

SENATE BILL NO. 310—SENATOR CARLTON

MARCH 17, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to certain occupational boards and commissions. (BDR 54-223)

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

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

AN ACT relating to agencies; clarifying that certain occupational boards and commissions must act in the public interest; revising the qualifications for the members of certain occupational boards and commissions; providing that the members of certain occupational boards and commissions must be provided with certain materials and training upon appointment; revising the authority of certain occupational boards and commissions to hire employees or contract with independent contractors; revising the qualifications for the executive director or executive secretary of certain occupational boards and commissions; revising the audit requirements for certain occupational boards and commissions; 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 623.010 is hereby amended to read as follows:  
2     623.010 The purpose of this chapter is to safeguard life, health  
3 and property, and to promote the public welfare by improving the  
4 quality of human environmental design. *For this purpose, the*  
5 *Legislature delegates to the State Board of Architecture, Interior*  
6 *Design and Residential Design the duty of enforcing the*  
7 *provisions of this chapter in the interest of the public.*



1     **Sec. 2.** NRS 623.050 is hereby amended to read as follows:  
2     623.050 1. The State Board of Architecture, Interior Design  
3 and Residential Design, consisting of nine members appointed by  
4 the Governor, is hereby created.

- 5     2. The Governor shall appoint:  
6     (a) Five members who are registered architects and have been in  
7 the active practice of architecture in the State of Nevada for not less  
8 than 3 years preceding their appointment.  
9     (b) One member who is a registered residential designer.  
10    (c) Two members who are registered interior designers and who  
11 are not registered architects or residential designers.  
12    (d) One member who is a representative of the general public.

13 *This member must not be:*

- 14    (1) *A registered architect, a registered interior designer or a*  
15 *registered residential designer; or*  
16    (2) *The spouse, child or parent of a registered architect, a*  
17 *registered interior designer or a registered residential designer.*

18     3. Members of the Board must have been residents of this state  
19 for not less than 2 years preceding their appointment.

20     4. The Governor may, upon a bona fide complaint, and for  
21 good cause shown, after 10 days' notice to any member against  
22 whom charges may be filed, and after opportunity for hearing,  
23 remove the member for inefficiency, neglect of duty or malfeasance  
24 in office.

25     5. *Upon appointment, new members of the Board must be*  
26 *provided with:*

- 27    (a) *A written summary of their duties and responsibilities as*  
28 *members of the Board.*  
29    (b) *Training on their duties and responsibilities by the*  
30 *Attorney General. This training must include, but is not limited to,*  
31 *instruction related to the audit of the Board required pursuant to*  
32 *NRS 218.825.*

33     **Sec. 3.** NRS 623.135 is hereby amended to read as follows:

34     623.135 1. The Board may employ an Executive Director,  
35 legal counsel, investigators, professional consultants and other  
36 employees necessary to the discharge of its duties, and may fix the  
37 compensation therefor.

38     2. *The Board shall not employ a person or contract with a*  
39 *person as an independent contractor if the person is the spouse,*  
40 *child or parent of:*

- 41    (a) *A registered architect, a registered interior designer or a*  
42 *registered residential designer; or*  
43    (b) *A member or employee of the Board.*

44     3. *If the Board employs a person as an Executive Director or*  
45 *in a position with powers or duties similar to those of an Executive*



1 *Director, the person must possess a level of education or*  
2 *experience, or a combination of both, to qualify the person to*  
3 *perform the administrative and managerial tasks required of the*  
4 *position.*

5 **Sec. 4.** NRS 623A.010 is hereby amended to read as follows:  
6 623A.010 The practice of landscape architecture affects the  
7 public welfare and is charged with the public interest and therefore  
8 subject to protection and regulation by the State. *For this purpose,*  
9 *the Legislature delegates to the State Board of Landscape*  
10 *Architecture the duty of enforcing the provisions of this chapter in*  
11 *the interest of the public.*

12 **Sec. 5.** NRS 623A.080 is hereby amended to read as follows:  
13 623A.080 1. The State Board of Landscape Architecture,  
14 consisting of five members appointed by the Governor, is hereby  
15 created.

16 2. The Governor shall appoint:  
17 (a) Four members who, at the time of their appointment, are not  
18 the subject of any disciplinary action by the Board and who, for not  
19 less than 3 years immediately preceding their appointment, have  
20 been:

- 21 (1) Engaged in the practice of landscape architecture; and
- 22 (2) Holders of certificates of registration; and
- 23 (b) One member who is a representative of the general public.

24 *This member must not be:*  
25 *(1) A landscape architect or a landscape architect intern; or*  
26 *(2) The spouse, child or parent of a landscape architect or a*  
27 *landscape architect intern.*

28 3. Each member must have been a resident of this state for not  
29 less than 3 years immediately preceding his appointment.

30 4. A member of the Board shall not serve for more than three  
31 terms.

32 5. Each member of the Board shall, within 30 days after he is  
33 appointed, take and subscribe to the oath of office as prescribed by  
34 the laws of this state and file the oath with the Secretary of State.

35 6. The member who is a representative of the general public  
36 shall not participate in preparing or grading any examination  
37 required by the Board.

38 7. Upon receipt of a complaint concerning a member of the  
39 Board and for good cause shown, the Governor may, after providing  
40 10 days' notice to the member and providing an opportunity for a  
41 hearing, remove the member for inefficiency, neglect of duty or  
42 malfeasance in office.

43 8. An appointment to fill a vacancy in the membership of the  
44 Board for a cause other than expiration of the term must be for the  
45 unexpired portion of the term.



1 9. A member, agent or employee of the Board or any hearing  
2 officer or member of a hearing panel appointed by the Board is  
3 immune from personal liability relating to any action taken in good  
4 faith and within the scope of his authority.

5 **10. Upon appointment, new members of the Board must be**  
6 **provided with:**

7 (a) **A written summary of their duties and responsibilities as**  
8 **members of the Board.**

9 (b) **Training on their duties and responsibilities by the**  
10 **Attorney General. This training must include, but is not limited to,**  
11 **instruction related to the audit of the Board required pursuant to**  
12 **NRS 218.825.**

13 **Sec. 6.** NRS 623A.100 is hereby amended to read as follows:

14 623A.100 1. At each annual meeting of the Board, the  
15 members shall:

16 (a) Elect a President and a Secretary; and

17 (b) Appoint an Executive Director.

18 2. The President and the Secretary of the Board serve without  
19 additional compensation.

20 3. The Executive Director ~~must~~ :

21 (a) **Must** not be a member of the Board and ~~is~~ **must not be the**  
22 **spouse, child or parent of:**

23 (1) **A landscape architect or a landscape architect intern; or**

24 (2) **A member or employee of the Board.**

25 (b) **Must possess a level of education or experience, or a**  
26 **combination of both, to qualify the person to perform the**  
27 **administrative and managerial tasks required of the position.**

28 (c) **Is** entitled to a salary fixed by the Board.

29 4. The Executive Director shall:

30 (a) Keep an accurate record of all proceedings of the Board;

31 (b) Maintain custody of the official seal;

32 (c) Maintain a file containing the names and addresses of all  
33 holders of certificates of registration and certificates to practice as a  
34 landscape architect intern;

35 (d) Submit to the Board each application for a certificate of  
36 registration or certificate to practice as a landscape architect intern  
37 that is filed with the Board;

38 (e) If a holder of a certificate of registration or certificate to  
39 practice as a landscape architect intern has violated any provision of  
40 this chapter, file a complaint with the Attorney General; and

41 (f) Perform any other duties assigned to him by the Board.

42 **Sec. 7.** NRS 623A.120 is hereby amended to read as follows:

43 623A.120 **1.** The Board may:



1 ~~1.1~~ (a) Employ and fix the compensation for legal counsel,  
2 inspectors, special agents, investigators and clerical personnel  
3 necessary to the discharge of its duties; and

4 ~~1.2~~ (b) Reimburse an employee specified in ~~subsection 1.1~~  
5 *paragraph (a)* for any actual expenses incurred by the employee  
6 while acting on behalf of the Board.

7 *2. The Board shall not employ a person or contract with a*  
8 *person as an independent contractor if the person is the spouse,*  
9 *child or parent of:*

10 (a) *A landscape architect or a landscape architect intern; or*

11 (b) *A member or employee of the Board.*

12 **Sec. 8.** NRS 624.005 is hereby amended to read as follows:

13 624.005 The Legislature declares that the provisions of this  
14 chapter relating to the discipline of licensees are intended to  
15 promote public confidence and trust in the competence and integrity  
16 of licensees and to protect the health, safety and welfare of the  
17 public. *For this purpose, the Legislature delegates to the State*  
18 *Contractors' Board the duty of enforcing the provisions of this*  
19 *chapter in the interest of the public.*

20 **Sec. 9.** NRS 624.050 is hereby amended to read as follows:

21 624.050 1. Six members of the Board must each:

22 (a) At the time of appointment, hold an unexpired license to  
23 operate as a contractor.

24 (b) Be a contractor actively engaged in the contracting business  
25 and must have been so engaged for not less than 5 years preceding  
26 the date of his appointment.

27 (c) Have been a citizen and resident of the State of Nevada for at  
28 least 5 years next preceding his appointment.

29 2. One member of the Board must be a representative of the  
30 general public. *This member must not be:*

31 (a) *A licensed contractor; or*

32 (b) *The spouse, child or parent of a licensed contractor.*

33 *3. Upon appointment, new members of the Board must be*  
34 *provided with:*

35 (a) *A written summary of their duties and responsibilities as*  
36 *members of the Board.*

37 (b) *Training on their duties and responsibilities by the*  
38 *Attorney General. This training must include, but is not limited to,*  
39 *instruction related to the audit of the Board required pursuant to*  
40 *NRS 218.825.*

41 **Sec. 10.** NRS 624.115 is hereby amended to read as follows:

42 624.115 1. The Board may employ attorneys, investigators  
43 and other professional consultants and clerical personnel necessary  
44 to the discharge of its duties.



1 2. The Board may require criminal investigators who are  
2 employed by the Board pursuant to NRS 624.112 to:  
3 (a) Conduct a background investigation of a license or an  
4 applicant for a contractor's license;  
5 (b) Locate and identify persons who:  
6 (1) Engage in the business or act in the capacity of a  
7 contractor within this state in violation of the provisions of this  
8 chapter;  
9 (2) Submit bids on jobs situated within this state in violation  
10 of the provisions of this chapter; or  
11 (3) Otherwise violate the provisions of this chapter or the  
12 regulations adopted pursuant to this chapter; and  
13 (c) Issue a misdemeanor citation prepared manually or  
14 electronically pursuant to NRS 171.1773 to a person who violates a  
15 provision of this chapter that is punishable as a misdemeanor. A  
16 criminal investigator may request any constable, sheriff or other  
17 peace officer to assist him in the issuance of such a citation.

18 **3. *The Board shall not employ a person or contract with a***  
19 ***person as an independent contractor if the person is the spouse,***  
20 ***child or parent of:***

- 21 (a) *A licensed contractor; or*  
22 (b) *A member or employee of the Board.*

23 **4. *If the Board employs a person as an Executive Director or***  
24 ***in a position with powers or duties similar to those of an Executive***  
25 ***Director, the person must possess a level of education or***  
26 ***experience, or a combination of both, to qualify the person to***  
27 ***perform the administrative and managerial tasks required of the***  
28 ***position.***

29 **Sec. 11.** NRS 625.005 is hereby amended to read as follows:  
30 625.005 The purpose of this chapter is to safeguard life, health  
31 and property and to promote the public welfare by providing for the  
32 licensure of qualified and competent professional engineers and  
33 professional land surveyors. ***For this purpose, the Legislature***  
34 ***delegates to the State Board of Professional Engineers and Land***  
35 ***Surveyors the duty of enforcing the provisions of this chapter in***  
36 ***the interest of the public.***

37 **Sec. 12.** NRS 625.100 is hereby amended to read as follows:  
38 625.100 1. The Governor shall appoint seven persons, six of  
39 whom must be engaged in the practice or teaching of professional  
40 engineering in any of its disciplines except military engineering, and  
41 one of whom must be engaged in the practice or teaching of land  
42 surveying. The members must be citizens of the United States and  
43 residents of this state, and constitute the State Board of Professional  
44 Engineers and Land Surveyors.



1 2. All appointments made must be from the current roster of  
2 professional engineers and professional land surveyors as issued by  
3 the Board and on file in the office of the Secretary of State. Insofar  
4 as practicable, membership on the Board must be distributed  
5 proportionately among the recognized disciplines of the profession.  
6 One of the members who is a professional land surveyor must not be  
7 licensed as a professional engineer.

8 3. Within 30 days after his appointment, a member shall take  
9 and subscribe to the oath of office as prescribed by the laws of  
10 Nevada and shall file the oath with the Secretary of State.

11 **4. Upon appointment, new members of the Board must be**  
12 **provided with:**

13 (a) **A written summary of their duties and responsibilities as**  
14 **members of the Board.**

15 (b) **Training on their duties and responsibilities by the**  
16 **Attorney General. This training must include, but is not limited to,**  
17 **instruction related to the audit of the Board required pursuant to**  
18 **NRS 218.825.**

19 **Sec. 13.** NRS 625.110 is hereby amended to read as follows:

20 625.110 1. The Board shall elect officers from its members  
21 and, by regulation, establish the:

22 (a) Offices to which members may be elected;

23 (b) Title and term for each office; and

24 (c) Procedure for electing members to each office.

25 2. At any meeting, four members constitute a quorum.

26 3. Each member is entitled to receive:

27 (a) A salary of not more than \$80 per day, as fixed by the Board,  
28 while engaged in the business of the Board; and

29 (b) A per diem allowance and travel expenses at a rate fixed by  
30 the board, while engaged in the business of the Board. The rate must  
31 not exceed the rate provided for state officers and employees  
32 generally.

33 4. While engaged in the business of the Board, each employee  
34 of the Board is entitled to receive a per diem allowance and travel  
35 expenses at a rate fixed by the Board. The rate must not exceed the  
36 rate provided for state officers and employees generally.

37 5. The salaries of members of the Board and employees of the  
38 Board must be paid from the fees received by the Board pursuant to  
39 the provisions of this chapter, and no part of those salaries may be  
40 paid out of the State General Fund.

41 6. The Board shall appoint an Executive Director who serves at  
42 the pleasure of the Board and is entitled to receive such  
43 compensation as may be fixed by the Board. **The Executive**  
44 **Director:**

45 (a) **Must not be the spouse, child or parent of:**



1           (1) *A professional engineer or a professional land*  
2 *surveyor; or*

3           (2) *A member or employee of the Board.*

4           (b) *Must possess a level of education or experience, or a*  
5 *combination of both, to qualify the person to perform the*  
6 *administrative and managerial tasks required of the position.*

7       **Sec. 14.** NRS 625.135 is hereby amended to read as follows:

8       625.135   1. The Board may employ and fix the compensation  
9 to be paid to attorneys, investigators and other professional  
10 consultants and clerical personnel necessary to the discharge of its  
11 duties and may reimburse such employees for actual expenses they  
12 incur while acting on behalf of the Board.

