

SENATE COMMITTEE ON
HEALTH, WELFARE AND STATE INSTITUTIONS

MINUTES OF MEETING # 18

MARCH 28, 1973

The meeting convened at 8:25 a.m.

Senator Walker in the Chair.

PRESENT: Senators Herr
Swobe
Drakulich
Neal
Raggio

Other interested citizens, which list is hereto attached at Exhibit A.

SB 511 Provides for qualifications, appointment, powers and duties of certain mental hygiene and mental retardation division personnel.

Dr Gorman testified, stating that in his opinion , if this bill were passed as is, it would tend to degrade the quality of medical service, rather than accomplish any good. He objected to the language on page 8, as written, and spoke justifying the deletions of 'superintendent (beginning on line 9.)

Further testimony was tabled on SB 511.

AB 309 Requires all public school pupils to be immunized against rubeola and other diseases

Dr. Broadbent testified against this bill, on the grounds that rubella and rubeola immunizations remain highly controversial measures, whose public health values are questionable. See Exhibit B hereto attached for detail of testimony.

Discussion followed, and on motion duly made, seconded, and unanimously carried, AB 309 received a "Do Pass".

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 18
MARCH 28, 1973
PAGE 2

ACR 6 Expresses the attitude of the legislature concerning the services of barbers and cosmetologists.

Mr. Carl Lovell, State Barbers' Association, testified, acknowledging with favor, this resolution, but urged the committee kill AB 287.

AB 287 Restricts the practice of cosmetology.

Since this bill was directly related to the above resolution, the two were discussed in conjunction with one another.

Senator Walker asked if ACR 6 were passed, but AB 287 were killed, then what, since the only difference was in the required training, to which neither faction, the barbers or the cosmetologists disfavored. Since the basis of the disagreement was founded on training or qualifications, neither argument was logical. (Both having been duly trained - Reference here to Lines 8 through 13).

Much heated discussion followed, with Senator Drakulich commenting that a person should be able to go to whomever they wished, to have their hair done.

Senator Herr brought up the point of coloring hair - stating that this overlaps - re: barber shops and beauty shops - since it is now fashion for men to color their hair.

Mr. Gray, Nevada Barbers' Association, replied 'yes', but that such techniques are now taught in barber schools, therefor qualifying same to perform coloration.

Mr. Gray testified that there were 5,000 registered cosmetologists in the state to a ratio of only 650 barbers. His main fear was that the cosmetology profession would annihilate the barber profession .

Senator Swobe stated that when ACR 6 was initiated, he had contacted the barber faction, who at that time had given their approval to such resolution. Now, they seemingly were doing an about face.

Senator Walker stated that the restrictions of training should be discussed here - not sex discrimination.

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 18
MARCH 28, 1973
PAGE 3

Mr. McCormick, a cosmetologist, spoke in opposition to AB 287.

Due to time limitation, AB 287 was tabled for the time being.

ACR 6, on motion duly made, seconded, and unanimously carried, received a "Do Not Pass" from the committee.

SB 365 Adds two consumers to state board of pharmacy and removes prohibitions on advertising and discounting of pharmaceuticals.

Mr. Bob Groves, Attorney General's Office, suggested that SB 365 and SB 335 be heard together.

He urged that SB 335, taken from the National Pharmacy Board's draft, be passed. If passed, he noted that the 500 hour requirement would be deleted. He requested deletion of Section 9, page 3, and leaving in subsection 2 of Section 10, page 3, - stating that if it were done in this manner, 'everything would fit'.

The State Pharmacy Board would prefer to have this covered by regulation, rather than statute.

SB 335 received a "Do Pass" as amended.
SB 365 was tabled.

SB 248 Amends provisions relating to pharmacies, pharmacists, and hospitals.

As the reprint had now returned on this bill, (re: Meeting #13) Senator Raggio moved for "Do Pass" as amended, Senator Drakulich seconded the motion, and it was so carried.

Senate


HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 18
MARCH 28, 1973
PAGE 4

AB 116: Revises chapter regulating practice of nursing, making various substantive and technical changes.

Presented for vote, with both amendments considered, AB 116, on motion duly made, seconded, and unanimously carried, the committee voted "Do Pass" as amended.

The meeting adjourned at 10:55 a.m.

Respectfully submitted,


Jo Ann N. Hughes, Secretary

APPROVED:

Lee E. Walker, Chairman

Print Plainly

NO WRITING PLEASE!

121

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Obser
James V. Threet	Bankers Assoc. Clerk Co	734-2349	<input checked="" type="checkbox"/>	Bill #287
Prof. J. Buck	Beautician	883-0240		OCR6 <input checked="" type="checkbox"/>
RAY MONIA	COSMETOLOGY	882-3840	<input checked="" type="checkbox"/>	ACR-6
Arnold Almond	Cosmetology	357 1947	<input checked="" type="checkbox"/>	ACR-6
Bernice Randall	Cosmetology	882-0424		ACR-6
Dennis D. Eaton	Cosmetology	882-1958	<input checked="" type="checkbox"/>	ACR-6
Gwen O. Bryan Ph.D	Mental Hygiene & Mental Retardation	784-6432		SB 511 <input checked="" type="checkbox"/>
GEORGE T. BENNETT	INSPECTOR, BD OF PHARMACY	882-5864	<input checked="" type="checkbox"/>	SB 337 SB 365 SB 248 SB 335 SB 336
ROBERT A. GROVES	DEP. ATTY GEN'L	882-7401	<input checked="" type="checkbox"/>	SB 385 SB 387
MARY ELDER	Cosmetology	882-2983		OCR6 <input checked="" type="checkbox"/>
JEAN T. PEAVY	BOARD of NURSING	786-2778		<input checked="" type="checkbox"/>
KAREN WINKLER	NEV. Nurse Assoc. Member	322-3620		AB116 <input checked="" type="checkbox"/>
Tom Wilson	State Comp Health Planning	882-7728		AB116 <input checked="" type="checkbox"/>
Joe Midmore	Reno Hairdressers Assoc.	747-4986	<input checked="" type="checkbox"/>	SB 485 ACR6
GEO. R. TUCKER	NEV. STATE PHARM. ASSOC	423-4437	<input checked="" type="checkbox"/>	SB 337 SB 365 SB 248 SB 335 SB 336
RITA HENSCHEN	NEV. NURSE'S ASSOC. Member	323-6446		AB116 <input checked="" type="checkbox"/>
MARILYN ACCIARI	Cosmetology	147-4599		ACR6
Irish Elmer	cosmetology	882-8835		ACR6

