

ASSEMBLY BILL NO. 313—ASSEMBLYMEN
TOLLES, TITUS; AND LEAVITT

MARCH 18, 2019

Referred to Committee on Government Affairs

SUMMARY—Establishes an occupational licensing database for certain professions. (BDR 18-859)

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 occupational licensing; requiring the Executive Director of the Office of Workforce Innovation to establish a database of certain information relating to occupational licensing; requiring certain regulatory bodies to collect certain information from applicants for a license; requiring such regulatory bodies to submit a quarterly report to the Legislative Counsel Bureau containing such information; requiring the Legislative Counsel Bureau to transmit such information to the Office of Workforce Innovation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Office of Workforce Innovation within the Office of the Governor. (NRS 223.800-223.830) Existing law requires regulatory bodies to submit a quarterly report containing certain information to the Director of the Legislative Counsel Bureau. (NRS 622.100) **Section 1** of this bill requires the Executive Director of the Office of Workforce Innovation to establish a database of the information received pursuant to **section 3** of this bill and publish that information on the Internet website of the Office. **Section 2** of this bill requires certain regulatory bodies that regulate professions related to healing arts to provide a survey to applicants for a license to collect certain information. **Section 2** allows such applicants to refuse to provide any or all of the information requested in the survey. **Section 3** requires certain regulatory bodies to include in the quarterly report submitted to the Director of the Legislative Counsel Bureau the information the regulatory bodies collect pursuant to **section 2**. **Section 3** requires the Director of the Legislative Counsel Bureau to compile that information and transmit it to the Office of Workforce Innovation.



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

Section 1. NRS 223.820 is hereby amended to read as follows:

223.820 The Executive Director of the Office of Workforce
Innovation shall:

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

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

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

4. At the direction of the Governor:

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

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

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

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

(e) Maintain and oversee the statewide longitudinal data system
that 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~~ *Investment* Board.

(i) Report periodically to the Governor's Workforce ~~Development~~ *Investment* 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.

(n) On or before January 1 of each year, submit to the Director of the Legislative Counsel Bureau a written report that includes, without limitation, the most current data and reports produced by the statewide longitudinal data system.

5. Establish and maintain a database of information received pursuant to section 3 of this act to be published on the Internet website of the Office of Workforce Innovation.



1 **Sec. 2.** Chapter 622 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. The following regulatory bodies shall collect the**
4 **information required pursuant to subsection 2:**

- 5 **(a) The Board of Medical Examiners;**
- 6 **(b) The Board of Dental Examiners of Nevada;**
- 7 **(c) The State Board of Nursing;**
- 8 **(d) The State Board of Osteopathic Medicine;**
- 9 **(e) The Chiropractic Physicians' Board of Nevada;**
- 10 **(f) The State Board of Podiatry;**
- 11 **(g) The Nevada State Board of Optometry;**
- 12 **(h) The Speech-Language Pathology, Audiology and Hearing**
13 **Aid Dispensing Board;**
- 14 **(i) The State Board of Pharmacy;**
- 15 **(j) The Nevada Physical Therapy Board;**
- 16 **(k) The Board of Occupational Therapy;**
- 17 **(l) The Board of Psychological Examiners;**
- 18 **(m) The Board of Examiners for Marriage and Family**
19 **Therapists and Clinical Professional Counselors; and**
- 20 **(n) The Board of Examiners for Social Workers.**

21 **2. A regulatory body identified in subsection 1 shall provide a**
22 **survey to each applicant for a license or a renewal thereof to**
23 **collect the following information from the applicant:**

- 24 **(a) The type of license of the applicant;**
- 25 **(b) The highest level of education of the applicant;**
- 26 **(c) The area or areas of professional practice of the applicant;**
- 27 **(d) The primary county of employment of the applicant;**
- 28 **(e) The employment status of the applicant;**
- 29 **(f) The date of birth of the applicant;**
- 30 **(g) The gender of the applicant; and**
- 31 **(h) The race and ethnicity of the applicant.**

32 **3. An applicant may refuse to provide any or all of the**
33 **information requested pursuant to subsection 2.**

34 **Sec. 3.** NRS 622.100 is hereby amended to read as follows:

35 622.100 1. Each regulatory body shall, on or before the 20th
36 day of January, April, July and October, submit to the Director of
37 the Legislative Counsel Bureau in an electronic format prescribed
38 by the Director:

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

42 (b) **For each regulatory body identified in subsection 1 of**
43 **section 2 of this act, the information collected by the regulatory**
44 **body for the immediately preceding calendar quarter pursuant to**
45 **subsection 2 of section 2 of this act; and**



(c) A report that includes:

(1) For the immediately preceding calendar quarter:

(I) The number of licenses issued by the regulatory body;

(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 ~~and~~; and

(d) Transmit a compilation of the information received pursuant to paragraph (b) of subsection 1 to the Office of Workforce Innovation created by NRS 223.800.

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)~~ (c) of subsection 1 and distribute copies of the compilation to the Senate Standing Committee on Commerce, Labor and Energy 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. 4. 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. 5. This act becomes effective upon passage and approval for purposes of adopting regulations and performing any



- 1 preliminary administrative tasks that are necessary to carry out the
- 2 provisions of this act, and on January 1, 2020, for all other purposes.

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