

REVISED (10/8/2010)
MEETING NOTICE AND AGENDA

Name of Organization: Legislative Commission's Subcommittee to Review Regulations
(NRS 233B.067 and NRS 233B.0675)

Date and Time of Meeting: Friday, October 15, 2010
9:00 a.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, Nevada

Note: Some members of the Subcommittee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Legislative Building
Room 3137
401 South Carson Street
Carson City, Nevada

Great Basin College
Room 124, Greenhaw Technical Arts Building
1500 College Parkway
Elko, Nevada

If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "Live Meetings – Listen or View."

A G E N D A

[Items on this agenda may be taken in a different order than listed]

- I. Opening Remarks
Assemblyman Marcus Conklin, Chairman

- *II. Approval of the Minutes of the Meetings of the Legislative Commission's Subcommittee to Review Regulations held on June 30, 2010 and July 21, 2010

- *III. Review of Administrative Regulations Submitted Pursuant to NRS 233B.067 and NRS 233B.0675. A List of the Regulations to be Considered is Attached.
(The text of these regulations is hyperlinked to the electronic version of this agenda posted on the Nevada Legislature website:
<http://www.leg.state.nv.us/register/Indexes/RegsReviewed.htm>.
Please contact the Legal Division of the Legislative Counsel Bureau at (775) 684-6830 for a hard copy of the text of the regulations.)

- IV. Public Comment
(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

- V. Adjournment

*Denotes items on which the Subcommittee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Legal Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call (775) 684-6830 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street.

Notice of this meeting was faxed and/or e-mailed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

Notice of this meeting was faxed and/or e-mailed for posting to the following Elko, Nevada locations: Great Basin College, 1500 College Parkway

Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

**STATE AGENCY REGULATIONS TO BE REVIEWED
BY THE SUBCOMMITTEE TO REVIEW REGULATIONS**

**October 15, 2010
9:00 am**

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067:		
LCB NO.	NAC	AGENCY/ SUBJECT
2008 REGULATIONS		
R137-08	671	<p>COMMISSIONER OF FINANCIAL INSTITUTIONS A REGULATION relating to issuers of instruments for transmission or payment of money; requiring each partner, principal officer, director and trustee of a business entity applying for a license to satisfy certain licensing requirements; requiring certain information maintained by the Division of Financial Institutions of the Department of Business and Industry to be confidential; requiring a licensee to maintain a separate account for certain money; establishing requirements governing separate accounts maintained by licensees for certain money; authorizing the Commissioner of Financial Institutions to impose administrative fines and to issue orders to cease and desist for certain activities; establishing provisions relating to contested hearings; providing for the assessment to cover the costs of legal services provided by the Attorney General to the Commissioner and the Division; and providing other matters properly relating thereto CONTACT: Daniel Ebihara 702.486.3326</p>
175-08	360	<p>NEVADA TAX COMMISSION A REGULATION relating to taxation; making various changes regarding the provision of notice of certain appeals to and the intervention of certain persons in proceedings before the Nevada Tax Commission; and providing other matters properly relating thereto CONTACT: Christopher Nielsen 775.684.2070</p>
202-08	360	<p>NEVADA TAX COMMISSION A REGULATION relating to taxation; revising provisions governing the payment of taxes, interest and penalties in installments; and providing other matters properly relating thereto CONTACT: Christopher Nielsen 775.684.2070</p>

203-08	372	NEVADA TAX COMMISSION A REGULATION relating to taxation; revising provisions governing the security that a person who holds a permit to collect sales tax must deposit with the Department of Taxation; and providing other matters properly relating thereto CONTACT: Christopher Nielsen 775.684.2070
---------------	------------	---

2009 REGULATIONS

R073-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professions; revising provisions relating to the disciplines of engineering for which a person may be licensed; revising provisions relating to the examinations required for licensure as a professional engineer or professional land surveyor; revising provisions relating to the expiration and renewal of a license as a professional engineer or professional land surveyor; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R074-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to engineering; revising provisions which require a professional engineer to be licensed in a particular discipline of engineering to perform certain activities; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R075-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professions; revising the requirements for administering stamps, seals and signatures on documents prepared by professional engineers and professional land surveyors; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R076-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professions; revising provisions relating to plans and maps submitted by a professional engineer or professional land surveyor to a public authority; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R077-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professions; revising provisions governing the advertisement and solicitation of professional land surveying and engineering services; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>

