



Nevada State Board of Medical Examiners

Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada State Board of Medical Examiners (Board), located at 9600 Gateway Drive, Reno, Nevada 89521, (775) 688-2559, is proposing a disciplinary regulation pertaining to Chapter 630 of the Nevada Administrative Code (NAC) and NRS 630.323(6). The public workshop has been set for 11:00 a.m., on Tuesday, October 23, 2018, at the Nevada State Board of Dental Examiners, located at 6010 S. Rainbow Blvd., Bldg. A, Ste. 1, Las Vegas, Nevada 89118 and videoconferenced to the Nevada State Board of Medical Examiners located at 9600 Gateway Drive, Reno, Nevada 89521. The purpose of the workshop is to solicit comments from interested persons on the following general topic that may be addressed in the proposed regulation:

R145-18 To Solicit Comments on Proposed Regulation – R145-18 – Proposed Disciplinary Regulation Pertaining to NAC 630 and NRS 630.323(6).

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting the Board at 9600 Gateway Drive, Reno, Nevada 89521, and by telephone at (775) 688-2559. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on the Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

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

AGENDA

Proposed Regulation R145-18

Nevada State Board of Medical Examiners

The purpose of the public workshop(s) is to receive comments from all interested parties regarding the information listed on this agenda. No action will be taken by the Nevada State Board of Medical Examiners at the public workshop(s) on the proposed permanent regulation. The workshops are informational only and in preparation for action that will be taken by the Nevada State Board of Medical Examiners at a regularly scheduled meeting. The following items may be taken out of order and/or items may be combined for consideration.

1. Call to order and introductions

2. Public comment:

Members of the public will be invited to speak; however, no action will be taken by the Nevada State Board of Medical Examiners at this workshop. Public comment may be limited to three minutes per person at the discretion of the workshop moderator.

3. Presentation and discussion of proposed regulation R145-18:

Staff of the Nevada State Board of Medical Examiners will provide background on the purpose and need for the proposed revisions to Nevada Administrative Code 630 and Nevada Revised Statute (NRS) 630.323(6).

4. Question and answer period for R145-18

5. Public comment for R145-18:

Members of the public will be invited to speak; however, no action will be taken by the Nevada State Board of Medical Examiners at this workshop. Public comment may be limited to three minutes per person at the discretion of the workshop moderator.

6. Adjournment

**PROPOSED REGULATION OF THE
BOARD OF MEDICAL EXAMINERS**

LCB File No. R145-18

August 1, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 630.130, 630.275 and 630.323.

A REGULATION relating to controlled substances; providing that the Board of Medical Examiners will impose disciplinary action for certain violations relating to prescribing controlled substances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Medical Examiners to adopt regulations providing for disciplinary action against a licensee for inappropriately prescribing a controlled substance listed in schedule II, III or IV or violating certain provisions of law and regulations concerning the prescription of such controlled substances. Existing law also requires the Board to impose disciplinary action if the Board determines that a licensee has issued a fraudulent, illegal, unauthorized or inappropriate prescription for such a controlled substance. (NRS 630.323) This regulation requires any such disciplinary action to include a requirement that the licensee complete additional continuing education concerning prescribing certain controlled substances. This regulation also provides that the Board will consider the degree to which the licensee made a good faith attempt to comply with applicable provisions of law and regulations when determining: (1) whether such a violation has occurred; and (2) the disciplinary action that it will impose for such a violation.

Section 1. Chapter 630 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The disciplinary action imposed by the Board upon finding that a licensee has committed a violation described in subsection 6 of NRS 630.323 must include, without

limitation, a requirement that the licensee complete additional continuing education concerning prescribing controlled substances listed in schedules II, III and IV.

2. The Board will consider the degree to which a licensee made a good faith attempt to comply with applicable provisions of law and regulations, including, without limitation, the provisions of NRS 639.2391 to 639.23916, inclusive, or any regulations adopted pursuant thereto, when determining:

(a) Whether a licensee has committed a violation described in subsection 6 of NRS 630.323; and

(b) The disciplinary action to impose for the violation, when applicable.