13       2. *The Board shall not employ a person or contract with a*  
14 *person as an independent contractor if the person is the spouse,*  
15 *child or parent of:*

16           (a) *A professional engineer or a professional land surveyor; or*

17           (b) *A member or employee of the Board.*

18       **Sec. 15.** NRS 625A.010 is hereby amended to read as follows:

19       625A.010 The purpose of registering environmental health  
20 specialists is to protect the public health and safety and the general  
21 welfare of the people of this state. Any certificate issued pursuant to  
22 this chapter is a revocable privilege and no holder of such a  
23 certificate acquires thereby any vested right. *For this purpose, the*  
24 *Legislature delegates to the Board of Registered Environmental*  
25 *Health Specialists the duty of enforcing the provisions of this*  
26 *chapter in the interest of the public.*

27       **Sec. 16.** NRS 625A.030 is hereby amended to read as follows:

28       625A.030   1. There is hereby created the Board of Registered  
29 Environmental Health Specialists, consisting of the State Health  
30 Officer or his designated representative and four members appointed  
31 by the Governor.

32       2. After the initial terms, each member appointed by the  
33 Governor must be appointed for a term of 3 years.

34       3. Of the members of the Board appointed by the Governor  
35 after his initial appointments ~~two~~:

36           (a) *Two* must represent the general public . ~~and two~~ *These*  
37 *members must not be:*

38           (1) *An environmental health specialist; or*

39           (2) *A spouse, child or parent of an environmental health*  
40 *specialist.*

41           (b) *Two* must be environmental health specialists, one employed  
42 by the health district containing Washoe County and one employed  
43 by the health district containing Clark County.





1 4. The Governor may, after notice and hearing, remove any  
2 member of the Board for misconduct in office, incompetency,  
3 neglect of duty or other sufficient cause.

4 5. The Board shall elect from its members who are not  
5 employees of the State a Chairman and a Secretary. The Chairman  
6 must be elected annually on July 1. The Secretary continues in  
7 office at the pleasure of the Board.

8 **6. Upon appointment, new members of the Board must be**  
9 **provided with:**

10 (a) **A written summary of their duties and responsibilities as**  
11 **members of the Board.**

12 (b) **Training on their duties and responsibilities by the**  
13 **Attorney General. This training must include, but is not limited to,**  
14 **instruction related to the audit of the Board required pursuant to**  
15 **NRS 218.825.**

16 **Sec. 17.** NRS 625A.050 is hereby amended to read as follows:  
17 625A.050 1. The Secretary of the Board is entitled to receive:

18 (a) A salary in an amount fixed by the Board; and

19 (b) A per diem allowance and travel expenses at a rate fixed by  
20 the Board, while engaged in the business of the Board. The rate  
21 must not exceed the rate provided for state officers and employees  
22 generally.

23 2. All other members of the Board are entitled to receive:

24 (a) A salary of not more than \$80 per day, as fixed by the Board,  
25 while engaged in the business of the Board; and

26 (b) A per diem allowance and travel expenses at a rate fixed by  
27 the Board, while engaged in the business of the Board. The rate  
28 must not exceed the rate provided for state officers and employees  
29 generally.

30 3. While engaged in the business of the Board, each employee  
31 of the Board is entitled to receive a per diem allowance and travel  
32 expenses at a rate fixed by the Board. The rate must not exceed the  
33 rate provided for state officers and employees generally.

34 **4. The Board shall not employ a person or contract with a**  
35 **person as an independent contractor if the person is the spouse,**  
36 **child or parent of:**

37 (a) **An environmental health specialist; or**

38 (b) **A member or employee of the Board.**

39 **5. If the Board employs a person as an Executive Director or**  
40 **in a position with powers or duties similar to those of an Executive**  
41 **Director, the person must possess a level of education or**  
42 **experience, or a combination of both, to qualify the person to**  
43 **perform the administrative and managerial tasks required of the**  
44 **position.**



1       **Sec. 18.** NRS 628.002 is hereby amended to read as follows:  
2       628.002 **1.** It is the policy of this state, and the purpose of  
3 this chapter:

4       ~~1-1~~ **(a)** To provide for the dependability of information which  
5 is used for guidance in financial transactions or for accounting for  
6 and assessing the status or performance of public and private  
7 entities; and

8       ~~1-2~~ **(b)** To protect the interest of the public by requiring that  
9 persons who are engaged in the practice of public accounting be  
10 qualified, so that the auditing, examining, reviewing and compiling  
11 of financial statements and the issuing of reports, opinions and  
12 assurances relating to those statements are reserved to persons who  
13 have demonstrated ability and fitness to observe and apply the  
14 standards of the profession of accounting.

15       **2.** *For these purposes, the Legislature delegates to the*  
16 *Nevada State Board of Accountancy the duty of enforcing the*  
17 *provisions of this chapter in the interest of the public.*

18       **Sec. 19.** NRS 628.045 is hereby amended to read as follows:

19       628.045 **1.** Except as otherwise provided in subsection 2, the  
20 Governor shall appoint to the Board six members who are certified  
21 public accountants in the State of Nevada and one member who is a  
22 registered public accountant in the State of Nevada. Of the six  
23 members who are certified public accountants:

24       (a) One member must be employed by the government or by  
25 private industry; and

26       (b) Five members must be engaged in the practice of public  
27 accounting.

28       **2.** Whenever the total number of registered public accountants  
29 who practice is 10 or fewer, the Board must consist of six members  
30 who are certified public accountants and the member who is a  
31 registered public accountant until his term of office expires.  
32 Thereafter, the Board must consist of ~~six~~ :

33       **(a)** *Six* members who are certified public accountants, one of  
34 whom must be employed by the government or by private industry .  
35 ~~[-, and one]~~

36       **(b)** *One* member who represents the public. *This member must*  
37 *not be:*

38       **(1)** *A certified public accountant, a public accountant or a*  
39 *registered public accountant; or*

40       **(2)** *The spouse, child or parent of a certified public*  
41 *accountant, a public accountant or a registered public accountant.*

42       **3.** No person may be appointed to the Board unless he is:

43       (a) Engaged in active practice as a certified public accountant or  
44 registered public accountant and holds a live permit to practice



1 public accounting in this state, or is appointed as the member who  
2 represents the public.

3 (b) A resident of the State of Nevada.

4 **4. Upon appointment, new members of the Board must be**  
5 **provided with:**

6 (a) **A written summary of their duties and responsibilities as**  
7 **members of the Board.**

8 (b) **Training on their duties and responsibilities by the**  
9 **Attorney General. This training must include, but is not limited to,**  
10 **instruction related to the audit of the Board required pursuant to**  
11 **NRS 218.825.**

12 **Sec. 20.** NRS 628.090 is hereby amended to read as follows:

13 628.090 1. Annually the Board shall elect a President and a  
14 Secretary-Treasurer from among its members.

15 2. The Board may employ such personnel, including attorneys,  
16 investigators and other professional consultants, and arrange for  
17 such assistance as the Board may require for the performance of its  
18 duties.

19 **3. The Board shall not employ a person or contract with a**  
20 **person as an independent contractor if the person is the spouse,**  
21 **child or parent of:**

22 (a) **A certified public accountant, a public accountant or a**  
23 **registered public accountant; or**

24 (b) **A member or employee of the Board.**

25 **4. If the Board employs a person as an Executive Director or**  
26 **in a position with powers or duties similar to those of an Executive**  
27 **Director, the person must possess a level of education or**  
28 **experience, or a combination of both, to qualify the person to**  
29 **perform the administrative and managerial tasks required of the**  
30 **position.**

31 **Sec. 21.** NRS 630.003 is hereby amended to read as follows:

32 630.003 The Legislature finds and declares that it is among the  
33 responsibilities of State Government to ensure, as far as possible,  
34 that only competent persons practice medicine and respiratory care  
35 within this state. For this purpose, the Legislature delegates to the  
36 Board of Medical Examiners the duty of **enforcing the provisions of**  
37 **this chapter in the interest of the public, including, but not limited**  
38 **to, the duty of** determining the initial and continuing competence of  
39 doctors of medicine, physician assistants and practitioners of  
40 respiratory care in this state. The powers conferred upon the Board  
41 by this chapter must be liberally construed to carry out this purpose.

42 **Sec. 22.** NRS 630.060 is hereby amended to read as follows:

43 630.060 1. ~~Six~~ **Five** members of the Board must be persons  
44 who are licensed to practice medicine in this state, are actually  
45 engaged in the practice of medicine in this state and have resided



1 and practiced medicine in this state for at least 5 years preceding  
2 their respective appointments.

3 *2. One member of the Board must be a person who has*  
4 *resided in this state for at least 5 years and who represents the*  
5 *interests of persons or agencies that regularly provide health care*  
6 *to patients who are indigent, uninsured or unable to afford health*  
7 *care.*

8 *3. The remaining three members of the Board must be persons*  
9 *who have resided in this state for at least 5 years and who:*

10 (a) Are not licensed in any state to practice any healing art;

11 (b) *Are not the spouse, child or parent of a person licensed in*  
12 *any state to practice any healing art;*

13 (c) Are not actively engaged in the administration of any facility  
14 for the dependent as defined in chapter 449 of NRS, medical facility  
15 or medical school; and

16 ~~(e)~~ (d) Do not have a pecuniary interest in any matter  
17 pertaining to the healing arts, except as a patient or potential patient.

18 ~~3~~ 4. The members of the Board must be selected without  
19 regard to their individual political beliefs.

20 ~~4~~ 5. The Board shall conduct training programs to assist  
21 new members of the Board in the performance of their duties. *In*  
22 *addition to the training provided by the Board, upon appointment,*  
23 *new members of the Board must be provided with:*

24 (a) *A written summary of their duties and responsibilities as*  
25 *members of the Board.*

26 (b) *Training on their duties and responsibilities by the*  
27 *Attorney General. This training must include, but is not limited to,*  
28 *instruction related to the audit of the Board required pursuant to*  
29 *NRS 218.825.*

30 **Sec. 23.** NRS 630.125 is hereby amended to read as follows:

31 630.125 *1.* The Board may:

32 ~~1~~ (a) Maintain offices in as many localities in the State as it  
33 finds necessary to carry out the provisions of this chapter.

34 ~~2~~ (b) Employ hearing officers, experts, administrators,  
35 attorneys, investigators, consultants and clerical personnel necessary  
36 to the discharge of its duties.

37 *2. The Board shall not employ a person or contract with a*  
38 *person as an independent contractor if the person is the spouse,*  
39 *child or parent of:*

40 (a) *A physician, a physician assistant or a practitioner of*  
41 *respiratory care; or*

42 (b) *A member or employee of the Board.*

43 *3. If the Board employs a person as an Executive Director or*  
44 *in a position with powers or duties similar to those of an Executive*  
45 *Director, the person must possess a level of education or*



1 *experience, or a combination of both, to qualify the person to*  
2 *perform the administrative and managerial tasks required of the*  
3 *position.*

4 **Sec. 24.** Chapter 630A of NRS is hereby amended by adding  
5 thereto a new section to read as follows:

6 *The Legislature finds and declares that it is among the*  
7 *responsibilities of State Government to ensure, as far as possible,*  
8 *that only competent persons practice homeopathic medicine within*  
9 *this state. For this purpose, the Legislature delegates to the Board*  
10 *of Homeopathic Medical Examiners the duty of enforcing the*  
11 *provisions of this chapter in the interest of the public.*

12 **Sec. 25.** NRS 630A.110 is hereby amended to read as follows:

13 630A.110 1. ~~Four~~ *Three* members of the Board must be  
14 persons who are licensed to practice allopathic or osteopathic  
15 medicine in any state or country, the District of Columbia or a  
16 territory or possession of the United States, have been engaged in  
17 the practice of homeopathic medicine in this state for a period of  
18 more than 2 years preceding their respective appointments, are  
19 actually engaged in the practice of homeopathic medicine in this  
20 state and are residents of the State.

21 2. *One member of the Board must be a person who has*  
22 *resided in this state for at least 5 years and who represents the*  
23 *interests of persons or agencies that regularly provide health care*  
24 *to patients who are indigent, uninsured or unable to afford health*  
25 *care.*

26 3. The remaining *three* members *of the Board* must be persons  
27 who:

28 (a) Are not licensed in any state to practice any healing art;

29 (b) *Are not the spouse, child or parent of a person licensed in*  
30 *any state to practice any healing art;*

31 (c) Are not actively engaged in the administration of any  
32 medical facility or facility for the dependent as defined in chapter  
33 449 of NRS;

34 ~~(e)~~ (d) Do not have a pecuniary interest in any matter  
35 pertaining to such a facility, except as a patient or potential patient;  
36 and

37 ~~(4)~~ (e) Have resided in this state for at least 5 years.

38 ~~3~~ 4. The members of the Board must be selected without  
39 regard to their individual political beliefs.

40 ~~4~~ 5. *Upon appointment, new members of the Board must be*  
41 *provided with:*

42 (a) *A written summary of their duties and responsibilities as*  
43 *members of the Board.*

44 (b) *Training on their duties and responsibilities by the*  
45 *Attorney General. This training must include, but is not limited to,*



1 *instruction related to the audit of the Board required pursuant to*  
2 *NRS 218.825.*

3 **6.** As used in this section, “healing art” means any system,  
4 treatment, operation, diagnosis, prescription or practice for the  
5 ascertainment, cure, relief, palliation, adjustment or correction of  
6 any human disease, ailment, deformity, injury, or unhealthy or  
7 abnormal physical or mental condition for the practice of which  
8 long periods of specialized education and training and a degree of  
9 specialized knowledge of an intellectual as well as physical nature  
10 are required.

11 **Sec. 26.** NRS 630A.190 is hereby amended to read as follows:  
12 630A.190 **1.** The Board may:

13 ~~1-1~~ (a) Maintain offices in as many localities in the State as it  
14 finds necessary to carry out the provisions of this chapter.

15 ~~1-2~~ (b) Employ attorneys, investigators, hearing officers,  
16 experts, administrators, consultants and clerical personnel necessary  
17 to the discharge of its duties.

18 **2.** *The Board shall not employ a person or contract with a*  
19 *person as an independent contractor if the person is the spouse,*  
20 *child or parent of:*

21 (a) *A homeopathic physician, a homeopathic assistant or an*  
22 *advanced practitioner of homeopathy; or*

23 (b) *A member or employee of the Board.*

24 **3.** *If the Board employs a person as an Executive Director or*  
25 *in a position with powers or duties similar to those of an Executive*  
26 *Director, the person must possess a level of education or*  
27 *experience, or a combination of both, to qualify the person to*  
28 *perform the administrative and managerial tasks required of the*  
29 *position.*

30 **Sec. 27.** Chapter 631 of NRS is hereby amended by adding  
31 thereto a new section to read as follows:

32 *The Legislature finds and declares that it is among the*  
33 *responsibilities of State Government to ensure, as far as possible,*  
34 *that only competent persons practice dentistry within this state.*  
35 *For this purpose, the Legislature delegates to the Board of Dental*  
36 *Examiners of Nevada the duty of enforcing the provisions of this*  
37 *chapter in the interest of the public.*

38 **Sec. 28.** NRS 631.130 is hereby amended to read as follows:

39 631.130 **1.** The Governor shall appoint:

40 (a) ~~Seven~~ **Six** members who are graduates of accredited dental  
41 schools or colleges, are residents of Nevada and have ethically  
42 engaged in the practice of dentistry in Nevada for a period of 5  
43 years.

