

Amendment No. 875

Senate Amendment to Assembly Bill No. 89 First Reprint (BDR 53-295)

Proposed by: Senator Settelmeyer

Amendment Box: Consistent with Amendment No. 828 only if that amendment is adopted first.

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 89 R1 (§§ 9, 12, 13, 19, 33, 36, 40.3, 40.9).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MKM/DY



Date: 5/20/2015

A.B. No. 89—Makes various changes to provisions relating to certain professions.
(BDR 53-295)



ASSEMBLY BILL NO. 89—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE GOVERNOR)

PREFILED DECEMBER 20, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to provisions relating to certain professions.
(BDR 53-295)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 ~~omitted material~~ is material to be omitted.

AN ACT relating to professions; requiring the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to gather and report certain data to the Interagency Council on Veterans Affairs; authorizing a private employer to adopt an employment policy that gives preference in hiring to a veteran or the spouse of a veteran; authorizing the Nevada Equal Rights Commission to review such an employment policy under certain circumstances; revising provisions governing the dissemination of certain records of criminal history; authorizing certain persons to obtain a commercial driver's license without taking a driving skills test; authorizing certain qualified professionals to apply for a license by endorsement to practice in this State; requiring a regulatory body to develop opportunities for reciprocity of licensure for certain qualified professionals; requiring a regulatory body in certain circumstances to prepare and submit to the Interagency Council on Veterans Affairs an annual report relating to veterans; authorizing certain regulatory bodies to enter into certain reciprocal agreements relating to the practice of licensed professionals; revising provisions relating to the licensure of an allopathic and osteopathic physician; revising provisions relating to the practice of dentistry and dental hygiene, including, without limitation, the licensing requirements for and the issuance of a license to dentists and dental hygienists; establishing a fee for the inspection of a facility required by the Board of Dental Examiners of Nevada to ensure compliance with infection control guidelines; authorizing certain qualified physicians and podiatrists to obtain a license by endorsement under certain circumstances; authorizing the Board of Examiners for Social Workers to grant a provisional license to certain persons; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 1 and 2 of this bill set forth new provisions relating to the employment of veterans. **Section 1** requires the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to gather aggregate unemployment data concerning veterans and report such data to the Interagency Council on Veterans Affairs on a quarterly basis. **Section 2** authorizes a private employer to adopt an employment policy that gives preference in hiring to a veteran or the spouse of a veteran. **Section 2** also authorizes the Nevada Equal Rights Commission to review the uniform application of such an employment policy upon receiving a written complaint from a prospective employee of the employer and requires the employer, upon a finding by the Commission that the policy has not been applied uniformly, to revise his or her employment policy in accordance with the recommendations of the Commission. Existing law generally provides for preferential employment in public employment and the construction of public works for certain veterans. (NRS 281.060, 284.260, 338.130)

Under existing law, before a person can be issued a commercial driver's license by this State, the person is required, among other things, to pass a driving skills test for driving a commercial motor vehicle. (NRS 483.928) **Section 5** of this bill provides an exemption to this requirement for certain persons who have experience driving a commercial motor vehicle because of their service in the Armed Forces of the United States.

Existing law also generally provides for the regulation of professions in this State. (Title 54 of NRS) **Section 9** of this bill authorizes certain qualified professionals who are licensed in another state or territory of the United States and who are active members of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran to apply for and receive a license by endorsement to practice their respective profession in this State. **Section 9** also provides that a person who meets such requirements and receives a license by endorsement in certain professions is entitled to at least a 50 percent reduction in the fee for an examination required as a prerequisite to licensure or for initial issuance of a license. Similarly, section 40.3 of this bill authorizes certain hearing aid specialists who are licensed in another state or territory of the United States and who are active members of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran to apply for and receive a license by endorsement to practice as a hearing aid specialist in this State. **Section 10** of this bill requires a regulatory body to develop opportunities for reciprocity of licensure for such persons who hold a professional license that is not recognized by this State. **Section 11** of this bill requires a regulatory body in certain circumstances to prepare and submit to the Interagency Council on Veterans Affairs an annual report providing information on the number of veterans who have applied for a license, have been issued a license or have renewed a license.

Section 12 of this bill authorizes certain regulatory bodies of this State to enter into a reciprocal agreement with the corresponding regulatory authority of another state or territory of the United States for the purposes of authorizing and regulating the practice of certain professions concurrently in this State and another jurisdiction. **Section 12** provides that such a reciprocal agreement must not authorize a person to practice his or her profession concurrently in this State unless the person meets certain credentialing requirements. **Sections 13, 30.5 and 33** of this bill authorize certain qualified physicians and certain qualified podiatrists to obtain an expedited license by endorsement to practice in this State if the physician or podiatrist meets certain requirements. **Section 14** of this bill authorizes the Board of Medical Examiners to issue a license to practice medicine to certain persons who receive postgraduate education in certain approved residency programs in Canada.

Sections 20-27 of this bill revise various provisions relating to dentists and dental hygienists. **Section 22.5** authorizes the Executive Director of the Board of Dental Examiners of Nevada to issue a license to a qualified applicant without further review of the Board under certain circumstances. **Sections 23 and 25** revise provisions relating to the licensing requirements for dentists and dental hygienists, and **section 27** establishes a fee for the inspection of a facility required by the Board to ensure compliance with infection control guidelines.

Additionally, existing law authorizes the Board of Examiners for Social Workers to grant a license without examination to a person who holds a current license to engage in the practice of social work in a state whose licensing requirements at the time the license was issued are

deemed by the Board to be substantially equivalent to the requirements set forth in the statutory provisions governing social workers in this State. (NRS 641B.270) **Section 36** of this bill authorizes the Board to grant a provisional license to engage in social work as an independent social worker or a clinical social worker to an active member of or the spouse of an active member of the Armed Forces of the United States who applied for such a license if the Board deems that the other state's licensing requirements are not substantially equivalent to the requirements set forth in the statutory provisions governing social workers in this State. **Section 3** of this bill adds the Board to the list of persons and governmental entities to whom records of criminal history must be disseminated by an agency of criminal justice upon request.

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

Section 1. Chapter 612 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Administrator of the Division shall, for each calendar quarter, gather aggregate unemployment data concerning veterans, including, without limitation, benefits paid to veterans, and report such data to the Interagency Council on Veterans Affairs.

2. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 2. Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A private employer may adopt an employment policy that gives preference in hiring to a veteran or the spouse of a veteran. Such a policy must be applied uniformly to employment decisions regarding the hiring or promotion of a veteran or the spouse of a veteran or the retention of a veteran or the spouse of a veteran during a reduction in the workforce.

2. A private employer who gives preference in hiring to a veteran or the spouse of a veteran pursuant to subsection 1 does not violate any local or state equal employment law.

3. The Nevada Equal Rights Commission may, upon receipt of a written complaint from a prospective employee of a private employer who has adopted an employment policy giving preference in hiring to a veteran or the spouse of a veteran pursuant to subsection 1, review the employment policy to determine whether the policy is being applied uniformly in accordance with subsection 1. If the Commission determines that an employment policy is not being applied uniformly, the Commission shall cause written notice of its findings, including the recommendations of the Commission, to be provided to the employer and prospective employee. Upon receipt of a notice from the Commission that an employment policy is not being applied uniformly, the employer shall revise his or her employment policy consistent with the recommendations of the Commission.

4. As used in this section:

(a) "Private employer" has the meaning ascribed to it in NRS 616A.295.

(b) "Veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 3. NRS 179A.100 is hereby amended to read as follows:

179A.100 1. The following records of criminal history may be disseminated by an agency of criminal justice without any restriction pursuant to this chapter:

(a) Any which reflect records of conviction only; and

(b) Any which pertain to an incident for which a person is currently within the system of criminal justice, including parole or probation.

