
ASSEMBLY BILL NO. 292—ASSEMBLYMEN STEWART; AND EISEN

MARCH 15, 2013

JOINT SPONSORS: SENATORS HARDY; AND HAMMOND

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the requirements for licensure to practice medicine. (BDR 54-756)

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 medicine; revising provisions governing the postgraduate education and training requirements for licensure as a physician or an osteopathic physician; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the licensure and regulation of physicians and
2 osteopathic physicians in this State. (Chapters 630 and 633 of NRS) **Sections 1 and**
3 **3** of this bill authorize an applicant for a license to practice medicine or osteopathic
4 medicine, respectively, to satisfy the requirements for postgraduate education or
5 training: (1) in one or more approved postgraduate programs, which may be
6 conducted at one or more facilities; (2) in one or more approved specialties or
7 disciplines; (3) in nonconsecutive months; and (4) at any time before receiving his
8 or her license.

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

1 **Section 1.** NRS 630.160 is hereby amended to read as follows:
2 630.160 1. Every person desiring to practice medicine must,
3 before beginning to practice, procure from the Board a license
4 authorizing the person to practice.



2. Except as otherwise provided in NRS 630.1605, 630.161 and 630.258 to 630.266, inclusive, a license may be issued to any person who:

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

(b) Has received the degree of doctor of medicine from a medical school:

(1) Approved by the Liaison Committee on Medical Education of the American Medical Association and Association of American Medical Colleges; or

(2) Which provides a course of professional instruction equivalent to that provided in medical schools in the United States approved by the Liaison Committee on Medical Education;

(c) Is currently certified by a specialty board of the American Board of Medical Specialties and who agrees to maintain the certification for the duration of the licensure, or has passed:

(1) All parts of the examination given by the National Board of Medical Examiners;

(2) All parts of the Federation Licensing Examination;

(3) All parts of the United States Medical Licensing Examination;

(4) All parts of a licensing examination given by any state or territory of the United States, if the applicant is certified by a specialty board of the American Board of Medical Specialties;

(5) All parts of the examination to become a licentiate of the Medical Council of Canada; or

(6) Any combination of the examinations specified in subparagraphs (1), (2) and (3) that the Board determines to be sufficient;

(d) Is currently certified by a specialty board of the American Board of Medical Specialties in the specialty of emergency medicine, preventive medicine or family practice and who agrees to maintain certification in at least one of these specialties for the duration of the licensure, or:

(1) Has completed 36 months of progressive postgraduate:

(I) Education as a resident in the United States or Canada in a program approved by the Board, the Accreditation Council for Graduate Medical Education or the Coordinating Council of Medical Education of the Canadian Medical Association; or

(II) Fellowship training in the United States or Canada approved by the Board or the Accreditation Council for Graduate Medical Education;

(2) Has completed at least 36 months of postgraduate education, not less than 24 months of which must have been completed as a resident after receiving a medical degree from a



1 combined dental and medical degree program approved by the
2 Board; or

3 (3) Is a resident who is enrolled in a progressive postgraduate
4 training program in the United States or Canada approved by the
5 Board, the Accreditation Council for Graduate Medical Education or
6 the Coordinating Council of Medical Education of the Canadian
7 Medical Association, has completed at least 24 months of the
8 program and has committed, in writing, to the Board that he or she
9 will complete the program; and

10 (e) Passes a written or oral examination, or both, as to his or her
11 qualifications to practice medicine and provides the Board with a
12 description of the clinical program completed demonstrating that the
13 applicant's clinical training met the requirements of paragraph (b).

