

SENATE COMMITTEE ON  
HEALTH, WELFARE AND STATE INSTITUTIONS

MINUTES OF MEETING # 19

MARCH 30, 1973

The meeting convened at 8:40 a.m.

Senator Walker in the chair.

PRESENT: Senators Swobe  
Herr  
Drakulich  
Raggio  
NEAL

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

NRS 446.020 -- Requested amendment presented by Mr. Milos Terzich, representing Daner Food Products.

Mr. Terzich requested a bill be drafted pertaining to the above statute, which would make non-profit food venders such as service clubs, etc., susceptible to inspection by the State Health Department - an inspection from which they are currently exempt. See Exhibit B hereto attached for detail and specific language of amendment.

The committee so agreed.

AB 365 Extensively amends chapter 630 of NRS relating to the regulation of the practice of medicine.

Mr. Robinson, State Health Department, spoke in favor of this bill, and urged the committee to pass same. Refer to Exhibit C, hereto attached.

Dr. McClean also spoke in favor of this bill, stating that it covers all the areas of controversy presented in its sister bill, SB 274, and presents those areas in a comparable manner, which should be to everyone's liking.

After discussing this bill, Senator Drakulich moved "Do Kill" SB 274; motion was seconded, and duly carried.

Senator Drakulich then moved for a "Do Pass" on AB 365, - motion duly carried. Note was made of the amendments requested by the optometrists, podiatrists, dentists, and hearing aid specialists. (The same as those submitted for SB 274 - refer to minutes #11).

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

Dr. La Cicero testified against passage of this bill, on the grounds that Nevada might lose its accreditation if non-medical personnel were to be hired. Also, he stated that we need more psychiatric help - having a layman in an administrative capacity only creates confusion, and lends to the breakdown of such an organization.

Dr. Norris also spoke against this bill, emphasizing the effect or possible effect it could have on the treatment of those hospitalized who needed the consultation and prescriptive attention of an M.D. He stated that 70% of all schizophrenics were treated (successfully) with drugs. This treatment would have to be prescribed by an M.D. Further, that 80% were treated with electro-shock therapy ...a therapy he strongly advocates, having given "tens of thousands" of these type treatments. He objected to the fact that this bill gives administrative powers to make medical decisions.

Dr. Gould, psychiatrist, did not agree with the previous testimony, rather advocated administrative personnel be considered who were without medical or psychiatric degrees.

Mr. Roger Trounaday, Director of Health, Welfare and Rehabilitation, spoke again in favor of this bill, stating that Dr. Norris' objections were covered in the bill, referring the committee to page 11, line 16, which states that "... (the medical director) shall be a licensed M.D., and shall... undertake diagnostic or medical ...procedure in the interest of the patient. (.given) only when the patient is incompetent or in a life-threatening medical emergency situation. The decision shall be arrived at only after consulting and with the approval of two other licensed physicians..."

Senator Drakulich moved for a "Do Pass" as amended, Senator Herr seconded the motion, and it was so carried.

SB 384: Changes law governing the licensing and conduct of psychologists.

After discussion, Senator Herr Moved "Do Pass", as amended, Senator Drakulich seconded the motion, and it was so carried.  
Refer to Exhibit D hereto attached, for detail of amendments.

Senate

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SB 492 Provides for Advanced Emergency Medical Technicians.

In lieu of SB 454, SB 492 was decided to be superfluous and therefore moved by Senator Drakulich to "Do Kill", seconded by Senator Herr, and duly carried.

SB 454: Revises and expands regulatory provisions relating to emergency medical services.

Senator Raggio moved for a "Do Pass" as amended on SB 454, seconded by Senator Drakulich, and so carried.

SB 386 Extends medical regulation of laboratories previously exempt from regulation.

Senator Drakulich moved "Do Pass", Senator Raggio seconded, and motion was carried.

The meeting adjourned at 10:40 a.m.

Respectfully submitted,

Jo Ann N. Hughes, Secretary

APPROVED:

Lee E. Walker, Chairman

Date \_\_\_\_\_  
Meeting # \_\_\_\_\_  
Agenda \_\_\_\_\_

..... Room 345 .....

# Print Plainly

NO WRITING PLEASE!

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS Bill	(v) Observ
Wayne Pearson			✓ 384	384
ROBERT WHITTEMORE				
Harrie F. Hess			✓ 384	384
Don Molde			✓ 384	384 ✓
BRYCE RHODES			DB 365	365 -
H. F. MACLEAN M.D.	NEV. STATE BD. OF MEDICAL EXAMINERS		DB 365	365
Milos Tenzich	Danner Food Products			
ROGER TROUNDAY	WELFARE DIRECTOR - DEPT HEALTH	882-7593	AB 511	511
Raul Fuzazotto	Director Bureau of Lab & Res	784-6456	SB 386	386
W. M. EDWARDS	Nev. State Health Division	882-7458	SB 454	454
Dr. Gwen O'Bryan	Mental Hygiene and Mental Retardation	784-6432	SB 511	
JOSEPH P. NORRIS, M.D.	MENTAL HEALTH INSTITUTE	322 6961	SB 511	
VICTOR J. LOCICERO, M.D.	MENTAL HEALTH INSTITUTE	322-6961	SB 511	
NELSON B. NEEF	NEV. STATE MED ASSN	825 6788		✓
Ken SHARIGIAN	Rural Clinics	322-6961	SR-511	✓
Robert Edmondson	Emergency Medical Coordinator	882-7728	✓ 492, 454 + 365	
James Fairfield	Chief Mineral County F.D.	945-2942	454	
MIKE WASH	NEV. DIV. of HEALTH	882-7458		✓

Friday 7/30/73

Senate Commission on Nevada  
Welfare & State Institutions

NAME	DEPARTMENT AND POSITION OR TITLE	Phone	(v) WITNESS	Bill #	(v) Observ
Reba Chappell	E.M.S. Coordinator So. Nev.	385-1291 X294	✓	454	
William Southard	Lyon County Fire Marshal	463-2261	✓	454	
Tim Holdridge	N/W NEVADA E.M.S. COUNCIL	785-4305	L	454	
Sgt. Fred Keiper	Washoe Co. Sheriff's Dept.	785 6220	L	454	
Juanita Blakenship	Clark County	386-4011 X389		454	✓
RICHARD KING	Office of Hwy Safety	PP2-7307			✓
John W. Borda	"	"			"
Leslie H. Gould MD	Psychiatrist Reno	323-0351	L	511	
Ann Ehrenburg	REVIEW-JOURNAL	385-4241			✓
DOROTHY BUTTON	NEV. NURSES' ASSN	322-0486	✓	AB 365	
JEAN T. PEAVY	BOARD of NURSING	786-2778			L

Exhibit A.

SUBJECT:

(N. R. S. 446.020)

THIS BILL WAS ORIGINALLY PASSED IN 1961, TO HELP PROTECT THE LOCAL CHURCH ORGANIZATIONS, SPONSORING CHARITABLE FUND RAISING EVENTS.

THROUGHOUT THE PAST 12 YEARS, THIS BILL HAS NEVER BEEN UPGRADED OR CHANGED TO ACCOMODATE THE GROWTH OF NEVADA, WITH ITS EVER INCREASING SPECIAL EVENTS YEARLY.

THE LAWS ARE MADE TO PROTECT THE PEOPLE, BUT AT THE PRESENT TIME, WITH THE EXISTING NEVADA LAWS PROTECTING THE NON-PROFIT ORGANIZATIONS, THE GENERAL PUBLIC HAS NO PROTECTION FROM FOOD HANDLING AND CONTAMINATION.

AFTER CONSULTING WITH SEVERAL EMPLOYEES, EMPLOYED WITH THE CITY LICENSING, COUNTY LICENSING, SALES TAX COMMISSION, STATE AND COUNTY BOARD OF HEALTH, THESE FEELINGS ARE MUTUAL. THE ONLY RESTRICTION THAT THESE PEOPLE HAVE IS THE LAW, THAT FORBIDS THEM TO ENFORCE STRICT REGULATIONS ON ANY TYPE OF NON-PROFIT ORGANIZATION EVENTS.

FOUR EXAMPLES OF REQUIREMENTS NON-PROFIT ORGANIZATIONS HAVE BEEN EXEMPT FROM ARE:

- (1) CITY BUSINESS LICENSE FOR CONSESSION WORK.
- (2) RENO BUSINESS LICENSE FOR SPECIAL EVENTS.
- (3) NEVADA SALES TAX, SALES FROM SPECIAL EVENTS.
- (4) RESPONSIBILITY FOR PRODUCT LIABILITY.

ALL REQUIREMENTS THAT THE LICENSED CONCESSIONAIRE HAS TO COMPLY TO:

- (1) CITY AND COUNTY LICENSE FOR SPECIAL EVENTS.
- (2) CITY AND COUNTY SPECIAL EVENT BEER LICENSE, SUBJECT TO COUNCIL APPROVAL. (BEER LICENSE APPLICANTS MUST APPLY WITH THE LOCAL POLICE DEPARTMENT, AND BE FINGER PRINTED BEFORE LICENSE CAN BE ISSUED.)
- (3) APPLICATION AND NOTIFICATION, TO NEVADA SALES TAX COMMISSION.
- (4) A FOOD HANDLERS CARD, OBTAINED FROM THE LOCAL BOARD OF HEALTH FOR ALL EMPLOYEES WORKING AROUND FOOD.
- (5) PRODUCT LIABILITY INSURANCE COVERAGE FOR ALL FOOD SOLD FROM CONCESSIONS.
- (6) PUBLIC LIABILITY FOR ANY PROPERTY DAMAGE CAUSED BY THE CONCESSIONAIRE.
- (7) STRICT HEALTH DEPARTMENT REQUIREMENTS, REGARDING CONCESSIONS AND FOOD HANDLING, FOR SPECIAL EVENTS.
- (8) FEDERAL WITHOLDING AND INSURANCE BENEFITS, FOR EMPLOYEES.
- (9) STATE UNEMPLOYMENT INSURANCE BENEFITS.
- (10) YEARLY BUSINESS COSTS, SUCH AS RENT, UTILITYS, SALARIES, TAXES, AND GENERAL BUSINESS LICENSESES.

THESE ARE JUST SOME OF THE ITEMS A CONCESSIONAIRE IS DISCRIMINATED AGAINST WHEN COMPETING AGAINST A NON-PROFIT ORGANIZATION, FOR FOOD SALES.

(WHY IS THERE SUCH A LAW WRITTEN IN THE NEVADA STATE STATUES PERMITTING THIS KIND OF PRACTICE TO GO ON?)

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Exhibit B  
P 147 349

Section 1. NRS 446.020 is hereby amended

to read as follows:

**446.020 "Food establishment" defined.**

1. "Food establishment" means any place, structure, premises, vehicle or vessel, or any part thereof, in which any food intended for ultimate human consumption is manufactured or prepared by any manner or means whatever, or in which any food is sold, offered or displayed for sale, or served.

2. This definition shall not be construed to include:

- (a) Private homes *] or private functions at which the general public is not served.*
- (b) Fraternal or social clubhouses attendance at which is limited to club members.
- (c) Vehicles operating on common carriers engaged in interstate commerce.
- (d) Premises *Private premises* on which religious, charitable and other nonprofit organizations sell food for the purpose of raising funds *] on a non-competitive basis.*
- (e) Any slaughter establishment which is regulated and inspected by the state department of agriculture.

~~{Part 1:116:1943, 1943 NCL § 5319} (NRS A-1960, 295, 1963, 758, 1969, 803, 991)~~

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Robinson

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STATE OF NEVADA  
COMPREHENSIVE HEALTH PLANNING

ROOM 210, THREE H BUILDING  
NORTH CARSON AND ADAMS STREETS  
CARSON CITY, NEVADA 89701  
TELEPHONE (702) 882-7728

MIKE O'CALLAGHAN  
GOVERNOR

THOMAS E. WILSON  
COMPREHENSIVE HEALTH PLANNER

March 28, 1973

STATEMENT

by

STATE COMPREHENSIVE HEALTH PLANNING

on

A.B. 365

The Nevada State Comprehensive Health Planning agency strongly supports passage of A.B. 365 as amended. We believe the provisions contained in the bill for certification of physician assistants will permit improving the level of health care in rural and urban areas alike.

For instance, the provision will allow for the continuation in services being performed by a physician assistant trainee in Tonopah where only two physicians are available to serve an area covering tens of thousands of square miles. A second physician assistant trainee is slated to be stationed in Lander County on May 1. A third is scheduled to be sent to Boulder City where only three physicians are available to serve more than 6,000 permanent residents and tens of thousands of visitors to the Lake Mead Recreation Area.

If the provision is not approved, these physician assistant trainees will be forced to leave Nevada upon completion of their nine-month training period. As a result, the level of available health care in Nevada will be reduced.

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Exhibit C  
A 1 of 1



I am Dorothy Button. I live at 1590 Hillside Drive in Reno.

I am chairman of the Nevada Nurses' Association Committee on Legislation. The Nevada Nurses' Association is the professional organization of registered nurses.

I am speaking in favor of A.B. 365 in reference to its' provisions that pertain to physician's assistants. A.B. 365 is much more specific than S.B. 274 and therefore, provides greater protection to the public. The Nevada Nurses' Association urges you to pass A.B. 365 and to kill S.B. 274.

Thank you.

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SB 384

PSYCHOLOGISTS

641.010

GENERAL PROVISIONS

641.010 Legislative declaration: Practice of psychology declared a profession. The practice of psychology is hereby declared to be a learned profession, affecting public safety and welfare and charged with the public interest, and therefore subject to protection and regulation by the state.

(Added to NRS by 1963, 187)

641.020 Definitions. Unless otherwise indicated by the context, words and phrases or variants thereof employed in this chapter shall be construed and given meanings, for the purpose of this chapter, in accordance with the following definitions:

- 1. "Board" means the board of psychological examiners.
- 2. "Certificate" means a certificate of registration as a psychologist.
- 3. "Certificatee" means a person certified as a psychologist by the board.

4. "Person" means any individual, partnership, association or corporation.