2. Without any restriction pursuant to this chapter, a record of criminal history or the absence of such a record may be:

(a) Disclosed among agencies which maintain a system for the mutual exchange of criminal records.

(b) Furnished by one agency to another to administer the system of criminal justice, including the furnishing of information by a police department to a district attorney.

(c) Reported to the Central Repository.

3. An agency of criminal justice shall disseminate to a prospective employer, upon request, records of criminal history concerning a prospective employee or volunteer which are the result of a name-based inquiry and which:

(a) Reflect convictions only; or

(b) Pertain to an incident for which the prospective employee or volunteer is currently within the system of criminal justice, including parole or probation.

4. In addition to any other information to which an employer is entitled or authorized to receive from a name-based inquiry, the Central Repository shall disseminate to a prospective or current employer, or a person or entity designated to receive the information on behalf of such an employer, the information contained in a record of registration concerning an employee, prospective employee, volunteer or prospective volunteer who is a sex offender or an offender convicted of a crime against a child, regardless of whether the employee, prospective employee, volunteer or prospective volunteer gives written consent to the release of that information. The Central Repository shall disseminate such information in a manner that does not reveal the name of an individual victim of an offense or the information described in subsection 7 of NRS 179B.250. A request for information pursuant to this subsection must conform to the requirements of the Central Repository and must include:

(a) The name and address of the employer, and the name and signature of the person or entity requesting the information on behalf of the employer;

(b) The name and address of the employer's facility in which the employee, prospective employee, volunteer or prospective volunteer is employed or volunteers or is seeking to become employed or volunteer; and

(c) The name and other identifying information of the employee, prospective employee, volunteer or prospective volunteer.

5. In addition to any other information to which an employer is entitled or authorized to receive, the Central Repository shall disseminate to a prospective or current employer, or a person or entity designated to receive the information on behalf of such an employer, the information described in subsection 4 of NRS 179A.190 concerning an employee, prospective employee, volunteer or prospective volunteer who gives written consent to the release of that information if the employer submits a request in the manner set forth in NRS 179A.200 for obtaining a notice of information. The Central Repository shall search for and disseminate such information in the manner set forth in NRS 179A.210 for the dissemination of a notice of information.

6. Except as otherwise provided in subsection 5, the provisions of NRS 179A.180 to 179A.240, inclusive, do not apply to an employer who requests information and to whom such information is disseminated pursuant to subsections 4 and 5.

7. Records of criminal history must be disseminated by an agency of criminal justice, upon request, to the following persons or governmental entities:

(a) The person who is the subject of the record of criminal history for the purposes of NRS 179A.150.

(b) The person who is the subject of the record of criminal history when the subject is a party in a judicial, administrative, licensing, disciplinary or other proceeding to which the information is relevant.

(c) The State Gaming Control Board.

(d) The State Board of Nursing.

(e) The Private Investigator's Licensing Board to investigate an applicant for a license.

(f) A public administrator to carry out the duties as prescribed in chapter 253 of NRS.

(g) A public guardian to investigate a ward or proposed ward or persons who may have knowledge of assets belonging to a ward or proposed ward.

(h) Any agency of criminal justice of the United States or of another state or the District of Columbia.

(i) Any public utility subject to the jurisdiction of the Public Utilities Commission of Nevada when the information is necessary to conduct a security investigation of an employee or prospective employee or to protect the public health, safety or welfare.

(j) Persons and agencies authorized by statute, ordinance, executive order, court rule, court decision or court order as construed by appropriate state or local officers or agencies.

(k) Any person or governmental entity which has entered into a contract to provide services to an agency of criminal justice relating to the administration of criminal justice, if authorized by the contract, and if the contract also specifies that the information will be used only for stated purposes and that it will be otherwise confidential in accordance with state and federal law and regulation.

(l) Any reporter for the electronic or printed media in a professional capacity for communication to the public.

(m) Prospective employers if the person who is the subject of the information has given written consent to the release of that information by the agency which maintains it.

(n) For the express purpose of research, evaluative or statistical programs pursuant to an agreement with an agency of criminal justice.

(o) An agency which provides child welfare services, as defined in NRS 432B.030.

(p) The Division of Welfare and Supportive Services of the Department of Health and Human Services or its designated representative, as needed to ensure the safety of investigators and caseworkers.

(q) The Aging and Disability Services Division of the Department of Health and Human Services or its designated representative, as needed to ensure the safety of investigators and caseworkers.

(r) An agency of this or any other state or the Federal Government that is conducting activities pursuant to Part D of Subchapter IV of Chapter 7 of Title 42 of the Social Security Act, 42 U.S.C. §§ 651 et seq.

(s) The State Disaster Identification Team of the Division of Emergency Management of the Department.

(t) The Commissioner of Insurance.

(u) The Board of Medical Examiners.

(v) The State Board of Osteopathic Medicine.

(w) The Board of Massage Therapists and its Executive Director.

(x) *The Board of Examiners for Social Workers.*

(y) A multidisciplinary team to review the death of the victim of a crime that constitutes domestic violence organized or sponsored by the Attorney General pursuant to NRS 228.495.

8. Agencies of criminal justice in this State which receive information from sources outside this State concerning transactions involving criminal justice which occur outside Nevada shall treat the information as confidentially as is required by the provisions of this chapter.

Sec. 4. (Deleted by amendment.)

Sec. 5. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In accordance with 49 C.F.R. § 383.77, the requirement set forth in paragraph (b) of subsection 2 of NRS 483.928 for the issuance of a commercial driver's license by this State must be waived for an applicant who:

(a) Has experience driving a commercial motor vehicle because of his or her service in the Armed Forces of the United States;

(b) Is licensed at the time of his or her application for a commercial driver's license; and

(c) Meets the requirements set forth in subsection 2.

2. An applicant for a commercial driver's license who seeks a waiver pursuant to subsection 1 of the requirement set forth in paragraph (b) of subsection 2 of NRS 483.928 shall:

(a) Certify that, during the 2 years immediately preceding his or her application for a commercial driver's license, the applicant has not had:

(1) More than one license in more than one jurisdiction at the same time, except for a military license;

(2) A license suspended, revoked, cancelled or denied;

(3) A conviction for an offense listed in 49 C.F.R. § 383.51(b);

(4) More than one conviction for a serious traffic violation listed in 49 C.F.R. § 383.51(c); and

(5) A conviction for a violation of any military, state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident, and has no record of an accident in which he or she was at fault.

(b) Certify and provide evidence that he or she:

(1) Has been regularly employed in a military position that requires the operation of a commercial motor vehicle within the 90 days immediately preceding his or her application;

(2) Is exempt from the requirements for a commercial driver's license pursuant to 49 C.F.R. § 383.3(c); and

(3) Has operated a vehicle which is representative of the commercial motor vehicle that he or she intends to operate for at least 2 years immediately preceding the date of his or her application.

Sec. 6. NRS 483.928 is hereby amended to read as follows:

483.928 A person who wishes to be issued a commercial driver's license by this State must:

1. Apply to the Department for a commercial driver's license;

2. In accordance with standards contained in regulations adopted by the Department:

(a) Pass a knowledge test for the type of motor vehicle the person operates or expects to operate; and

(b) ~~Pass~~ *Except as otherwise provided in section 5 of this act, pass* a driving skills test for driving a commercial motor vehicle taken in a motor vehicle which is representative of the type of motor vehicle the person operates or expects to operate;

3. Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908;

4. Not be ineligible to be issued a commercial driver's license pursuant to NRS 483.929; and

5. For the issuance of a commercial driver's license with an endorsement for hazardous materials, submit a complete set of fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History and all applicable federal agencies to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a.

Sec. 7. Chapter 622 of NRS is hereby amended by adding thereto the provisions set forth as sections 8 to 12, inclusive, of this act.

