
SENATE BILL NO. 412—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

MARCH 28, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Provides for the regulation of the practice of complementary integrative medicine.
(BDR 54-1105)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to complementary integrative medicine; providing for the regulation of the practice of complementary integrative medicine; creating the Board of Complementary Integrative Medicine; providing for the organization, powers and duties of the Board; authorizing the Board to license or certify qualified persons to engage in the practice of complementary integrative medicine; authorizing the Board to discipline a person who is licensed or certified by the Board for certain actions; authorizing certain persons licensed by the Board to prescribe and possess dangerous drugs and controlled substances under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the Board of Homeopathic Medical Examiners to
- 2 regulate the practice of homeopathic medicine in this State, including persons
- 3 licensed or certified by the Board to engage in the practice of homeopathic
- 4 medicine. (Chapter 630A of NRS) This bill revises existing law to provide for the
- 5 regulation of the practice of complementary integrative medicine, which includes
- 6 homeopathy. **Sections 4-38** of this bill provide definitions for various therapies,
- 7 treatments, modalities or other terms relating to the practice of complementary
- 8 integrative medicine. **Sections 43-99** of this bill revise existing law to provide for



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9 the licensing or certification, regulation and discipline of complementary
10 integrative physicians, complementary integrative practitioners, complementary
11 integrative technicians and complementary integrative assistants.

12 **Sections 45 and 55** of this bill replace the Board of Homeopathic Medical
13 Examiners with the Board of Complementary Integrative Medicine. **Section 70** of
14 this bill provides for the regulation and certification of complementary integrative
15 assistants and complementary integrative technicians by the Board of
16 Complementary Integrative Medicine. **Section 41** of this bill authorizes a provider
17 of health care, a complementary integrative physician or a complementary
18 integrative practitioner to screen a patient to determine whether certain
19 complementary integrative medical services would be beneficial for the patient.

20 **Sections 42, 100, 106 and 107** of this bill authorize a complementary
21 integrative physician or complementary integrative practitioner to prescribe or
22 possess dangerous drugs and controlled substances under certain circumstances.

23 **Section 58** of this bill makes it unlawful to practice or hold oneself out as
24 qualified to practice complementary integrative medicine without a license or
25 certificate issued by the Board of Complementary Integrative Medicine.

26 **Sections 76-80** of this bill revise provisions pertaining to grounds for
27 disciplinary action by the Board of Complementary Integrative Medicine to include
28 complementary integrative physicians, complementary integrative practitioners,
29 complementary integrative technicians and complementary integrative assistants.
30 **Sections 81-86** of this bill expand the authority of the Board of Complementary
31 Integrative Medicine to investigate and examine persons licensed or certified by the
32 Board for certain conduct.

33 **Sections 98 and 99** of this bill provide that, except for certain personal
34 assistants, a person who practices complementary integrative medicine without a
35 license or certificate issued by the Board of Complementary Integrative Medicine is
36 guilty of a category D felony.

37 **Section 108** of this bill requires an insurer who offers or issues any plan, policy
38 or contract of health insurance in this State to use an ABC coding system under
39 certain circumstances. **Sections 109-113** of this bill require certain persons who
40 provide coverage for health care to contract with at least one complementary
41 integrative physician or complementary integrative practitioner under certain
42 circumstances.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 629 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Legislature hereby finds and declares that:*

4 *1. A person has the right to obtain freely any health care*
5 *services not prohibited by law.*

6 *2. The State of Nevada encourages and supports the use of*
7 *health care savings accounts as a means of alleviating the demand*
8 *for diminishing state resources and the impoverishment of*
9 *residents who require long-term care.*

10 *3. Health care savings accounts may be offered as health*
11 *plan options to all employers and residents as an incentive to*
12 *reduce inefficiencies in the provision of health care and to*



1 *encourage persons to participate in and promote the efficient*
2 *provision of health care in this State.*

3 **Sec. 2.** Chapter 630A of NRS is hereby amended by adding
4 thereto the provisions set forth as sections 3 to 42, inclusive, of this
5 act.

6 **Sec. 3.** *The Legislature hereby finds and declares that:*

7 *1. A person has the freedom of choice with respect to*
8 *obtaining health care in this State.*

9 *2. The State is responsible for ensuring that competent*
10 *persons practice alternative and complementary integrative*
11 *medicine, including, without limitation, homeopathic medicine*
12 *within this State.*

13 *3. The Board is charged with the authority and duty to*
14 *determine the initial and continuing competence of persons who*
15 *are licensed or certified pursuant to the provisions of this chapter.*

16 *4. The powers conferred upon the Board by this chapter must*
17 *be liberally construed to carry out these purposes for the*
18 *protection and benefit of the public.*

19 **Sec. 4.** *“Applied kinesiology” means a method for identifying*
20 *nutritional, energetic or other factors that may affect the functions*
21 *of the body of a person by measuring muscle strength and*
22 *endurance.*

23 **Sec. 5.** *“Aquastretch” means therapeutic exercise through*
24 *the stretching of the body of a patient in various depths of water*
25 *and with or without weights attached to the body of the patient.*
26 *The term includes, without limitation, any form of aquatic*
27 *therapy.*

28 **Sec. 6.** *“Aromatherapy” means the therapeutic use of*
29 *aromas to promote health of body and serenity of mind.*

30 **Sec. 7.** *“Bio-oxidative therapy” means the therapeutic use of*
31 *oxygen to promote healing at the cellular level.*

32 **Sec. 8.** *“Biofermentics” means the therapeutic use of the*
33 *fermentation process to treat a patient.*

34 **Sec. 9.** *“Cell therapy” means the therapeutic use of an intact*
35 *cell or any of the contents of a cell to treat a patient.*

36 **Sec. 10.** *“Colon therapy” means the removal of feces and*
37 *toxins from the colon and intestinal tract of a patient.*

38 **Sec. 11.** *“Complementary integrative medicine” means*
39 *alternative and complementary systems of healing arts and holistic*
40 *therapies, including, without limitation, homeopathy, modalities,*
41 *diagnostics, treatments, procedures and protocols used to treat*
42 *patients.*

43 **Sec. 12.** *“Complementary integrative technician” means a*
44 *person who has been issued a certificate to practice as a*
45 *complementary integrative technician by the Board.*



1 **Sec. 13.** *“Cranio-sacral therapy” means the manipulation of*
2 *muscles, ligaments, fascia or other connective tissues, and any*
3 *anatomical structures relating to those tissues, to improve the*
4 *function of cranial nerves and systemic neurological function.*

5 **Sec. 14.** *“Dietary supplements” means preparations that are*
6 *intended to supplement the diet of a patient by providing*
7 *additional nutrients to the patient which may be missing or which*
8 *may not be consumed by the patient in sufficient quantities.*

9 **Sec. 15.** *“Electrodiagnosis” means the therapeutic use of a*
10 *device passively to record the electrical activity of any acupuncture*
11 *point of the body to assist in evaluating and treating a patient.*

12 **Sec. 16.** *“Environmental therapy” means the diagnosis and*
13 *treatment of conditions caused by environmental factors.*

14 **Sec. 17.** *“Healing art” means any holistic system, treatment,*
15 *operation, diagnosis, prescription or practice for the*
16 *ascertainment, cure, relief, palliation, adjustment or correction of*
17 *any human disease, ailment, deformity, injury or unhealthy or*
18 *abnormal physical or mental condition.*

19 **Sec. 18.** *“Healing touch” means the application of a gentle*
20 *touch that assists in balancing physical, mental, emotional and*
21 *spiritual well-being using the energy fields of the body.*

22 **Sec. 19.** *“Herbal therapy” means the therapeutic use of*
23 *herbs, plants, extracts of plants or other natural products to treat a*
24 *patient.*

25 **Sec. 20.** *“Holistic therapy” means the therapeutic use of*
26 *applied kinesiology, aquastretch, aromatherapy,*
27 *bio-oxidative therapy, biofermentics, cell therapy, colon therapy,*
28 *cranio-sacral therapy, dietary supplements, electrodiagnosis,*
29 *environmental therapy, healing touch, herbal therapy,*
30 *homeopathy, lifestyle modification, magnetic and electromagnetic*
31 *therapy, naturopathic therapy, neural therapy, neuromuscular*
32 *integration, noble metal therapy, nutrition therapy,*
33 *orthomolecular therapy, peptide therapy, pharmaceuticals, reiki,*
34 *therapeutic touch, thought field therapy, wellness programs,*
35 *xenobiotics and any therapeutic equivalent to treat a patient.*

36 **Sec. 21.** *“Lifestyle modification” means counseling to*
37 *achieve homeostasis through the use of lifestyle factors, including,*
38 *without limitation, faith, fresh air, sunlight, water, rest, nutrition,*
39 *exercise, temperance, discipline, positive attitude, humor, touch*
40 *and fulfilling relationships.*

41 **Sec. 22.** *“Magnetic and electromagnetic therapy” means the*
42 *therapeutic use of magnetic and electromagnetic fields to treat a*
43 *patient.*

44 **Sec. 23.** *“Naturopathic therapy” means a system of therapy*
45 *and treatment that relies on natural remedies, including, without*



1 *limitation, complementary integrative medicine and holistic*
2 *therapies approved by the Board, including, without limitation,*
3 *sunlight, air, water, counseling, diet, massage, colon therapy and*
4 *any other therapy that promotes and enhances health and wellness*
5 *by means of harmonic resonance with the energies of nature.*

6 **Sec. 24.** 1. *“Neural therapy” means the therapeutic use of*
7 *an electronic device to test and treat a patient, or to inject*
8 *vitamins, minerals, homeopathic medications, herbal extracts,*
9 *enzymes, orthomolecular substances or any other medicinal or*
10 *pharmaceutical preparations into:*

11 *(a) Any acupuncture, acupressure or trigger point of the body;*

12 *(b) The ganglia of the body; or*

13 *(c) Any subcutaneous tissue, intracutaneous tissue, intra-*
14 *articular tissue or periosteal tissue.*

15 2. *As used in this section, “trigger point” means a*
16 *hyperirritable spot within the skeletal muscle or the fascia of a*
17 *muscle which, upon compression, causes pain, tenderness or*
18 *autonomic nervous system phenomena.*

19 **Sec. 25.** *“Neuromuscular integration” means the progressive*
20 *harmonization of the endocrine system, immune system,*
21 *autonomic nervous system, skeletal system and smooth muscle*
22 *system of a patient with the cognitive and noncognitive faculties of*
23 *the patient through the use of:*

24 1. *Manipulation of the soft tissues of the body, including,*
25 *without limitation, cranio-sacral manipulation;*

26 2. *Aquastretch; and*

27 3. *Thought field therapy.*

28 **Sec. 26.** *“Noble metal therapy” means the therapeutic use of*
29 *nonreactive, inert metals that are resistant to oxidation to treat a*
30 *patient.*

31 **Sec. 27.** *“Nutrition therapy” means the therapeutic use of*
32 *applied kinesiology or any other modality or method to recognize,*
33 *evaluate, treat and correct the dietary needs of a patient.*

34 **Sec. 28.** *“Orthomolecular therapy” means the therapeutic*
35 *use of:*

36 1. *Topical and oral prescriptions, pharmaceutical medicines*
37 *and compounded pharmaceuticals, including, without limitation, a*
38 *controlled substance which is listed in schedule II by the State*
39 *Board of Pharmacy pursuant to NRS 453.146.*

40 2. *Intravenous infusion, intramuscular injection,*
41 *subcutaneous injection and intradermal injection of nutrients,*
42 *including, without limitation, vitamins, amino acids, minerals,*
43 *enzymes, compounded pharmaceutical preparations, homeopathic*
44 *medications, organ preparations, ozone, hydrogen peroxide and*



1 *chelating agents to detoxify and remove harmful substances from*
2 *the body.*

3 **Sec. 29.** *“Peptide therapy” means the therapeutic use of*
4 *biological molecules to effect cellular function for bioregenerative*
5 *purposes.*

6 **Sec. 30.** *“Protocol” means a written agreement between the*
7 *Board and a person licensed or certified by the Board which sets*
8 *forth:*

9 *1. The patients which the person may serve or treat;*

10 *2. The specific substances which the person may prescribe or*
11 *administer; and*

12 *3. The conditions under which the person must directly refer*
13 *a patient to another provider of health care.*

14 **Sec. 31.** *“Provider of health care” has the meaning ascribed*
15 *to it in NRS 629.031.*

16 **Sec. 32.** *“Qigong” means any of various Chinese systems of*
17 *physical and mental training for health, martial arts and self-*
18 *enlightenment.*

19 **Sec. 33.** *“Reiki” means a technique used to transfer healing*
20 *energy in the form of chi through the palms of the hands.*

21 **Sec. 34.** *“Therapeutic equivalent” means a nutraceutical,*
22 *nonlegend agent or modality of treatment that is of equal or*
23 *greater efficacy as the allopathic or conventional equivalent.*

24 **Sec. 35.** *“Therapeutic touch” means the therapeutic use of*
25 *noncontact touch or distance healing through an energy therapy*
26 *to promote healing and reduce pain and anxiety in a patient.*

27 **Sec. 36.** *“Thought field therapy” means an acupuncture or*
28 *acupressure technique that uses the energy meridians of the body*
29 *to treat abnormal patterns of thought which cause emotional and*
30 *psychophysiological distress by reconditioning the endocrine*
31 *system, immune system, autonomic nervous system and central*
32 *nervous system.*

33 **Sec. 37.** *“Wellness program” means a comprehensive health*
34 *program designed to maintain a high level of well-being through*
35 *proper diet, exercise, stress management and illness prevention.*

36 **Sec. 38.** *“Xenobiotic” means a chemical compound that is*
37 *found in a living organism but which is not normally produced or*
38 *expected to be present in the living organism.*

39 **Sec. 39.** *The Board may issue a certificate to practice as a*
40 *complementary integrative technician to an applicant who is*
41 *qualified pursuant to regulations adopted by the Board to provide*
42 *complementary integrative medical services. A complementary*
43 *integrative technician may provide the complementary integrative*
44 *medical services that are authorized by the Board.*



