NEVADA STATE BOARD OF MEDICAL EXAMINERS

RECORDS REQUEST POLICY

Effective 11/4/2026

TABLE OF CONTENTS

1.0 PURPOSE 1
2.0 SCOPE 1
3.0 EFFECTIVE DATE 1
4.0 GOVERNING LAW 1
5.0 POLICY STATEMENT 1
6.0 RESPONSIBILITIES 1
7.0 WHAT IS A PUBLIC RECORDS REQUEST? 2
8.0 TYPES OF REQUESTORS 2
9.0 REQUEST FORM 2
10.0 PUBLIC RECORDS REQUESTS EMAIL 2
11.0 CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION 2
12.0 INITIAL ACKNOWLEDGEMENT AND RESPONDING WITHIN FIVE BUSINESS DAYS 3
12.1 Partial Denials 4
13.0 GENERAL PROCESS AND STEPS FOR RESPONDING TO RECORDS REQUESTS 4
13.2 Procedure For Accepting Records Requests Via Telephone 5
14.0 PROCESSING OF REQUESTS 5
15.0 FORMATION OF PRODUCTION 6
16.0 FEE SCHEDULE FOR COPIES OF PUBLIC RECORDS 6
17.0 INSPECTION OF RECORDS AT BOARD OFFICES 7
18.0 IMMEDIATELY ACCESSIBLE RECORDS 7
19.0 SUBPOENAS ARE NOT PUBLIC RECORDS REQUESTS 7
20.0 STANDARD RESPONSE LANGUAGE 7
20.1 Acknowledgement 7
20.2 Production 7
20.3 Delay 7
20.4 Confidentiality Denial 7
20.5 No Custody or Control 8
21.0 RETENTION HOLD AND RECORDS RETENTION 8

1.0 PURPOSE

The purpose of this Policy is to establish uniform procedures for receiving, processing, reviewing, redacting, responding to, and tracking requests for public books and records of the Nevada State Board of Medical Examiners ("Board") pursuant to Nevada's Public Records Act (NPRA), codified in Chapter 239 of the Nevada Revised Statutes (NRS) and other applicable state and federal law.

2.0 SCOPE

These procedures apply to all divisions, offices, and personnel of the Board, and governs all public records created, gathered, stored or maintained by the Board in any medium. All Board Records Officials are responsible for following this Policy, and all Board staff shall work with the Boards Records Officials in processing public records requests.

3.0 EFFECTIVE DATE

This policy is effective upon the approval of the Executive Director, which is anticipated to be November 4, 2026.

4.0 GOVERNING LAW

The NPRA is codified in NRS Chapter 239, with regulations contained in Nevada Administrative Code (NAC) 239. The Board's Chapters, NRS and NAC 630, NRS and NAC Chapter 629, NRS Chapter 629A also govern. Other state laws, federal law, state records retention schedules approved pursuant to NRS 239.080, Nevada case law, and opinions or guidance issued by the Nevada Attorney General or the Nevada State Library, Archives and Public Records provide additional requirements for the Board with regard to public records.

5.0 POLICY STATEMENT

Access to public records is fundamental to democracy. Unless a record is declared confidential by law, Board records are presumed to be open to the public. NRS Chapter 239 provides that the NPRA is to be construed liberally to promote public access to records and that restrictions on access to records are to be construed narrowly. Unless the record itself is deemed confidential by statute or other legal authority, whenever possible and appropriate, records should be redacted to protect personally identifying information or other confidential information, allowing the redacted record to be provided to the Requestor.

6.0 RESPONSIBILITIES

Pursuant to NRS 239.008, the Board shall designate one or more employees to serve as Records Official(s). The Records Official is responsible for coordinating the Board's response to public records requests and shall carry out the procedures identified in this policy. The Board's Records Officials are designated as follows:

Custodian of Records and Records Official: Edward O. Cousineau, Executive Director
Records Official: Deonne Contine, General Counsel
Records Official: Sarah Bradley, Deputy Executive Director
Records Official: Mercedes Fuentes, Senior Legal Assistant

7.0 WHAT IS A PUBLIC RECORDS REQUEST?

A public records request is any request from a Requestor asking to inspect, copy, or receive a copy of a record in the Board's legal custody or control. Requests may be received by mail, email, hand delivery, telephone, or facsimile.