R078-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professions; requiring persons who are not natural persons to register with the State Board of Professional Engineers and Land Surveyors before engaging in the practice of professional engineering and the practice of land surveying; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R079-09	353C	<p>STATE CONTROLLER</p> <p>A REGULATION relating to state financial administration; providing the conditions precedent to the refusal of a state agency to conduct a transaction with, or the State Controller to draw a warrant in favor of, a person; establishing the contents for written notice to a debtor concerning such a refusal; imposing certain requirements on an agency that assigns a debt to the State Controller for collection; prohibiting an agency from assigning a debt to the State Controller under certain circumstances; providing for the payment of interest in an agreement for the payment of debt on an installment basis; making various changes concerning the collection of debts owed to state agencies by means of an offset; and providing other matters properly relating thereto</p> <p>CONTACT: Mark Taylor 775.684.5611</p>
R095-09	341	<p>STATE PUBLIC WORKS BOARD</p> <p>A REGULATION relating to public works; revising provisions governing the review and approval of the plans for school buildings in certain counties by the State Public Works Board; and providing other matters properly relating thereto</p> <p>CONTACT: Susan K. Stewart 775.684.1217</p>
R096-09	341	<p>STATE PUBLIC WORKS BOARD</p> <p>A REGULATION relating to public works; providing requirements concerning the review of a dispute between a contractor and an employee of the State Public Works Board relating to a contract for a public work by the Board or by a Board of Appeals appointed by the Board; and providing other matters properly relating thereto</p> <p>CONTACT: Susan K. Stewart 775.684.1217</p>
R097-09	338	<p>STATE PUBLIC WORKS BOARD</p> <p>A REGULATION relating to public works; providing requirements for applications for a bidder's preference for local businesses owned by veterans with service-connected disabilities with respect to certain public works contracts; providing that the State Public Works Board will maintain on its website information relating to such qualified businesses; and providing other matters properly relating thereto</p> <p>CONTACT: Susan K. Stewart 775.684.1217</p>

R098-09	338	<p>STATE PUBLIC WORKS BOARD A REGULATION relating to public works; eliminating the provision stating that the State Public Works Board will not accept a faxed or photocopied application for qualification as a bidder on state public works; revising the manner of notifying contractors found to be so qualified; and providing other matters properly relating thereto CONTACT: Susan K. Stewart 775.684.1217</p>
R099-09	338	<p>STATE PUBLIC WORKS BOARD A REGULATION relating to public works; clarifying the criteria used for determining whether a prime contractor is qualified to bid on a contract for one or more public works; and providing other matters properly relating thereto CONTACT: Susan K. Stewart 775.684.1217</p>
R100-09	338	<p>STATE PUBLIC WORKS BOARD A REGULATION relating to public works; revising the criteria to be considered by the State Public Works Board when determining whether a prime contractor is qualified to bid on a contract; and providing other matters properly relating thereto CONTACT: Susan K. Stewart 775.684.1217</p>
R129-09	654	<p>BOARD OF EXAMINERS FOR LONG-TERM CARE ADMINISTRATORS A REGULATION relating to long-term care administrators; prescribing certain standards of conduct for nursing facility administrators; establishing the requirements for approval to serve as a mentor to an applicant for a license as an administrator of a residential facility for groups; establishing procedures for the issuance of subpoenas on behalf of the Chair of the Board of Examiners for Long-Term Care Administrators; revising certain provisions concerning licensure as a nursing facility administrator; increasing the fee for renewal of such a license; revising certain provisions concerning licensure as an administrator of a residential facility for groups; increasing the fee for renewal of such a license; increasing the fee for a secondary license as an administrator of a residential facility for groups; revising provisions concerning disciplinary proceedings against nursing facility administrators and administrators of residential facilities for groups; establishing minimum administrative fines that will be imposed for certain violations; and providing other matters properly relating thereto CONTACT: Terry Pedrotti 702.486.5445</p>