5. "Practice of psychology" means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of personnel evaluation, group relations and behavior adjustment [by persons trained in psychology.] The application of such principles includes, but is not restricted to:

(a) Counseling and the use of psychotherapeutic measures, including hypnosis, with persons or groups with adjustment problems in the areas of work, family, school or personal relationships.

(b) Measuring the testing of personality, intelligence, aptitudes, emotions, public opinion, attitudes and skills.

(c) Doing research on problems relating to human behavior.

6. "Psychologist" means a person who describes himself, or his services, to the public by any title or description which incorporates the word "psychological," "psychologist" or "psychology," [and under such title offers to render or renders services] or who offers to render or renders psychological services to individuals, partnerships, associations, corporations or other members of the public for remuneration.

(Added to NRS by 1963, 187)

BOARD OF PSYCHOLOGICAL EXAMINERS

641.030 Board of psychological examiners: Creation. There is hereby created the board of psychological examiners which shall administer and enforce the provisions of this chapter.

(Added to NRS by 1963, 188)

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641.040 Members: Number; appointment. The board shall consist of five members appointed by the governor. The governor shall appoint the members of the board from any persons qualified under the provisions of this chapter. In appointing the members, the governor shall use his judgment to select psychologists who represent as widely as possible the varied professional interests of psychologists in Nevada. For his guidance in making appointments, the governor may request lists of qualified psychologists from the Nevada Psychological Association.

(Added to NRS by 1963, 188)

641.050 Members: Terms of office; vacancies.

1. Of the members first appointed, one shall be appointed for 1 year, one for 2 years, one for 3 years, and two for 4 years. Thereafter all members shall be appointed for terms of 4 years. Members shall serve until their successors have been appointed and have qualified.

2. Vacancies on the board shall be filled by appointment by the governor for the unexpired term.

(Added to NRS by 1963, 188)

641.060 Members: Qualifications. No person shall be eligible for appointment or to hold office as a member of the board unless he is:

1. A citizen of the United States.

2. A resident of Nevada.

3. A certified psychologist under the provisions of this chapter, except for members of the first appointed board, who shall be residents of Nevada holding a doctoral degree in psychology from an institution whose credits are acceptable to the University of Nevada.

(Added to NRS by 1963, 188)

641.070 Meetings; quorum. The board shall hold a regular meeting at least once a year. The board shall hold a special meeting upon a call of the president or upon a request by a majority of the members. Four members of the board shall constitute a quorum.

(Added to NRS by 1963, 188)

641.080 Officers. At the regular annual meeting, the board shall elect from its membership a president and a secretary-treasurer, who shall hold office for 1 year and until the election and qualification of their successors.

(Added to NRS by 1963, 188)

641.090 Duties of secretary-treasurer; board records.

1. The secretary-treasurer shall make and keep, on behalf of the board, the following:

(a) A record of all meetings and proceedings.

(b) A record of all violations and prosecutions under the provisions of this chapter.

(c) A record of all examinations of applicants.

(d) A register of all certificates.

(e) A register of all certificate holders.

(f) An inventory of the property of the board and of the state in the board's possession.

2. All records of the board shall be kept in the office of the board and shall be subject to public inspection, during normal working hours, upon reasonable notice.

(Added to NRS by 1963, 188)

641.109 Rules and regulations. The board may make and promulgate rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and certification of applicants, the granting, refusal, revocation or suspension of certificates, and the practice of psychology.

(Added to NRS by 1963, 189)

641.110 General powers of board. The board may, under the provisions of this chapter:

1. Examine and pass upon the qualifications of the applicants for certification.

2. Certify qualified applicants.

3. Revoke or suspend certificates.

4. Collect all fees and make disbursements pursuant to this chapter.

(Added to NRS by 1963, 189)

641.120 Evaluation of schools, courses of study. The board shall determine which schools in and out of this state do or do not have courses of study for the preparation of psychologists which are sufficient and thorough for certification purposes. Published lists of educational institutions accredited by recognized accrediting organizations may be used in the evaluation of such courses of study.

(Added to NRS by 1963, 189)

641.130 Board may administer oaths, take testimony. The board may administer oaths and take testimony in connection with the exercise of other powers conferred upon it in this chapter.

(Added to NRS by 1963, 189)

641.140 Compensation, expenses of members.

1. A member of the board shall be entitled to receive as compensation the sum of \$75 for each day actually spent in the performance of his duties as such, and shall also be entitled to receive his necessary actual expenses in going to, attending and returning from meetings.

2. Compensation and expenses of members shall be payable out of the funds derived from fees, fines and penalties paid or transmitted to the board under provisions of this chapter, and no part thereof shall ever be paid out of the state treasury.

(Added to NRS by 1963, 189)

#### LIAISON COMMITTEE

641.150 Liaison committee: Membership; purposes; meetings.

1. Two members of the board of psychological examiners and two members of the board of medical examiners shall be appointed by the respective boards to serve as members of a formal liaison committee. The terms of appointment for members of the committee shall coincide with their terms of appointment on their respective boards of examiners. When a vacancy on the committee occurs, the board of examiners which appointed the vacating member shall appoint his successor.

2. The committee shall meet in formal session at least once a year and at such additional times as shall be requested by the board of psychological examiners or the board of medical examiners.

3. The purpose of the committee is to:

- (a) Discuss problems of concern to the two professions;
- (b) Coordinate their activities; and
- (c) Assure the protection of the public.

4. Members of the committee shall have:

- (a) Access to the records of the board of psychological examiners;
- (b) The right to attend meetings of the board of psychological examiners; and
- (c) The right to make recommendations to both boards to further interprofessional relationships between the two professions and to assure the protection of the public.

(Added to NRS by 1963, 194)

#### CERTIFICATION

641.160 Application for certification. Each person desiring a certificate shall make application to the board upon a form, and in a manner, prescribed by the board. The application shall be accompanied by the application fee prescribed by the board.

(Added to NRS by 1963, 191)

641.170 Applicant's qualifications. Each applicant shall furnish evidence satisfactory to the board that he:

- 1. Is at least 21 years of age.
- 2. Is of good moral character.

PSYCHOLOGISTS

641.210

3. Is a citizen of the United States, or has declared his intention of becoming a citizen.

4. Has received a doctorate in psychology from an educational institution approved by the board, or has training deemed equivalent by the board in both subject matter and extent of training.

5. Has at least 1 year of post-doctoral experience satisfactory to the board.

(Added to NRS by 1963, 191)

641.180 Examinations. Each applicant for a certificate shall be given a written examination by the board on his knowledge of psychology. In addition, the board may require an oral examination. The examination shall be given at least once a year, and may be given more often if deemed necessary by the board. The examination shall be given at a time and place, and under such supervision, as the board may determine. A grade of 75 percent shall be a passing grade. The board may examine in whatever applied or theoretical fields it deems appropriate.

(Added to NRS by 1963, 191)

641.190 Reciprocity. The board may grant a certificate without any examination to any person certified or licensed by a board of psychological examiners of another state if the board determines that the requirements in such state are at least equivalent to the requirements of this chapter.

(Added to NRS by 1963, 191)

641.200 Exemption from Basic Science Act of 1951. Persons subject to the provisions of this chapter shall not be subject to the provisions of chapter 629 of NRS.

(Added to NRS by 1963, 191)

641.210 Waiver of examination, granting of certificates to certain applicants.

1. The board shall waive examination and grant a certificate to any applicant who:

(a) Has applied in writing to the board not later than July 1, 1964.

(b) Is a legal resident of this state and has been principally employed in or has practiced psychology in this state for a least 1 year immediately prior to July 1, 1964.

(c) Meets the requirements of subsections 1, 2, 3 and 4 of NRS 641.170.

(d) Has:

(1) A doctorate degree in psychology from an educational institution approved by the board, or a doctorate degree deemed equivalent by the board in both subject matter and extent of training, and has had at least 2 years of professional experience considered qualifying by the board; or

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(1963)

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(3) A master's degree in psychology from an educational institution approved by the board and at least 5 years of professional experience subsequent to the degree considered qualifying by the board.

(c) Pays to the board the certification fee required by this chapter.

2. All professional experience considered qualifying by the board shall have been accumulated no later than 1 year following July 1, 1963.

(Added to NRS by 1963, 191)

641.220 *Fees, fee requirements following certification.* Every person certified by the board shall be required to submit biennially a completed registration form and pay the biennial registration fee provided for in this chapter.

(Added to NRS by 1963, 192)

#### DENIAL, SUSPENSION AND REVOCATION OF CERTIFICATES

641.230 *Causes for disciplinary action.* The board shall refuse to grant a certificate, or shall suspend or revoke a certificate, for any of the following reasons:

1. Conviction of a felony, or of any offense involving moral turpitude, the record of conviction being conclusive evidence thereof. The board may inquire into the circumstances surrounding the commission of the offense in order to fix the degree of discipline advisable, or to determine if such a conviction is an offense involving moral turpitude.

2. Habitual drunkenness or addiction to the use of morphine, opium, cocaine or other drugs having a similar effect.

3. Impersonating a certified psychologist or allowing another person to use his certificate.

4. Using fraud or deception in applying for a certificate or in passing the examination provided for in this chapter.

5. Accepting commissions, rebates or other forms of remuneration for referring clients to other professional persons.

6. Rendering or offering to render services outside the area of his training, experience or competence.

7. Committing unethical practices contrary to the interest of the public as deemed by the board.

8. Entering into nonprofessional relationships with clients as deemed by the board.

9. Unprofessional conduct as deemed by the board.

(Added to NRS by 1963, 192)

641.240 *Methods of discipline.* The board may discipline the holder of any certificate, whose default has been entered or who has

been heard by the board and found guilty, by any of the following methods:

1. Placing him upon probation for a period to be determined by the board.
  2. Suspending his certificate for a period not exceeding 1 year.
  3. Revoking his certificate.
- (Added to NRS by 1963, 192)

**641.250 Complaint: Contents.** A complaint may be made against a certificatee by an agent or inspector employed by the board, any other certificatee or any aggrieved person, charging one or more of the causes for which such certificate may be revoked or suspended with such particularity as to enable the defendant to prepare a defense thereto.

(Added to NRS by 1963, 192)

**641.255 Complaint: Signature; verification; filing.** A complaint shall be made in writing and shall be signed and verified by the person making it. The original complaint and two copies shall be filed with the secretary-treasurer.

(Added to NRS by 1963, 192)

**641.270 Hearing: Time; notice.** As soon as practicable after the filing of a complaint, the board shall fix a date for the hearing thereof, which date shall be not less than 30 days thereafter. The secretary-treasurer shall immediately notify the defendant certificatee of the complaint and the date and place fixed for the hearing thereof. A copy of the complaint shall be attached to the notice.

(Added to NRS by 1963, 192)

**641.280 Hearing procedure; rights of defendant.** The hearing of a complaint shall be conducted publicly by the board. The defendant certificatee shall be accorded the right to appear in person and by legal counsel, and shall be given adequate opportunity to confront the witnesses against him, to testify and introduce the testimony of witnesses in his behalf, and to submit argument and brief in person or by his counsel.

(Added to NRS by 1963, 192)

**641.290 Decision of board.** Upon conclusion of the hearing, or as soon as practicable thereafter, the board shall make and announce its decision.

(Added to NRS by 1963, 192)

**641.300 Rehearings: Time for application.** If the board revokes or suspends a certificate for a fixed time, the certificatee may apply for a rehearing within 10 days and the board may grant such application within 30 days thereafter.

(Added to NRS by 1963, 192)



641.319 Hearings: Notice; procedure; decision. If the board grants a rehearing, the secretary-treasurer shall immediately notify the certificatee of the date and place which the board has fixed for the rehearing, which date shall not be less than 10 days thereafter. The hearing shall be conducted in the same manner as the former hearing. Upon conclusion thereof, or as soon as practicable thereafter, the board shall make and announce its decision.

(Added to NRS by 1963, 193)

641.320 Reinstatement after certificate revocation. One year from the date of a revocation of a certificate, application may be made to the board for reinstatement. The board shall have complete discretion to accept or reject an application for reinstatement and may require an examination for such reinstatement.

(Added to NRS by 1963, 193)

641.330 Suspension of certificate: Insanity; mental illness. The adjudication of insanity or mental illness or the voluntary commitment or admission to a hospital of any certificatee for mental illness shall operate as a suspension of the right to practice of such certificatee, and such suspension shall continue until the certificate is restored by action of the board. The board shall not restore such certificate until it receives competent evidence of the certificatee's fitness to resume his practice.

(Added to NRS by 1963, 193)

#### FEEES AND REVENUE

641.340 Biennial registration fee. Each person holding a certificate as a psychologist in this state shall pay a biennial registration fee to the board on or before the 1st day of January of each odd-numbered year.

(Added to NRS by 1963, 193)

641.350 Automatic revocation of certificate for failure to pay registration fee. Failure to pay the biennial registration fee shall automatically effect a revocation of the certificate after a period of 60 days from the 1st day of January of each odd-numbered year. The certificate shall not be restored absent a written application and the payment of the biennial registration fee and the delinquency fee required by this chapter.

(Added to NRS by 1963, 193)

641.360 Reinstatement of certificate after lapse. After a certificate of a certificatee has lapsed for a continuous period of 3 years, such certificatee applying for reinstatement of a certificate, shall reapply for certification under the laws and regulations in effect at the time of reinstatement, his previous certification notwithstanding.