44 (b) *One member who has resided in Nevada for at least 5 years*  
45 *and who represents the interests of persons or agencies that*



1 *regularly provide health care to patients who are indigent,*  
2 *uninsured or unable to afford health care.*

- 3 (c) Two members who:
- 4 (1) Are graduates of accredited schools or colleges of dental
- 5 hygiene;
- 6 (2) Are residents of Nevada; and
- 7 (3) Have been actively engaged in the practice of dental
- 8 hygiene in Nevada for a period of at least 5 years before their
- 9 appointment to the Board.

10 ~~[(e)]~~ (d) One member who is a representative of the general  
11 public. *This member must not be:*

- 12 (1) *A dentist or a dental hygienist; or*
- 13 (2) *The spouse, child or parent of a dentist or a dental*
- 14 *hygienist.*

15 2. The members who are dental hygienists may vote on all  
16 matters but may not participate in examinations for the licensing of  
17 dentists.

18 3. The member who is a representative of the general public  
19 must not participate in grading any examination required by the  
20 Board.

21 4. *Upon appointment, new members of the Board must be*  
22 *provided with:*

- 23 (a) *A written summary of their duties and responsibilities as*
- 24 *members of the Board.*
- 25 (b) *Training on their duties and responsibilities by the*
- 26 *Attorney General. This training must include, but is not limited to,*
- 27 *instruction related to the audit of the Board required pursuant to*
- 28 *NRS 218.825.*

29 **Sec. 29.** NRS 631.140 is hereby amended to read as follows:

30 631.140 1. The ~~seven~~ *six* members of the Board who are  
31 dentists, *the member of the Board who represents the interests of*  
32 *persons or agencies that regularly provide health care to patients*  
33 *who are indigent, uninsured or unable to afford health care,* and  
34 the member *of the Board* who is a representative of the general  
35 public must be appointed from areas of the State as follows:

- 36 (a) Three of those members must be from Carson City, Douglas
- 37 County or Washoe County.
- 38 (b) Four of those members must be from Clark County.
- 39 (c) One of those members may be from any county of the State.

40 2. One of the two members of the Board who are dental  
41 hygienists must be appointed from Clark County, ~~[(e)]~~ the other must  
42 be appointed from some other county of the State.

43 **Sec. 30.** NRS 631.160 is hereby amended to read as follows:

44 631.160 1. At the first regular meeting of each year, the  
45 Board shall elect from its membership one of its members as



1 President and one of its members as Secretary-Treasurer, each of  
2 whom shall hold office for 1 year and until his successor is elected  
3 and qualified.

4 2. The Board shall define the duties of the President, the  
5 Secretary-Treasurer and the Executive Director.

6 3. The Executive Director ~~shall~~ *is entitled to* receive such  
7 compensation as determined by the Board, and the Board shall fix  
8 the amount of the bond to be furnished by the Secretary-Treasurer  
9 and the Executive Director.

10 **4. The Executive Director:**

11 *(a) Must not be the spouse, child or parent of:*

12 *(1) A dentist or a dental hygienist; or*

13 *(2) A member or employee of the Board.*

14 *(b) Must possess a level of education or experience, or a*  
15 *combination of both, to qualify the person to perform the*  
16 *administrative and managerial tasks required of the position.*

17 **Sec. 31.** NRS 631.190 is hereby amended to read as follows:

18 631.190 **1.** In addition to the powers and duties provided in  
19 this chapter, the Board shall:

20 ~~1-1~~ *(a)* Adopt rules and regulations necessary to carry out the  
21 provisions of this chapter.

22 ~~2-1~~ *(b)* Appoint such committees, examiners, officers,  
23 employees, agents, attorneys, investigators and other professional  
24 consultants and define their duties and incur such expense as it may  
25 deem proper or necessary to carry out the provisions of this chapter,  
26 the expense to be paid as provided in this chapter.

27 ~~3-1~~ *(c)* Fix the time and place for and conduct examinations for  
28 the granting of licenses to practice dentistry and dental hygiene.

29 ~~4-1~~ *(d)* Examine applicants for licenses to practice dentistry and  
30 dental hygiene.

31 ~~5-1~~ *(e)* Collect and apply fees as provided in this chapter.

32 ~~6-1~~ *(f)* Keep a register of all dentists and dental hygienists  
33 licensed in this state, together with their addresses, license numbers  
34 and renewal certificate numbers.

35 ~~7-1~~ *(g)* Have and use a common seal.

36 ~~8-1~~ *(h)* Keep such records as may be necessary to report the  
37 acts and proceedings of the Board. Except as otherwise provided in  
38 NRS 631.368, the records must be open to public inspection.

39 ~~9-1~~ *(i)* Maintain offices in as many localities in the State as it  
40 finds necessary to carry out the provisions of this chapter.

41 ~~10-1~~ *(j)* Have discretion to examine work authorizations in  
42 dental offices or dental laboratories.

43 **2. The Board shall not employ a person or contract with a**  
44 **person as an independent contractor if the person is the spouse,**  
45 **child or parent of:**





- 1       (a) *A dentist or a dental hygienist; or*
- 2       (b) *A member or employee of the Board.*

3       **Sec. 32.** NRS 632.005 is hereby amended to read as follows:  
4       632.005 The Legislature hereby declares that the practice of  
5 nursing is a learned profession affecting the safety, health and  
6 welfare of the public and is subject to regulation to protect the  
7 public from the practice of nursing by unqualified and unlicensed  
8 persons and from unprofessional conduct by persons licensed to  
9 practice nursing. The Legislature further declares that the purpose of  
10 the State Board of Nursing is to regulate the practice of nursing and  
11 to enforce the provisions of this chapter ~~§~~ *in the interest of the*  
12 *public.*

13       **Sec. 33.** NRS 632.030 is hereby amended to read as follows:  
14       632.030 1. The Governor shall appoint:

15       (a) ~~Four~~ *Three* registered nurses who are graduates of an  
16 accredited school of nursing, are licensed as professional nurses in  
17 the State of Nevada and have been actively engaged in nursing for at  
18 least 5 years preceding the appointment.

19       (b) One practical nurse who is a graduate of an accredited school  
20 of practical nursing, is licensed as a practical nurse in this state and  
21 has been actively engaged in nursing for at least 5 years preceding  
22 the appointment.

23       (c) One nursing assistant who is certified pursuant to the  
24 provisions of this chapter.

25       (d) *One member who represents the interests of persons or*  
26 *agencies that regularly provide health care to patients who are*  
27 *indigent, uninsured or unable to afford health care.*

28       (e) One member who is a representative of the general public.  
29 *This member must not be:*

30       (1) *A licensed practical nurse, a registered nurse, a nursing*  
31 *assistant or an advanced practitioner of nursing; or*

32       (2) *The spouse, child or parent of a licensed practical*  
33 *nurse, a registered nurse, a nursing assistant or an advanced*  
34 *practitioner of nursing.*

35       2. Each member of the Board must be:

36       (a) A citizen of the United States; and

37       (b) A resident of the State of Nevada who has resided in this  
38 state for not less than 2 years.

39       3. A representative of the general public may not:

40       (a) Have a fiduciary obligation to a hospital or other health  
41 agency;

42       (b) Have a material financial interest in the rendering of health  
43 services; or

44       (c) Be employed in the administration of health activities or the  
45 performance of health services.



1 4. The members appointed to the Board pursuant to paragraphs  
2 (a) and (b) of subsection 1 must be selected to provide the broadest  
3 representation of the various activities, responsibilities and types of  
4 service within the practice of nursing and related areas, which may  
5 include, without limitation, experience:

- 6 (a) In administration.
- 7 (b) In education.
- 8 (c) As an advanced practitioner of nursing.
- 9 (d) In an agency or clinic whose primary purpose is to provide  
10 medical assistance to persons of low and moderate incomes.
- 11 (e) In a licensed medical facility.

12 5. Each member of the Board shall serve a term of 4 years. If a  
13 vacancy occurs during a member's term, the Governor shall appoint  
14 a person qualified under this section to replace that member for the  
15 remainder of the unexpired term.

16 6. No member of the Board may serve more than two  
17 consecutive terms. For the purposes of this subsection, service of 2  
18 or more years in filling an unexpired term constitutes a term.

19 ***7. Upon appointment, new members of the Board must be***  
20 ***provided with:***

21 ***(a) A written summary of their duties and responsibilities as***  
22 ***members of the Board.***

23 ***(b) Training on their duties and responsibilities by the***  
24 ***Attorney General. This training must include, but is not limited to,***  
25 ***instruction related to the audit of the Board required pursuant to***  
26 ***NRS 218.825.***

27 **Sec. 34.** NRS 632.060 is hereby amended to read as follows:

28 632.060 1. Each year at a meeting of the Board, to be held in  
29 accordance with NRS 632.070, the Board shall elect from its  
30 members a President, a Vice President and a Secretary.

31 2. The Board may appoint an Executive Director who ~~need~~  
32 ***must*** not be a member of the Board.

33 3. The Executive Director appointed by the Board ~~must~~ :

34 ***(a) Must*** be a professional nurse licensed to practice nursing in  
35 the State of Nevada.

36 ***(b) Must not be the spouse, child or parent of:***

37 ***(1) A licensed practical nurse, a registered nurse, a nursing***  
38 ***assistant or an advanced practitioner of nursing; or***

39 ***(2) A member or employee of the Board.***

40 ***(c) Must possess a level of education or experience, or a***  
41 ***combination of both, to qualify the person to perform the***  
42 ***administrative and managerial tasks required of the position.***

43 4. The Executive Director shall perform such duties as the  
44 Board may direct and is entitled to receive compensation as set by  
45 the Board. The Executive Director is entitled to receive a per diem



1 allowance and travel expenses at a rate fixed by the Board, while  
2 engaged in the business of the Board. The rate must not exceed the  
3 rate provided for state officers and employees generally.

4 **Sec. 35.** NRS 632.065 is hereby amended to read as follows:

5 632.065 **1.** The Board may:

6 ~~1-1~~ **(a)** Maintain offices in as many localities in the State as it  
7 finds necessary to carry out the provisions of this chapter.

8 ~~1-2~~ **(b)** Employ attorneys, investigators and other professional  
9 consultants and clerical personnel necessary to the discharge of its  
10 duties.

11 **2.** *The Board shall not employ a person or contract with a*  
12 *person as an independent contractor if the person is the spouse,*  
13 *child or parent of:*

14 *(a) A licensed practical nurse, a registered nurse, a nursing*  
15 *assistant or an advanced practitioner of nursing; or*

16 *(b) A member or employee of the Board.*

17 **Sec. 36.** Chapter 633 of NRS is hereby amended by adding  
18 thereto a new section to read as follows:

19 *The Legislature finds and declares that it is among the*  
20 *responsibilities of State Government to ensure, as far as possible,*  
21 *that only competent persons practice osteopathic medicine within*  
22 *this state. For this purpose, the Legislature delegates to the State*  
23 *Board of Osteopathic Medicine the duty of enforcing the*  
24 *provisions of this chapter in the interest of the public.*

25 **Sec. 37.** NRS 633.191 is hereby amended to read as follows:

26 633.191 **1.** ~~Four~~ **Three** members of the Board must:

27 (a) Be licensed under this chapter;

28 (b) Be actually engaged in the practice of osteopathic medicine  
29 in this state; and

30 (c) Have been so engaged in this state for a period of more than  
31 5 years preceding their appointment.

32 **2.** *One member of the Board must be a resident of the State of*  
33 *Nevada and must represent the interests of persons or agencies*  
34 *that regularly provide health care to patients who are indigent,*  
35 *uninsured or unable to afford health care.*

36 **3.** The remaining member *of the Board* must be a resident of  
37 the State of Nevada ~~and~~ *who is:*

38 (a) Not licensed in any state to practice any healing art; ~~and~~

39 (b) *Not the spouse, child or parent of a person licensed in any*  
40 *state to practice any healing art; and*

41 (c) Not actively engaged in the administration of any medical  
42 facility or facility for the dependent as defined in chapter 449 of  
43 NRS.

44 **4.** *Upon appointment, new members of the Board must be*  
45 *provided with:*



1       (a) *A written summary of their duties and responsibilities as*  
2 *members of the Board.*

3       (b) *Training on their duties and responsibilities by the*  
4 *Attorney General. This training must include, but is not limited to,*  
5 *instruction related to the audit of the Board required pursuant to*  
6 *NRS 218.825.*

7       **Sec. 38.** NRS 633.271 is hereby amended to read as follows:

8       633.271 1. The Board may:

9       ~~1-1~~ (a) Appoint an Executive Director who is entitled to such  
10 compensation as determined by the Board.

11       ~~1-2~~ (b) Maintain offices in as many localities in the State as it  
12 finds necessary to carry out the provisions of this chapter.

13       ~~1-3~~ (c) Employ attorneys, investigators and other professional  
14 consultants and clerical personnel necessary to the discharge of its  
15 duties.

16       2. *The Board shall not employ a person or contract with a*  
17 *person as an independent contractor if the person is the spouse,*  
18 *child or parent of:*

19       (a) *An osteopathic physician or an osteopathic physician's*  
20 *assistant; or*

21       (b) *A member or employee of the Board.*

22       3. *If the Board employs a person as an Executive Director or*  
23 *in a position with powers or duties similar to those of an Executive*  
24 *Director, the person must possess a level of education or*  
25 *experience, or a combination of both, to qualify the person to*  
26 *perform the administrative and managerial tasks required of the*  
27 *position.*

28       **Sec. 39.** NRS 634.019 is hereby amended to read as follows:

29       634.019 The practice of chiropractic is hereby declared to be a  
30 learned profession, affecting public safety and welfare and charged  
31 with the public interest, and therefore subject to protection and  
32 regulation by the State. *For this purpose, the Legislature delegates*  
33 *to the Chiropractic Physicians' Board of Nevada the duty of*  
34 *enforcing the provisions of this chapter in the interest of the*  
35 *public.*

36       **Sec. 40.** NRS 634.020 is hereby amended to read as follows:

37       634.020 1. The Chiropractic Physicians' Board of Nevada,  
38 consisting of six members appointed by the Governor, is hereby  
39 created.

40       2. The Governor shall appoint:

41       (a) ~~Five~~ **Four** members who are:

42       (1) Graduates of chiropractic schools or colleges giving a  
43 course of study embracing the following subjects: Anatomy,  
44 bacteriology, chiropractic theory and practice, diagnosis or analysis,  
45 elementary chemistry and toxicology, histology, hygiene and



1 sanitation, obstetrics and gynecology, pathology, physiology and  
2 symptomatology;

3 (2) Licensed under this chapter; and

4 (3) Actually engaged in the practice of chiropractic in this  
5 state and who have been so engaged in this state for at least 3 years  
6 preceding their appointment.

7 (b) *One member who represents the interests of persons or*  
8 *agencies that regularly provide health care to patients who are*  
9 *indigent, uninsured or unable to afford health care.*

10 (c) One member who is a representative of the general public.  
11 *This member must not be:*

12 (1) *A chiropractor or a chiropractor's assistant; or*

13 (2) *The spouse, child or parent of a chiropractor or a*  
14 *chiropractor's assistant.*

15 3. At least two of the appointees must have had a course in  
16 physiotherapy in a school or college of chiropractic. Not more than  
17 two persons who are resident graduates of the same school or  
18 college of chiropractic may serve simultaneously as members of the  
19 Board.

