

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Nick M. Spirtos, M.D., F.A.C.O.G.
Board President

Edward O. Cousineau, J.D.
Executive Director



Informational Statement LCB File No. R189-22

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 630.

1. A Clear and Concise Explanation of the Need for the Adopted Regulation.

The proposed regulation is necessary to protect the public by providing for the delivery of a letter of warning, a letter of concern, or a nonpunitive admonishment to each supervising physician of a physician assistant; require applications for renewal of licensure through the Interstate Medical Licensure Compact (NRS Chapter 629A) to include any outstanding documents required by law; and revise the requirements concerning the submission of certain motions in disciplinary hearings to clarify and be consistent with the provisions in NRS Chapter 622A.

2. A Description of How Public Comment Was Solicited, a Summary of Public Response, and an Explanation How Other Interested Persons May Obtain a Copy of the Summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. Mail and email to persons who were known to have an interest in regulations adopted by the Board, as well as any persons who had specifically requested such notice. These documents were also made available at the Board's website, http://medboard.nv.gov/About/Proposed_Regulations/, posted at notice.nv.gov and <https://www.leg.state.nv.us/App/Notice/A/>, and posted at the following locations:

State Library, Archives and Public Records - Carson City, NV

Nevada State Board of Medical Examiners - Reno, NV

Nevada State Board of Medical Examiners - Las Vegas, NV

Nevada State Board of Medical Examiners Website - <https://medboard.nv.gov/>

A regulation workshop on LCB File No. R189-22 was held on June 28, 2023, at 1 p.m., at the Las Vegas Office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. This public workshop was video conferenced to the Board's Reno office located at 9600 Gateway Drive, Reno, NV 89521. Two members of the public attended the regulation workshop and neither provided public comment.

A public hearing on LCB File No. R189-22 was held on August 8, 2023 at 2 p.m. This hearing was video-conferenced between the Board's Las Vegas office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119 and the Board's Reno Office located at 9600

Gateway Drive, Reno, NV 89521. No members of the public attended the public hearing on August 8, 2023 for LCB File No. R189-22.

A summary of the public comment received regarding LCB File No. R189-22 is available upon request by contacting Deputy Executive Director Bradley at bradleys@medboard.nv.gov or by telephone at 775-324-9365.

3. The Number Persons Who:

(a) Attended Each Hearing:

June 28, 2023 (Regulation Workshop): 2;
August 8, 2023 (Public Hearing): 0.

(b) Testified at Each Hearing:

June 28, 2023 (Regulation Workshop): 0;
August 8, 2023 (Public Hearing): 0.

(c) Submitted to the Agency Written Comments:

On June 12, 2023, the Reno/Sparks Chamber of Commerce sent an email indicating that the Chamber had no concerns with the proposed regulations contained in LCB File No. R189-22. On June 17, 2023, the Clark County Medical Society sent the Board a letter indicating that the Society was unaware of how the proposed regulation would have a direct and substantial impact on small businesses in Nevada.

4. A List of Names and Contact Information, Including Telephone Number, Business Address, Business Telephone Number, Electronic Mail Address, and Name of Entity or Organization Represented, for Each Person Identified Above In #3, As Provided to The Agency.

Attendees at the June 28, 2023 Public Workshop in Las Vegas:

Daniel Rodriguez
Telephone: Not Provided
Address: 2513 Hacker Drive, Henderson, NV 89074
Business Telephone: Not Provided
Email: DanielRodriguez@nationwideperfusion.net
Representing: Not Provided

No testimony was provided.

Attendees at the June 28, 2023 Public Workshop in Reno:

Vanessa Dunn
Telephone: Not Provided
Address: Not Provided
Business Telephone: Not Provided

Email: Not Provided
Representing: Belz + Case

No testimony was provided,

5. A Description of How Comment Was Solicited from Affected Businesses, A Summary of Their Response, and an Explanation How Other Interested Persons May Obtain a Copy of the Summary.

