

ASSEMBLY BILL NO. 382—ASSEMBLYMEN HAMMOND,
OHRENSCHALL, SHERWOOD; AND WOODBURY

MARCH 21, 2011

Referred to Committee on Commerce and Labor

SUMMARY—Requires the Chiropractic Physicians’ Board of Nevada to establish a preceptor program. (BDR 54-1006)

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 **fornitted-material** is material to be omitted.

AN ACT relating to health care; requiring the Chiropractic Physicians’ Board of Nevada to establish a preceptor program; prescribing requirements for participation in the program; authorizing unlicensed persons participating in the program to perform chiropractic under certain circumstances; authorizing an applicant for a license to practice chiropractic to perform chiropractic adjustment or manipulation under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, with certain exceptions, a person is not allowed to engage
2 in the practice of chiropractic unless he or she is licensed by the Chiropractic
3 Physicians’ Board of Nevada. (NRS 634.227) **Sections 3-5** of this bill require the
4 Board to establish a preceptor program to enable a student who is enrolled in a
5 college of chiropractic and satisfies other eligibility criteria to obtain supervised
6 clinical experience under an agreement with a licensed chiropractor who is
7 approved by the Board to act as a preceptor in the program. **Section 4** of this bill
8 authorizes a student participating in the program to perform chiropractic, including
9 chiropractic adjustment or manipulation, under the direct supervision of a preceptor
10 for up to 1 year. **Section 7** of this bill authorizes an applicant for a license to
11 practice chiropractic to perform chiropractic adjustment or manipulation under the
12 direct supervision of a chiropractor under certain circumstances. **Section 8** of this
13 bill authorizes the Board to impose a fee for filing an application to participate in
14 the preceptor program. **Section 9** of this bill provides that a student who
15 participates in the program and who performs chiropractic does not violate the law
16 prohibiting the unlicensed practice of chiropractic.



* A B 3 8 2 R 1 *

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

Section 1. Chapter 634 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *“Manipulation” means an application of a resistive movement by applying a nonspecific force, without the use of a thrust, which is directed into a region and not into a focal point of the anatomy.*

Sec. 3. 1. *The Board shall establish a preceptor program to provide supervised clinical experience to students enrolled in colleges of chiropractic.*

2. *The Board shall adopt regulations to carry out the preceptor program required by this section. The regulations must include, without limitation:*

(a) The application procedure for participation in the preceptor program;

(b) Eligibility requirements for students which are in addition to the requirements set forth in section 4 of this act;

(c) The form, content and provisions required for a preceptor agreement between a student and a chiropractor; and

(d) Eligibility requirements for the approval of a chiropractor to serve as a preceptor which are in addition to the requirements set forth in section 5 of this act.

Sec. 4. 1. *A student who wishes to participate in the preceptor program established by the Board pursuant to section 3 of this act must:*

(a) File with the Board an application in the form required by the Board;

(b) Pay the fee for filing an application required by NRS 634.135;

(c) Be enrolled in his or her final academic year at a college of chiropractic that meets the criteria established in paragraph (b) of subsection 1 of NRS 634.090;

(d) Have completed all clinical work required by the Board;

(e) Enter into a preceptor agreement with a chiropractor who is approved by the Board to act as a preceptor pursuant to section 5 of this act; and

(f) Comply with any other requirements prescribed by the Board.

2. *The Board may approve or deny an application for a student who wishes to participate in the preceptor program and shall provide notice to the student of its decision.*



3. A student who is approved to participate in the preceptor program:

(a) May perform chiropractic, including, without limitation, chiropractic adjustment or manipulation, under the direct supervision of a chiropractor who is approved to act as a preceptor pursuant to section 5 of this act.

(b) Shall not perform chiropractic as a participant in the preceptor program for more than 1 year.

Sec. 5. 1. A chiropractor who wishes to act as a preceptor pursuant to the preceptor program established by the Board pursuant to section 3 of this act must:

(a) File with the Board an application in the form required by the Board;

(b) Pay the fee for filing an application with the Board required by NRS 634.135;

(c) Hold in good standing a license on active status issued pursuant to this chapter;

(d) Have malpractice insurance as may be required by the Board; and

(e) Comply with any other requirements prescribed by the Board.

2. The Board may approve or deny an application for a chiropractor to act as a preceptor and shall give notice to the chiropractor of its decision.

Sec. 6. NRS 634.010 is hereby amended to read as follows:

634.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 634.012 to 634.018, inclusive, **and section 2 of this act** have the meanings ascribed to them in those sections.

