of Hearing for the Adoption/Amendment of Regulations of the

Nevada State Board of Medical Examiners

The Nevada State Board of Medical Examiners (Board) will hold a public hearing at 1:30 p.m., on Wednesday, January 4, 2023, at the Board's Reno office located at 9600 Gateway Drive, Reno, Nevada 89521, with video-conferencing to the Board's Las Vegas office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of a temporary regulation that pertains to Chapter 630 of the Nevada Administrative Code.

T006-22 This temporary regulation requires for physicians licensed pursuant NRS 629A, information required for biennial registration pursuant NRS 630.267(1)(c) includes any outstanding application documents requested by the Board at initial licensure. Failure to provide these documents may result in the renewal application being denied.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment:

The proposed regulation clarifies the requirements needed for renewal of a license issued pursuant to NRS Chapter 629A and aids the Board in receiving outstanding applications documents prior to processing a licensee's renewal application.

2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and the issues involved:

The proposed regulation is temporary and clarifies the requirements needed for renewal of a license issued pursuant to NRS Chapter 629A and the requirement that the Board receive outstanding applications documents before the renewal may be completed.

3. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation:

A copy of this Notice and the proposed regulations to be amended will be on file at the Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of this Notice and the

proposed regulations to be amended will be available at the offices of the Board at 9600 Gateway Drive, Reno, Nevada 89521 and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119, for inspection and copying by members of the public during business hours and on the Board's website, <https://medboard.nv.gov/>. This Notice and the text of the proposed regulations is also available 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 available on the Internet at <https://www.leg.state.nv.us/register/>. Copies of this Notice and the proposed regulations will also be mailed to members of the public at no charge upon request.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

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, respiratory care, or perfusion, nor will it have a direct economic effect on the public. The documents at issue are already required by Nevada law.

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, respiratory care, or perfusion, nor will it have a direct economic effect on the public. The documents at issue are already required by Nevada law.

c. The methods used by the agency in determining the impact on small business:

The Board sent letters regarding the proposed regulations and requesting information regarding whether the proposed regulations would impact small businesses to the Better Business Bureau of Northern Nevada, the Better Business Bureau of Southern Nevada, multiple chambers of commerce offices in the State of Nevada, the Nevada State Medical Association, the Washoe County Medical Society, and the Clark County Medical Society. To date, the Board has received no responses indicating that these proposed regulations will impact small businesses.

d. The estimated cost to the agency for enforcement of the proposed regulation:

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

e. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include 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.

f. If the regulation is required pursuant to federal law, a citation and description of the federal law:

The proposed regulations are not required pursuant to federal law.

g. If the regulation includes provisions which are more stringent than a federal regulation that 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.

h. Whether the proposed regulation establishes a new fee or increases an existing fee:

The proposed regulations do not establish new fees or increase existing fees.

i. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied:

The proposed regulations are temporary. The text of the proposed regulations will be available for inspection or copying at the Board's offices located at 9600 Gateway Drive, Reno, Nevada 89521 and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119, during business hours. The text of the proposed regulations is also available on the Board's website, <https://medboard.nv.gov/>.

Persons wishing to comment upon the proposed regulations of the Nevada State Board of Medical Examiners may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Nevada State Board of Medical Examiners, 9600 Gateway Drive, Reno, Nevada 89521. Written submissions must be received by the Nevada State Board of Medical Examiners on or before 3:30 p.m. on Wednesday, January 4, 2023. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Medical Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Nevada State Board of Medical Examiners office located at 9600 Gateway Drive, Reno, Nevada 89521, and the Nevada State Board of Medical Examiners office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119, for inspection and copying by members of the public during business hours, and on the Board's website, <https://medboard.nv.gov/>. This notice and the text of the proposed regulation is also available 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 available on the Internet at <https://www.leg.state.nv.us/>.

Copies of this Notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Washoe County Courthouse - Reno, NV

Nevada State Board of Medical Examiners - Reno, NV

Nevada State Board of Medical Examiners - Las Vegas, NV

Office of the Attorney General - Carson City, NV

Office of the Attorney General - Las Vegas, NV

White Pine County Courthouse – Ely, NV

Nevada State Board of Medical Examiners Website: <https://medboard.nv.gov/>

Authority: NRS 629A, Article 7, Section f

New Provision#1: *For physicians licensed pursuant NRS 629A, information required for biennial registration pursuant NRS 630.267(1)(c) includes any outstanding application documents requested by the Board at initial licensure. Failure to provide these documents may result in the renewal application being denied.*