1 **Sec. 40. 1. A complementary integrative physician,**
2 **complementary integrative practitioner, complementary**
3 **integrative assistant or complementary integrative technician may**
4 **associate with any other person in a business to manage the**
5 **provision of or to provide complementary integrative medicine or**
6 **related services to patients.**

7 **2. A complementary integrative physician, complementary**
8 **integrative practitioner, complementary integrative assistant or**
9 **complementary integrative technician who has an ownership**
10 **interest in a business identified in subsection 1 that is distinct from**
11 **his or her practice shall provide notice of the interest to a patient**
12 **before providing care or services to the patient.**

13 **Sec. 41. 1. A practice which offers patient screening for**
14 **complementary integrative medical services may:**

15 **(a) Be created and directed by any provider of health care,**
16 **complementary integrative physician or complementary**
17 **integrative practitioner;**

18 **(b) Be owned by any provider of health care, complementary**
19 **integrative physician or complementary integrative practitioner;**
20 **and**

21 **(c) Provide the services described in subsection 2.**

22 **2. A practice which offers patient screening for**
23 **complementary integrative services may offer patient screening to**
24 **determine whether a patient may benefit from:**

25 **(a) Applied kinesiology;**

26 **(b) Aquastretch;**

27 **(c) Aromatherapy;**

28 **(d) Biofeedback;**

29 **(e) Biofermentics;**

30 **(f) Body measurements and analysis of his or her:**

31 **(1) Blood pressure;**

32 **(2) Chi energy;**

33 **(3) Fat analysis;**

34 **(4) Height;**

35 **(5) Pulse; or**

36 **(6) Weight;**

37 **(g) Cell therapy;**

38 **(h) Colon therapy;**

39 **(i) Cranio-sacral therapy;**

40 **(j) Dietary supplements;**

41 **(k) Electrodiagnosis;**

42 **(l) Environmental therapy;**

43 **(m) Healing touch;**

44 **(n) Heart rate variability;**

45 **(o) Herbal therapy;**



- 1 (p) *Homeopathic medicine;*
- 2 (q) *Lifestyle modification;*
- 3 (r) *Massage;*
- 4 (s) *Magnetic and electromagnetic therapy;*
- 5 (t) *Naturopathic therapy;*
- 6 (u) *Neural therapy;*
- 7 (v) *Neuromuscular integration;*
- 8 (w) *Noble metal therapy;*
- 9 (x) *Nutrition therapy;*
- 10 (y) *Nutritional evaluation and counseling;*
- 11 (z) *Orthomolecular therapy;*
- 12 (aa) *Bio-oxidative therapy;*
- 13 (bb) *Peptide therapy;*
- 14 (cc) *Qigong;*
- 15 (dd) *Reiki;*
- 16 (ee) *Referral to a provider of health care;*
- 17 (ff) *Therapeutic touch;*
- 18 (gg) *Thought field therapy;*
- 19 (hh) *Laboratory testing;*
- 20 (ii) *A wellness program;*
- 21 (jj) *Treatment with xenobiotics; or*
- 22 (kk) *Any other holistic therapy.*

23 **Sec. 42.** *A complementary integrative physician or*
24 *complementary practitioner may prescribe or write a*
25 *prescription pursuant to NRS 639.235 if the Board finds that the*
26 *complementary integrative physician or complementary*
27 *integrative practitioner has completed a program which prepares*
28 *the physician or practitioner to:*

- 29 1. *Perform designated acts of medical diagnosis;*
- 30 2. *Prescribe therapeutic or corrective measures; and*
- 31 3. *Prescribe medicines and substances which are used in*
32 *complementary integrative medicine and which are approved by*
33 *the Board.*

34 **Sec. 43.** NRS 630A.010 is hereby amended to read as follows:
35 630A.010 As used in this chapter, unless the context otherwise
36 requires, the words and terms defined in NRS 630A.015 to
37 630A.075, inclusive, *and sections 4 to 38, inclusive, of this act*
38 *have the meanings ascribed to them in those sections.*

39 **Sec. 44.** NRS 630A.015 is hereby amended to read as follows:
40 630A.015 ~~["Advanced"]~~ *"Complementary integrative*
41 *practitioner "* ~~[of homeopathy"]~~ *means a person who has:*

- 42 1. *Complied with all of the requirements set forth in this*
43 *chapter and the regulations adopted by the Board for* ~~[advanced~~
44 ~~practitioners of homeopathy;]~~ *complementary integrative*
45 *practitioners; and*



1 2. Received from the Board a ~~[certificate]~~ *license to practice* as
2 ~~[an advanced]~~ *a complementary integrative* practitioner . ~~[of~~
3 ~~homeopathy.]~~

4 **Sec. 45.** NRS 630A.020 is hereby amended to read as follows:

5 630A.020 “Board” means the Board of ~~[Homeopathic Medical~~
6 ~~Examiners.]~~ *Complementary Integrative Medicine.*

7 **Sec. 46.** NRS 630A.030 is hereby amended to read as follows:

8 630A.030 “Gross malpractice” means malpractice where the
9 failure to exercise the requisite degree of care, diligence or skill
10 consists of:

11 1. Ministering to a patient while the ~~[homeopathic]~~
12 *complementary integrative* physician *or complementary integrative*
13 *practitioner* is under the influence of alcohol or any controlled
14 substance.

15 2. Gross negligence.

16 3. Willful disregard of ~~[homeopathic]~~ *complementary*
17 *integrative* medical procedures.

18 4. Willful and consistent use of ~~[homeopathic]~~ *complementary*
19 *integrative* medical procedures, services or treatment considered by
20 ~~[homeopathic]~~ *complementary integrative* physicians *or*
21 *complementary integrative practitioners* in the community to be
22 inappropriate or unnecessary in the cases where used.

23 **Sec. 47.** NRS 630A.035 is hereby amended to read as follows:

24 630A.035 ~~[“Homeopathic]~~ *“Complementary integrative*
25 *assistant”* means a person who is a graduate of an academic program
26 approved by the Board or who, by general education, practical
27 training and experience determined to be satisfactory by the Board,
28 is qualified to perform ~~[homeopathic]~~ *complementary integrative*
29 *medical* services under the supervision of a ~~[supervising~~
30 ~~homeopathic]~~ *complementary integrative* physician *or a*
31 *complementary integrative practitioner* and who has been issued a
32 certificate as a ~~[homeopathic]~~ *complementary integrative* assistant
33 by the Board.

34 **Sec. 48.** NRS 630A.040 is hereby amended to read as follows:

35 630A.040 *1.* “Homeopathic medicine” or “homeopathy”
36 means a system of medicine employing substances of animal,
37 vegetable, chemical or mineral origin, including:

38 ~~[1.]~~ *(a)* Nosodes and sarcodes, which are:

39 ~~[(a)]~~ *(1)* Given in micro-dosage, except that sarcodes may be
40 given in macro-dosage;

41 ~~[(b)]~~ *(2)* Prepared according to homeopathic pharmacology by
42 which the formulation of homeopathic preparations is accomplished
43 by the methods of Hahnemannian dilution and succussion or
44 magnetically energized geometric patterns applicable in potencies



1 above 30X, as defined in the official Homeopathic Pharmacopoeia
2 of the United States; and

3 ~~[(c)]~~ (3) Prescribed by ~~[homeopathic physicians or advanced~~
4 ~~practitioners of homeopathy]~~ *complementary integrative physicians*
5 *and complementary integrative practitioners* according to the
6 medicines and dosages in the Homeopathic Pharmacopoeia of the
7 United States,

8 ↪ in accordance with the principle that a substance which produces
9 symptoms in a healthy person can eliminate those symptoms in an
10 ill person.

11 ~~[(2)]~~ (b) Noninvasive electrodiagnosis, cell therapy, neural
12 therapy, herbal therapy, neuromuscular integration, orthomolecular
13 therapy and nutrition.

14 2. *The terms include techniques to imprint or transfer the*
15 *vital force or energetic essence from one substance to another*
16 *substance through electromagnetism.*

17 **Sec. 49.** NRS 630A.050 is hereby amended to read as follows:

18 630A.050 ~~["Homeopathic"]~~ *"Complementary integrative*
19 *physician"* means a person who has:

20 1. Complied with all of the requirements set forth in this
21 chapter and the regulations adopted by the Board for the practice of
22 ~~homeopathic]~~ *complementary integrative* medicine; and

23 2. Received from the Board a license to practice ~~homeopathic]~~
24 *complementary integrative* medicine.

25 **Sec. 50.** NRS 630A.060 is hereby amended to read as follows:

26 630A.060 "Malpractice" means failure on the part of a
27 ~~homeopathic]~~ *complementary integrative* physician *or*
28 *complementary integrative practitioner* to exercise the degree of
29 care, diligence and skill ordinarily exercised by ~~homeopathic]~~
30 *complementary integrative* physicians *or complementary*
31 *integrative practitioners* in good standing in the community in
32 which he or she practices. As used in this section, "community"
33 embraces the entire area customarily served by ~~homeopathic]~~
34 *complementary integrative* physicians *and complementary*
35 *integrative practitioners* among whom a patient may reasonably
36 choose, not merely the particular area inhabited by the patients of
37 that individual physician *or practitioner* or the particular city or
38 place where the ~~homeopathic]~~ *complementary integrative*
39 physician *or complementary integrative practitioner* has an office.

40 **Sec. 51.** NRS 630A.070 is hereby amended to read as follows:

41 630A.070 "Professional incompetence" means lack of ability
42 safely and skillfully to practice ~~homeopathic]~~ *complementary*
43 *integrative* medicine, or to practice one or more specified branches
44 *or therapies* of ~~homeopathic]~~ *complementary integrative* medicine,
45 arising from:



1 1. Lack of knowledge or training.
2 2. Impaired physical or mental capability of the ~~homeopathic~~
3 *complementary integrative* physician ~~[-]~~ *or complementary*
4 *integrative practitioner.*

5 3. Indulgence in the use of alcohol or any controlled substance.
6 4. Any other sole or contributing cause.

7 **Sec. 52.** NRS 630A.075 is hereby amended to read as follows:

8 630A.075 “Supervising ~~homeopathic~~ *complementary*
9 *integrative* physician” *or “supervising complementary integrative*
10 *practitioner”* means an active ~~homeopathic~~ *complementary*
11 *integrative* physician *or complementary integrative practitioner*
12 licensed in the State of Nevada who employs and supervises a
13 ~~homeopathic~~ *complementary integrative* assistant or ~~[an advanced~~
14 ~~practitioner of homeopathy.]~~ *complementary integrative technician.*

15 **Sec. 53.** NRS 630A.080 is hereby amended to read as follows:

16 630A.080 The purpose of licensing ~~homeopathic~~
17 *complementary integrative* physicians *and complementary*
18 *integrative practitioners, and for certifying complementary*
19 *integrative assistants and complementary integrative technicians,*
20 is to protect the public health and safety and the general welfare of
21 the people of this State. Any license *or certificate* issued pursuant to
22 this chapter is a revocable privilege and no holder of such a license
23 *or certificate* acquires thereby any vested right.

24 **Sec. 54.** NRS 630A.090 is hereby amended to read as follows:

25 630A.090 1. This chapter does not apply to:

26 (a) The practice of dentistry, chiropractic, Oriental medicine,
27 podiatry, optometry, perfusion, respiratory care, faith or Christian
28 Science healing, nursing, veterinary medicine or fitting hearing aids.

29 (b) A medical officer of the Armed Forces or a medical officer
30 of any division or department of the United States in the discharge
31 of his or her official duties, including, without limitation, providing
32 medical care in a hospital in accordance with an agreement entered
33 into pursuant to NRS 449.2455.

34 (c) Licensed or certified nurses in the discharge of their duties as
35 nurses.

36 (d) ~~Homeopathic~~ *Complementary integrative* physicians *and*
37 *complementary integrative practitioners* who are called into this
38 State, other than on a regular basis, for consultation or assistance to
39 any physician licensed in this State, and who are legally qualified to
40 practice in the state or country where they reside.

41 (e) *Aquastretch services provided by a massage therapist,*
42 *athletic trainer, fitness trainer or wellness instructor who is an*
43 *employee or contractor of a resort or hotel spa, or an institution of*
44 *higher education.*



1 2. This chapter does not repeal or affect any statute of Nevada
2 regulating or affecting any other healing art.

3 3. This chapter does not prohibit:

4 (a) Gratuitous services of a person in case of emergency.

5 (b) The domestic administration of family remedies.

6 4. This chapter does not authorize a ~~homeopathic~~
7 *complimentary integrative* physician *or complimentary integrative*
8 *practitioner* to practice medicine, including allopathic medicine,
9 except as otherwise provided in NRS 630A.040.

10 **Sec. 55.** NRS 630A.100 is hereby amended to read as follows:

11 630A.100 The Board of ~~Homeopathic Medical Examiners~~
12 *Complimentary Integrative Medicine* consists of seven members
13 appointed by the Governor. After the initial terms, the term of office
14 of each member is 4 years.

15 **Sec. 56.** NRS 630A.110 is hereby amended to read as follows:

16 630A.110 1. Three members of the Board must be persons
17 who are licensed to practice allopathic or osteopathic medicine in
18 any state or country, the District of Columbia or a territory or
19 possession of the United States, have been engaged in the practice
20 of ~~homeopathic~~ *complementary integrative* medicine in this State
21 for a period of more than 2 years preceding their respective
22 appointments, are actually engaged in the practice of ~~homeopathic~~
23 *complementary integrative* medicine in this State and are residents
24 of the State.

25 2. *One member of the Board may be a person licensed to*
26 *practice as a complementary integrative practitioner or a*
27 *complementary integrative physician who has been actively*
28 *engaged in the practice of complementary integrative medicine in*
29 *this State for a period of at least 2 years and is a resident of this*
30 *State.*

31 3. One member of the Board must be a person who has resided
32 in this State for at least ~~5~~ 3 years and who represents the interests
33 of persons or agencies that regularly provide health care to patients
34 who are indigent, uninsured or unable to afford health care. This
35 member ~~may~~ *must not* be licensed under the provisions of this
36 chapter.