Sec. 8. *As used in sections 8 to 11, inclusive, of this act, unless the context otherwise requires, "veteran" has the meaning ascribed to it in NRS 417.005.*

Sec. 9. *1. Notwithstanding the applicable provisions for obtaining a license pursuant to this title, a regulatory body may issue such a license by endorsement to an applicant if:*

(a) The applicant holds a corresponding valid and unrestricted license to practice his or her respective profession in the District of Columbia or any state or territory of the United States;

(b) The applicant is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran; and

(c) The regulatory body determines that the provisions of law in the District of Columbia or the state or territory in which the applicant holds a license as described in paragraph (a) are substantially equivalent to the applicable provisions of law in this State.

2. An applicant for a license by endorsement pursuant to this section must submit to the applicable regulatory body with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Satisfies the requirements of paragraphs (a) and (b) of subsection 1;

(2) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(3) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to practice his or her respective profession;

(4) If applicable to the profession, has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States; and

(5) If applicable to the profession, is certified by a specialty board of the American Board of Medical Specialties or the American Osteopathic Association;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the regulatory body in this State under whose jurisdiction the license may be issued.

3. Not later than 15 business days after receiving an application for a license by endorsement pursuant to this section, a regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. The regulatory body shall approve or deny the application not later than:

(a) Forty-five days after receiving all the additional information required by the regulatory body to complete the application; or

1 (b) If the regulatory body requires the applicant to submit fingerprints for
2 the purpose of obtaining a report on the applicant's background, 10 days after
3 receiving the report from the appropriate authority,
4 ↪ whichever occurs later.

5 4. A license by endorsement may be issued at a meeting of the regulatory
6 body or between its meetings by the chief executive officer of the regulatory body.
7 Such an action shall be deemed to be an action of the regulatory body.

8 5. Notwithstanding any applicable provision of chapters 630 to 641C,
9 inclusive, or 644 of NRS establishing a fee for any examination required as a
10 prerequisite to licensure or for the issuance of a license, a regulatory body subject
11 to one of those chapters shall not collect from any person to whom a license by
12 endorsement is issued pursuant to this section more than one-half of the specified
13 fee for the examination or initial issuance of the license.

14 6. At any time before making a final decision on an application for a license
15 by endorsement, a regulatory body may grant a provisional license authorizing
16 the applicant to practice his or her respective profession in accordance with
17 regulations adopted by the regulatory body.

18 Sec. 10. A regulatory body shall develop opportunities for reciprocity of
19 licensure for any person who:

20 1. Is an active member of, or the spouse of an active member of, the Armed
21 Forces of the United States, a veteran or the surviving spouse of a veteran; and

22 2. Holds a valid and unrestricted license to practice his or her profession
23 that is not recognized by this State.

24 Sec. 11. If a regulatory body collects information regarding whether an
25 applicant for a license is a veteran, the regulatory body shall prepare and submit
26 to the Interagency Council on Veterans Affairs created by NRS 417.0191 an
27 annual report which provides information on the number of veterans who have:

28 1. Applied for a license from the regulatory body.

29 2. Been issued a license by the regulatory body.

30 3. Renewed a license with the regulatory body.

31 Sec. 12. 1. A regulatory body that regulates a profession pursuant to
32 chapters 630, 630A, 632 to 641C, inclusive, or 644 of NRS in this State may enter
33 into a reciprocal agreement with the corresponding regulatory authority of the
34 District of Columbia or any other state or territory of the United States for the
35 purposes of:

36 (a) Authorizing a qualified person licensed in the profession in that state or
37 territory to practice concurrently in this State and one or more other states or
38 territories of the United States; and

39 (b) Regulating the practice of such a person.

40 2. A regulatory body may enter into a reciprocal agreement pursuant to
41 subsection 1 only if the regulatory body determines that:

42 (a) The corresponding regulatory authority is authorized by law to enter into
43 such an agreement with the regulatory body; and

44 (b) The applicable provisions of law governing the practice of the respective
45 profession in the state or territory on whose behalf the corresponding regulatory
46 authority would execute the reciprocal agreement are substantially similar to the
47 corresponding provisions of law in this State.

48 3. A reciprocal agreement entered into pursuant to subsection 1 must not
49 authorize a person to practice his or her profession concurrently in this State
50 unless the person:

51 (a) Has an active license to practice his or her profession in another state or
52 territory of the United States.

1 (b) *Has been in practice for at least the 5 years immediately preceding the*
2 *date on which the person submits an application for the issuance of a license*
3 *pursuant to a reciprocal agreement entered into pursuant to subsection 1.*

4 (c) *Has not had his or her license suspended or revoked in any state or*
5 *territory of the United States.*

6 (d) *Has not been refused a license to practice in any state or territory of the*
7 *United States for any reason.*

8 (e) *Is not involved in or does not have pending any disciplinary action*
9 *concerning his or her license or practice in any state or territory of the United*
10 *States.*

11 (f) *Pays any applicable fees for the issuance of a license that are otherwise*
12 *required for a person to obtain a license in this State.*

13 (g) *Submits to the applicable regulatory body the statement required by NRS*
14 *425.520.*

15 4. *If the regulatory body enters into a reciprocal agreement pursuant to*
16 *subsection 1, the regulatory body must prepare an annual report before January*
17 *31 of each year outlining the progress of the regulatory body as it relates to the*
18 *reciprocal agreement and submit the report to the Director of the Legislative*
19 *Counsel Bureau for transmittal to the next session of the Legislature in odd-*
20 *numbered years or to the Legislative Committee on Health Care in even-*
21 *numbered years.*

22 **Sec. 13.** Chapter 630 of NRS is hereby amended by adding thereto a new
23 section to read as follows:

24 1. *Except as otherwise provided in NRS 630.1605 and 630.161, the Board*
25 *may issue a license by endorsement to practice medicine to an applicant who*
26 *meets the requirements set forth in this section. An applicant may submit to the*
27 *Board an application for such a license if the applicant:*

28 (a) *Holds a corresponding valid and unrestricted license to practice medicine*
29 *in the District of Columbia or any state or territory of the United States; and*

30 (b) *Is certified in a specialty recognized by the American Board of Medical*
31 *Specialties or the American Osteopathic Association.*

32 2. *An applicant for a license by endorsement pursuant to this section must*
33 *submit to the Board with his or her application:*

34 (a) *Proof satisfactory to the Board that the applicant:*

35 (1) *Satisfies the requirements of subsection 1;*

36 (2) *Is a citizen of the United States or otherwise has the legal right to*
37 *work in the United States;*

38 (3) *Has not been disciplined or been the subject of multiple investigations*
39 *by the corresponding regulatory authority of the District of Columbia or any state*
40 *or territory in which the applicant holds a license to practice medicine; and*

41 (4) *Has not been held civilly or criminally liable for malpractice in the*
42 *District of Columbia or any state or territory of the United States;*

43 (b) *An affidavit stating that the information contained in the application and*
44 *any accompanying material is true and correct; and*

45 (c) *Any other information required by the Board.*

46 3. *Not later than 15 business days after receiving an application for a*
47 *license by endorsement to practice medicine pursuant to this section, the Board*
48 *shall provide written notice to the applicant of any additional information*
49 *required by the Board to consider the application. Unless the Board denies the*
50 *application for good cause, the Board shall approve the application and issue a*
51 *license by endorsement to practice medicine to the applicant not later than:*

52 (a) *Forty-five days after receiving all the additional information required by*
53 *the Board to complete the application; or*

1 ***(b) If the Board requires the applicant to submit fingerprints for the purpose***
2 ***of obtaining a report on the applicant's background, 10 days after receiving the***
3 ***report from the appropriate authority,***
4 ***↪ whichever occurs later.***

5 ***4. A license by endorsement to practice medicine may be issued at a meeting***
6 ***of the Board or between its meetings by the President and Executive Director of***
7 ***the Board. Such an action shall be deemed to be an action of the Board.***

8 **Sec. 14.** NRS 630.160 is hereby amended to read as follows:

9 630.160 1. Every person desiring to practice medicine must, before
10 beginning to practice, procure from the Board a license authorizing the person to
11 practice.