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NO WRITING PLEASE!

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Observ
IRENE C. YATES	Cosmetology	358-4161		
Estalina Barrios				
Pat Calhoun	Cosmetology	825 0997		
Lila W. Sucky	Cosmetologist	883 4941		
Dorothy Feeney	Cosmetology	382 6533	✓ SB 421 ACR 6	
Robert E. Duquette	Barber	882 5092		
JOE M HATHAWAY	BARBER	786-5354	SB 421 AD 287	
Tommy Smith	BARBER	882-6019	SB 421 AD 287	
Howard G. Cole	BARBER	225-1522	SB 421 AD 287	
CHARLES SYLVESTER	BARBER	825 2121	ACR 6 SB 421 AD 287	
ARL J DE RICCO	BARBER	322-4325	ACR 6 SB 421 AD 287	✓
Joe G. Trujillo	Barber	457-1392	ACR 6 SB 421 AD 287	
CE 'BOB' BROWN	BARBER	322-2261	MAAC 1973	
Louis M. McLANE	Barber	329-1410	ACR 6-AB 287 SB 421-5B 421	✓
RAY E. EHRGOTT	BARBER	359-4854	ACR 6-AB 287 SB 421-5B 421	
Gordon H. Smith	Barber	878-7751	ACR 6-AB 287 SB 421-5B 421	✓
Jane M. Seatt	Beautician	358-1903	AD 287 ACR 6	
Hele Schumacher	cosmetologist	399-0941	ACR 6	

Print Plainly

NO WRITING PLEASE!

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Observ
FRANK L. TITUS	NEVADA STATE PHARMACEUTICAL ASSOC	323-2701	✓	Bill # 331 332 337
Mr. Wayne Gilpatrick	NEVADA STATE PHARM - Auxiliary	345-0203		335 336-337 ✓
Mrs. Ellen Pope	Nevada LPN ASSOC Chairman	423-2493		AB116 ✓
Ms Ethelda THELEN	Nevada Nurses Association - member - Practice Committee	358-0660		AB116 ✓
WAYNE Gilpatrick	REG. Pharmacist	345-0203		✓
Shirley Wedow	Nevada State GTA	358-3206		AB309 ✓
DR. VA. ZIEGLER	Cosmetology	673-2682		ACR6 ✓
Dorothy J. Button	Nev. Nurses' Ass'n	322-0986	✓	AB.116
Mary Lou House	Nev. Nurses' Ass'n	825-3592		AB116 ✓
Lancy B. Grundy	pharmacist	882-136/CR247		✓
Sharon Green	Nev. Hosp. Assn.	322-6905	✓	AB116
Mrs. Jean MacVicar	U.N.R. School of Nursing	784-4929		AB114 ✓
Sandra Bourbon	Director of Nurses - SNM Hosp. 730 Calhoun Ave Las Vegas	734-8585		AS116 ✓
Dr. W. M. Edwards	NEVADA STATE HEALTH DIVISION	882-7458		A309 ✓
Muriel Dunn	NEURO B.P.W.	673-4235		ACR6
ELNORA FITCH	COSMETOLOGIST	786-2613		ACR-6
LUCY KELITZSEY	Cosmetology	329.5740		ACR6

NEVADA'S IMMUNIZATION LAW SHOULD BE REPEALED BECAUSE:

1. A law isn't necessary to make people do something they're already doing. With rare exceptions all Nevada infants and children are currently being immunized against DPT by private physicians or city-county clinics.
2. The effectiveness of our on-going program of immunizations is supported by the fact that Diphtheria, Whooping Cough, and Tetanus have long since slipped into obscurity as public health hazards.
3. Parents' ignorance or recalcitrance will remain unaltered by a law for which there's no penalty for non-compliance.
4. Record keeping and certification of immunizations by physicians and nurses as required by the law is a veritable nightmare not without its potential for public expense.
5. The existing law states that the required list of immunizations can be expanded by the Board of Trustees, a lay, NON-MEDICAL BOARD!
6. Rubella (German Measles) immunization remains a highly-controversial measure whose public health values are questionable at best.
7. One of the main duties of the Nevada Health Division is to protect the public health. This certainly includes researching and correcting possible areas of immunization neglect. Why should our Health Division require a law to perform a function already expected of it?

