

**REGULATION ADOPTED BY THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS
LCB File No. R001-14**

INFORMATIONAL STATEMENT

Pursuant to the provisions of NRS 233B.066, the following informational statement is submitted:

**DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED
SUMMARY OF THE PUBLIC RESPONSE
EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN
A COPY OF THE SUMMARY**

How public comment was solicited:

The Nevada State Board of Medical Examiners (Board) published a Notice of Intent to Act Upon Regulation to solicit comments on proposed changes to the regulation. The hearing was to be conducted in Reno on Thursday, July 17, 2014, at the hour of 10:00 o'clock a.m., at the Board office located at 1105 Terminal Way, Suite 301, Reno, Nevada, and videoconferenced to the Las Vegas Board office located at 6010 S. Rainbow Blvd., Bldg. A., Suite 1, Las Vegas, Nevada.

In the notice the public was notified that a copy of the proposed regulation was on file at the State Library, 100 Stewart St., Carson City, Nevada; available at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada; in all counties in the state of Nevada in which the Board does not maintain an office, at the main public library; 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 on the Internet at <http://www.leg.state.nv.us.>, as well as posted at the following locations:

Washoe County Courthouse	Reno, Nevada
Carson City Library	Carson City, Nevada
Clark County District Library	Las Vegas, Nevada
Churchill County Library	Fallon, Nevada
Douglas County Library	Minden, Nevada
Elko County Library	Elko, Nevada
Esmeralda County Library	Goldfield, Nevada
Humboldt County Library	Winnemucca, Nevada
Lander County Library	White Pine, Nevada
Lincoln County Library	Pioche, Nevada
Lyon County Library	Yerington, Nevada
Mineral County Library	Hawthorne, Nevada
Tonopah Library	Tonopah, Nevada
Pershing County Library	Lovelock, Nevada
Storey County Library	Virginia City, Nevada

**White Pine County Library
Washoe County Library**

**Ely, Nevada
Reno, Nevada**

Attached hereto and made parts hereof, are copies of certifications of posting from many of the above named.

A clear and concise statement of the need for the regulation:

The regulatory change to existing regulation was necessary to update the proper title of the Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain. From public comment it was also agreed by the Board that reference to “acute pain” in current regulation was dated and not consistent with current medical practice; therefore, language referencing acute pain was removed.

Summary of the public response:

The public response was supportive of the initial proposed changes to currently existing regulation, and was supplemented with a request to remove “acute pain” language from current regulation language as, “the short-term and limited treatment of acute pain must be left to the discretion of the evaluating and treating physician, and clearly does not fall within the same purview as the myriad of issues which must be considered and addressed in the treatment of chronic pain.”

**How other interested persons may obtain a copy of
the public response to the regulations:**

On file with the Board at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada, is a complete transcript of the hearing conducted on the regulation change.

Any member of the public may visit the offices of the Board and may review any or the entire transcript referred to above. Also, any member of the public may request copies of the transcript of all the public comment by contacting the court reporter and requesting a copy.

The court reporter may be contacted at:

Sunshine Litigation Services
Reno, Nevada
(775) 323-3411

Persons who attended the workshop and hearing:

1. Stacy Woodbury, Executive Director, Nevada State Medical Association
3660 Baker Lane
Reno, NV 89509
(775) 825-6788
stacy@nsmadocs.org

2. Lauren Rozyla, KLAS - TV
3228 Channel 8 Drive
Las Vegas, NV 89109
(702) 792-8888
lrozyla@8newsnow.com

Persons who testified at the workshop or public hearing:

-Stacy Woodbury, Executive Director, Nevada State Medical Association

The number of persons who submitted written statements:

Two, both from the Nevada State Medical Association.

**ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE
BUSINESS WHICH THE BOARD REGULATES AND ON THE PUBLIC**

The Nevada State Board of Medical Examiners solicited any potential impacted businesses by reaching out to various business chambers and associations. Correspondence was sent to the following organizations:

- Las Vegas Metro Chamber of Commerce
- Better Business Bureau of Southern Nevada, Inc.
- Reno/Sparks Chamber of Commerce
- City of Winnemucca
- Elko Great Basin College
- Better Business Bureau of Northern Nevada, Inc.

The Board did not receive any communication back from these organizations relative to any potential economic impact regarding regulation R-001-14.

The economic effect of the regulation on the medical profession:

There will be no economic effect to the medical profession by adoption of this regulation.

The economic effect of the regulation on the general public:

There will be no economic effect to the general public by adoption of this regulation.

**The estimated cost to the Nevada State Board of Medical Examiners to enforce the
proposed regulation:**

The Nevada State Board of Medical Examiners estimates that there will be no additional cost to itself to enforce the proposed regulation.

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS
DOES NOT OVERLAP OR DUPLICATE ANY REGULATIONS OF ANY OTHER STATE
OR GOVERNMENTAL AGENCIES, INCLUDING THE FEDERAL GOVERNMENT.**

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS
DOES NOT INCLUDE PROVISIONS WHICH ARE MORE STRINGENT THAN A
FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY.**

THE NEW REGULATION DOES NOT PROVIDE OR INVOLVE A NEW FEE.

THE REGULATION WAS ADOPTED IN ENCLOSED FORM.

I hereby certify to the best of my knowledge or belief a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was properly prepared and the information contained herein is accurate.

/s/

Todd C. Rich
Deputy Executive Director
Nevada State Board of Medical Examiners