12 2. Except as otherwise provided in NRS 630.1605, 630.161 and 630.258 to
13 630.266, inclusive, ***and sections 9 and 13 of this act,*** a license may be issued to any
14 person who:

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

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

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

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

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

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

28 (2) All parts of the Federation Licensing Examination;

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

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

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

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

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

41 (1) Has completed 36 months of progressive postgraduate:

42 (I) Education as a resident in the United States or Canada in a program
43 approved by the Board, the Accreditation Council for Graduate Medical Education,
44 ~~for~~ the ~~{Coordinating Council of Medical Education of the Canadian Medical~~
45 ~~Association};~~ ***Royal College of Physicians and Surgeons of Canada, the Collège***
46 ***des médecins du Québec or the College of Family Physicians of Canada, or their***
47 ***successor organizations;*** or

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

50 (2) Has completed at least 36 months of postgraduate education, not less
51 than 24 months of which must have been completed as a resident after receiving a
52 medical degree from a combined dental and medical degree program approved by
53 the Board; or

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

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

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

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

(a) Temporarily suspend the license;

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

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

(d) Refer the applicant to the Attorney General for possible 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.

5. 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

1 after reviewing the differing information to declare the license void, its action shall
2 be deemed a disciplinary action and shall be reportable to national databases.

3 **Sec. 15.** NRS 630.165 is hereby amended to read as follows:

4 630.165 1. Except as otherwise provided in subsection 2, an applicant for a
5 license to practice medicine must submit to the Board, on a form provided by the
6 Board, an application in writing, accompanied by an affidavit stating that:

7 (a) The applicant is the person named in the proof of graduation and that it was
8 obtained without fraud or misrepresentation or any mistake of which the applicant
9 is aware; and

10 (b) The information contained in the application and any accompanying
11 material is complete and correct.

12 2. An applicant for a license by endorsement to practice medicine pursuant to
13 NRS 630.1605 *or section 9 or 13 of this act* must submit to the Board, on a form
14 provided by the Board, an application in writing, accompanied by an affidavit
15 stating that:

16 (a) The applicant is the person named in the license to practice medicine issued
17 by the District of Columbia or any state or territory of the United States and that the
18 license was obtained without fraud or misrepresentation or any mistake of which
19 the applicant is aware; and

20 (b) The information contained in the application and any accompanying
21 material is complete and correct.

22 3. An application submitted pursuant to subsection 1 or 2 must include all
23 information required to complete the application.

24 4. In addition to the other requirements for licensure, the Board may require
25 such further evidence of the mental, physical, medical or other qualifications of the
26 applicant as it considers necessary.

27 5. The applicant bears the burden of proving and documenting his or her
28 qualifications for licensure.

29 **Sec. 16.** NRS 630.171 is hereby amended to read as follows:

30 630.171 Except as otherwise provided in NRS 630.263, in addition to the
31 other requirements for licensure, an applicant for a license to practice medicine
32 shall cause to be submitted to the Board, if applicable:

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

35 2. Proof of satisfactory completion of a progressive postgraduate training
36 program specified in subparagraph (3) of paragraph (d) of subsection 2 of NRS
37 630.160 within 60 days after the scheduled completion of the program.

38 **Sec. 17.** NRS 630.258 is hereby amended to read as follows:

39 630.258 1. A physician who is retired from active practice and who:

40 (a) Wishes to donate his or her expertise for the medical care and treatment of
41 persons in this State who are indigent, uninsured or unable to afford health care; or

42 (b) Wishes to provide services for any disaster relief operations conducted by a
43 governmental entity or nonprofit organization,

44 may obtain a special volunteer medical license by submitting an application to
45 the Board pursuant to this section.

46 2. An application for a special volunteer medical license must be on a form
47 provided by the Board and must include:

48 (a) Documentation of the history of medical practice of the physician;

49 (b) Proof that the physician previously has been issued an unrestricted license
50 to practice medicine in any state of the United States and that the physician has
51 never been the subject of disciplinary action by a medical board in any jurisdiction;

(c) Proof that the physician satisfies the requirements for licensure set forth in NRS 630.160 or the requirements for licensure by endorsement set forth in NRS 630.1605 ~~or section 9 or 13 of this act;~~

(d) Acknowledgment that the practice of the physician under the special volunteer medical license will be exclusively devoted to providing medical care:

(1) To persons in this State who are indigent, uninsured or unable to afford health care; or

(2) As part of any disaster relief operations conducted by a governmental entity or nonprofit organization; and

(e) Acknowledgment that the physician will not receive any payment or compensation, either direct or indirect, or have the expectation of any payment or compensation, for providing medical care under the special volunteer medical license, except for payment by a medical facility at which the physician provides volunteer medical services of the expenses of the physician for necessary travel, continuing education, malpractice insurance or fees of the State Board of Pharmacy.

3. If the Board finds that the application of a physician satisfies the requirements of subsection 2 and that the retired physician is competent to practice medicine, the Board ~~shall~~ **must** issue a special volunteer medical license to the physician.

4. The initial special volunteer medical license issued pursuant to this section expires 1 year after the date of issuance. The license may be renewed pursuant to this section, and any license that is renewed expires 2 years after the date of issuance.

5. The Board shall not charge a fee for:

(a) The review of an application for a special volunteer medical license; or

(b) The issuance or renewal of a special volunteer medical license pursuant to this section.

6. A physician who is issued a special volunteer medical license pursuant to this section and who accepts the privilege of practicing medicine in this State pursuant to the provisions of the special volunteer medical license is subject to all the provisions governing disciplinary action set forth in this chapter.

7. A physician who is issued a special volunteer medical license pursuant to this section shall comply with the requirements for continuing education adopted by the Board.

Sec. 18. NRS 630.265 is hereby amended to read as follows:

630.265 1. ~~Except as otherwise provided in~~ **Unless the Board denies such licensure pursuant to** NRS 630.161 ~~or for other good cause,~~ the Board ~~may~~ **shall** issue to a qualified applicant a limited license to practice medicine as a resident physician in a graduate program approved by the Accreditation Council for Graduate Medical Education if the applicant is:

(a) A graduate of an accredited medical school in the United States or Canada; or

(b) A graduate of a foreign medical school and has received the standard certificate of the Educational Commission for Foreign Medical Graduates or a written statement from that Commission that the applicant passed the examination given by it.

2. The medical school or other institution sponsoring the program shall provide the Board with written confirmation that the applicant has been appointed to a position in the program and is a citizen of the United States or lawfully entitled to remain and work in the United States. A limited license remains valid only while the licensee is actively practicing medicine in the residency program and is legally entitled to work and remain in the United States.

3. The Board may issue a limited license for not more than 1 year but may renew the license if the applicant for the limited license meets the requirements set forth by the Board by regulation.

4. The holder of a limited license may practice medicine only in connection with his or her duties as a resident physician or under such conditions as are approved by the director of the program.

5. The holder of a limited license granted pursuant to this section may be disciplined by the Board at any time for any of the grounds provided in NRS 630.161 or 630.301 to 630.3065, inclusive.

