



# Nevada State Board of Medical Examiners

## **NOTICE OF INTENT TO ACT UPON REGULATION**

Notice of Hearing for the Adoption/Amendment of Regulations of the  
Nevada State Board of Medical Examiners

The Nevada State Board of Medical Examiners (Board) will hold a public hearing at 2:30 p.m., on Tuesday, August 8, 2023, at the Board's Reno office located at 9600 Gateway Drive, Reno, Nevada 89521, with video-conferencing to the Board's Las Vegas office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119. The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of three regulations that pertain to Chapter 630 of the Nevada Administrative Code.

**R002-23** Section 2 of this proposed regulation clarifies that applicants for physician assistant licensure by endorsement must submit proof of certification by the National Commission on Certification of Physician Assistants at the time of application; Section 3 contains ethical code provisions for perfusionists; Section 4 updates a statutory reference contained in NAC 630.080; Section 5 clarifies that physicians collaborate with advanced practice registered nurses and requires that physicians and physician assistants comply with all relevant provisions of NRS and NAC Chapters 440 and 629; Section 6 requires practitioners of respiratory care to comply with all relevant provisions of NRS and NAC Chapter 629; Section 7 requires perfusionists to comply with all relevant provisions of NRS and NAC Chapter 629, updates the ethical code for perfusionists, and clarifies that, if a perfusionist loses his or her national certification, his or her license will be suspended.

The following information is provided pursuant to the requirements of NRS 233B.0603:

### **1. The need for and the purpose of the proposed regulation or amendment:**

The proposed regulation is necessary to (1) clarify that applicants for licensure as physician assistants by endorsement must submit proof of certification by the National Commission on Certification of Physician Assistants at the time of application, (2) update ethical code provisions for perfusionists, (3) update statutory reference contained in NAC 630.080, (4) clarify the collaboration relationship between physicians and advance practice registered nurses, when applicable, (5) require that physicians and physician assistants comply with all relevant provisions of NRS and NAC Chapters 440 and 629, (6) require that practitioners of respiratory care and perfusionists comply with all relevant provisions of NRS and NAC Chapter 629, and (7) clarifies that, if a perfusionist loses his

or her national certification, his or her license will be suspended. These requirements are necessary for the benefit of and the protection of the public.

**2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and the issues involved:**

The proposed regulation is not temporary.

**3. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation:**

A copy of this Notice and the proposed regulation will be on file at the Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of this Notice and the proposed regulations to be amended will be available at the offices of the Board at 9600 Gateway Drive, Reno, Nevada 89521 and 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119, for inspection and copying by members of the public during business hours and on the Board's website, <https://medboard.nv.gov/>. This Notice and the text of the proposed regulation is also available 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 available on the Internet at <https://www.leg.state.nv.us/register/>. Copies of this Notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

**4. The estimated economic effect of the regulation on the business which it is to regulate and on the public:**

**a. Both adverse and beneficial effects:**

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

**5. The methods used by the agency in determining the impact on small business:**

The Board sent letters regarding the proposed regulations and requesting information regarding whether the proposed regulations would impact small businesses to the Better Business Bureau of Northern Nevada, the Better Business Bureau of Southern Nevada, multiple chambers of commerce offices in the State of Nevada, the Nevada State Medical Association, the Washoe County Medical Society, and the Clark County Medical Society. To date, the Board has received no responses indicating that these proposed regulations will impact small businesses.

**6. The estimated cost to the agency for enforcement of the proposed regulation:**

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

**7. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, this Notice must include 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.

**8. If the regulation is required pursuant to federal law, a citation and description of the federal law:**

The proposed regulations are not required pursuant to federal law.

**9. If the regulation includes provisions which are more stringent than a federal regulation that 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.

**10. The time when, the place where and the manner in which interested persons may present their views on regarding the proposed regulation:**

Persons wishing to comment upon the proposed regulations of the Nevada State Board of Medical Examiners may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Nevada State Board of Medical Examiners, 9600 Gateway Drive, Reno, Nevada 89521. Written submissions must be received by the Nevada State Board of Medical Examiners on or before 2:30 p.m., on Tuesday, August 8, 2023. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Medical Examiners may proceed immediately to act upon any written submissions.

