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ASSEMBLY BILL NO. 39—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE DIVISION OF PUBLIC  
AND BEHAVIORAL HEALTH)

PREFILED DECEMBER 20, 2014

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Referred to Committee on Health and Human Services

**SUMMARY**—Removes the cap on the application fee for the  
Physician Visa Waiver Program. (BDR 40-328)

**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.

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AN ACT relating to health care; removing the cap on the application  
fee for the Physician Visa Waiver Program; and providing  
other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Existing law authorizes the State Board of Health to establish an application fee  
2 of not more than \$500 to be paid by an employer or a physician for a letter of  
3 support from the Physician Fee Waiver Program. (NRS 439A.170) This bill  
4 removes the cap on the amount of the fee that the State Board may establish.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 439A.170 is hereby amended to read as  
2 follows:  
3 439A.170 1. The Physician Visa Waiver Program is hereby  
4 established in the Division. The Administrator shall administer the  
5 Program consistent with federal law and the provisions of NRS  
6 439A.130 to 439A.185, inclusive, and the regulations adopted  
7 pursuant thereto. The Program must:  
8 (a) Provide for the oversight of employers and J-1 visa  
9 physicians in this State;



1 (b) Evaluate applications for letters of support submitted  
2 pursuant to NRS 439A.175; and

3 (c) Issue letters of support.

4 2. The State Board of Health shall adopt regulations:

5 (a) Providing for the administration of the Program; and

6 (b) Establishing ~~{an}~~ *a reasonable* application fee, ~~{not to}~~  
7 ~~exceed \$500,}~~ payable to the Program by an employer or J-1 visa  
8 physician who applies for a letter of support pursuant to  
9 NRS 439A.175.

10 3. Any application fees collected by the Program are not  
11 refundable and must be deposited in the State Treasury and  
12 accounted for separately in the State General Fund. Any interest and  
13 income earned on the money in the account, after deducting any  
14 applicable charges, must be credited to the account. Any money  
15 remaining in the account at the end of a fiscal year does not revert to  
16 the State General Fund. All claims against the account must be paid  
17 as other claims against the State are paid. The money in the account  
18 must be used to pay the costs of administering the Program and for  
19 training and educating J-1 visa physicians and employers.

20 4. The Division is hereby designated as the agency of this State  
21 to cooperate with the Federal Government in the administration of  
22 the Program.

23 **Sec. 2.** This act becomes effective on July 1, 2015.

