

Informational Statement Form – R001-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 633.

1. A clear and concise explanation of the need for the adopted regulation.

The proposed additions and modifications to NAC Chapter 633 are necessary to ensure compliance of the Nevada State Board of Osteopathic Medicine (“the “Board”) with the requirements of newly passed Assembly Bill (“A.B.”) 270, signed into law in June 2023. These draft additions and modifications create requirements for anesthesiologist assistants with regard to licensure applications and disciplinary matters in NAC Chapter 633 and sets out documentation and other requirements that are necessary for public safety. It also adds anesthesiologist assistant to relevant existing NAC Chapter 633 provisions, among other pertinent changes.

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 Nevada State Board of Osteopathic Medicine’s (the “Board”) draft regulation and workshop notice 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 Board, available at <https://bom.nv.gov>, and the website of the State of Nevada’s Legislative Council Bureau (“LCB”), available at [Legislative Counsel Bureau \(state.nv.us\)](https://legislativecounsel.bureau.state.nv.us).

The Board solicited any potentially impacted businesses by reaching out to various business chambers and associations. Copies of the Board’s draft of proposed regulations was sent to the following organizations on December 11, 2023:

- Las Vegas Metro Chamber of Commerce
- Las Vegas Latin Chamber of Commerce
- Las Vegas Asian Chamber of Commerce
- Better Business Bureau of Southern Nevada, Inc.
- Better Business Bureau of northern Nevada, Inc.
- Reno / Sparks Chamber of Commerce
- City of Winnemucca
- Elko Great Basin college
- Pahrump Rural Nevada Development Corporation
- Ely Rural Nevada Development Corporation
- Churchill County Economic Development Authority
- Nevada State Medical Association

- Clark County Medical Society

On June 25, 2024, the Board issued a Notice of Intent to Act Upon a Regulation, providing the proposed amendments and inviting comments, questions and suggestions an upcoming workshop of the Board on R001-24. As scheduled, a workshop was held with regard to the proposed amendments to the regulations referenced herein on July 26, 2024 at 11:00 a.m, and the minutes of that meeting, attached hereto, contain a summary of the discussion held regarding the proposed amendments. At this workshop, in addition to Board staff and counsel, Jon Rudolph, Esq., an attorney with McDonald Carano, was also present. No person asked to speak, nor were any public questions received. Board Executive Director, Frank DiMaggio (“DiMaggio”) did read ten (10) comments into the record for the workshop, as the minutes for the workshop so reflect. These comments identified instances where the proposed regulation changes advanced to the Legislative Counsel Bureau (“LCB”) were modified in certain respects before their incorporation into R001-24. One of these ten (10) comments addressed the concept of renewal fees accompanying this new licensure category. Legal requirements prevented this issue of renewal fees from being addressed within the finalized version of R001-24.

Other interested parties may obtain a copy of the summary of the public response by accessing e Minutes of the Public Hearing on R001-24 held on July 26, 2024, by accessing the website of the Board at <https://bom.nv.gov/uploadedFiles/bomnvgov/content/Meetings/HearingsAndWorkshops/July%2026,%202024%20Minutes%20R001-24.pdf>

On September 10, 2024, an appropriately noticed public hearing in conjunction with a regular meeting of the Board wherein the Board voted unanimously to approve and adopt R001-24 with the changes DiMaggio identified therein.

3. The number persons who:

(a) Attended each hearing: July 26, 2024: 1 (other than Board staff and counsel). September 10, 2024: (other than Board members, staff and counsel) 0.

(b) Testified at each hearing: July 26, 2024: 0 (other than Board staff and counsel). September 10, 2024: (other than Board members, staff and counsel) 0.

(c) Submitted to the agency written comments: Ten (10) written comments were placed on the record during the Board’s July 26, 2024 workshop (see Item 2, above.)

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, is attached hereto for Jon Rudolph, Esq.

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. Comments were solicited from affected businesses in the same manner as they were solicited from the public. See response to question #2.

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. On September 10, 2024, an appropriately noticed public hearing in conjunction with a regular meeting of the Board wherein the Board voted unanimously to approve and adopt R001-24 with the changes the Board's Executive Director DiMaggio identified therein.

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) None.

(b) None.

See Small Business Impact Statement for R001-24, attached hereto.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

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.

There are no other state or government agency regulations that the proposed regulation duplicates.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are no federal regulations that apply.

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.

The total annual amount of new fees the Board expects to collect are estimated to be \$12,000.00. The money will be used to fund continued operation of the Board and its licensing staff.



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Education

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Jon Rudolph is a Policy Analyst in the Government Affairs & Advocacy Group at McDonald Carano. He has extensive experience interpreting and understanding statutes, preparing and presenting in front of committees and caucuses, conducting and summarizing legislative and statistical research, drafting amendments and amendment explanations, interacting with elected officials, and developing and maintaining productive working relationships with government personnel.

As a policy analyst, Jon focuses on studying the impact that current and proposed laws may have on individuals, community groups, businesses, and other organizations. He develops reports that explain his research and findings to assist with the process of creating and influencing legislation and government policy. Jon has experience in many areas, including international affairs, commerce, appropriations, taxation, health, financial services, and veteran affairs. He has a deep understanding of the political process and keeps clients up to date on important issues relating to government affairs, legislative advocacy, and regulatory developments.

Prior to joining McDonald Carano, Jon worked for numerous committees at the Arizona House of Representatives in Phoenix, Arizona. He served as (1) a Legislative Research Analyst for the committees on State & International Affairs and Regulatory Affairs, (2) an Assistant Research Analyst for the committees on Appropriations, Commerce, Government, Health, Military Veterans & Regulatory Affairs, and Ways & Means, and (3) a Legislative Intern for the committees on Banking & Financial Services and Insurance. Jon served at the Arizona House of Representatives for more than five legislative sessions.

Jon received a Bachelor of Arts in History with a minor in Business from the University of Arizona in Tucson. He graduated with *cum laude* honors from the University of Arizona where he also received a Mortar Board Senior Honor Society Junior Student Award and successfully completed the Undergraduate Research Opportunities Consortium and Summer Research Institute program. Jon is also bilingual and speaks Spanish fluently.

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