

SENATE BILL NO. 285—SENATOR BEERS

MARCH 14, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions concerning a restricted license to practice medicine as a psychiatrist in a mental health center of the Division of Mental Health and Developmental Services of the Department of Health and Human Services. (BDR 54-65)

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

~

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

AN ACT relating to the practice of medicine; revising the requirements for a restricted license to practice medicine as a psychiatrist in a mental health center of the Division of Mental Health and Developmental Services of the Department of Health and Human Services; revising the requirements for a psychiatrist to provide supervision for a person practicing medicine under a restricted license; requiring a supervising psychiatrist to file certain reports with the Board of Medical Examiners; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The Board of Medical Examiners may issue a restricted license to a person to
2 practice medicine in this State as a psychiatrist in a mental health center of the
3 Division of Mental Health and Developmental Services of the Department of
4 Health and Human Services if the person meets certain qualifications. A person
5 who holds a restricted license may practice only under the direct supervision of a
6 psychiatrist who holds an unrestricted license to practice medicine in this State.
7 (NRS 630.262) This bill increases the requirements to obtain a restricted license to
8 include: (1) completion of a 36-month residency in an approved program in general
9 psychiatry; (2) possession of an unrestricted license to practice medicine issued by
10 another state; and (3) fluency in the English language. This bill also establishes that
11 the direct supervision required for a person to practice psychiatry under a restricted
12 license may only be provided by a psychiatrist who, in addition to holding an
13 unrestricted license to practice medicine in this State, is also board certified in
14 psychiatry and a full-time employee of the Division. Finally, this bill requires a



15 supervising psychiatrist to report to the Board of Medical Examiners at least twice a
16 year concerning his supervision of a person practicing psychiatry under a restricted
17 license.

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

1 **Section 1.** NRS 630.262 is hereby amended to read as follows:
2 630.262 1. Except as otherwise provided in NRS 630.161,
3 the Board may issue a restricted license to a person who intends to
4 practice medicine in this State as a psychiatrist in a mental health
5 center of the Division . ~~{under the direct supervision of a~~
6 ~~psychiatrist who holds an unrestricted license to practice medicine~~
7 ~~pursuant to this chapter.}~~

8 2. A person who applies for a restricted license pursuant to this
9 section is not required to take or pass a written examination as to his
10 qualifications to practice medicine pursuant to paragraph (e) of
11 subsection 2 of NRS 630.160, but the person must ~~{meet}~~ :

12 (a) *Have completed at least 36 months of progressive*
13 *postgraduate education as a resident in a program in general*
14 *psychiatry approved by the American Board of Psychiatry and*
15 *Neurology, Inc.;*

16 (b) *Hold an unrestricted license to practice medicine issued by*
17 *another state or the District of Columbia;*

18 (c) *Be fluent in the English language; and*

19 (d) *Meet* all other conditions and requirements for an
20 unrestricted license to practice medicine pursuant to this chapter.

21 3. If the Board issues a restricted license pursuant to this
22 section, the person who holds the restricted license may practice
23 medicine in this State only as a psychiatrist in a mental health center
24 of the Division and only under the direct supervision of a
25 psychiatrist who ~~{holds}~~ :

26 (a) *Is certified in the specialty of psychiatry by the American*
27 *Board of Psychiatry and Neurology, Inc.;*

28 (b) *Holds* an unrestricted license to practice medicine pursuant
29 to this chapter ~~{}~~ ; and

30 (c) *Is a full-time employee of the Division.*

31 4. If a person who holds a restricted license issued pursuant to
32 this section ceases to practice medicine in this State as a psychiatrist
33 in a mental health center of the Division:

34 (a) The Division shall notify the Board; and

35 (b) Upon receipt of such notification, the restricted license
36 expires automatically.

37 5. The Board may renew or modify a restricted license issued
38 pursuant to this section, unless the restricted license has expired



* S B 2 8 5 *

1 automatically or has been revoked. *A restricted license may not be*
2 *renewed more than twice.*

3 6. The provisions of this section do not limit the authority of
4 the Board to issue a restricted license to an applicant in accordance
5 with any other provision of this chapter.

6 7. *A psychiatrist who directly supervises a person practicing*
7 *medicine under a restricted license issued pursuant to this section*
8 *shall, not less often than semiannually, file with the Board a*
9 *report concerning the person and the psychiatrist's supervision of*
10 *the person. The Board shall prescribe the content and form of the*
11 *report.*

12 8. As used in this section:

13 (a) "Division" means the Division of Mental Health and
14 Developmental Services of the Department of Health and Human
15 Services.

16 (b) "Mental health center" has the meaning ascribed to it in
17 NRS 433.144.