20 4. The member who is a representative of the general public  
21 shall not participate in preparing any examination required by the  
22 Board.

23 5. *Upon appointment, new members of the Board must be*  
24 *provided with:*

25 (a) *A written summary of their duties and responsibilities as*  
26 *members of the Board.*

27 (b) *Training on their duties and responsibilities by the*  
28 *Attorney General. This training must include, but is not limited to,*  
29 *instruction related to the audit of the Board required pursuant to*  
30 *NRS 218.825.*

31 **Sec. 41.** NRS 634.043 is hereby amended to read as follows:

32 634.043 1. The Board shall appoint an Executive Director  
33 who serves at the pleasure of the Board and is entitled to receive  
34 such compensation as may be fixed by the Board. *The Executive*  
35 *Director:*

36 (a) *Must not be the spouse, child or parent of:*

37 (1) *A chiropractor or a chiropractor's assistant; or*

38 (2) *A member or employee of the Board.*

39 (b) *Must possess a level of education or experience, or a*  
40 *combination of both, to qualify the person to perform the*  
41 *administrative and managerial tasks required of the position.*

42 2. The Board may:

43 (a) Maintain offices in as many localities in the State as it finds  
44 necessary to carry out the provisions of this chapter.



1 (b) Employ attorneys, investigators and other professional  
2 consultants and clerical personnel necessary to the discharge of its  
3 duties.

4 (c) Enter and inspect any chiropractic office in this state in order  
5 to enforce the provisions of this chapter.

6 **3. *The Board shall not employ a person or contract with a***  
7 ***person as an independent contractor if the person is the spouse,***  
8 ***child or parent of:***

9 (a) *A chiropractor or a chiropractor's assistant; or*

10 (b) *A member or employee of the Board.*

11 **Sec. 42.** NRS 634A.010 is hereby amended to read as follows:

12 634A.010 The practice of Oriental medicine and any branch  
13 thereof is hereby declared to be a learned profession, affecting  
14 public safety and welfare and charged with the public interest, and  
15 therefore subject to protection and regulation by the State. *For this*  
16 *purpose, the Legislature delegates to the State Board of Oriental*  
17 *Medicine the duty of enforcing the provisions of this chapter in*  
18 *the interest of the public.*

19 **Sec. 43.** NRS 634A.030 is hereby amended to read as follows:

20 634A.030 1. The State Board of Oriental Medicine,  
21 consisting of five members appointed by the Governor, is hereby  
22 created.

23 2. The Governor shall appoint to the Board:

24 (a) ~~Three~~ *Two* members who are licensed pursuant to this  
25 chapter.

26 (b) *One member who represents the interests of persons or*  
27 *agencies that regularly provide health care to patients who are*  
28 *indigent, uninsured or unable to afford health care.*

29 (c) Two members who are representatives of the general public.  
30 *These members must not be:*

31 (1) *A doctor of Oriental medicine; or*

32 (2) *A spouse, child or parent of a doctor of Oriental*  
33 *medicine.*

34 3. Each member of the Board shall, before entering upon the  
35 duties of his office, take the oath of office prescribed by the  
36 Constitution before someone qualified to administer oaths.

37 **4. *Upon appointment, new members of the Board must be***  
38 ***provided with:***

39 (a) *A written summary of their duties and responsibilities as*  
40 *members of the Board.*

41 (b) *Training on their duties and responsibilities by the*  
42 *Attorney General. This training must include, but is not limited to,*  
43 *instruction related to the audit of the Board required pursuant to*  
44 *NRS 218.825.*



1     **Sec. 44.** NRS 634A.070 is hereby amended to read as follows:  
2     634A.070   **1.** The Board may:

3     ~~1-1~~ **(a)** Employ attorneys, investigators and other professional  
4 consultants and clerical personnel necessary to discharge its duties.  
5 To conduct its examinations, the Board may call to its aid persons of  
6 established reputation and known ability in Oriental medicine.

7     ~~1-2~~ **(b)** Maintain offices in as many localities in the State as it  
8 finds necessary to carry out the provisions of this chapter.

9     ~~1-3~~ **(c)** Adopt regulations not inconsistent with the provisions  
10 of this chapter. The regulations may include a code of ethics  
11 regulating the professional conduct of licensees.

12     ~~1-4~~ **(d)** Compel the attendance of witnesses and the production  
13 of evidence by subpoena.

14     **2.** *The Board shall not employ a person or contract with a*  
15 *person as an independent contractor if the person is the spouse,*  
16 *child or parent of:*

17     **(a)** *A doctor of Oriental medicine; or*

18     **(b)** *A member or employee of the Board.*

19     **3.** *If the Board employs a person as an Executive Director or*  
20 *in a position with powers or duties similar to those of an Executive*  
21 *Director, the person must possess a level of education or*  
22 *experience, or a combination of both, to qualify the person to*  
23 *perform the administrative and managerial tasks required of the*  
24 *position.*

25     **Sec. 45.** Chapter 635 of NRS is hereby amended by adding  
26 thereto a new section to read as follows:

27     *The practice of podiatry is hereby declared to be a learned*  
28 *profession, affecting public safety and welfare and charged with*  
29 *the public interest, and therefore subject to protection and*  
30 *regulation by the State. For this purpose, the Legislature delegates*  
31 *to the State Board of Podiatry the duty of enforcing the provisions*  
32 *of this chapter in the interest of the public.*

33     **Sec. 46.** NRS 635.020 is hereby amended to read as follows:

34     635.020   **1.** The State Board of Podiatry, consisting of five  
35 members appointed by the Governor, is hereby created.

36     **2.** The Governor shall appoint:

37     **(a)** ~~Four~~ **Three** members who are licensed podiatric physicians  
38 in the State of Nevada.

39     **(b)** *One member who represents the interests of persons or*  
40 *agencies that regularly provide health care to patients who are*  
41 *indigent, uninsured or unable to afford health care.*

42     **(c)** One member who is a representative of the general public.  
43 *This member must not be:*

44     **(1)** *A licensed podiatric physician in the State of Nevada; or*



1           (2) *A spouse, child or parent of a licensed podiatric*  
2 *physician in the State of Nevada.*

3           3. The members of the Board are entitled to receive:

4           (a) A salary of not more than \$80 per day, as fixed by the Board,  
5 while engaged in the business of the Board; and

6           (b) A per diem allowance and travel expenses at a rate fixed by  
7 the Board, while engaged in the business of the Board. The rate  
8 must not exceed the rate provided for state officers and employees  
9 generally.

10          4. While engaged in the business of the Board, each employee  
11 of the Board is entitled to receive a per diem allowance and travel  
12 expenses at a rate fixed by the Board. The rate must not exceed the  
13 rate provided for state officers and employees generally.

14          5. The member who is a representative of the general public  
15 shall not participate in preparing, conducting or grading any  
16 examination required by the Board.

17          6. *Upon appointment, new members of the Board must be*  
18 *provided with:*

19           (a) *A written summary of their duties and responsibilities as*  
20 *members of the Board.*

21           (b) *Training on their duties and responsibilities by the*  
22 *Attorney General. This training must include, but is not limited to,*  
23 *instruction related to the audit of the Board required pursuant to*  
24 *NRS 218.825.*

25          **Sec. 47.** NRS 635.035 is hereby amended to read as follows:

26          635.035 **1.** The Board may:

27           ~~1-~~ (a) Maintain offices in as many localities in the State as it  
28 finds necessary to carry out the provisions of this chapter.

29           ~~2-~~ (b) Employ attorneys, investigators and other professional  
30 consultants and clerical personnel necessary to the discharge of its  
31 duties.

32          **2.** *The Board shall not employ a person or contract with a*  
33 *person as an independent contractor if the person is the spouse,*  
34 *child or parent of:*

35           (a) *A licensed podiatric physician in the State of Nevada; or*

36           (b) *A member or employee of the Board.*

37          **3.** *If the Board employs a person as an Executive Director or*  
38 *in a position with powers or duties similar to those of an Executive*  
39 *Director, the person must possess a level of education or*  
40 *experience, or a combination of both, to qualify the person to*  
41 *perform the administrative and managerial tasks required of the*  
42 *position.*

43          **Sec. 48.** NRS 636.010 is hereby amended to read as follows:

44          636.010 The practice of optometry is hereby declared to be a  
45 learned profession, affecting public safety and welfare and charged





1 with the public interest, and therefore subject to protection and  
2 regulation by the State. *For this purpose, the Legislature delegates*  
3 *to the Nevada State Board of Optometry the duty of enforcing the*  
4 *provisions of this chapter in the interest of the public.*

5 **Sec. 49.** NRS 636.035 is hereby amended to read as follows:

6 636.035 1. The Governor shall appoint:

7 (a) Three members who are licensed to practice optometry in the  
8 State of Nevada and are actually engaged in the practice of  
9 optometry.

10 (b) One member who is a representative of the general public.

11 *This member must not be:*

12 *(1) Licensed to practice optometry; or*

13 *(2) A spouse, child or parent of a person licensed to*  
14 *practice optometry.*

15 2. A person shall not be appointed if he:

16 (a) Is the owner or co-owner of, a stockholder in, or a member  
17 of the faculty or board of directors or trustees of, any school of  
18 optometry;

19 (b) Is financially interested, directly or indirectly, in the  
20 manufacture or wholesaling of optical supplies; or

21 (c) Has been convicted of a felony or a gross misdemeanor  
22 involving moral turpitude.

23 3. The member who is a representative of the general public  
24 shall not participate in preparing, conducting or grading any  
25 examination required by the Board.

26 *4. Upon appointment, new members of the Board must be*  
27 *provided with:*

28 *(a) A written summary of their duties and responsibilities as*  
29 *members of the Board.*

30 *(b) Training on their duties and responsibilities by the*  
31 *Attorney General. This training must include, but is not limited to,*  
32 *instruction related to the audit of the Board required pursuant to*  
33 *NRS 218.825.*

34 **Sec. 50.** NRS 636.080 is hereby amended to read as follows:

35 636.080 1. Within a reasonable time after the appointment of  
36 a new member, the Board shall meet and organize by electing from  
37 its membership a President who shall hold office for 1 year and until  
38 the election and qualification of his successor.

39 2. The Board shall appoint an Executive Director who serves at  
40 the pleasure of the Board and is entitled to receive compensation as  
41 set by the Board. The Executive Director ~~must~~ :

42 *(a) Must not be a member of the Board.*

43 *(b) Must not be the spouse, child or parent of:*

44 *(1) A person licensed to practice optometry; or*

45 *(2) A member or employee of the Board.*



1       (c) *Must possess a level of education or experience, or a*  
2 *combination of both, to qualify the person to perform the*  
3 *administrative and managerial tasks required of the position.*

4       3. If a vacancy occurs in the position of Executive Director, the  
5 Board may appoint one of its members to perform the duties of  
6 the Executive Director until the position is filled. A member of the  
7 Board who is appointed to perform the duties of the Executive  
8 Director is not entitled to receive any additional compensation for  
9 performing those duties.

10       **Sec. 51.** NRS 636.090 is hereby amended to read as follows:

11       636.090 1. The Board may employ:

12       (a) Agents and inspectors to secure evidence of, and report on,  
13 violations of this chapter.

14       (b) Attorneys, investigators and other professional consultants  
15 and clerical personnel necessary to administer this chapter.

16       2. The Attorney General may act as counsel for the Board.

17       3. *The Board shall not employ a person or contract with a*  
18 *person as an independent contractor if the person is the spouse,*  
19 *child or parent of:*

20       (a) *A person licensed to practice optometry; or*

21       (b) *A member or employee of the Board.*

22       **Sec. 52.** Chapter 637 of NRS is hereby amended by adding  
23 thereto a new section to read as follows:

24       *The practice of ophthalmic dispensing is hereby declared to be*  
25 *a learned profession, affecting public safety and welfare and*  
26 *charged with the public interest, and therefore subject to*  
27 *protection and regulation by the State. For this purpose, the*  
28 *Legislature delegates to the Board of Dispensing Opticians the*  
29 *duty of enforcing the provisions of this chapter in the interest of*  
30 *the public.*

31       **Sec. 53.** NRS 637.030 is hereby amended to read as follows:

32       637.030 1. The Board of Dispensing Opticians, consisting of  
33 five members appointed by the Governor, is hereby created.

34       2. The Governor shall appoint:

35       (a) Four members who have actively engaged in the practice of  
36 ophthalmic dispensing for not less than 3 years in the State of  
37 Nevada immediately preceding the appointment.

38       (b) One member who is a representative of the general public.

39 *This member must not be:*

40       (1) *A dispensing optician; or*

41       (2) *A spouse, child or parent of a dispensing optician.*

42       3. The Governor, after hearing, may remove any member for  
43 cause.



1 4. The member who is the representative of the general public  
2 shall not participate in preparing, conducting or grading any  
3 examination required by the Board.

4 *5. Upon appointment, new members of the Board must be  
5 provided with:*

6 *(a) A written summary of their duties and responsibilities as  
7 members of the Board.*

8 *(b) Training on their duties and responsibilities by the  
9 Attorney General. This training must include, but is not limited to,  
10 instruction related to the audit of the Board required pursuant to  
11 NRS 218.825.*

12 **Sec. 54.** NRS 637.070 is hereby amended to read as follows:

13 637.070 1. The Board may adopt such rules and regulations  
14 as it may deem necessary to carry out the provisions of this chapter.

15 2. The Board shall have a common seal of which all courts of  
16 this state shall take judicial notice.

17 3. The Board may empower any member to conduct any  
18 proceeding, hearing or investigation necessary to its purposes.

19 4. The Board may employ and fix the compensation of  
20 attorneys, investigators and other professional consultants and such  
21 other employees and assistants as it may deem necessary to carry  
22 out the provisions of this chapter.

23 *5. The Board shall not employ a person or contract with a  
24 person as an independent contractor if the person is the spouse,  
25 child or parent of:*

26 *(a) A dispensing optician; or*

27 *(b) A member or employee of the Board.*

28 *6. If the Board employs a person as an Executive Director or  
29 in a position with powers or duties similar to those of an Executive  
30 Director, the person must possess a level of education or  
31 experience, or a combination of both, to qualify the person to  
32 perform the administrative and managerial tasks required of the  
33 position.*

34 **Sec. 55.** Chapter 637A of NRS is hereby amended by adding  
35 thereto a new section to read as follows:

36 *The practice of fitting and dispensing hearing aids is hereby  
37 declared to be a learned profession, affecting public safety and  
38 welfare and charged with the public interest, and therefore subject  
39 to protection and regulation by the State. For this purpose, the  
40 Legislature delegates to the Board of Hearing Aid Specialists the  
41 duty of enforcing the provisions of this chapter in the interest of  
42 the public.*

43 **Sec. 56.** NRS 637A.035 is hereby amended to read as follows:

44 637A.035 1. The Governor shall appoint:



1 (a) One member who is a physician with a specialty in  
2 otorhinolaryngology or otology.

3 (b) One member who is licensed to engage in the practice of  
4 audiology pursuant to chapter 637B of NRS.

