



# Nevada State Board of Medical Examiners

## NOTICE OF INTENT TO ACT UPON REGULATION

Notice of Hearing for the Repeal of Regulation of the  
Nevada State Board of Medical Examiners

The Nevada State Board of Medical Examiners (Board) will hold a public hearing at 9:00 a.m., on Thursday, October 12, 2017, at the Board office located at 1105 Terminal Way, Ste. 301, Reno, Nevada and videoconferenced to the Nevada State Board of Dental Examiners, located at 6010 S. Rainbow Blvd., Bldg. A., Ste. 1, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the repeal of a regulation that pertains to Chapter 630 of the Nevada Administrative Code.

**R008-17** Repeal of NAC 630.205 in its entirety.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The proposed repeal is necessary to clarify existing Board policy regarding the prescription of appetite suppressants. It is the position of the Board that the regulation no longer reflects the standard of care.
2. A copy of this notice and the regulation to be adopted will be on file at the Nevada State Library and Archives, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the office of the Board at 1105 Terminal Way, Ste. 301, Reno, Nevada 89502, and in all counties in which an office of the agency is not maintained, at the main public library or county office, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation is also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us> and [www.medboard.nv.gov](http://www.medboard.nv.gov). Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.
3. The Board does not believe that the proposed amendment will have a direct economic effect on the business of the practice of medicine or the public.
4. Enforcement of the proposed amendment will not result in an increased cost to the Board.
5. To the Board's knowledge, the proposed amendment does not overlap or duplicate the regulations of other state or local governmental agencies or any federal regulations.
6. The proposed regulations do not establish new fees or increase existing fees.

Persons wishing to comment upon the proposed regulation of the Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Board, 1105 Terminal Way, Ste. 301, Reno, NV 89502.

Written submissions must be received by the Nevada State Board of Medical Examiners on or before October 12, 2017.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Washoe County Courthouse	Reno, Nevada
Carson City Library	Carson City, Nevada
Clark County District Library	Las Vegas, Nevada
Churchill County Library	Fallon, Nevada
Douglas County Library	Minden, Nevada
Elko County Library	Elko, Nevada
Esmeralda County Library	Goldfield, Nevada
Humboldt County Library	Winnemucca, Nevada
Lander County Library	Battle Mountain, Nevada
Lincoln County Library	Pioche, Nevada
Lyon County Library	Yerington, Nevada
Mineral County Library	Hawthorne, Nevada
Tonopah Public Library (Nye County)	Tonopah, Nevada
Pershing County Library	Lovelock, Nevada
Storey County Commissioners Office	Virginia City, Nevada
White Pine County Library	Ely, Nevada

Nevada State Board of Medical Examiners is proposing to repeal this regulation in its entirety.

**LCB File No. R008-17**

**NAC 630.205 Prescription of appetite suppressants. (NRS 630.130, 630.275)**

1. A physician or physician assistant who is authorized to prescribe controlled substances may prescribe an appetite suppressant to control the weight of a patient if the appetite suppressant is prescribed for use in the treatment of exogenous obesity as part of a program of medical treatment which includes dietary restrictions, modification of behavior and exercise and:

(a) The physician or physician assistant determines that the patient's obesity represents a threat to the patient's health; or

(b) The patient's weight exceeds by not less than 20 percent the upper limit of the patient's healthy weight as described in the *Dietary Guidelines for Americans* adopted by reference in NAC 630.187.

2. A physician or physician assistant shall not prescribe an appetite suppressant for more than 3 months, unless the patient:

(a) Has lost an average of not less than 2 pounds per month since he or she began taking the appetite suppressant; or

(b) Has maintained his or her weight at the level which was established by the patient's physician or a physician assistant under the supervision of his or her physician.

3. A physician or physician assistant who prescribes an appetite suppressant for more than 3 months shall maintain a record of the patient's weight at the beginning and end of each month during which the patient takes the appetite suppressant.

4. Before prescribing an appetite suppressant, a physician or physician assistant shall obtain a medical history and perform a physical examination of the patient and conduct appropriate studies to determine if there are any contraindications to the use of the appetite suppressant by the patient.

5. As used in this section, "appetite suppressant" means a drug or other substance listed in schedule IV pursuant to NAC 453.540 which is used to suppress the appetite of a natural person.

(Added to NAC by Bd. of Medical Exam'rs, eff. 7-18-96; A by R108-01, 11-29-2001; R021-15, 12-30-2015)