

**PROPOSED REGULATION OF THE
BOARD OF ATHLETIC TRAINERS**

LCB FILE NO. R135-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/13/2023**

**PROPOSED REGULATION OF
THE NEVADA STATE BOARD OF ATHLETIC TRAINERS
LCB File No. XXXX-XX**

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

A REGULATION relating to athletic trainers; revising provisions relating to the practice of athletic training; and providing other matters properly relating thereto.

CHAPTER 640B - ATHLETIC TRAINERS

~~640B.005~~ — ~~Definitions.~~

~~640B.010~~ — ~~“Board” defined.~~

~~640B.013~~ — ~~“License” defined.~~

~~640B.015~~ — ~~“Licensee” defined.~~

640B.020 Interpretation of certain statutory terms.

640B.030 Adoption by reference and periodic review of certain standards of professional practice and requirements to maintain certification.

640B.040 Examination for licensure: Determination of passing grade.

640B.050 Submission of items required for renewal of license.

640B.060 Fees.

~~— NAC 640B.005 Definitions. (NRS 640B.260) — As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 640B.010, 640B.013 and 640B.015 have the meanings ascribed to them in those sections.~~

~~— (Added to NAC by Bd. of Athletic Trainers by R106-07, eff. 1-30-2008)~~

~~— NAC 640B.010 “Board” defined. (NRS 640B.260) — “Board” means the Board of Athletic Trainers.~~

~~— (Added to NAC by Bd. of Athletic Trainers by R181-05, eff. 6-1-2006; A by R106-07, 1-30-2008)~~

~~— NAC 640B.013 “License” defined. (NRS 640B.260) — “License” means a license to engage in the practice of athletic training issued pursuant to chapter 640B of NRS.~~

~~— (Added to NAC by Bd. of Athletic Trainers by R106-07, eff. 1-30-2008)~~

~~— NAC 640B.015 “Licensee” defined. (NRS 640B.260) — “Licensee” means a person who has been issued a license pursuant to chapter 640B of NRS.~~

~~— (Added to NAC by Bd. of Athletic Trainers by R106-07, eff. 1-30-2008)~~

NAC 640B.020 Interpretation of certain statutory terms. (NRS 640B.015, 640B.021, 640B.260)
As used in NRS 640B.015 and 640B.021:

1. “Amateur athletic organization” means an entity that regulates or sponsors athletic activities by persons who have never accepted money, or who accept money under restrictions specified by a regulatory body, for participating in such athletic activities.

2. “Intercollegiate athletic association” means an entity that regulates or sponsors athletic activities between colleges or universities.

3. “Interscholastic athletic association” means an entity that regulates or sponsors athletic activities between high schools.

4. “Professional athletic organization” means an entity that regulates or sponsors athletic activities by persons who participate in such athletic activities for economic gain.

(Added to NAC by Bd. of Athletic Trainers by R181-05, eff. 6-1-2006)

NAC 640B.030 Adoption by reference and periodic review of certain standards of professional practice and requirements to maintain certification. (NRS 640B.260)

1. The Board hereby adopts by reference the standards of professional practice and the requirements to maintain certification, including, without limitation, any requirements for continuing education, set forth in *Standards of Professional Practice* adopted by the National Athletic Trainers' Association Board of Certification, Inc. The publication is available, free of charge, from the National Athletic Trainers' Association Board of Certification, Inc., at the Internet address <http://www.bocatc.org>.

2. The Board will periodically review the standards and the requirements in the publication described in subsection 1. Within 30 days after each review, the Board will determine whether any change made to the standards or the requirements is appropriate for application in this State. If the Board does not disapprove a change to an adopted standard or requirement within 30 days after each review, the change is deemed to have been approved by the Board.

(Added to NAC by Bd. of Athletic Trainers by R181-05, eff. 6-1-2006)

NAC 640B.040 Examination for licensure: Determination of passing grade. (NRS 640B.260, 640B.310) The passing grade for the examination required by paragraph (g) of subsection 1 of [NRS 640B.310](#) will be determined by the National Athletic Trainers' Association Board of Certification, Inc., or its successor organization.

(Added to NAC by Bd. of Athletic Trainers by R181-05, eff. 6-1-2006)

~~**NAC 640B.050 Submission of items required for renewal of license. (NRS 640B.260, 640B.340, 640B.400)** All items required by [NRS 640B.340](#) and [640B.400](#) for the renewal of a license must be received by the Board, or postmarked, not later than June 30 of each year. If the Board does not receive the items, or if the items are not postmarked, on or before June 30, the license expires.~~

~~(Added to NAC by Bd. of Athletic Trainers by R106-07, eff. 1-30-2008)~~

NAC 640B.060 Fees. (NRS 640B.250, 640B.260, 640B.410)