(Added to NRS by 1963, 193)

641.370 Fee schedule. The amount of the fees payable to the board pursuant to this chapter shall be fixed by the board according to the following schedule:

- 1. Examination fee .....\$25
  - 2. Certification fee ..... 15
  - 3. Biennial registration fee, not less than \$20 or more than \$80, as determined by the board.
  - 4. Restoration of a certificate revoked for nonpayment of the biennial registration fee, not less than \$20 nor more than \$80, as determined by the board.
  - 5. Application fee ..... 10
  - 6. Certification by endorsement under the provisions of NRS
- 641.190 ..... 50  
 (Added to NRS by 1963, 193)

641.380 Deposits of moneys in banks, saving associations; expenditures. All moneys coming into possession of the board shall be kept or deposited by the secretary-treasurer in banks or savings and loan associations in the State of Nevada to be expended for payment of compensation and expenses of board members and for other necessary or proper purposes in the administration of this chapter.  
 (Added to NRS by 1963, 194)

SCOPE OF REGULATION

641.390 Unlawful representations without certificate; use of titles by psychological scientists, trainees.

- 1. No person shall represent himself as a psychologist within the meaning of this chapter or engage in the practice of psychology as defined in paragraph 641.020, unless he is certified under the provisions of this chapter, except that any psychological scientist employed by an accredited educational institution or public agency which has set explicit standards may represent himself by the title conferred upon him by such institution or agency.
- 2. Nothing contained in this section shall be construed as granting approval for any person to offer his services as a psychologist to any other person as a consultant, and to accept remuneration for such psychological services, other than that of his institutional salary, unless he has been certified under the provisions of this chapter.
- 3. A student of psychology, a psychological intern, and any other person preparing for the profession of psychology under the supervision of a qualified psychologist in training institutions or facilities recognized by the board may be designated by the title "psychology trainee," or any other title which clearly indicates his training status.  
 (Added to NRS by 1963, 189)

641.400 Social psychologists; use of psychological tests, techniques.

- 1. Nothing in this chapter shall in any way restrict the use of the

term "social psychologist" by any person who has received a doctoral degree in sociology from an institution whose credits in sociology are acceptable to the University of Nevada, and who has passed comprehensive examinations in the field of social psychology as a part of the requirements for the doctoral degree, or has had equivalent specialized training in social psychology, and who has notified the board of his intention to use the term "social psychologist" and filed a statement of the fact demonstrating his compliance with this section.

[2. Nothing in this chapter shall be construed to prevent any person from using psychological tests or techniques if such person does not represent himself as a psychologist.]

2. Nothing in this chapter shall be construed to prevent qualified members of other professional groups such as medicine, law, dentistry, optometry, education, or social work from doing work of a psychological nature consistent with their training and consistent with any law or code of ethics governing their respective professions, provided, however, they do not hold themselves out to the public by any title or description incorporating the words "psychological," "psychologist" or "psychology."  
(Added to NRS by 1963, 189)

641.410 Practice by nonresidents; consultants. A psychologist, not a resident of Nevada and not certified in Nevada, who is certified in another state whose requirements for certification are equivalent to the requirements of this chapter shall not be subject to the provisions of this chapter if he does not practice psychology in the State of Nevada for over 30 days in any 1 calendar year, and if he is invited as a consultant by a psychologist certified in Nevada.

(Added to NRS by 1953, 190)

641.420 Use of "psychologist," "psychological," "psychology" limited. No person, other than a person certified under this chapter, may employ or use the title "psychologist," or the words "psychological" or "psychology" in connection with his work or engage in the practice of psychology as defined in Paras. 641.020, or in any way imply that he is certified by the board, unless he is certified under this chapter, except as specified in NRS 641.390, 641.400 and 641.410.  
(Added to NRS by 1963, 193)

641.430 Administration, prescription of drugs, practice of medicine, [optometry] prohibited; supervised psychotherapy; powers of board of medical examiners.

1. Nothing in this chapter shall authorize the administration or prescription of drugs, or authorize any person to engage in any manner in the practice of medicine [or optometry] as defined in the laws of this state. A psychologist who engages in psychological therapy, commonly called psychotherapy, shall [perform such services under the direct supervision of or in genuine collaboration with a qualified physician.] make adequate provision for the treatment of medical problems through appropriate medical consultation and/or referral. In the event of suspected violation of this section by any person certified under this

chapter, the board of medical examiners of the State of Nevada may conduct an investigation, to determine the facts surrounding the alleged violation. To assist the board of medical examiners in this investigation, the board of psychological examiners shall make available to the board of medical examiners any information in its possession bearing upon the alleged violation. Upon finding that a violation has in fact occurred, the board of medical examiners may either:

(a) recommend appropriate disciplinary action to the board of psychological examiners; or

(b) institute appropriate action in a court of law.

2. The board of medical examiners of the State of Nevada is empowered to review the application and any supporting documentation of a certificatee's qualifications which have been submitted to the board of psychological examiners, or any other evidence bearing upon a certificatee's qualifications to be certified as a psychologist in the State of Nevada; and may, on the basis of its review, recommend to the board of psychological examiners the suspension or revocation of the certificate of any certificatee deemed to be unqualified by the board of medical examiners. Upon such recommendation, the board of psychological examiners must review the certificatee's credentials to determine whether the certificate of the certificatee in question should be suspended or revoked or remain in effect.

(Added to NRS by 1963, 190)

#### PENALTIES

641.440 Penalties. Any person who violates any of the provisions of this chapter or, having had his certificate suspended or revoked, continues to represent himself as a psychologist or engages in the practice of psychology as defined in Paragraph 641.020, is guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not more than 6 months or by a fine of not more than \$500, or by both such fine and imprisonment. Each violation shall be deemed a separate offense.

(Added to NRS by 1963, 194)

3/30 #19

Kill

S. B. 274

SENATE BILL NO. 274—SENATOR MONROE

FEBRUARY 19, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Provides a physician's assistant program for the State of Nevada. Fiscal Note: No. (BDR 54-837)

confined  
B B 365  
A 3 116

3-7=  
Hold for B B 365  
A B 116

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

AN ACT relating to the practice of medicine, surgery and obstetrics; providing for the employment and supervision of physicians' assistants with the approval of the board of medical examiners of the State of Nevada; providing a penalty; 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 630 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

3 SEC. 2. 1. *The legislature finds that many communities in the State*  
4 *of Nevada are without the services of a physician and that the supply of*  
5 *physicians in many rural areas of the state is inadequate to meet the*  
6 *reasonably anticipated and the actual health requirements of the residents*  
7 *of such communities and areas.*

8 2. *The purpose of sections 2 to 7, inclusive, of this act is to promote*  
9 *a more comprehensive application of the skills of physicians in this state*  
10 *by enabling them to delegate certain of their health care responsibilities*  
11 *to qualified physicians' assistants under professionally approved circum-*  
12 *stances and in keeping with board standards.*

13 SEC. 3. *As used in this chapter, unless the context requires otherwise:*  
14 1. *"Employing physician" means a physician licensed in this state or*  
15 *in an adjoining state, who employs and supervises a physician's assistant*  
16 *with board approval.*

17 2. *"Physician's assistant" means a person who is a graduate of a*  
18 *board-approved program of health care training and who is approved by*  
19 *the board to perform medical services under the supervision of an*  
20 *employing physician.*

21 SEC. 4. *A physician's assistant may perform such medical services as*  
22 *the board has authorized, if such services are performed under the super-*  
23 *vision of an employing physician.*

24 SEC. 5. 1. *The board shall issue certificates of approval for programs*

See Section 1  
10/22/73  
C 10-11-6  
M. B. ...

1 of health care training for physicians' assistants, if such programs meet  
2 board standards.

3 2. In developing criteria for program approval the board shall give  
4 consideration to and encourage the utilization of equivalency and pro-  
5 ficiency testing and other means whereby full credit is given to persons in  
6 training for past education and experience in health fields.

7 3. The board shall adopt and publish standards to insure that such  
8 programs operate in a manner which does not endanger the health and  
9 welfare of the patients who receive services within the scope of the pro-  
10 grams.

11 4. The board shall, from time to time, review the quality of the cur-  
12 riculum, faculty and facilities of such programs to assure that standards  
13 prerequisite to its approval continue to be met.

14 5. The board shall not give preference to residents of Nevada nor to  
15 health care training programs conducted in Nevada in approving the  
16 employment of physicians' assistants.

17 SEC. 6. 1. The board shall establish guidelines for the consideration  
18 of applications by physicians licensed in this state or in an adjoining state  
19 to employ physicians' assistants.

20 2. Applications shall be made by physicians and may not be made by  
21 the person proposed by the physician to be employed as a physician's  
22 assistant.

23 3. Each application made to the board shall include information  
24 showing:

25 (a) The qualifications, including related experience, possessed by the  
26 proposed physician's assistant.

27 (b) The professional background and specialty of the applying physi-  
28 cian or physicians.

29 (c) A description by the physician of his practice and the way in which  
30 such assistant is to be employed and supervised.

31 4. Physicians licensed in an adjoining state shall attach to their appli-  
32 cations affidavits asserting that their supervision of proposed physicians'  
33 assistants in the care and treatment of their patients in Nevada will be  
34 marked by close telephone or radio communication.

35 SEC. 7. The board shall approve an application by a physician  
36 licensed in this state or in an adjoining state to employ and supervise a  
37 physician's assistant when the board finds that the proposed assistant is a  
38 graduate of an approved program and is fully qualified by reason of  
39 experience and education to perform medical services under the supervi-  
40 sion of such physician.

41 SEC. 8. NRS 630.030 is hereby amended to read as follows:

42 630.030 As used in this chapter, "unprofessional conduct" means:

43 1. Obtaining a certificate upon fraudulent credentials, or gross mis-  
44 representation.

45 2. Procuring, or aiding or abetting in procuring, criminal abortion.

46 3. Obtaining a fee on assurance that a manifestly incurable disease  
47 can be permanently cured.

48 4. Advertising medical business in which grossly improbable state-  
49 ments are made.

36  
21

1 5. Any advertising of any medicine or any means whereby the  
2 monthly periods of women can be regulated, or menses reestablished if  
3 suppressed.

4 6. Willful disobedience of the law, or of the rules and regulations of  
5 the state board of health.

6 7. Conviction of any offense involving moral turpitude or the con-  
7 viction of a felony. The record of the conviction shall be conclusive evi-  
8 dence of unprofessional conduct.

9 8. Administering, dispensing or prescribing any controlled substance  
10 as defined in chapter 453 of NRS, otherwise than in the course of legiti-  
11 mate professional practice and for the prevention, alleviation or cure of  
12 disease or for the relief of suffering, and not primarily for the purpose of  
13 catering to the cravings of an addict.

14 9. Conviction or violation of any federal or state law regulating the  
15 possession, distribution or use of any such controlled substance. The  
16 record of conviction shall be conclusive evidence of such unprofessional  
17 conduct.

18 10. Habitual intemperance or excessive use of alcohol or alcoholic  
19 beverages or any controlled substance as defined in chapter 453 of NRS.

20 11. Conduct unbecoming a person licensed to practice medicine or  
21 detrimental to the best interests of the public.

22 12. Violating, or attempting to violate, directly or indirectly, or assist-  
23 ing in or abetting the violation of or conspiring to violate any provision or  
24 term of this chapter.

25 13. Employing, directly or indirectly, any suspended or unlicensed  
26 practitioner in the practice of any system or mode of treating the sick or  
27 afflicted, or the aiding or abetting of any unlicensed person to practice  
28 medicine as defined in this chapter. *For the purposes of this section, a*  
29 *physician's assistant is not considered an unlicensed practitioner or per-*  
30 *son.*

31 14. Gross negligence in the practice of any phase of the profession.

32 15. The adjudication of insanity by a court of competent jurisdiction.  
33 The record of the adjudication, judgment or order of commitment is con-  
34 clusive evidence of such unprofessional conduct.

35 SEC. 9. NRS 630.130 is hereby amended to read as follows:

36 630.130 1. The board may, from time to time, adopt such rules as  
37 may be necessary to enable it to carry into effect the provisions of this  
38 chapter.

39 2. *The board shall adopt rules relating to the approval of health care*  
40 *training programs for physicians' assistants and governing the employ-*  
41 *ment and supervision of physicians' assistants.*

42 SEC. 10. NRS 630.150 is hereby amended to read as follows:

43 630.150 It shall be unlawful for any person to practice medicine,  
44 surgery or obstetrics in the State of Nevada without first obtaining a  
45 license so to do as provided in this chapter. *This section does not prevent*  
46 *the employment of or the performance of services by physicians' assistants*  
47 *when the appropriate provisions of this chapter have been observed.*

48 SEC. 11. NRS 630.360 is hereby amended to read as follows:

49 630.360 1. This chapter shall not apply to:

1 (a) The practice of [dentistry,] osteopathy, chiropractic, podiatry,  
2 [optometry,] faith or Christian Science healing, nursing, veterinary medi-  
3 cine, or the practice of an herbalist.

4 (b) Commissioned physicians and surgeons of the United States  
5 Army, Navy, Air Force, or United States Indian Service, or the Veterans'  
6 Administration, in the discharge of their official duties.

7 (c) Professional or other nurses in the discharge of their duties as  
8 nurses.

9 (d) Physicians who are called into this state for consultation [.] or  
10 for supervision of any physician's assistant employed pursuant to the  
11 provisions of this chapter and who are legally qualified to practice in the  
12 state where they reside.

13 2. This chapter shall not repeal or affect any statute of Nevada  
14 regulating or affecting any other healing art.

15 3. Nothing in this chapter shall be construed to prohibit:

16 (a) Gratuitous services of druggists or other persons in cases of  
17 emergency.

18 (b) The domestic administration of family remedies.

19 SEC. 12. NRS 630.400 is hereby amended to read as follows:

20 630.400 Any person [shall be] is guilty of a misdemeanor who:

21 1. [Shall within] Within 10 days after demand made by the secre-  
22 tary of the board [fail] fails to furnish to the board the names and  
23 addresses of all persons practicing or assisting in the practice of medicine,  
24 surgery or obstetrics in the office of such person at any time within 60  
25 days prior to the notice, together with a sworn statement showing under  
26 and by what license or authority the person or persons are and have been  
27 so practicing, but the affidavit shall not be used as evidence against such  
28 person in any proceeding under this section; [or

29 2. Shall assume] 2. Assumes to act as a member of a state board  
30 of medical examiners, or who [shall sign or subscribe, or issue or cause to  
31 be issued, or seal or cause to be sealed,] signs, issues, causes to be issued,  
32 seals or causes to be sealed a certificate authorizing any person to practice  
33 medicine, surgery or obstetrics in this state, [except] unless the person so  
34 acting and doing [shall have] has been appointed a member of the board  
35 of medical examiners as provided in this chapter; or

36 3. [Shall, in] In an affidavit required of an applicant for examina-  
37 tion, license or registration under this chapter, willfully [make] makes a  
38 false statement in a material regard.

