

**ADOPTED REGULATION OF THE  
BOARD OF MEDICAL EXAMINERS**

**LCB File No. R043-11**

Effective May 30, 2012

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 630.130, 630.279.

A REGULATION relating to practitioners of respiratory care; revising provisions relating to the proof an applicant for licensure is required to submit to the Board of Medical Examiners concerning the completion of an educational program as a practitioner of respiratory care; and providing other matters properly relating thereto.

**Section 1.** NAC 630.505 is hereby amended to read as follows:

630.505 1. An application for licensure as a practitioner of respiratory care must be made on a form supplied by the Board. The application must include:

(a) The date of birth and the birthplace of the applicant, his or her sex and the various places of his or her residence after reaching 18 years of age;

(b) The education of the applicant, including, without limitation, all high schools, postsecondary institutions and professional institutions attended, the length of time in attendance at each high school or institution and whether he or she is a graduate of those schools and institutions;

(c) Whether the applicant has ever applied for a license or certificate as a practitioner of respiratory care in another state and, if so, when and where and the results of his or her application;

(d) The professional training and experience of the applicant;

(e) Whether the applicant has ever been investigated for misconduct as a practitioner of respiratory care or had a license or certificate as a practitioner of respiratory care revoked, modified, limited or suspended or whether any disciplinary action or proceedings have ever been instituted against him or her by a licensing body in any jurisdiction;

(f) Whether the applicant has ever been convicted of a felony or an offense involving moral turpitude;

(g) Whether the applicant has ever been investigated for, charged with or convicted of the use, illegal sale or distribution of controlled substances; and

(h) A public address where the applicant may be contacted by the Board.

2. An applicant must submit to the Board:

(a) Proof of completion of an educational program as a practitioner of respiratory care that is approved by the ~~[National Board]~~ *Commission on Accreditation of Allied Health Education Programs or its successor organization or the Committee on Accreditation* for Respiratory Care or its successor organization;

(b) Proof of passage of the examinations required by NRS 630.277 and NAC 630.500 and 630.515; and

(c) Such further evidence and other documents or proof of qualifications as required by the Board.

3. Each application must be signed by the applicant and sworn to before a notary public or other officer authorized to administer oaths.

4. The application must be accompanied by the applicable fees for the application for licensure and biennial registration.

5. An applicant shall pay the reasonable costs of any examination required for licensure.



**REGULATION ADOPTED BY THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS  
LCB File No. R043-11**

**INFORMATIONAL STATEMENT**

Pursuant to the provisions of NRS 233B.066, the following informational statement is submitted:

**DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED  
SUMMARY OF THE PUBLIC RESPONSE  
EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN  
A COPY OF THE SUMMARY**

**How public comment was solicited:**

The Nevada State Board of Medical Examiners (Board) published a Notice of Intent to Act Upon Regulation to solicit comments on proposed changes to the regulation. The hearing was to be conducted in Reno on Wednesday, December 21, 2011, at the hour of 11:00 o'clock a.m., at the Board office located at 1105 Terminal Way, Suite 301, Reno, Nevada, and videoconferenced to the Las Vegas Board office located at 6010 S. Rainbow Blvd., Bldg. A., Suite 1, Las Vegas, Nevada.

In the notice the public was notified that a copy of the proposed regulation was on file at the State Library, 100 Stewart St., Carson City, Nevada; available at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada; in all counties in the state of Nevada in which the Board does not maintain an office, at the main public library; in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653; and on the Internet at <http://www.leg.state.nv.us>, as well as posted at the following locations:

|                                      |                              |
|--------------------------------------|------------------------------|
| <b>Washoe County Courthouse</b>      | <b>Reno, Nevada</b>          |
| <b>Carson City Library</b>           | <b>Carson City, Nevada</b>   |
| <b>Clark County District Library</b> | <b>Las Vegas, Nevada</b>     |
| <b>Churchill County Library</b>      | <b>Fallon, Nevada</b>        |
| <b>Douglas County Library</b>        | <b>Minden, Nevada</b>        |
| <b>Elko County Library</b>           | <b>Elko, Nevada</b>          |
| <b>Esmeralda County Library</b>      | <b>Goldfield, Nevada</b>     |
| <b>Humboldt County Library</b>       | <b>Winnemucca, Nevada</b>    |
| <b>Lander County Library</b>         | <b>White Pine, Nevada</b>    |
| <b>Lincoln County Library</b>        | <b>Pioche, Nevada</b>        |
| <b>Lyon County Library</b>           | <b>Yerington, Nevada</b>     |
| <b>Mineral County Library</b>        | <b>Hawthorne, Nevada</b>     |
| <b>Tonopah Library</b>               | <b>Tonopah, Nevada</b>       |
| <b>Pershing County Library</b>       | <b>Lovelock, Nevada</b>      |
| <b>Storey County Library</b>         | <b>Virginia City, Nevada</b> |

**White Pine County Library  
Washoe County Library**

**Ely, Nevada  
Reno, Nevada**

Attached hereto, and made a part hereof, are copies of certifications of posting from many of the above named.

**Summary of the public response:**

Only oral comment from Mr. Larry Matheis, as discussed below, was offered.

**How other interested persons may obtain a copy of  
the public response to the regulations:**

On file with the Board at the offices of the Board at 1105 Terminal Way, Suite 301, Reno, Nevada, is a complete transcript of the hearing conducted on the regulation change.

Any member of the public may visit the offices of the Board and may review any or the entire transcript referred to above. Also, any member of the public may request copies of the transcript of all the public comment by contacting the court reporter and requesting a copy.

The court reporter may be contacted at:

Bonanza Reporting  
1111 Forest Street  
Reno, Nevada 89509  
(775) 786-7655

**Persons who attended the workshop and hearing:**

Larry Matheis from the Nevada State Medical Association attended the workshop.

Amber Joiner from the Nevada State Medical Association attended the hearing.

**Persons who testified at the workshop or public hearing:**

Mr. Larry Matheis offered limited testimony at the workshop, where he indicated agreement with all of the proposed regulations. He did ask that the Board attempt to ensure that in regards to R062-11, protocols are put in place by the Board to ensure that the proper parties within the entities being served receive the disciplinary finding or orders.

**The number of persons who submitted written statements:**

No written comment was received by the Board.

**HOW COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES,  
A SUMMARY OF THEIR RESPONSE, AND  
HOW INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY**

The comments, conclusions, and information set out above and all information contained thereunder applies to this portion of the informational statement as well.

**THE REGULATION WAS ADOPTED IN ENCLOSED FORM.**

**THE ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE  
BUSINESS WHICH THE BOARD REGULATES AND ON THE PUBLIC**

**The economic effect of the regulation on the medical profession:**

There will be no economic effect to the medical profession by adoption of this regulation.

**The economic effect of the regulation on the general public:**

There will be no economic effect to the general public by adoption of this regulation.

**THE ESTIMATED COST TO THE NEVADA STATE BOARD OF MEDICAL  
EXAMINERS TO ENFORCE THE PROPOSED REGULATION**

The Nevada State Board of Medical Examiners estimates that there will be no additional cost to itself to enforce the proposed regulation.

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS  
DOES NOT OVERLAP OR DUPLICATE ANY REGULATIONS OF ANY OTHER  
STATE OR GOVERNMENTAL AGENCIES, INCLUDING THE FEDERAL  
GOVERNMENT.**

**THE REGULATION OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS  
DOES NOT INCLUDE PROVISIONS WHICH ARE MORE STRINGENT THAN A  
FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY.**

**THE NEW REGULATION DOES NOT PROVIDE OR INVOLVE A NEW FEE.**