

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R190-12**

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

The Board was statutorily directed in NRS 633.522 to create regulations regarding the training, tasks allowed, and supervision of medical assistants employed by osteopathic physicians.

**2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

The Board has conducted a public workshop on November 13, 2012 and a public hearing on February 11, 2014 at which comment was solicited and received from the public. At the February 11, 2014 public hearing, five members of the public attended and all testified in favor of the proposed regulation. Drafts of the regulation language were also discussed at the August 14, 2012 Board meeting. At the November 13, 2012 workshop, comments were received from the statewide association that represents Nevada's osteopathic physicians. The Board maintains a mailing and mass e-mailing list for all people who have indicated a desire to obtain the Board's public materials, and all people concerned with the Board's regulations have been provided with copies of the various drafts as they became publicly available.

All meeting, public workshop, and public hearing minutes are available on the Board website and may be directly downloaded. Minutes may also be obtained by requesting them via phone, fax, email or mail.

**3. The number of persons who:**

**(a) Attended each hearing: 15**

**(b) Testified at each hearing: 2**

**(c) Submitted written comments:** All written comments were in favor of the proposed regulations.

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

**(a) Name;**

**(b) Telephone number;**

**(c) Business address;**

**(d) Business telephone number;**

**(e) Electronic mail address; and**

**(f) Name of entity or organization represented.**

1. Bryan Gresh; 702-645-5959; 5205 Sandy Cactus, Ste 200, LV 89149; bryan@greshgroup.com; Board lobbyist

2. Denise Selleck; 702-434-7112; 405 Max Court, Suite K, Henderson 89011; nvoma@earthlink.net; NV Osteopathic Medical Association

3. Gary Manley, PA-C; 702-363-4000; 5970 S. Rainbow, Ste 100, LV 89118; gmanley@roseman.edu; newly licensed PA-C

4. Vicki Chan-Padgett, PA-C; 702-777-1765; 874 American Pacific Dr, Henderson 89014; Padgett@tun.touro.edu; PA Advisory Committee for this Board & Director & Associate Professor School of Physician Assistant Studies for Touro University
5. James Somers, PA-C; 702-349-8399; PO Box 93381, LV 89193; NV Academy of Physician Assistants

- 5. 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.**

As previously stated, the Board held one workshop and one public hearing at its regular meetings. All meeting, public workshop, and public hearing minutes are available on the Board website and may be directly downloaded. Minutes may also be obtained by requesting them via phone, fax, email or mail.

- 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.**

Five members of the public were present at the public hearing and had no objections. The Board members were satisfied with adopting the regulation without any changes.

- 7. 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:**

**(a) Both adverse and beneficial effects; and**

The effects on Nevada's osteopathic medical practices will likely be neutral because the Board has already authorized and regulated the use of medical assistants since October 2010. The Board anticipates the effects may be unquantifiably beneficial since osteopathic physicians will be on even competitive footing with allopathic physicians in seeking the best-qualified medical assistants.

**(b) Both direct and indirect effects.**

The effects will be direct in that the conditions of use and supervision of medical assistants by osteopathic physicians will be made clearer. The indirect effects are unquantifiable, but it is believed that the regulations will result in a higher quality of service provided by medical assistants in the employ of osteopathic physicians.

- 8. The estimated cost to the agency for enforcement of the proposed regulation:**  
There will be no additional cost to the agency to enforce the proposed regulation.

- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The proposed regulation does not overlap or duplicate any State, federal, or other governmental regulation.

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

The proposed regulation is not more stringent than any federal regulation that regulates the same activity.

- 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.**  
The proposed regulation does not impose any new or increased fee.