

MEETING NOTICE AND AGENDA

Name of Organization: Subcommittee of the Legislative Committee on Health Care to Review the Laws and Regulations Governing Providers of Health Care, the Use of Lasers and Intense Pulsed Light Therapy, and the Use of Injections of Cosmetic Substances (Senate Bill 4, Chapter 4, *Statutes of Nevada 2007, 23rd Special Session*)

Date and Time of Meeting: Tuesday, June 3, 2008
10:30 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 3138, 401 South Carson Street, Carson City, 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."

<p>Note: Minutes of this meeting will be produced in summary format. Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.</p>

A G E N D A

Note: Items on this agenda may be taken in a different order than listed.

*Denotes items on which the Subcommittee may take action.

I. Opening Remarks

Senator Maggie Carlton, Chair

*II. Approval of Minutes of the May 2, 2008, Meeting in Las Vegas, Nevada

III. Public Comment

- *IV. Work Session—Discussion and Action on Recommendations Relating to:
 - *A. Citizenship Requirements for Applicants for a License to Practice Medicine
 - *B. Provisional Licensure for Applicants for a License to Practice Medicine Pending Completion of the Application Process
 - *C. Provisional Licensure for Applicants for a License to Practice Medicine Pending Completion of Required Examinations and/or Board Certification
 - *D. Licensure of Professionals Licensed in Other States if Certain Criteria Are Met
 - *E. Remote Supervision of Physician Assistants
 - *F. Use of Outside Counsel by Boards Where Appropriate
 - *G. Investigation and Punishment of Unlawful Professional Practice

The “Work Session Document” is attached below and contains proposed recommendations. The document is also available on the [Subcommittee’s Web page](#) or a written copy may be obtained by contacting Kelly S. Gregory, Senior Research Analyst, Research Division, Legislative Counsel Bureau, at (775) 684-6825.

- *V. Overview of Laser, Intense Pulsed Light Therapy, and Injection Technologies and Training Programs
 - Susan L. Fisher, Lobbyist, Associated Aestheticians of Southern Nevada
 - Courtney Hernandez, Medical Assistant
 - Cristy Thomas, Advanced Practitioner of Nursing
- *VI. Presentation Concerning Education and Training Programs for Users of Lasers and Intense Pulsed Light Therapies
 - Louis Silberman, President, National Laser Institute
- *VII. Presentation Concerning the Use of Lasers, Intense Pulsed Light Therapies, and Injections of Cosmetic Substances and Overview of Regulatory Issues
 - Cindy L. Lamerson, M.D., Member, Nevada’s Board of Medical Examiners

VIII. Public Comment

IX. Adjournment

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 Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Anne Vorderbruggen at (775) 684-6825 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 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 posted on the Internet through the Nevada Legislature’s website at www.leg.state.nv.us.

**Subcommittee of the Legislative Committee on Health Care to
Review the Laws and Regulations Governing Providers of Health
Care, the Use of Lasers and Intense Pulsed Light Therapy, and
the Use of Injections of Cosmetic Substances
(Senate Bill 4, Chapter 4, *Statutes of Nevada 2007,*
23rd Special Session)**

**WORK SESSION
DOCUMENT**

(Includes Attachment)



June 3, 2008

Prepared by the Research Division
Legislative Counsel Bureau



WORK SESSION DOCUMENT

June 3, 2008

**SUBCOMMITTEE OF THE LEGISLATIVE COMMITTEE ON
HEALTH CARE TO REVIEW THE LAWS AND REGULATIONS
GOVERNING PROVIDERS OF HEALTH CARE, THE USE OF
LASERS AND INTENSE PULSED LIGHT THERAPY, AND THE
USE OF INJECTIONS OF COSMETIC SUBSTANCES**
(Senate Bill 4, Chapter 4, *Statutes of Nevada 2007, 23rd Special Session*)

The following list of recommendations was compiled by the Chair and staff of the Subcommittee of the Legislative Committee on Health Care to Review the Laws and Regulations Governing Providers of Health Care, the Use of Lasers and Intense Pulsed Light Therapy, and Injections of Cosmetic Substances. This document contains recommendations that were either submitted in writing or presented during the Subcommittee's hearings on January 10, 2008, and May 2, 2008.

The recommendations listed in this document are in no particular order and do not necessarily have the support or opposition of the Subcommittee Chair or members. The recommendations are organized by topic so that the members may review them to decide if they should be adopted, modified, rejected, or left for later discussion. If action is taken to adopt a recommendation, it will become part of the Subcommittee's final report and will be presented to the Legislative Committee on Health Care (*Nevada Revised Statutes* [NRS] 439B.200) for consideration.

RECOMMENDATIONS

RECRUITING HURDLES FACED BY APPLICANTS

1. Remove or modify the requirement that an applicant for a license to practice medicine must prove to the Board of Medical Examiners he is a citizen or lawfully entitled to remain and work in the United States. (NRS 630.160)

2. Allow physicians who have recently completed a residency program to be provisionally licensed upon receipt of satisfactory fingerprint reports, pending completion of the remainder of the board application process.
3. Allow physicians who have recently completed a residency program to be provisionally licensed pending completion of certain examinations and/or board certifications.
4. Create provisions to make it easier for professionals licensed in other states to become licensed in Nevada if certain criteria are met. (See Exhibit A, attached.)

ACCESS TO SERVICES

5. Specify that supervision of physician assistants can be done through telecommunications and remote file review.

BOARD OPERATION

6. Allow boards to hire counsel outside the Office of the Attorney General where appropriate.
 7. Provide boards with the authority to investigate and refer unlawful professional practice to authorities for penalties.
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CONCEPTUAL LANGUAGE REGARDING CREDENTIALING

Explanatory Note: The following statutory language, with technical modifications as needed, may be added to a chapter governing a health care profession to provide an additional method for obtaining a license to practice the profession.

Section 1. 1. *Notwithstanding any other provision of this chapter to the contrary, the Board shall issue a license to practice [INSERT field of practice, e.g., “dentistry”] to a person who:*

(a) Has a license to practice [INSERT field of practice, e.g., “dentistry”] issued pursuant to the laws of another state or territory of the United States or the District of Columbia;

(b) Has practiced [INSERT field of practice, e.g., “dentistry”] pursuant to the laws of another state or territory of the United States or the District of Columbia for a minimum of 5 years;

(c) Has not had his license to practice [INSERT field of practice, e.g., “dentistry”] revoked or suspended in this State, another state or territory of the United States or the District of Columbia;

(d) Has not been refused a license to practice [INSERT field of practice, e.g., “dentistry”] in this State, another state or territory of the United States or the District of Columbia;

(e) Is not involved in and does not have pending a disciplinary action concerning his license to practice [INSERT field of practice, e.g., “dentistry”] in this State, another state or territory of the United States or the District of Columbia;

(f) Pays the application and renewal fees set forth in [INSERT internal reference to applicable statute(s) containing fees, e.g., NRS 631.345] in the same manner as a person licensed pursuant to [INSERT internal reference to an applicable existing licensing statute, e.g., NRS 631.240];

(g) Submits the statement required by [INSERT internal reference to an applicable statute regarding child support statements, e.g., NRS 631.225]; and

(h) Submits a complete set of his fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

2. *The provisions of this section do not limit a person from obtaining a license to practice [INSERT field of practice, e.g., “dentistry”] pursuant to any other provision of law.*