Sec. 19. NRS 630.268 is hereby amended to read as follows:

630.268 1. The Board shall charge and collect not more than the following fees:

For application for and issuance of a license to practice as a physician, including a license by endorsement <i>issued pursuant to NRS 630.1605 or section 13 of this act</i>	\$600
For application for and issuance of a temporary, locum tenens, limited, restricted, authorized facility, special, special purpose or special event license.....	400
For renewal of a limited, restricted, authorized facility or special license.....	400
For application for and issuance of a license as a physician assistant.....	400
For biennial registration of a physician assistant.....	800
For biennial registration of a physician.....	800
For application for and issuance of a license as a perfusionist or practitioner of respiratory care.....	400
For biennial renewal of a license as a perfusionist.....	600
For biennial registration of a practitioner of respiratory care.....	600
For biennial registration for a physician who is on inactive status.....	400
For written verification of licensure.....	50
For a duplicate identification card.....	25
For a duplicate license.....	50
For computer printouts or labels.....	500
For verification of a listing of physicians, per hour.....	20
For furnishing a list of new physicians.....	100

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

3. The cost of any special meeting called at the request of a licensee, an institution, an organization, a state agency or an applicant for licensure must be paid for by the person or entity requesting the special meeting. Such a special meeting must not be called until the person or entity requesting it has paid a cash deposit with the Board sufficient to defray all expenses of the meeting.

Sec. 20. Chapter 631 of NRS is hereby amended by adding thereto a new section to read as follows:

“Minimal sedation” means a minimally depressed level of consciousness, produced by a pharmacological method, that retains the patient’s ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command, and during which cognitive function

1 *and coordination may be modestly impaired, but ventilatory and cardiovascular*
2 *functions are unaffected.*

3 **Sec. 21.** NRS 631.005 is hereby amended to read as follows:

4 631.005 As used in this chapter, unless the context otherwise requires, the
5 words and terms defined in NRS 631.015 to 631.105, inclusive, *and section 20 of*
6 *this act* have the meanings ascribed to them in those sections.

7 **Sec. 22.** NRS 631.025 is hereby amended to read as follows:

8 631.025 ~~“Conscious”~~ *“Moderate sedation”* means a ~~“minimally”~~ *drug-*
9 *induced* depressed level of consciousness, ~~“produced by a pharmacologic or~~
10 ~~nonpharmacologic method or a combination thereof, in”~~ *during* which ~~“the”~~ :

11 1. *The* patient retains the ability ~~“independently and continuously to maintain~~
12 ~~an airway and”~~ to respond ~~“appropriately”~~ *purposefully* to ~~“physical stimulation~~
13 ~~and”~~ verbal commands ~~“”~~ , *either alone or accompanied by light tactile*
14 *stimulation;*

15 2. *Spontaneous ventilation is adequate and no interventions are required to*
16 *maintain a patent airway; and*

17 3. *Cardiovascular function is usually maintained.*

18 **Sec. 22.5.** NRS 631.220 is hereby amended to read as follows:

19 631.220 1. Every applicant for a license to practice dental hygiene or
20 dentistry, or any of its special branches, must:

21 (a) File an application with the Board . ~~“at least 45 days before”~~ :

22 ~~“(1) The date on which the examination will be given; or~~
23 ~~“(2) If an examination is not required for the issuance of a license, the date~~
24 ~~on which the Board is scheduled to take action on the application.”~~

25 (b) Accompany the application with a recent photograph of the applicant
26 together with the required fee and such other documentation as the Board may
27 require by regulation.

28 (c) Submit with the application a complete set of fingerprints and written
29 permission authorizing the Board to forward the fingerprints to the Central
30 Repository for Nevada Records of Criminal History for submission to the Federal
31 Bureau of Investigation for its report.

32 *(d) If the applicant is required to take an examination pursuant to NRS*
33 *631.240 or 631.300, submit with the application proof satisfactory that the*
34 *applicant passed the examination.*

35 2. An application must include all information required to complete the
36 application.

37 3. *The Secretary-Treasurer may, in accordance with regulations adopted by*
38 *the Board and if the Secretary-Treasurer determines that an application is:*

39 (a) *Sufficient, advise the Executive Director of the sufficiency of the*
40 *application. Upon the advice of the Secretary-Treasurer, the Executive Director*
41 *may issue a license to the applicant without further review by the Board.*

42 (b) *Insufficient, reject the application by sending written notice of the*
43 *rejection to the applicant.*

44 **Sec. 23.** NRS 631.240 is hereby amended to read as follows:

45 631.240 1. Any person desiring to obtain a license to practice dentistry in
46 this State, after having complied with the regulations of the Board to determine
47 eligibility:

48 (a) Except as otherwise provided in NRS 622.090, must present to the Board a
49 certificate granted by the Joint Commission on National Dental Examinations
50 which contains a notation that the applicant has passed the National Board Dental
51 Examination with an average score of at least 75; and

52 (b) Except as otherwise provided in this chapter, must:

(1) Successfully pass a clinical examination approved by the Board and the American Board of Dental Examiners; or

(2) Present to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the applicant has passed ~~within the 5 years immediately preceding the date of the application;~~ a clinical examination administered by the Western Regional Examining Board.

2. The Board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the Board.

3. All persons who have satisfied the requirements for licensure as a dentist must be registered as licensed dentists on the board register, as provided in this chapter, and are entitled to receive a certificate of registration, signed by all members of the Board.

Sec. 23.5. NRS 631.260 is hereby amended to read as follows:

631.260 ~~As~~ *Except as otherwise provided in subsection 3 of NRS 631.220, as soon as possible after the examination has been given, the Board, under rules and regulations adopted by it, shall determine the qualifications of the applicant and shall issue to each person found by the Board to have the qualifications therefor a license which will entitle the person to practice dental hygiene or dentistry, or any special branch of dentistry, as in such license defined, subject to the provisions of this chapter.*

Sec. 24. NRS 631.265 is hereby amended to read as follows:

631.265 1. No licensed dentist or person who holds a restricted license issued pursuant to NRS 631.275 may administer or supervise directly the administration of general anesthesia, ~~conscious~~ *minimal sedation, moderate sedation or deep sedation* to dental patients unless the dentist or person has been issued a permit authorizing him or her to do so by the Board.

2. The Board may issue a permit authorizing a licensed dentist or person who holds a restricted license issued pursuant to NRS 631.275 to administer or supervise directly the administration of general anesthesia, ~~conscious~~ *minimal sedation, moderate sedation or deep sedation* to dental patients under such standards, conditions and other requirements as the Board shall by regulation prescribe.

Sec. 25. NRS 631.300 is hereby amended to read as follows:

631.300 1. Any person desiring to obtain a license to practice dental hygiene, after having complied with the regulations of the Board to determine eligibility:

(a) Except as otherwise provided in NRS 622.090, must pass a written examination given by the Board upon such subjects as the Board deems necessary for the practice of dental hygiene or must present a certificate granted by the Joint Commission on National Dental Examinations which contains a notation that the applicant has passed the National Board Dental Hygiene Examination with a score of at least 75; and

(b) Except as otherwise provided in this chapter, must:

(1) Successfully pass a clinical examination approved by the Board and the American Board of Dental Examiners ~~for present evidence to the Board that the applicant has passed such a clinical examination within the 5 years immediately preceding the date of the application;~~ *;* ~~or~~

(2) ~~Successfully complete a clinical examination in dental hygiene given by the Board which examines the applicant's practical knowledge of dental hygiene and which includes, but is not limited to, demonstrations in the removal of deposits from, and the polishing of, the exposed surface of the teeth; or~~

~~— (3) Present to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the applicant has passed~~ ~~within~~

~~the 5 years immediately preceding the date of the application,} a clinical examination administered by the Western Regional Examining Board.~~

~~2. {The clinical examination given by the Board must include components that are:~~

~~—(a) Written or oral, or a combination of both; and~~

~~—(b) Practical, as in the opinion of the Board is necessary to test the qualifications of the applicant.~~

~~3-} The Board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the Board.~~

~~4-} 3. All persons who have satisfied the requirements for licensure as a dental hygienist must be registered as licensed dental hygienists on the board register, as provided in this chapter, and are entitled to receive a certificate of registration, signed by all members of the Board.~~

Sec. 26. NRS 631.313 is hereby amended to read as follows:

631.313 1. A licensed dentist may assign to a person in his or her employ who is a dental hygienist, dental assistant or other person directly or indirectly involved in the provision of dental care only such intraoral tasks as may be permitted by a regulation of the Board or by the provisions of this chapter.