R152-09	625	<p>STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS</p> <p>A REGULATION relating to professional engineers and professional land surveyors; requiring a person who is licensed as a professional engineer or professional land surveyor to enter into a written contract with a client specifying certain details of the work to be performed by the professional engineer or professional land surveyor; and providing other matters properly relating thereto</p> <p>CONTACT: Noni Johnson 775.688.1231</p>
R167-09	630	<p>BOARD OF MEDICAL EXAMINERS</p> <p>A REGULATION relating to the delegation of certain tasks by physicians and physician assistants; authorizing the delegation of certain tasks to medical assistants; and providing other matters properly relating thereto</p> <p>CONTACT: Angie Donohoe 775.688.2559, ext. 226</p>
R206-09	341	<p>STATE PUBLIC WORKS BOARD</p> <p>A REGULATION relating to public works; making various changes concerning the standards for the design of certain state buildings; revising certain duties of the Deputy Manager for Compliance and Code Enforcement; and providing other matters properly relating thereto</p> <p>CONTACT: Susan K. Stewart 775.684.1217</p>
R207-09	341	<p>STATE PUBLIC WORKS BOARD</p> <p>A REGULATION relating to public works; requiring the Manager of the State Public Works Board to review the plans, designs and specifications of a capital improvement project for the construction or remodeling of certain buildings to ensure that the project will achieve certain levels of efficiency in the use of energy and water; establishing procedures to facilitate the Manager's compliance with that requirement; requiring the contractor of such a project to recycle not less than 50 percent of the total amount of solid waste generated by the project; and providing other matters properly relating thereto</p> <p>CONTACT: Susan K. Stewart 775.684.1217</p>
R209-09	641	<p>BOARD OF PSYCHOLOGICAL EXAMINERS</p> <p>A REGULATION relating to the Board of Psychological Examiners; providing for the licensure of behavior analysts and assistant behavior analysts and the certification of autism behavior interventionists; providing for the examination of applicants for such licenses and certificates; establishing requirements for continuing education and the renewal of a license or certificate for the holders of such licenses and certificates; outlining the scope of practice and the professional conduct required of holders of such licenses and certificates; prescribing fees for the examination, application and renewal of such licenses and certificates; and providing other matters properly relating thereto</p> <p>CONTACT: Laverta Mackie 775.688.1268</p>

2010 REGULATIONS		
R037-10	639	<p>STATE BOARD OF PHARMACY A REGULATION relating to pharmacy; requiring a certificate of registration from the State Board of Pharmacy to establish a remote site; establishing the qualifications for persons who operate a remote site; establishing various requirements concerning the operation of a remote site; and providing other matters properly relating thereto CONTACT: Jeri Walter 775.850.1440</p>
R044-10	439	<p>STATE BOARD OF HEALTH A REGULATION relating to public health; revising provisions relating to reports of sentinel events; establishing reporting requirements for certain patient safety information and certain other health information by certain medical facilities; and providing other matters properly relating thereto CONTACT: Janet Osalvo 775.684.4215</p>
R046-10	391	<p>COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION A REGULATION relating to educational personnel; revising provisions governing exemptions from the tests of competency required for an initial license in this State; and providing other matters properly relating thereto CONTACT: Christina Harper 775.687.9226</p>
R048-10	630	<p>BOARD OF MEDICAL EXAMINERS A REGULATION relating to physician assistants; revising provisions governing the suspension and reinstatement of a license to practice; and providing other matters properly relating thereto CONTACT: Angie Donohoe 775.688.2559, ext. 226</p>
R049-10	630	<p>BOARD OF MEDICAL EXAMINERS A REGULATION relating to practitioners of respiratory care; revising provisions governing the suspension and reinstatement of a license to practice; and providing other matters properly relating thereto CONTACT: Angie Donohoe 775.688.2559, ext. 226</p>

