

**PROPOSED REGULATION OF THE
STATE BOARD OF OSTEOPATHIC MEDICINE**

LCB File No. R093-11

November 9, 2011

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

AUTHORITY: §§1 and 2, NRS 633.291 and 633.481, as amended by section 12 of Senate Bill No. 273, chapter 243, Statutes of Nevada 2011, at page 1039; §3, NRS 633.291; §4, NRS 633.291 and 633.501, as amended by section 14 of Senate Bill No. 273, chapter 243, Statutes of Nevada 2011, at page 1040.

A REGULATION relating to osteopathic medicine; prescribing regulations for the public reporting of certain expired licenses; revising provisions relating to the change of status of certain licenses; revising the fee charged for certain initial licenses; and providing other matters properly relating thereto.

Section 1. Chapter 633 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *The Board will report publicly each license that expires pursuant to subsection 1 of NRS 633.481, as amended by section 12 of Senate Bill No. 273, chapter 243, Statutes of Nevada 2011, at page 1039, using the following designation: “Expired: Non-Payment.”*

2. If the Board restores an expired license pursuant to subsection 3 of NRS 633.481, as amended by section 12 of Senate Bill No. 273, chapter 243, Statutes of Nevada 2011, at page 1039, the Board will report publicly the updated status of the license, including, without limitation, reporting the status of “Good Standing” if the license was in good standing immediately preceding its expiration pursuant to subsection 1 of NRS 633.481.

Sec. 3. 1. *A licensee with an inactive license may apply to have the license made active by submitting an application to the Board on a form provided by the Board.*

2. The Executive Director of the Board or his or her designee shall review the application for completeness and may request that the applicant submit such additional evidence of the mental, physical, medical or other qualifications of the applicant as the Executive Director or his or her designee believes the Board may require.

3. Upon completion of the review of the application, the Executive Director shall:

(a) Place the application on an agenda at a regular meeting of the Board.

(b) Send written notice that the application will be reviewed by the Board to the applicant at least 21 business days before the meeting. The notice must conform to subsection 2 of NRS 233B.121, be given by certified mail, postage prepaid, and be addressed to the last address furnished by the applicant. If the Executive Director has reason to believe that there are grounds for denying the application, the notice must include a short and plain statement that specifies each such ground.

4. The applicant bears the burden of proving to the Board that making his or her license active is in the best interest of the public health and safety and the general welfare of the people of this State.

Sec. 4. Section 9 of LCB File No. R154-09 is hereby amended to read as follows:

Sec. 9. 1. ~~The~~ *Except as otherwise provided in subsection 3, the* Board will charge and collect the following fees:

Application and initial license fee for an osteopathic physician\$600

Annual license renewal fee for an osteopathic physician.....	500
Temporary license fee	200
Special or authorized facility license fee.....	200
Special or authorized facility license renewal fee	200
Reexamination fee	200
Late payment fee for a person whose license is currently on active status	300
Application and initial license fee for a physician assistant.....	400
Annual license renewal fee for a physician assistant	400
Inactive license fee	200
Late payment fee for a person whose license is currently on inactive status.....	150

2. The Board will charge and collect a fee for fingerprints submitted to the Board pursuant to NRS 633.309 that is equal to the total amount of the fees charged by any local agencies of law enforcement, the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for the handling of the fingerprints of an applicant and issuance of the reports of criminal histories.

3. The Board will reduce by one-half the appropriate application and initial license fee prescribed in subsection 1 for an applicant who applies for an initial license as an osteopathic physician or a physician assistant that will expire less than 6 months after the date of issuance of the license.