37 ~~3~~ 4. The remaining ~~three~~ *two* members of the Board must
38 be persons who:

39 (a) Are not licensed in any state to practice any healing art;

40 (b) Are not the spouse or the parent or child, by blood, marriage
41 or adoption, of a person licensed in any state to practice any healing
42 art;

43 (c) Are not actively engaged in the administration of any
44 medical facility or facility for the dependent as defined in chapter
45 449 of NRS;



1 (d) Do not have a pecuniary interest in any matter pertaining to
2 such a facility, except as a patient or potential patient; and

3 (e) Have resided in this State for at least ~~[5]~~ 3 years.

4 ~~[4.]~~ 5. The members of the Board must be selected without
5 regard to their individual political beliefs.

6 ~~[5.]~~ 6. As used in this section, "healing art" means any system,
7 treatment, operation, diagnosis, prescription or practice for the
8 ascertainment, cure, relief, palliation, adjustment or correction of
9 any human disease, ailment, deformity, injury, or unhealthy or
10 abnormal physical or mental condition for the practice of which
11 long periods of specialized education and training and a degree of
12 specialized knowledge of an intellectual as well as physical nature
13 are required.

14 **Sec. 57.** NRS 630A.155 is hereby amended to read as follows:
15 630A.155 The Board shall:

16 1. Regulate the practice of ~~[homeopathic]~~ *complementary*
17 *integrative* medicine in this State and any activities that are within
18 the scope of such practice, to protect the public health and safety
19 and the general welfare of the people of this State.

20 2. Determine the qualifications of, and examine, applicants for
21 licensure or certification pursuant to this chapter, and specify by
22 regulation the methods to be used to check the background of such
23 applicants.

24 3. License or certify those applicants it finds to be qualified.

25 4. Investigate and, if required, hear and decide in a manner
26 consistent with the provisions of chapter 622A of NRS all
27 complaints made against any ~~[homeopathic]~~ *complementary*
28 *integrative* physician, ~~[advanced]~~ *complementary integrative*
29 practitioner ~~[of homeopathy, homeopathic]~~ , *complementary*
30 *integrative* assistant , *complementary integrative technician* or any
31 agent or employee of any of them, or any facility where the primary
32 practice is ~~[homeopathic]~~ *complementary integrative* medicine. If
33 *the Board determines that* a complaint concerns a practice which is
34 within the jurisdiction of another licensing board or any other
35 possible violation of state law, the Board shall refer the complaint to
36 the other licensing board.

37 5. Submit an annual report to the Legislature and make
38 recommendations to the Legislature concerning the enactment of
39 legislation relating to alternative and complementary integrative
40 medicine, including, without limitation, homeopathic medicine.

41 **Sec. 58.** NRS 630A.220 is hereby amended to read as follows:
42 630A.220 1. It is unlawful for any person:

43 (a) To practice ~~[homeopathic—medicine:]~~ *complementary*
44 *integrative medicine;*



1 (b) To hold himself or herself out as qualified to practice
2 ~~homeopathic~~ **complementary integrative** medicine; or

3 (c) To use in connection with his or her name the words or
4 letters [~~“H.M.D.”~~]:

5 (1) **“M.D. (C.I.M.)” (Doctor of Medicine (Complementary**
6 **Integrative Medicine)), “M.D. (H.M.D.)” (Doctor of Medicine**
7 **(Holistic or Homeopathic Medical Doctor)), “D.O. (C.I.M.)”**
8 **(Doctor of Osteopathic Medicine (Complementary Integrative**
9 **Medicine)), “D.O. (H.M.D.)” (Doctor of Osteopathic Medicine**
10 **(Holistic or Homeopathic Medical Doctor)),** or any other title,
11 word, letter or other designation intended to imply or designate the
12 person as a ~~practitioner of homeopathic medicine,~~ **complementary**
13 **integrative physician;**

14 (2) **“N.P.” or “N.P. (C.I.M.)” (Naturopathic Practitioner**
15 **(Complementary Integrative Medicine)), “A.N.P.” or “A.N.P.**
16 **(C.I.M.)” (Advanced Naturopathic Practitioner (Complementary**
17 **Integrative Medicine)), “A.P.” or “A.P. (C.I.M.)” (Advanced**
18 **Practitioner (Complementary Integrative Medicine)), “A.P.H.” or**
19 **“A.P.H. (C.I.M.)” (Advanced Practitioner of Homeopathy**
20 **(Complementary Integrative Medicine)),** or any other title, word,
21 letter or other designation intended to imply or designate the
22 person as an **complementary integrative practitioner;**

23 (3) **“P.A. (C.I.M.)” (Physician Assistant (Complementary**
24 **Integrative Medicine) or (Practitioner’s Assistant (Complementary**
25 **Integrative Medicine)),** or any other title, word, letter or other
26 designation intended to imply or designate the person as a
27 **complementary integrative assistant; or**

28 (4) **“Tech. (C.I.M.)” (Technician (Complementary**
29 **Integrative Medicine)),** or any other title, word, letter or other
30 designation intended to imply or designate the person as a
31 **complementary integrative technician,**

32 ➔ in this State without first obtaining ~~the~~ **the appropriate** license ~~so~~
33 ~~to do~~ **or certificate from the Board** as provided in this chapter.

34 2. A physician licensed pursuant to this chapter who holds a
35 degree such as doctor of medicine or doctor of osteopathy may
36 identify himself or herself by that degree or its appropriate
37 abbreviation, but unless the physician is also licensed pursuant to
38 chapter 630 or 633 of NRS must further identify himself or herself
39 by the words ~~“practitioner of homeopathic medicine”~~
40 **“complementary integrative physician,” “complementary**
41 **integrative practitioner”** or their equivalent.

42 **Sec. 59.** NRS 630A.225 is hereby amended to read as follows:

43 630A.225 1. The Board shall not issue a license to practice
44 ~~homeopathic~~ **complementary integrative** medicine to an applicant
45 who has been licensed to practice any type of medicine in another



1 jurisdiction and whose license was revoked for gross medical
2 negligence by that jurisdiction.

3 2. The Board may revoke the license of any person licensed to
4 practice any type of medicine in another jurisdiction which was
5 revoked for gross medical negligence by that jurisdiction.

6 3. The revocation of a license to practice any type of medicine
7 in another jurisdiction on grounds other than grounds which would
8 constitute revocation for gross medical negligence constitutes
9 grounds for initiating disciplinary action or denying the issuance of
10 a license.

11 4. *If a license issued to an applicant in another state has been
12 revoked or surrendered, the applicant must provide proof
13 satisfactory to the Board that the applicant is rehabilitated with
14 respect to the conduct that was the basis for the revocation or
15 surrender of his or her license before resubmitting an application
16 for licensure to the Board.*

17 5. *The Board shall vacate any order to deny a license if the
18 denial was based on a conviction of a felony or an offense
19 involving moral turpitude if the conviction was reversed on appeal.
20 A person may resubmit an application for licensure after a court
21 enters an order reversing the conviction.*

22 6. *If the Board finds that an applicant has committed an act
23 or engaged in conduct that would constitute grounds for
24 disciplinary action, the Board shall investigate whether the
25 conduct has been corrected, monitored and resolved. If the matter
26 has not been resolved to the satisfaction of the Board, the Board,
27 before it may issue a license, shall determine to the satisfaction of
28 the Board that mitigating circumstances exist which prevent the
29 resolution of the matter.*

30 7. For the purposes of this section, the Board shall adopt by
31 regulation a definition of gross medical negligence.

32 **Sec. 60.** NRS 630A.230 is hereby amended to read as follows:

33 630A.230 1. Every person desiring to practice ~~homeopathic~~
34 *complementary integrative* medicine must, before beginning to
35 practice, procure from the Board a license authorizing such practice.

36 2. Except as otherwise provided in NRS 630A.225, a license
37 may be issued to any person who:

38 (a) *Is of good moral character;*

39 (b) Is a citizen of the United States or is lawfully entitled to
40 remain and work in the United States;

41 ~~(b)~~ (c) Has received the degree of doctor of *allopathic*
42 medicine or doctor of osteopathic medicine ~~[from the school he or
43 she attended during the 2 years immediately preceding the granting
44 of the degree;~~



1 ~~—(e) Is licensed~~ , or has received an equivalent education
2 *satisfactory to the Board;*

3 (d) *Holds a license in good standing* to practice allopathic or
4 osteopathic medicine in any state or country, the District of
5 Columbia or a territory or possession of the United States;

6 ~~[(d)]~~ (e) Has completed 1 year of a postgraduate ~~[training in~~
7 ~~allopathic or osteopathic medicine]~~ *program* approved by the
8 Board;

9 ~~[(e)]~~ (f) *Completes the application required by the Board;*

10 (g) *Has the physical and mental capacity safely to engage in*
11 *the practice of complementary integrative medicine;*

12 (h) *Provides the Board with affidavits from three physicians in*
13 *active practice who are licensed to practice medicine in the District*
14 *of Columbia or any state or district of the United States attesting to*
15 *the good moral character of the applicant and his or her fitness to*
16 *practice complementary integrative medicine;*

17 (i) *Pays the application fee and any other fee or cost required*
18 *by the Board;*

19 (j) Has passed all oral or written examinations required by the
20 Board or this chapter; and

21 ~~[(f)]~~ (k) Meets *any* additional requirements established by the
22 Board.

23 **Sec. 61.** NRS 630A.240 is hereby amended to read as follows:

24 630A.240 1. An applicant for a license to practice
25 ~~[homeopathic]~~ *complementary integrative* medicine who is a
26 graduate of a medical school located in the United States , *the*
27 *United Kingdom* or Canada shall submit to the Board, through its
28 Secretary-Treasurer, proof that the applicant has received:

29 (a) The degree of doctor of medicine from a medical school
30 which at the time of his or her graduation was accredited by the
31 Liaison Committee on Medical Education or the Committee for the
32 Accreditation of Canadian Medical Schools, or the degree of doctor
33 of osteopathic medicine from an osteopathic school which at the
34 time of his or her graduation was accredited by the Bureau of
35 Professional Education of the American Osteopathic Association;
36 *and*

37 (b) One year of postgraduate training ~~[in allopathic or~~
38 ~~osteopathic medicine]~~ *in a complementary integrative medical*
39 *program* approved by the Board . ~~[-and~~

40 ~~—(c) Six months of postgraduate training in homeopathy.]~~

41 2. In addition to the proofs required by subsection 1, the Board
42 may take such further evidence and require such other documents or
43 proof of qualification as in its discretion may be deemed proper.



1 3. If it appears that the applicant is not of good moral character
2 or reputation or that any credential submitted is false, the applicant
3 may be rejected.

4 **Sec. 62.** NRS 630A.246 is hereby amended to read as follows:

5 630A.246 1. In addition to any other requirements set forth in
6 this chapter:

7 (a) An applicant for the issuance of a license to practice
8 ~~homeopathic medicine,~~ *as a complementary integrative*
9 *physician,* a ~~certificate~~ *license to practice* as ~~an advanced~~ *a*
10 *complementary integrative* practitioner, ~~of homeopathy or~~ a
11 certificate as a ~~homeopathic~~ *complementary integrative* assistant
12 *or a certificate as a complementary integrative technician* shall
13 include the social security number of the applicant in the application
14 submitted to the Board.

15 (b) An applicant for the issuance or renewal of a license to
16 practice ~~homeopathic medicine,~~ *as a complementary integrative*
17 *physician,* a ~~certificate~~ *license to practice* as ~~an advanced~~ *a*
18 *complementary integrative* practitioner, ~~of homeopathy or~~ a
19 certificate as a ~~homeopathic~~ *complementary integrative* assistant
20 *or a certificate as a complementary integrative technician* shall
21 submit to the Board the statement prescribed by the Division of
22 Welfare and Supportive Services of the Department of Health and
23 Human Services pursuant to NRS 425.520. The statement must be
24 completed and signed by the applicant.

25 2. The Board shall include the statement required pursuant to
26 subsection 1 in:

27 (a) The application or any other forms that must be submitted
28 for the issuance or renewal of the license or certificate; or

29 (b) A separate form prescribed by the Board.

30 3. A license to practice ~~homeopathic medicine,~~ *as a*
31 *complementary integrative physician,* a ~~certificate~~ *license to*
32 *practice* as ~~an advanced~~ *a complementary integrative* practitioner
33, ~~of homeopathy or~~ a certificate as a ~~homeopathic~~
34 *complementary integrative* assistant *or a certificate as a*
35 *complementary integrative technician* may not be issued or
36 renewed by the Board if the applicant:

37 (a) Fails to submit the statement required pursuant to subsection
38 1; or

39 (b) Indicates on the statement submitted pursuant to subsection
40 1 that the applicant is subject to a court order for the support of a
41 child and is not in compliance with the order or a plan approved by
42 the district attorney or other public agency enforcing the order for
43 the repayment of the amount owed pursuant to the order.

44 4. If an applicant indicates on the statement submitted pursuant
45 to subsection 1 that the applicant is subject to a court order for the



1 support of a child and is not in compliance with the order or a plan
2 approved by the district attorney or other public agency enforcing
3 the order for the repayment of the amount owed pursuant to the
4 order, the Board shall advise the applicant to contact the district
5 attorney or other public agency enforcing the order to determine the
6 actions that the applicant may take to satisfy the arrearage.

7 **Sec. 63.** NRS 630A.250 is hereby amended to read as follows:

8 630A.250 1. If required by the Board, an applicant for a
9 license *or certificate* to practice ~~homeopathic~~ *complementary*
10 *integrative* medicine shall appear personally and pass an oral
11 examination.

12 2. The Board may employ specialists and other consultants or
13 examining services in conducting any examination required by the
14 Board.

15 **Sec. 64.** NRS 630A.260 is hereby amended to read as follows:

16 630A.260 1. If an applicant *for a license or certificate* fails
17 in a first examination, the applicant may be reexamined after not
18 less than ~~{6}~~ *3* months.

