

Amendment No. 1014

Assembly Amendment to Senate Bill No. 69 First Reprint	(BDR 54-229)
Proposed by: Assembly Committee on Commerce and Labor	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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.

ALA/WLK



Date: 5/30/2017

S.B. No. 69—Revises provisions governing state agencies, boards and commissions that regulate occupations and professions. (BDR 54-229)



SENATE BILL NO. 69—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions governing state agencies, boards and commissions that regulate occupations and professions. (BDR 54-229)

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 regulatory bodies; ~~authorizing the Governor to issue an executive order directing a regulatory body to expedite action on pending applications for licensure;~~ requiring certain regulatory bodies to adopt regulations governing the issuance of a license by endorsement to a ***natural*** person who holds a comparable license issued by the District of Columbia or any state or territory of the United States and meets certain other requirements; prohibiting the appointment as a member of a regulatory body of a person who has served as a member for 12 years or more under certain circumstances; prohibiting regulatory bodies from entering into an agreement for the payment of fees for legal services on a contingent basis; ~~revising the information required to be included with an application for the issuance of a license to practice medicine and the biennial registration of a physician;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the regulation of certain occupations and professions in this State. (Title 54 of NRS) The various state agencies, boards and commissions that are authorized to license and regulate particular occupations or professions are generally referred to as "regulatory bodies." (NRS 622.060)

~~Section 2 of this bill provides that if the Governor determines that there are critical unmet needs with regard to the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body that adversely affect public health or safety, the Governor may, by executive order, direct the regulatory body to take final action on all completed applications for licensure in its possession within the time specified by the executive order. Section 2 also sets forth the factors that the Governor may consider in determining whether there are such critical unmet needs.~~

Section 3 of this bill requires a regulatory body that is not otherwise authorized or required by specific statute to issue a license to engage in an occupation or profession in this State to a natural person who has been issued a comparable license by another jurisdiction to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person who: (1) holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States; (2) possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and (3) satisfies certain other requirements.

Section 4 of this bill establishes term limits for members of regulatory bodies. Specifically, **section 4** provides that a person may not be appointed as a member of a regulatory body if the person has served as a member of that regulatory body, or at the expiration of his or her current term if he or she is so serving will have served, 12 years or more at the time of his or her appointment, unless the person is serving as a member of a regulatory body with less than 250 licensees.

Existing law establishes specific requirements that must be satisfied before certain state agencies or officials may enter into a contingent fee contract with an attorney or law firm. (NRS 228.111-228.1118) **Section 5** of this bill prohibits any regulatory body from entering into such a contract. **Section 8** of this bill makes a conforming change.

~~Existing law requires a regulatory body to exercise its authority over an occupation or profession for the protection and benefit of the public. (NRS 622.080) Section 6 of this bill requires a regulatory body also to exercise its authority over the occupation or profession for the expansion of economic opportunity, promotion of competition and encouragement of innovation. Section 6 also imposes certain limitations on the manner in which a regulatory body may exercise its authority over an occupation or profession.~~

Existing law requires each regulatory body to submit a quarterly report to the Director of the Legislative Counsel Bureau that includes certain information concerning the disciplinary actions taken and the number of licenses issued by the regulatory body during the immediately preceding calendar quarter. (NRS 622.100) **Section 7** of this bill requires the regulatory body also to include in the report: (1) the total number of applications for licensure received by the regulatory body; (2) the number of applications rejected by the regulatory body as incomplete; (3) the average number of days between the date of rejection of an application as incomplete and the resubmission by the applicant of a complete application; (4) a list of each reason given by the regulatory body for the denial of an application and the number of applications denied by the regulatory body for each such reason; and (5) the number of applications reviewed on an individual basis by the regulatory body or the executive head of the regulatory body.