39 4. Holds himself out as a physician's assistant or who uses any other  
40 term indicating that he is a physician's assistant, unless he has, in fact,  
41 been so approved by the board.

20



Robinson

13/30

LU PASS

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 365

ASSEMBLY BILL NO. 365—MR. BROADBENT

FEBRUARY 21, 1973

Referred to Committee on Commerce

SUMMARY—Extensively amends chapter 630 of NRS, relating to the regulation of the practice of medicine. Fiscal Note: No. (BDR 54-278)

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

AN ACT relating to the regulation of the practice of medicine; making extensive amendments to chapter 630 of NRS; providing for the licensure of physicians by the board of medical examiners; providing for the regulation of physicians' assistants by the board of medical examiners; providing penalties; 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 630 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. *As used in this chapter, "physician's assistant" means a per-*
- 4 *son who is a graduate of an academic program approved by the board or*
- 5 *who, by general education, practical training and experience determined*
- 6 *to be satisfactory by the board, is qualified to perform medical services*
- 7 *under the supervision of a supervising physician and who has been issued*
- 8 *a certificate by the board.*
- 9 SEC. 3. *As used in this chapter, "supervising physician" means an*
- 10 *active physician licensed in the State of Nevada who cosigns the applica-*
- 11 *tion for certification of a physician's assistant and who employs and*
- 12 *supervises the physician's assistant.*
- 13 SEC. 4. NRS 630.020 is hereby amended to read as follows:
- 14 630.020 1. As used in this chapter, "practice of [medicine, surgery
- 15 and obstetrics" means:
- 16 (a) To open an office for such purpose; or
- 17 (b) To give surgical assistance to any person; or
- 18 (c) To suggest, recommend, prescribe or direct for the use of any
- 19 person any drug, medicine, appliance or other agency, whether material
- 20 or not material, for the cure, relief or palliation of any ailment or disease
- 21 of the mind or body, or for the cure or relief of any wound, fracture,
- 22 bodily injury or deformity.] *medicine" means:*

1 (a) To diagnose, treat, correct or prescribe for any human disease, ail-  
 2 ment, injury, infirmity, deformity or other condition, physical or mental,  
 3 by any means or instrumentality.

4 (b) To apply principles or techniques of medical science in the diagnosis  
 5 or the prevention of any of the conditions listed in paragraph (a).

6 (c) To offer, undertake, attempt to do or hold oneself out as able to do  
 7 any of the acts described in paragraphs (a) and (b).

8 2. It shall also be regarded as practicing medicine within the meaning  
 9 of this chapter if anyone [shall use] uses in connection with his name the  
 10 words or letters "M.D.," or any other title, word, letter, or other designa-  
 11 tion intended to imply or designate him as a practitioner of medicine [or  
 12 surgery or obstetrics] in any of its branches.

13 SEC. 5. NRS 630.030 is hereby amended to read as follows:

14 630.030 As used in this chapter, "unprofessional conduct" means:

15 1. [Obtaining a certificate upon fraudulent credentials, or gross mis-  
 16 representation.

17 2. Procuring, or aiding or abetting in procuring, criminal abortion.

18 3. Obtaining a fee on assurance that a manifestly incurable disease  
 19 can be permanently cured.

20 4. Advertising medical business in which grossly improbable state-  
 21 ments are made.

22 5. Any advertising of any medicine or any means whereby the  
 23 monthly periods of women can be regulated, or menses reestablished if  
 24 suppressed.] Willfully and intentionally making a false or fraudulent  
 25 statement or submitting a forged or false document in applying for a  
 26 license to practice medicine.

27 2. Willfully and intentionally representing with the purpose of  
 28 obtaining compensation or other advantages for himself or for any other  
 29 person that a manifestly incurable disease or injury or other manifestly  
 30 incurable condition can be permanently cured.

31 3. Performing, assisting or advising an unlawful abortion.

32 4. Advertising the practice of medicine in an unethical manner.

33 5. Engaging in any unethical or deceptive professional conduct or  
 34 medical practice harmful to the public, in which proof of actual injury  
 35 need not be established.

36 6. Willful disobedience of [the law, or of] the rules and regulations  
 37 of the state board of health [.] or of the board of medical examiners.

38 7. Conviction of any offense involving moral turpitude or the con-  
 39 viction of a felony. The record of the conviction shall be conclusive evi-  
 40 dence of unprofessional conduct.

41 8. Administering, dispensing or prescribing any controlled substance  
 42 as defined in chapter 453 of NRS, otherwise than in the course of legiti-  
 43 mate professional practice [and for the prevention, alleviation or cure  
 44 of disease or for the relief of suffering.] or as authorized by law and not  
 45 primarily for the purpose of catering to the cravings of an addict.

46 9. Conviction [or] of violation of any federal or state law regulating  
 47 the possession, distribution or use of any such controlled substance. The  
 48 record of conviction shall be conclusive evidence of such unprofessional  
 49 conduct.

1 10. **[Habitual intemperance or]** *Practicing medicine when unable to*  
 2 *do so with reasonable skill and safety to patients by reason of illness,*  
 3 *excessive use of alcohol or alcoholic beverages or any controlled sub-*  
 4 *stance as defined in chapter 453 of NRS [.] , or any mental or physical*  
 5 *condition.*

6 11. **[Conduct unbecoming a person licensed to practice medicine or**  
 7 **detrimental to the best interests of the public.**

8 **12.]** *Any departure from, or failure to conform to, the minimal*  
 9 *standards of acceptable and prevailing medical practice, in which proof*  
 10 *of an actual injury to a patient need not be established.*

11 **12.]** *Any conduct detrimental to the public health, safety or morals.*

12 13. Violating, or attempting to violate, directly or indirectly, or  
 13 assisting in or abetting the violation of or conspiring to violate any pro-  
 14 vision or term of this chapter.

15 **[13.]** 14. Employing, directly or indirectly, any suspended or  
 16 unlicensed **[practitioner in the practice of any system or mode of treating**  
 17 **the sick or afflicted.]** *person in the practice of medicine, or the aiding or*  
 18 *abetting of any unlicensed person to practice medicine as defined in this*  
 19 *chapter.*

20 **[14.]** 14. Gross negligence in the practice of any phase of the profes-  
 21 **sion.]**

22 15. *Directly or indirectly giving to or receiving from any person,*  
 23 *firm or corporation, any fee, commission, rebate or other form of com-*  
 24 *penensation for sending, referring or otherwise inducing a person to*  
 25 *communicate with a person licensed under this chapter in his professional*  
 26 *capacity or for any professional services not actually and personally*  
 27 *rendered. This subsection does not prohibit persons holding valid and*  
 28 *current licenses under this chapter from practicing medicine in partner-*  
 29 *ship under a partnership agreement or in a corporation or an association*  
 30 *authorized by law, or from pooling, sharing, dividing or apportioning the*  
 31 *fees and moneys received by them or by the partnership, corporation or*  
 32 *association in accordance with the partnership agreement or the policies*  
 33 *of the board of directors of the corporation or association. This subsec-*  
 34 *tion does not abrogate the right of two or more persons holding valid and*  
 35 *current licenses under this chapter to receive adequate compensation for*  
 36 *concurrently rendering professional care to a patient and dividing a fee,*  
 37 *if the patient has full knowledge of this division and if the division is*  
 38 *made in proportion to the services performed and responsibility assumed*  
 39 *by each.*

40 **[15.]** The adjudication of insanity] 16. *Practicing medicine after*  
 41 *having been adjudicated insane by a court of competent jurisdiction [.]*  
 42 *within or out of this state. The record of the adjudication, judgment or*  
 43 *order of commitment is conclusive evidence of such [unprofessional*  
 44 *conduct.]* **adjudication.**

45 SEC. 6. NRS 630.060 is hereby amended to read as follows:

46 630.060 1. Each member of the board shall be **[a reputable prac-**  
 47 **ticing physician, who has in a regular manner obtained the degree of**  
 48 **doctor of medicine from some legally chartered medical institution in**  
 49 **the United States or Canada, and who shall have been actually engaged]**

1 licensed to practice medicine in the State of Nevada, shall have been  
2 engaged in the practice of medicine in the State of Nevada for a period  
3 of more than 5 years preceding his appointment and shall be actually  
4 engaged in the practice of medicine in the State of Nevada.

5 2. The members of the board shall be selected without regard to  
6 their individual political beliefs.

7 SEC. 7. NRS 630.070 is hereby amended to read as follows:

8 630.070 1. [Members of the board shall hold office for a term of  
9 years and until their successors are appointed and qualified.

10 2. The members of the board in office on March 28, 1949, shall con-  
11 tinue to hold their offices for the terms for which they were appointed.  
12 Upon the expiration of the terms of those members serving on the board  
13 on the effective date of this act, the governor shall appoint two members  
14 for 2-year terms, one member for a 3-year term and two members for  
15 4-year terms. Thereafter, each member shall be appointed for a term  
16 of 4 years.

17 2. Upon expiration of his term of office, a member shall continue  
18 to serve until his successor is appointed and qualifies. No term of office  
19 shall extend more than 4 years beyond the expiration of the preceding  
20 term of office.

21 3. If a vacancy occurs in the board, [or] a member is absent from  
22 the state for a period of 6 months without permission from the board  
23 or a member fails to attend meetings of the board or a member fails  
24 to attend to the business of the board, as determined necessary in the di-  
25 cretion of the board, the board shall so notify the governor, and the  
26 governor shall appoint a person duly qualified under this chapter to [fill  
27 the] vacancy for the remainder of the unexpired term.

28 SEC. 8. NRS 630.080 is hereby amended to read as follows:

29 630.080 Before entering upon the duties of his office, each member  
30 of the board shall take:

31 1. The constitutional oath of office; and

32 2. An oath that he is [a graduate doctor] licensed to practice medi-  
33 cine in this state and is actually engaged in the practice of medicine in  
34 this state.

35 SEC. 9. NRS 630.100 is hereby amended to read as follows:

36 630.100 1. The board shall [hold its regular meetings on the 1st  
37 Monday of May and the 1st Monday in November of each year, at such  
38 time and place as shall be most convenient to the board.

39 2. Special meetings may be called at such time and place as the  
40 board may elect on the call of the president or on the call of not less  
41 than three members of the board. A written notice of the time, place and  
42 object of a special meeting shall be mailed by the secretary of the board  
43 to all members at least 5 days before the date of the meeting. At a special  
44 meeting so called, the board may perform any acts authorized at a  
45 regular meeting.

46 3. [The board shall] meet at least twice annually and may meet at other times on the  
47 call of the president or a majority of its members.

48 2. A majority of the board shall constitute a quorum to transact  
49 business.

1 SEC. 10. NRS 630.110 is hereby amended to read as follows:  
2 630.110 1. Out of the funds coming into the possession of the  
3 board, each member of the board shall receive:

4 (a) A salary of not more than \$25 per day, as fixed by the board,  
5 while engaged in the business of the board.

6 (b) [Actual expenses for subsistence and lodging, not to exceed \$25  
7 per day, and actual expenses for transportation, while traveling on busi-  
8 ness of the board.] *Reimbursement for his actual and necessary expenses*  
9 *incurred in the performance of his duties, as provided in this chapter.*

10 2. Expenses shall be paid from the fees received by the board under  
11 the provisions of this chapter, and no part of the salaries or expenses of  
12 the board shall be paid out of the general fund of the state treasury.

13 3. All moneys received by the board shall be deposited in banks and  
14 savings and loan associations in the State of Nevada, and shall be paid  
15 out on its order for its expenses and the [traveling] expenses of the  
16 members.

17 SEC. 11. NRS 630.130 is hereby amended to read as follows:

18 630.130 The board may, from time to time, adopt such rules as may  
19 be necessary *or desirable* to enable it to carry into effect the provisions  
20 of this chapter.

21 SEC. 12. NRS 630.140 is hereby amended to read as follows:

22 630.140 1. The board shall have the authority *to hold hearings and*  
23 *conduct investigations pertaining to the issuance, suspension or revoca-*  
24 *tion of licenses and pertaining to other disciplinary action and to take*  
25 *evidence on any matter [pertaining to its duties.] under inquiry before*  
26 *the board.*

27 2. *For the purposes of this chapter, the secretary or president of the*  
28 *board shall have the authority to issue subpoenas for the attendance of*  
29 *witnesses or for the production of documentary or tangible evidence.*

30 3. For the purposes of this chapter, the secretary of the board, or in  
31 his absence any member of the board, shall have the power to administer  
32 oaths.

33 SEC. 13. NRS 630.150 is hereby amended to read as follows:

34 630.150 It shall be unlawful for any person to practice medicine  
35 [ , surgery or obstetrics] in the State of Nevada without first obtaining a  
36 license *or permit* so to do as provided in this chapter. *This section does*  
37 *not prevent the service of physicians' assistants who have complied with*  
38 *the provisions of this chapter.*

39 SEC. 14. NRS 630.160 is hereby amended to read as follows:

40 630.160 1. Every person desiring to practice medicine [ , surgery  
41 and obstetrics in any of their branches] shall, before beginning to prac-  
42 tice, procure from the board a [certificate] license *or permit* authorizing  
43 such practice.

44 2. A [certificate] license *or permit* may be issued to any person who:  
45 [is]

46 (a) *Is* a citizen of the United States or [any person who] has filed a  
47 petition for naturalization which is pending or, not having fulfilled the  
48 residence requirements for naturalization, [is] a lawful permanent resi-  
49 dent of the United States, who has served as an interne for at least 1

1 year in a hospital recognized for interne training by the American Medical Association or has been engaged in the actual practice of medicine for over 7 years immediately previous to March 28, 1949.] has filed a declaration of intention to become a citizen; and

(b) Has completed 1 year of postgraduate training approved by the board.