19 2. If the applicant fails in a second examination, he or she may
20 not be reexamined within less than ~~{1-year}~~ *6 months* after the date
21 of the second examination. Before taking a third examination, the
22 applicant shall furnish proof satisfactory to the Board of 1 year of
23 additional training in ~~homeopathy~~ *complementary integrative*
24 *medicine* after the second examination.

25 3. If an applicant fails three consecutive examinations, he or
26 she must show the Board by clear and convincing evidence that
27 extraordinary circumstances justify permitting the applicant to be
28 reexamined again.

29 **Sec. 65.** NRS 630A.270 is hereby amended to read as follows:

30 630A.270 1. An applicant for a license to practice
31 ~~homeopathic medicine~~ *as a complementary integrative physician*
32 who is a graduate of a foreign medical school shall submit to the
33 Board through its Secretary-Treasurer proof that the applicant:

34 (a) Is a citizen of the United States, or that he or she is lawfully
35 entitled to remain and work in the United States;

36 (b) Has received the degree of doctor of medicine or its
37 equivalent, as determined by the Board, from a foreign medical
38 school recognized by the Educational Commission for Foreign
39 Medical Graduates; *and*

40 (c) Has completed ~~{3-years}~~ *a program* of postgraduate training
41 satisfactory to the Board. ~~{;~~

42 ~~—(d) Has completed an additional 6 months of postgraduate~~
43 ~~training in homeopathic medicine;~~

44 ~~—(e) Has received the standard certificate of the Educational~~
45 ~~Commission for Foreign Medical Graduates; and~~



1 ~~—(f) Has passed all parts of the Federation Licensing~~
2 ~~Examination, or has received a written statement from the~~
3 ~~Educational Commission for Foreign Medical Graduates that the~~
4 ~~applicant has passed the examination given by the Commission.]~~

5 2. In addition to the proofs required by subsection 1, the Board
6 may *require proof satisfactory that the applicant has passed the*
7 *examination issued by the Federation of State Medical Boards or*
8 *the Educational Commission for Foreign Medical Graduates and*
9 *may* take such further evidence and require such further proof of the
10 professional and moral qualifications of the applicant as in its
11 discretion may be deemed proper.

12 3. If the applicant is a diplomate of an approved specialty
13 board recognized by this Board, the requirements of ~~[paragraphs]~~
14 *paragraph* (c) ~~[and (d)]~~ of subsection 1 may be waived by the
15 Board.

16 4. Before issuance of a license to practice ~~[homeopathic~~
17 ~~medicine,]~~ *as a complementary integrative physician*, the applicant
18 who presents the proof required by subsection 1 shall appear
19 personally before the Board and satisfactorily pass a written or oral
20 examination, or both, as to his or her qualifications to practice
21 ~~[homeopathic medicine,]~~ *as a complementary integrative*
22 *physician.*

23 **Sec. 66.** NRS 630A.280 is hereby amended to read as follows:

24 630A.280 The Board may, in its discretion, license an
25 applicant who holds a valid license or certificate issued to the
26 applicant by ~~[the homeopathic]~~ *a* medical examining board of the
27 District of Columbia or of any state or territory of the United States,
28 if:

29 1. The legal requirements of the ~~[homeopathic]~~ medical
30 examining board were, at the time of issuing the license or
31 certificate, in no degree or particular less than those of this State at
32 the time when the license or certificate was issued.

33 2. The applicant is of good moral character and reputation.

34 3. The applicant passes an oral examination, where required by
35 the Board.

36 4. The applicant furnishes to the Board such other proof of
37 qualifications, professional or moral, as the Board may require.

38 **Sec. 67.** NRS 630A.290 is hereby amended to read as follows:

39 630A.290 1. The Board may deny an application for a license
40 to practice ~~[homeopathic]~~ *complementary integrative* medicine *or*
41 *for certification as a complementary integrative assistant or*
42 *complementary integrative technician* for any violation of the
43 provisions of this chapter or the regulations adopted by the Board.

44 2. The Board shall notify an applicant of any deficiency which
45 prevents any further action on the application or results in the denial



1 of the application. The applicant may respond in writing to the
2 Board concerning any deficiency and, if the applicant does so, the
3 Board shall respond in writing to the contentions of the applicant.

4 3. An unsuccessful applicant may appeal to the district court to
5 review the action of the Board within 30 days after the date of the
6 rejection of the application by the Board. Upon appeal the applicant
7 has the burden to show that the action of the Board is erroneous or
8 unlawful.

9 4. The Board shall maintain records pertaining to applicants to
10 whom licenses *and certificates* have been issued or denied. The
11 records must be open to the public and must contain:

- 12 (a) The name of each applicant.
- 13 (b) The name of the school granting the diploma.
- 14 (c) The date of the diploma.
- 15 (d) The date of issuance or denial of the license ~~[.]~~ *or certificate.*
- 16 (e) The business address of the applicant.

17 **Sec. 68.** NRS 630A.293 is hereby amended to read as follows:

18 630A.293 1. The Board may grant a ~~[certificate]~~ *license to*
19 *practice* as ~~[an advanced]~~ *a complementary integrative* practitioner
20 ~~[of homeopathy]~~ to a person who has completed an educational
21 program designed to prepare the person to:

- 22 (a) Perform designated acts of medical diagnosis;
- 23 (b) Prescribe therapeutic or corrective measures; and
- 24 (c) Prescribe *medicines and* substances *which are* used in
25 ~~[homeopathic]~~ *complementary integrative* medicine ~~[.]~~ *and which*
26 *are approved by the Board.*

27 2. ~~[An advanced]~~ *A complementary integrative* practitioner ~~[of~~
28 ~~homeopathy]~~ may:

- 29 (a) Engage in selected medical diagnosis and treatment; and
- 30 (b) Prescribe substances which are ~~[contained in the~~
31 ~~Homeopathic Pharmacopeia of the United States,~~

32 ~~↪]~~ *identified as complementary integrative substances* pursuant to
33 a protocol approved by ~~[a supervising homeopathic physician.]~~ *the*
34 *Board.* A protocol must not include, and ~~[an advanced]~~ *a*
35 *complementary integrative* practitioner ~~[of homeopathy]~~ shall not
36 engage in, any diagnosis, treatment or other conduct which he or she
37 is not qualified to perform ~~[.]~~ *or which is prohibited by this chapter*
38 *or any regulation adopted pursuant thereto.*

39 3. ~~[As used in this section, "protocol" means a written~~
40 ~~agreement between a homeopathic physician and an advanced~~
41 ~~practitioner of homeopathy which sets forth matters including the:~~

- 42 ~~—(a) Patients which the advanced practitioner of homeopathy may~~
43 ~~serve;~~
- 44 ~~—(b) Specific substances used in homeopathic medicine which the~~
45 ~~advanced practitioner of homeopathy may prescribe; and~~



1 ~~—(c) Conditions under which the advanced practitioner of~~
2 ~~homeopathy must directly refer the patient to the homeopathic~~
3 ~~physician.]~~ *The Board may authorize a complementary integrative*
4 *physician or complementary integrative practitioner to supervise a*
5 *complementary integrative physician or complementary*
6 *integrative practitioner.*

7 **Sec. 69.** NRS 630A.295 is hereby amended to read as follows:
8 630A.295 The Board shall adopt regulations:

9 1. Specifying the training, education and experience necessary
10 for ~~[certification as an advanced]~~ *licensure as a complementary*
11 *integrative practitioner . [of homeopathy.]*

12 2. Delineating the authorized scope of practice of ~~[an~~
13 ~~advanced]~~ *a complementary integrative* practitioner . ~~[of~~
14 ~~homeopathy.]~~

15 3. Establishing the procedure for application for ~~[certification~~
16 ~~as an advanced]~~ *licensure as a complementary integrative*
17 *practitioner . [of homeopathy.]*

18 4. Establishing the duration, renewal and termination of
19 ~~[certificates for advanced]~~ *licenses for complementary integrative*
20 *practitioners . [of homeopathy.]*

21 5. Establishing requirements for the continuing education of
22 ~~[advanced]~~ *complementary integrative* practitioners . ~~[of~~
23 ~~homeopathy.]~~

24 6. Delineating the grounds respecting disciplinary actions
25 against ~~[advanced]~~ *complementary integrative* practitioners . ~~[of~~
26 ~~homeopathy.]~~

27 **Sec. 70.** NRS 630A.297 is hereby amended to read as follows:
28 630A.297 1. The Board may issue a certificate as a

29 ~~[homeopathic]~~ *complementary integrative* assistant *or*
30 *complementary integrative technician* to an applicant who is
31 qualified under the regulations of the Board to perform
32 ~~[homeopathic]~~ *complementary integrative medical* services under
33 the supervision of a ~~[supervising homeopathic]~~ *complementary*
34 *integrative* physician ~~[.]~~ *or a complementary integrative*
35 *practitioner.* The application for the certificate must be cosigned by
36 the ~~[supervising homeopathic]~~ *complementary integrative* physician
37 ~~[.]~~ *or complementary integrative practitioner,* and the certificate is
38 valid only so long as that ~~[supervising homeopathic]~~
39 *complementary integrative* physician *or complementary integrative*
40 *practitioner* employs ~~[and supervises the homeopathic assistant.]~~
41 *the complementary integrative assistant or complementary*
42 *integrative technician.*

43 2. A ~~[homeopathic]~~ *complementary integrative* assistant *or*
44 *complementary integrative technician* may perform such
45 ~~[homeopathic]~~ *complementary integrative medical* services as he or



1 she is authorized to perform under the terms of the certificate issued
2 to the ~~homeopathic~~ *complementary integrative* assistant *or*
3 *complementary integrative technician* by the Board, if the services
4 are performed under the supervision and control of the supervising
5 ~~homeopathic~~ *complementary integrative* physician ~~or~~ *or*
6 *complementary integrative practitioner*.

7 3. A ~~supervising-homeopathic~~ *complementary integrative*
8 physician *or complementary integrative practitioner* shall not
9 cosign for ~~or~~ *or* employ ~~or supervise~~ more than five ~~homeopathic~~
10 *complementary integrative* assistants *or complementary integrative*
11 *technicians* at the same time ~~or~~ *without obtaining written approval*
12 *from the Board*.

13 **Sec. 71.** NRS 630A.299 is hereby amended to read as follows:

14 630A.299 The Board shall adopt regulations regarding the
15 certification of a ~~homeopathic~~ *complementary integrative*
16 assistant ~~or~~ *or complementary integrative technician*, including,
17 but not limited to:

18 1. The educational and other qualifications of applicants.

19 2. The required academic program for applicants.

20 3. The procedures for applications for and the issuance of
21 certificates.

22 4. The tests or examinations of applicants by the Board.

23 5. The medical services which a ~~homeopathic~~
24 *complementary integrative* assistant *or complementary integrative*
25 *technician* may perform, except that a ~~homeopathic~~
26 *complementary integrative* assistant *or complementary integrative*
27 *technician* may not perform those specific functions and duties
28 delegated or restricted by law to persons licensed as dentists,
29 chiropractors, podiatric physicians, optometrists or hearing aid
30 specialists under chapter 631, 634, 635, 636 or 637A, respectively,
31 of NRS.

32 6. The duration, renewal and termination of certificates.

33 7. The grounds respecting disciplinary actions against
34 ~~homeopathic~~ *complementary integrative* assistants ~~or~~ *or*
35 *complementary integrative technicians*.

36 8. The supervision of a ~~homeopathic~~ *complementary*
37 *integrative* assistant *or complementary integrative technician* by a
38 supervising ~~homeopathic~~ *complementary integrative* physician ~~or~~
39 *or complementary integrative practitioner*.

40 9. The establishment of requirements for the continuing
41 education of ~~homeopathic assistants.~~ *a complementary integrative*
42 *assistant or complementary integrative technician*.

43 **Sec. 72.** NRS 630A.310 is hereby amended to read as follows:

44 630A.310 1. Except as otherwise provided in NRS
45 630A.225, the Board may:



1 (a) Issue a temporary license, to be effective not more than 6
2 months after issuance, to any ~~homeopathic~~ *complementary*
3 *integrative* physician *or complementary integrative practitioner*
4 who is eligible for a permanent license in this State and who also is
5 of good moral character and reputation. The purpose of the
6 temporary license is to enable an eligible ~~homeopathic~~
7 *complementary integrative* physician *or complementary integrative*
8 *practitioner* to serve as a substitute for some other ~~homeopathic~~
9 *complementary integrative* physician *or complementary integrative*
10 *practitioner* who is licensed to practice ~~homeopathic~~
11 *complementary integrative* medicine in this State and who is absent
12 from his or her practice for reasons deemed sufficient by the Board.
13 A temporary license issued under the provisions of this paragraph is
14 not renewable.

15 (b) Issue a special license to a licensed ~~homeopathic~~
16 *complementary integrative* physician *or complementary integrative*
17 *practitioner* of another state to come into Nevada to care for or
18 assist in the treatment of his or her own patients in association with
19 a physician licensed in this State. A special license issued under the
20 provisions of this paragraph is limited to the care of a specific
21 patient.

22 (c) Issue a restricted license for a specified period if the Board
23 determines the applicant needs supervision or restriction.

24 2. A person who is licensed pursuant to paragraph (a), (b) or
25 (c) of subsection 1 shall be deemed to have given consent to the
26 revocation of the license at any time by the Board for any of the
27 grounds provided in NRS 630A.225 or 630A.340 to 630A.380,
28 inclusive.

29 **Sec. 73.** NRS 630A.320 is hereby amended to read as follows:

30 630A.320 1. Except as otherwise provided in NRS
31 630A.225, the Board may issue to a qualified applicant a limited
32 license to practice ~~homeopathic~~ *complementary integrative*
33 medicine as a resident ~~homeopathic~~ *complementary integrative*
34 physician *or as a resident complementary integrative practitioner*
35 in a postgraduate program of clinical training if:

36 (a) The applicant is a graduate of an accredited medical school
37 in the United States or Canada or is a graduate of a foreign medical
38 school ~~recognized~~ *that is listed in the International Medical*
39 *Education Directory published* by the Educational Commission for
40 Foreign Medical Graduates and:

41 (1) Is a citizen of the United States or is lawfully entitled to
42 remain and work in the United States; and

43 (2) Has completed 1 year of supervised clinical training
44 approved by the Board.