8.0 TYPES OF REQUESTORS

The Board most frequently receives records requests from the following individuals or entities:

- Members of the public
- Other state agencies or other licensing boards
- Law enforcement
- Universities
- Journalists or members of the media
- Licensees
- Complainants
- Attorneys
- Subpoenas

9.0 REQUEST FORM

A **Records Request Form** is available on the Board's website. This Form is not required for public records requests; however, completing it may expedite processing of requests. *See* NRS 239.008. An **Applicant/Licensee Request and Authorization for Release** is also available on the Board's website, specifically for applicants or licensees seeking copies of their information as part of their application and renewal of licensure and/or investigations and outcomes.

10.0 PUBLIC RECORDS REQUESTS EMAIL

All records requests received by Board staff should be forwarded to recordsrequests@medboard.nv.gov for tracking and a response. This email is monitored by the Board's Records Officials.

11.0 CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION

The following records are deemed confidential and will not be provided in response to a public records request.

Document Type	**Statutory Authority**
Complaints and Investigation Materials, including consumer complaints or complaints or notifications received from other state agencies concerning a licensee that prompt the Board to open an investigation.	NRS 630.336(4), (5), (6); NRS 622A.330
Investigative Committee Materials and Meeting Information	NRS 630.311; NRS 630.336(1)
Criminal Background Information	NRS 179A.110

National Practitioner Data Bank Reports	45 CFR § 60.20
Application Addenda and Other Supporting Materials	NRS 630.336(3)(a)
Patient/Complainant Medical Records	NRS 622.310
Settlement Agreements for Diversion	NRS 622.330(4)

The following information is personally identifiable information, and it will be redacted prior to providing responsive records to a Requestor.

Information Type/Description	**Statutory Authority**
Personally Identifiable Information, such as social security number, driver's license number, or other identification number	NRS 239.010(3); NRS 603A.040
Bank Account or other financial information	NRS 239.010(3); NRS 603A.040
Licensee Signature	NRS 239.010(3); NRS 603A.040
Licensee Mailing Address*	NRS 239.010(3); NRS 603A.040
Licensee Email Address	NRS 239.010(3): NRS 603A.040

*A licensee's public address will not be redacted.

The following privileges may apply to records requested from the Board. If documents are privileged, they will not be provided pursuant to a public records request. This list is not exhaustive, and the Board will defer to the advice of legal counsel with regard to the application of privileges when responding to requests.

Privilege	**Description**
Attorney-Client Privilege	Communications between Board attorneys, Board staff, and Board members, made for the purpose of facilitating legal advice or services to the Board.
Attorney Work Product	Documents, notes, research, and hearing preparation materials compiled by or for Board attorneys in anticipation of litigation or administrative proceedings.
Deliberative Process Privilege	Internal notes, drafts, and opinions reflecting preliminary deliberations, policy formulations, or recommendations prior to final Board action.

12.0 INITIAL ACKNOWLEDGEMENT AND RESPONDING WITHIN FIVE BUSINESS DAYS

The Board will acknowledge receipt of the request, as soon as possible, but not later than five business days. The Board will make every effort to produce records, without delay, by the end of the fifth business day as required by NRS 239.0107. If additional time is needed to produce records, the Board will give the Requestor a date by which the records will be produced, or the Requestor will receive an update on the status of the request. The Board will not require the Requestor to explain the reason for the request. Requestors may be asked to clarify overly broad or vague requests.

There are four basic response paths.

Option A — Produce The Record

Use when the record is available and no applicable confidentiality provision prevents disclosure.

Option B — Identify The Correct Governmental Entity
Use when the Board does not have legal custody or control of the requested record. The response will identify the other governmental entity with legal custody or control over the requested record, if known.

Option C — Send An Initial Response with a Future Date
If the Board cannot make the record available by the statutory deadline, the Board will provide the notice required by NRS 239.0107, including the earliest date and time the Board reasonably believes the record will be available.

The Board will provide a reason for the delay and make a reasonable effort to assist the Requestor in focusing the request.

Option D — Deny All Or Part Of The Request
If the Board must deny access because the record or portion of the record is confidential, the Board's written response will identify the specific statute or other legal authority making the record confidential.

12.1 Partial Denials

If only a part of a request is denied, the response should identify what records are being produced, identify what records or portions of records are being withheld, identify the legal authority for each document that is withheld or redacted, and explain any applicable fees or production conditions. Whenever possible, unless a record is confidential, records containing confidential information should be redacted and provided to the Requestor.