SEC. 15. NRS 630.170 is hereby amended to read as follows:

630.170 1. The applicant for a [certificate] license to practice medicine [ , surgery and obstetrics] who is a graduate of a medical school located in the United States or Canada shall submit to the board, through its secretary:

(a) [His diploma or a photostatic copy thereof issued by] Proof of graduation from a United States or Canadian medical school recognized as reputable by the board, the requirements of which medical school shall have been, at the time of [granting such diploma,] his graduation, in no particular less than those prescribed for that year by the American Medical Association. [The board may retain the diploma for a reasonable time, not to exceed 6 months.]

(b) An affidavit [setting forth the number and duration of terms the applicant was required to attend, that the applicant is the lawful possessor of the diploma, is the person named therein,] that the applicant is the person named in the proof of graduation and that it was procured without fraud or misrepresentation of any kind.

(c) A certificate or other document proving a period of [internship of not less than 1 year in a hospital recognized for interne training by the American Medical Association, unless he has been engaged in the actual practice of medicine for over 7 years immediately previous to March 28, 1949.

(d) An affidavit of two physicians, residents of the county in which the applicant has most recently resided, stating that the applicant is the identical person named in the diploma and is of good moral standing and of good repute.

(e) A fee of \$100, which shall in no case be returned.] 1 year of postgraduate training, which training must be approved by the board.

2. In addition to the affidavits or proofs required by subsection 1, the board may take such further evidence and require such other documents or proof of qualifications as in its discretion may be deemed proper. [concerning the matters embraced therein.]

3. If it [shall appear] appears that the applicant is not of good moral character or reputation or that any credential submitted is false, the applicant [shall] may be rejected.

SEC. 16. NRS 630.180 is hereby amended to read as follows:

630.180 1. Before issuance of a [certificate] license to practice medicine, [surgery and obstetrics] the applicant [ , who shall have] who is otherwise eligible for licensure in the State of Nevada and has paid the fee and presented the credentials specified in NRS 630.170 [ ,] shall appear personally and pass a satisfactory written examination as to qualifications therefor. [before the board.]

1 2. The examination shall be fair and impartial, practical in character,  
2 and the questions shall be designated to discover the applicant's fitness.

3 3. [After an examination shall have been completed, the examina-  
4 tion papers, as a part of the board's records, shall be filed by the secre-  
5 tary of the board, and retained in the files of the board for a period of 5  
6 years.]

7 4. There shall be no refund of the examination fee if the applicant  
8 fails to pass the examination. [The board may employ specialists and  
9 other professional consultants or examining services in conducting the  
10 examination.]

11 SEC. 17. NRS 630.190 is hereby amended to read as follows:

12 630.190 1. If an applicant fails in a first examination, he may [.]  
13 be reexamined after not less than 6 months. [, be reexamined without  
14 additional fee.]

15 2. If he [fail] fails in a second examination, he shall not thereafter  
16 be entitled to another examination within less than 1 year after the date  
17 of the second examination, [and shall be required to pay the full fee for  
18 such examination.] and prior thereto he shall furnish proof to the board  
19 of further postgraduate training following the second examination satis-  
20 factory to the board.

21 SEC. 18. NRS 630.195 is hereby amended to read as follows:

22 630.195 1. The applicant for a [certificate] license to practice  
23 medicine [, surgery and obstetrics] who is a graduate of a foreign medi-  
24 cal school shall submit to the board through its secretary:

25 (a) Proof that he is a citizen of the United States, has filed a petition  
26 for naturalization which is pending or, not having fulfilled the residence  
27 requirements for naturalization, has filed a declaration of intention to  
28 become a citizen.

29 (b) [Proof that he has completed 2 years of satisfactory service as an  
30 interne in a hospital in the United States or Canada approved by the  
31 Council on Medical Education of the American Medical Association.  
32 such training to have been completed within the 5-year period preceding  
33 application. The board may consider 1 or more years of post-graduate  
34 study or residency training in an approved medical school or hospital in  
35 the United States or Canada as a substitute for 1 year of the internship  
36 herein required.]

37 (c) [Proof that he has received the degree of Doctor of Medicine or  
38 its equivalent, as determined by the board, from a foreign medical school  
39 recognized by the Educational Council of Foreign Medical Graduates  
40 and has received the standard certificate of the Educational Council of  
41 Foreign Medical Graduates.]

42 (c) Proof that he has completed 3 years of postgraduate training satis-  
43 factory to the board.

44 (d) Proof that he has passed, with a grade acceptable to the board,  
45 [the examination of the National Board of Medical Examiners or the  
46 Federal Licensing Examination of the Federation of State Medical  
47 Boards of the United States, Inc., given by a medical examining board of  
48 another state or the District of Columbia.]

1 (e) Affidavits of two physicians, residents of the county in which the  
2 applicant has most recently resided, stating that the applicant is of good  
3 moral standing and reputation.

4 (f) Proof that he has satisfactorily served as a resident medical officer  
5 in a hospital in Nevada for not less than 1 year under a permit issued by  
6 the board.

7 (g) A fee of \$200, which in no case shall be returned. **】** *an examina-*  
8 *tion designated by the board.*

9 2. In addition to the proofs required by subsection 1, the board may  
10 take such further evidence and require such further proof of the profes-  
11 sional and moral qualifications of the applicant as in its discretion may  
12 be deemed proper.

13 3. If the applicant is a diplomate of an approved specialty board  
14 recognized by the American Medical Association, the requirements of  
15 paragraphs **【(b), (d) and (f)】** *(c) and (d)* of subsection 1 may be  
16 waived by the board.

17 4. Before issuance of a **【certificate】** *license* to practice medicine,  
18 **【surgery and obstetrics,】** the applicant who **【pays the fee and】** presents  
19 the proof required by subsection 1 shall appear personally before the  
20 board and satisfactorily pass **【an examination】** *a written or oral exam-*  
21 *ination, or both,* as to his qualifications to practice medicine. **【, surgery**  
22 **and obstetrics.】**

23 SEC. 19. NRS 630.200 is hereby amended to read as follows:

24 630.200 Any unsuccessful applicant **【shall have the right to】** *may*  
25 *appeal to the 【courts, requiring the board to show cause why such appli-*  
26 *cant should not be permitted to practice medicine, surgery and obstetrics*  
27 *in the State of Nevada.】* *district court to review the action of the board,*  
28 *if he files his appeal within 6 months from the date of the rejection of his*  
29 *application by the board. Upon appeal the applicant has the burden to*  
30 *show that the action of the board is erroneous or unlawful.*

31 SEC. 20. NRS 630.210 is hereby amended to read as follows:

32 630.210 **【1.】** The board may, in its discretion, **【subject to investi-**  
33 **gation, accept and register, upon payment of the registration fee and with**  
34 **or without examination of the applicant, any】** *license an applicant who*  
35 *holds a current and valid license or certificate 【which shall have been】*  
36 *issued to him by the medical examining board of the District of Colum-*  
37 *bia or of any state or territory of the United States, or a certificate as*  
38 *diplomate of the National Board of Medical Examiners of the United*  
39 *States, provided:*

40 **【(a)】** 1. That the legal requirements of such medical examining  
41 board **【shall have been,】** *were,* at the time of issuing such *license or*  
42 *certificate, in no degree or particular less than those of Nevada at the*  
43 *time when such license or certificate was issued; 【and*

44 (b) That, excepting the holders of certificates as diplomates of the  
45 National Board of Medical Examiners of the United States, the pro-  
46 visions of this section shall be held to apply only to such of the medical  
47 examining boards as accept and register without examination other than  
48 oral, the certificates granted by the board of medical examiners of the  
49 State of Nevada.



1 2. The grantee of a certificate or license to practice under this  
2 chapter upon the ground of such reciprocity, and with oral examination  
3 only, shall pay for such certificate or license a fee of \$200.]

4 2. *That the applicant is of good moral character and reputation;*

5 3. *That, at the discretion of the board, the applicant may be required*  
6 *to pass an oral examination; and*

7 4. *That the applicant shall furnish to the board such other proof of*  
8 *qualifications, professional or moral, as the board may require.*

9 SEC. 21. NRS 630.220 is hereby amended to read as follows:

10 630.220 [1.] The board shall [procure books for the purpose of  
11 recording the names of all persons to whom it issues certificates. In the  
12 books] *maintain records pertaining to applicants to whom licenses or*  
13 *permits have been issued or denied. In the records shall be recorded:*

14 [(a)] 1. The names of all applicants.

15 [(b)] 2. The name of the school granting the diploma.

16 [(c)] 3. The date of the diploma.

17 [(d)] 4. Residence of the applicant.

18 [(e)] 5. The date of issuance or denial of [certificate.

19 2. The books shall be filed in a fireproof safe in the office of the  
20 secretary, who shall record the unsuccessful applicants, furnishing the  
21 same information as required by subsection 1.] *the license or permit.*

22 6. *Any other information required by the board.*

23 SEC. 22. NRS 630.230 is hereby amended to read as follows:

24 630.230 All [certificates] *licenses or permits* issued by the board  
25 shall bear its seal and the signatures of its president and secretary, and  
26 shall authorize the person to whom it is issued to practice medicine. [,  
27 surgery, obstetrics or other system or modes of diagnosis or treatment  
28 of disease in this state, upon complying with the requirements of this  
29 chapter.]

30 SEC. 23. NRS 630.240 is hereby amended to read as follows:

31 630.240 Every person to whom the board shall issue a [certificate]  
32 *license* shall present the same to the county recorder of the county in  
33 which he desires to practice, and have the same recorded and pay the  
34 usual fees for recording such papers.

35 SEC. 24. NRS 630.250 is hereby amended to read as follows:

36 630.250 All *valid* licenses to practice medicine [, surgery and obstet-  
37 rics] issued prior to [March 28, 1949,] *July 1, 1973*, shall remain in  
38 full effect but subject to the provisions of this chapter.

39 SEC. 25. Chapter 630 of NRS is hereby amended by adding thereto  
40 the provisions set forth as sections 26 to 29, inclusive, of this act.

41 SEC. 26. 1. *The board may, at its discretion:*

42 (a) *Issue a temporary license, to be effective not more than 6 months*  
43 *after issuance, to any physician who is eligible for a permanent license in*  
44 *the State of Nevada and who also is of good moral character and repu-*  
45 *tation. The purpose of the temporary license shall be to enable an eligible*  
46 *physician to serve as a substitute for some other physician who is duly*  
47 *licensed to practice medicine in the State of Nevada and who is absent*  
48 *from his practice for reasons deemed sufficient by the board. A temporary*  
49 *license, issued under the provisions of this subsection, is not renewable*

1 and may be revoked at any time for reasons deemed sufficient by the  
2 board.

3 (b) Issue a special license to a duly licensed physician of an adjoining  
4 state to come into this state to care for or assist in the treatment of his  
5 own patients in association with a physician duly licensed in this state  
6 who shall have the primary care of the patients. A special license, issued  
7 under the provisions of this subsection, may be revoked at any time for  
8 reasons deemed sufficient by the board.

9 (c) Issue a special license to a duly qualified physician of another state  
10 to practice medicine in this state for a specified period of time and for  
11 specified purposes.

12 2. Every physician who is licensed under the provisions of subsection  
13 1 and who accepts the privilege of practicing medicine in this state under  
14 the provisions of the license shall be deemed to have given his consent  
15 to the revocation of the license at any time, without notice or hearing, for  
16 reasons deemed sufficient by the board.

17 3. The board may adopt rules and regulations to carry out the pur-  
18 poses of this section.

19 SEC. 27. A physician's assistant may perform such medical services  
20 as he is authorized to perform under the terms of a certificate issued to  
21 him by the board, if such services are rendered under the supervision and  
22 control of a supervising physician.

23 SEC. 28. 1. The board may issue a certificate to properly qualified  
24 applicants to perform medical services under the supervision of a super-  
25 vising physician. The application for a certificate as a physician's assistant  
26 shall be cosigned by the supervising physician, and the certificate is valid  
27 only so long as that supervising physician employs and supervises the  
28 physician's assistant.

29 2. A supervising physician shall not cosign for, employ or supervise  
30 more than one physician's assistant at the same time.

31 SEC. 29. The board shall adopt regulations regarding the certification  
32 of a physician's assistant, including but not limited to:

33 1. The educational and other qualifications of applicants.

34 2. The required approved academic program for applicants.

35 3. The procedures for applications for and the issuance of certifi-  
36 cates.

37 4. The tests or examinations of applicants by the board.

38 5. The medical services which a physician's assistant may perform,  
39 except that nothing in sections 27, 28 and 29 of this act, or regulations  
40 adopted pursuant thereto, shall operate to authorize a physician's assistant  
41 to perform those specific functions and duties delegated or restricted by  
42 law to persons licensed as dentists, podiatrists and optometrists under  
43 chapters 631, 635 and 636, respectively, of NRS.

44 6. The duration, renewal and termination of certificates.

45 7. The grounds and procedures respecting disciplinary actions against  
46 physicians' assistants.

47 8. The supervision of medical services of a physician's assistant by a  
48 supervising physician.

49 9. The fees to be charged for applications for and renewals of certifi-  
50 cates.

1 SEC. 30. NRS 630.280 is hereby amended to read as follows:

2 630.280 1. The board [shall have the authority] may in its discre-  
3 tion [to] issue a permit to any properly qualified applicant to serve as  
4 resident medical officer in any hospital in Nevada subject to the pro-  
5 visions of this section.

6 2. The holder of a permit shall:

7 (a) Practice medicine, surgery and allied specialties only within the  
8 confines of the hospital specified on his permit and under the supervision  
9 of the regular hospital medical staff.

10 (b) [Be a citizen of the United States, have filed a petition for natural-  
11 ization which is pending or, not having fulfilled the residence requirements  
12 for naturalization, have filed a declaration of intention to become a  
13 citizen.