1 (b) The Board approves the program of clinical training, and the
2 medical school or other institution sponsoring the program provides
3 the Board with written confirmation that the applicant has been
4 appointed to a position in the program.

5 2. In addition to the requirements of subsection 1, *the Board*
6 *may require* an applicant who is a graduate of a foreign medical
7 school ~~[must have received]~~ *to obtain* the standard certificate of the
8 Educational Commission for Foreign Medical Graduates.

9 3. The Board may issue this limited license for not more than 1
10 year, but may renew the license ~~[.]~~ *annually*.

11 4. The holder of this limited license may practice
12 ~~[homeopathic]~~ *complementary integrative* medicine only in
13 connection with his or her duties as a resident physician and shall
14 not engage in the private practice of ~~[homeopathic]~~ *complementary*
15 *integrative* medicine.

16 5. A limited license granted under this section may be revoked
17 by the Board at any time for any of the grounds set forth in NRS
18 630A.225 or 630A.340 to 630A.380, inclusive.

19 **Sec. 74.** NRS 630A.325 is hereby amended to read as follows:

20 630A.325 1. To renew a license *or certificate* other than a
21 temporary, special or limited license *or certificate* issued pursuant
22 to this chapter, each person must, on or before January 1 of each
23 year:

- 24 (a) Apply to the Board for renewal;
25 (b) Pay the annual fee for renewal set by the Board;
26 (c) Submit evidence to the Board of completion of the
27 requirements for continuing education; and
28 (d) Submit all information required to complete the renewal.

29 2. The Board shall, as a prerequisite for the renewal or
30 restoration of a license *or certificate* other than a temporary, special
31 or limited license ~~[.]~~ *or certificate*, require each holder of a license
32 *or certificate* to comply with the requirements for continuing
33 education adopted by the Board.

34 3. Any holder who fails to pay the annual fee for renewal and
35 submit all information required to complete the renewal after they
36 become due ~~[must be given a period of 60 days in which to pay the~~
37 ~~fee and submit all required information and, failing to do so,]~~
38 automatically forfeits the right to practice ~~[homeopathic]~~
39 *complementary integrative* medicine, and his or her license *or*
40 *certificate* to practice ~~[homeopathic]~~ *complementary integrative*
41 medicine in this State is automatically suspended. The holder may,
42 within 2 years after the date his or her license *or certificate* is
43 suspended, apply for the restoration of the license ~~[.]~~ *or certificate*.

44 4. The Board shall notify any holder whose license *or*
45 *certificate* is automatically suspended pursuant to subsection 3 and



1 send a copy of the notice to the Drug Enforcement Administration
2 of the United States Department of Justice or its successor agency.

3 **Sec. 75.** NRS 630A.330 is hereby amended to read as follows:

4 630A.330 1. Except as otherwise provided in subsection ~~[6.]~~
5 **7**, each applicant for a license to practice ~~[homeopathic medicine]~~ **as**
6 **a complementary integrative physician** must:

7 (a) Pay a fee of \$500; and

8 (b) Pay the cost of obtaining such further evidence and proof of
9 qualifications as the Board may require pursuant to subsection 2 of
10 NRS 630A.240.

11 2. Each applicant for a ~~[certificate]~~ **license** as ~~[an advanced]~~ **a**
12 **complementary integrative** practitioner ~~[of homeopathy]~~ must:

13 (a) Pay a fee of \$300; and

14 (b) Pay the cost of obtaining such further evidence and proof of
15 qualifications as the Board may require pursuant to NRS 630A.295.

16 3. Each applicant for a certificate as a ~~[homeopathic]~~
17 **complementary integrative** assistant must pay a fee of \$150.

18 **4. Each applicant for a certificate as a complementary**
19 **integrative technician must pay a fee of \$150.**

20 ~~[4.]~~ **5.** Each applicant for a license or certificate who fails an
21 examination and who is permitted to be reexamined must pay a fee
22 not to exceed \$400 for each reexamination.

23 ~~[5.]~~ **6.** If an applicant for a license or certificate does not
24 appear for examination, for any reason deemed sufficient by the
25 Board, the Board may, upon request, refund a portion of the
26 application fee not to exceed 50 percent of the fee. There must be no
27 refund of the application fee if an applicant appears for examination.

28 ~~[6.]~~ **7.** Each applicant for a license issued under the provisions
29 of NRS 630A.310 or 630A.320 must pay a fee not to exceed \$150,
30 as determined by the Board, and must pay a fee of \$100 for each
31 renewal of the license.

32 ~~[7.]~~ **8.** The fee for the renewal of a license or certificate, as
33 determined by the Board, must not exceed \$600 per year and must
34 be collected for the year in which a **complementary integrative**
35 physician, ~~[advanced]~~ **complementary integrative** practitioner ~~[of~~
36 ~~homeopathy or homeopathic]~~, **complementary integrative** assistant
37 **or complementary integrative technician** is licensed or certified.

38 ~~[8.]~~ **9.** The fee for the restoration of a suspended license or
39 certificate is twice the amount of the fee for the renewal of a license
40 or certificate at the time of the restoration of the license or
41 certificate.

42 **Sec. 76.** NRS 630A.340 is hereby amended to read as follows:

43 630A.340 The following acts, among others, constitute
44 grounds for initiating disciplinary action or denying the issuance of
45 a license ~~[:]~~ **or certificate:**



- 1 1. Unprofessional conduct.
- 2 2. Conviction of:
 - 3 (a) A violation of any federal or state law regulating the
 - 4 possession, distribution or use of any controlled substance or any
 - 5 dangerous drug as defined in chapter 454 of NRS;
 - 6 (b) A violation of any of the provisions of NRS 616D.200,
 - 7 616D.220, 616D.240, 616D.300, 616D.310, or 616D.350 to
 - 8 616D.440, inclusive;
 - 9 (c) Any offense involving moral turpitude; or
 - 10 (d) Any offense relating to the practice of ~~homeopathic~~
 - 11 *complementary integrative* medicine or the ability to practice
 - 12 ~~homeopathic~~ *complementary integrative* medicine.
 - 13 ➔ A plea of nolo contendere to any offense listed in this subsection
 - 14 shall be deemed a conviction.
- 15 3. The suspension, modification or limitation of a license *or*
- 16 *certificate* to practice any type of medicine by any other jurisdiction.
- 17 4. The surrender of a license *or certificate* to practice any type
- 18 of medicine or the discontinuance of the practice of medicine while
- 19 under investigation by any licensing authority, medical facility,
- 20 facility for the dependent, branch of the Armed Forces of the United
- 21 States, insurance company, agency of the Federal Government or
- 22 employer.
- 23 5. Gross or repeated malpractice, which may be evidenced by
- 24 claims of malpractice settled against a practitioner.
- 25 6. Professional incompetence.
- 26 **Sec. 77.** NRS 630A.350 is hereby amended to read as follows:
- 27 630A.350 The following acts, among others, constitute
- 28 grounds for initiating disciplinary action or denying the issuance of
- 29 a license ~~to practice~~ *or certificate*:
- 30 1. Willfully making a false or fraudulent statement or
- 31 submitting a forged or false document in applying for a license to
- 32 practice ~~homeopathic~~ *complementary integrative* medicine ~~to practice~~ *or*
- 33 *for certification as a complementary integrative assistant or*
- 34 *complementary integrative technician.*
- 35 2. Willfully representing with the purpose of obtaining
- 36 compensation or other advantages for himself or herself or for any
- 37 other person that a manifestly incurable disease or injury or other
- 38 manifestly incurable condition can be permanently cured.
- 39 3. Obtaining, maintaining or renewing, or attempting to obtain,
- 40 maintain or renew, a license *or certificate* ~~to practice homeopathic~~
- 41 ~~medicine~~ by bribery, fraud or misrepresentation or by any false,
- 42 misleading, inaccurate or incomplete statement.
- 43 4. Advertising the practice of ~~homeopathic~~ *complementary*
- 44 *integrative* medicine in a false, deceptive or misleading manner.



1 5. Practicing or attempting to practice ~~[homeopathic]~~
2 *complementary integrative* medicine under a name other than the
3 name under which ~~[he or she]~~ *the person* is licensed ~~[]~~ *or certified.*

4 6. ~~[Signing a blank prescription form.~~

5 ~~—7.]~~ Influencing a patient in order to engage in sexual activity
6 with the patient or another person.

7 ~~[8.]~~ 7. Attempting directly or indirectly, by way of
8 intimidation, coercion or deception, to obtain or retain a patient or to
9 discourage a patient from obtaining a second opinion.

10 ~~[9.]~~ 8. Terminating the medical care of a patient without
11 giving adequate notice or making other arrangements for the
12 continued care of the patient.

13 **Sec. 78.** NRS 630A.360 is hereby amended to read as follows:

14 630A.360 The following acts, among others, constitute
15 grounds for initiating disciplinary action or denying the issuance of
16 a license:

17 1. Directly or indirectly receiving from any person any fee,
18 commission, rebate or other form of compensation which tends or is
19 intended to influence the physician's objective evaluation or
20 treatment of a patient.

21 2. Dividing a fee between ~~[homeopathic]~~ *complementary*
22 *integrative* physicians ~~[]~~ *or complementary integrative*
23 *practitioners*, unless the patient is informed of the division of fees
24 and the division is made in proportion to the services personally
25 performed and the responsibility assumed by each ~~[homeopathic]~~
26 *complementary integrative* physician ~~[]~~ *or complementary*
27 *integrative practitioner.*

28 3. Charging for visits to the ~~[homeopathic physician's]~~
29 *of the complementary integrative physician or complementary*
30 *integrative practitioner* which did not occur or for services which
31 were not rendered or documented in the records of the patient.

32 4. Employing, directly or indirectly, any suspended, ~~[or]~~
33 unlicensed *or uncertified* person in the practice of ~~[homeopathic]~~
34 *complementary integrative* medicine, or the aiding, abetting or
35 assisting of any unlicensed *or uncertified* person to practice
36 ~~[homeopathic]~~ *complementary integrative* medicine contrary to the
37 provisions of this chapter or the regulations adopted by the Board.

38 5. Advertising the services of an unlicensed *or uncertified*
39 person in the practice of ~~[homeopathic]~~ *complementary integrative*
40 medicine.

41 6. Delegating responsibility for the care of a patient to a person
42 whom the ~~[homeopathic]~~ *complementary integrative* physician *or*
43 *complementary integrative practitioner* knows, or has reason to
44 know, is not qualified to undertake that responsibility.



1 7. Failing to disclose to a patient any financial or other conflict
2 of interest affecting the care of the patient.

3 **Sec. 79.** NRS 630A.370 is hereby amended to read as follows:

4 630A.370 The following acts, among others, constitute
5 grounds for initiating disciplinary action or denying the issuance of
6 a license ~~{}~~ *or certificate:*

7 1. Inability to practice ~~{homeopathic}~~ *complementary*
8 *integrative* medicine with reasonable skill and safety because of an
9 illness, a mental or physical condition or the use of alcohol, drugs,
10 narcotics or any other addictive substance.

11 2. Engaging in any:

12 (a) Professional conduct which is intended to deceive or which
13 the Board by regulation has determined is unethical.

14 (b) Medical practice harmful to the public or any conduct
15 detrimental to the public health, safety or morals which does not
16 constitute gross or repeated malpractice or professional
17 incompetence.

18 3. Administering, dispensing or prescribing any controlled
19 substance, except as authorized by law.

20 4. Performing, assisting or advising an unlawful abortion or in
21 the injection of any liquid substance into the human body to cause
22 an abortion.

23 5. Practicing or offering to practice beyond the scope permitted
24 by law, or performing services which the ~~{homeopathic}~~
25 *complementary integrative* physician, *complementary integrative*
26 *practitioner, complementary integrative assistant or*
27 *complementary integrative technician* knows or has reason to know
28 he or she is not competent to perform.

29 6. Performing any procedure without first obtaining the
30 informed consent of the patient or the patient's family or prescribing
31 any therapy which by the current standards of the practice of
32 ~~{homeopathic}~~ *complementary integrative* medicine is
33 experimental.

34 7. Continued failure to exercise the skill or diligence or use the
35 methods ordinarily exercised under the same circumstances by
36 physicians, *practitioners, assistants or technicians* in good
37 standing who practice ~~{homeopathy—and—electrodiagnosis.}~~
38 *complementary integrative medicine.*

39 8. Operation of a medical facility, as defined in NRS 449.0151,
40 at any time during which:

41 (a) The license of the facility is suspended or revoked; or

42 (b) An act or omission occurs which results in the suspension or
43 revocation of the license pursuant to NRS 449.160.

44 ➔ This subsection applies to an owner or other principal responsible
45 for the operation of the facility.



1 **Sec. 80.** NRS 630A.380 is hereby amended to read as follows:
2 630A.380 The following acts, among others, constitute
3 grounds for initiating disciplinary action or denying the issuance of
4 a license ~~[]~~ *or certificate:*

5 1. Willful disclosure of a communication privileged under a
6 statute or court order.

7 2. Willful failure to comply with any provision of this chapter,
8 regulation, subpoena or order of the Board or with any court order
9 relating to this chapter.

10 3. Willful failure to perform any statutory or other legal
11 obligation imposed upon a licensed ~~[homeopathic]~~ *complementary*
12 *integrative* physician ~~[]~~ , *licensed complementary integrative*
13 *practitioner, certified complementary integrative assistant or*
14 *certified complementary integrative technician.*

15 **Sec. 81.** NRS 630A.390 is hereby amended to read as follows:

16 630A.390 1. Any person who becomes aware that a person
17 practicing medicine in this State has, is or is about to become
18 engaged in conduct which constitutes grounds for initiating
19 disciplinary action may file a written complaint with the Board.