13.0 GENERAL PROCESS AND STEPS FOR RESPONDING TO RECORDS REQUESTS

Step 1: Submission of Request

- Requests should be submitted in writing to the recordsrequests@medboard.nv.gov email inbox to ensure clarity and tracking, although a request can be accepted through any medium.
- The request should reasonably describe the records sought with enough specificity, such as subject matter, names, date ranges, and keywords, to allow Board staff to locate them.
- Requestors may be asked to clarify overly broad or vague requests, and Board staff may communicate with Requestors to facilitate this clarification.

Step 2: Initial Acknowledgment and 5-Day Timeline

- The Board will acknowledge receipt of a Public Records Request promptly.
- **Within five (5) business days** following receipt, the Board will take one of the following actions:
  1. Provide the records for inspection or electronic delivery.
  2. Provide a written notice stating that the records are being compiled and specifying an estimated date and time when they will be available.
  3. If the request is voluminous, legally ambiguous, or requires extensive retrieval, the Board will provide written notice of the delay and work cooperatively with the Requestor to focus or prioritize the scope.
  4. Deny the request in whole or in part, providing a written legal justification and statutory citation for any redactions or withheld records.

Step 3: Search, Review, and Redaction

- **Search:** Relevant divisions and IT/administrative personnel shall conduct a comprehensive, good-faith search of physical and electronic record repositories including emails, databases, and shared drives.

- **Review for Privilege/Exemption:** The Records Official, in consultation with the Board's General Counsel's Office where appropriate, shall review the retrieved records to identify any confidential, privileged, or PII material.
- **Redaction:** If a document is not expressly confidential and it contains confidential information, Board staff will redact it prior to providing it in response to a Public Records Request. The Board will include the legal basis for any redaction in its response to the Requestor when the document is provided.

Step 4: Delivery and Medium

- Records will be provided in the medium requested, as long as the record is readily reproducible in that format.
- The Board is not required to create a new record or create a new database in response to a public records request.

13.2 Procedure For Accepting Records Requests Via Telephone

For the sake of accuracy and tracking, the Board prefers to receive public records requests in writing utilizing the Public Records Request Form. However, oral records requests are permitted by law. Board staff receiving the oral request should do the following:

- Draft an email or complete the Public Records Request Form containing the request and send it to recordsrequests@medboard.nv.gov;
- Please obtain the Requestor's contact information, records requested, and the preferred delivery method for the records.

14.0 PROCESSING OF REQUESTS

Upon receipt of a public records request, the designated Records Official shall:

1. Date stamp "Received" on the public records request.
2. Acknowledge receipt of the request to the Requestor.
3. Log the request for tracking purposes and assign a tracking number.
4. Create a new folder in the PUBLIC RECORDS REQUEST on the shared drive and save a copy of the request and acknowledgement.
5. Verify all essential information on the Request Form and seek clarification from the Requestor as needed. If the cost to provide the records requested is expected to exceed $5.00, provide a cost estimate to the Requestor.
6. Identify the requested records, gather and forward request to other divisions for assistance, as needed, indicating the timeline for a final response.
7. If the cost to respond to the request will exceed $5.00, ask the Board's Finance Division to send an invoice to the Requestor for these costs. The records will not be released to the Requestor until this invoice is paid.
8. If a request cannot be completed within five business days, prepare a written response acknowledging receipt of the request and estimating the date and time by which the Board will be able to respond to the request.
9. Review the response for completeness and deliver responsive records to the General Counsel or Deputy Executive Director for review.
10. Draft a response, noting any responsive records that contain confidential or privileged information, as well as a citation to the statute(s) or regulations(s) that apply to information that has been redacted, and including an explanation for any confidential documents that are withheld; also noting if the Board does not have legal custody of the record or if the record was destroyed, and providing written notice of that fact and the name and address of the governmental entity that has legal custody of the record, if known.

11. Send the response to the Requestor, logging time spent, completion date, and placing a copy of the request and response with attachments in the PUBLIC RECORDS REQUEST folder on the shared drive.

15.0 FORMATION OF PRODUCTION

When a Requestor requests records in a specific format, the Board will do its best to provide the records in that format, if possible. Examples include PDF, paper copies, and inspection at Board offices. Board staff shall not refuse a requested format merely because another format is more convenient for the Board. If a requested record may not be easily produced in an electronic format, the Records Official and the General Counsel will draft a response to the Requestor explaining that fact.

16.0 FEE SCHEDULE FOR COPIES OF PUBLIC RECORDS

As authorized by NRS 239.052, the Board will charge the following fees when responding to public records requests. The Board will not charge fees unless the total actual costs to respond to the request exceed $5.00. The Requestor must pay these costs before the Board will release or send the records to the Requestor. The Board will hold the records for the Requestor for 30 days.