18 3/20/1-2

325
Exhibit B 9.1.45

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3/128 - #18 - Do Pass as Amended.
(REPRINTED WITH ADOPTED AMENDMENTS)⁴

FIRST REPRINT

A. B. 116

ASSEMBLY BILL NO. 116—MESSRS. GETTO, DINI,
FRY, BREMNER AND WITTENBERG

JANUARY 24, 1973

Referred to Committee on Health and Welfare

SUMMARY—Revises chapter regulating practice of nursing, making various substantive and technical changes. Fiscal Note: No. (BDR 54-562)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the practice of nursing; revising chapter 632 of NRS; permitting denial, revocation or suspension of any license for aiding or abetting violations of the chapter; establishing a range of fees and charges; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 632 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. 1. *The license of every nurse licensed under the provisions of*
4 *this chapter shall be renewed biennially as provided in this section.*
5 2. *On or before January 1 of every even-numbered year the executive*
6 *secretary of the board shall mail a license renewal application to every*
7 *nurse holding a valid license issued pursuant to the provisions of this*
8 *chapter.*
9 3. *Each applicant for license renewal shall complete the application*
10 *and return it to the executive secretary together with the biennial license*
11 *renewal fee before March 1.*
12 4. *Upon receipt of such application and fee, the board shall verify the*
13 *accuracy of the application and issue a license to the applicant for the*
14 *next biennium commencing with March 1 and expiring the last day of*
15 *February of the next even-numbered year.*
16 5. *A licensee who fails to renew his license as provided in this section*
17 *may have his license reinstated by completing a renewal application and*
18 *payment of the reinstatement fee in addition to the renewal fee.*
19 6. *Upon written request to the board, a licensee in good standing may*
20 *cause his name and license to be transferred to an inactive list, and such*
21 *licensee shall not practice nursing during the time the license is inactive*
22 *and no renewal fee shall accrue. If an inactive licensee desires to resume*

1 the practice of nursing, the board shall renew the license upon demonstra-
2 tion, if deemed necessary by the board, that the licensee is then qualified
3 and competent to practice, and upon completion of an application and
4 payment of the current biennial license renewal fee.

5 SEC. 3. 1. The board shall establish and may amend a schedule of
6 fees and charges for the following items and within the following ranges:

	Not less than	Not more than
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2. The board may collect the fees and charges established pursuant to
this section, and such fees or charges shall not be refunded.

SEC. 4. NRS 632.010 is hereby amended to read as follows:

632.010 As used in this chapter:

1. "Accredited school of nursing" means a school of nursing which
has been accredited by the board or other body or agency authorized by
law to accredit or approve schools of nursing in the state in which the
school is located.

2. "Board" means the state board of nursing.

re p. 3
or

3. 632.010

cc Mr. and Mrs. R. W. Ansel

1 3. "Emergency" means an unforeseen combination of circumstances
2 calling for immediate action.

3 4. "Licensed practical nurse" means a person who is licensed to
4 practice practical nursing as defined in subsection [4] 5 of this section
5 and as provided in this chapter.

6 [4.] 4. "Practice of practical nursing" means the performance for
7 compensation of selected acts in the care of the ill, injured or infirm
8 under the direction of a registered professional nurse, a licensed phy-
9 sician, a licensed dentist or a licensed chiroprapist, not requiring the
10 substantial specialized skill, judgment and knowledge required in profes-
11 sional nursing.

12 [5.] 5. "Practice of professional nursing" means the performance
13 for compensation of any act in the observation, care and counsel of the
14 ill, injured or infirm, in the maintenance of health or prevention of illness
15 of others, in the supervision and teaching of other personnel, or in the
16 administration of medications and treatments as prescribed by a licensed
17 physician, a licensed dentist or licensed chiroprapist, requiring substantial
18 specialized judgment and skill based on knowledge and application of the
19 principles of biological, physical and social science, but does not include
20 acts of medical diagnosis or prescription of therapeutic or corrective
21 measures. *A professional nurse may also perform such additional acts,
22 under emergency or other special conditions, which may include special
23 training, as are recognized by the medical and nursing professions as
24 proper to be performed by a professional nurse under such conditions,
25 even though such acts might otherwise be considered diagnosis and pre-
26 scription.*

27 [6.] 7. "Registered nurse" means a person who is licensed to prac-
28 tice professional nursing.

29 [7.] 8. Unless the context otherwise requires, the masculine gender
30 shall include the feminine gender, and the singular number shall include
31 the plural number.

32 SEC. 5. NRS 632.020 is hereby amended to read as follows:

33 632.020 1. The state board of nursing consisting of five registered
34 nurses, [and] two practical nurses *and one consumer* is hereby created.

35 2. The members of the board shall be appointed by the governor.

36 3. [The two licensed practical nurses shall serve as members of the
37 board only in relation to and for the purpose of administering the provi-
38 sions of this chapter which relate to licensed practical nurses.] *The con-
39 sumer shall be a bona fide public representative whose occupation is
40 neither the administration of health activities nor the performance of
41 health services, who has no fiduciary obligation to a hospital or other
42 health agency, and who has no material financial interest in the rendering
43 of health services.*

44 SEC. 6. NRS 632.030 is hereby amended to read as follows:

45 632.030 1. Each registered nurse member of the board shall:

- 46 (a) Be a citizen of the United States.
- 47 (b) Be a resident of the State of Nevada.
- 48 (c) Have been graduated from an accredited school of nursing.
- 49 (d) Be licensed as a professional nurse in the State of Nevada.

*As defined
in NRS
Reg.*

1 (e) [Have had at least 3 years of experience in nursing following gr
2 uation.] *Have been actively engaged in nursing at least 5 years immu*
3 *ately preceding appointment or reappointment.*

4 2. Each licensed practical nurse member of the board shall:

5 (a) Be a citizen of the United States.

6 (b) Be a resident of the State of Nevada.

7 (c) Have been graduated from an accredited school of practical nu
8 ing.

9 (d) Be licensed as a practical nurse in the State of Nevada.

