

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 9, 12, 13, 19, 33, 36)

(Reprinted with amendments adopted on April 17, 2015)

FIRST REPRINT

A.B. 89

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.



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Legislative Counsel's Digest:

1 **Sections 1 and 2** of this bill set forth new provisions relating to the
2 employment of veterans. **Section 1** requires the Administrator of the Employment
3 Security Division of the Department of Employment, Training and Rehabilitation to
4 gather aggregate unemployment data concerning veterans and report such data to
5 the Interagency Council on Veterans Affairs on a quarterly basis. **Section 2**
6 authorizes a private employer to adopt an employment policy that gives preference
7 in hiring to a veteran or the spouse of a veteran. **Section 2** also authorizes the
8 Nevada Equal Rights Commission to review the uniform application of such an
9 employment policy upon receiving a written complaint from a prospective
10 employee of the employer and requires the employer, upon a finding by the
11 Commission that the policy has not been applied uniformly, to revise his or her
12 employment policy in accordance with the recommendations of the Commission.
13 Existing law generally provides for preferential employment in public employment
14 and the construction of public works for certain veterans. (NRS 281.060, 284.260,
15 338.130)

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

22 Existing law also generally provides for the regulation of professions in this
23 State. (Title 54 of NRS) **Section 9** of this bill authorizes certain qualified
24 professionals who are licensed in another state or territory of the United States and
25 who are active members of, or the spouse of an active member of, the Armed
26 Forces of the United States, a veteran or the surviving spouse of a veteran to apply
27 for and receive a license by endorsement to practice their respective profession in
28 this State. **Section 9** also provides that a person who meets such requirements and
29 receives a license by endorsement in certain professions is entitled to at least a 50
30 percent reduction in the fee for an examination required as a prerequisite to
31 licensure or for initial issuance of a license. **Section 10** of this bill requires a
32 regulatory body to develop opportunities for reciprocity of licensure for such
33 persons who hold a professional license that is not recognized by this State. **Section**
34 **11** of this bill requires a regulatory body in certain circumstances to prepare and
35 submit to the Interagency Council on Veterans Affairs an annual report providing
36 information on the number of veterans who have applied for a license, have been
37 issued a license or have renewed a license.

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

50 **Sections 20-27** of this bill revise various provisions relating to dentists and
51 dental hygienists. **Section 22.5** authorizes the Executive Director of the Board of
52 Dental Examiners of Nevada to issue a license to a qualified applicant without
53 further review of the Board under certain circumstances. **Sections 23 and 25** revise
54 provisions relating to the licensing requirements for dentists and dental hygienists,



55 and **section 27** establishes a fee for the inspection of a facility required by the
56 Board to ensure compliance with infection control guidelines.

57 Additionally, existing law authorizes the Board of Examiners for Social
58 Workers to grant a license without examination to a person who holds a current
59 license to engage in the practice of social work in a state whose licensing
60 requirements at the time the license was issued are deemed by the Board to be
61 substantially equivalent to the requirements set forth in the statutory provisions
62 governing social workers in this State. (NRS 641B.270) **Section 36** of this bill
63 authorizes the Board to grant a provisional license to engage in social work as an
64 independent social worker or a clinical social worker to an active member of or the
65 spouse of an active member of the Armed Forces of the United States who applied
66 for such a license if the Board deems that the other state's licensing requirements
67 are not substantially equivalent to the requirements set forth in the statutory
68 provisions governing social workers in this State. **Section 3** of this bill adds the
69 Board to the list of persons and governmental entities to whom records of criminal
70 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:

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

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

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

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

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

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

21 *3. The Nevada Equal Rights Commission may, upon receipt*
22 *of a written complaint from a prospective employee of a private*
23 *employer who has adopted an employment policy giving*
24 *preference in hiring to a veteran or the spouse of a veteran*
25 *pursuant to subsection 1, review the employment policy to*
26 *determine whether the policy is being applied uniformly in*
27 *accordance with subsection 1. If the Commission determines that*
28 *an employment policy is not being applied uniformly, the*



1 *Commission shall cause written notice of its findings, including*
2 *the recommendations of the Commission, to be provided to the*
3 *employer and prospective employee. Upon receipt of a notice from*
4 *the Commission that an employment policy is not being applied*
5 *uniformly, the employer shall revise his or her employment policy*
6 *consistent with the recommendations of the Commission.*

7 **4. As used in this section:**

8 (a) *“Private employer” has the meaning ascribed to it in*
9 *NRS 616A.295.*

10 (b) *“Veteran” has the meaning ascribed to it in NRS 417.005.*

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

12 179A.100 1. The following records of criminal history may
13 be disseminated by an agency of criminal justice without any
14 restriction pursuant to this chapter:

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

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

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

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

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

26 (c) Reported to the Central Repository.