14 3. *An applicant for a license may satisfy the requirements for*
15 *postgraduate education or training prescribed by paragraph (d) of*
16 *subsection 2:*

17 (a) *In one or more approved postgraduate programs, which*
18 *may be conducted at one or more facilities in this State or in*
19 *another state or territory of the United States;*

20 (b) *In one or more approved specialties or disciplines;*

21 (c) *In nonconsecutive months; and*

22 (d) *At any time before receiving his or her license.*

23 4. The Board may issue a license to practice medicine after
24 the Board verifies, through any readily available source, that the
25 applicant has complied with the provisions of subsection 2. The
26 verification may include, but is not limited to, using the Federation
27 Credentials Verification Service. If any information is verified by a
28 source other than the primary source of the information, the Board
29 may require subsequent verification of the information by the
30 primary source of the information.

31 ~~4.1~~ 5. Notwithstanding any provision of this chapter to the
32 contrary, if, after issuing a license to practice medicine, the Board
33 obtains information from a primary or other source of information
34 and that information differs from the information provided by the
35 applicant or otherwise received by the Board, the Board may:

36 (a) Temporarily suspend the license;

37 (b) Promptly review the differing information with the Board as
38 a whole or in a committee appointed by the Board;

39 (c) Declare the license void if the Board or a committee
40 appointed by the Board determines that the information submitted
41 by the applicant was false, fraudulent or intended to deceive the
42 Board;

43 (d) Refer the applicant to the Attorney General for possible
44 criminal prosecution pursuant to NRS 630.400; or



(e) If the Board temporarily suspends the license, allow the license to return to active status subject to any terms and conditions specified by the Board, including:

(1) Placing the licensee on probation for a specified period with specified conditions;

(2) Administering a public reprimand;

(3) Limiting the practice of the licensee;

(4) Suspending the license for a specified period or until further order of the Board;

(5) Requiring the licensee to participate in a program to correct alcohol or drug dependence or any other impairment;

(6) Requiring supervision of the practice of the licensee;

(7) Imposing an administrative fine not to exceed \$5,000;

(8) Requiring the licensee to perform community service without compensation;

(9) Requiring the licensee to take a physical or mental examination or an examination testing his or her competence to practice medicine;

(10) Requiring the licensee to complete any training or educational requirements specified by the Board; and

(11) Requiring the licensee to submit a corrected application, including the payment of all appropriate fees and costs incident to submitting an application.

~~15-1~~ 6. If the Board determines after reviewing the differing information to allow the license to remain in active status, the action of the Board is not a disciplinary action and must not be reported to any national database. If the Board determines after reviewing the differing information to declare the license void, its action shall be deemed a disciplinary action and shall be reportable to national databases.

Sec. 2. NRS 630.171 is hereby amended to read as follows:

630.171 Except as otherwise provided in NRS 630.263, in addition to the other requirements for licensure, an applicant for a license to practice medicine shall cause to be submitted to the Board, if applicable:

1. A certificate of completion of progressive postgraduate training from the residency program where the applicant ~~received~~ **completed** training; and

2. Proof of satisfactory completion of a progressive postgraduate training program specified in subparagraph (3) of paragraph (d) of subsection 2 of NRS 630.160 within 60 days after the scheduled completion of the program.



Sec. 3. NRS 633.311 is hereby amended to read as follows:

633.311 1. Except as otherwise provided in NRS 633.315, an applicant for a license to practice osteopathic medicine may be issued a license by the Board if:

~~(1)~~ **(a)** The applicant is 21 years of age or older;

~~(2)~~ **(b)** The applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States;

~~(3)~~ **(c)** The applicant is a graduate of a school of osteopathic medicine;

~~(4)~~ **(d)** The applicant:

~~(a)~~ **(I)** Has graduated from a school of osteopathic medicine before 1995 and has completed:

~~(1)~~ **(I)** A hospital internship; or

~~(2)~~ **(II)** One year of postgraduate training that complies with the standards of intern training established by the American Osteopathic Association;

~~(b)~~ **(2)** Has completed 3 years, or such other length of time as required by a specific program, of postgraduate medical education as a resident in the United States or Canada in a program approved by the Board, the Bureau of Professional Education of the American Osteopathic Association or the Accreditation Council for Graduate Medical Education; or