14 (c) Be a graduate of an accredited medical school of the United  
15 States or Canada, or a graduate of a foreign medical school recognized  
16 by the Educational Council of Foreign Medical Graduates who has  
17 received the standard certificate of the Educational Council of Foreign  
18 Medical Graduates and has [served as an interne for at least 1 year in a  
19 hospital recognized for interne training by the American Medical Associa-  
20 tion.] *completed 1 year of postgraduate training in a hospital or other  
21 institution approved by the board.*

22 [(d)] (c) Be of good moral character.

23 3. The board shall have in its possession, before granting any permit  
24 to an individual, a letter from a hospital in Nevada, requesting issuance  
25 of a permit to serve as a resident medical officer to that individual.

26 4. Such permits will in general be issued at the stated meetings of the  
27 board, but the president and the secretary of the board shall have power  
28 [jointly] to issue permits between meetings of the board, and these per-  
29 mits will be subject to approval or disapproval at the next subsequent  
30 meeting of the board.

31 5. The duration of the permit shall be determined by the board, but  
32 shall in no case be in excess of 1 year. It [shall be] *is* renewable at the  
33 discretion of the board.

34 6. The permit to serve as resident medical officer shall not entitle  
35 the holder to engage in the private practice of medicine. [, surgery or  
36 obstetrics as defined by this chapter.]

37 7. Any permit granted under authority of this section can be revoked  
38 by the board at any time for reasons deemed sufficient by the board.

39 8. The board is empowered to formulate any rules and regulations,  
40 subject to the provisions of this section, for carrying out its purposes.

41 9. The issuance of a permit to serve as resident medical officer shall  
42 in no way obligate the board to grant any regular license for the prac-  
43 tice of medicine. [, surgery and allied specialties in Nevada.]

44 SEC. 31. NRS 630.285 is hereby amended to read as follows:

45 630.285 1. The board may issue a permit to any qualified appli-  
46 cant to serve as a professional employee of the [health division of the  
47 department of health, welfare and rehabilitation] *State of Nevada or of  
48 the United States* subject to the provisions of this section.

49 2. The holder of a permit shall:

1 (a) Practice medicine [ , surgery and allied specialties ] only as an  
2 employee of the [health division] *State of Nevada or of the United*  
3 *States* and under the supervision of the [state health officer.] *appropriate*  
4 *medical division or department of the State of Nevada or of the United*  
5 *States.*

6 (b) [Be a citizen of the United States, have filed a petition for natural-  
7 ization which is pending or, not having fulfilled the residence require-  
8 ments for naturalization, have filed a declaration of intention to become  
9 a citizen.

10 (c) [ Be a graduate of an accredited medical school of the United  
11 States or Canada, or a graduate of a foreign medical school recognized  
12 by the Educational Council of Foreign Medical Graduates who has  
13 received the standard certificate of the Educational Council of Foreign  
14 Medical Graduates and has satisfactorily [served as an interne for at  
15 least 1 year in a hospital recognized for interne training by the American  
16 Medical Association.

17 (d) [ completed 1 year of postgraduate training approved by the  
18 board.

19 (c) Be of good moral character.

20 3. Before granting any permit to an individual the board shall have  
21 in its possession a letter from the [state health officer] *appropriate medi-*  
22 *cal division or department of the State of Nevada or of the United States*  
23 requesting issuance of a permit to that individual to serve as an employee  
24 of the [health division.] *State of Nevada or of the United States.*

25 4. Such permits shall be issued at the meetings of the board, but the  
26 president and the secretary of the board may [jointly] issue permits  
27 between meetings of the board, subject to approval at the next meeting of  
28 the board.

29 5. The duration of each permit shall be determined by the board,  
30 but shall in no case be in excess of 1 year. [One renewal only of a permit  
31 for a term not to exceed 1 year may be granted by the board.] *Each*  
32 *permit is renewable at the discretion of the board.*

33 6. A permit to [serve as an employee of the health division] *prac-*  
34 *tice medicine as an employee of the State of Nevada or of the United*  
35 *States* does not entitle the holder to engage in the private practice of  
36 medicine. [ , surgery and obstetrics as defined in this chapter.]

37 7. Any permit granted pursuant to this section may be revoked by  
38 the board at any time for reasons deemed sufficient by the board.

39 8. The board may adopt and enforce rules and regulations for carry-  
40 ing out the purposes of this section, subject to the provisions of this sec-  
41 tion.

42 9. The issuance of a permit to [serve as an employee of the health  
43 division] *practice medicine as an employee of the State of Nevada or*  
44 *of the United States* in no way obligates the board to grant any regular  
45 license for the practice of medicine. [ , surgery and allied specialties in  
46 Nevada.]

47 SEC. 32. NRS 630.290 is hereby amended to read as follows:

48 630.290 1. *Each applicant for a license to practice medicine shall*  
49 *pay a fee of \$200.*

1 2. Each applicant who fails an examination and who is permitted to  
2 be reexamined shall pay a fee not to exceed \$200 for each reexamination.

3 3. If an applicant does not appear for examination, for any reason  
4 deemed sufficient by the board, the board may, upon request and in its  
5 discretion, refund a portion of the application fee not to exceed \$100.  
6 There shall be no refund of the application fee if an applicant appears for  
7 examination.

8 4. Each applicant for a permit, issued under the provisions of NRS  
9 630.280 or 630.285, shall pay a fee not to exceed \$50, as determined by  
10 the board, and shall pay a fee of \$10 for each renewal of the permit.

11 5. Each holder of a license to practice medicine [ , surgery and  
12 obstetrics ] shall pay to the secretary-treasurer of the board on or before  
13 May 1 of each year an annual registration fee to be set by the board and  
14 in no case to exceed the sum of [ \$10 ] \$20 per year.

15 [2.] 6. Any holder failing to pay the annual registration fee after it  
16 becomes due shall be given a period of 60 days in which to pay the fee,  
17 and, failing to do so, shall automatically forfeit his right to practice medi-  
18 cine [ . ] , and his license to practice medicine in Nevada shall automati-  
19 cally be suspended. The holder may, within 2 years from the date his  
20 license is suspended, on payment of [ \$20 ] \$40 to the secretary-treasurer,  
21 and after he is found to be in good standing, be reinstated in his right to  
22 practice.

23 [3.] 7. The annual registration fee shall be collected for the year  
24 in which a physician is licensed.

25 [4.] 8. Notices shall be sent to delinquents that their licenses are  
26 automatically suspended for nonpayment of the annual registration fee,  
27 and a copy of the notice shall be sent to the federal narcotic enforcement  
28 office and to the recorder of the county in which the physician practices.  
29 The recording fee shall be a proper charge against the funds of the  
30 board.

31 SEC. 33. NRS 630.300 is hereby amended to read as follows:

32 630.300 The board [ shall refuse a certificate to any applicant guilty  
33 of unprofessional conduct, and for like cause it may revoke any certifi-  
34 cate, either permanently or temporarily, and suspend the person so  
35 found guilty from the practice of medicine either permanently or for a  
36 time determined by the board. ] may revoke, either permanently or tem-  
37 porarily for a period to be determined by the board, the license to prac-  
38 tice medicine of any person who is guilty of unprofessional conduct, and  
39 the board may suspend that person from the practice of medicine within  
40 this state for a period to be determined by the board.

41 SEC. 34. NRS 630.310 is hereby amended to read as follows:

42 630.310 [ Whenever any holder of a certificate provided for in this  
43 chapter is guilty of unprofessional conduct as the same is defined in this  
44 chapter, and the unprofessional conduct has been brought to the attention  
45 of the board granting such certificate in the manner hereinafter provided,  
46 or whenever any certificate has been procured by fraud or misrepresen-  
47 tation or issued by mistake, or the person holding such certificate is  
48 found to be practicing contrary to the provisions of this chapter, and a  
49 sworn complaint setting forth such facts has been filed with the secretary  
50 of the board, ] Every person, including the board or any member thereof,

1 may file a complaint with the secretary of the board against any holde  
2 of a license provided for in this chapter charging unprofessional conduct.  
3 The complaint shall be in writing and verified by the person making it  
4 except when filed by the board as a body. When a complaint has been  
5 duly filed with the secretary, proceedings shall then be had as [herein  
6 after] provided in this chapter.

7 SEC. 35. Chapter 630 of NRS is hereby amended by adding thereto  
8 a new section which shall read as follows:

9 1. Whenever any holder of a license provided for in this chapter is  
10 charged with the form of unprofessional conduct defined in subsection  
11 10 of NRS 630.030, the board shall have authority, upon its own motion  
12 to compel that person to submit to a mental or physical examination by  
13 physicians designated by the board.

14 2. For the purposes of this section, every physician licensed under  
15 this chapter who accepts the privilege of practicing medicine in this state  
16 shall be deemed to have given his consent to submit to a mental or physical  
17 examination when directed to do so in writing by the board.

18 3. For the purposes of this section, the testimony or examination  
19 reports of the examining physicians are not privileged communications.

20 4. Neither the record of any proceedings under this section nor the  
21 orders entered by the board shall be used against a physician in any other  
22 proceeding.

23 5. Except in extraordinary circumstances, as determined by the  
24 board, the failure of a physician licensed under this chapter to submit to  
25 an examination, as provided in this section, when the board so directs  
26 shall be deemed to constitute an admission of the charges against him, and  
27 the board then may enter a default and final order without the taking of  
28 testimony or presentation of evidence.

29 6. Any physician whose license is revoked for the form of unprofes-  
30 sional conduct defined in subsection 10 of NRS 630.030 shall be given  
31 an opportunity at reasonable intervals to demonstrate to the board that he  
32 can resume the competent practice of medicine with reasonable skill and  
33 safety to patients.

34 SEC. 36. NRS 630.320 is hereby amended to read as follows:

35 630.320 1. When charges as stated in NRS 630.310 have been duly  
36 filed with the secretary of the board, the same shall be considered by the  
37 president and the secretary of the board. If from the sworn statement or  
38 from such other official records it is made to appear that such charge or  
39 charges may be well founded in fact, then the president and secretary  
40 shall fix a time and place for a hearing, and the secretary shall cause writ-  
41 ten notice of such charges, together with a copy of the complaint, to be  
42 served on the person charged at least 20 days before the date fixed for the  
43 hearing.

44 2. If the charges are not deemed by the president and the secretary to  
45 be of sufficient import or sufficiently well founded to merit bringing pro-  
46 ceedings against the person charged, then they shall be held in abeyance  
47 and discussed at the next meeting of the board.

48 SEC. 37. Chapter 630 of NRS is hereby amended by adding thereto  
49 a new section which shall read as follows:

50 1. Service of process made under this chapter shall be either personal

1 3. Perform a cardiopulmonary resuscitation and defibrillation in a  
2 pulseless, nonbreathing patient.

3 4. Where voice contact or telemetered electrocardiogram is monitored  
4 by a physician or a qualified nurse, where authorized by a physician, and  
5 direct communication is maintained, upon order of such physician or such  
6 nurse do any of the following:

7 (a) Administer intravenous saline or glucose solutions.

8 (b) Perform gastric suction by intubation.

9 (c) Administer parenteral injections of any of the following classes of  
10 drugs:

11 (1) Antiarrhythmic agents.

12 (2) Vagolytic agents.

13 (3) Chronotropic agents.

14 (4) Analgesic agents.

15 (5) Alkalinizing agents.

16 (6) Vasopressor agents.

17 SEC. 5. NRS 41.500 is hereby amended to read as follows:

18 41.500 1. Any person in this state, who renders emergency care at  
19 the scene of an emergency, gratuitously and in good faith, shall not be  
20 held liable for any civil damages as a result of any act or omission, not  
21 amounting to gross negligence, by such person in rendering the emergency  
22 care, or as a result of any act or failure to act, not amounting to gross  
23 negligence, to provide or arrange for further medical treatment for the  
24 injured person.

25 2. An advanced emergency medical technician, as defined in chapter  
26 630 of NRS, or a physician or nurse who advises such technician in an  
27 emergency, shall not be held liable for any civil damages as a result of any  
28 act or omission not amounting to gross negligence by such technician in  
29 rendering the emergency care for which such technicians are certified pur-  
30 suant to the provisions of chapter 630 of NRS.

3/30

Do Pass  
as amended

S. B. 454

SENATE BILL NO. 454—COMMITTEE ON HEALTH,  
WELFARE AND STATE INSTITUTIONS

MARCH 13, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Revises and expands regulatory provisions relating to emergency medical services. Fiscal Note: No. (BDR 40-459)



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

AN ACT relating to emergency medical services; providing for issuance of licenses and certificates to ambulance and air ambulance attendants; requiring permits for ambulance and air ambulance services; providing penalties; 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. Title 40 of NRS is hereby amended by adding thereto a
- 2 new chapter to consist of the provisions set forth as sections 2 to 34,
- 3 inclusive, of this act.
- 4 SEC. 2. This chapter may be cited as the Emergency Medical Services
- 5 Law.
- 6 SEC. 3. As used in this chapter, unless the context otherwise requires,
- 7 the words and terms defined in sections 4 to 12, inclusive, of this act
- 8 have the meanings ascribed to them in such sections.
- 9 SEC. 4. "Air ambulance" means an aircraft especially designed, con-
- 10 structed, modified or equipped to be used for the transportation of injured
- 11 or sick persons. "Air ambulance" does not include any commercial air-
- 12 craft carrying passengers on regularly scheduled flights.
- 13 SEC. 5. "Ambulance" means a motor vehicle designed and used pri-
- 14 marily for the transportation of injured or sick persons, including dual
- 15 purpose law enforcement vehicles and funeral hearses which otherwise
- 16 come under the provisions of this chapter. "Ambulance" does not include
- 17 a vehicle designed primarily for rescue operations and which does not
- 18 ordinarily transport persons upon the streets or highways.
- 19 SEC. 6. "Attendant" means a person responsible for the care of a sick
- 20 or injured person in an ambulance or air ambulance, and includes the
- 21 driver of an ambulance but not the pilot of an air ambulance.
- 22 SEC. 7. "Board" means the state board of health.

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1 SEC. 8. "Emergency medical technician certificate" means the certifi-  
2 cate issued by the health division acknowledging successful completion o  
3 an emergency medical technician course approved by such division.