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

31 (a) Reflect convictions only; or

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

35 4. In addition to any other information to which an employer is
36 entitled or authorized to receive from a name-based inquiry, the
37 Central Repository shall disseminate to a prospective or current
38 employer, or a person or entity designated to receive the information
39 on behalf of such an employer, the information contained in a record
40 of registration concerning an employee, prospective employee,
41 volunteer or prospective volunteer who is a sex offender or an
42 offender convicted of a crime against a child, regardless of whether
43 the employee, prospective employee, volunteer or prospective
44 volunteer gives written consent to the release of that information.
45 The Central Repository shall disseminate such information in a



1 manner that does not reveal the name of an individual victim of an
2 offense or the information described in subsection 7 of NRS
3 179B.250. A request for information pursuant to this subsection
4 must conform to the requirements of the Central Repository and
5 must include:

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

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

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

15 5. In addition to any other information to which an employer is
16 entitled or authorized to receive, the Central Repository shall
17 disseminate to a prospective or current employer, or a person or
18 entity designated to receive the information on behalf of such an
19 employer, the information described in subsection 4 of NRS
20 179A.190 concerning an employee, prospective employee, volunteer
21 or prospective volunteer who gives written consent to the release of
22 that information if the employer submits a request in the manner set
23 forth in NRS 179A.200 for obtaining a notice of information. The
24 Central Repository shall search for and disseminate such
25 information in the manner set forth in NRS 179A.210 for the
26 dissemination of a notice of information.

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

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

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

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

40 (c) The State Gaming Control Board.

41 (d) The State Board of Nursing.

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

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



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

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

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

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

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

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

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

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

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

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

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

37 (r) An agency of this or any other state or the Federal
38 Government that is conducting activities pursuant to Part D of
39 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,
40 42 U.S.C. §§ 651 et seq.

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

43 (t) The Commissioner of Insurance.

44 (u) The Board of Medical Examiners.

45 (v) The State Board of Osteopathic Medicine.



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

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

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

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

12 **Sec. 4.** (Deleted by amendment.)

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

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

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

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

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

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

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

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

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

34 (3) *A conviction for an offense listed in 49 C.F.R. §*
35 *383.51(b);*

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

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

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

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



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

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

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

8 483.928 A person who wishes to be issued a commercial
9 driver's license by this State must:

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

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

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

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

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

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

23 5. For the issuance of a commercial driver's license with an
24 endorsement for hazardous materials, submit a complete set of
25 fingerprints and written permission authorizing the Department to
26 forward the fingerprints to the Central Repository for Nevada
27 Records of Criminal History and all applicable federal agencies to
28 process the fingerprints for a background check of the applicant in
29 accordance with Section 1012 of the Uniting and Strengthening
30 America by Providing Appropriate Tools Required to Intercept and
31 Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C.
32 § 5103a.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

41 ***(b) If the regulatory body requires the applicant to submit***
42 ***fingerprints for the purpose of obtaining a report on the***
43 ***applicant's background, 10 days after receiving the report from***
44 ***the appropriate authority,***

45 ***↳ whichever occurs later.***



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

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

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

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

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

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

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

30 1. *Applied for a license from the regulatory body.*

31 2. *Been issued a license by the regulatory body.*

32 3. *Renewed a license with the regulatory body.*

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

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

41 (b) *Regulating the practice of such a person.*

42 2. *A regulatory body may enter into a reciprocal agreement*
43 *pursuant to subsection 1 only if the regulatory body determines*
44 *that:*



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

3 (b) *The applicable provisions of law governing the practice of*
4 *the respective profession in the state or territory on whose behalf*
5 *the corresponding regulatory authority would execute the*
6 *reciprocal agreement are substantially similar to the*
7 *corresponding provisions of law in this State.*

8 3. *A reciprocal agreement entered into pursuant to subsection*
9 *I must not authorize a person to practice his or her profession*
10 *concurrently in this State unless the person:*