10 (e) [Have had at least 3 years of experience in nursing followi
11 graduation.] *Have been actively engaged in nursing at least 5 ye*
12 *immediately preceding appointment or reappointment.*

13 3. No member of the board shall serve more than two consecuti
14 terms. *For the purposes of this subsection, service of 2 or more years*
15 *filling an unexpired term constitutes a term.*

16 SEC. 7. NRS 632.070 is hereby amended to read as follows:

17 632.070 1. The board shall meet [regularly once every 4 months
18 February, June and October,] *a minimum of three times a year*
19 *approximately 4 month intervals* for the purpose of transacting such busi
20 ness as may properly come before the board.

21 2. The board shall hold not less than [two examinations] *one exan*
22 *ination* each year at such times and places as the board may determine.

23 3. Special meetings of the board may be held on the call of th
24 president or upon the call of any three members. A written notice of th
25 time, place and object of any special meeting shall be mailed by the execu
26 tive secretary to all members of the board who are not parties to th
27 call at least 15 days prior to the day of such meeting.

28 4. A majority of the board shall constitute a quorum at any meeting

29 SEC. 8. NRS 632.100 is hereby amended to read as follows:

30 632.100 1. The board shall make and keep a full and complete rec
31 ord of all its proceedings, including a file of all applications for license
32 under this chapter, together with the action of the board upon each such
33 application, and including a register of all nurses licensed to practice
34 nursing in this state.

35 2. The board shall maintain in its main office a public docket or
36 other record in which it shall record, from time to time as made, the rul-
37 ings or decisions upon all complaints filed with it, and all investigations
38 instituted by it in the first instance, upon or in connection with which any
39 hearing shall have been had, or in which the licensee charged shall have
40 made no defense.

41 3. At least semiannually, the board shall publish a list of the names
42 and addresses of persons licensed by it under the provisions of this chap-
43 ter, and of all applicants and licensees whose licenses have been refused,
44 suspended or revoked within 1 year, together with such other information
45 relative to the enforcement of the provisions of this chapter as it may
46 deem of interest to the public. One of the lists shall be mailed to each
47 county clerk and shall be filed by him as a public record. [Lists shall also
48 be mailed by the board to any person in this state upon request.]

49 SEC. 9. NRS 632.130 is hereby amended to read as follows:

50 632.130 1. For the purposes of safeguarding life and health and

1 maintaining high professional standards among professional nurses in
2 this state, any person who for compensation practices or offers to prac-
3 tice professional nursing in this state shall hereafter be required to submit
4 evidence that he is qualified so to practice and shall be licensed as pro-
5 vided in this chapter.

6 2. It [shall be] is unlawful for any person:

7 (a) [After July 1, 1947, to] To practice or to offer to practice pro-
8 fessional nursing in this state or to use any title, abbreviation, sign, card
9 or device to indicate that he is practicing professional nursing in this state
10 unless such person has been duly licensed under the provisions of this
11 chapter.

12 (b) Who does not hold a valid and subsisting license to practice as a
13 professional nurse issued pursuant to the provisions of this chapter to
14 practice or offer to practice in this state as a registered nurse, graduate
15 nurse, a trained nurse, a certified *registered* nurse *anesthetist* or under any
16 other title or designation suggesting professional qualifications and skill in
17 the field of nursing.

18 SEC. 10. NRS 632.140 is hereby amended to read as follows:

19 632.140 1. Every applicant for a license to practice as a professional
20 nurse in the State of Nevada shall submit to the board written evidence
21 under oath that he:

- 22 (a) Is of good moral character.
- 23 (b) Is in good physical and mental health.
- 24 (c) Has completed a course of study in an accredited school of profes-
25 sional nursing and holds a diploma therefrom.
- 26 (d) Meets such other reasonable preliminary qualification requirements
27 as the board may from time to time prescribe.

28 2. Each applicant shall remit [a fee of \$30] *the fee required by this*
29 *chapter* with his application for a license to practice as a professional
30 nurse in this state. [In case application for a license by examination is not
31 granted, the fee shall not be refunded.]

32 SEC. 11. NRS 632.160 is hereby amended to read as follows:

33 632.160 [1.] The board may, without examination, issue a license
34 to practice nursing as a professional nurse to any applicant who meets the
35 qualifications required of professional nurses in this state and who has
36 been duly licensed or registered as a registered nurse, after examination,
37 under the laws of any other state, territory or foreign country.

38 [2. Each applicant shall remit with his application for a license to
39 practice as a professional nurse in this state without examination a fee of
40 \$30. In case application for license without examination is not granted,
41 the fee shall not be refunded.]

42 SEC. 12. NRS 632.200 is hereby amended to read as follows:

43 632.200 [1. Upon application, the board may, without examination,
44 grant a temporary license to practice nursing as a professional nurse for a
45 period not to exceed 4 months. Only one temporary license may be issued
46 during any 12-month period to any one person.

47 2. Application shall be made in such form as the board may deem
48 proper and shall be accompanied by a fee of \$8, which shall in no case be
49 refunded. Such fee shall be credited toward the fee provided in NRS
50 632.140 or 632.160 if the applicant applies for a license as provided in

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1 such sections.] Upon application and payment of the required fee the
2 board may without examination grant a temporary license to practice pro-
3 fessional nursing to an individual whose license from another state, terri-
4 tory or country is in good standing. Only one temporary license may be
5 issued to any one person during any 12-month period.

6 SEC. 13. NRS 632.220 is hereby amended to read as follows:
7 632.220 The board shall have power to deny, revoke or suspend any
8 license to practice nursing as a professional nurse applied for or issued
9 under this chapter or otherwise to discipline a licensee upon proof that
10 he:

11 1. Is guilty of fraud or deceit in procuring or attempting to procure a
12 license to practice nursing as a professional nurse.

13 2. Is guilty of a felony or any offense involving moral turpitude, in
14 which case the record of conviction shall be conclusive evidence thereof.

15 3. Is unfit or incompetent by reason of gross negligence in carrying
16 out usual nursing functions.