5 (c) One member who is a hearing aid specialist.

6 (d) Two members who are representatives of the general public  
7 and have hearing disorders. *These members must not be:*

8 *(1) A hearing aid specialist, a physician with a specialty in*  
9 *otorhinolaryngology or otology or a person licensed to engage in*  
10 *the practice of audiology pursuant to chapter 637B of NRS; or*

11 *(2) A spouse, child or parent of a hearing aid specialist, a*  
12 *physician with a specialty in otorhinolaryngology or otology or a*  
13 *person licensed to engage in the practice of audiology pursuant to*  
14 *chapter 637B of NRS.*

15 2. After their initial terms, the members of the Board shall  
16 serve terms of 3 years.

17 3. No member of the Board may be a stockholder of a  
18 manufacturer.

19 4. The members of the Board serve at the pleasure of the  
20 Governor.

21 *5. Upon appointment, new members of the Board must be*  
22 *provided with:*

23 *(a) A written summary of their duties and responsibilities as*  
24 *members of the Board.*

25 *(b) Training on their duties and responsibilities by the*  
26 *Attorney General. This training must include, but is not limited to,*  
27 *instruction related to the audit of the Board required pursuant to*  
28 *NRS 218.825.*

29 **Sec. 57.** NRS 637A.110 is hereby amended to read as follows:

30 637A.110 *1.* The Board may:

31 ~~[1-]~~ *(a)* Appoint a technical, clerical and operational staff as  
32 may be required. The number of the staff appointed must be limited  
33 by the money available for that purpose in the hearing aid licensing  
34 fund.

35 ~~[2-]~~ *(b)* Grant or refuse licenses for any of the causes specified  
36 in this chapter.

37 ~~[3-]~~ *(c)* Take disciplinary action against a licensee.

38 ~~[4-]~~ *(d)* Take depositions and issue subpoenas for the purpose of  
39 any hearing authorized by this chapter.

40 ~~[5-]~~ *(e)* Establish reasonable educational requirements for  
41 applicants and apprentices and reasonable requirements for the  
42 continuing education of hearing aid specialists and apprentices.

43 *2. The Board shall not employ a person or contract with a*  
44 *person as an independent contractor if the person is the spouse,*  
45 *child or parent of:*



- 1 (a) *A hearing aid specialist; or*
- 2 (b) *A member or employee of the Board.*
- 3 3. *If the Board employs a person as an Executive Director or*
- 4 *in a position with powers or duties similar to those of an Executive*
- 5 *Director, the person must possess a level of education or*
- 6 *experience, or a combination of both, to qualify the person to*
- 7 *perform the administrative and managerial tasks required of the*
- 8 *position.*

9 **Sec. 58.** NRS 637B.010 is hereby amended to read as follows:  
10 637B.010 The practice of audiology and the practice of speech  
11 pathology are hereby declared to be learned professions, affecting  
12 public safety and welfare and charged with the public interest, and  
13 are therefore subject to protection and regulation by the State. *For*  
14 *this purpose, the Legislature delegates to the Board of Examiners*  
15 *for Audiology and Speech Pathology the duty of enforcing the*  
16 *provisions of this chapter in the interest of the public.*

17 **Sec. 59.** NRS 637B.100 is hereby amended to read as follows:  
18 637B.100 1. The Board of Examiners for Audiology and  
19 Speech Pathology, consisting of five members appointed by the  
20 Governor, is hereby created.

- 21 2. The Governor shall appoint:
  - 22 (a) Two members who have been engaged in the practice of
  - 23 speech pathology for 2 years or more;
  - 24 (b) One member who has been engaged in the practice of
  - 25 audiology for 2 years or more;
  - 26 (c) One member who is a physician and who is certified by the
  - 27 Board of medical examiners as a specialist in otolaryngology,
  - 28 pediatrics or neurology; and
  - 29 (d) One member who is a representative of the general public.

30 *This member must not be:*  
31 (1) *A speech pathologist or an audiologist; or*  
32 (2) *A spouse, child or parent of a speech pathologist or an*  
33 *audiologist.*

34 3. Members of the Board who are speech pathologists and  
35 audiologists must be representative of the university, public school,  
36 hospital or private aspects of the practice of audiology and of speech  
37 pathology.

38 4. Each member of the Board who is a speech pathologist or  
39 audiologist must hold a current license issued pursuant to this  
40 chapter or a current certificate of clinical competence from the  
41 American ~~Speech and~~ *Speech-Language*-Hearing Association.

42 5. The member who is a representative of the general public  
43 may not participate in preparing, conducting or grading any  
44 examination required by the Board.



1       **6. Upon appointment, new members of the Board must be**  
2 **provided with:**

3       **(a) A written summary of their duties and responsibilities as**  
4 **members of the Board.**

5       **(b) Training on their duties and responsibilities by the**  
6 **Attorney General. This training must include, but is not limited to,**  
7 **instruction related to the audit of the Board required pursuant to**  
8 **NRS 218.825.**

9       **Sec. 60.** NRS 637B.130 is hereby amended to read as follows:  
10       637B.130 1. A member of the Board is entitled to receive:

11       (a) A salary of not more than \$80 per day, as fixed by the Board,  
12 while engaged in the business of the Board; and

13       (b) A per diem allowance and travel expenses at a rate fixed by  
14 the Board, while engaged in the business of the Board. The rate  
15 must not exceed the rate provided for state officers and employees  
16 generally.

17       2. While engaged in the business of the Board, each employee  
18 of the Board is entitled to receive a per diem allowance and travel  
19 expenses at a rate fixed by the Board. The rate must not exceed the  
20 rate provided for state officers and employees generally.

21       **3. The Board shall not employ a person or contract with a**  
22 **person as an independent contractor if the person is the spouse,**  
23 **child or parent of:**

24       **(a) A speech pathologist or an audiologist; or**

25       **(b) A member or employee of the Board.**

26       **4. If the Board employs a person as an Executive Director or**  
27 **in a position with powers or duties similar to those of an Executive**  
28 **Director, the person must possess a level of education or**  
29 **experience, or a combination of both, to qualify the person to**  
30 **perform the administrative and managerial tasks required of the**  
31 **position.**

32       **Sec. 61.** Chapter 638 of NRS is hereby amended by adding  
33 thereto a new section to read as follows:

34       **The practice of veterinary medicine is hereby declared to be a**  
35 **learned profession, affecting public safety and welfare and**  
36 **charged with the public interest, and therefore subject to**  
37 **protection and regulation by the State. For this purpose, the**  
38 **Legislature delegates to the Nevada State Board of Veterinary**  
39 **Medical Examiners the duty of enforcing the provisions of this**  
40 **chapter in the interest of the public.**

41       **Sec. 62.** NRS 638.020 is hereby amended to read as follows:

42       638.020 1. The Nevada State Board of Veterinary Medical  
43 Examiners is hereby created.

44       2. The board consists of seven members appointed by the  
45 Governor.



- 1       3. Six of the members must:
- 2       (a) Be residents of the State of Nevada.
- 3       (b) Be graduates of a veterinary college approved by the
- 4 American Veterinary Medical Association.
- 5       (c) Have been lawfully engaged in the private practice of
- 6 veterinary medicine in the State of Nevada for at least 5 years next
- 7 preceding the date of their appointment.
- 8       4. One member appointed by the Governor must be a
- 9 representative of the general public. *This member must not be:*
- 10       (a) *A veterinarian, a veterinary technician or a euthanasia*
- 11 *technician; or*
- 12       (b) *A spouse, child or parent of a veterinarian, a veterinary*
- 13 *technician or a euthanasia technician.*
- 14       5. Any member may be removed from the Board by the
- 15 Governor for good cause.
- 16       6. *Upon appointment, new members of the Board must be*
- 17 *provided with:*
- 18       (a) *A written summary of their duties and responsibilities as*
- 19 *members of the Board.*
- 20       (b) *Training on their duties and responsibilities by the*
- 21 *Attorney General. This training must include, but is not limited to,*
- 22 *instruction related to the audit of the Board required pursuant to*
- 23 *NRS 218.825.*
- 24       **Sec. 63.** NRS 638.050 is hereby amended to read as follows:
- 25       638.050 1. The Board shall elect from its appointed members
- 26 a President and Vice President, who serve at the pleasure of the
- 27 Board.
- 28       2. The Board may elect from its appointed members at least
- 29 one member to act as a representative of the Board at any meeting
- 30 held within the State or outside the State when the Board considers
- 31 such representation beneficial.
- 32       3. The Board shall:
- 33       (a) Employ an Executive Director, who shall maintain a copy of
- 34 all correspondence;
- 35       (b) Adopt regulations concerning the duties and qualifications of
- 36 the Executive Director; and
- 37       (c) At least annually, review the performance of the Executive
- 38 Director.
- 39       4. *The Executive Director:*
- 40       (a) *Must not be the spouse, child or parent of:*
- 41       (1) *A veterinarian, a veterinary technician or a euthanasia*
- 42 *technician; or*
- 43       (2) *A member or employee of the Board.*



1       ***(b) Must possess a level of education or experience, or a***  
2       ***combination of both, to qualify the person to perform the***  
3       ***administrative and managerial tasks required of the position.***

4       **Sec. 64.** NRS 638.070 is hereby amended to read as follows:

5       638.070 1. The Board shall adopt regulations providing an  
6       administrative fine in an amount not to exceed \$500 if an applicant  
7       for a license or the renewal of a license:

8       (a) Intentionally or knowingly makes a false or misleading  
9       statement on his application;

10       (b) Knowingly fails to submit a notarized application; or

11       (c) Fails to inform the Board of any change of information  
12       which was contained in his application.

13       2. The Board may adopt regulations:

14       (a) Necessary to carry out the provisions of this chapter;

15       (b) Concerning the rights and responsibilities of veterinary  
16       interns and externs and graduates of schools of veterinary medicine  
17       located outside the United States or Canada;

18       (c) Concerning the rights and responsibilities of a veterinarian's  
19       employees who are not licensed nor working towards obtaining a  
20       license pursuant to this chapter and whose duties require them to  
21       spend a substantial portion of their time in direct contact with  
22       animals;

23       (d) Concerning requirements for continuing education;

24       (e) Establishing procedures to approve schools which confer the  
25       degree of veterinary technician or its equivalent;

26       (f) Concerning the disposition of animals which are abandoned  
27       or left unclaimed at the office of a veterinarian;

28       (g) Establishing sanitary requirements for facilities in which  
29       veterinary medicine is practiced, including, but not limited to,  
30       precautions to be taken to prevent the creation or spread of any  
31       infectious or contagious disease; and

32       (h) Concerning alternative veterinary medicine, including, but  
33       not limited to, acupuncture, chiropractic procedures, dentistry,  
34       cosmetic surgery, holistic medicine, and the provision of such  
35       services by a licensed provider of health care under the direction of  
36       a licensed veterinarian.

37       3. The Board may:

38       (a) Employ attorneys, investigators, hearing officers for  
39       disciplinary hearings, and other professional consultants and clerical  
40       personnel necessary to the discharge of its duties;

41       (b) Conduct investigations and take and record evidence as to  
42       any matter cognizable by it;

43       (c) Maintain offices in as many localities in the State as it  
44       considers necessary to carry out the provisions of this chapter; and





1 (d) Purchase or rent any office space, equipment and supplies  
2 that it considers necessary to carry out the provisions of this chapter.

3 **4. *The Board shall not employ a person or contract with a***  
4 ***person as an independent contractor if the person is the spouse,***  
5 ***child or parent of:***

6 ***(a) A veterinarian, a veterinary technician or an euthanasia***  
7 ***technician; or***

8 ***(b) A member or employee of the Board.***

9 **Sec. 65.** Chapter 639 of NRS is hereby amended by adding  
10 thereto a new section to read as follows:

11 ***The practice of pharmacy is hereby declared to be a learned***  
12 ***profession, affecting public safety and welfare and charged with***  
13 ***the public interest, and therefore subject to protection and***  
14 ***regulation by the State. For this purpose, the Legislature delegates***  
15 ***to the State Board of Pharmacy the duty of enforcing the***  
16 ***provisions of this chapter in the interest of the public.***

17 **Sec. 66.** NRS 639.030 is hereby amended to read as follows:

18 639.030 1. The Governor shall appoint:

19 (a) Six members who are registered pharmacists in the State of  
20 Nevada, are actively engaged in the practice of pharmacy in the  
21 State of Nevada and have had at least 5 years' experience as  
22 registered pharmacists preceding the appointment.

23 (b) One member who is a representative of the general public  
24 and is not related to a pharmacist registered in the State of Nevada  
25 by consanguinity or affinity within the third degree.

26 2. Appointments of registered pharmacists must be  
27 representative of the practice of pharmacy.

28 3. Within 30 days after his appointment, each member of the  
29 Board shall take and subscribe an oath to discharge faithfully and  
30 impartially the duties prescribed by this chapter.

31 4. After the initial terms, the members of the Board must be  
32 appointed to terms of 3 years. A person may not serve as a member  
33 of the Board for more than three consecutive terms. If a vacancy  
34 occurs during a member's term, the Governor shall appoint a person  
35 qualified under this section to replace that member for the remainder  
36 of the unexpired term.

37 5. The Governor shall remove from the Board any member,  
38 after a hearing, for neglect of duty or other just cause.

39 **6. *Upon appointment, new members of the Board must be***  
40 ***provided with:***

41 ***(a) A written summary of their duties and responsibilities as***  
42 ***members of the Board.***

43 ***(b) Training on their duties and responsibilities by the***  
44 ***Attorney General. This training must include, but is not limited to,***



1 *instruction related to the audit of the Board required pursuant to*  
2 *NRS 218.825.*

3 **Sec. 67.** NRS 639.070 is hereby amended to read as follows:  
4 639.070 1. The Board may:

5 (a) Adopt such regulations, not inconsistent with the laws of this  
6 state, as are necessary for the protection of the public, appertaining  
7 to the practice of pharmacy and the lawful performance of its duties.

8 (b) Adopt regulations requiring that prices charged by retail  
9 pharmacies for drugs and medicines which are obtained by  
10 prescription be posted in the pharmacies and be given on the  
11 telephone to persons requesting such information.

12 (c) Adopt regulations, not inconsistent with the laws of this  
13 state, authorizing the Secretary to issue certificates, licenses and  
14 permits required by this chapter and chapters 453 and 454 of NRS.

15 (d) Adopt regulations governing the dispensing of poisons,  
16 drugs, chemicals and medicines.

17 (e) Regulate the practice of pharmacy.

18 (f) Regulate the sale and dispensing of poisons, drugs, chemicals  
19 and medicines.

20 (g) Regulate the means of recordkeeping and storage, handling,  
21 sanitation and security of drugs, poisons, medicines, chemicals and  
22 devices, including, but not limited to, requirements relating to:

23 (1) Pharmacies, institutional pharmacies and pharmacies in  
24 correctional institutions;

25 (2) Drugs stored in hospitals; and

26 (3) Drugs stored for the purpose of wholesale distribution.

27 (h) Examine and register, upon application, pharmacists and  
28 other persons who dispense or distribute medications whom it  
29 deems qualified.

30 (i) Charge and collect necessary and reasonable fees for its  
31 services, other than those specifically set forth in this chapter.