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

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

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

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

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

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

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

29 4. *If the regulatory body enters into a reciprocal agreement*
30 *pursuant to subsection 1, the regulatory body must prepare an*
31 *annual report before January 31 of each year outlining the*
32 *progress of the regulatory body as it relates to the reciprocal*
33 *agreement and submit the report to the Director of the Legislative*
34 *Counsel Bureau for transmittal to the next session of the*
35 *Legislature in odd-numbered years or to the Legislative Committee*
36 *on Health Care in even-numbered years.*

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

39 1. *Except as otherwise provided in NRS 630.1605 and*
40 *630.161, the Board may issue a license by endorsement to practice*
41 *medicine to an applicant who meets the requirements set forth in*
42 *this section. An applicant may submit to the Board an application*
43 *for such a license if the applicant:*



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

4 (b) Is certified in a specialty recognized by the American
5 Board of Medical Specialties or the American Osteopathic
6 Association.

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

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

10 (1) Satisfies the requirements of subsection 1;

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

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

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

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

23 (c) Any other information required by the Board.

24 3. Not later than 15 business days after receiving an
25 application for a license by endorsement to practice medicine
26 pursuant to this section, the Board shall provide written notice to
27 the applicant of any additional information required by the Board
28 to consider the application. Unless the Board denies the
29 application for good cause, the Board shall approve the
30 application and issue a license by endorsement to practice
31 medicine to the applicant not later than:

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

34 (b) If the Board requires the applicant to submit fingerprints
35 for the purpose of obtaining a report on the applicant's
36 background, 10 days after receiving the report from the
37 appropriate authority,

38 ↪ whichever occurs later.

39 4. A license by endorsement to practice medicine may be
40 issued at a meeting of the Board or between its meetings by the
41 President and Executive Director of the Board. Such an action
42 shall be deemed to be an action of the Board.



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

2 630.160 1. Every person desiring to practice medicine must,
3 before beginning to practice, procure from the Board a license
4 authorizing the person to practice.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (I) Education as a resident in the United States or Canada
41 in a program approved by the Board, the Accreditation Council for
42 Graduate Medical Education, ~~for~~ the ~~Coordinating Council of~~
43 ~~Medical Education of the Canadian Medical Association;~~ *Royal*
44 *College of Physicians and Surgeons of Canada, the Collège des*



1 *médecins du Québec or the College of Family Physicians of*
2 *Canada, or their successor organizations;* or

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

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

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

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

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

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

35 (a) Temporarily suspend the license;

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

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

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



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

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

6 (2) Administering a public reprimand;

7 (3) Limiting the practice of the licensee;

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

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

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

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

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

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

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

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

24 5. If the Board determines after reviewing the differing
25 information to allow the license to remain in active status, the action
26 of the Board is not a disciplinary action and must not be reported to
27 any national database. If the Board determines after reviewing the
28 differing information to declare the license void, its action shall be
29 deemed a disciplinary action and shall be reportable to national
30 databases.

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

32 630.165 1. Except as otherwise provided in subsection 2, an
33 applicant for a license to practice medicine ~~must~~ **shall** submit to
34 the Board, on a form provided by the Board, an application in
35 writing, accompanied by an affidavit stating that:

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

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

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



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

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

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

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

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

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

16 630.171 Except as otherwise provided in NRS 630.263, in
17 addition to the other requirements for licensure, an applicant for a
18 license to practice medicine shall cause to be submitted to the
19 Board, if applicable:

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

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

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

28 630.258 1. A physician who is retired from active practice
29 and who:

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

33 (b) Wishes to provide services for any disaster relief operations
34 conducted by a governmental entity or nonprofit organization,
35 ➤ may obtain a special volunteer medical license by submitting an
36 application to the Board pursuant to this section.

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

39 (a) Documentation of the history of medical practice of the
40 physician;

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



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

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

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

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

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

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

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

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

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

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

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

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

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

42 630.265 1. ~~{Except as otherwise provided in}~~ *Unless the*
43 *Board denies such licensure pursuant to* NRS 630.161 ~~{}~~ *or for*
44 *other good cause,* the Board ~~{may}~~ *shall* issue to a qualified
45 applicant a limited license to practice medicine as a resident



1 physician in a graduate program approved by the Accreditation
2 Council for Graduate Medical Education if the applicant is:

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

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

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

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

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

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

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

27 630.268 1. The Board shall charge and collect not more than
28 the following fees:

29	
30	For application for and issuance of a license to
31	practice as a physician, including a license by
32	endorsement <i>issued pursuant to NRS 630.1605</i>
33	<i>or section 13 of this act</i> \$600
34	For application for and issuance of a temporary,
35	locum tenens, limited, restricted, authorized
36	facility, special, special purpose or special event
37	license..... 400
38	For renewal of a limited, restricted, authorized
39	facility or special license..... 400
40	For application for and issuance of a license as a
41	physician assistant..... 400
42	For biennial registration of a physician assistant..... 800
43	For biennial registration of a physician..... 800
44	For application for and issuance of a license as a
45	perfusionist or practitioner of respiratory care 400



1 For biennial renewal of a license as a perfusionist..... \$600
 2 For biennial registration of a practitioner of
 3 respiratory care..... 600
 4 For biennial registration for a physician who is on
 5 inactive status 400
 6 For written verification of licensure 50
 7 For a duplicate identification card 25
 8 For a duplicate license 50
 9 For computer printouts or labels..... 500
 10 For verification of a listing of physicians, per hour 20
 11 For furnishing a list of new physicians..... 100
 12

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

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

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

25 *“Minimal sedation” means a minimally depressed level of*
 26 *consciousness, produced by a pharmacological method, that*
 27 *retains the patient’s ability to independently and continuously*
 28 *maintain an airway and respond normally to tactile stimulation*
 29 *and verbal command, and during which cognitive function and*
 30 *coordination may be modestly impaired, but ventilatory and*
 31 *cardiovascular functions are unaffected.*

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

33 631.005 As used in this chapter, unless the context otherwise
 34 requires, the words and terms defined in NRS 631.015 to 631.105,
 35 inclusive, *and section 20 of this act* have the meanings ascribed to
 36 them in those sections.

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

38 631.025 ~~“Conscious”~~ *“Moderate* sedation” means a
 39 ~~minimally~~ *drug-induced* depressed level of consciousness,
 40 ~~produced by a pharmacologic or nonpharmacologic method or a~~
 41 ~~combination thereof, in~~ *during* which ~~the~~ :

42 1. *The* patient retains the ability ~~independently and~~
 43 ~~continuously to maintain an airway and~~ to respond ~~appropriately~~
 44 *purposefully* to ~~physical stimulation and~~ verbal commands ~~+~~ ,
 45 *either alone or accompanied by light tactile stimulation;*



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

3 3. *Cardiovascular function is usually maintained.*

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

5 631.220 1. Every applicant for a license to practice dental
6 hygiene or dentistry, or any of its special branches, must:

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

8 ~~— (1) The date on which the examination will be given; or~~
9 ~~— (2) If an examination is not required for the issuance of a~~
10 ~~license, the date on which the Board is scheduled to take action on~~
11 ~~the application.]~~

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

15 (c) Submit with the application a complete set of fingerprints
16 and written permission authorizing the Board to forward the
17 fingerprints to the Central Repository for Nevada Records of
18 Criminal History for submission to the Federal Bureau of
19 Investigation for its report.

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

23 2. An application must include all information required to
24 complete the application.

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

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

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

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

35 631.240 1. Any person desiring to obtain a license to practice
36 dentistry in this State, after having complied with the regulations of
37 the Board to determine eligibility:

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

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

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



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

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

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

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

14 631.260 ~~[As]~~ *Except as otherwise provided in subsection 3 of*
15 *NRS 631.220, as* soon as possible after the examination has been
16 given, the Board, under rules and regulations adopted by it, shall
17 determine the qualifications of the applicant and shall issue to each
18 person found by the Board to have the qualifications therefor a
19 license which will entitle the person to practice dental hygiene or
20 dentistry, or any special branch of dentistry, as in such license
21 defined, subject to the provisions of this chapter.

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

23 631.265 1. No licensed dentist or person who holds a
24 restricted license issued pursuant to NRS 631.275 may administer or
25 supervise directly the administration of general anesthesia,
26 ~~[conscious]~~ *minimal sedation, moderate* sedation or deep sedation
27 to dental patients unless the dentist or person has been issued a
28 permit authorizing him or her to do so by the Board.

29 2. The Board may issue a permit authorizing a licensed dentist
30 or person who holds a restricted license issued pursuant to NRS
31 631.275 to administer or supervise directly the administration of
32 general anesthesia, ~~[conscious]~~ *minimal sedation, moderate*
33 sedation or deep sedation to dental patients under such standards,
34 conditions and other requirements as the Board shall by regulation
35 prescribe.