R050-10	676A	<p>COMMISSIONER OF FINANCIAL INSTITUTIONS A REGULATION relating to debt-management services; requiring the Commissioner of Financial Institutions to post on the Internet certain information relating to certified counselors; establishing certain requirements for registered providers of debt-management services; requiring certain applicants for registration as providers of debt-management services to provide certain information; prohibiting registered providers from engaging in certain activities; requiring a registered provider to make certain disclosures before an individual assents to an agreement for debt-management services; establishing certain fees to be charged to registered providers for any examination conducted pursuant to the Uniform Debt-Management Services Act; establishing application fees for registration as a provider of debt-management services; establishing procedures and fees for the renewal and reinstatement of a registration as a provider of debt-management services; establishing a base year for the adjustment of certain dollar amounts for inflation; specifying certain failures as material violations; establishing certain procedures for the issuance of an order by the Commissioner to a person to cease and desist from engaging in certain activities; establishing certain provisions relating to contested hearings; repealing certain provisions relating to debt adjusting; and providing other matters properly relating thereto CONTACT: Daniel Ebihara 702.486.3326</p>
R052-10	630	<p>BOARD OF MEDICAL EXAMINERS A REGULATION relating to physicians and physician assistants; revising provisions governing prohibited professional conduct; and providing other matters properly relating thereto CONTACT: Angie Donohoe 775.688.2559, ext. 226</p>
R054-10	428	<p>BOARD OF TRUSTEES FOR THE FUND FOR HOSPITAL CARE FOR INDIGENT PERSONS A REGULATION relating to the Fund for Hospital Care to Indigent Persons; revising provisions relating to eligibility for and payment of reimbursements for hospital care from the Fund; adopting by reference the <i>Current Procedural Terminology</i> of the American Medical Association; and providing other matters properly relating thereto CONTACT: Jeff Fontaine 775.883.7863</p>
R057-10	284	<p>PERSONNEL COMMISSION A REGULATION relating to the State Personnel System; revising provisions governing the training of supervisors and managerial employees; and providing other matters properly relating thereto CONTACT: Shelley Blotter 775.684.0105</p>

R058-10	284	PERSONNEL COMMISSION A REGULATION relating to the State Personnel System; requiring certain employees who are granted administrative leave with pay to be available by telephone and available to report to work under certain circumstances; and providing other matters properly relating thereto CONTACT: Shelley Blotter 775.684.0105
R059-10	284	PERSONNEL COMMISSION A REGULATION relating to the State Personnel System; revising provisions relating to the release of certain confidential records; and providing other matters properly relating thereto CONTACT: Shelley Blotter 775.684.0105
R060-10	449	STATE BOARD OF HEALTH A REGULATION relating to public health; requiring each institution of the Department of Corrections to pay certain fees to the Health Division of the Department of Health and Human Services under certain circumstances; revising certain fees for licensure; revising provisions regarding resurvey of residential facilities; and providing other matters properly relating thereto CONTACT: Janet Osalvo 775.684.4215
R065-10	701A	DIRECTOR OF THE OFFICE OF ENERGY A REGULATION relating to energy-related tax incentives; revising provisions governing the waiver of certain requirements applicable to applicants for partial abatements of certain property taxes for buildings or structures that meet certain standards under the LEED Green Building Rating System; and providing other matters properly relating thereto CONTACT: Lorayn Walser 775.687.1850
R066-10	391	COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION A REGULATION relating to educational personnel; revising provisions governing the requirements for a special qualifications license; and providing other matters properly relating thereto CONTACT: Christina Harper 775.687.9226
R070-10	387	STATE BOARD OF EDUCATION A REGULATION relating to education; revising provisions governing the calculation of basic support for school districts and charter schools; and providing other matters properly relating thereto CONTACT: Christina Harper 775.687.9226