~~Existing law requires an applicant for a license to practice medicine to submit to the Board of Medical Examiners a description of any complaints filed against the applicant with a licensing board of another state and any disciplinary action taken against the applicant by the licensing board of another state. (NRS 620.172) Section 7.2 of this bill provides that an applicant for such a license is not required to report with his or her application: (1) an anonymous complaint submitted to the licensing board of another state if such a board refused to consider or investigate the anonymous complaint; or (2) a complaint filed against the applicant that did not result in any disciplinary action taken against the applicant by the licensing board of another state.~~

~~Existing law also requires each holder of a license to practice medicine to register with the Board on or before June 30 of each odd numbered year and provides that each license issued will expire if not renewed. Existing law further requires each holder of a license to practice medicine, when registering with the Board, to submit a list of all actions filed or claims submitted for malpractice against him or her during the previous 2 years. (NRS 620.267) Section 7.6 of this bill provides that the holder of such a license does not need to report with his or her biennial registration: (1) an anonymous complaint submitted to the Board that the Board refused to consider; or (2) a complaint filed against the holder of such a license that did not result in any disciplinary action taken against the holder by the Board.~~

Section 18 of Senate Bill No. 516 of this session creates the Office of Workforce Innovation in the Office of the Governor. Section 19 of Senate Bill No. 516 of this session requires the Governor to appoint the Executive Director of the Office of Workforce Innovation. Section 9.5 of this bill requires the Executive Director of the Office of Workforce Innovation, on or before January 1 of each year, to submit to the Director of

the Legislative Counsel Bureau a written report that includes: (1) the number of persons in this State who are engaged in an occupation or profession that is regulated by a regulatory body; and (2) the demand for the services of such persons engaged in such a regulated occupation or profession.

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

Section 1. Chapter 622 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. ~~1. If the Governor determines, according to the provisions set forth in subsection 2, that there are critical unmet needs with regard to the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body and such unmet needs adversely affect public health or safety, the Governor may, by executive order, direct the regulatory body to take final action on all completed applications for licensure in the possession of the regulatory body within the time specified by the executive order.~~

~~2. Except as otherwise provided by specific statute, in determining whether there is a critically unmet need as described in subsection 1 that adversely affects public health or safety, the Governor may consider, without limitation:~~

~~(a) Statistical data based on an analysis of the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body in relation to the total population of this State or any geographic area within this State;~~

~~(b) The demand within this State or any geographic area within this State for types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body; and~~

~~(c) Any other factors relating to the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body that adversely affect public health or safety.~~

~~3. As used in this section, "final action" means the approval or denial of an application for a license by a regulatory body. (Deleted by amendment.)~~

Sec. 3. ~~1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:~~

~~(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;~~

~~(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and~~

~~(c) Satisfies the requirements of this section and the regulations ~~that~~ adopted pursuant thereto.~~

~~2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless ~~that~~ such a person:~~

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

1 (b) Has not been disciplined by the corresponding regulatory authority of the
2 District of Columbia or any state or territory in which the applicant currently
3 holds or has held a license to engage in an occupation or profession;

4 (c) Has not been held civilly or criminally liable in the District of Columbia
5 or any state or territory of the United States for misconduct relating to his or her
6 occupation or profession;

7 (d) Has not had a license to engage in an occupation or profession
8 suspended or revoked in the District of Columbia or any state or territory of the
9 United States;

10 (e) Has not been refused a license to engage in an occupation or profession
11 in the District of Columbia or any state or territory of the United States for any
12 reason;

13 (f) Does not have pending any disciplinary action concerning his or her
14 license to engage in an occupation or profession in the District of Columbia or
15 any state or territory of the United States;

16 (g) Pays any applicable fees for the issuance of a license that are otherwise
17 required for a natural person to obtain a license in this State;

18 (h) Submits to the regulatory body a complete set of his or her fingerprints
19 and written permission authorizing the regulatory body to forward the
20 fingerprints to the Central Repository for Nevada Records of Criminal History
21 for submission to the Federal Bureau of Investigation for its report or proof that
22 the applicant has previously passed a comparable criminal background check;
23 and

24 (i) Submits to the regulatory body the statement required by NRS 425.520.

25 3. A regulatory body may, by regulation, require an applicant for issuance
26 of a license by endorsement to engage in an occupation or profession in this State
27 to submit with his or her application:

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

29 (1) Has achieved a passing score on a nationally recognized, nationally
30 accredited or nationally certified examination or other examination approved by
31 the regulatory body;

32 (2) Has completed the requirements of an appropriate vocational,
33 academic or professional program of study in the occupation or profession for
34 which the applicant is seeking a license by endorsement in this State;

35 (3) Has engaged in the occupation or profession for which the applicant
36 is seeking a license by endorsement in this State pursuant to the applicant's
37 existing licensure for the period determined by the regulatory body preceding the
38 date of the application; and

39 (4) Possesses a sufficient degree of competency in the occupation or
40 profession for which he or she is seeking licensure by endorsement in this State;

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

43 (c) Any other information required by the regulatory body.