- **Standard Electronic Copies:** Provided via email or secure digital transfer at no charge, unless the request requires extraordinary programming or data extraction.

- **Paper Copies:**

Fee Per Page	Type
$0.05	Black & White (8 ½ x 11 or 14)
$0.10	Color (8 ½ x 11 or 14)

- **Media Devices:** Actual cost for physical media, such as USB thumb drives or CD/DVD, if requested.

- **Waiver***:* The Board will not charge fees when providing records to another state or federal agency, or law enforcement.

- **Court Reporter Transcript Fee**[1]: If a Requestor wants a copy of a Board proceeding that has been transcribed by a court reporter, the Requestor may reach out to the court reporting company used by the Board to request and pay for the court reporter. Otherwise, if a person requests a copy of a transcription of an administrative proceeding that has been transcribed by a certified court reporter, the Board must comply with NRS 239.053 and charge the Requestor the same per page fees that the Board pays in its contract with the court reporter.

- **Certified True Copies**: $5.00 per page.

[1] The Board is authorized to recover its actual costs for the medium used to provide a copy of a transcript. In addition, the Board must charge the actual fee per page charged by the court reporter for the copy of the transcript, as set forth in the contract between the Board and the court reporter. NRS 239.053. The per-page fee charged by the court reporter, which is collected by the Board, is then transmitted to the court reporter. NRS 239.053(2).

- **Postage**: If the Requestor is not going to pick up the requested records, the Requestor shall pay for postage and may select his or her preferred delivery option.

- **Payment**: The Board's Finance Division will send the Requestor an invoice prior to producing the records. Payment may be made by cashier's check, money order, or credit card.

17.0 INSPECTION OF RECORDS AT BOARD OFFICES

If a Requestor wishes to inspect records, the Records Official shall schedule a reasonable inspection time. Confidential records and/or confidential information contained in the records shall be removed or appropriately protected. To protect confidential information, it may be necessary for Board staff to redact the records and provide a redacted copy for the Requestor to inspect. The Requestor shall pay the cost of copies made for redaction of the records, if appropriate, and according to the terms of this Policy. A Records Official or Board Staff member shall supervise the inspection of the records. The Requestor may make copies of the records as permitted by law or take notes about the inspection. The Requestor may not alter or amend the records themselves.

18.0 IMMEDIATELY ACCESSIBLE RECORDS

If the requested record is already available on the Board's website, the Records Official may direct the Requestor to the Board's website. However, the employee should verify that the link works, the record actually responds to the request, the online version is complete, and no additional responsive records have been requested. This request and its response are still logged in the Board's Records Log.

19.0 SUBPOENAS ARE NOT PUBLIC RECORDS REQUESTS

A subpoena, discovery request, court order, or other compulsory legal process shall not automatically be processed as a NRS Chapter 239 request. Immediately forward such documents to the Executive Director and/or the Board's General Counsel.

20.0 STANDARD RESPONSE LANGUAGE

20.1 Acknowledgement

The Nevada State Board of Medical Examiners has received your public-records request dated [date]. The Board is reviewing the request and identifying responsive records. The Board will respond in accordance with applicable provisions of Nevada law on DATE, with a final response, or an update of the status of the response.

20.2 Production

The Board has completed its review of the records responsive to your request. The enclosed records are being provided pursuant to NRS Chapter 239 and other applicable law.

20.3 Delay

The Board is unable to make all requested records available by the end of the fifth business day. Pursuant to NRS 239.0107, the Board reasonably anticipates that the requested records will be available on or after [date].

20.4 Confidentiality Denial

The Board is unable to provide the requested [record/portion of record] because it is confidential under [specific statute/legal authority]. The Board has reviewed the record to determine whether confidential information can be redacted or separated from nonconfidential information and has provided the portions that may lawfully be disclosed.

20.5 No Custody or Control

The Board does not have legal custody or control of the requested record. The Board understands that [agency name/address] has legal custody or control of the record.

21.0 RETENTION HOLD AND RECORDS RETENTION

When a public records request is received, compliance with the state records retention schedules approved pursuant to NRS 239.080 must be put on hold pending the completion of the public records request if the request asks for items that are next to be disposed of pursuant to the schedule.

Public records requests are public records of the Board. The request, correspondence, search documentation, production records, and final response shall be retained according to the applicable Board/state records-retention schedule. Employees shall not destroy a public-records request file merely because the request has been completed. Board records shall not be destroyed outside an approved retention schedule.