17 4. Is habitually intemperate or is addicted to the use of any controlled
18 substance as defined in chapter 453 of NRS.

19 5. Is mentally incompetent.

20 6. Is guilty of unprofessional conduct, which includes but is not lim-
21 ited to the following:

22 (a) Conviction of practicing medicine without a license in violation of
23 chapter 630 of NRS, in which case the record of conviction shall be con-
24 clusive evidence thereof.

25 (b) Procuring, or aiding, abetting, attempting, agreeing, or offering to
26 procure or assist at, a criminal abortion.

27 (c) Impersonating any applicant or acting as proxy for an applicant in
28 any examination required under this chapter for the issuance of a license.

29 (d) Impersonating another licensed practitioner.

30 (e) Permitting or allowing another person to use his certificate for the
31 purpose of nursing the sick or afflicted.

32 7. Has willfully or repeatedly violated the provisions of this chapter.

33 8. Is guilty of aiding or abetting anyone in a violation of this chapter.

34 SEC. 14. NRS 632.240 is hereby amended to read as follows:

35 632.240 [The nursing service of all state and county institutions
36 providing medical, surgical or obstetrical service shall be under the super-
37 vision of a person licensed as a professional nurse in Nevada. This sec-
38 tion shall not apply to those institutions which serve only as homes for
39 the indigent or aged.] The provision of nursing services in any health
40 care delivery system shall be under the supervision of a registered nurse.

41 SEC. 15. NRS 632.250 is hereby amended to read as follows:

42 632.250 None of the provisions of NRS 632.130 to 632.240, inclu-
43 sive, shall be construed as prohibiting:

44 1. The practice of nursing in this state by any legally qualified nurse
45 of another state whose engagement requires him to accompany or care for
46 a patient temporarily residing in this state during the period of one such
47 engagement not to exceed 6 months in length, provided such person does
48 not represent or hold himself out as a nurse licensed to practice in this
49 state.

2. The practice of any legally qualified nurse of another state who is employed by the United States Government or any bureau, division or agency thereof, while in the discharge of his official duties in this state.

3. Gratuitous nursing by friends or by members of the family of the patient.

4. Nursing assistance in the case of an emergency.

5. The practice of nursing by students enrolled in accredited schools of professional nursing, or by graduates of such schools or courses pending the results of the first licensing examination scheduled by the board following such graduation.

6. *The incidental care of the sick by domestic servants or persons primarily employed as housekeepers if they do not practice nursing within the meaning of this chapter.*

7. *Nonmedical nursing for the care of the sick, with or without compensation, when done by the adherents of, or in connection with, the practice of the religious tenets of any well recognized church or religious denomination, so long as such nursing does not amount to the practice of professional nursing as defined in NRS 632.010.*

SEC. 16. NRS 632.270 is hereby amended to read as follows:

632.270 [1.] Each applicant for a license to practice as a practical nurse shall submit to the board written evidence, under oath, that he:

[(a)] 1. Is of good moral character.

[(b)] 2. Has completed 2 years of high school or its equivalent and has such other preliminary qualification requirements as the board may prescribe.

[(c)] 3. Is at least 18 years of age.

[(d)] 4. Has successfully completed the prescribed course of study in an accredited school of practical nursing.

[2. Each application for a license to practice as a practical nurse shall be accompanied by a fee of \$20, which shall be paid to the board. If the application for a license is not granted, the fee shall not be refunded. All funds received by the board pursuant to the provisions of NRS 632.260 to 632.240, inclusive, shall be disbursed and accounted for in the manner prescribed by NRS 632.090.]

SEC. 17. NRS 632.300 is hereby amended to read as follows:

632.300 [1. Upon application, the board may, without examination, grant a temporary license to practice as a practical nurse for a period not to exceed 4 months to an individual licensed in another state, territory or country. Only one temporary license may be issued during any 12-month period to any one person.

2. Application shall be made in such form as the board may deem proper and shall be accompanied by a fee of \$5, which shall in no case be refunded. Such fee shall be credited toward the fee provided in NRS 632.270 or 632.280 if the applicant applies for a license as provided in such sections.] *Upon application and payment of the required fee, the board may without examination grant a temporary license to practice practical nursing to an individual whose license from another state, territory or country is in good standing. Only one temporary license may be issued to any one person during any 12-month period.*

SEC. 18. NRS 632.320 is hereby amended to read as follows:

1 632.320 The board shall have power to deny, revoke or suspend any
2 license to practice nursing as a practical nurse applied for or issued under
3 this chapter, or otherwise to discipline a licensee upon proof that he:

4 1. Is guilty of fraud or deceit in procuring or attempting to procure a
5 license to practice nursing as a practical nurse.

6 2. Is guilty of a felony or any offense involving moral turpitude, in
7 which case the record of conviction shall be conclusive evidence thereof.

8 3. Is unfit or incompetent by reason of gross negligence in carrying
9 out usual nursing functions.

10 4. Is habitually intemperate or is addicted to the use of any con-
11 trolled substance as defined in chapter 453 of NRS.

12 5. Is mentally incompetent.

13 6. Is guilty of unprofessional conduct, which includes but is not lim-
14 ited to the following:

15 (a) Conviction of practicing medicine without a license in violation of
16 chapter 630 of NRS, in which case the record of conviction shall be con-
17 clusive evidence thereof.

18 (b) Procuring, or aiding, abetting, attempting, agreeing, or offering
19 to procure or assist at, a criminal abortion.

20 (c) Impersonating any applicant or acting as proxy for an applicant
21 in any examination required under this chapter for the issuance of a
22 license.

23 (d) Impersonating another licensed practitioner.