44 4. Not later than ~~15~~ 21 business days after receiving an application for a
45 license by endorsement to engage in an occupation or profession pursuant to this
46 section, the regulatory body shall provide written notice to the applicant of any
47 additional information required by the regulatory body to consider the
48 application. Unless the regulatory body denies the application for good cause, the
49 regulatory body shall approve the application and issue a license by endorsement
50 to engage in the occupation or profession to the applicant not later than:

51 (a) ~~Thirty~~ Sixty days after receiving the application;

52 (b) If the regulatory body requires an applicant to submit fingerprints and
53 authorize the preparation of a report on the applicant's background based on the

1 submission of the applicant's fingerprints, ~~H04~~ 15 days after the regulatory body
2 receives the report; or

3 (c) If the regulatory body requires the filing and maintenance of a bond as a
4 requirement for the issuance of a license, ~~H04~~ 15 days after the filing of the bond
5 with the regulatory body,

6 ~~↪ whichever occurs later.~~

7 5. A license by endorsement to engage in an occupation or profession in
8 this State issued pursuant to this section may be issued at a meeting of the
9 regulatory body or between its meetings by the presiding member of the
10 regulatory body and the executive head of the regulatory body. Such an action
11 shall be deemed to be an action of the regulatory body.

12 6. A regulatory body may deny an application for licensure by endorsement
13 if:

14 (a) An applicant willfully fails to comply with the provisions of paragraph (h)
15 of subsection 2; or

16 (b) The report from the Federal Bureau of Investigation indicates that the
17 applicant has been convicted of a crime that would be grounds for taking
18 disciplinary action against the applicant as a licensee and the regulatory body has
19 not previously taken disciplinary action against the licensee based on that
20 conviction.

21 7. The provisions of this section are intended to supplement other
22 provisions of statute governing licensure by endorsement. If any provision of
23 statute conflicts with this section, the other provision of statute prevails over this
24 section to the extent that the other provisions provide more specific requirements
25 relating to licensure by endorsement.

26 Sec. 4. 1. Except as otherwise provided in subsection 2, notwithstanding
27 any other provision of law, a person may not be appointed as a member of a
28 regulatory body if the person has served as a member of that regulatory body, or
29 at the expiration of his or her current term if he or she is so serving will have
30 served, 12 years or more at the time of his or her appointment.

31 2. The provisions of subsection 1 do not apply to a person who has served as
32 a member of a regulatory body which has less than 250 licensees.

33 Sec. 5. 1. Notwithstanding the provisions of NRS 228.111 to 228.1118,
34 inclusive, and any other provision of law, a regulatory body shall not employ,
35 retain or otherwise contract with an attorney or law firm pursuant to a contingent
36 fee contract.

37 2. As used in this section, "contingent fee contract" means a contract for
38 legal services between a regulatory body and an attorney or law firm, pursuant to
39 which the fee of the attorney or law firm is payable, in whole or in part, from any
40 money recovered in a matter governed by the contract.

41 Sec. 6. ~~NRS 622.080 is hereby amended to read as follows:~~

42 ~~622.080 1. In regulating an occupation or profession pursuant to this title,~~
43 ~~each regulatory body shall carry out and enforce the provisions of this title for the~~
44 ~~[protection]:~~

45 ~~(a) Protection and benefit of the public [];~~

46 ~~(b) Expansion of economic opportunity;~~

47 ~~(c) Promotion of competition; and~~

48 ~~(d) Encouragement of innovation.~~

49 ~~2. In adopting regulations pursuant to chapter 233B of NRS, a regulatory~~
50 ~~body shall consider whether a regulation under consideration:~~

51 ~~(a) Expands economic opportunity;~~

52 ~~(b) Promotes competition; and~~

53 ~~(c) Encourages innovation.~~

~~3. If a regulatory body finds it necessary to take action that may limit or reduce competition in an occupation or profession that it is authorized to regulate, the regulatory body shall select the regulatory action that limits or reduces such competition no more than is necessary to protect the public from present, significant and substantiated harms that threaten public health and safety.~~