Copies of the proposed regulation, notice of workshop and notice of intent to act upon the regulation were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of medical regulation, as well as any persons who had specifically requested such notice. These documents were also made available on the website of the Nevada State Board of Medical Examiners, available at http://medboard.nv.gov/About/Proposed_Regulations/, the website of the Legislative Counsel Bureau, available at <https://www.leg.state.nv.us/App/Notice/A/>, and the Department of Administration website, available at notice.nv.gov.

In the Notice of Intent to Act Upon Regulation, the public was notified that a copy of the proposed regulation was on file at the Nevada State Library, 100 N. Stewart St., Carson City, Nevada; available at the offices of the Board located at 9600 Gateway Drive, Reno, Nevada and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada; 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 <https://www.leg.state.nv.us/register/>, as well as posted at the following locations:

State Library, Archives and Public Records - Carson City, NV

Nevada State Board of Medical Examiners - Reno, NV

Nevada State Board of Medical Examiners - Las Vegas, NV

Nevada State Board of Medical Examiners Website - <https://medboard.nv.gov/>

The Board solicited any potentially impacted businesses by reaching out to various business chambers and associations. Correspondence regarding this regulation was sent to the following organizations:

- Better Business Bureau of Northern Nevada, Inc.
- Better Business Bureau of Southern Nevada, Inc.
- Churchill County Economic Development Authority
- City of Winnemucca
- Clark County Medical Society
- Elko Great Basin College
- Ely Rural Nevada Development Corp.
- Las Vegas Asian Chamber of Commerce
- Las Vegas Latin Chamber of Commerce
- Las Vegas Metro Chamber of Commerce
- Nevada State Medical Association

- Pahrump Rural Nevada Development Corp.
- Reno/Sparks Chamber of Commerce
- Rural Nevada Development Center
- Washoe County Medical Society

No public comment was received at the regulation workshop held on June 28, 2023. No public comment was received at the public hearing held on August 8, 2023. On June 12, 2023, the Reno/Sparks Chamber of Commerce sent an email indicating that the Chamber had no concerns with the proposed regulations contained in LCB File No. R189-22. On June 17, 2023, the Clark County Medical Society sent the Board a letter indicating that the Society was unaware of how the proposed regulation would have a direct and substantial impact on small businesses in Nevada.

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6. If the Regulation Was Adopted Without Changing Any Part of the Proposed Regulation, A Summary of the Reasons for Adopting the Regulation Without Change.

This regulation was adopted by the Board at a public meeting held on September 15, 2023. It was adopted without changes because no comments or suggested changes were received. ✓

7. The Estimated Economic Effect of the Adopted Regulation on the Businesses Which It Is to Regulate and on the Public. These Must Be Stated Separately, And Each Case Must Include: (a) Both Adverse and Beneficial Effects; and (b) Both Immediate and Long-Term Effects.

(a) Both Adverse and Beneficial Effects.

The Board does not believe that the proposed regulation will have an adverse or beneficial direct economic effect on the business of the practice of medicine, nor will it have a direct economic effect on the public.

(b) Both Immediate and Long-Term Effects.

The Board does not believe that the proposed regulation will have an immediate or long-term direct economic effect on the business of the practice of medicine, nor will it have a direct economic effect on the public.

8. The Estimated Cost to the Agency for Enforcement of the Adopted Regulation.

Enforcement of the proposed regulations will not result in an increased cost to the Board.

9. A Description of Any Regulations of Other State or Government Agencies Which the Proposed Regulation Overlaps or Duplicates and a Statement Explaining Why the Duplication or Overlapping Is Necessary. If the Regulation Overlaps or Duplicates a Federal Regulation, the Name of the Regulating Federal Agency.

To the Board's knowledge, the proposed regulations do not overlap or duplicate the regulations of other state or local governmental agencies or any federal regulations.

10. If the Regulation Includes Provisions That Are More Stringent Than a Federal Regulation Which Regulates the Same Activity, a Summary of Such Provisions.

To the Board's knowledge, the proposed regulations do not regulate the same activity addressed in a federal regulation.

11. If the Regulation Provides a New Fee or Increases an Existing Fee, the Total Annual Amount the Agency Expects to Collect and the Manner in Which the Money Will Be Used.

This regulation does not provide a new fee or increase an existing fee.