32 (j) Maintain offices in as many localities in the State as it finds  
33 necessary to carry out the provisions of this chapter.

34 (k) Employ an attorney, inspectors, investigators and other  
35 professional consultants and clerical personnel necessary to the  
36 discharge of its duties.

37 (l) Enforce the provisions of NRS 453.011 to 453.552, inclusive,  
38 and enforce the provisions of this chapter and chapter 454 of NRS.

39 (m) Adopt regulations concerning the information required to be  
40 submitted in connection with an application for any license,  
41 certificate or permit required by this chapter or chapter 453 or 454  
42 of NRS.

43 (n) Adopt regulations concerning the education, experience and  
44 background of a person who is employed by the holder of a license



1 or permit issued pursuant to this chapter and who has access to  
2 drugs and devices.

3 (o) Adopt regulations concerning the use of computerized  
4 mechanical equipment for the filling of prescriptions.

5 (p) Participate in and expend money for programs that enhance  
6 the practice of pharmacy.

7 2. This section does not authorize the Board to prohibit open-  
8 market competition in the advertising and sale of prescription drugs  
9 and pharmaceutical services.

10 3. *The Board shall not employ a person or contract with a*  
11 *person as an independent contractor if the person is the spouse,*  
12 *child or parent of:*

13 (a) *A pharmacist; or*

14 (b) *A member or employee of the Board.*

15 4. *If the Board employs a person as an Executive Director or*  
16 *in a position with powers or duties similar to those of an Executive*  
17 *Director, the person must possess a level of education or*  
18 *experience, or a combination of both, to qualify the person to*  
19 *perform the administrative and managerial tasks required of the*  
20 *position.*

21 **Sec. 68.** Chapter 640 of NRS is hereby amended by adding  
22 thereto a new section to read as follows:

23 *The practice of physical therapy is hereby declared to be a*  
24 *learned profession, affecting public safety and welfare and*  
25 *charged with the public interest, and therefore subject to*  
26 *protection and regulation by the State. For this purpose, the*  
27 *Legislature delegates to the State Board of Physical Therapy*  
28 *Examiners the duty of enforcing the provisions of this chapter in*  
29 *the interest of the public.*

30 **Sec. 69.** NRS 640.030 is hereby amended to read as follows:

31 640.030 1. The State Board of Physical Therapy Examiners,  
32 consisting of five members appointed by the Governor, is hereby  
33 created.

34 2. The Governor shall appoint:

35 (a) Four members who are licensed physical therapists in the  
36 State of Nevada.

37 (b) One member who is a representative of the general public.

38 *This member must not be:*

39 (1) *A physical therapist, a physical therapist's assistant or a*  
40 *physical therapist's technician; or*

41 (2) *A spouse, child or parent of a physical therapist, a*  
42 *physical therapist's assistant or a physical therapist's technician.*

43 3. The member who is a representative of the general public  
44 shall not participate in preparing, conducting or grading any  
45 examination required by the Board.



1 4. No member of the Board may serve more than two  
2 consecutive terms.

3 5. The Governor may remove any member of the Board for  
4 incompetency, neglect of duty, gross immorality or malfeasance in  
5 office.

6 6. A majority of the members of the Board constitutes a  
7 quorum.

8 7. No member of the Board may be held liable in a civil action  
9 for any act which he has performed in good faith in the execution of  
10 his duties under this chapter.

11 **8. *Upon appointment, new members of the Board must be***  
12 ***provided with:***

13 ***(a) A written summary of their duties and responsibilities as***  
14 ***members of the Board.***

15 ***(b) Training on their duties and responsibilities by the***  
16 ***Attorney General. This training must include, but is not limited to,***  
17 ***instruction related to the audit of the Board required pursuant to***  
18 ***NRS 218.825.***

19 **Sec. 70.** NRS 640.050 is hereby amended to read as follows:

20 640.050 1. The Board shall examine and license qualified  
21 physical therapists and qualified physical therapist's assistants.

22 2. The Board may adopt reasonable regulations to carry this  
23 chapter into effect, including, but not limited to, regulations  
24 concerning the:

25 (a) Issuance and display of licenses.

26 (b) Supervision of physical therapist's assistants and physical  
27 therapist's technicians.

28 (c) Treatments and other regulated procedures which may be  
29 performed by physical therapist's technicians.

30 3. The Board shall keep a record of its proceedings and a  
31 register of all persons licensed under the provisions of this chapter.  
32 The register must show:

33 (a) The name of every living licensee.

34 (b) The last known place of business and residence of each  
35 licensee.

36 (c) The date and number of each license issued as a physical  
37 therapist or physical therapist's assistant.

38 4. During September of every year in which renewal of a  
39 license is required, the Board shall compile a list of licensed  
40 physical therapists authorized to practice physical therapy and  
41 physical therapist's assistants licensed to assist in the practice  
42 of physical therapy in this state. Any interested person in the State  
43 may obtain a copy of the list upon application to the Board and the  
44 payment of such amount as may be fixed by the Board, which  
45 amount must not exceed the cost of the list so furnished.



1 5. The Board may:  
2 (a) Maintain offices in as many localities in the State as it finds  
3 necessary to carry out the provisions of this chapter.

4 (b) Employ attorneys, investigators and other professional  
5 consultants and clerical personnel necessary to the discharge of its  
6 duties.

7 (c) Adopt a seal of which a court may take judicial notice.

8 6. Any member or agent of the Board may enter an office,  
9 clinic or hospital where physical therapy is practiced and inspect it  
10 to determine if the physical therapists are licensed.

11 7. Any member of the Board may administer an oath to a  
12 person testifying in a matter that relates to the duties of the Board.

13 **8. *The Board shall not employ a person or contract with a***  
14 ***person as an independent contractor if the person is the spouse,***  
15 ***child or parent of:***

16 (a) *A physical therapist, a physical therapist's assistant or a*  
17 *physical therapist's technician; or*

18 (b) *A member or employee of the Board.*

19 **9. *If the Board employs a person as an Executive Director or***  
20 ***in a position with powers or duties similar to those of an Executive***  
21 ***Director, the person must possess a level of education or***  
22 ***experience, or a combination of both, to qualify the person to***  
23 ***perform the administrative and managerial tasks required of the***  
24 ***position.***

25 **Sec. 71.** NRS 640A.010 is hereby amended to read as follows:

26 640A.010 **1.** The Legislature declares that the purpose of this  
27 chapter is to protect the public health, safety and welfare by  
28 ensuring that:

29 ~~(1)~~ (a) Only competent and scrupulous persons practice  
30 occupational therapy in this state; and

31 ~~(2)~~ (b) Persons who practice occupational therapy in this state  
32 maintain an appropriate standard of professional conduct.

33 **2. *For this purpose, the Legislature delegates to the Board of***  
34 ***Occupational Therapy the duty of enforcing the provisions of this***  
35 ***chapter in the interest of the public.***

36 **Sec. 72.** NRS 640A.080 is hereby amended to read as follows:

37 640A.080 **1.** The Board of Occupational Therapy, consisting  
38 of five members appointed by the Governor, is hereby created.

39 **2.** The Governor shall appoint to the Board:

40 (a) One member who is a representative of the general public .

41 ~~(1)~~ ***This member must not be:***

42 (1) *An occupational therapist or an occupational therapy*  
43 *assistant; or*

44 (2) *A spouse, child or parent of an occupational therapist*  
45 *or an occupational therapy assistant.*



1 (b) One member who is an occupational therapist or  
2 occupational therapy assistant. ~~[- and]~~

3 (c) Three members who are occupational therapists.

4 3. Each member of the Board must be a resident of Nevada. An  
5 occupational therapist or occupational therapy assistant appointed to  
6 the Board must:

7 (a) Have practiced, taught or conducted research in occupational  
8 therapy for the 5 years immediately preceding his appointment; and

9 (b) Except for the initial members, hold a license issued  
10 pursuant to this chapter.

11 4. No member of the Board may serve more than two  
12 consecutive terms.

13 5. If a vacancy occurs during a member's term, the Governor  
14 shall appoint a person qualified under this section to replace that  
15 member for the remainder of the unexpired term.

16 *6. Upon appointment, new members of the Board must be  
17 provided with:*

18 *(a) A written summary of their duties and responsibilities as  
19 members of the Board.*

20 *(b) Training on their duties and responsibilities by the  
21 Attorney General. This training must include, but is not limited to,  
22 instruction related to the audit of the Board required pursuant to  
23 NRS 218.825.*

24 **Sec. 73.** NRS 640A.100 is hereby amended to read as follows:

25 640A.100 1. The members of the Board serve without  
26 compensation, except that while engaged in the business of the  
27 Board, each member is entitled to the per diem allowance and travel  
28 expenses provided for state officers and employees generally.

29 2. The Board may employ an Executive Secretary and any  
30 other employees it deems necessary, establish their duties and fix  
31 their salaries.

32 3. The expenses of the Board and members of the Board, and  
33 the salaries of its employees, must be paid from the fees received by  
34 the Board pursuant to this chapter, and no part of those expenses and  
35 salaries may be paid out of the State General Fund.

36 *4. The Board shall not employ a person or contract with a  
37 person as an independent contractor if the person is the spouse,  
38 child or parent of:*

39 *(a) An occupational therapist or an occupational therapy  
40 assistant; or*

41 *(b) A member or employee of the Board.*

42 *5. If the Board employs a person as an Executive Secretary or  
43 in a position with powers or duties similar to those of an Executive  
44 Secretary, the person must possess a level of education or  
45 experience, or a combination of both, to qualify the person to*



1 *perform the administrative and managerial tasks required of the*  
2 *position.*

3 **Sec. 74.** NRS 641.010 is hereby amended to read as follows:  
4 641.010 The practice of psychology is hereby declared to be a  
5 learned profession, affecting public safety, health and welfare and  
6 subject to regulation to protect the public from the practice of  
7 psychology by unqualified persons and from unprofessional conduct  
8 by persons licensed to practice psychology. *For this purpose, the*  
9 *Legislature delegates to the Board of Psychological Examiners the*  
10 *duty of enforcing the provisions of this chapter in the interest of*  
11 *the public.*

12 **Sec. 75.** NRS 641.040 is hereby amended to read as follows:  
13 641.040 1. The Governor shall appoint to the Board:  
14 (a) Four members who are licensed psychologists in the State of  
15 Nevada with at least 5 years of experience in the practice of  
16 psychology after being licensed.

17 (b) One member who is a representative of the general public.  
18 2. A person is not eligible for appointment unless he is:  
19 (a) A citizen of the United States; and  
20 (b) A resident of the State of Nevada.

21 3. The member who is a representative of the general public:  
22 (a) Shall not participate in preparing, conducting or grading any  
23 examination required by the Board.

24 (b) Must not be a psychologist, an applicant or former applicant  
25 for licensure as a psychologist, a member of a health profession or a  
26 member of a household that includes a psychologist.

27 4. Board members must not have any conflicts of interest or the  
28 appearance of such conflicts in the performance of their duties as  
29 members of the Board.

30 **5. Upon appointment, new members of the Board must be**  
31 **provided with:**

32 (a) *A written summary of their duties and responsibilities as*  
33 *members of the Board.*

34 (b) *Training on their duties and responsibilities by the*  
35 *Attorney General. This training must include, but is not limited to,*  
36 *instruction related to the audit of the Board required pursuant to*  
37 *NRS 218.825.*

38 **Sec. 76.** NRS 641.115 is hereby amended to read as follows:  
39 641.115 1. The Board may:

40 (a) Maintain offices in as many localities in the State as it  
41 considers necessary to carry out the provisions of this chapter.

42 (b) Employ attorneys, investigators, consultants, hearings  
43 officers and employees necessary to the discharge of its duties.

44 2. Any expense incurred by the Board may not be paid out of  
45 the State General Fund.



1       **3. The Board shall not employ a person or contract with a**  
2 **person as an independent contractor if the person is the spouse,**  
3 **child or parent of:**

- 4       **(a) A psychologist; or**  
5       **(b) A member or employee of the Board.**

6       **4. If the Board employs a person as an Executive Director or**  
7 **in a position with powers or duties similar to those of an Executive**  
8 **Director, the person must possess a level of education or**  
9 **experience, or a combination of both, to qualify the person to**  
10 **perform the administrative and managerial tasks required of the**  
11 **position.**

12       **Sec. 77.** NRS 641A.010 is hereby amended to read as follows:  
13       641A.010 The practice of marriage and family therapy is  
14 hereby declared a learned profession, profoundly affecting public  
15 safety and welfare and charged with the public interest, and  
16 therefore subject to protection and regulation by the State. **For this**  
17 **purpose, the Legislature delegates to the Board of Examiners for**  
18 **Marriage and Family Therapists the duty of enforcing the**  
19 **provisions of this chapter in the interest of the public.**

20       **Sec. 78.** NRS 641A.100 is hereby amended to read as follows:  
21       641A.100 1. The Governor shall appoint to the Board:

22       (a) Four members who are licensed marriage and family  
23 therapists and are in good standing with or acceptable for  
24 membership in their local or state societies and associations when  
25 they exist; and

26       (b) Two members who are representatives of the general public.

27 **These members must not be:**

- 28       **(1) A marriage and family therapist; or**  
29       **(2) A spouse, child or parent of a marriage and family**  
30 **therapist.**

31       2. The members who are representatives of the general public  
32 shall not participate in preparing, conducting or grading any  
33 examination required by the Board.

34       3. The Governor may, after notice and hearing, remove any  
35 member of the Board for misconduct in office, incompetence,  
36 neglect of duty or other sufficient cause.

37       **4. Upon appointment, new members of the Board must be**  
38 **provided with:**

39       **(a) A written summary of their duties and responsibilities as**  
40 **members of the Board.**

41       **(b) Training on their duties and responsibilities by the**  
42 **Attorney General. This training must include, but is not limited to,**  
43 **instruction related to the audit of the Board required pursuant to**  
44 **NRS 218.825.**





1       **Sec. 79.** NRS 641A.200 is hereby amended to read as follows:  
2       641A.200 1. A member of the Board is entitled to receive:

3       (a) A salary of not more than \$80 per day, as fixed by the Board,  
4 while engaged in the business of the Board; and

5       (b) A per diem allowance and travel expenses at a rate fixed by  
6 the Board, while engaged in the business of the Board. The rate  
7 must not exceed the rate provided for state officers and employees  
8 generally.

9       2. While engaged in the business of the Board, each employee  
10 of the Board is entitled to receive a per diem allowance and travel  
11 expenses at a rate fixed by the Board. The rate must not exceed the  
12 rate provided for state officers and employees generally.

13       3. Compensation and expenses of the members and employees  
14 of the Board are payable out of the money derived from fees and  
15 penalties paid or transmitted to the Board pursuant to the provisions  
16 of this chapter, and no part thereof may be paid out of the State  
17 Treasury.

