

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS INFORMATIONAL
STATEMENT AS REQUIRED BY NRS 233B.066**

LCB FILE NO. R024-24

The following statement is submitted by the State of Nevada, Board of Oriental Medicine, for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 634A.

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

Response: The need for and the purpose of the proposed regulation is to clarify certain regulations, decrease the educational requirement for applicants and educators, and reduce costs for applicants and licensees.

(B) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

Response: The Board emailed out a small business impact form on 3/10/2023 to solicit written input from its licensees and requestors. There was no written feedback. A public workshop was held on 4/13/2023 to solicit comments. Public comment on each regulation change was solicited at the public workshop. Also, on 5/21/2024, public comment was solicited at the public hearing held with the intent to adopt regulation R024-24.

Notices of these workshops and the public hearing were posted at Nevada State Board of Oriental Medicine, Nevada State Board of Oriental Medicine website: <http://orientalmedicine.nv.gov/>, State Library and Archives, website @ Notice.NV.GOV, and State of Nevada Register of Administrative Regulations. Also, the Workshop notice and the proposed regulation and the Notice of Intent to Adopt Regulation R024-24 were emailed to individuals on the Board’s emailing list.

At the workshop and the public hearing, there was concern about the elimination of chemistry/biochemistry in NAC634A.080 as requirements for the licensing application. At the workshop, there was public comment about eliminating NAC634A.035, NAC634A.125, and NAC634A.137 as they seem redundant. At the public hearing, there was a discussion about whether the renewal fee was lowered enough.

The minutes of the workshop and the public hearing contain summaries of the public response to the proposed regulations. Copies of the minutes may be obtained from the Board of Oriental Medicine, 3191 E. Warm Springs Road, Las Vegas, NV 89120, telephone: 702-675-5326 or email @ omboardexecutivedirector@gmail.com, or on its website at <http://orientalmedicine.nv.gov/>

- (C) The number of persons who:**
- (1) Attended each hearing;**
 - (2) Testified at each hearing; and**
 - (3) Submitted to the agency written statements.**

Response: There were 10 members of the public at the workshop and 6 members of the public at the public hearing.

Two people testified at the workshop and 3 people testified at the public hearing.

There no written statements submitted at the workshop or at the public hearing.

- (D) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:**

- (1) Name;**
- (2) Telephone number;**
- (3) Business address;**
- (4) Business telephone number;**
- (5) Electronic mail address; and**
- (6) Name of entity or organization represented.**

Response: Members of the public who attended the workshop and testified were: Roberto Irawan, OMD and Susan Wellman, OMD. They are licensees. Their contact information was not provided at the workshop.

Members of the public who attended the public hearing and testified were: Youn Harroll, OMD, Laura Fink-Soto, OMD and Fiona Kelley, OMD. They are licensees. Their contact information was not provided at the public hearing.

- (E) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Response: Please see response in Section B.

- (F) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Response: At the public hearing, the Board went through each new proposed regulation and discussed the rationale behind each change. The Board decided that no changes were warranted.

(G) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

- (1) Both adverse and beneficial effects; and**
- (2) Both immediate and long-term effects.**

Response: There is no immediate adverse effect upon the business as certain fees have been reduced. The immediate beneficial effect is that it clarifies certain regulations, decreases the requirement for licensing and for educators, and reduce costs for applicants and licensees.

There is no long-term adverse effect upon the business as certain fees have been reduced. The long-term beneficial effect is that it clarifies certain regulations, decreases the requirement for licensing and for educators, and reduce costs for applicants and licensees.

There is no immediate and long-term adverse and beneficial impact on the public.

(H) The estimated cost to the agency for enforcement of the proposed regulation.

Response: None

(I) 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.

Response: None

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

Response: None

(K) 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.

Response: None