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

37 631.300 1. Any person desiring to obtain a license to practice
38 dental hygiene, after having complied with the regulations of the
39 Board to determine eligibility:

40 (a) Except as otherwise provided in NRS 622.090, must pass a
41 written examination given by the Board upon such subjects as the
42 Board deems necessary for the practice of dental hygiene or must
43 present a certificate granted by the Joint Commission on National
44 Dental Examinations which contains a notation that the applicant



1 has passed the National Board Dental Hygiene Examination with a
2 score of at least 75; and

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

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

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

14 ~~—(3)} Present to the Board a certificate granted by the Western~~
15 ~~Regional Examining Board which contains a notation that the~~
16 ~~applicant has passed {, within the 5 years immediately preceding the~~
17 ~~date of the application,} a clinical examination administered by the~~
18 ~~Western Regional Examining Board.~~

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

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

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

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

27 ~~{4.} 3. All persons who have satisfied the requirements for~~
28 ~~licensure as a dental hygienist must be registered as licensed dental~~
29 ~~hygienists on the board register, as provided in this chapter, and are~~
30 ~~entitled to receive a certificate of registration, signed by all members~~
31 ~~of the Board.~~

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

33 631.313 1. A licensed dentist may assign to a person in his or
34 her employ who is a dental hygienist, dental assistant or other
35 person directly or indirectly involved in the provision of dental care
36 only such intraoral tasks as may be permitted by a regulation of the
37 Board or by the provisions of this chapter.

38 2. The performance of these tasks must be:

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

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



- 1 3. No such assignment is permitted that requires:
- 2 (a) The diagnosis, treatment planning, prescribing of drugs or
- 3 medicaments, or authorizing the use of restorative, prosthodontic or
- 4 orthodontic appliances.
- 5 (b) Surgery on hard or soft tissues within the oral cavity or any
- 6 other intraoral procedure that may contribute to or result in an
- 7 irremediable alteration of the oral anatomy.
- 8 (c) The administration of general anesthesia, ~~conscious~~
- 9 *minimal sedation, moderate* sedation or deep sedation except as
- 10 otherwise authorized by regulations adopted by the Board.
- 11 (d) The performance of a task outside the authorized scope of
- 12 practice of the employee who is being assigned the task.

13 4. A dental hygienist may, pursuant to regulations adopted by

14 the Board, administer local anesthesia or nitrous oxide in a health

15 care facility, as defined in NRS 162A.740, if:

- 16 (a) The dental hygienist is so authorized by the licensed dentist
- 17 of the patient to whom the local anesthesia or nitrous oxide is
- 18 administered; and
- 19 (b) The health care facility has licensed medical personnel and
- 20 necessary emergency supplies and equipment available when the
- 21 local anesthesia or nitrous oxide is administered.

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

23 631.345 1. Except as otherwise provided in NRS 631.2715,

24 the Board shall by regulation establish fees for the performance

25 of the duties imposed upon it by this chapter which must not exceed

26 the following amounts:

27

28 Application fee for an initial license to practice

29 dentistry.....\$1,500

30 Application fee for an initial license to practice

31 dental hygiene 750

32 Application fee for a specialist’s license to practice

33 dentistry..... 300

34 Application fee for a limited license or restricted

35 license to practice dentistry or dental hygiene 300

36 Fee for administering a clinical examination in

37 dentistry.....2,500

38 Fee for administering a clinical examination in

39 dental hygiene 1,500

40 Application and examination fee for a permit to

41 administer general anesthesia, ~~conscious~~

42 *minimal sedation, moderate* sedation or deep

43 sedation 750



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

41

42 2. Except as otherwise provided in this subsection, the Board

43 shall charge a fee to review a course of continuing education for

44 accreditation. The fee must not exceed \$150 per credit hour of the

45 proposed course. The Board shall not charge a nonprofit



1 organization or an agency of the State or of a political subdivision of
2 the State a fee to review a course of continuing education.