24 (e) Permitting or allowing another person to use his certificate for
25 the purpose of nursing the sick or afflicted.

26 7. Has willfully or repeatedly violated the provisions of this chapter.

27 8. *Is guilty of aiding or abetting anyone in a violation of this chapter.*

28 SEC. 19. NRS 632.340 is hereby amended to read as follows:

29 632.340 None of the provisions of NRS 632.260 to 632.330, inclu-
30 sive, shall be construed as prohibiting:

31 1. Gratuitous nursing by friends or by members of the family.

32 2. The incidental care of the sick by domestic servants or persons pri-
33 marily employed as housekeepers as long as they do not practice nursing
34 within the meaning of this chapter.

35 3. Nursing assistance in the case of an emergency.

36 4. The practice of nursing by students enrolled in accredited schools
37 of practical nursing, or by graduates of such schools or courses pending
38 the results of the first licensing examination scheduled by the board fol-
39 lowing such graduation.

40 5. The practice of nursing in this state by any legally qualified nurse
41 of another state whose engagement requires him to accompany and care
42 for a patient temporarily residing in this state during the period of one
43 such engagement, not to exceed 6 months in length, provided such person
44 does not represent or hold himself out as a nurse licensed to practice in
45 this state.

46 6. The practice of any legally qualified nurse of another state who is
47 employed by the United States Government or any bureau, division, or
48 agency thereof, while in the discharge of his official duties in this state.

49 7. *Nonmedical nursing for the care of the sick, with or without com-
50 pensation, when done by the adherents of, or in connection with, the*

1 practice of the religious tenets of any well recognized church or religious
2 denomination, so long as such nursing does not amount to the practice of
3 practical nursing as defined in NRS 632.010.

4 SEC. 20. NRS 632.450 is hereby amended to read as follows:

5 632.450 Any institution desiring to conduct a school of professional
6 nursing in this state shall submit evidence to the board that it is prepared
7 to give [:

8 1. A 36-month course of theoretical instruction and practical expe-
9 rience in nursing, embracing a curriculum prescribed by the board, and
10 to meet such other standards as may be established by the board from
11 time to time; or

12 2. A course of instruction prescribed by the board covering not less
13 than 2 years and to meet such other standards as may be established by
14 the board from time to time. The course of instruction prescribed by the
15 board for such instruction of not less than 2 years shall provide a quality
16 of education not less than the current standards established and adopted
17 for a basic 2-year course of professional nursing education by both the
18 National League for Nursing and the American Association of Junior
19 Colleges.] a course of instruction of not less than 2 years. [The program
20 shall be in an accredited institution of higher education.]

21 SEC. 21. NRS 632.470 is hereby amended to read as follows:

22 632.470 1. [From time to time and not less than once each year,]
23 Not less than once every 3 years, the board shall cause to be surveyed all
24 accredited schools of professional nursing in this state. Full and complete
25 written reports of such surveys shall be submitted to and considered by
26 the full board.

27 2. If, after consideration of such reports, the board determines that
28 any such school of professional nursing is not maintaining the standards
29 required by this chapter and by the board, notice thereof in writing speci-
30 fying the [defect or defects] weaknesses shall immediately be given to
31 such school.

32 3. The board shall revoke the accreditation of any school of profes-
33 sional nursing which fails to remedy such [defect or defects] weaknesses
34 within a reasonable time after receiving written notice thereof.

35 SEC. 22. NRS 632.180, 632.190, 632.290 and 632.295 are hereby
36 repealed.

Handwritten notes:
N.A.N. Assoc.
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Amended

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 248

SENATE BILL NO. 248—SENATOR RAGGIO

FEBRUARY 14, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Amends provisions relating to pharmacies, pharmacists and hospitals. Fiscal Note: No. (BDR 54-958)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to pharmacy; providing additional regulation of pharmacies operated in conjunction with hospitals; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 639.020 is hereby amended to read as follows:
2 639.020 1. The state board of pharmacy consisting of five members
3 appointed by the governor is hereby created.
4 2. Appointees shall be competent registered pharmacists actively
5 engaged in the practice of pharmacy in this state and shall have had at
6 least [10] 5 years' experience as registered pharmacists in this state. Not
7 more than [two] three members may be appointed from any one county.
8 3. *Composition of the board shall be representative of community*
9 *practice and hospital practice of pharmacy.*
10 SEC. 2. Chapter 639 of NRS is hereby amended by adding thereto
11 the provisions set forth as sections 3 and 4 of this act.
12 SEC. 3. *The operation of a pharmacy in conjunction with a hospital*
13 *shall meet the following requirements:*
14 1. *In hospitals with 100 or more beds, the pharmacy shall be under*
15 *the continuous supervision of a pharmacist during the time it is open for*
16 *pharmaceutical services.*
17 2. *In hospitals with less than 100 beds, the services of a pharmacist*
18 *may be on less than a full-time basis, depending upon the needs of the*
19 *hospital, and pursuant to the regulations and recommendations of the*
20 *state board of pharmacy and the board of hospital trustees charged with*
21 *the administration and control of such hospital.*
22 3. *In the absence of a pharmacist from the hospital, a person desig-*
23 *nated by the pharmacist may obtain from the pharmacy necessary doses*
24 *of such drugs as are ordered by a medical practitioner and needed by a*
25 *patient in an emergency.*

1 4. The pharmacist in charge of the pharmacy shall initiate procedures
2 to provide for administration and technical guidance in all matters per-
3 taining to the acquiring, stocking, recordkeeping and dispensing of drugs
4 and devices.

5 SEC. 4. 1. A pharmaceutical technician may perform the following
6 functions only if under the direct supervision of a registered pharmacist
7 in conjunction with hospital inpatient pharmaceutical services:

- 8 (a) Counting, pouring and prepackaging of drugs;
- 9 (b) Typing and affixing of labels; and
- 10 (c) Recordkeeping.

