

Chapter 630 of NAC

LCB File No. T009-08

**ADOPTED TEMPORARY REGULATION OF THE
BOARD OF MEDICAL EXAMINERS**

Filed with the Secretary of State on June 10, 2009

Language proposed for removal ~~bracketed~~

Language proposed for addition *italicized*

NAC 630.275 Confidentiality of certain information regarding physicians, physician assistants *and respiratory therapists.*

The Board will, pursuant ~~to paragraph (e) of~~ subsection 3 of NRS 630.336, keep confidential all records relating to a program established by the Board to enable a physician, ~~or~~ physician assistant *or practitioner of respiratory care* to correct:

1. A dependence upon alcohol or a controlled substance; or
2. Any other impairment which could result in the revocation of his license.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION
LCB File No. T009-08**

The Board of Medical Examiners adopted temporary regulations assigned LCB File No. T009-08 which pertain to chapter 630 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

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

How public comment was solicited:

The Nevada State Board of Medical Examiners published a Notice of Workshop to solicit comments on proposed changes to the regulation. The workshop was conducted on Tuesday, December 16, 2008, at the hour of 10:30 a.m., at the Grant Sawyer Office Bldg., 555 E. Washington Ave., Room 4406, Las Vegas, Nevada.

The Nevada State Board of Medical Examiners published, concurrent with the Notice of Workshop, Notice of a Public Hearing to receive comments from all interested persons regarding the proposed changes to the regulation, and that the public hearing was to be held at 10:00 a.m., on Wednesday, December 17, 2008, at the offices of the Board of Medical Examiners located at 1105 Terminal Way, Suite 301, Reno, Nevada.

In the notice the public was notified that a copy of the proposed regulation was on file at the State Library, 100 Stewart St., Carson City, Nevada; available at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada; in all counties in the state of Nevada in which the Board does not maintain an office; at the main public library; in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653; and on the Internet at <http://www.leg.state.nv.us>, as well as posted at the following locations:

Washoe County Courthouse – Reno, Nevada
Elko County Courthouse – Elko, Nevada
White Pine County Courthouse – Ely, Nevada
Clark County Health Department – Las Vegas, Nevada
Carson City Office of the State Attorney General
Las Vegas Office of the State Attorney General
Reno Office of the Nevada State Board of Medical Examiners
Carson City Public Library – Carson City, Nevada
Churchill County Public Library – Fallon, Nevada
Las Vegas Public Library – Las Vegas, Nevada
Douglas County Public Library – Minden, Nevada

Elko County Public Library – Elko, Nevada
Goldfield Public Library – Goldfield, Nevada
Eureka Branch Public Library – Eureka, Nevada
Humboldt County Public Library – Winnemucca, Nevada
Lincoln County Public Library – Pioche, Nevada
Lyon County Public Library – Yerington, Nevada
Mineral County Public Library – Hawthorne, Nevada
Tonopah Public Library – Tonopah, Nevada
Pershing County Public Library – Lovelock, Nevada
Storey County Public Library – Virginia City, Nevada
Washoe County Public Library – Reno, Nevada
White Pine County Public Library – Ely, Nevada
Battle Mountain Branch Public Library – Battle Mountain, Nevada

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

Summary of the public response:

No public response was received.

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

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

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

The court reporter may be contacted at:

Bonanza Reporting
1111 Forest Street
Reno, Nevada 89509
(775) 786-7655

Persons who attended the workshop and hearing:

At the Workshop, Tuesday, December 16, 2008, at the Grant Sawyer State Office Bldg., 555 E. Washington Ave., Room 4406, Las Vegas, Nevada:

No public attendance or comment was offered.

Persons who testified at the public hearing:

The Public Hearing was held on Wednesday December 17, 2008, at the offices of the Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada:

No public attendance or comment was offered.

The number of persons who submitted written statements:

No written comment was received by the Nevada State Board of Medical Examiners.

**HOW COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES,
A SUMMARY OF THEIR RESPONSE, AND
HOW INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY**

The comments, conclusions, and information set out above and all information contained thereunder applies to this portion of the informational statement as well.

THE REGULATION WAS ADOPTED IN ITS ORIGINALLY PROPOSED FORM.

The proposed regulation was adopted in the enclosed form.

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

The economic effect of the regulations on the medical profession:

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

The economic effect of the regulations on the general public:

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

**THE ESTIMATED COST TO THE NEVADA STATE BOARD OF MEDICAL
EXAMINERS TO ENFORCE THE PROPOSED REGULATION**

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

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

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

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