4 SEC. 9. "Health division" means the health division of the depart-  
5 ment of health, welfare and rehabilitation.

6 SEC. 10. "License" means the license issued by the health division to  
7 an ambulance attendant or an air ambulance attendant.

8 SEC. 11. "Permit" means the permit issued by the health division to  
9 a person, firm, corporation, state agency or political subdivision to pro-  
10 vide ambulance service or air ambulance service in the State of Nevada

11 SEC. 12. "Volunteer attendant" means a person who does not receive  
12 the majority of his annual employment income from employment as an  
13 attendant, and who is not employed by a commercial ambulance firm or  
14 corporation.

15 SEC. 13. The board shall establish and promulgate such rules, regu-  
16 lations, standards and procedures as it determines are necessary to admin-  
17 ister the provisions of this chapter.

18 SEC. 14. The board shall adopt regulations establishing reasonable  
19 minimum standards for:

- 20 1. Qualifications and training for attendants;
- 21 2. Sanitation requirements for ambulances and air ambulances;
- 22 3. Medical and nonmedical equipment and supplies to be carried in  
23 ambulances and air ambulances;
- 24 4. Permits for operation of ambulance services and air ambulance  
25 services; and
- 26 5. Records to be maintained by all ambulance services and air ambu-  
27 lance services.

28 SEC. 15. 1. In adopting regulations under sections 13 and 14 of this  
29 act, the board may use standards and regulations proposed by:

- 30 (a) The committee on trauma of the American College of Surgeons
- 31 (b) The United States Department of Transportation;
- 32 (c) The United States Public Health Service;
- 33 (d) The Bureau of Health Insurance of the Social Security Adminis-  
34 tration;
- 35 (e) The American Academy of Orthopaedic Surgeons;
- 36 (f) The National Academy of Sciences—National Research Council
- 37 (g) The American Heart Association; and
- 38 (h) Regional, state and local emergency medical services committees  
39 and councils.

40 2. The board may establish different standards for commercial, vol-  
41 unteer, industrial and other categories of ambulance services and attend-  
42 ants to reflect different circumstances and in the public interest.

43 SEC. 16. 1. The health division shall administer and enforce the  
44 provisions of this chapter and the rules, regulations, standards and pro-  
45 cedures of the board established under the provisions of this chapter.

46 2. The health division and its duly authorized agents may enter upon  
47 and inspect, in a reasonable manner and during reasonable business  
48 hours, the premises and ambulances or air ambulances of persons, firms,  
49 corporations, state agencies and political subdivisions providing ambu-  
50 lance service or air ambulance service in this state.

- 1 SEC. 17. 1. The health division may issue licenses to attendants.  
2 2. Each such license shall be evidenced by a card issued to the  
3 license holder.  
4 3. The health division shall charge no fee for a license.  
5 4. Each such license shall be valid for a period not to exceed 3 years,  
6 and is renewable.  
7 5. To obtain a license under the provisions of this chapter prior to  
8 July 1, 1978, an attendant shall file with the health division:  
9 (a) A current, valid certificate evidencing his successful completion of  
10 a training program or course in advanced first aid equivalent to the pro-  
11 grams or courses in advanced first aid offered by:  
12 (1) The American Red Cross;  
13 (2) The United States Bureau of Mines;  
14 (3) The Armed Forces of the United States (to medical corps-  
15 men); or  
16 (4) Any other rescue or emergency first aid organization recognized  
17 by the board.  
18 (b) A signed statement showing his:  
19 (1) Name and address;  
20 (2) Employer's name and address; and  
21 (3) Job description.  
22 (c) Such other certificates for training and such other items as the  
23 board may specify.  
24 6. To obtain a license after July 1, 1978:  
25 (a) A volunteer attendant shall file with the health division, in addition  
26 to the items specified in subsection 5, a certificate demonstrating success-  
27 ful completion of a minimum of 16 hours of training in addition to  
28 advanced first aid, as required by the regulations of the board of health.  
29 (b) An attendant who is not a volunteer shall file with the health divi-  
30 sion, in addition to the items specified in subsection 5, a current, valid  
31 emergency medical technician certificate.  
32 7. The board shall establish such rules, regulations and procedures as  
33 it determines are necessary for the issuance, suspension, revocation and  
34 renewal of licenses.  
35 8. Each ambulance service and air ambulance service shall annually  
36 file with the health division a complete list of licensed attendants of such  
37 service.  
38 9. Licensed physicians, osteopaths and nurses may serve as attend-  
39 ants without being licensed as ambulance attendants.  
40 SEC. 18. Unlicensed relatives of a sick or injured patient and other  
41 persons may ride in an ambulance if there are two licensed attendants in  
42 the ambulance, except as otherwise provided pursuant to the provisions  
43 of this chapter.  
44 SEC. 19. 1. Any person desiring certification as an emergency medi-  
45 cal technician shall apply to the health division using forms prescribed by  
46 the health division.  
47 2. The health division shall charge no fee for an emergency medical  
48 technician certificate.  
49 3. The health division, under rules, regulations and procedures

1 or by registered or certified mail with return receipt addressed to the  
 2 physician at his last-known address, as indicated on the records of the  
 3 board, if possible. If personal service cannot be made and if mail notice  
 4 is returned undelivered, the secretary of the board shall cause notice of  
 5 hearing to be published once a week for 4 consecutive weeks in a news-  
 6 paper published in the county of the physician's last-known address or, if  
 7 no newspaper is published in that county, then in a newspaper widely  
 8 distributed in that county.

9 2. Proof of service of process or publication of notice made under  
 10 this chapter shall be filed with the secretary of the board and shall be  
 11 recorded by him in the minutes of the board.

12 SEC. 38. NRS 630.330 is hereby amended to read as follows:

13 630.330 1. The person charged shall be given a full and fair trial  
 14 by the board, with the right to be heard and to appear in person and by  
 15 counsel, to cross-examine witnesses who appear against him and to pre-  
 16 sent witnesses. The failure of the person charged to attend his hearing or  
 17 his failure to defend himself shall not serve to delay or make void the  
 18 proceedings. The board may, for good cause shown, continue any hear-  
 19 ing from time to time.

20 2. The secretary or the president of the board shall have power to  
 21 issue subpoenas for the attendance of witnesses [.] or for the production  
 22 of documents or tangible evidence. A subpoena may be served by the  
 23 sheriff, his deputy or any other person who is not a party and is not less  
 24 than 18 years of age. If any person refuses to obey any subpoena so issued  
 25 or refuses to testify or produce any tangible evidence designated therein,  
 26 the board may petition the district court of the county where the person  
 27 is served or where he resides to secure the attendance of that person and  
 28 the production of any tangible evidence. Upon receiving the petition the  
 29 court shall issue an order requiring that person to obey the subpoena or  
 30 to show cause why he failed to obey the subpoena. The failure of any  
 31 person, without adequate excuse, to obey a subpoena shall be contempt  
 32 of the court.

33 [2.] 3. If after hearing the charges it appears to the satisfaction of  
 34 the board that the person is guilty as charged, the board [shall] may  
 35 revoke the [certificate] license of such person either permanently or tem-  
 36 porarily, and by its order suspend the person from the practice of medi-  
 37 cine within this state either permanently or temporarily in the discretion  
 38 of the board. The board may likewise after finding the person guilty as  
 39 charged place him on probation [.] for such period and subject to such  
 40 terms as may be determined by the board or administer to him a public or  
 41 private reprimand. The order of the board may also contain such other  
 42 terms, provisions or conditions, including terms and conditions for rein-  
 43 statement of license, as the board may deem proper.

44 [3.] 4. In all cases of revocation [, suspension or probation,] of  
 45 license, the secretary of the board shall [:

46 (a) Enter in his records the fact of such revocation, suspension or pro-  
 47 bation.

48 (b) Within 5 days notify] file a certified copy of the order of the  
 49 board with the county recorder of the county in which the person's cer-  
 50 tificate has been recorded.

1 [4.] 5. In all cases where a [certificate] license is revoked or sus-  
 2 pended or a person placed on probation a transcript of the proceedings  
 3 before the board, and the findings and order of the board, shall be filed  
 4 within 30 days with the clerk of the district court of the county in which  
 5 the [certificate to practice] license has been recorded.

6 SEC. 39. NRS 630.340 is hereby amended to read as follows:

7 630.340 1. Any person whose [certificate] license has been revoked  
 8 or suspended or who has been placed on probation may, within 60 days  
 9 after the filing of certified copies of the transcript, findings and order,  
 10 petition the district court to review the proceedings, findings and order  
 11 of the board and to reverse or modify the same. Upon such review the  
 12 burden [shall be] is upon the petitioner to show wherein the order of  
 13 the board is erroneous or unlawful.

14 2. When 60 days [shall] have elapsed after the filing of the order  
 15 and findings, if no petition for review has been filed, the district court  
 16 shall make its order affirming the decision of the board. Until the same  
 17 is modified or reversed, as [herein provided,] provided in this section,  
 18 the revocation, suspension or probation of such [certificate] license and  
 19 the right to practice thereunder shall [be and] become effective on the  
 20 date the secretary certifies such fact of the decision and order of the  
 21 board to the county recorder of the county in which the person's [certifi-  
 22 cate] license has been recorded.

23 SEC. 40. NRS 630.350 is hereby amended to read as follows:

24 630.350 1. Any person whose license has been revoked for unpro-  
 25 fessional conduct for a specified period may apply at the end of the  
 26 period of revocation for reinstatement of his license. If such an applica-  
 27 tion is made, the board may take such evidence and require such proof of  
 28 good moral and professional character as it shall deem proper. If the evi-  
 29 dence fails to establish to the satisfaction of the board that the person is  
 30 then of good moral and professional character or establishes that the per-  
 31 son has practiced medicine in this state during the period of revocation,  
 32 the board may deny the application for reinstatement of license.

33 2. Any person whose [certificate] license has been revoked for  
 34 unprofessional conduct on the ground of [an adjudication of insanity]  
 35 practicing medicine after having been adjudged insane by a court of com-  
 36 petent jurisdiction as provided in subsection [15] 16 of NRS 630.030  
 37 may apply to the board for a reinstatement of his [certificate] license  
 38 upon restoration to or declaration of sanity. Prior to the hearing the  
 39 board may require the person to submit to a mental examination by phy-  
 40 sicians designated by it and to submit such other proof of fitness as may  
 41 be deemed proper by the board.

42 SEC. 41. NRS 630.360 is hereby amended to read as follows:

43 630.360 1. This chapter [shall] does not apply to:

44 (a) The practice of dentistry, osteopathy, chiropractic, podiatry,  
 45 optometry, faith or Christian Science healing, nursing [,] or veterinary  
 46 medicine. [, or the practice of an herbalist.]

47 (b) [Commissioned physicians and surgeons of the United States  
 48 Army, Navy, Air Force, or United States Indian Service, or the Veterans'  
 49 Administration, in the discharge of their official duties.] A medical officer

1 of the armed services or a medical officer of any division or department  
2 of the United States in the discharge of his official duties.

3 (c) **Professional or other** Licensed nurses in the discharge of their  
4 duties as nurses.

5 (d) Physicians who are called into this state, *other than on a regular*  
6 *basis*, for consultation **[.]** or assistance to a physician licensed in this  
7 state, and who are legally qualified to practice in the state where they  
8 reside.

9 2. This chapter **shall** does not repeal or affect any statute of  
10 Nevada regulating or affecting any other healing art.

11 3. **Nothing in this chapter shall be construed to** This chapter does  
12 not prohibit:

13 (a) Gratuitous services of **druggists or other persons** a person in  
14 cases of emergency.

15 (b) The domestic administration of family remedies.

16 SEC. 42. NRS 630.380 is hereby amended to read as follows:

17 630.380 1. The board through its president or secretary-treasurer  
18 may maintain in any competent court a suit for an injunction against any  
19 person or persons practicing any branch of medicine **[, surgery or obstet-**  
20 **rics]** as defined in NRS 630.020 **[and 630.260]** without a license.

21 2. Such an injunction:

22 (a) May be issued without proof of actual damage sustained by any  
23 person, this provision being understood to be a preventive as well as a  
24 punitive measure.

25 (b) Shall not relieve such person from criminal prosecution for prac-  
26 ticing without a license.

27 SEC. 43. NRS 630.390 is hereby amended to read as follows:

28 630.390 In charging any person with a violation of this chapter by  
29 practicing medicine **[, surgery or obstetrics]** without a license, it **shall**  
30 **be** is sufficient to charge that he did, upon a certain day, and in a cer-  
31 tain county of this state, engage in the practice of medicine, he not having  
32 a license to do so, without averring any further or more particular facts  
33 concerning the same.

34 SEC. 44. NRS 630.400 is hereby amended to read as follows:

35 630.400 Any person **shall be** is guilty of a misdemeanor who:

36 1. **Shall** within 10 days after demand made by the secretary of the  
37 board fail to furnish to the board the names and addresses of all persons  
38 practicing or assisting in the practice of medicine, surgery or obstetrics in  
39 the office of such person at any time within 60 days prior to the notice,  
40 together with a sworn statement showing under and by what license or  
41 authority the person or persons are and have been so practicing, but the  
42 affidavit shall not be used as evidence against such person in any pro-  
43 ceeding under this section; or

44 2. Shall assume to act as a member of a state board of medical exam-  
45 iners, or who shall sign or subscribe, or issue or cause to be issued,  
46 or seal or cause to be sealed, a certificate authorizing any person to  
47 practice medicine, surgery or obstetrics in this state, except the person  
48 so acting and doing shall have been appointed a member of the board  
49 of medical examiners as provided in this chapter; or

1 3. Shall, in an affidavit required of an applicant for examination,  
2 license or registration under this chapter, willfully make a false state-  
3 ment in a material regard.】 *Presents as his own the diploma, license*  
4 *or credentials of another.*

5 2. *Gives either false or forged evidence of any kind to the board,*  
6 *or any member thereof, in connection with an application for a license*  
7 *or permit to practice medicine.*

8 3. *Practices medicine under a false or assumed name or falsely*  
9 *personates another licensee of a like or different name.*

10 4. *Holds himself out as a physician's assistant or who uses any*  
11 *other term indicating or implying that he is a physician's assistant,*  
12 *unless he has been certified by the board.*

13 SEC. 45. NRS 630.410 is hereby amended to read as follows:

14 630.410 Any person who 【shall practice】 *practices* medicine, 【sur-  
15 gery or obstetrics,】 unless licensed under this chapter 【or other statutes  
16 of Nevada, shall be deemed】 *is* guilty of a gross misdemeanor.