11 2. The number of pharmaceutical technicians in a pharmacy shall not
12 exceed the number of registered pharmacists.

Do Not Pass

A. C. R. 6

ASSEMBLY CONCURRENT RESOLUTION NO. 6—
MR. BANNER (by request)

FEBRUARY 14, 1973

Referred to Committee on Health and Welfare

SUMMARY—Expresses the attitude of the legislature concerning the services of barbers and cosmetologists. (BDR 855)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

ACR
6

ASSEMBLY CONCURRENT RESOLUTION—Expressing the attitude of the legislature concerning the services of barbers and cosmetologists.

1 WHEREAS, There exist substantial differences between the practices,
2 training and tools used in the cutting and styling of men's hair and beards
3 in contrast to the practices, training and tools used in cutting women's
4 hair; and

5 WHEREAS, The courses of training in barber colleges and cosmetology
6 colleges are remarkably and substantially different in preparing their
7 prospective members to serve the public, not only in the use of the
8 razor and scissors, but also in the methods and manner of treating or
9 conditioning hair, in the styling of short or long hair and, most impor-
10 tantly, in the curriculum and amount of time in training given to the
11 shaving of the beard and the cutting of men's and women's hair; now,
12 therefore, be it

13 *Resolved by the Assembly of the State of Nevada, the Senate concur-*
14 *ring,* That the legislature determines it in the best public interest, for
15 the protection of the health, safety and welfare of the citizens of Nevada,
16 to keep separate the professions practiced by barbers and cosmetologists,
17 and the required training; and be it further

18 *Resolved,* That there should exist a separation of the professions prac-
19 ticed by barbers and cosmetologists in order for each profession to more
20 particularly and precisely train its potential members in the arts and skills
21 necessary to their respective profession; and be it further

22 *Resolved,* That the cutting of men's and male children's hair should be
23 permitted only by licensed barbers in licensed barber shops; and be it
24 further

25 *Resolved,* That the distinctions and differences between the two profes-
26 sions should remain as long as the colleges of barbering and cosmetology
27 instruct and teach different subjects, the use of different tools and give

1 different amounts of time and instruction to different subjects involved in
2 their respective professions; and be it further

3 *Resolved*, That there should exist a separation of barbershops and cos-
4 metological establishments and the services they offer to the public, or at
5 least a separation of the areas in which such services are performed so as
6 to indicate clearly to the public what kinds of service are or may be
7 obtained at any particular location and clearly to separate these services.

1 adopted by the board, shall make a determination of the applicant's quali-
2 fications as an emergency medical technician, and shall issue an emer-
3 gency medical technician certificate to each qualified applicant.

4 4. An emergency medical technician certificate shall be valid for a
5 period not exceeding 2 years and may be renewed if the holder meets the
6 qualifications set forth in the rules, regulations and standards establishe
7 by the board pursuant to this chapter.

8 5. The health division may suspend or revoke an emergency medica
9 technician certificate if, after reasonable notice and opportunity for a
10 hearing, it is determined that the holder no longer meets the prescribed
11 qualifications. The holder has the right of appeal to the board, subject to
12 judicial review as provided in chapter 233B of NRS.

13 SEC. 20. 1. The health division may, at its discretion, issue:

14 (a) A provisional license; or

15 (b) An emergency medical technician certificate,
16 to an individual who does not meet the qualifications established pursuan
17 to this chapter, if the health division determines that such issuance wil
18 be in the public interest.

19 2. A provisional license or provisional emergency medical technicia
20 certificate shall not be valid for more than 1 year from the date of issu
21 ance. A provisional license is renewable.

22 SEC. 21. 1. The health division may issue permits for the operatio
23 of ambulance service and air ambulance service.

24 2. Each permit shall be evidenced by a card issued to the permit
25 holder.

26 3. No permit shall be issued unless the applicant is qualified unde
27 rules and regulations of the board.

28 4. An application for a permit shall be made upon forms prescribed
29 by the board and in accordance with procedures established by the board
30 and shall contain the following:

31 (a) The name and address of the owner of the ambulance service or
32 air ambulance service or proposed service;

33 (b) The name under which the applicant is doing business or propose
34 to do business;

35 (c) A description of each ambulance or air ambulance, including the
36 make, model, year of manufacture, motor and chassis numbers, and the
37 color scheme, insignia, name, monogram or other distinguishing charac-
38 teristics to be used to designate the applicant's ambulance or air ambu-
39 lance;

40 (d) The location and description of the place or places from which the
41 ambulance or air ambulance service is intended to operate; and

42 (e) Such other information as the board shall deem reasonable and
43 necessary to a fair determination of compliance with the provisions of
44 this chapter.

45 5. The board may establish an annual permit fee not to exceed \$10.

46 6. All permits shall expire on July 1 following the date of issue, and
47 are renewable annually thereafter upon payment of the fee required by
48 subsection 5 at least 30 days prior to the expiration date.

1 7. The health division may revoke, suspend or refuse to renew any
2 permit to operate an ambulance or air ambulance service for violation of
3 any provision of this chapter or of any rule or regulation promulgated by
4 the board.

5 8. No revocation, suspension or refusal may be made without the
6 concerned permitholder's having been afforded an opportunity for a public
7 hearing before the board in the matter prior to such time as any suit is
8 filed in court for violation of this chapter or the rules and regulations
9 issued hereunder. The board shall issue regulations and procedures for
10 the conduct of hearings required by this subsection, and determinations
11 are subject to judicial review pursuant to chapter 233B of NRS.