~~(c)~~ **(3)** Is a resident who is enrolled in a postgraduate training program in this State, has completed 24 months of the program and has committed, in writing, that he or she will complete the program;

~~(5)~~ **(e)** The applicant applies for the license as provided by law;

~~(6)~~ **(f)** The applicant passes:

~~(a)~~ **(1)** All parts of the licensing examination of the National Board of Osteopathic Medical Examiners;

~~(b)~~ **(2)** All parts of the licensing examination of the Federation of State Medical Boards ; ~~of the United States, Inc.;~~

~~(c)~~ **(3)** All parts of the licensing examination of the Board, a state, territory or possession of the United States, or the District of Columbia, and is certified by a specialty board of the American Osteopathic Association or by the American Board of Medical Specialties; or

~~(d)~~ **(4)** A combination of the parts of the licensing examinations specified in paragraphs (a), (b) and (c) that is approved by the Board;

~~(7)~~ **(g)** The applicant pays the fees provided for in this chapter; and

~~(8)~~ **(h)** The applicant submits all information required to complete an application for a license.



1 2. *An applicant for a license may satisfy the requirements for*
2 *postgraduate education or training prescribed by paragraph (d) of*
3 *subsection 1:*

4 (a) *In one or more approved postgraduate programs, which*
5 *may be conducted at one or more facilities in this State or, except*
6 *for a resident who is enrolled in a postgraduate training program*
7 *in this State pursuant to subparagraph (3) of paragraph (d) of*
8 *subsection 1, in another state or territory of the United States;*

9 (b) *In one or more approved specialties or disciplines;*

10 (c) *In nonconsecutive months; and*

11 (d) *At any time before receiving his or her license.*

12 **Sec. 4.** NRS 633.322 is hereby amended to read as follows:

13 633.322 In addition to the other requirements for licensure to
14 practice osteopathic medicine, an applicant shall cause to be
15 submitted to the Board:

16 1. A certificate of completion of progressive postgraduate
17 training from the residency program where the applicant ~~received~~
18 *completed* training; and

19 2. If applicable, proof of satisfactory completion of a
20 postgraduate training program specified in *subparagraph (3) of*
21 paragraph ~~(e)~~ (d) of subsection ~~4~~ 1 of NRS 633.311 within 120
22 days after the scheduled completion of the program.

23 **Sec. 5.** NRS 633.401 is hereby amended to read as follows:

24 633.401 1. Except as otherwise provided in NRS 633.315,
25 the Board may issue a special license to practice osteopathic
26 medicine:

27 (a) To authorize a person who is licensed to practice osteopathic
28 medicine in an adjoining state to come into Nevada to care for or
29 assist in the treatment of his or her patients in association with an
30 osteopathic physician in this State who has primary care of the
31 patients.

32 (b) To a resident while the resident is enrolled in a postgraduate
33 training program required pursuant to the provisions of
34 *subparagraph (3) of* paragraph ~~(e)~~ (d) of subsection ~~4~~ 1 of
35 NRS 633.311.

36 (c) Other than a license issued pursuant to NRS 633.419, for a
37 specified period and for specified purposes to a person who is
38 licensed to practice osteopathic medicine in another jurisdiction.

39 2. For the purpose of paragraph (c) of subsection 1, the
40 osteopathic physician must:

41 (a) Hold a full and unrestricted license to practice osteopathic
42 medicine in another state;

43 (b) Not have had any disciplinary or other action taken against
44 him or her by any state or other jurisdiction; and



1 (c) Be certified by a specialty board of the American Board of
2 Medical Specialties, the American Osteopathic Association or their
3 successors.

4 3. A special license issued under this section may be renewed
5 by the Board upon application of the licensee.

6 4. Every person who applies for or renews a special license
7 under this section shall pay respectively the special license fee or
8 special license renewal fee specified in this chapter.

9 **Sec. 6.** This act becomes effective on July 1, 2013.

