

ASSEMBLY BILL NO. 234—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE BOARD OF
HOMEOPATHIC MEDICAL EXAMINERS)

MARCH 1, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Eliminates the Nevada Institutional Review Board.
(BDR 54-646)

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

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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 homeopathy; eliminating the Nevada Institutional Review Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law establishes the Nevada Institutional Review Board which, under
2 the supervision of the Board of Homeopathic Medical Examiners, oversees,
3 reviews and controls certain research studies. (NRS 630A.800-630A.910) This bill
4 eliminates the Nevada Institutional Review Board.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 630A.090 is hereby amended to read as
2 follows:
3 630A.090 1. ~~[Except as otherwise provided in NRS~~
4 ~~630A.800 to 630A.910, inclusive, this]~~ **This** chapter does not apply
5 to:
6 (a) The practice of dentistry, chiropractic, Oriental medicine,
7 podiatry, optometry, respiratory care, faith or Christian Science
8 healing, nursing, veterinary medicine or fitting hearing aids.
9 (b) A medical officer of the Armed Services or a medical officer
10 of any division or department of the United States in the discharge
11 of his official duties.



(c) Licensed or certified nurses in the discharge of their duties as nurses.

(d) Homeopathic physicians who are called into this State, other than on a regular basis, for consultation or assistance to any physician licensed in this State, and who are legally qualified to practice in the state or country where they reside.

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

3. This chapter does not prohibit:

(a) Gratuitous services of a person in case of emergency.

(b) The domestic administration of family remedies.

4. This chapter does not authorize a homeopathic physician to practice medicine, including allopathic medicine, except as otherwise provided in NRS 630A.040.

Sec. 2. NRS 630A.155 is hereby amended to read as follows:

630A.155 The Board shall:

1. Regulate the practice of homeopathic medicine in this State and any activities that are within the scope of such practice, to protect the public health and safety and the general welfare of the people of this State.

2. Determine the qualifications of, and examine, applicants for licensure or certification pursuant to this chapter, and specify by regulation the methods to be used to check the background of such applicants.

3. License or certify those applicants it finds to be qualified.

4. Investigate and, if required, hear and decide in a manner consistent with the provisions of chapter 622A of NRS all complaints made against any homeopathic physician, advanced practitioner of homeopathy, homeopathic assistant or any agent or employee of any of them, or any facility where the primary practice is homeopathic medicine. If a complaint concerns a practice which is within the jurisdiction of another licensing board or any other possible violation of state law, the Board shall refer the complaint to the other licensing board.

5. ~~{Supervise the Nevada Institutional Review Board created by NRS 630A.865, including, without limitation, approving or denying the regulations adopted by the Nevada Institutional Review Board.~~

~~—6.1~~ Submit an annual report to the Legislature and make recommendations to the Legislature concerning the enactment of legislation relating to alternative and complementary integrative medicine, including, without limitation, homeopathic medicine.

Sec. 3. NRS 630A.800, 630A.815, 630A.825, 630A.835, 630A.855, 630A.865, 630A.870, 630A.875, 630A.880, 630A.900, 630A.905 and 630A.910 are hereby repealed.



1 **Sec. 4.** 1. The Nevada Institutional Review Board shall, not
2 later than July 1, 2007:

3 (a) Return the unexpended portion of any grant, gift,
4 appropriation or donation that was received by the Board subject to
5 a condition that requires its return if it cannot be used to carry out
6 the duties of the Board;

7 (b) Transfer any money that remains in any account maintained
8 by the Nevada Institutional Review Board after complying with
9 paragraph (a) to the Board of Homeopathic Medical Examiners; and

10 (c) Transfer all books, records, minutes, documents and other
11 property of the Nevada Institutional Review Board to the Board of
12 Homeopathic Medical Examiners.

13 2. Any regulations adopted by the Nevada Institutional Review
14 Board, or by the Board of Homeopathic Medical Examiners
15 concerning the Nevada Institutional Review Board, are void on
16 July 1, 2007. The Legislative Counsel shall remove those
17 regulations from the Nevada Administrative Code as soon as
18 practicable after July 1, 2007.

19 3. Any contract entered into by the Nevada Institutional
20 Review Board, or by the Board of Homeopathic Medical Examiners
21 concerning the Nevada Institutional Review Board, including,
22 without limitation, a contract for employment and a contract for the
23 services of a person pursuant to NRS 284.013, that is not fully
24 performed on July 1, 2007, is void.

25 4. If the Board of Homeopathic Medical Examiners has created
26 a nonprofit organization pursuant to NRS 630A.875, including,
27 without limitation, the NIRB Medical Foundation, the Board of
28 Homeopathic Medical Examiners shall, not later than July 1, 2007,
29 dissolve the nonprofit organization.

30 5. The Nevada Institutional Review Board shall cooperate with
31 the Board of Homeopathic Medical Examiners to ensure that the
32 provisions of this act are carried out in an orderly manner.

33 6. The terms of the members of the Nevada Institutional
34 Review Board expire on July 1, 2007.

35 **Sec. 5.** 1. This section and section 4 of this act become
36 effective upon passage and approval.

37 2. Sections 1, 2 and 3 of this act become effective on July 1,
38 2007.



LEADLINES OF REPEALED SECTIONS

- 630A.800 Definitions.
- 630A.815 “Practitioner” defined.
- 630A.825 “Research study” defined.
- 630A.835 “Researcher” defined.
- 630A.855 Applicability.
- 630A.865 Creation; supervision; appointment of members; period of service; vacancies; per diem allowance and travel expenses; quorum; officers; meetings; rules of procedure.
- 630A.870 Oath.
- 630A.875 Funding of Review Board; limitations.
- 630A.880 Deposit and use of money received by Review Board.
- 630A.900 Adoption of regulations.
- 630A.905 Administrative powers and duties.
- 630A.910 Requirements governing researchers and research studies.