17 SEC. 46. NRS 630.420 is hereby amended to read as follows:

18 630.420 Every person filing for record, or attempting to file for rec-  
19 ord, the 【certificate】 *license* issued to another, falsely claiming himself to  
20 be the person named in the 【certificate,】 *license*, or falsely claiming him-  
21 self to be the person entitled to the same, 【shall be】 *is* guilty of a felony,  
22 and upon conviction thereof shall be punished by imprisonment in the  
23 state prison for not less than 1 year nor more than 6 years.

24 SEC. 47. NRS 457A.030 is hereby amended to read as follows:

25 457A.030 1. The state health officer shall appoint a renal disease  
26 advisory committee to consist of 11 persons appointed as follows:

27 (a) Three persons shall represent hospitals and medical schools which  
28 establish dialysis centers.

29 (b) Two persons shall represent volunteer organizations interested in  
30 kidney diseases.

31 (c) Two persons shall represent county or district boards of health.

32 (d) Three persons licensed to practice medicine 【or surgery】 under  
33 chapter 630 of NRS.

34 (e) One person shall represent the general public.

35 2. Of those persons first appointed:

36 (a) Two shall be appointed for a term of 1 year.

37 (b) Three shall be appointed for a term of 2 years.

38 (c) Three shall be appointed for a term of 3 years.

39 (d) Three shall be appointed for a term of 4 years.

40 Thereafter, all members shall serve for terms of 4 years.

41 3. Members of the committee shall serve without compensation.

42 SEC. 48. NRS 630.260 and 630.270 are hereby repealed.

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**S. B. 511**

**SENATE BILL NO. 511—COMMITTEE ON HEALTH,  
WELFARE AND STATE INSTITUTIONS**

MARCH 20, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Provides for qualifications, appointment, powers and duties of certain mental hygiene and mental retardation division personnel. Fiscal Note: No. (BDR 39-1283)



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

AN ACT relating to mental hygiene and mental retardation; providing the qualifications, manner of appointment, compensation, powers and duties of certain personnel in the mental hygiene and mental retardation division of the department of health, welfare and rehabilitation; 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 41.325 is hereby amended to read as follows:
- 2 41.325 After any proceeding in which a person, previously adjudi-
- 3 cated to be insane, is adjudicated to be sane, the clerk shall immediately
- 4 notify the [superintendent and] *institute director and the medical director*
- 5 of the Nevada mental health institute of such adjudication.
- 6 SEC. 2. NRS 160.161 is hereby amended to read as follows:
- 7 160.161 1. Upon commitment, such person shall be subject to the
- 8 rules and regulations of the Veterans' Administration or other agency
- 9 when admitted to any facility operated by any such agency within or
- 10 without this state.
- 11 2. The chief officer of any facility of the Veterans' Administration or
- 12 institution operated by any other agency of the United States to which the
- 13 person is so committed shall, with respect to such person, be vested with
- 14 the same powers as the [superintendent] *institute director and the medi-*
- 15 *cal director* of the Nevada mental health institute with respect to retention
- 16 of custody, transfer, parole or discharge.
- 17 3. The committing court shall retain jurisdiction:
- 18 (a) To inquire, at any time, into the mental condition of persons so
- 19 committed.
- 20 (b) To determine the necessity for continuance of his restraint.
- 21 SEC. 3. NRS 160.162 is hereby amended to read as follows:

Original bill is 28 pages long.  
Contact the Research Library for  
a copy of the complete bill.

3/30

as amended

S. B. 384

SENATE BILL NO. 384—COMMITTEE ON HEALTH,  
WELFARE AND STATE INSTITUTIONS

MARCH 7, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Changes law governing the licensing and conduct of  
psychologists. Fiscal Note: No. (BDR 54-1395)

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

AN ACT relating to psychologists; expanding the meaning of "practice of psychol-  
ogy"; making the uncertified practice of psychology a misdemeanor; enabling  
a psychotherapist to perform without supervision or collaboration of a phys-  
ician.

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

- 1 SECTION 1. NRS 641.020 is hereby amended to read as follows:
- 2 641.020 Unless otherwise indicated by the context, words and
- 3 phrases or variants thereof employed in this chapter shall be construed
- 4 and given meanings, for the purpose of this chapter, in accordance with
- 5 the following definitions:
- 6 1. "Board" means the board of psychological examiners.
- 7 2. "Certificate" means a certificate of registration as a psychologist.
- 8 3. "Certificatee" means a person certified as a psychologist by the
- 9 board.
- 10 4. "Person" means any individual, partnership, association or cor-
- 11 poration.
- 12 5. "Practice of psychology" means the application of established prin-
- 13 ciples of learning, motivation, perception, thinking and emotional rela-
- 14 tionships to problems of personnel evaluation, group relations and
- 15 behavior adjustment. [by persons trained in psychology.] The application
- 16 of such principles includes, but is not restricted to:
- 17 (a) Counseling and the use of psychotherapeutic measures with per-
- 18 sons or groups with adjustment problems in the areas of work, family,
- 19 school or personal relationships.
- 20 (b) Measuring and testing of personality, intelligence, aptitudes, emo-
- 21 tions, public opinion, attitudes and skills.
- 22 (c) Doing research on problems relating to human behavior.
- 23 6. "Psychologist" means a person who describes himself, or his serv-
- 24 ices, to the public by any title or description which incorporates the word



1 "psychological," "psychologist" or "psychology," and [under such title]  
 2 offers to render or renders *psychological* services to individuals, partner-  
 3 ships, associations, corporations or other members of the public for  
 4 remuneration.

5 SEC. 2. NRS 641.390 is hereby amended to read as follows:

6 641.390 1. No person shall represent himself as a psychologist  
 7 within the meaning of this chapter *or engage in the practice of psychology*  
 8 unless he is certified under the provisions of this chapter, except that any  
 9 psychological scientist employed by an accredited educational institution  
 10 or public agency which has set explicit standards may represent himself  
 11 by the title conferred upon him by such institution or agency.

12 2. Nothing contained in this section shall be construed as granting  
 13 approval for any person to offer his services as a psychologist to any other  
 14 person as a consultant, and to accept remuneration for such psychological  
 15 services, other than that of his institutional salary, unless he has been  
 16 certified under the provisions of this chapter.

17 3. A student of psychology, a psychological intern, and any other  
 18 person preparing for the profession of psychology under the supervision  
 19 of a qualified psychologist in training institutions or facilities recognized  
 20 by the board may be designated by the title "psychology trainee," or any  
 21 other title which clearly indicates his training status.

22 SEC. 3. NRS 641.400 is hereby amended to read as follows:

23 641.400 1. Nothing in this chapter shall in any way restrict the use  
 24 of the term "social psychologist" by any person who has received a  
 25 doctoral degree in sociology from an institution whose credits in sociology  
 26 are acceptable to the University of Nevada System, and who has passed  
 27 comprehensive examinations in the field of social psychology as a part of  
 28 the requirements for the doctoral degree, or has had equivalent special-  
 29 ized training in social psychology, and who has notified the board of his  
 30 intention to use the term "social psychologist" and filed a statement of  
 31 the fact demonstrating his compliance with this section.

32 2. Nothing in this chapter shall be construed to prevent any [person]  
 33 *member of another profession* from using psychological tests or tech-  
 34 niques if such person does not represent himself as a psychologist [.] *or*  
 35 *hold himself out by a title or description incorporating "psychological,"*  
 36 *"psychologist" or "psychology."*

37 SEC. 4. NRS 641.420 is hereby amended to read as follows:

38 641.420 No person, other than a person certified under this chapter,  
 39 may *engage in the practice of psychology, or employ or use the title*  
 40 "psychologist," or the words "psychological" or "psychology" in connec-  
 41 tion with his work, or in any way imply that he is certified by the board,  
 42 unless he is certified under this chapter, except as specified in NRS  
 43 641.390, 641.400 and 641.410.

44 SEC. 5. 641.430 is hereby amended to read as follows:

45 641.430 1. Nothing in this chapter shall authorize the administration  
 46 or prescription of drugs, or authorize any person to engage in any manner  
 47 in the practice of medicine or optometry as defined in the laws of this  
 48 state. A psychologist who engages in psychological therapy, commonly  
 49 called psychotherapy, shall [perform such services under the direct super-  
 50 vision of or in genuine collaboration with a qualified physician.] *make*

1 *adequate provision for the treatment of medical problems through appro-*  
2 *priate medical consultation or referral, or both.* In the event of suspected  
3 violation of this section by any person certified under this chapter, the  
4 board of medical examiners of the State of Nevada may conduct an  
5 investigation to determine the facts surrounding the alleged violation. To  
6 assist the board of medical examiners in this investigation, the board of  
7 psychological examiners shall make available to the board of medical  
8 examiners any information in its possession bearing upon the alleged  
9 violation. Upon finding that a violation has in fact occurred, the board of  
10 medical examiners may either:

11 (a) Recommend appropriate disciplinary action to the board of psy-  
12 chological examiners; or

13 (b) Initiate appropriate action in a court of law.

14 2. The board of medical examiners of the State of Nevada is empow-  
15 ered to review the application and any supporting documentation of a  
16 certificatee's qualifications which have been submitted to the board of  
17 psychological examiners, or any other evidence bearing upon a certifi-  
18 catee's qualifications to be certified as a psychologist in the State of  
19 Nevada, and may, on the basis of its review, recommend to the board of  
20 psychological examiners the suspension or revocation of the certificate  
21 of any certificatee deemed to be unqualified by the board of medical exam-  
22 iners. Upon such recommendation, the board of psychological examiners  
23 must review the certificatee's credentials to determine whether the certifi-  
24 cate of the certificatee in question should be suspended or revoked or  
25 remain in effect.

26 SEC. 6. NRS 641.440 is hereby amended to read as follows:

27 641.440 Any person who violates any of the provisions of this chap-  
28 ter or, having had his certificate suspended or revoked, continues to repre-  
29 sent himself as a psychologist, *or engages in the practice of psychology*  
30 is guilty of a misdemeanor.

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Killed

SENATE BILL NO. 492—SENATOR WILSON

MARCH 19, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Provides for advanced emergency medical technicians.  
Fiscal Note: No. (BDR 54-1650)

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

AN ACT relating to medical care; providing for the training and duties of advanced emergency medical technicians; providing immunity from tort liability for certain persons; 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 450 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 1. *Any hospital established or operated pursuant to the provisions of*  
4 *this chapter may employ advanced emergency medical technicians, as*  
5 *defined in chapter 630 of NRS, for the delivery of emergency medical*  
6 *care to the sick and injured:*

7 (a) *At the scene of an emergency and during transport to a hospital;*

8 (b) *While in a hospital emergency department; and*

9 (c) *Until responsibility for care is assumed by regular hospital staff.*

10 2. *Any county, with the cooperation of a licensed hospital, may ini-*  
11 *tiate a training program for advanced emergency medical technicians,*  
12 *pursuant to the requirements of chapter 630 of NRS.*

13 SEC. 2. Chapter 630 of NRS is hereby amended by adding thereto the  
14 provisions set forth as sections 3 and 4 of this act.

15 SEC. 3. *As used in this chapter, unless the context otherwise requires,*  
16 *“advanced emergency medical technician” means a person specially*  
17 *trained in emergency care, including cardiac care, in the training program*  
18 *certified by the state health officer, and who is certified by a state or*  
19 *county health officer as qualified to render the services enumerated in sec-*  
20 *tion 4 of this act.*

21 SEC. 4. *An advanced emergency medical technician may:*

22 1. *Render rescue, first-aid and resuscitation services.*

23 2. *During training at a hospital, and while caring for patients in a*  
24 *hospital, administer parenteral medications under the direct supervision of*  
25 *a physician or a qualified registered nurse.*

5.  
49

meet: 19  
 Agenda  
 26.287 SB  
 26.116 SB  
 SB 365 20  
 SB 335 SB

# Print Plainly

NO WRITING PLEASE  
 495

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Obser
FRANK McCORMICK	LEGISLATIVE CHAIRMAN HAIRDRESSERS ASSN	382-6737	✓	Bill # 421
RE: C. GARRETSON	Citizen - Minister	358-9692		421 ACR-6 ✓
RE: YVONNE GARRETSON	COSMETOLOGIST	358-9692		421 ACR-6 ✓
LILA PURCELL	COSMETOLOGIST	359-2117		421 ACR-6 ✓
BARRY DOSS	COSMETOLOGIST	322-0707		ACR-6 421 ✓
Theresa Buchanan	Cosmetologist	329-7090		ACR-6 421 ✓
EARL SWIFT	BARBER	648-9892		485 ACR-6 ✓
Ken Shaddy	Barber	878-5332	✓	"
HOWARD SANDERSON	LEG. REP. NEV. STATE BARBER ASSOC	323-5000		287-401 ACR-6 ✓
CARL LOVELL	REP. FOR ST BARBERS ASSN	649-5811	✓	287 (AR) ACR-6 ✓
Bill E Secrest	BARBER STYLIST	386-2256	✓	287-421 ACR-6-485 ✓
JERRY GERMIE KIRKENDALL	cosmetologist HAIR STYLIST	825 3639		
CLARENCE W. MELZER	CITIZEN - RETIRED	322-2151		
Elmo H. Macmillan	BARBER	323-8964		ACR-6 ACR-6 50521 485 ✓
JACK L FERREL	BARBER	882-5655		387-ACR 58-521-485 ✓
Doc Gray	Barber	642-1451	✓	5827-58421-4 ✓

Exhibit A  
 4-18