R071-10	386	<p>DEPARTMENT OF EDUCATION</p> <p>A REGULATION relating to education; authorizing charter schools to limit the enrollment of pupils in certain circumstances; requiring the governing body of a charter school to maintain a waiting list for the enrollment of pupils; prescribing the procedures by which the governing body of a charter school may amend its written charter to expand instruction or occupy a new or additional facility; revising the required submission of certain information relating to contracts with educational management organizations and other contractors; and providing other matters properly relating thereto</p> <p>CONTACT: Christina Harper 775.687.9226</p>
R085-10	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION</p> <p>A REGULATION relating to peace officers; revising provisions governing the background investigation required for appointment as a peace officer; revising the minimum requirements for a peace officer to obtain a management certificate; revising the minimum requirements for a peace officer to obtain an executive certificate; and providing other matters properly relating thereto</p> <p>CONTACT: Scott Johnston 775.687.3335</p>
R089-10	441A	<p>STATE BOARD OF HEALTH</p> <p>A REGULATION relating to communicable diseases; revising provisions governing the testing for communicable diseases of certain persons employed by or seeking employment with a licensed house of prostitution; revising provisions requiring the wearing and use of a prophylactic by certain employees and patrons of a licensed house of prostitution; and providing other matters properly relating thereto</p> <p>CONTACT: Janet Osalvo 775.684.4215</p>
R092-10	440	<p>STATE REGISTRAR OF VITAL STATISTICS</p> <p>A REGULATION relating to vital statistics; prescribing the schedule of fees the State Registrar of Vital Statistics shall charge and collect for providing certain records and for carrying out certain duties; and providing other matters properly relating thereto</p> <p>CONTACT: Janet Osalvo 775.684.4215</p>
R095-10	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA</p> <p>A REGULATION relating to public utilities; revising provisions governing the intrastate transportation of gas; and providing other matters properly relating thereto</p> <p>CONTACT: Bing Young 702.486.7218</p>

R107-10	640	<p>STATE BOARD OF PHYSICAL THERAPY EXAMINERS A REGULATION relating to physical therapy; revising provisions governing the practice of physical therapists and physical therapist’s assistants licensed by the State Board of Physical Therapy Examiners; providing additional grounds for the taking of disciplinary action against such licensees; and providing other matters properly relating thereto CONTACT: Allison Tresca 702.876.5535</p>
R128-10	639	<p>STATE BOARD OF PHARMACY A REGULATION relating to pharmacy; authorizing the prescription department of a pharmacy to have a freezer that is used to store medicine; establishing procedures concerning refrigerators and freezers used in pharmacies to store medicine; prohibiting the storage of any food or beverage in certain freezers used to store medicine in the prescription department of a pharmacy; and providing other matters properly relating thereto CONTACT: Jeri Walter 775.850.1440</p>

REGULATIONS RESUBMITTED PURSUANT TO NRS 233B.0675:

LCB NO.	NAC	AGENCY/ SUBJECT
2009 REGULATIONS		
R033-09A	639	<p>STATE BOARD OF PHARMACY A REGULATION relating to medical products; specifying the qualifications for an administrator of a medical products provider or medical products wholesaler; and providing other matters properly relating thereto CONTACT: Jeri Walter 775.850.1440</p>
R109-09	648	<p>PRIVATE INVESTIGATOR'S LICENSING BOARD A REGULATION relating to private investigators; providing for the issuance, suspension and reinstatement of a provisional registration under certain circumstances; establishing a system for maintaining certain records of persons registered with the Private Investigator's Licensing Board; requiring a licensee to file a change of employment notice with the Board on behalf of certain employees; establishing fees; and providing other matters properly relating thereto CONTACT: Mechele Ray 775.687.3224</p>
R154-09RA	633	<p>STATE BOARD OF OSTEOPATHIC MEDICINE A REGULATION relating to osteopathic medicine; establishing fees relating to the licensure of osteopathic physicians and physician assistants; establishing requirements for the issuance of certain special licenses; specifying conduct which is considered unethical for an osteopathic physician and a physician assistant; providing for the summary suspension of a license of a physician assistant under certain circumstances; and providing other matters properly relating thereto CONTACT: Dianna Hegeduis 702.732.2147</p>
2010 REGULATIONS		
R064-10	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION relating to energy; revising provisions relating to contracts for renewable energy and portfolio energy credits; and providing other matters properly relating thereto CONTACT: Dave Noble 775.684.6123</p>