1. The Board will charge and collect the following fees:

For an initial application for a license <i>without examination</i>	\$300 \$200
For the renewal of a license.....	150 125
For the restoration of an expired license.....	300
For the issuance of a duplicate license.....	25
For a change of name on a license.....	25
For a list of business addresses of licensees.....	25
For a list of business addresses of licensees on mailing labels.....	100
For a dishonored check.....	25

2. *If an applicant for an initial license as an athletic trainer is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran, the Board will charge a fee of \$100 for the processing of an initial license application without examination.*

3. *If an applicant for an initial license as an athletic trainer is a student graduating from a higher education institution in the state of Nevada that is accredited by CAATE, or its successor organization, shall be granted a reduction application fee of \$50 for initial licensing as an athletic trainer for one year from the date of conferment of degree.*

~~2.~~ 4. A fee charged and collected pursuant to this section:

- (a) Must accompany the application or other documentation to which the fee pertains; and
- (b) Is not refundable.

(Added to NAC by Bd. of Athletic Trainers by R106-07, eff. 1-30-2008)

**ADOPTED REGULATION OF THE
BOARD OF ATHLETIC TRAINERS**

LCB File No. R053-19

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

AUTHORITY: §§1-4, NRS 640B.260, as amended by section 11 of Senate Bill No. 186, chapter 277, Statutes of Nevada 2019, at page 1588.

A REGULATION relating to athletic trainers; prescribing the training required before an athletic trainer is authorized to perform dry needling; prescribing standards of practice for dry needling; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Athletic Trainers to prescribe by regulation the qualifications required for an athletic trainer to perform dry needling. Those qualifications must include the completion of at least 150 hours of certain didactic education and training in dry needling. (NRS 640B.260, as amended by section 11 of Senate Bill No. 186, chapter 277, Statutes of Nevada 2019, at page 1588) **Section 2** of this regulation prescribes the requirements for such didactic education and training.

Existing law requires the Board to prescribe by regulation: (1) the standards of practice for athletic trainers; (2) procedures concerning the handling of needles used to perform dry needling; and (3) procedures to ensure that an athletic trainer does not engage in needle retention. (NRS 640B.260, as amended by section 11 of Senate Bill No. 186, chapter 277, Statutes of Nevada 2019, at page 1588) **Section 3** of this regulation requires an athletic trainer to obtain the informed consent of a patient before performing dry needling. **Section 3** also requires an athletic trainer who performs dry needling to: (1) use only single-use, single-insertion needles; (2) refrain from inserting a needle more than one time or retaining a needle in the body of a patient after completing a procedure; and (3) dispose of those needles after completing a procedure. **Section 3** additionally prohibits an athletic trainer from delegating the performance of dry needling to a person who is not authorized to perform dry needling.

Section 1. Chapter 640B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. Before performing dry needling, an athletic trainer must submit to the Board written proof of successful completion of at least 150 hours of didactic education and training in dry needling which meets the requirements set forth in this section.

2. The courses taken to satisfy the didactic education and training requirements must:

(a) Be approved by the National Athletic Trainers' Association Board of Certification, Inc., or its successor organization, the Commission on Accreditation of Athletic Training Education, or its successor organization, or the Board of Athletic Trainers;

(b) Include instruction concerning:

(1) The use of sterile needles in accordance with standards prescribed by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Occupational Safety and Health Administration of the United States Department of Labor;

(2) The aspects of human anatomy relevant to dry needling;

(3) Control of blood-borne pathogens; and

(4) Circumstances under which performing dry needling on a patient may or may not be appropriate;

(c) Except as otherwise provided in paragraph (d), be provided as part of a graduate-level program of study approved by the Board; and

(d) Include at least 25 hours of didactic instruction and training provided through a postgraduate course of study that requires the successful completion of a written examination and a practical examination. Each part of the course, including, without limitation, each examination, must be completed in person.

Sec. 3. 1. *Before performing dry needling, an athletic trainer must obtain a signed form which provides informed consent from the patient. Such a form must include, without limitation:*

(a) The definition of “dry needling” set forth in section 8 of Senate Bill No. 186, chapter 277, Statutes of Nevada 2019, at page 1587;

(b) A description of the particular treatment that will be provided and the risks and benefits of the treatment; and

(c) The signature of the patient.

2. *An athletic trainer who performs dry needling:*

(a) Shall use only single-use, single-insertion sterile needles;

(b) Shall not insert the same needle:

(1) More than one time in a person; or

(2) In more than one person;

(c) Shall not retain a needle in the body of a patient after completing a procedure;

(d) Shall dispose of each needle after completing a procedure;

(e) Shall not delegate dry needling to a student athletic trainer, graduate student athletic trainer or other person who is not authorized to perform dry needling; and

(f) Shall ensure that the form described in subsection 1 is maintained as part of the health care records of the patient pursuant to NRS 629.051.

Sec. 4. An athletic trainer who wishes to perform dry needling after the effective date of this regulation shall submit proof of compliance with the requirements of section 2 of this regulation not later than 30 days after the effective date of this regulation.