20 2. Any medical society or medical facility or facility for the
21 dependent licensed in this State shall report to the Board the
22 initiation and outcome of any disciplinary action against any
23 ~~[homeopathic]~~ *complementary integrative* physician *or*
24 *complementary integrative practitioner* concerning the care of a
25 patient or the competency of the *complementary integrative*
26 physician ~~[]~~ *or complementary integrative practitioner.*

27 3. The clerk of every court shall report to the Board any
28 finding, judgment or other determination of the court that a
29 ~~[homeopathic]~~ *complementary integrative* physician ~~[]~~ ,
30 *complementary integrative practitioner, complementary*
31 *integrative assistant or complementary integrative technician:*

32 (a) Is mentally ill;

33 (b) Is mentally incompetent;

34 (c) Has been convicted of a felony or any law relating to
35 controlled substances or dangerous drugs;

36 (d) Is guilty of abuse or fraud under any state or federal program
37 providing medical assistance; or

38 (e) Is liable for damages for malpractice or negligence.

39 4. The Board shall retain all complaints filed with the Board
40 pursuant to this section for at least 10 years, including, without
41 limitation, any complaints not acted upon.

42 **Sec. 82.** NRS 630A.400 is hereby amended to read as follows:

43 630A.400 1. The Board or a committee of its members
44 designated by the Board shall review every complaint filed with the
45 Board and conduct an investigation to determine whether there is a



1 reasonable basis for compelling a **[homeopathic] complementary**
2 **integrative** physician , **complementary integrative practitioner,**
3 **complementary integrative assistant or complementary integrative**
4 **technician** to take a mental or physical examination or an
5 examination of his or her competence to practice **[homeopathic]**
6 **complementary integrative** medicine.

7 2. If a committee is designated, it must be composed of at least
8 **[three] two** members of the Board, at least one of whom is a licensed
9 **[homeopathic] complementary integrative** physician.

10 3. If, from the complaint or from other official records, it
11 appears that the complaint is not frivolous and the complaint
12 charges gross or repeated malpractice, the Board shall transmit the
13 original complaint, along with further facts or information derived
14 from its own review, to the Attorney General.

15 4. Following the investigation, the committee shall present its
16 evaluation and recommendations to the Board. The Board shall
17 review the committee's findings to determine whether to take any
18 further action, but a member of the Board who participated in the
19 investigation may not participate in this review or in any subsequent
20 hearing or action taken by the Board.

21 **Sec. 83.** NRS 630A.420 is hereby amended to read as follows:

22 630A.420 1. If the Board or its investigative committee has
23 reason to believe that the conduct of any **[homeopathic]**
24 **complementary integrative** physician , **complementary integrative**
25 **practitioner, complementary integrative assistant or**
26 **complementary integrative technician** has raised a reasonable
27 question as to his or her competence to practice **complementary**
28 **integrative** medicine with reasonable skill and safety to patients, it
29 may order the **[homeopathic] complementary integrative** physician ,
30 **complementary integrative practitioner, complementary**
31 **integrative assistant or complementary integrative technician** to
32 undergo:

33 (a) A mental or physical examination; or

34 (b) An examination of his or her competence to practice
35 **[homeopathic] complementary integrative** medicine,

36 by physicians or others designated by the Board to assist the
37 Board in determining the fitness of the **[homeopathic]**
38 **complementary integrative** physician , **complementary integrative**
39 **practitioner, complementary integrative assistant or**
40 **complementary integrative technician** to practice **[homeopathic]**
41 **complementary integrative** medicine.

42 2. For the purposes of this section:

43 (a) Every **[homeopathic] complementary integrative** physician ,
44 **complementary integrative practitioner, complementary**
45 **integrative assistant or complementary integrative technician** who



1 applies for a license *or certificate* or is licensed *or certified* under
2 this chapter shall be deemed to have given consent to submit to a
3 mental or physical examination or an examination of his or her
4 competence to practice ~~homeopathic~~ *complementary integrative*
5 medicine when directed to do so in writing by the Board or an
6 investigative committee of the Board.

7 (b) The testimony or reports of the examining physicians are not
8 privileged communications.

9 3. Except in extraordinary circumstances, as determined by the
10 Board, the failure of a ~~homeopathic~~ *complementary integrative*
11 physician, *complementary integrative practitioner, complementary*
12 *integrative assistant or complementary integrative technician*
13 licensed *or certified* under this chapter to submit to an examination
14 when directed as provided in this section constitutes an admission of
15 the charges against the ~~homeopathic~~ *complementary integrative*
16 physician ~~[-]~~, *complementary integrative practitioner,*
17 *complementary integrative assistant or complementary integrative*
18 *technician.*

19 **Sec. 84.** NRS 630A.430 is hereby amended to read as follows:

20 630A.430 If the Board has reason to believe that the conduct of
21 any ~~homeopathic~~ *complementary integrative* physician,
22 *complementary integrative practitioner, complementary*
23 *integrative assistant or complementary integrative technician* has
24 raised a reasonable question as to his or her competence to practice
25 ~~homeopathic~~ *complementary integrative* medicine with reasonable
26 skill and safety to patients, the Board may order an examination of
27 the ~~homeopathic~~ *complementary integrative* physician,
28 *complementary integrative practitioner, complementary*
29 *integrative assistant or complementary integrative technician* to
30 determine his or her fitness to practice ~~homeopathic~~
31 *complementary integrative* medicine. When such action is taken,
32 the reasons for the action must be documented and must be available
33 to the ~~homeopathic~~ *complementary integrative* physician,
34 *complementary integrative practitioner, complementary*
35 *integrative assistant or complementary integrative technician*
36 being examined.

37 **Sec. 85.** NRS 630A.440 is hereby amended to read as follows:

38 630A.440 Notwithstanding the provisions of chapter 622A of
39 NRS, if the Board issues an order summarily suspending the license
40 *or certificate* of a ~~homeopathic~~ *complementary integrative*
41 physician, *complementary integrative practitioner, complementary*
42 *integrative assistant or complementary integrative technician*
43 pending proceedings for disciplinary action and requires the
44 ~~homeopathic~~ *complementary integrative* physician,
45 *complementary integrative practitioner, complementary*



1 *integrative assistant or complementary integrative technician* to
2 submit to a mental or physical examination or an examination of his
3 or her competence to practice ~~homeopathic~~ *complementary*
4 *integrative* medicine, the examination must be conducted and the
5 results obtained not later than 60 days after the Board issues its
6 order.

7 **Sec. 86.** NRS 630A.450 is hereby amended to read as follows:

8 630A.450 Notwithstanding the provisions of chapter 622A of
9 NRS, if the Board issues an order summarily suspending the license
10 *or certificate* of a ~~homeopathic~~ *complementary integrative*
11 *physician, complementary integrative practitioner, complementary*
12 *integrative assistant or complementary integrative technician*
13 pending proceedings for disciplinary action, including, without
14 limitation, a summary suspension pursuant to NRS 233B.127, the
15 court shall not stay that order.

16 **Sec. 87.** NRS 630A.460 is hereby amended to read as follows:

17 630A.460 1. In addition to any other remedy provided by
18 law, the Board, through its President or Secretary-Treasurer or the
19 Attorney General, may apply to any court of competent jurisdiction
20 to:

21 (a) Enjoin any prohibited act or other conduct of a
22 ~~homeopathic~~ *complementary integrative* physician,
23 *complementary integrative practitioner, complementary*
24 *integrative assistant or complementary integrative technician*
25 which is harmful to the public;

26 (b) Enjoin any person who is not licensed *or certified* under this
27 chapter from practicing ~~homeopathic~~ *complementary integrative*
28 medicine; or

29 (c) Limit *the practice of* a ~~homeopathic physician's practice~~
30 *complementary integrative physician, complementary integrative*
31 *practitioner, complementary integrative assistant or*
32 *complementary integrative technician* or suspend his or her license
33 *or certificate* to practice ~~homeopathic~~ *complementary integrative*
34 medicine.

35 2. The court in a proper case may issue a temporary restraining
36 order or a preliminary injunction for the purposes of subsection 1:

37 (a) Without proof of actual damage sustained by any person;

38 (b) Without relieving any person from criminal prosecution for
39 engaging in the practice of ~~homeopathic~~ *complementary*
40 *integrative* medicine without a license ~~or~~ *or certificate*; and

41 (c) Pending proceedings for disciplinary action by the Board.

42 **Sec. 88.** NRS 630A.490 is hereby amended to read as follows:

43 630A.490 Except as otherwise provided in chapter 622A of
44 NRS:



1 1. Service of process made under this chapter must be either
2 personal or by registered or certified mail with return receipt
3 requested, addressed to the ~~homeopathic~~ *complementary*
4 *integrative* physician , *complementary integrative practitioner,*
5 *complementary integrative assistant or complementary integrative*
6 *technician* at his or her last known address. If personal service
7 cannot be made and if notice by mail is returned undelivered, the
8 Secretary-Treasurer of the Board shall cause notice to be published
9 once a week for 4 consecutive weeks in a newspaper published in
10 the county of the ~~homeopathic physician's~~ last known address of
11 *the complementary integrative physician, complementary*
12 *integrative practitioner, complementary integrative assistant or*
13 *complementary integrative technician* or, if no newspaper is
14 published in that county, then in a newspaper widely distributed in
15 that county.

16 2. Proof of service of process or publication of notice made
17 under this chapter must be filed with the Board and recorded in the
18 minutes of the Board.

19 **Sec. 89.** NRS 630A.500 is hereby amended to read as follows:
20 630A.500 Notwithstanding the provisions of chapter 622A of
21 NRS, in any disciplinary hearing:

- 22 1. Proof of actual injury need not be established.
- 23 2. A certified copy of the record of a court or a licensing
24 agency showing a conviction or plea of nolo contendere or the
25 suspension, revocation, limitation, modification, denial or surrender
26 of a license *or certificate* to practice ~~homeopathic~~ *complementary*
27 *integrative* medicine is conclusive evidence of its occurrence.

28 **Sec. 90.** NRS 630A.510 is hereby amended to read as follows:
29 630A.510 1. Any member of the Board who was not a
30 member of the investigative committee, if one was appointed, may
31 participate in the final order of the Board. If the Board, after notice
32 and a hearing as required by law, determines that a violation of the
33 provisions of this chapter or the regulations adopted by the Board
34 has occurred, it shall issue and serve on the person charged an order,
35 in writing, containing its findings and any sanctions imposed by the
36 Board. If the Board determines that no violation has occurred, it
37 shall dismiss the charges, in writing, and notify the person that the
38 charges have been dismissed.

39 2. If the Board finds that a violation has occurred, it may by
40 order:

- 41 (a) Place the person on probation for a specified period on any
42 of the conditions specified in the order.
- 43 (b) Administer to the person a public reprimand.
- 44 (c) Limit the practice of the person or exclude a method of
45 treatment from the scope of his or her practice.



1 (d) Suspend the license *or certificate* of the person for a
2 specified period or until further order of the Board.

3 (e) Revoke the license *or certificate* of the person to practice
4 **[homeopathic] complementary integrative** medicine.

5 (f) Require the person to participate in a program to correct a
6 dependence upon alcohol or a controlled substance, or any other
7 impairment.

8 (g) Require supervision of the person's practice.

9 (h) Impose an administrative fine not to exceed \$10,000.

10 (i) Require the person to perform community service without
11 compensation.

12 (j) Require the person to take a physical or mental examination
13 or an examination of his or her competence to practice
14 **[homeopathic] complementary integrative** medicine.

15 (k) Require the person to fulfill certain training or educational
16 requirements.

17 3. The Board shall not administer a private reprimand.

18 4. An order that imposes discipline and the findings of fact and
19 conclusions of law supporting that order are public records.

20 **Sec. 91.** NRS 630A.520 is hereby amended to read as follows:

21 630A.520 1. Any person aggrieved by a final order of the
22 Board is entitled to judicial review of the Board's order as provided
23 by law.

24 2. Every order of the Board which limits the practice of
25 **[homeopathic] complementary integrative** medicine or suspends or
26 revokes a license *or certificate* is effective from the date the
27 Secretary-Treasurer of the Board certifies the order until the date the
28 order is modified or reversed by a final judgment of the court. The
29 court shall not stay the order of the Board pending a final
30 determination by the court.

31 3. The district court shall give a petition for judicial review of
32 the Board's order priority over other civil matters which are not
33 expressly given priority by law.

34 **Sec. 92.** NRS 630A.530 is hereby amended to read as follows:

35 630A.530 1. Any person:

36 (a) Whose practice of **[homeopathic] complementary integrative**
37 medicine has been limited; or

38 (b) Whose license *or certificate* to practice **[homeopathic]**
39 **complementary integrative** medicine has been:

40 (1) Suspended until further order; or

41 (2) Revoked,

42 ↪ may apply to the Board for removal of the limitation or
43 suspension or may apply to the Board pursuant to the provisions of
44 chapter 622A of NRS for reinstatement of the revoked license **[] or**
45 **certificate.**



1 2. In hearing the application, the Board or a committee of
2 members of the Board:

3 (a) May require the applicant to submit to a mental or physical
4 examination or an examination of his or her competence to practice
5 ~~homeopathic~~ *complementary integrative* medicine by physicians
6 or other persons whom it designates and submit such other evidence
7 of changed conditions and of fitness as it deems proper.

8 (b) Shall determine whether under all the circumstances the time
9 of the application is reasonable.

10 (c) May deny the application or modify or rescind its order as it
11 deems the evidence and the public safety warrants.

12 3. The applicant has the burden of proving by clear and
13 convincing evidence that the requirements for reinstatement of the
14 license *or certificate* or removal of the limitation or suspension have
15 been met.

16 4. The Board shall not reinstate a license *or certificate* unless it
17 is satisfied that the applicant has complied with all of the terms and
18 conditions set forth in the final order of the Board and that the
19 applicant is capable of practicing ~~homeopathic~~ *complementary*
20 *integrative* medicine with reasonable skill and safety to patients.

21 5. In addition to any other requirements set forth in chapter
22 622A of NRS, to reinstate a license *or certificate* that has been
23 revoked by the Board, a person must apply for a license *or*
24 *certificate* and take an examination as though the person had never
25 been licensed *or certified* under this chapter.