~~4. A regulatory body shall not enforce a law or regulation against a person except to the extent that the person engages in conduct that is expressly included in a statute or regulation that establishes the authorized scope of practice of the occupation or profession.~~

~~5. Each regulatory body that issues a license by endorsement to engage in an occupation or profession in this State to a person who holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States shall ensure that its process of issuing such licenses is conducted with the highest possible levels of efficiency and transparency.~~ **(Deleted by amendment.)**

Sec. 7. NRS 622.100 is hereby amended to read as follows:

622.100 1. Each regulatory body shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director:

(a) A summary of each disciplinary action taken by the regulatory body during the immediately preceding calendar quarter against any licensee of the regulatory body; and

(b) A report that includes:

(1) **For the immediately preceding calendar quarter:**

(I) The number of licenses issued by the regulatory body ~~during the immediately preceding calendar quarter;~~

(II) **The total number of applications for licensure received by the regulatory body;**

(III) **The number of applications rejected by the regulatory body as incomplete;**

(IV) **The average number of days between the date of rejection of an application as incomplete and the resubmission by the applicant of a complete application;**

(V) **A list of each reason given by the regulatory body for the denial of an application and the number of applications denied by the regulatory body for each such reason; and**

(VI) **The number of applications reviewed on an individual basis by the regulatory body or the executive head of the regulatory body; and**

(2) Any other information that is requested by the Director or which the regulatory body determines would be helpful to the Legislature in evaluating whether the continued existence of the regulatory body is necessary.

2. The Director shall:

(a) Provide any information received pursuant to subsection 1 to a member of the public upon request;

(b) Cause a notice of the availability of such information to be posted on the public website of the Nevada Legislature on the Internet; and

(c) Transmit a compilation of the information received pursuant to subsection 1 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

3. The Director, on or before the first day of each regular session of the Legislature and at such other times as directed, shall compile the reports received pursuant to paragraph (b) of subsection 1 and distribute copies of the compilation to

the Senate Standing Committee on Commerce and Labor and the Assembly Standing Committee on Commerce and Labor, each of which shall review the compilation to determine whether the continued existence of each regulatory body is necessary.

Sec. 7.3. ~~NRS 630.173 is hereby amended to read as follows:~~

~~630.173 1. In addition to the other requirements for licensure, an applicant for a license to practice medicine shall submit to the Board information describing:~~

~~(a) Any claims made against the applicant for malpractice, whether or not a civil action was filed concerning the claim;~~

~~(b) [Any] Except as otherwise provided in subsection 4, any complaints filed against the applicant with a licensing board of another state [and] that resulted in any disciplinary action taken against the applicant by a licensing board of another state; and~~

~~(c) Any complaints filed against the applicant with a hospital, clinic or medical facility or any disciplinary action taken against the applicant by a hospital, clinic or medical facility.~~

~~2. The Board may consider any information specified in subsection 1 that is more than 10 years old if the Board receives the information from the applicant or any other source from which the Board is verifying the information provided by the applicant.~~

~~3. The Board may refuse to consider any information specified in subsection 1 that is more than 10 years old if the Board determines that the claim or complaint is remote or isolated and that obtaining or attempting to obtain a record relating to the information will unreasonably delay the consideration of the application.~~

~~4. An applicant for a license to practice medicine is not required to submit information describing:~~

~~(a) An anonymous complaint that the licensing board of another state refused to consider or investigate; or~~

~~(b) A complaint filed against the applicant that did not result in any disciplinary action taken against the applicant by the licensing board of another state.~~

~~5. The Board shall not issue a license to the applicant until it has received all the information required by this section.~~ **(Deleted by amendment.)**

Sec. 7.6. ~~NRS 630.267 is hereby amended to read as follows:~~

~~630.267 1. Each holder of a license to practice medicine must, on or before June 30, or if June 30 is a Saturday, Sunday or legal holiday, on the next business day after June 30, of each odd-numbered year:~~

~~(a) [Submit] Except as otherwise provided in subsection 2, submit a list of all actions filed or claims submitted to arbitration or mediation for malpractice or negligence against him or her during the previous 2 years.~~