2. The performance of these tasks must be:

(a) If performed by a dental assistant or a person, other than a dental hygienist, who is directly or indirectly involved in the provision of dental care, under the supervision of the licensed dentist who made the assignment.

(b) If performed by a dental hygienist, authorized by the licensed dentist of the patient for whom the tasks will be performed, except as otherwise provided in NRS 631.287.

3. No such assignment is permitted that requires:

(a) The diagnosis, treatment planning, prescribing of drugs or medicaments, or authorizing the use of restorative, prosthodontic or orthodontic appliances.

(b) Surgery on hard or soft tissues within the oral cavity or any other intraoral procedure that may contribute to or result in an irremediable alteration of the oral anatomy.

(c) The administration of general anesthesia, ~~conscious~~ **minimal sedation, moderate** sedation or deep sedation except as otherwise authorized by regulations adopted by the Board.

(d) The performance of a task outside the authorized scope of practice of the employee who is being assigned the task.

4. A dental hygienist may, pursuant to regulations adopted by the Board, administer local anesthesia or nitrous oxide in a health care facility, as defined in NRS 162A.740, if:

(a) The dental hygienist is so authorized by the licensed dentist of the patient to whom the local anesthesia or nitrous oxide is administered; and

(b) The health care facility has licensed medical personnel and necessary emergency supplies and equipment available when the local anesthesia or nitrous oxide is administered.

Sec. 27. NRS 631.345 is hereby amended to read as follows:

631.345 1. Except as otherwise provided in NRS 631.2715, the Board shall by regulation establish fees for the performance of the duties imposed upon it by this chapter which must not exceed the following amounts:

Application fee for an initial license to practice dentistry	\$1,500
Application fee for an initial license to practice dental hygiene	750
Application fee for a specialist's license to practice dentistry	300

1	Application fee for a limited license or restricted license to	
2	practice dentistry or dental hygiene	300
3	Fee for administering a clinical examination in dentistry	2,500
4	Fee for administering a clinical examination in dental hygiene	1,500
5	Application and examination fee for a permit to administer	
6	general anesthesia, conscious <i>minimal sedation,</i>	
7	<i>moderate</i> sedation or deep sedation.....	750
8	Fee for any reinspection required by the Board to maintain a	
9	permit to administer general anesthesia, conscious	
10	<i>minimal sedation, moderate</i> sedation or deep sedation	500
11	Biennial renewal fee for a permit to administer general	
12	anesthesia, conscious <i>minimal sedation, moderate</i>	
13	sedation or deep sedation.....	600
14	Fee for the inspection of a facility required by the Board to	
15	renew a permit to administer general anesthesia,	
16	conscious <i>minimal sedation, moderate</i> sedation or deep	
17	sedation.....	350
18	<i>Fee for the inspection of a facility required by the Board to</i>	
19	<i>ensure compliance with infection control guidelines</i>	<i>500</i>
20	Biennial license renewal fee for a general license, specialist's	
21	license, temporary license or restricted geographical license	
22	to practice dentistry	1,000
23	Annual license renewal fee for a limited license or restricted	
24	license to practice dentistry	300
25	Biennial license renewal fee for a general license, temporary	
26	license or restricted geographical license to practice dental	
27	hygiene	600
28	Annual license renewal fee for a limited license to practice	
29	dental hygiene.....	300
30	Biennial license renewal fee for an inactive dentist	400
31	Biennial license renewal fee for a dentist who is retired or has a	
32	disability	100
33	Biennial license renewal fee for an inactive dental hygienist.....	200
34	Biennial license renewal fee for a dental hygienist who is	
35	retired or has a disability	100
36	Reinstatement fee for a suspended license to practice dentistry	
37	or dental hygiene	500
38	Reinstatement fee for a revoked license to practice dentistry or	
39	dental hygiene.....	500
40	Reinstatement fee to return a dentist or dental hygienist who is	
41	inactive, retired or has a disability to active status.....	500
42	Fee for the certification of a license	50

2. Except as otherwise provided in this subsection, the Board shall charge a fee to review a course of continuing education for accreditation. The fee must not exceed \$150 per credit hour of the proposed course. The Board shall not charge a nonprofit organization or an agency of the State or of a political subdivision of the State a fee to review a course of continuing education.

3. All fees prescribed in this section are payable in advance and must not be refunded.

1 **Sec. 28.** (Deleted by amendment.)

2 **Sec. 29.** NRS 633.311 is hereby amended to read as follows:

3 633.311 **1.** Except as otherwise provided in NRS 633.315, **633.381 to**
4 **633.419, inclusive, and section 9 of this act,** an applicant for a license to practice
5 osteopathic medicine may be issued a license by the Board if:

6 ~~1-1~~ **(a)** The applicant is 21 years of age or older;

7 ~~1-2~~ **(b)** The applicant is a citizen of the United States or is lawfully entitled to
8 remain and work in the United States;

9 ~~1-3~~ **(c)** The applicant is a graduate of a school of osteopathic medicine;

10 ~~1-4~~ **(d)** The applicant:

11 ~~1-a~~ **(1)** Has graduated from a school of osteopathic medicine before 1995 and
12 has completed:

13 ~~1-1~~ **(I)** A hospital internship; or

14 ~~1-2~~ **(II)** One year of postgraduate training that complies with the
15 standards of intern training established by the American Osteopathic Association;

16 ~~1-b~~ **(2)** Has completed 3 years, or such other length of time as required by a
17 specific program, of postgraduate medical education as a resident in the United
18 States or Canada in a program approved by the Board, the Bureau of Professional
19 Education of the American Osteopathic Association or the Accreditation Council
20 for Graduate Medical Education; or

21 ~~1-c~~ **(3)** Is a resident who is enrolled in a postgraduate training program in this
22 State, has completed 24 months of the program and has committed, in writing, that
23 he or she will complete the program;

24 ~~1-5~~ **(e)** The applicant applies for the license as provided by law;

25 ~~1-6~~ **(f)** The applicant passes:

26 ~~1-a~~ **(1)** All parts of the licensing examination of the National Board of
27 Osteopathic Medical Examiners;

28 ~~1-b~~ **(2)** All parts of the licensing examination of the Federation of State
29 Medical Boards ~~of the United States, Inc.;~~

30 ~~1-c~~ ;

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

35 ~~1-d~~ **(4)** A combination of the parts of the licensing examinations specified in
36 ~~paragraphs (a), (b) and (c)~~ **subparagraphs (1), (2) and (3)** that is approved by the
37 Board;

38 ~~1-7~~ **(g)** The applicant pays the fees provided for in this chapter; and

39 ~~1-8~~ **(h)** The applicant submits all information required to complete an
40 application for a license.

41 **2.** *An applicant for a license to practice osteopathic medicine may satisfy*
42 *the requirements for postgraduate education or training prescribed by paragraph*
43 *(d) of subsection 1:*

44 *(a) In one or more approved postgraduate programs, which may be*
45 *conducted at one or more facilities in this State or, except for a resident who is*
46 *enrolled in a postgraduate training program in this State pursuant to*
47 *subparagraph (3) of paragraph (d) of subsection 1, in the District of Columbia or*
48 *another state or territory of the United States;*

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

50 *(c) In nonconsecutive months; and*

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

1 **Sec. 30.** NRS 633.322 is hereby amended to read as follows:

2 633.322 In addition to the other requirements for licensure to practice
3 osteopathic medicine, an applicant shall cause to be submitted to the Board:

4 1. A certificate of completion of progressive postgraduate training from the
5 residency program where the applicant received training; and

6 2. If applicable, proof of satisfactory completion of a postgraduate training
7 program specified in *subparagraph (3) of* paragraph ~~4(e)~~ (d) of subsection ~~44~~ 1 of
8 NRS 633.311 within 120 days after the scheduled completion of the program.