12 9. The health division may suspend a permit if the permitholder is
13 using an ambulance or air ambulance which does not meet the minimum
14 equipment requirements as established by the board pursuant to this
15 chapter.

16 10. The issuance of a permit under this section or section 22 of this
17 act does not authorize any person, firm, corporation, association or gov-
18 ernment entity to provide ambulance or air ambulance services or to
19 operate any ambulance or air ambulance not in conformity with any ordi-
20 nance or regulation enacted by any county, municipality or special pur-
21 pose district.

22 SEC. 22. The board may issue provisional permits limited as to time,
23 place and purpose, based on the need therefor. No provisional permit may
24 be issued for a period of time longer than six months. The board may
25 establish a reasonable fee for such provisional permits.

26 SEC. 23. Subsequent to issuance of any permit to an ambulance serv-
27 ice or air ambulance service under sections 21 and 22 of this act, the
28 health division shall cause to be inspected the ambulances, aircraft, equip-
29 ment, personnel, records, premises and operational procedures of such
30 ambulance service or air ambulance service whenever such inspection is
31 deemed necessary, but no less frequently than once each year. The peri-
32 odic inspection required by this section is in addition to any other state
33 or local safety or motor vehicle inspection required for ambulances, air-
34 craft or motor vehicles under general law or ordinances.

35 SEC. 24. The public or private owner of an ambulance or air ambu-
36 lance shall not permit its operation and use without the equipment
37 required by regulations and standards of the board.

38 SEC. 25. A person, firm, corporation, association or government
39 entity shall not engage in the operation of any ambulance or air ambu-
40 lance service in Nevada without a currently valid permit for such service
41 issued by the health division.

42 SEC. 26. A person shall not serve as an attendant on any ambulance
43 or air ambulance unless he holds a currently valid license as an attendant
44 issued by the health division, except as otherwise provided pursuant to
45 the provisions of this chapter.

46 SEC. 27. 1. The public or private owner of an ambulance or air
47 ambulance shall not permit its operation and use by any person not
48 licensed under this chapter, except as provided in subsection 4.

1 2. Every ambulance when carrying a sick or injured patient shall be
2 occupied by a driver and an attendant, both of whom shall be licensed as
3 attendants under the provision of this chapter, except in geographic areas
4 which may be designated by the board.

5 3. Every air ambulance when carrying a sick or injured patient shall
6 be occupied by a licensed attendant in addition to the pilot of the aircraft.

7 4. The pilot of an air ambulance is not required to have a license
8 under this chapter.

9 SEC. 28. Each permit holder for an ambulance or air ambulance service
10 shall maintain accurate records upon such forms as may be provided
11 by the health division and containing such information as may be reasonably
12 required by the board concerning the transportation of each patient
13 within this state and beyond its limits. Such records shall be available for
14 inspection by the health division at any reasonable time and copies
15 thereof shall be furnished to the health division upon request. Such records
16 does not constitute a diagnosis, and a legal signature is not required on
17 forms dealing with the type of injury sustained by a particular patient.

18 SEC. 29. The issuance of a permit does not authorize any person, firm,
19 corporation or association to provide ambulance services or to operate
20 an ambulance without a franchise or permit in any county or incorporated
21 city which has enacted an ordinance making it unlawful to do so.

22 SEC. 30. The following are exempted from the provisions of this
23 chapter:

24 1. The occasional use of a vehicle or aircraft to transport injured or
25 sick persons, which vehicle or aircraft is not ordinarily used in the business
26 of transporting persons who are sick or injured.

27 2. A vehicle or aircraft rendering services as an ambulance or air
28 ambulance in case of a major catastrophe or emergency when ambulance
29 or air ambulance services with permits are insufficient to render the services
30 required.

31 3. Persons rendering service as attendants in case of a major catastrophe
32 or emergency when licensed attendants cannot be secured.

33 4. Ambulances or air ambulances based outside this state, except that
34 any such ambulance or air ambulance receiving a patient within this state
35 for transport to a location within this state shall comply with the provisions
36 of this chapter.

37 5. Attendants based outside this state.

38 6. Vehicles owned and operated by search and rescue organizations
39 chartered by the state as corporations not for profit or otherwise existing
40 as nonprofit associations which are not regularly used to transport injured
41 or sick persons except as part of rescue operations.

42 7. Ambulances or air ambulances owned and operated by an agency
43 of the United States Government.

44 SEC. 31. 1. This act does not preclude local authorities from adopting
45 more restrictive rules or regulations than those adopted by the board
46 pursuant to the provisions of this chapter.

47 2. No local authority may adopt rules or regulations less restrictive
48 than those established by the board.

1 3. The board shall determine whether local rules and regulations are
2 less or more restrictive than those adopted by the board.

3 SEC. 32. No county or city may operate an ambulance service, or
4 contract to have another operate an ambulance service, in violation of this
5 chapter or the rules or regulations promulgated under this chapter.

6 SEC. 33. The health division may operate training programs and may
7 contract with others to operate training programs for ambulance attend-
8 ants, ambulance service operators, firemen, law enforcement officers,
9 physicians, nurses and others in emergency first aid, emergency care and
10 any other techniques associated with emergency care, transportation and
11 treatment of the sick and injured and the proper operation of an ambu-
12 lance service.

13 SEC. 34. Any person who violates any of the provisions of this chap-
14 ter is guilty of a misdemeanor.

15 SEC. 35. A current, valid license issued to any ambulance driver or
16 ambulance attendant pursuant to the provisions of former chapter 450A
17 of NRS shall remain valid until its expiration date and shall be considered
18 equivalent to a license issued under the provisions of sections 2 to 34,
19 inclusive, of this act.

20 SEC. 36. NRS 202.590 and chapter 450A of NRS are hereby
21 repealed.

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