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

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

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

7 633.311 **1.** Except as otherwise provided in NRS 633.315,
8 **633.381 to 633.419, inclusive, and section 9 of this act,** an
9 applicant for a license to practice osteopathic medicine may be
10 issued a license by the Board if:

11 ~~1-1~~ **(a)** The applicant is 21 years of age or older;

12 ~~1-2~~ **(b)** The applicant is a citizen of the United States or is
13 lawfully entitled to remain and work in the United States;

14 ~~1-3~~ **(c)** The applicant is a graduate of a school of osteopathic
15 medicine;

16 ~~1-4~~ **(d)** The applicant:

17 ~~1-a~~ **(I)** Has graduated from a school of osteopathic medicine
18 before 1995 and has completed:

19 ~~1-1~~ **(I)** A hospital internship; or

20 ~~1-2~~ **(II)** One year of postgraduate training that complies
21 with the standards of intern training established by the American
22 Osteopathic Association;

23 ~~1-b~~ **(2)** Has completed 3 years, or such other length of time as
24 required by a specific program, of postgraduate medical education
25 as a resident in the United States or Canada in a program approved
26 by the Board, the Bureau of Professional Education of the American
27 Osteopathic Association or the Accreditation Council for Graduate
28 Medical Education; or

29 ~~1-c~~ **(3)** Is a resident who is enrolled in a postgraduate training
30 program in this State, has completed 24 months of the program and
31 has committed, in writing, that he or she will complete the program;

32 ~~1-5~~ **(e)** The applicant applies for the license as provided by law;

33 ~~1-6~~ **(f)** The applicant passes:

34 ~~1-a~~ **(1)** All parts of the licensing examination of the National
35 Board of Osteopathic Medical Examiners;

36 ~~1-b~~ **(2)** All parts of the licensing examination of the Federation
37 of State Medical Boards ~~of the United States, Inc.;~~

38 ~~1-c~~ ;

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



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

4 ~~[(7)]~~ (g) The applicant pays the fees provided for in this chapter;
5 and

6 ~~[(8)]~~ (h) The applicant submits all information required to
7 complete an application for a license.

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

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

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

18 (c) *In nonconsecutive months; and*

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

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

21 633.322 In addition to the other requirements for licensure to
22 practice osteopathic medicine, an applicant shall cause to be
23 submitted to the Board:

24 1. A certificate of completion of progressive postgraduate
25 training from the residency program where the applicant received
26 training; and

27 2. If applicable, proof of satisfactory completion of a
28 postgraduate training program specified in *subparagraph (3) of*
29 *paragraph ~~[(e)]~~ (d)* of subsection ~~[(4)]~~ 1 of NRS 633.311 within 120
30 days after the scheduled completion of the program.

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

32 633.400 1. Except as otherwise provided in NRS 633.315,
33 the Board shall, except for good cause, issue a license by
34 endorsement to a person who has been issued a license to practice
35 osteopathic medicine by the District of Columbia or any state or
36 territory of the United States if:

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

39 (b) The applicant:

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

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



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

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

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

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

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

17 3. *Not later than 15 business days after receiving an*
18 *application for a license by endorsement to practice osteopathic*
19 *medicine pursuant to this section, the Board shall provide written*
20 *notice to the applicant of any additional information required by*
21 *the Board to consider the application. Unless the Board denies the*
22 *application for good cause, the Board shall approve the*
23 *application and issue a license by endorsement to practice*
24 *osteopathic medicine to the applicant not later than:*

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

27 (b) *Ten days after the Board receives a report on the*
28 *applicant's background based on the submission of the applicant's*
29 *fingerprints,*

30 *↳ whichever occurs later.*

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

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

35 633.401 1. ~~Except as otherwise provided in~~ *Unless the*
36 *Board denies such licensure pursuant to NRS 633.315* ~~†~~ *or for*
37 *other good cause, the Board* ~~may~~ *shall* issue a special license to
38 practice osteopathic medicine:

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

44 (b) To a resident while the resident is enrolled in a postgraduate
45 training program required pursuant to the provisions of



1 *subparagraph (3) of* paragraph ~~(e)~~ (d) of subsection ~~(4)~~ 1 of
2 NRS 633.311.

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

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

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

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

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

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

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

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

21 633.416 1. An osteopathic physician who is retired from
22 active practice and who:

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

26 (b) Wishes to provide services for any disaster relief operations
27 conducted by a governmental entity or nonprofit organization,
28 ➔ may obtain a special volunteer license to practice osteopathic
29 medicine by submitting an application to the Board pursuant to this
30 section.