9 **Sec. 30.5.** NRS 633.400 is hereby amended to read as follows:

10 633.400 1. Except as otherwise provided in NRS 633.315, the Board shall,
11 except for good cause, issue a license by endorsement to a person who has been
12 issued a license to practice osteopathic medicine by the District of Columbia or any
13 state or territory of the United States if:

14 (a) At the time the person files an application with the Board, the license is in
15 effect and unrestricted; and

16 (b) The applicant:

17 (1) Is currently certified by either a specialty board of the American Board
18 of Medical Specialties or a specialty board of the American Osteopathic
19 Association, or was certified or recertified within the past 10 years;

20 (2) Has had no adverse actions reported to the National Practitioner Data
21 Bank within the past 5 years;

22 (3) Has been continuously and actively engaged in the practice of
23 osteopathic medicine within his or her specialty for the past 5 years;

24 (4) Is not involved in and does not have pending any disciplinary action
25 concerning a license to practice osteopathic medicine in the District of Columbia or
26 any state or territory of the United States;

27 (5) Provides information on all the medical malpractice claims brought
28 against him or her, without regard to when the claims were filed or how the claims
29 were resolved; and

30 (6) Meets all statutory requirements to obtain a license to practice
31 osteopathic medicine in this State except that the applicant is not required to meet
32 the requirements set forth in NRS 633.311.

33 2. Any person applying for a license pursuant to this section shall pay in
34 advance to the Board the application and initial license fee specified in this chapter.

35 3. *Not later than 15 business days after receiving an application for a*
36 *license by endorsement to practice osteopathic medicine pursuant to this section,*
37 *the Board shall provide written notice to the applicant of any additional*
38 *information required by the Board to consider the application. Unless the Board*
39 *denies the application for good cause, the Board shall approve the application*
40 *and issue a license by endorsement to practice osteopathic medicine to the*
41 *applicant not later than:*

42 (a) *Forty-five days after receiving all the additional information required by*
43 *the Board to complete the application; or*

44 (b) *Ten days after the Board receives a report on the applicant's background*
45 *based on the submission of the applicant's fingerprints,*
46 *whichever occurs later.*

47 4. A license by endorsement may be issued at a meeting of the Board or
48 between its meetings by its President and Executive Director. Such action shall be
49 deemed to be an action of the Board.

50 **Sec. 31.** NRS 633.401 is hereby amended to read as follows:

51 633.401 1. ~~Except as otherwise provided in~~ *Unless the Board denies such*
52 *licensure pursuant to NRS 633.315* ~~or for other good cause,~~ the Board ~~may~~
53 *shall* issue a special license to practice osteopathic medicine:

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

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

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

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

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

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

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

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

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

Sec. 32. NRS 633.416 is hereby amended to read as follows:

633.416 1. An osteopathic physician who is retired from active practice and who:

(a) Wishes to donate his or her expertise for the medical care and treatment of persons in this State who are indigent, uninsured or unable to afford health care; or

(b) Wishes to provide services for any disaster relief operations conducted by a governmental entity or nonprofit organization,

may obtain a special volunteer license to practice osteopathic medicine by submitting an application to the Board pursuant to this section.

2. An application for a special volunteer license to practice osteopathic medicine must be on a form provided by the Board and must include:

(a) Documentation of the history of medical practice of the osteopathic physician;

(b) Proof that the osteopathic physician previously has been issued an unrestricted license to practice osteopathic medicine in any state of the United States and that the osteopathic physician has never been the subject of disciplinary action by a medical board in any jurisdiction;

(c) Proof that the osteopathic physician satisfies the requirements for licensure set forth in NRS 633.311 or the requirements for licensure by endorsement set forth in NRS 633.400 ~~or~~ *or section 9 of this act;*

(d) Acknowledgment that the practice of the osteopathic physician under the special volunteer license to practice osteopathic medicine will be exclusively devoted to providing medical care:

(1) To persons in this State who are indigent, uninsured or unable to afford health care; or

(2) As part of any disaster relief operations conducted by a governmental entity or nonprofit organization; and

(e) Acknowledgment that the osteopathic physician will not receive any payment or compensation, either direct or indirect, or have the expectation of any payment or compensation, for providing medical care under the special volunteer

1 license to practice osteopathic medicine, except for payment by a medical facility at
2 which the osteopathic physician provides volunteer medical services of the
3 expenses of the osteopathic physician for necessary travel, continuing education,
4 malpractice insurance or fees of the State Board of Pharmacy.

5 3. If the Board finds that the application of an osteopathic physician satisfies
6 the requirements of subsection 2 and that the retired osteopathic physician is
7 competent to practice osteopathic medicine, the Board ~~shall~~ **must** issue a special
8 volunteer license to practice osteopathic medicine to the osteopathic physician.

9 4. The initial special volunteer license to practice osteopathic medicine issued
10 pursuant to this section expires 1 year after the date of issuance. The license may be
11 renewed pursuant to this section, and any license that is renewed expires 2 years
12 after the date of issuance.

13 5. The Board shall not charge a fee for:

14 (a) The review of an application for a special volunteer license to practice
15 osteopathic medicine; or

16 (b) The issuance or renewal of a special volunteer license to practice
17 osteopathic medicine pursuant to this section.

18 6. An osteopathic physician who is issued a special volunteer license to
19 practice osteopathic medicine pursuant to this section and who accepts the privilege
20 of practicing osteopathic medicine in this State pursuant to the provisions of the
21 special volunteer license to practice osteopathic medicine is subject to all the
22 provisions governing disciplinary action set forth in this chapter.

23 7. An osteopathic physician who is issued a special volunteer license to
24 practice osteopathic medicine pursuant to this section shall comply with the
25 requirements for continuing education adopted by the Board.

26 **Sec. 33.** Chapter 635 of NRS is hereby amended by adding thereto a new
27 section to read as follows:

28 ***1. The Board may issue a license by endorsement to practice podiatry to an***
29 ***applicant who meets the requirements set forth in this section. An applicant may***
30 ***submit to the Board an application for such a license if the applicant holds a***
31 ***corresponding valid and unrestricted license to practice podiatry in the District of***
32 ***Columbia or any state or territory of the United States.***

33 ***2. An applicant for a license by endorsement pursuant to this section must***
34 ***submit to the Board with his or her application:***

35 (a) ***Proof satisfactory to the Board that the applicant:***

36 (1) ***Satisfies the requirements of subsection 1;***

37 (2) ***Is a citizen of the United States or otherwise has the legal right to***
38 ***work in the United States;***

39 (3) ***Has not been disciplined or investigated by the corresponding***
40 ***regulatory authority of the District of Columbia or any state or territory in which***
41 ***the applicant holds a license to practice podiatry; and***

42 (4) ***Has not been held civilly or criminally liable for malpractice in the***
43 ***District of Columbia or any state or territory of the United States;***

44 (b) ***An affidavit stating that the information contained in the application and***
45 ***any accompanying material is true and correct; and***

46 (c) ***Any other information required by the Board.***

47 ***3. Not later than 15 business days after receiving an application for a***
48 ***license by endorsement to practice podiatry pursuant to this section, the Board***
49 ***shall provide written notice to the applicant of any additional information***
50 ***required by the Board to consider the application. Unless the Board denies the***
51 ***application for good cause, the Board shall approve the application and issue a***
52 ***license by endorsement to practice podiatry to the applicant not later than 45 days***

1 *after receiving all the additional information required by the Board to complete*
2 *the application.*

3 *4. A license by endorsement to practice podiatry may be issued at a meeting*
4 *of the Board or between its meetings by the President of the Board. Such an*
5 *action shall be deemed to be an action of the Board.*

6 **Sec. 34.** NRS 635.050 is hereby amended to read as follows:

7 635.050 1. Any person wishing to practice podiatry in this State must,
8 before beginning to practice, procure from the Board a license to practice podiatry.