~~(b) Pay to the Secretary Treasurer of the Board the applicable fee for biennial registration. This fee must be collected for the period for which a physician is licensed.~~

~~(c) Submit all information required to complete the biennial registration.~~

~~2. A holder of a license to practice medicine is not required to submit with his or her biennial registration information describing:~~

~~(a) An anonymous complaint that the Board refused to consider pursuant to subsection 1 of NRS 630.307; or~~

~~(b) A complaint filed against the holder of the license that did not result in any disciplinary action taken against the holder of the license by the Board.~~

~~3. When a holder of a license fails to pay the fee for biennial registration and submit all information required to complete the biennial registration after they become due, his or her license to practice medicine in this State expires. The holder~~

may, within 2 years after the date the license expires, upon payment of twice the amount of the current fee for biennial registration to the Secretary Treasurer and submission of all information required to complete the biennial registration and after he or she is found to be in good standing and qualified under the provisions of this chapter, be reinstated to practice.

~~[3.] 4. The Board shall make such reasonable attempts as are practicable to notify a licensee:~~

~~(a) At least once that the fee for biennial registration and all information required to complete the biennial registration are due; and~~

~~(b) That his or her license has expired.~~

~~A copy of this notice must be sent to the Drug Enforcement Administration of the United States Department of Justice or its successor agency.] (Deleted by amendment.)~~

Sec. 8. NRS 228.1111 is hereby amended to read as follows:

228.1111 1. ~~¶The~~ *Subject to the limitations of section 5 of this act, the Attorney General or any other officer, agency or employee in the Executive Department of the State Government shall not enter into a contingent fee contract unless:*

(a) The Governor, in consultation with the Attorney General, has determined in writing:

(1) That the Attorney General lacks the resources, skill or expertise to provide representation in the matter that is the subject of the proposed contract; and

(2) That representation pursuant to a contingent fee contract is cost-effective and in the public interest; and

(b) The proposed contract complies with the requirements of NRS 228.111 to 228.1118, inclusive.

2. Before entering into a contingent fee contract, the Attorney General or other officer, agency or employee, as applicable, must obtain approval from the Interim Finance Committee to commit money for that purpose.

Sec. 9. Section 3 of this act is hereby amended to read as follows:

Sec. 3. 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;

(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

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

(b) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

(c) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

(d) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

(e) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

(f) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

(g) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State; *and*

(h) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check. ~~†; and~~

~~(i) Submits to the regulatory body the statement required by NRS 425.520.†~~

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

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

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

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

(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background

1 based on the submission of the applicant's fingerprints, 15 days after the
2 regulatory body receives the report; or

3 (c) If the regulatory body requires the filing and maintenance of a bond
4 as a requirement for the issuance of a license, 15 days after the filing of the
5 bond with the regulatory body,

6 ➔ whichever occurs later.

7 5. A license by endorsement to engage in an occupation or profession
8 in this State issued pursuant to this section may be issued at a meeting of
9 the regulatory body or between its meetings by the presiding member of the
10 regulatory body and the executive head of the regulatory body. Such an
11 action shall be deemed to be an action of the regulatory body.

12 6. A regulatory body may deny an application for licensure by
13 endorsement if:

14 (a) An applicant willfully fails to comply with the provisions of
15 paragraph (h) of subsection 2; or

16 (b) The report from the Federal Bureau of Investigation indicates that
17 the applicant has been convicted of a crime that would be grounds for
18 taking disciplinary action against the applicant as a licensee and the
19 regulatory body has not previously taken disciplinary action against the
20 licensee based on that conviction.

21 7. The provisions of this section are intended to supplement other
22 provisions of statute governing licensure by endorsement. If any provision
23 of statute conflicts with this section, the other provision of statute prevails
24 over this section to the extent that the other provisions provide more
25 specific requirements relating to licensure by endorsement.

26 **Sec. 9.5. Section 20 of Senate Bill No. 516 of this session is hereby**
27 **amended to read as follows:**

28 Sec. 20. The Executive Director of the Office of Workforce
29 Innovation shall:

30 1. Provide support to the Office of the Governor, the Governor's
31 Workforce Development Board created by NRS 232.935 and the industry
32 sector councils established by the Governor's Workforce Development
33 Board on matters relating to workforce development.

