

SENATE BILL NO. 215—SENATOR HARDY

MARCH 2, 2011

JOINT SPONSORS: ASSEMBLYMEN HAMMOND AND STEWART

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Makes various changes concerning persons regulated by the Chiropractic Physicians' Board of Nevada. (BDR 54-834)

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 chiropractic; requiring the completion of certain continuing education requirements for the renewal of a certificate as a chiropractor's assistant; revising certain provisions governing the issuance and renewal of a license to practice chiropractic; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a chiropractor's assistant may renew his or her certificate as a chiropractor's assistant by paying a fee and submitting certain information to the Chiropractic Physicians' Board of Nevada. (NRS 634.130) **Section 1** of this bill additionally requires a chiropractor's assistant to complete at least 12 hours of continuing education every 2 years as a condition of the renewal of his or her certificate as a chiropractor's assistant. **Section 1** also provides that courses related to lifesaving skills such as cardiopulmonary resuscitation may be included in the 12 hours of continuing education required to be completed by a chiropractor's assistant and requires the Board to determine how many hours of such course work are required. **Section 1** further provides that the educational requirement may be waived by the Board if a chiropractor's assistant is prevented by a serious or disabling illness or physical disability from completing the educational requirement.

Under existing law, a license to practice chiropractic or a certificate as a chiropractor's assistant is valid for 2 years and must be renewed before January 1 of each odd-numbered year. (NRS 634.130) **Section 1** requires a license to practice chiropractic to be renewed before January 1 of each even-numbered year.



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

Section 1. NRS 634.130 is hereby amended to read as follows:
634.130 1. Licenses and certificates must be renewed biennially. Each person who is licensed pursuant to the provisions of this chapter must, upon the payment of the required renewal fee and the submission of all information required to complete the renewal, be granted a renewal certificate which authorizes the person to continue to practice for 2 years.

2. The renewal fee must be paid and all information required to complete the renewal must be submitted to the Board on or before January 1 of ~~each odd-numbered year~~ :

(a) *Each even-numbered year for a licensee; and*

(b) *Each odd-numbered year for a holder of a certificate as a chiropractor's assistant.*

3. Except as otherwise provided in subsection ~~4,~~ 5 or 6, a licensee in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the license, the licensee has attended at least 36 hours of continuing education which is approved or endorsed by the Board.

4. *Except as otherwise provided in subsection 5 or 7, a holder of a certificate as a chiropractor's assistant in active practice within this State must submit satisfactory proof to the Board that, during the 24 months immediately preceding the renewal date of the certificate, the certificate holder has attended at least 12 hours of continuing education which is approved or endorsed by the Board or the equivalent board of another state or jurisdiction that regulates chiropractors' assistants. The continuing education required by this subsection may include education related to lifesaving skills, including, without limitation, a course in cardiopulmonary resuscitation. The Board shall by regulation determine how many of the required 12 hours of continuing education must be course work related to such lifesaving skills. Any course of continuing education approved or endorsed by the Board or the equivalent board of another state or jurisdiction pursuant to this subsection may be conducted via the Internet or in a live setting, including, without limitation, a conference, workshop or academic course of instruction. The Board shall not approve or endorse a course of continuing education which is self-directed or conducted via home study.*

5. The educational requirement of ~~this-section~~ subsection 3 or 4 may be waived by the Board if the licensee *or holder of a certificate as a chiropractor's assistant* files with the Board a



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1 statement of a chiropractic physician, osteopathic physician or
2 doctor of medicine certifying that the licensee *or holder of a*
3 *certificate as a chiropractor's assistant* is suffering from a serious
4 or disabling illness or physical disability which prevented the
5 licensee *or holder of a certificate as a chiropractor's assistant* from
6 completing the requirements for continuing education during the 24
7 months immediately preceding the renewal date of the license.

8 ~~[4.]~~ 6. A licensee is not required to comply with the
9 requirements of subsection 3 until the first ~~odd-numbered~~ *even-*
10 *numbered* year after the year the Board issues to the licensee an
11 initial license to practice as a chiropractor in this State.