26 **Sec. 93.** NRS 630A.540 is hereby amended to read as follows:

27 630A.540 1. In addition to any other immunity provided by
28 the provisions of chapter 622A of NRS:

29 (a) Any person who furnishes information to the Board, in good
30 faith in accordance with the provisions of this chapter, concerning a
31 person who is licensed or certified or applies for a license or
32 certificate under this chapter is immune from civil liability for
33 furnishing that information.

34 (b) The Board and its members, staff, counsel, investigators,
35 experts, committees, panels, hearing officers and consultants are
36 immune from civil liability for any decision or action taken in good
37 faith in response to information received by the Board.

38 (c) The Board and any of its members are immune from civil
39 liability for disseminating information concerning a person who is
40 licensed or certified or applies for a license or certificate under this
41 chapter to the Attorney General or any board or agency of the State,
42 hospital, medical society, insurer, employer, patient or patient's
43 family or law enforcement agency.

44 2. The Board shall not commence an investigation, impose any
45 disciplinary action or take any other adverse action against a



1 ~~[homeopathic]~~ *complementary integrative* physician ,
2 *complementary integrative practitioner, complementary*
3 *integrative assistant or complementary integrative technician* for:

4 (a) Disclosing to a governmental entity a violation of any law,
5 rule or regulation by an applicant for *or a person holding* a license
6 *or certificate* to practice ~~[homeopathic medicine; or by a~~
7 ~~homeopathic physician;]~~ *complementary integrative medicine;* or

8 (b) Cooperating with a governmental entity that is conducting an
9 investigation, hearing or inquiry into such a violation, including,
10 without limitation, providing testimony concerning the violation.

11 3. As used in this section, "governmental entity" includes,
12 without limitation:

13 (a) A federal, state or local officer, employee, agency,
14 department, division, bureau, board, commission, council, authority
15 or other subdivision or entity of a public employer;

16 (b) A federal, state or local employee, committee, member or
17 commission of the Legislative Branch of Government;

18 (c) A federal, state or local representative, member or employee
19 of a legislative body or a county, town, village or any other political
20 subdivision or civil division of the State;

21 (d) A federal, state or local law enforcement agency or
22 prosecutorial office, or any member or employee thereof, or police
23 or peace officer; and

24 (e) A federal, state or local judiciary, or any member or
25 employee thereof, or grand or petit jury.

26 **Sec. 94.** NRS 630A.543 is hereby amended to read as follows:

27 630A.543 1. If the Board receives a copy of a court order
28 issued pursuant to NRS 425.540 that provides for the suspension of
29 all professional, occupational and recreational licenses, certificates
30 and permits issued to a person who is the holder of a license *or*
31 *certificate* to practice ~~[homeopathic]~~ *complementary integrative*
32 *medicine* , ~~[or a certificate to practice as an advanced practitioner of~~
33 ~~homeopathy or as a homeopathic assistant,]~~ the Board shall deem
34 the license or certificate issued to that person to be suspended at the
35 end of the 30th day after the date on which the court order was
36 issued unless the Board receives a letter issued to the holder of the
37 license or certificate by the district attorney or other public agency
38 pursuant to NRS 425.550 stating that the holder of the license or
39 certificate has complied with the subpoena or warrant or has
40 satisfied the arrearage pursuant to NRS 425.560.

41 2. The Board shall reinstate a license *or certificate* to practice
42 ~~[homeopathic]~~ *complementary integrative* medicine ~~[or a certificate~~
43 ~~to practice as an advanced practitioner of homeopathy or a~~
44 ~~homeopathic assistant]~~ that has been suspended by a district court
45 pursuant to NRS 425.540 if:



1 (a) The Board receives a letter issued by the district attorney or
2 other public agency pursuant to NRS 425.550 to the person whose
3 license or certificate was suspended stating that the person whose
4 license or certificate was suspended has complied with the subpoena
5 or warrant or has satisfied the arrearage pursuant to NRS 425.560;
6 and

7 (b) The person whose license or certificate was suspended pays
8 the fee prescribed in NRS 630A.330 for the reinstatement of a
9 suspended license or certificate.

10 **Sec. 95.** NRS 630A.550 is hereby amended to read as follows:

11 630A.550 The filing and review of a complaint, its dismissal
12 without further action or its transmittal to the Attorney General, and
13 any subsequent disposition by the Board, the Attorney General or
14 any reviewing court do not preclude:

15 1. Any measure by a hospital or other institution or medical
16 society to limit or terminate the privileges of a ~~[homeopathic]~~
17 *complementary integrative* physician, ~~[advanced]~~ *complementary*
18 *integrative* practitioner ~~[of homeopathy or homeopathic]~~ ,
19 *complementary integrative* assistant *or complementary integrative*
20 *technician* according to its rules or the custom of the profession. No
21 civil liability attaches to any such action taken without malice even
22 if the ultimate disposition of the complaint is in favor of the
23 ~~[homeopathic]~~ *complementary integrative* physician, ~~[advanced]~~
24 *complementary integrative* practitioner ~~[of homeopathy or~~
25 ~~homeopathic]~~ , *complementary integrative* assistant ~~[]~~ *or*
26 *complementary integrative technician*.

27 2. Any appropriate criminal prosecution by the Attorney
28 General or a district attorney based upon the same or other facts.

29 **Sec. 96.** NRS 630A.570 is hereby amended to read as follows:

30 630A.570 1. The Board through its President or Secretary-
31 Treasurer or the Attorney General may maintain in any court of
32 competent jurisdiction a suit for an injunction against any person or
33 persons practicing ~~[homeopathic]~~ *complementary integrative*
34 medicine without a license or certificate.

35 2. Such an injunction:

36 (a) May be issued without proof of actual damage sustained by
37 any person, this provision being a preventive as well as a punitive
38 measure.

39 (b) Does not relieve such person from criminal prosecution for
40 practicing without a license or certificate.

41 **Sec. 97.** NRS 630A.580 is hereby amended to read as follows:

42 630A.580 In seeking injunctive relief against any person for an
43 alleged violation of this chapter by practicing ~~[homeopathic]~~
44 *complementary integrative* medicine without a license or certificate,
45 it is sufficient to allege that the person did, upon a certain day, and



1 in a certain county of this State, engage in the practice of
2 ~~homeopathic~~ *complementary integrative* medicine without having
3 a license or certificate to do so, without alleging any further or more
4 particular facts concerning the matter.

5 **Sec. 98.** NRS 630A.590 is hereby amended to read as follows:

6 630A.590 A person who:

7 1. Presents to the Board as his or her own the diploma, license,
8 certificate or credentials of another;

9 2. Gives either false or forged evidence of any kind to the
10 Board;

11 3. Practices ~~homeopathic~~ *complementary integrative*
12 medicine under a false or assumed name; or

13 4. Except as otherwise provided in NRS 629.091, practices
14 ~~homeopathic~~ *complementary integrative* medicine without being
15 licensed or certified under this chapter,

16 ➔ is guilty of a category D felony and shall be punished as provided
17 in NRS 193.130.

18 **Sec. 99.** NRS 630A.600 is hereby amended to read as follows:

19 630A.600 Except as otherwise provided in NRS 629.091, a
20 person who practices ~~homeopathic~~ *complementary integrative*
21 medicine without a license or certificate issued pursuant to this
22 chapter is guilty of a category D felony and shall be punished as
23 provided in NRS 193.130.

24 **Sec. 100.** NRS 639.0125 is hereby amended to read as
25 follows:

26 639.0125 “Practitioner” means:

27 1. A physician, *complementary integrative physician,*
28 *complementary integrative practitioner,* dentist, veterinarian or
29 podiatric physician who holds a license to practice his or her
30 profession in this State;

31 2. A hospital, pharmacy or other institution licensed, registered
32 or otherwise permitted to distribute, dispense, conduct research with
33 respect to or administer drugs in the course of professional practice
34 or research in this State;

35 3. An advanced practitioner of nursing who has been
36 authorized to prescribe controlled substances, poisons, dangerous
37 drugs and devices;

38 4. A physician assistant who:

39 (a) Holds a license issued by the Board of Medical Examiners;
40 and

41 (b) Is authorized by the Board to possess, administer, prescribe
42 or dispense controlled substances, poisons, dangerous drugs or
43 devices under the supervision of a physician as required by chapter
44 630 of NRS;

45 5. A physician assistant who:



1 (a) Holds a license issued by the State Board of Osteopathic
2 Medicine; and

3 (b) Is authorized by the Board to possess, administer, prescribe
4 or dispense controlled substances, poisons, dangerous drugs or
5 devices under the supervision of an osteopathic physician as
6 required by chapter 633 of NRS; or

7 6. An optometrist who is certified by the Nevada State Board
8 of Optometry to prescribe and administer therapeutic
9 pharmaceutical agents pursuant to NRS 636.288, when the
10 optometrist prescribes or administers therapeutic pharmaceutical
11 agents within the scope of his or her certification.

12 **Sec. 101.** NRS 640.190 is hereby amended to read as follows:

13 640.190 This chapter does not authorize a physical therapist,
14 whether licensed or not, to practice medicine, osteopathic medicine,
15 ~~homeopathic~~ *complementary integrative* medicine, chiropractic or
16 any other form or method of healing.

17 **Sec. 102.** NRS 640B.085 is hereby amended to read as
18 follows:

19 640B.085 “Physician” means:

20 1. A physician licensed pursuant to chapter 630 of NRS;

21 2. An osteopathic physician licensed pursuant to chapter 633 of
22 NRS;

23 3. A ~~homeopathic~~ *complementary integrative* physician
24 licensed pursuant to chapter 630A of NRS;

25 4. A chiropractic physician licensed pursuant to chapter 634 of
26 NRS; or

27 5. A podiatric physician licensed pursuant to chapter 635 of
28 NRS.

29 **Sec. 103.** NRS 0.040 is hereby amended to read as follows:

30 0.040 1. Except as otherwise provided in subsection 2,
31 “physician” means a person who engages in the practice of
32 medicine, including osteopathy and ~~homeopathy-~~ *complementary*
33 *integrative medicine.*

34 2. The terms “physician,” “osteopathic physician,”
35 ~~“homeopathic—physician,”~~ *“complementary integrative*
36 *physician,”* “chiropractic physician” and “podiatric physician” are
37 used in chapters 630, 630A, 633, 634 and 635 of NRS in the limited
38 senses prescribed by those chapters respectively.

39 **Sec. 104.** NRS 89.050 is hereby amended to read as follows:

40 89.050 1. Except as otherwise provided in subsection 2, a
41 professional entity may be organized only for the purpose of
42 rendering one specific type of professional service and may not
43 engage in any business other than rendering the professional service
44 for which it was organized and services reasonably related thereto,
45 except that a professional entity may own real and personal property



1 appropriate to its business and may invest its money in any form of
2 real property, securities or any other type of investment.

3 2. A professional entity may be organized to render a
4 professional service relating to:

5 (a) Architecture, interior design, residential design, engineering
6 and landscape architecture, or any combination thereof, and may be
7 composed of persons:

8 (1) Engaged in the practice of architecture as provided in
9 chapter 623 of NRS;

10 (2) Practicing as a registered interior designer as provided in
11 chapter 623 of NRS;

12 (3) Engaged in the practice of residential design as provided
13 in chapter 623 of NRS;

14 (4) Engaged in the practice of landscape architecture as
15 provided in chapter 623A of NRS; and

16 (5) Engaged in the practice of professional engineering as
17 provided in chapter 625 of NRS.

18 (b) Medicine, ~~homeopathy~~ *complementary integrative*
19 *medicine* and osteopathy, and may be composed of persons engaged
20 in the practice of medicine as provided in chapter 630 of NRS,
21 persons engaged in the practice of ~~homeopathic~~ *complementary*
22 *integrative* medicine as provided in chapter 630A of NRS and
23 persons engaged in the practice of osteopathic medicine as provided
24 in chapter 633 of NRS. Such a professional entity may market and
25 manage additional professional entities which are organized to
26 render a professional service relating to medicine, ~~homeopathy~~
27 *complementary integrative medicine* and osteopathy.

28 (c) Mental health services, and may be composed of the
29 following persons, in any number and in any combination:

30 (1) Any psychologist who is licensed to practice in this State;

31 (2) Any social worker who holds a master's degree in social
32 work and who is licensed by this State as a clinical social worker;

33 (3) Any registered nurse who is licensed to practice
34 professional nursing in this State and who holds a master's degree in
35 the field of psychiatric nursing;

36 (4) Any marriage and family therapist who is licensed by this
37 State pursuant to chapter 641A of NRS; and

38 (5) Any clinical professional counselor who is licensed by
39 this State pursuant to chapter 641A of NRS.

40 ➤ Such a professional entity may market and manage additional
41 professional entities which are organized to render a professional
42 service relating to mental health services pursuant to this paragraph.

43 3. A professional entity may render a professional service only
44 through its officers, managers and employees who are licensed or
45 otherwise authorized by law to render the professional service.



1 **Sec. 105.** NRS 200.471 is hereby amended to read as follows:
2 200.471 1. As used in this section:

3 (a) "Assault" means:

4 (1) Unlawfully attempting to use physical force against
5 another person; or

6 (2) Intentionally placing another person in reasonable
7 apprehension of immediate bodily harm.

8 (b) "Officer" means:

9 (1) A person who possesses some or all of the powers of a
10 peace officer;

11 (2) A person employed in a full-time salaried occupation of
12 fire fighting for the benefit or safety of the public;

13 (3) A member of a volunteer fire department;

14 (4) A jailer, guard or other correctional officer of a city or
15 county jail;

16 (5) A justice of the Supreme Court, district judge, justice of
17 the peace, municipal judge, magistrate, court commissioner, master
18 or referee, including a person acting pro tempore in a capacity listed
19 in this subparagraph; or

20 (6) An employee of the State or a political subdivision of the
21 State whose official duties require the employee to make home
22 visits.