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

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

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

41 (c) Proof that the osteopathic physician satisfies the
42 requirements for licensure set forth in NRS 633.311 or the
43 requirements for licensure by endorsement set forth in NRS 633.400

44 ~~(4)~~ *or section 9 of this act;*



* A B 8 9 R 1 *

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

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

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

8 (e) Acknowledgment that the osteopathic physician will not
9 receive any payment or compensation, either direct or indirect, or
10 have the expectation of any payment or compensation, for providing
11 medical care under the special volunteer license to practice
12 osteopathic medicine, except for payment by a medical facility at
13 which the osteopathic physician provides volunteer medical services
14 of the expenses of the osteopathic physician for necessary travel,
15 continuing education, malpractice insurance or fees of the State
16 Board of Pharmacy.

17 3. If the Board finds that the application of an osteopathic
18 physician satisfies the requirements of subsection 2 and that the
19 retired osteopathic physician is competent to practice osteopathic
20 medicine, the Board ~~shall~~ *must* issue a special volunteer license to
21 practice osteopathic medicine to the osteopathic physician.

22 4. The initial special volunteer license to practice osteopathic
23 medicine issued pursuant to this section expires 1 year after the date
24 of issuance. The license may be renewed pursuant to this section,
25 and any license that is renewed expires 2 years after the date of
26 issuance.

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

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

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

32 6. An osteopathic physician who is issued a special volunteer
33 license to practice osteopathic medicine pursuant to this section and
34 who accepts the privilege of practicing osteopathic medicine in this
35 State pursuant to the provisions of the special volunteer license to
36 practice osteopathic medicine is subject to all the provisions
37 governing disciplinary action set forth in this chapter.

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

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

44 *1. The Board may issue a license by endorsement to practice*
45 *podiatry to an applicant who meets the requirements set forth in*



1 *this section. An applicant may submit to the Board an application*
2 *for such a license if the applicant holds a corresponding valid and*
3 *unrestricted license to practice podiatry in the District of*
4 *Columbia or any state or territory of the United States.*

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

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

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

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

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

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

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

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

22 *3. Not later than 15 business days after receiving an*
23 *application for a license by endorsement to practice podiatry*
24 *pursuant to this section, the Board shall provide written notice to*
25 *the applicant of any additional information required by the Board*
26 *to consider the application. Unless the Board denies the*
27 *application for good cause, the Board shall approve the*
28 *application and issue a license by endorsement to practice podiatry*
29 *to the applicant not later than 45 days after receiving all the*
30 *additional information required by the Board to complete the*
31 *application.*

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

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

37 635.050 1. Any person wishing to practice podiatry in this
38 State must, before beginning to practice, procure from the Board a
39 license to practice podiatry.

40 2. ~~1A~~ *Except as otherwise provided in section 9 or 33 of this*
41 *act, a* license to practice podiatry may be issued by the Board to any
42 person who:

43 (a) Is of good moral character.

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



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

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

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

6 (f) Has not committed any act described in subsection 2 of NRS
7 635.130. For the purposes of this paragraph, an affidavit signed by
8 the applicant stating that the applicant has not committed any act
9 described in subsection 2 of NRS 635.130 constitutes satisfactory
10 proof.

11 3. An applicant for a license to practice podiatry ~~must~~ *shall*
12 submit to the Board or a committee thereof pursuant to such
13 regulations as the Board may adopt:

14 (a) The fee for an application for a license of not more than
15 \$600;

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

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

20 ↪ The Board shall, by regulation, establish the fee required to be
21 paid pursuant to this subsection.

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

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

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

30 (a) A limited license to practice podiatry pursuant to NRS
31 635.075; or

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

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

35 635.065 1. In addition to the other requirements for licensure
36 set forth in this chapter, an applicant for a license to practice
37 podiatry in this State who has been licensed to practice podiatry in
38 another state or the District of Columbia ~~must~~ *shall* submit:

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

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

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



1 (b) If the applicant is currently licensed to practice podiatry in
2 another state or the District of Columbia, a certificate from the
3 licensing board of that jurisdiction stating that the applicant is in
4 good standing and no disciplinary proceedings are pending against
5 the applicant.

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

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

12 (b) Submit satisfactory proof that:

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

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

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

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

24 641B.275 1. The Board shall grant a provisional license to
25 engage in social work as a social worker to a person:

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

29 (b) Who:

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

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

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

43 3. The Board shall grant a provisional license to engage in
44 social work as a clinical social worker to a person who applies to
45 take the next available examination and who is otherwise eligible to



1 be a clinical social worker pursuant to subsection 1 of
2 NRS 641B.240.

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

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

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

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

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

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

26 **Sec. 37.** (Deleted by amendment.)

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

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