Sec. 7. NRS 634.105 is hereby amended to read as follows:

634.105 ~~1-1~~ An applicant for a license to practice chiropractic who has the qualifications prescribed in NRS 634.090 may, while waiting to take the Board's examination but for no longer than 2 years, perform chiropractic, ~~but not~~ including, **without limitation**, chiropractic adjustment or manipulation, under the direct supervision of a chiropractor who is professionally and legally responsible for the applicant's performance.

~~[2. As used in this section, "manipulation" means an application of a resistive movement by applying a nonspecific force, without the use of a thrust, which is directed into a region and not into a focal point of the anatomy.]~~

Sec. 8. NRS 634.135 is hereby amended to read as follows:

634.135 1. The Board may charge and collect fees not to exceed:



1	For an application for a license to practice	
2	chiropractic	\$200.00
3	For an examination for a license to practice	
4	chiropractic	200.00
5	For an application for, and the issuance of, a	
6	certificate as a chiropractor's assistant	100.00
7	For an examination for a certificate as a	
8	chiropractor's assistant.....	100.00
9	For the issuance of a license to practice	
10	chiropractic	300.00
11	For the biennial renewal of a license to practice	
12	chiropractic	1,000.00
13	For the biennial renewal of an inactive license to	
14	practice chiropractic.....	300.00
15	For the biennial renewal of a certificate as a	
16	chiropractor's assistant.....	200.00
17	For the restoration to active status of an inactive	
18	license to practice chiropractic.....	300.00
19	For reinstating a license to practice chiropractic	
20	which has been suspended or revoked	500.00
21	For reinstating a certificate as a chiropractor's	
22	assistant which has been suspended pursuant to	
23	NRS 634.130.....	100.00
24	For a review of any subject on the examination	25.00
25	For the issuance of a duplicate license or for	
26	changing the name on a license	35.00
27	For written verification of licensure or issuance of	
28	a certificate of good standing.....	25.00
29	For providing a list of persons who are licensed to	
30	practice chiropractic to a person who is not	
31	licensed to practice chiropractic.....	25.00
32	For providing a list of persons who were licensed	
33	to practice chiropractic following the most	
34	recent examination of the Board to a person	
35	who is not licensed to practice chiropractic.....	10.00
36	For a set of mailing labels containing the names	
37	and addresses of the persons who are licensed	
38	to practice chiropractic in this State.....	35.00
39	For providing a copy of the statutes, regulations	
40	and other rules governing the practice of	
41	chiropractic in this State to a person who is not	
42	licensed to practice chiropractic.....	25.00
43	For each page of a list of continuing education	
44	courses that have been approved by the Board.....	.50



For an application to a preceptor program offered
by the Board to graduates of chiropractic
schools or colleges\$35.00

*For an application for a student or chiropractor
to participate in the preceptor program
established by the Board pursuant to section 3
of this act35.00*

For a review by the Board of a course offered by a
chiropractic school or college or a course of
continuing education in chiropractic.....25.00

2. In addition to the fees set forth in subsection 1, the Board
may charge and collect reasonable and necessary fees for the
expedited processing of a request or for any other incidental service
it provides.

3. For a check or other method of payment made payable to the
Board or tendered to the Board that is returned to the Board or
otherwise dishonored upon presentation for payment, the Board
shall assess and collect a fee in the amount established by the State
Controller pursuant to NRS 353C.115.

Sec. 9. NRS 634.227 is hereby amended to read as follows:

634.227 1. A person who:

(a) Presents to the Board as his or her own the diploma, license
or credentials of another;

(b) Gives false or forged evidence of any kind to the Board; or

(c) Practices chiropractic under a false or assumed name or
falsely personates another licensee,

➔ is guilty of a misdemeanor.

2. Except as otherwise provided in NRS 634.105, *and section
4 of this act*, a person who does not hold a license issued pursuant to
this chapter and:

(a) Practices chiropractic in this State;

(b) Holds himself or herself out as a chiropractor;

(c) Uses any combination, variation or abbreviation of the terms
“chiropractor,” “chiropractic” or “chiropractic physician” as a
professional or commercial representation; or

(d) Uses any means which directly or indirectly conveys to
another person the impression that he or she is qualified or licensed
to practice chiropractic,

➔ is guilty of a category D felony and shall be punished as provided
in NRS 193.130.

Sec. 10. This act becomes effective:

1. Upon passage and approval for purposes of adopting
regulations and performing any other preparatory administrative
tasks that are necessary to carry out the provisions of this act; and



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2. On October 1, 2011, for all other purposes.

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