9 2. ~~1-A~~ *Except as otherwise provided in section 9 or 33 of this act,* a license
10 to practice podiatry may be issued by the Board to any person who:

11 (a) Is of good moral character.

12 (b) Is a citizen of the United States or is lawfully entitled to remain and work in
13 the United States.

14 (c) Has received the degree of D.P.M., Doctor of Podiatric Medicine, from an
15 accredited school of podiatry.

16 (d) Has completed a residency approved by the Board.

17 (e) Has passed the examination given by the National Board of Podiatric
18 Medical Examiners.

19 (f) Has not committed any act described in subsection 2 of NRS 635.130. For
20 the purposes of this paragraph, an affidavit signed by the applicant stating that the
21 applicant has not committed any act described in subsection 2 of NRS 635.130
22 constitutes satisfactory proof.

23 3. An applicant for a license to practice podiatry must submit to the Board or
24 a committee thereof pursuant to such regulations as the Board may adopt:

25 (a) The fee for an application for a license of not more than \$600;

26 (b) Proof satisfactory to the Board that the requirements of subsection 2 have
27 been met; and

28 (c) All other information required by the Board to complete an application for
29 a license.

30 ➤ The Board shall, by regulation, establish the fee required to be paid pursuant to
31 this subsection.

32 4. The Board may reject an application if it appears that the applicant's
33 credentials are fraudulent or the applicant has practiced podiatry without a license
34 or committed any act described in subsection 2 of NRS 635.130.

35 5. The Board may require such further documentation or proof of
36 qualification as it may deem proper.

37 6. The provisions of this section do not apply to a person who applies for:

38 (a) A limited license to practice podiatry pursuant to NRS 635.075; or

39 (b) A provisional license to practice podiatry pursuant to NRS 635.082.

40 **Sec. 35.** NRS 635.065 is hereby amended to read as follows:

41 635.065 1. In addition to the other requirements for licensure set forth in
42 this chapter, an applicant for a license to practice podiatry in this State who has
43 been licensed to practice podiatry in another state or the District of Columbia must
44 submit:

45 (a) An affidavit signed by the applicant that:

46 (1) Identifies each jurisdiction in which the applicant has been licensed to
47 practice; and

48 (2) States whether a disciplinary proceeding has ever been instituted
49 against the applicant by the licensing board of that jurisdiction and, if so, the status
50 of the proceeding; and

51 (b) If the applicant is currently licensed to practice podiatry in another state or
52 the District of Columbia, a certificate from the licensing board of that jurisdiction

1 stating that the applicant is in good standing and no disciplinary proceedings are
2 pending against the applicant.

3 2. ~~He~~ *Except as otherwise provided in section 9 or 33 of this act, the*
4 Board may require an applicant who has been licensed to practice podiatry in
5 another state or the District of Columbia to:

6 (a) Pass an examination prescribed by the Board concerning the provisions of
7 this chapter and any regulations adopted pursuant thereto; or

8 (b) Submit satisfactory proof that:

9 (1) The applicant maintained an active practice in another state or the
10 District of Columbia within the 5 years immediately preceding the application;

11 (2) No disciplinary proceeding has ever been instituted against the
12 applicant by a licensing board in any jurisdiction in which he or she is licensed to
13 practice podiatry; and

14 (3) The applicant has participated in a program of continuing education
15 that is equivalent to the program of continuing education that is required pursuant
16 to NRS 635.115 for podiatric physicians licensed in this State.

17 **Sec. 36.** NRS 641B.275 is hereby amended to read as follows:

18 641B.275 1. The Board shall grant a provisional license to engage in social
19 work as a social worker to a person:

20 (a) Who applies to take the next available examination and who is otherwise
21 eligible to be a social worker pursuant to subsection 1 of NRS 641B.220; or

22 (b) Who:

23 (1) Possesses a baccalaureate degree or a master's degree in a related field
24 of study from an accredited college or university recognized by the Board; and

25 (2) Presents evidence of enrollment in a program of study leading to a
26 degree in social work at a college or university accredited by the Council on Social
27 Work Education or which is a candidate for such accreditation and which is
28 approved by the Board.

29 2. The Board shall grant a provisional license to engage in social work as an
30 independent social worker to a person who applies to take the next available
31 examination and who is otherwise eligible to be an independent social worker
32 pursuant to subsection 1 of NRS 641B.230.

33 3. The Board shall grant a provisional license to engage in social work as a
34 clinical social worker to a person who applies to take the next available
35 examination and who is otherwise eligible to be a clinical social worker pursuant to
36 subsection 1 of NRS 641B.240.

37 4. *The Board may grant a provisional license to engage in social work as an*
38 *independent social worker or as a clinical social worker pursuant to a plan of*
39 *supervision established by the Board by regulation to a person who is an active*
40 *member of, or the spouse of an active member of, the Armed Forces of the United*
41 *States if:*

42 (a) *The person applied for a license to engage in social work as an*
43 *independent social worker or a clinical social worker without examination*
44 *pursuant to NRS 641B.270; and*

45 (b) *The Board deemed that the state in which the person holds a license to*
46 *engage in the practice of social work did not have licensing requirements at the*
47 *time the license was issued that are substantially equivalent to the requirements*
48 *set forth in this chapter.*

49 5. The Board shall establish by regulation the period during which a
50 provisional license issued pursuant to this section will be valid. The period must be:

51 (a) ~~Not~~ *Not* longer than 9 months for a person who is granted a provisional
52 license to engage in social work pursuant to paragraph (a) of subsection 1 or
53 subsection 2 or 3; and

(b) ~~Not~~ *Not* longer than 3 years for a person who is granted a provisional license to engage in social work pursuant to paragraph (b) of subsection 1.

Sec. 37. (Deleted by amendment.)

Sec. 40.3. Chapter 637A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Board may issue a license by endorsement to practice as a hearing aid specialist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a hearing aid specialist in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(3) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to practice as a hearing aid specialist; and

(4) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a hearing aid specialist pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a hearing aid specialist to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement to practice as a hearing aid specialist may be issued at a meeting of the Board or between its meetings by the Chair of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a hearing aid specialist in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 40.6. NRS 637A.160 is hereby amended to read as follows:

637A.160. 1. ~~(Subject to the provisions of)~~ Except as otherwise provided in NRS 637A.170, and section 40.3 of this act, any person who intends to commence business as a hearing aid specialist must comply with the following requirements:

(a) Make application for examination.

(b) Take and pass the examination.

(c) Pay the prescribed fees, including the annual license fee and the initial license fee prescribed in NRS 637A.210.

(d) Submit all information required to complete the application.
2. The license must be issued and delivered by the Secretary to the licensee therein named upon compliance by the licensee with the requirements prescribed in subsection 1.

Sec. 40.9. NRS 637A.210 is hereby amended to read as follows:
637A.210 1. The Board shall charge fees which must not exceed the following:

For a license as a hearing aid specialist:

Application fee.....	\$250
Examination fee.....	200
Initial license fee.....	100
Annual license fee.....	200
Duplicate license fee.....	20
Inactive status fee.....	100

For a license as an apprentice to a hearing aid specialist:

Application fee.....	\$250
Annual license fee.....	100
Inactive status fee.....	100

For all licenses issued by the Board:

Lapsed renewal fee.....	\$100
Reinstatement fee.....	100

2. If an applicant submits an application for a license by endorsement pursuant to section 40.3 of this act, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license.

~~Sec. 37.5.~~ **Sec. 86.** The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

~~Sec. 38.~~ **Sec. 87.** This act becomes effective on July 1, 2015.