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Amendment to AB 21 Proposed by Assemblywomen Giunchigliani and Gibbons as well  
as the Nevada Society of Oriental Medicine

Contact: Tom Skancke

Delete Section 2 Sub 1 letters (b) and (c) from the bill.

(Reprinted with amendments adopted on April 7, 2003)

REPRINT

FIRST  
A.B. 21

ASSEMBLY BILL NO. 21—ASSEMBLYWOMEN  
GIUNCHIGLIANI  
AND GIBBONS

PREFILED JANUARY 29, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Makes changes related to practice of Oriental  
medicine. (BDR 54-226)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

Green numbers along left margin indicate location on the printed bill (e.g., 5-15 indicates page 5, line 15).

AN ACT relating to Oriental medicine; revising the qualifications  
for members of the State Board of Oriental Medicine;  
revising the requirements for a license to practice Oriental  
medicine; and providing other matters properly relating  
thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

<sup>1-1</sup> Section 1. NRS 634A.030 is hereby amended to read as  
<sup>1-2</sup> follows:

<sup>1-3</sup> 634A.030 1. The State Board of Oriental Medicine,

1-4 consisting of five members appointed by the Governor, is hereby  
1-5 created.

1-6 2. ~~The Governor shall appoint to the Board:~~

1-7 ~~(a) Three members who are licensed pursuant to this chapter.~~

1-8 ~~(b) Two members who are representatives of the general public.~~

1-9 3. Each member of the Board shall, before entering upon the  
1-10 duties of his office, take the oath of office prescribed by the  
1-11 Constitution before someone qualified to administer oaths.

1-12 Sec. 2. NRS 634A.040 is hereby amended to read as follows:

1-13 634A.040 ~~[All members of the Board shall be]~~

1-14 1. *The Governor shall appoint three members to the Board*  
1-15 *who:*

1-16 (a) *Have a license issued pursuant to this chapter;*

2-1 ~~(b) Do not have a license in this state to practice any health~~  
~~or other than Oriental medicine;~~

~~(c) Have received a degree from a school or college of Oriental~~  
~~medicine that is approved by the Board;~~

2-5 (d) *Currently engage in the practice of Oriental medicine in*  
2-6 *this state, and have engaged in the practice of Oriental*  
2-7 *medicine*

2-7 *in this state for at least 3 years preceding appointment to the*  
2-8 *Board;*

2-9 (e) *Are citizens of the United States ; and*

2-10 (f) *Are residents of the State of Nevada[.] and have been for*  
at

2-11 *least 1 year preceding appointment to the Board.*

2-12 2. *The Governor shall appoint one member to the Board*  
who:

2-13 (a) *Is licensed pursuant to chapter 630 of NRS by the Board*  
of

2-14 *Medical Examiners as a physician;*

2-15 (b) *Does not engage in the administration of a facility for*  
2-16 *Oriental medicine or a school for Oriental medicine;*

2-17 (c) *Does not have a pecuniary interest in any matter*  
*pertaining*

2-18 *to Oriental medicine, except as a patient or potential patient;*  
2-19 *(d) Is a citizen of the United States; and*  
2-20 *(e) Is a resident of the State of Nevada and has been for at*  
2-21 *least 1 year preceding appointment to the Board.*

2-22 **3. The Governor shall appoint one member to the Board who:**

2-23 *(a) Does not engage in the administration of a facility for*  
2-24 *Oriental medicine or a school for Oriental medicine;*

2-25 *(b) Does not have a pecuniary interest in any matter pertaining*

2-26 *to Oriental medicine, except as a patient or potential patient;*

2-27 *(c) Is a citizen of the United States; and*

2-28 *(d) Is a resident of the State of Nevada and has been for at*  
2-29 *least 1 year preceding appointment to the Board.*

2-30 **Sec. 3. NRS 634A.120 is hereby amended to read as follows:**

2-31 **634A.120 1. Each applicant for a license to practice as a**  
2-32 **doctor of Oriental medicine must pass:**

2-33 *(a) An examination in Oriental medicine that is administered*  
by

2-34 *a national organization approved by the Board; and*

2-35 *(b) A practical examination approved by the Board that tests*  
the

2-36 *applicant's knowledge and understanding of {the} :*

2-37 *(1) Basic medical science;*

2-38 *(2) Acupuncture;*

2-39 *(3) Herbal medicine;*

2-40 *(4) Oriental medicine;*

2-41 *(5) English proficiency; and*

2-42 *(6) The laws and regulations of this state relating to health*  
2-43 *and safety in the practice of Oriental medicine.*

2-44 **2. The Board may establish by regulation:**

3-1 *(a) Additional subject areas to be included in the practical*  
3-2 *examination; and*

3-3 *(b) Specific methods for the administration of the practical*  
3-4 *examination, including, but not limited to, written, oral,*

3-5 *demonstrative, practical or any combination thereof.*

3-6 3. The Board shall contract for the preparation, administration  
3-7 and grading of the practical examination.

3-8 ~~2.~~ 4. Except as otherwise provided in subsection ~~3.~~ 5, the  
3-9 Board shall offer the practical examination at least two times  
each

3-10 year at a time and place established by the Board.

3-11 ~~3.~~ 5. The Board may cancel a scheduled practical  
3-12 examination if, within 60 days before the examination, the  
Board

3-13 has not received a request to take the examination.

3-14 ~~4.~~ 6. A person who fails the practical examination may  
3-15 retake the examination.

3-16 **Sec. 4.** Notwithstanding the amendatory provisions of  
sections

3-17 1 and 2 of this act, each person serving as a member of the State  
3-18 Board of Oriental Medicine on October 1, 2003, may continue to  
3-19 serve until the expiration of his term.