34 2. Work in coordination with the Office of Economic Development to
35 establish criteria and goals for workforce development and diversification
36 in this State.

37 3. Collect and systematize and present in biennial reports to the
38 Governor and the Legislature such statistical details relating to workforce
39 development in the State as the Executive Director of the Office may deem
40 essential to further the objectives of the Office of Workforce Innovation.

41 4. At the direction of the Governor:

42 (a) Identify, recommend and implement policies related to workforce
43 development.

44 (b) Define career pathways and identify priority career pathways for
45 secondary and postsecondary education.

46 (c) Discontinue career pathways offered by the State which fail to meet
47 minimum standards of quality, rigor and cross-education alignment, or that
48 do not demonstrate a connection to priority industry needs.

49 (d) In consultation with the Governor's Workforce Development
50 Board, identify industry-recognized credentials, workforce development
51 programs and education.

52 (e) Maintain and oversee the statewide longitudinal data system that
53 links data relating to early childhood education programs and K-12 public

education with data relating to postsecondary education and the workforce in this State.

(f) Collect accurate educational data in the statewide longitudinal data system for the purpose of analyzing student performance through employment to assist in improving the educational system and workforce training program in this State.

(g) Apply for and administer grants, including, without limitation, those that may be available from funding reserved for statewide workforce investment activities.

(h) Review the status and structure of local workforce investment areas in the State, in coordination with the Governor and the Governor's Workforce Development Board.

(i) Report periodically to the Governor's Workforce Development Board concerning the administration of the policies and programs of the Office of Workforce Innovation.

(j) On or before March 31 of each year, submit to the Governor a complete report of the activities, discussions, findings and recommendations of the Office of Workforce Innovation.

(k) Oversee the State Apprenticeship Council and the State Apprenticeship Director pursuant to NRS 610.110 to 610.185, inclusive, and perform such other functions as may be necessary for the fulfillment of the intent and purposes of chapter 610 of NRS.

(l) Suggest improvements regarding the allocation of federal and state money to align workforce training and related education programs in the State, including, but not limited to, career and technical education.

(m) On or before January 1 of each year, collect and analyze data as needed to create a written report for the purposes of this paragraph, and submit such a report to the Director of the Legislative Counsel Bureau. The report must include, without limitation:

(1) Statistical data based on an analysis of the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body in relation to the total population of this State or any geographic area within this State;

(2) The demand within this State or any geographic area within this State for the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body; and

(3) Any other factors relating to the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body that adversely affect public health or safety.

↪ As used in this paragraph, "regulatory body" has the meaning ascribed to it in NRS 622.060.

Sec. 10. The provisions of section 4 of this act apply only to time served as a member of a regulatory body pursuant to an appointment made after the effective date of this act.

Sec. 11. The provisions of section 5 of this act do not apply to an agreement between a regulatory body and an attorney or law firm entered into before the effective date of this act, but do apply to any renewal or extension of such an agreement.

Sec. 12. 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.

1 **Sec. 13.** A regulatory body that is required to adopt regulations pursuant to
2 section 3 of this act shall adopt such regulations not later than February 1, 2018.

3 **Sec. 14.** 1. This section and sections 1 to ~~17, inclusive,~~ 8, inclusive, and
4 10 to 13, inclusive, of this act become effective upon passage and approval.

5 2. ~~{Sections 7.3 and 7.6}~~ Section 9.5 of this act ~~{become}~~ becomes effective
6 on July 1, 2017, ~~H~~, if and only if Senate Bill No. 516 of this session is enacted by
7 the Legislature and approved by the Governor.

8 3. Section 9 of this act becomes effective on the date on which the provisions
9 of 42 U.S.C. § 666 requiring each state to establish procedures under which the
10 state has authority to withhold or suspend, or to restrict the use of professional,
11 occupational and recreational licenses of persons who:

12 (a) Have failed to comply with a subpoena or warrant relating to a proceeding
13 to determine the paternity of a child or to establish or enforce an obligation for the
14 support of a child; or

15 (b) Are in arrears in the payment for the support of one or more children,
16 ↪ are repealed by the Congress of the United States.