18       ***4. The Board shall not employ a person or contract with a***  
19 ***person as an independent contractor if the person is the spouse,***  
20 ***child or parent of:***

21       ***(a) A marriage and family therapist; or***

22       ***(b) A member or employee of the Board.***

23       ***5. If the Board employs a person as an Executive Director or***  
24 ***in a position with powers or duties similar to those of an Executive***  
25 ***Director, the person must possess a level of education or***  
26 ***experience, or a combination of both, to qualify the person to***  
27 ***perform the administrative and managerial tasks required of the***  
28 ***position.***

29       **Sec. 80.** NRS 641B.020 is hereby amended to read as follows:

30       641B.020 The practice of social work is hereby declared a  
31 learned profession, affecting public safety and welfare and charged  
32 with the public interest, and is therefore subject to protection and  
33 regulation by the State. ***For this purpose, the Legislature delegates***  
34 ***to the Board of Examiners for Social Workers the duty of***  
35 ***enforcing the provisions of this chapter in the interest of the***  
36 ***public.***

37       **Sec. 81.** NRS 641B.100 is hereby amended to read as follows:

38       641B.100 1. The Board of Examiners for Social Workers  
39 consists of five members appointed by the Governor.

40       2. Four members appointed to the Board must be licensed or  
41 eligible for licensure pursuant to this chapter, except the initial  
42 members who must be eligible for licensure.

43       3. One member appointed to the Board must be a  
44 representative of the general public. ***This member must not be:***



1 (a) *Licensed or eligible for licensure pursuant to this chapter;*  
2 *or*

3 (b) *A spouse, child or parent of a person who is licensed or*  
4 *eligible for licensure pursuant to this chapter.*

5 4. *Upon appointment, new members of the Board must be*  
6 *provided with:*

7 (a) *A written summary of their duties and responsibilities as*  
8 *members of the Board.*

9 (b) *Training on their duties and responsibilities by the*  
10 *Attorney General. This training must include, but is not limited to,*  
11 *instruction related to the audit of the Board required pursuant to*  
12 *NRS 218.825.*

13 **Sec. 82.** NRS 641B.140 is hereby amended to read as follows:

14 641B.140 1. Each member of the Board is entitled to receive:

15 (a) A salary of not more than \$80 per day, as fixed by the Board,  
16 while engaged in the business of the Board; and

17 (b) A per diem allowance and travel expenses at a rate fixed by  
18 the Board, while engaged in the business of the Board. The rate  
19 must not exceed the rate provided for state officers and employees  
20 generally.

21 2. While engaged in the business of the Board, each employee  
22 of the Board is entitled to receive a per diem allowance and travel  
23 expenses at a rate fixed by the Board. The rate must not exceed the  
24 rate provided for state officers and employees generally.

25 3. *The Board shall not employ a person or contract with a*  
26 *person as an independent contractor if the person is the spouse,*  
27 *child or parent of:*

28 (a) *A person who is licensed or eligible for licensure pursuant*  
29 *to this chapter; or*

30 (b) *A member or employee of the Board.*

31 4. *If the Board employs a person as an Executive Director or*  
32 *in a position with powers or duties similar to those of an Executive*  
33 *Director, the person must possess a level of education or*  
34 *experience, or a combination of both, to qualify the person to*  
35 *perform the administrative and managerial tasks required of the*  
36 *position.*

37 **Sec. 83.** NRS 641C.010 is hereby amended to read as follows:

38 641C.010 The practice of counseling alcohol and drug abusers  
39 is hereby declared to be a learned profession, affecting public  
40 health, safety and welfare and is subject to regulation to protect the  
41 public from the practice of counseling alcohol and drug abusers by  
42 unqualified persons and from unprofessional conduct by persons  
43 who are licensed or certified to engage in the practice of counseling  
44 alcohol and drug abusers. *For this purpose, the Legislature*  
45 *delegates to the Board of Examiners for Alcohol and Drug Abuse*



1 *Counselors the duty of enforcing the provisions of this chapter in*  
2 *the interest of the public.*

3 **Sec. 84.** NRS 641C.150 is hereby amended to read as follows:  
4 641C.150 1. The Board of Examiners for Alcohol and Drug  
5 Abuse Counselors, consisting of five members appointed by the  
6 Governor, is hereby created.

7 2. The Board must consist of:

8 (a) Three members who are licensed as alcohol and drug abuse  
9 counselors pursuant to the provisions of this chapter. ~~;~~

10 (b) One member who is certified as an alcohol and drug abuse  
11 counselor pursuant to the provisions of this chapter. ~~;~~ ~~and~~

12 (c) One member who is a representative of the general public.

13 *This member must not be:*

14 (1) *A licensed or certified alcohol and drug abuse*  
15 *counselor; or*

16 (2) *A spouse, child or parent of a licensed or certified*  
17 *alcohol and drug abuse counselor.*

18 3. A person may not be appointed to the Board unless he is:

19 (a) A citizen of the United States or is lawfully entitled to  
20 remain and work in the United States; and

21 (b) A resident of this state.

22 4. No member of the Board may be held liable in a civil action  
23 for any act that he performs in good faith in the execution of his  
24 duties pursuant to the provisions of this chapter.

25 *5. Upon appointment, new members of the Board must be*  
26 *provided with:*

27 (a) *A written summary of their duties and responsibilities as*  
28 *members of the Board.*

29 (b) *Training on their duties and responsibilities by the*  
30 *Attorney General. This training must include, but is not limited to,*  
31 *instruction related to the audit of the Board required pursuant to*  
32 *NRS 218.825.*

33 **Sec. 85.** NRS 641C.180 is hereby amended to read as follows:  
34 641C.180 1. The Board may:

35 ~~1-~~ (a) Maintain offices in as many locations in this state as it  
36 considers necessary to carry out the provisions of this chapter.

37 ~~2-~~ (b) Employ attorneys, investigators and other persons  
38 necessary to carry out its duties.

39 2. *The Board shall not employ a person or contract with a*  
40 *person as an independent contractor if the person is the spouse,*  
41 *child or parent of:*

42 (a) *A licensed or certified alcohol and drug abuse counselor;*  
43 *or*

44 (b) *A member or employee of the Board.*



1       **3. If the Board employs a person as an Executive Director or**  
2 **in a position with powers or duties similar to those of an Executive**  
3 **Director, the person must possess a level of education or**  
4 **experience, or a combination of both, to qualify the person to**  
5 **perform the administrative and managerial tasks required of the**  
6 **position.**

7       **Sec. 86.** Chapter 642 of NRS is hereby amended by adding  
8 thereto a new section to read as follows:

9       *The practice of activities related to cremation, embalming and*  
10 *directing or supervising funerals affects public safety and welfare*  
11 *and is charged with the public interest, and is therefore subject to*  
12 *protection and regulation by the State. For this purpose, the*  
13 *Legislature delegates to the State Board of Funeral Directors,*  
14 *Embalmers and Operators of Cemeteries and Crematories the duty*  
15 *of enforcing the provisions of this chapter in the interest of the*  
16 *public.*

17       **Sec. 87.** NRS 642.020 is hereby amended to read as follows:

18       642.020 1. The State Board of Funeral Directors, Embalmers  
19 and Operators of Cemeteries and Crematories, consisting of five  
20 members appointed by the Governor, is hereby created.

21       2. The Governor shall appoint:

22       (a) One member who is actively engaged as a funeral director  
23 and embalmer.

24       (b) One member who is actively engaged as an operator of a  
25 cemetery.

26       (c) One member who is actively engaged in the operation of a  
27 crematory.

28       (d) Two members who are representatives of the general public.

29       3. No member who is a representative of the general public  
30 may:

31       (a) Be the holder of a license or certificate issued by the Board  
32 or be an applicant or former applicant for such a license or  
33 certificate.

34       (b) Be related within the third degree of consanguinity or  
35 affinity to the holder of a license or certificate issued by the Board.

36       (c) Be employed by the holder of a license or certificate issued  
37 by the Board.

38       4. After the initial terms, members of the Board serve terms of  
39 4 years, except when appointed to fill unexpired terms. Each  
40 member may serve no more than two consecutive full terms.

41       5. The Chairman of the Board must be chosen from the  
42 members of the Board who are representatives of the general public.

43       **6. Upon appointment, new members of the Board must be**  
44 **provided with:**



1       (a) *A written summary of their duties and responsibilities as*  
2 *members of the Board.*

3       (b) *Training on their duties and responsibilities by the*  
4 *Attorney General. This training must include, but is not limited to,*  
5 *instruction related to the audit of the Board required pursuant to*  
6 *NRS 218.825.*

7       **Sec. 88.** NRS 642.055 is hereby amended to read as follows:

8       642.055 1. The Board may:

9       ~~(1)~~ (a) Maintain offices in as many localities in the State as it  
10 finds necessary to carry out the provisions of this chapter.

11       ~~(2)~~ (b) Employ attorneys, investigators and other professional  
12 consultants and clerical personnel necessary to the discharge of its  
13 duties.

14       2. *The Board shall not employ a person or contract with a*  
15 *person as an independent contractor if the person is the spouse,*  
16 *child or parent of:*

17       (a) *A holder of a license or certificate issued by the Board; or*

18       (b) *A member or employee of the Board.*

19       3. *If the Board employs a person as an Executive Director or*  
20 *in a position with powers or duties similar to those of an Executive*  
21 *Director, the person must possess a level of education or*  
22 *experience, or a combination of both, to qualify the person to*  
23 *perform the administrative and managerial tasks required of the*  
24 *position.*

25       **Sec. 89.** Chapter 643 of NRS is hereby amended by adding  
26 thereto a new section to read as follows:

27       *The practice of barbering affects public safety and welfare and*  
28 *is charged with the public interest, and is therefore subject to*  
29 *protection and regulation by the State. For this purpose, the*  
30 *Legislature delegates to the State Barbers' Health and Sanitation*  
31 *Board the duty of enforcing the provisions of this chapter in the*  
32 *interest of the public.*

33       **Sec. 90.** NRS 643.020 is hereby amended to read as follows:

34       643.020 1. The State Barbers' Health and Sanitation Board,  
35 consisting of four members, is hereby created.

36       2. The Board consists of the State Health Officer, or a member  
37 of his staff designated by the State Health Officer, and three  
38 members who are licensed barbers appointed by the Governor. Of  
39 the barbers, one barber must be from Clark County, one barber must  
40 be from Washoe County and one barber must be from any county in  
41 the State. Each of the barbers must have been a resident of this state  
42 and a practicing licensed barber for at least 5 years immediately  
43 before his appointment.

44       3. The Governor may remove a member of the Board for cause.



1 **4. Upon appointment, new members of the Board must be**  
2 **provided with:**

3 (a) **A written summary of their duties and responsibilities as**  
4 **members of the Board.**

5 (b) **Training on their duties and responsibilities by the**  
6 **Attorney General. This training must include, but is not limited to,**  
7 **instruction related to the audit of the Board required pursuant to**  
8 **NRS 218.825.**

9 **Sec. 91.** NRS 643.050 is hereby amended to read as follows:

10 643.050 1. The Board may:

11 (a) Maintain offices in as many locations in this state as it finds  
12 necessary to carry out the provisions of this chapter.

13 (b) Employ attorneys, investigators and other professional  
14 consultants and clerical personnel necessary to the discharge of its  
15 duties.

16 (c) Adopt regulations necessary to carry out the provisions of  
17 this chapter.

18 2. **The Board shall not employ a person or contract with a**  
19 **person as an independent contractor if the person is the spouse,**  
20 **child or parent of:**

21 (a) **A licensed barber or licensed apprentice; or**

22 (b) **A member or employee of the Board.**

23 3. **If the Board employs a person as an Executive Director or**  
24 **in a position with powers or duties similar to those of an Executive**  
25 **Director, the person must possess a level of education or**  
26 **experience, or a combination of both, to qualify the person to**  
27 **perform the administrative and managerial tasks required of the**  
28 **position.**

29 4. The Board shall prescribe, by regulation, sanitary  
30 requirements for barbershops and barber schools.

31 ~~3.~~ 5. Any member of the Board or its agents or assistants  
32 may enter and inspect any barbershop or barber school at any time  
33 during business hours or at any time when the practice of barbering  
34 or instruction in that practice is being carried on.

35 ~~4.~~ 6. The Board shall keep a record of its proceedings  
36 relating to the issuance, refusal, renewal, suspension and revocation  
37 of licenses. The record must contain the name, place of business and  
38 residence of each licensed barber, licensed apprentice and instructor,  
39 and the date and number of his license. The record must be open to  
40 public inspection at all reasonable times.

41 ~~5.~~ 7. The Board may approve and, by official order, establish  
42 the days and hours when barbershops may remain open for business  
43 whenever agreements fixing such opening and closing hours have  
44 been signed and submitted to the Board by any organized and  
45 representative group of licensed barbers of at least 70 percent of the



1 licensed barbers of any county. The Board may investigate the  
2 reasonableness and propriety of the hours fixed by such an  
3 agreement, as is conferred by the provisions of this chapter, and the  
4 Board may fix hours for any portion of a county.

5 ~~6.~~ 8. The Board may adopt regulations governing the  
6 conduct of barber schools and the course of study of barber schools.

7 **Sec. 92.** Chapter 644 of NRS is hereby amended by adding  
8 thereto a new section to read as follows:

9 *The practice of cosmetology affects public safety and welfare  
10 and is charged with the public interest, and is therefore subject to  
11 protection and regulation by the State. For this purpose, the  
12 Legislature delegates to the State Board of Cosmetology the duty  
13 of enforcing the provisions of this chapter in the interest of the  
14 public.*

15 **Sec. 93.** NRS 644.030 is hereby amended to read as follows:

16 644.030 1. The State Board of Cosmetology consisting of  
17 seven members appointed by the Governor is hereby created.

18 2. The Board must consist of four cosmetologists, one  
19 manicurist, one aesthetician and one member representing  
20 customers of cosmetology.

21 3. *Upon appointment, new members of the Board must be  
22 provided with:*

23 *(a) A written summary of their duties and responsibilities as  
24 members of the Board.*

25 *(b) Training on their duties and responsibilities by the  
26 Attorney General. This training must include, but is not limited to,  
27 instruction related to the audit of the Board required pursuant to  
28 NRS 218.825.*

29 **Sec. 94.** NRS 644.150 is hereby amended to read as follows:

30 644.150 1. The Board may employ inspectors, investigators,  
31 advisers, examiners and clerks and secure the services of attorneys  
32 and other professional consultants, but no part of the compensation  
33 of those persons or reasonable expenses incurred by the Board may  
34 be paid by the State.

35 2. *The Board shall not employ a person or contract with a  
36 person as an independent contractor if the person is the spouse,  
37 child or parent of:*

38 *(a) A cosmetologist, electrologist, manicurist, demonstrator of  
39 cosmetics, cosmetologist's apprentice, electrologist's apprentice,  
40 hair designer or aesthetician; or*

41 *(b) A member or employee of the Board.*

42 3. *If the Board employs a person as an Executive Director or  
43 in a position with powers or duties similar to those of an Executive  
44 Director, the person must possess a level of education or  
45 experience, or a combination of both, to qualify the person to*



1 *perform the administrative and managerial tasks required of the*  
2 *position.*

3 **Sec. 95.** NRS 645.045 is hereby amended to read as follows:  
4 645.045 The provisions of this chapter shall be administered *in*  
5 *the interest of the public* by the Real Estate Division, subject to  
6 administrative supervision by the Director.

7 **Sec. 96.** NRS 645.050 is hereby amended to read as follows:  
8 645.050 1. The Real Estate Commission is hereby created.  
9 The Commission consists of five members appointed by the  
10 Governor.

