

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

**LCB FILE R048-15**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 640A.

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

The need for the adopted regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent occupational therapists and occupational therapy assistants are licensed in the state.

The purpose of the proposed regulation is to provide clarity for the public, individuals and licensees through regulations regarding the continuing education required to be completed by a person licensed by the Board of Occupational Therapy as an occupational therapist or occupational therapy assistant. The proposed regulation also clarifies language and provides for other matters properly relating thereto.

**2. A description of how public comment was solicited, a summary of public response, and an explanation of 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 e-mail and U.S. mail to persons who were known to have an interest in occupational therapy as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Board of Occupational Therapy, [www.nvot.org](http://www.nvot.org), mailed to all county libraries in Nevada and posted at the following locations:

Board of Occupational Therapy, Administrative Office  
6160 Mae Anne Ave., Suite 3, Reno, Nevada 89523  
Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701  
Office of the Attorney General, 5420 Kietzke Lane, Ste 202, Reno, Nevada 89511  
Office of the Attorney General, Grant Sawyer State Office Building,  
555 E. Washington Avenue #3900, Las Vegas, Nevada 89101  
Washoe County Court House, 75 Court Street, Reno, Nevada 89520  
Washoe County Clerk, 1001 E. 9<sup>th</sup> St. Bldg A, P.O. Box 30083, Reno, Nevada 89502

A Workshop was held to solicit comments on the proposed regulations on **November 7, 2015**. There were **four (4)** individuals from the public in attendance at the workshop, and **one (1) written comment** was received. Thereafter, on or about **January 4, 2016**, a Notice of Intent to Act Upon Regulations was issued. A Public Hearing was held on **February 6, 2016**; there were no additional comments received orally or in writing.

A copy of this summary of the public response to the adopted regulations may be obtain from the Board of Occupational Therapy, P.O. Box 34779, Reno, Nevada 89533-4779, 775-746-4101, or email to [board@nvot.org](mailto:board@nvot.org).

3. **The number of persons who:**
- |     |                                    |                             |   |
|-----|------------------------------------|-----------------------------|---|
| (a) | <b>Attended each workshop:</b>     | Las Vegas, November 7, 2015 | 4 |
| (b) | <b>Attended public hearing:</b>    | Las Vegas, February 6, 2016 | 4 |
| (c) | <b>Testified at hearing:</b>       | February 6, 2016            | 0 |
| (d) | <b>Submitted written comments:</b> |                             | 0 |
4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
- (a) **Name;** Paula Berkley
- (b) **Telephone number;** 775-323-7430
- (c) **Business address;** 908 Nixon Ave, Reno, NV 89502
- (d) **Business telephone number;** 775-323-7430
- (e) **Electronic mail address;** paulaberkley@gmail.com
- (f) **Name of entity or organization represented.** Board of Occupational Therapy
- (a) **Name;** Sandy McGinnis, OTR
- (b) **Telephone number;** 702-767-9515
- (c) **Business address;** 347 Red Eucalyptus Dr., Henderson NV 89015
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** mrssandymcginnis@gmail.com
- (f) **Name of entity or organization represented.** Self
- (a) **Name;** Kathleen Mullin, OTR
- (b) **Telephone number;** 702-876-3090
- (c) **Business address;** 6810 Groveview Ln., Las Vegas NV 89015
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** kathymullin@gmail.com
- (f) **Name of entity or organization represented.** Self
- (a) **Name;** Allison Stone, OTR
- (b) **Telephone number;** 702-375-6658
- (c) **Business address;** 6682 Oxendzle Ave, Las Vegas NV 89015
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** alliemaestone@gmail.com
- (f) **Name of entity or organization represented.** Self
- (a) **Name;** Dave Bockhorn, COTA
- (b) **Telephone number;** 702-217-3593
- (c) **Business address;** 9225 W. Charleston Blvd, Apt 2234  
Las Vegas NV 89117
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** dave\_bockhorn@yahoo.com
- (f) **Name of entity or organization represented.** Self

- (a) **Name;** Liz Straughan, OTR
- (b) **Telephone number;** 702-217-4925
- (c) **Business address;** 1600 Mt. Breeze Ct, Las Vegas NV 89128
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** eastraughan@earthlink.net
- (f) **Name of entity or organization represented.** Self

- (a) **Name;** Joyce Mosely, OTR
- (b) **Telephone number;** 702-612-1120
- (c) **Business address;** 7580 Dallas Ct., Las Vegas NV 89139
- (d) **Business telephone number;** Not provided
- (e) **Electronic mail address;** jmosely8540@yahoo.com
- (f) **Name of entity or organization represented.** Self

**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. No comments were received from businesses.

A copy of this summary of the public response to the adopted regulations may be obtain from the Board of Occupational Therapy, P.O. Box 34779, Reno, Nevada 89533-4779, 775-746-4101, or email to board@nvot.org.

**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.**

The Board of Occupational Therapy adopted the regulation without change on **February 6, 2016**. Comments received at the public workshop where considered and incorporated in the revised proposed regulations. No additional public comments were provided or submitted at the public hearing; no changes were requested.

**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

There will **be no adverse economic effect of these adopted regulations** on the businesses which it is to regulate (occupational therapists and occupational therapy assistants) or the public. The adopted regulations will benefit the occupational therapy practitioners and the public by providing clarifications to the regulations.

(b) Both immediate and long-term effects.

Immediate effect will be improved administration through clarification of existing law and regulatory requirements. Long-term effect will be clarity and consistency in regulation and licensing of occupational therapy practitioners in Nevada.

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

There are no additional costs involved in the enforcement of these adopted regulations.

**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.**

The Board of Occupational Therapy is not aware of any similar regulations of other state or government agencies that the adopted regulations overlap or duplicate.

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

The Board of Occupational Therapy is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

**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 regulation does not provide for any new or increased fees.