23 (c) "Provider of health care" means a physician, a perfusionist or
24 a physician assistant licensed pursuant to chapter 630 of NRS, a
25 practitioner of respiratory care, a ~~homeopathic~~ *complementary*
26 *integrative* physician, ~~an advanced~~ *a complementary integrative*
27 *practitioner* ~~[of homeopathy, a homeopathic assistant,]~~ *, a certified*
28 *complementary integrative assistant, a certified complementary*
29 *integrative technician*, an osteopathic physician, a physician
30 assistant licensed pursuant to chapter 633 of NRS, a podiatric
31 physician, a podiatry hygienist, a physical therapist, a medical
32 laboratory technician, an optometrist, a chiropractor, a
33 chiropractor's assistant, a doctor of Oriental medicine, a nurse, a
34 student nurse, a certified nursing assistant, a nursing assistant
35 trainee, a dentist, a dental hygienist, a pharmacist, an intern
36 pharmacist, an attendant on an ambulance or air ambulance, a
37 psychologist, a social worker, a marriage and family therapist, a
38 marriage and family therapist intern, a clinical professional
39 counselor, a clinical professional counselor intern and an emergency
40 medical technician.

41 (d) "School employee" means a licensed or unlicensed person
42 employed by a board of trustees of a school district pursuant to
43 NRS 391.100.

44 (e) "Sporting event" has the meaning ascribed to it in
45 NRS 41.630.



1 (f) "Sports official" has the meaning ascribed to it in
2 NRS 41.630.

3 (g) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

4 (h) "Taxicab driver" means a person who operates a taxicab.

5 (i) "Transit operator" means a person who operates a bus or
6 other vehicle as part of a public mass transportation system.

7 2. A person convicted of an assault shall be punished:

8 (a) If paragraph (c) or (d) does not apply to the circumstances of
9 the crime and the assault is not made with the use of a deadly
10 weapon or the present ability to use a deadly weapon, for a
11 misdemeanor.

12 (b) If the assault is made with the use of a deadly weapon or the
13 present ability to use a deadly weapon, for a category B felony by
14 imprisonment in the state prison for a minimum term of not less
15 than 1 year and a maximum term of not more than 6 years, or by a
16 fine of not more than \$5,000, or by both fine and imprisonment.

17 (c) If paragraph (d) does not apply to the circumstances of the
18 crime and if the assault is committed upon an officer, a provider of
19 health care, a school employee, a taxicab driver or a transit operator
20 who is performing his or her duty or upon a sports official based on
21 the performance of his or her duties at a sporting event and the
22 person charged knew or should have known that the victim was an
23 officer, a provider of health care, a school employee, a taxicab
24 driver, a transit operator or a sports official, for a gross
25 misdemeanor, unless the assault is made with the use of a deadly
26 weapon or the present ability to use a deadly weapon, then for a
27 category B felony by imprisonment in the state prison for a
28 minimum term of not less than 1 year and a maximum term of not
29 more than 6 years, or by a fine of not more than \$5,000, or by both
30 fine and imprisonment.

31 (d) If the assault is committed upon an officer, a provider of
32 health care, a school employee, a taxicab driver or a transit operator
33 who is performing his or her duty or upon a sports official based on
34 the performance of his or her duties at a sporting event by a
35 probationer, a prisoner who is in lawful custody or confinement or a
36 parolee, and the probationer, prisoner or parolee charged knew or
37 should have known that the victim was an officer, a provider of
38 health care, a school employee, a taxicab driver, a transit operator or
39 a sports official, for a category D felony as provided in NRS
40 193.130, unless the assault is made with the use of a deadly weapon
41 or the present ability to use a deadly weapon, then for a category B
42 felony by imprisonment in the state prison for a minimum term of
43 not less than 1 year and a maximum term of not more than 6 years,
44 or by a fine of not more than \$5,000, or by both fine and
45 imprisonment.



1 **Sec. 106.** NRS 453.126 is hereby amended to read as follows:
2 453.126 “Practitioner” means:

3 1. A physician, *complementary integrative physician,*
4 *complementary integrative practitioner,* dentist, veterinarian or
5 podiatric physician who holds a license to practice his or her
6 profession in this State and is registered pursuant to this chapter.

7 2. An advanced practitioner of nursing who holds a certificate
8 from the State Board of Nursing and a certificate from the State
9 Board of Pharmacy authorizing him or her to dispense or to
10 prescribe and dispense controlled substances.

11 3. A scientific investigator or a pharmacy, hospital or other
12 institution licensed, registered or otherwise authorized in this State
13 to distribute, dispense, conduct research with respect to, to
14 administer, or use in teaching or chemical analysis, a controlled
15 substance in the course of professional practice or research.

16 4. A euthanasia technician who is licensed by the Nevada State
17 Board of Veterinary Medical Examiners and registered pursuant to
18 this chapter, while he or she possesses or administers sodium
19 pentobarbital pursuant to his or her license and registration.

20 5. A physician assistant who:

21 (a) Holds a license from the Board of Medical Examiners; and

22 (b) Is authorized by the Board to possess, administer, prescribe
23 or dispense controlled substances under the supervision of a
24 physician as required by chapter 630 of NRS.

25 6. A physician assistant who:

26 (a) Holds a license from the State Board of Osteopathic
27 Medicine; and

28 (b) Is authorized by the Board to possess, administer, prescribe
29 or dispense controlled substances under the supervision of an
30 osteopathic physician as required by chapter 633 of NRS.

31 7. An optometrist who is certified by the Nevada State Board
32 of Optometry to prescribe and administer therapeutic
33 pharmaceutical agents pursuant to NRS 636.288, when the
34 optometrist prescribes or administers therapeutic pharmaceutical
35 agents within the scope of his or her certification.

36 **Sec. 107.** NRS 454.00958 is hereby amended to read as
37 follows:

38 454.00958 “Practitioner” means:

39 1. A physician, *complementary integrative physician,*
40 *complementary integrative practitioner,* dentist, veterinarian or
41 podiatric physician who holds a valid license to practice his or her
42 profession in this State.

43 2. A pharmacy, hospital or other institution licensed or
44 registered to distribute, dispense, conduct research with respect to or



1 to administer a dangerous drug in the course of professional practice
2 in this State.

3 3. When relating to the prescription of poisons, dangerous
4 drugs and devices:

5 (a) An advanced practitioner of nursing who holds a certificate
6 from the State Board of Nursing and a certificate from the State
7 Board of Pharmacy permitting him or her so to prescribe; or

8 (b) A physician assistant who holds a license from the Board of
9 Medical Examiners and a certificate from the State Board of
10 Pharmacy permitting him or her so to prescribe.

11 4. An optometrist who is certified to prescribe and administer
12 dangerous drugs pursuant to NRS 636.288 when the optometrist
13 prescribes or administers dangerous drugs which are within the
14 scope of his or her certification.

15 **Sec. 108.** Chapter 679A of NRS is hereby amended by adding
16 thereto a new section to read as follows:

17 *1. Notwithstanding any provision of law to the contrary, an*
18 *insurer who offers or issues any plan, policy or contract of health*
19 *insurance in this State shall, upon approval by the Commissioner,*
20 *use or authorize the use of ABC coding to transact business in this*
21 *State.*

22 *2. ABC coding may be used to:*

23 *(a) Establish benefits for insurance;*

24 *(b) Arrange for managed care;*

25 *(c) File claims for interventions that are not prohibited by law;*

26 *(d) Document health care interventions used to treat patients;*

27 *(e) Provide expanded descriptions of procedures for patients;*

28 *and*

29 *(f) Communicate with any insurer or payor through the billing*
30 *for procedures or treatment.*

31 *3. As used in this section, "ABC coding" means a system of*
32 *coding that uses five-character alphabetic symbols to represent the*
33 *practices, procedures and services provided by a complementary*
34 *integrative physician or complementary integrative practitioner*
35 *licensed pursuant to chapter 630A of NRS.*

36 **Sec. 109.** Chapter 689A of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 *1. An individual carrier shall, to the extent practicable,*
39 *contract with at least one complementary integrative physician or*
40 *complementary integrative practitioner to provide care to insured*
41 *persons within the scope of the practice of the complementary*
42 *integrative physician or complementary integrative practitioner if*
43 *the complementary integrative physician or complementary*
44 *integrative practitioner:*



1 (a) *Meets all the conditions required by the individual carrier*
2 *for providers of health care that are under contract with the*
3 *individual carrier;*

4 (b) *Is certified for participation as a provider of health care in*
5 *the Medicaid and Medicare programs, if authorized to participate*
6 *in those programs; and*

7 (c) *Agrees to reasonable reimbursement rates that are*
8 *consistent with rates offered by the individual carrier to similarly*
9 *situated providers of health care that are under contract with the*
10 *individual carrier.*

11 2. *As used in this section:*

12 (a) *“Complementary integrative physician” has the meaning*
13 *ascribed to it in NRS 630A.050.*

14 (b) *“Complementary integrative practitioner” has the meaning*
15 *ascribed to it in NRS 630A.015.*

16 **Sec. 110.** Chapter 689B of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *A carrier that offers coverage through a network plan*
19 *shall, to the extent practicable, contract with at least one*
20 *complementary integrative physician or complementary*
21 *integrative practitioner to provide care to insured persons within*
22 *the scope of the practice of the complementary integrative*
23 *physician or complementary integrative practitioner if the*
24 *complementary integrative physician or complementary*
25 *integrative practitioner:*

26 (a) *Meets all the conditions required by the carrier for*
27 *providers of health care that are under contract with the carrier;*

28 (b) *Is certified for participation as a provider of health care in*
29 *the Medicaid and Medicare programs, if authorized to participate*
30 *in those programs; and*

31 (c) *Agrees to reasonable reimbursement rates that are*
32 *consistent with rates offered by the carrier to similarly situated*
33 *providers of health care that are under contract with the carrier.*

34 2. *As used in this section:*

35 (a) *“Complementary integrative physician” has the meaning*
36 *ascribed to it in NRS 630A.050.*

37 (b) *“Complementary integrative practitioner” has the meaning*
38 *ascribed to it in NRS 630A.015.*

39 **Sec. 111.** Chapter 689C of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 1. *A carrier that offers a network plan shall, to the extent*
42 *practicable, contract with at least one complementary integrative*
43 *physician or complementary integrative practitioner to provide*
44 *care to insured persons within the scope of the practice of the*
45 *complementary integrative physician or complementary*



1 *integrative practitioner if the complementary integrative physician*
2 *or complementary integrative practitioner:*

3 (a) *Meets all the conditions required by the carrier for*
4 *providers of health care that are under contract with the carrier;*

5 (b) *Is certified for participation as a provider of health care in*
6 *the Medicaid and Medicare programs, if authorized to participate*
7 *in those programs; and*

8 (c) *Agrees to reasonable reimbursement rates that are*
9 *consistent with rates offered by the carrier to similarly situated*
10 *providers of health care that are under contract with the carrier.*

11 2. *As used in this section:*

12 (a) *“Complementary integrative physician” has the meaning*
13 *ascribed to it in NRS 630A.050.*

14 (b) *“Complementary integrative practitioner” has the meaning*
15 *ascribed to it in NRS 630A.015.*

16 **Sec. 112.** Chapter 695C of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *A health maintenance organization that furnishes health*
19 *care services through providers which are under contract with the*
20 *organization shall, to the extent practicable, contract with at least*
21 *one complementary integrative physician or complementary*
22 *integrative practitioner to provide care to insured persons within*
23 *the scope of the practice of the complementary integrative*
24 *physician or complementary integrative practitioner if the*
25 *complementary integrative physician or complementary*
26 *integrative practitioner:*

27 (a) *Meets all the conditions required by the organization for*
28 *providers of health care that are under contract with the*
29 *organization;*

30 (b) *Is certified for participation as a provider of health care in*
31 *the Medicaid and Medicare programs, if authorized to participate*
32 *in those programs; and*

33 (c) *Agrees to reasonable reimbursement rates that are*
34 *consistent with rates offered by the organization to similarly*
35 *situated providers of health care that are under contract with the*
36 *organization.*

37 2. *As used in this section:*

38 (a) *“Complementary integrative physician” has the meaning*
39 *ascribed to it in NRS 630A.050.*

40 (b) *“Complementary integrative practitioner” has the meaning*
41 *ascribed to it in NRS 630A.015.*

42 **Sec. 113.** Chapter 695G of NRS is hereby amended by adding
43 thereto a new section to read as follows:

44 1. *A managed care organization that delivers health care*
45 *services by using independently contracted providers of health*



1 *care shall, to the extent practicable, contract with at least one*
2 *complementary integrative physician or complementary*
3 *integrative practitioner to provide care to insured persons within*
4 *the scope of the practice of the complementary integrative*
5 *physician or complementary integrative practitioner if the*
6 *complementary integrative physician or complementary*
7 *integrative practitioner:*

8 (a) *Meets all the conditions required by the organization for*
9 *providers of health care that are under contract with the*
10 *organization;*

11 (b) *Is certified for participation as a provider of health care in*
12 *the Medicaid and Medicare programs, if authorized to participate*
13 *in those programs; and*

14 (c) *Agrees to reasonable reimbursement rates that are*
15 *consistent with rates offered by the organization to similarly*
16 *situated providers of health care that are under contract with the*
17 *organization.*

18 2. *As used in this section:*

19 (a) *“Complementary integrative physician” has the meaning*
20 *ascribed to it in NRS 630A.050.*

21 (b) *“Complementary integrative practitioner” has the meaning*
22 *ascribed to it in NRS 630A.015.*

23 **Sec. 114.** Notwithstanding the amendatory provisions of this
24 act:

25 1. A license issued by the Board of Homeopathic Medical
26 Examiners which is active on October 1, 2011, shall be deemed to
27 be a license issued by the Board of Complementary Integrative
28 Medicine unless such license is suspended or revoked by the Board
29 of Complementary Integrative Medicine.

30 2. Any member of the Board of Homeopathic Medical
31 Examiners who is a member on October 1, 2011, shall be deemed to
32 be a member of the Board of Complementary Integrative Medicine
33 and is entitled to serve out the remainder of the term to which he or
34 she was appointed.

35 **Sec. 115.** This act becomes effective:

36 1. Upon passage and approval for the purposes of adopting
37 regulations and performing any other preparatory actions that are
38 necessary to carry out the provisions of this act; and

39 2. On October 1, 2011, for all other purposes.