11 2. *Upon appointment, new members of the Commission must*  
12 *be provided with:*

13 (a) *A written summary of their duties and responsibilities as*  
14 *members of the Commission.*

15 (b) *Training on their duties and responsibilities by the*  
16 *Attorney General.*

17 3. The Commission shall act in an advisory capacity to the  
18 Real Estate Division, adopt regulations and conduct hearings as  
19 provided in this chapter. The Commission shall adopt regulations  
20 establishing standards for the operation of licensees' offices and for  
21 their business conduct and ethics.

22 ~~3.~~ 4. The Commission may by regulation delegate any  
23 authority conferred upon it by this chapter to the Administrator to be  
24 exercised pursuant to the regulations of the Commission.

25 ~~4.~~ 5. Service of process and other communications upon the  
26 Commission may be made at the principal office of the Real Estate  
27 Division.

28 **Sec. 97.** Chapter 648 of NRS is hereby amended by adding  
29 thereto a new section to read as follows:

30 *The activities of dog handlers, polygraphic examiners, private*  
31 *investigators, private patrolmen, process servers, reposseors,*  
32 *security consultants and security guards affect public safety and*  
33 *welfare and is charged with the public interest, and is therefore*  
34 *subject to protection and regulation by the State. For this purpose,*  
35 *the Legislature delegates to the Private Investigator's Licensing*  
36 *Board the duty of enforcing the provisions of this chapter in the*  
37 *interest of the public.*

38 **Sec. 98.** NRS 648.020 is hereby amended to read as follows:  
39 648.020 1. The Private Investigator's Licensing Board,  
40 consisting of the Attorney General or his deputy and four members  
41 appointed by the Governor, is hereby created.

42 2. The Governor shall appoint:  
43 (a) One member who is a private investigator.  
44 (b) One member who is a private patrolman.  
45 (c) One member who is a polygraphic examiner.





1 (d) One member who is a representative of the general public.

2 *This member must not be:*

3 (1) *A licensee; or*

4 (2) *A spouse, child or parent of a licensee.*

5 3. The Chairman of the Board is the Attorney General or a  
6 deputy attorney general designated by the Attorney General to act in  
7 that capacity.

8 4. Each member of the Board, except the Chairman, is entitled  
9 to receive:

10 (a) A salary of not more than \$80, as fixed by the Board, for  
11 each day or portion of a day during which he attends a meeting of  
12 the Board; and

13 (b) A per diem allowance and travel expenses at a rate fixed by  
14 the Board, while engaged in the business of the Board. The rate  
15 must not exceed the rate provided for state officers and employees  
16 generally.

17 5. While engaged in the business of the Board, each employee  
18 of the Board is entitled to receive a per diem allowance and travel  
19 expenses at a rate fixed by the Board. The rate must not exceed the  
20 rate provided for state officers and employees generally.

21 6. The member who is a representative of the general public  
22 shall not participate in preparing, conducting or grading any  
23 examination required by the Board.

24 *7. Upon appointment, new members of the Board must be  
25 provided with:*

26 (a) *A written summary of their duties and responsibilities as  
27 members of the Board.*

28 (b) *Training on their duties and responsibilities by the  
29 Attorney General. This training must include, but is not limited to,  
30 instruction related to the audit of the Board required pursuant to  
31 NRS 218.825.*

32 **Sec. 99.** NRS 648.025 is hereby amended to read as follows:

33 648.025 **1.** The Board may:

34 ~~[(1)]~~ (a) Appoint an Executive Director who:

35 ~~[(a)]~~ (1) Is in the unclassified service of the State; and

36 ~~[(b)]~~ (2) Shall perform such duties as the Board may prescribe;

37 and

38 ~~[(2)]~~ (b) Employ investigators and clerical personnel necessary  
39 to carry out the provisions of this chapter.

40 *2. The Board shall not employ a person or contract with a  
41 person as an independent contractor if the person is the spouse,  
42 child or parent of:*

43 (a) *A licensee; or*

44 (b) *A member or employee of the Board.*



1 **3. If the Board employs a person as an Executive Director or**  
2 **in a position with powers or duties similar to those of an Executive**  
3 **Director, the person must possess a level of education or**  
4 **experience, or a combination of both, to qualify the person to**  
5 **perform the administrative and managerial tasks required of the**  
6 **position.**

7 **Sec. 100.** Chapter 654 of NRS is hereby amended by adding  
8 thereto a new section to read as follows:

9 ***The activities of administrators of facilities for long-term care***  
10 ***affect public safety and welfare and is charged with the public***  
11 ***interest, and is therefore subject to protection and regulation by***  
12 ***the State. For this purpose, the Legislature delegates to the***  
13 ***Nevada State Board of Examiners for Administrators of Facilities***  
14 ***for Long-Term Care the duty of enforcing the provisions of this***  
15 ***chapter in the interest of the public.***

16 **Sec. 101.** NRS 654.060 is hereby amended to read as follows:  
17 654.060 1. The Governor shall appoint:

- 18 (a) Two members who are nursing facility administrators.
- 19 (b) One member who is an administrator of a residential facility  
20 for groups with less than seven clients.
- 21 (c) One member who is an administrator of a residential facility  
22 for groups with seven or more clients.
- 23 (d) One member who is a member of the medical or paramedical  
24 professions.
- 25 (e) One member who is a representative of the general public.

26 ***This member must not be:***

27 ***(1) A nursing facility administrator or an administrator of a***  
28 ***residential facility for groups; or***

29 ***(2) A spouse, child or parent of a nursing facility***  
30 ***administrator or an administrator of a residential facility for***  
31 ***groups.***

32 2. The member who is a representative of the general public  
33 shall not participate in preparing, conducting or grading any  
34 examination required by the Board.

35 **3. Upon appointment, new members of the Board must be**  
36 **provided with:**

37 ***(a) A written summary of their duties and responsibilities as***  
38 ***members of the Board.***

39 ***(b) Training on their duties and responsibilities by the***  
40 ***Attorney General. This training must include, but is not limited to,***  
41 ***instruction related to the audit of the Board required pursuant to***  
42 ***NRS 218.825.***



1       **Sec. 102.** NRS 654.100 is hereby amended to read as follows:

2       654.100 1. The Board shall hold at least one regular meeting  
3 quarterly and may meet at such other times as a meeting may be  
4 called by the Chairman or a majority of the membership.

5       2. Four members of the Board constitute a quorum for the  
6 transaction of business.

7       3. Each member of the Board is entitled to receive a per diem  
8 allowance and travel expenses at a rate fixed by the Board, while  
9 engaged in the business of the Board. The rate must not exceed the  
10 rate provided for state officers and employees generally.

11       4. While engaged in the business of the Board, each employee  
12 of the Board is entitled to receive a per diem allowance and travel  
13 expenses at a rate fixed by the Board. The rate must not exceed the  
14 rate provided for state officers and employees generally.

15       5. *The Board shall not employ a person or contract with a*  
16 *person as an independent contractor if the person is the spouse,*  
17 *child or parent of:*

18       (a) *A nursing facility administrator or an administrator of a*  
19 *residential facility for groups; or*

20       (b) *A member or employee of the Board.*

21       6. *If the Board employs a person as an Executive Director or*  
22 *in a position with powers or duties similar to those of an Executive*  
23 *Director, the person must possess a level of education or*  
24 *experience, or a combination of both, to qualify the person to*  
25 *perform the administrative and managerial tasks required of the*  
26 *position.*

27       **Sec. 103.** NRS 656.020 is hereby amended to read as follows:

28       656.020 1. It is hereby declared to be the policy of the  
29 Legislature to:

30       (a) Encourage proficiency in the practice of court reporting as a  
31 profession;

32       (b) Promote efficiency in court and general reporting; and

33       (c) Extend to the courts and public the protection afforded by a  
34 standardized profession by establishing a standard of competency  
35 for those engaged in it.

36       2. The practice of court reporting in the State of Nevada is  
37 declared to affect the public health, safety and welfare and is subject  
38 to regulation and control in the public interest.

39       3. *For these purposes, the Legislature delegates to the*  
40 *Certified Court Reporters' Board of Nevada the duty of enforcing*  
41 *the provisions of this chapter in the interest of the public.*

42       **Sec. 104.** NRS 656.050 is hereby amended to read as follows:

43       656.050 1. The members of the Board must be appointed by  
44 the Governor as follows:



1 ~~1-1~~ (a) One member of the Board must be an active member of  
2 the State Bar of Nevada.

3 ~~2-1~~ (b) Two members of the Board, except members of the first  
4 Board appointed, must be holders of certificates and must have been  
5 actively engaged as court reporters within this state for at least 5  
6 years immediately preceding their appointment.

7 *2. Upon appointment, new members of the Board must be  
8 provided with:*

9 *(a) A written summary of their duties and responsibilities as  
10 members of the Board.*

11 *(b) Training on their duties and responsibilities by the  
12 Attorney General. This training must include, but is not limited to,  
13 instruction related to the audit of the Board required pursuant to  
14 NRS 218.825.*

15 **Sec. 105.** NRS 656.110 is hereby amended to read as follows:  
16 656.110 1. The Board is charged with the administration of  
17 this chapter.

18 2. The Board may appoint such committees as it considers  
19 necessary or proper, and may employ, prescribe the duties and fix  
20 the salary of an Executive Secretary who may be employed on a  
21 part-time basis, and may also employ such other persons as may be  
22 necessary.

23 3. All expenditures described in this section shall be paid from  
24 fees collected under this chapter.

25 *4. The Board shall not employ a person or contract with a  
26 person as an independent contractor if the person is the spouse,  
27 child or parent of:*

28 *(a) A court reporter; or*

29 *(b) A member or employee of the Board.*

30 *5. If the Board employs a person as an Executive Secretary or  
31 in a position with powers or duties similar to those of an Executive  
32 Secretary, the person must possess a level of education or  
33 experience, or a combination of both, to qualify the person to  
34 perform the administrative and managerial tasks required of the  
35 position.*

36 **Sec. 106.** NRS 218.825 is hereby amended to read as follows:  
37 218.825 1. ~~Each of the boards and commissions~~ *Except as  
38 otherwise provided in subsection 2, each board or commission  
39 created by the provisions of chapters 623 to 625A, inclusive, 628 to  
40 644, inclusive, ~~and 641C,~~ 654 and 656 of NRS shall :*

41 *(a) If the revenue of the board or commission from all sources  
42 is less than \$50,000 for any fiscal year, prepare a balance sheet for  
43 that fiscal year on the form provided by the Legislative Auditor  
44 and file the balance sheet with the Legislative Auditor and the  
45 Chief of the Budget Division of the Department of Administration*



1 *on or before December 1 following the end of that fiscal year. The*  
2 *Legislative Auditor shall prepare and make available a form that*  
3 *must be used by a board or commission to prepare such a balance*  
4 *sheet.*

5 *(b) If the revenue of the board or commission from all sources*  
6 *is \$50,000 or more for any fiscal year, engage the services of a*  
7 *certified public accountant or public accountant, or firm of either of*  
8 *such accountants, to audit all its fiscal records ~~once each year for~~*  
9 *~~the preceding~~ for that fiscal year ~~or once every other year for the 2~~*  
10 *~~preceding fiscal years. The cost of the audit must be paid by the~~*  
11 *~~board or commission audited.~~*

12 ~~—2.— A) and file a report of ~~each such audit must be filed by the~~~~  
13 ~~~~board or commission~~ the audit with the Legislative Auditor and the~~  
14 ~~~~Director~~ Chief of the Budget *Division of the Department of*~~  
15 ~~*Administration* on or before December 1 ~~of each year in which an~~~~  
16 ~~~~audit is conducted. All audits~~ following the end of that fiscal year.~~

17 *2. In lieu of preparing a balance sheet or having an audit*  
18 *conducted for a single fiscal year, a board or commission may*  
19 *engage the services of a certified public accountant or public*  
20 *accountant, or firm of either of such accountants, to audit all its*  
21 *fiscal records for a period covering two successive fiscal years. If*  
22 *such an audit is conducted, the board or commission shall file the*  
23 *report of the audit with the Legislative Auditor and the Chief of*  
24 *the Budget Division of the Department of Administration on or*  
25 *before December 1 following the end of the second fiscal year.*

26 *3. The cost of each audit conducted pursuant to subsection 1*  
27 *or 2 must be paid by the board or commission that is audited. Each*  
28 *such audit must be conducted in accordance with generally*  
29 *accepted auditing standards and all financial statements must be*  
30 *prepared in accordance with generally accepted principles of*  
31 *accounting for special revenue funds.*

32 ~~{3.—The}~~

33 *4. Whether or not a board or commission is required to have*  
34 *its fiscal records audited pursuant to subsection 1 or 2, the*  
35 *Legislative Auditor shall audit the fiscal records of any such board*  
36 *or commission whenever directed to do so by the Legislative*  
37 *Commission. When the Legislative Commission directs such an*  
38 *audit, it shall also determine who is to pay the cost of the audit.*

39 *5. A person who is a state officer or employee of a board or*  
40 *commission is guilty of nonfeasance if the person:*

41 *(a) Is responsible for preparing a balance sheet or having an*  
42 *audit conducted pursuant to this section or is responsible for*  
43 *preparing or maintaining the fiscal records that are necessary to*  
44 *prepare a balance sheet or have an audit conducted pursuant to*  
45 *this section; and*



1       ***(b) Knowingly fails to prepare the balance sheet or have the***  
2 ***audit conducted pursuant to this section or knowingly fails to***  
3 ***prepare or maintain the fiscal records that are necessary***  
4 ***to prepare a balance sheet or have an audit conducted pursuant to***  
5 ***this section.***

6       ***6. In addition to any other remedy or penalty, a person who is***  
7 ***guilty of nonfeasance pursuant to this section forfeits his state***  
8 ***office or employment and may not be appointed to a state office or***  
9 ***position of state employment for a period of 2 years following the***  
10 ***forfeiture. The provisions of this subsection do not apply to a state***  
11 ***officer who may be removed from office only by impeachment***  
12 ***pursuant to Article 7 of the Nevada Constitution.***

13       **Sec. 107.** 1. The amendatory provisions of this act do not  
14 abrogate or affect the current term of office of any member of a  
15 board or commission who is serving in that term on October 1,  
16 2003.

17       2. Notwithstanding the amendatory provisions of this act, if a  
18 person, on October 1, 2003, has a valid contract with a board or  
19 commission to perform any services as an independent contractor  
20 and the contract would otherwise violate the amendatory provisions  
21 of this act, the person may continue to perform those services for the  
22 board or commission under the terms of the contract in existence on  
23 October 1, 2003, for the remaining term of the contract.

24       3. Notwithstanding the amendatory provisions of this act, if a  
25 person, on October 1, 2003, is employed by a board or commission  
26 as an executive director or executive secretary or in a position with  
27 powers or duties similar to those of an executive director or  
28 executive secretary and the person does not possess the level of  
29 education or experience, or a combination of both, to qualify the  
30 person to perform the administrative and managerial tasks required  
31 of the position in accordance with the amendatory provisions of this  
32 act, the board or commission may continue to employ the person in  
33 the position until July 1, 2005, without the person complying with  
34 the amendatory provisions of this act.