**11. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied:**

The proposed regulations are not temporary.

**12. Statement Pursuant to NRS 233B.064(2):**

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

**13. Whether the proposed regulation establishes a new fee or increases an existing fee:**

The proposed regulations do not establish new fees or increase existing fees.

A copy of this notice and the regulation to be adopted will be on file at the Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Nevada State Board of Medical Examiners office located at 9600 Gateway Drive, Reno, Nevada 89521, and the Nevada State Board of Medical Examiners office located at 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119, for inspection and copying by members of the public during business hours, and on the Board's website, <https://medboard.nv.gov/>. This notice and the text of the proposed regulation is also available 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 available on the Internet at <https://www.leg.state.nv.us/>. Copies of this Notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

This notice of hearing has been 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/>**

**NEVADA STATE BOARD OF MEDICAL EXAMINERS**

9600 Gateway Drive  
Reno, NV 89521

Aury Nagy, M.D.  
Board President

Edward O. Cousineau, J.D.  
Executive Director



❖ **PUBLIC NOTICE** ❖

**NEVADA STATE BOARD OF MEDICAL EXAMINERS  
REGULATION PUBLIC HEARING**

Conference Room at the Offices of the Nevada State Board of  
Medical Examiners  
9600 Gateway Drive, Reno, Nevada 89521

*Videoconferenced to:*

Conference Room at the Offices of the Nevada State Board of  
Medical Examiners  
325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119

**August 8, 2023 – 2:30 p.m.**

**\* AGENDA \***

**Please Note:**

- Persons wishing to attend this public hearing may do so at either of the above-listed locations.
- Agenda items, other than those items posted with a specific time, may be taken out of sequence or may be combined for consideration by the Deputy Executive Director to accommodate persons appearing at the public hearing and/or to aid in the effectiveness of the hearing.
- Items may be pulled or removed from the Agenda at any time.
- Certain Agenda items, or portions thereof, may be conducted in closed session, in accordance with NRS 241.030.
- Public comment is scheduled under Agenda Item 2, at the beginning of the meeting, and again under Agenda Item 4, at the end of the meeting, and may also be called for at other times throughout the meeting by the Deputy Executive Director. When these Agenda items are called, members of the general public may bring matters not appearing on this Agenda to the attention of the Deputy Executive Director. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others, who may also wish to provide public comment, please avoid repetition and limit your comments to no more than four (4) minutes.
- Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

1. Call to Order and Introductions

2. Public Comment

*Members of the public are invited to provide public comment. No action will be taken regarding this comment at this workshop. Public comment may be limited to four (4) minutes at the discretion of the Deputy Executive Director.*

3. Public hearing on LCB File No. R002-23 (for discussion only)

*Public comment regarding LCB File No. R002-23 is welcomed and will be accepted. Any written comment received by 2:30 a.m. on August 8, 2023, will be read into the record.*

4. Public Comment

*Members of the public are invited to provide public comment. No action will be taken regarding this comment at this workshop. Public comment may be limited to four (4) minutes at the discretion of the Deputy Executive Director.*

5. Adjournment (for possible action)

## NOTICES POSTED AT THE FOLLOWING LOCATIONS:

Nevada State Board of Medical Examiners – Reno  
Nevada State Board of Medical Examiners – Las Vegas  
<https://medboard.nv.gov/>  
[www.notice.nv.gov](http://www.notice.nv.gov)

### **PLEASE NOTE:**

- 1) Persons/facilities desiring copies of the Board's agenda must submit their request in writing every twelve (12) months. Check the address label for this agenda for expiration date.
- 2) With regard to any Board meeting, it is possible that an amended notice will be published adding new items to the original agenda. Amended notices will be posted in accordance with the Open Meeting Law.
- 3) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board office in writing at 9600 Gateway Drive, Reno, NV 89521, or by calling (775) 324-9380, prior to the date of the meeting.
- 4) Anyone desiring supporting material for the meeting is invited to call Mercedes Fuentes at 775-324-9380. Supporting material for the meeting is available at the Board's office at 9600 Gateway Drive, Reno, Nevada 89521.