12 ~~[5.]~~ 7. *A certificate holder is not required to comply with the*
13 *requirements of subsection 4 until the first odd-numbered year*
14 *after the Board issues to the certificate holder an initial certificate*
15 *to practice as a chiropractor's assistant in this State.*

16 8. If a licensee fails to:

17 (a) Pay the renewal fee by January 1 of an ~~odd-numbered~~
18 *even-numbered* year;

19 (b) Submit proof of continuing education pursuant to
20 subsection 3;

21 (c) Notify the Board of a change in the location of his or her
22 office pursuant to NRS 634.129; or

23 (d) Submit all information required to complete the renewal,
24 ➔ the license is automatically suspended and, except as otherwise
25 provided in NRS 634.131, may be reinstated only upon the
26 payment, by January 1 of the ~~even-numbered~~ *odd-numbered* year
27 following the year in which the license was suspended, of the
28 required fee for reinstatement in addition to the renewal fee.

29 ~~[6.]~~ 9. If a holder of a certificate as a chiropractor's assistant
30 fails to:

31 (a) Pay the renewal fee by January 1 of an odd-numbered year;

32 (b) *Submit proof of continuing education pursuant to*
33 *subsection 4;*

34 (c) Notify the Board of a change in the location of his or her
35 office pursuant to NRS 634.129; or

36 ~~[e)]~~ (d) Submit all information required to complete the
37 renewal,

38 ➔ the certificate is automatically suspended and may be reinstated
39 only upon the payment of the required fee for reinstatement in
40 addition to the renewal fee.

41 **Sec. 2.** NRS 634.131 is hereby amended to read as follows:

42 634.131 1. If a license has been automatically suspended
43 pursuant to the provisions of subsection ~~[5]~~ 8 of NRS 634.130 and
44 not reinstated pursuant to the provisions of that subsection, the



1 person who held the license may apply to the Board to have the
2 license reinstated to active status.

3 2. An applicant to have a suspended license reinstated to active
4 status pursuant to subsection 1 must:

5 (a) Either:

6 (1) Submit satisfactory evidence to the Board:

7 (I) That the applicant has maintained an active practice in
8 another state, territory or country within the preceding 5 years;

9 (II) From all other licensing agencies which have issued
10 the applicant a license that he or she is in good standing and has no
11 legal actions pending against him or her; and

12 (III) That the applicant has participated in a program of
13 continuing education in accordance with NRS 634.130 for the year
14 in which he or she seeks to be reinstated to active status; or

15 (2) Score 75 percent or higher on an examination prescribed
16 by the Board on the provisions of this chapter and the regulations
17 adopted by the Board; and

18 (b) Pay:

19 (1) The fee for the biennial renewal of a license to practice
20 chiropractic; and

21 (2) The fee for reinstating a license to practice chiropractic
22 which has been suspended or revoked.

23 3. If any of the requirements set forth in subsection 2 are not
24 met by an applicant for the reinstatement of a suspended license to
25 active status, the Board, before reinstating the license of the
26 applicant to active status:

27 (a) Must hold a hearing to determine the professional
28 competency and fitness of the applicant; and

29 (b) May require the applicant to:

30 (1) Pass the Special Purposes Examination for Chiropractic
31 prepared by the National Board of Chiropractic Examiners; and

32 (2) Satisfy any additional requirements that the Board deems
33 to be necessary.

34 **Sec. 2.5.** Notwithstanding the amendatory provisions of
35 sections 1 and 2 of this act:

36 1. A license to practice chiropractic issued or renewed on or
37 after July 1, 2011, but before January 1, 2013, expires on
38 December 31, 2013; and

39 2. The Chiropractic Physicians' Board of Nevada shall prorate
40 the fee for any license to practice chiropractic issued or renewed on
41 or after July 1, 2011, but before January 1, 2013.

42 **Sec. 3.** This act becomes effective on July 1, 2011.

