

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON A REGULATION

and

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Workshop and Public Comment Hearing for the Amendment of Regulations of the
Chiropractic Physicians' Board of Nevada

The Chiropractic Physicians' Board of Nevada will hold a Public Workshop and Public Comment Hearing beginning at **9:00 AM on Friday, May 30, 2008, at the Grant Sawyer State Office Building, Room 4401, 555 E. Washington Avenue, Las Vegas, Nevada.** The Public Comment Hearing will begin immediately following the Public Workshop. The purpose of the workshop and public comment hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 634 of the Nevada Administrative Code.

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

1. *Need for and Purpose of Proposed Regulation or Amendment*

The purpose of this proposed regulation amendment is to implement changes to NRS 634 that were enacted as a result of the 2007 Legislative Session, to add definitions of "Good standing" and "Mobile chiropractic" and a provision for filing of declaratory orders and advisory opinions, to increase license and renewal fees, and to delete regulations requiring Massage Therapists to be certified as Chiropractor's Assistants for Massage and to delete registration of Referral Bureaus.

2. *Terms & Substance of the Regulations to be Amended*

The full text of the proposed amendment is attached or can also be found at <http://www.nvrespository.state.nv.us/>.

3. *Estimated Economic Effect of the Regulation on the Industry and Public*

a. Adverse and beneficial effects:

The proposed new provisions for definitions of "Good standing," "Mobile chiropractic," and "Declaratory orders and advisory opinions," and elimination of the Referral Bureau regulations will have no economic effect on the profession or the public.

The proposed increases for license and certificate renewals, and license and examination fees average 20% and are not expected to adversely impact the profession. The proposed increases for reinstating a Chiropractor's Assistant certificate and an inactive DC license are not anticipated to have an adverse affect because of the low rate of reinstatements. The fees have not been increased since 1998.

All Massage Therapists must now be licensed by the State Massage Therapy Board. Deletion of the regulations that require massage therapists who work in a chiropractic practice to be certified by the Chiropractic Board will beneficially impact both professions by eliminating the duplication of application costs as well as reducing paperwork.

b. Immediate and long-term effects.

The license and renewal fee increases are minimal and on a par with other states' fees, and are not expected to have an immediate or long-term effect on the profession or the public.

The immediate and long-term effect of eliminating the requirement for certifying Massage Therapists as Chiropractor's Assistants for Massage is expected to be an increase in the number of Massage Therapists working in chiropractic practices.

4. *Statement identifying the methods used by the agency in determining impact on small businesses.*

The small business sector is not affected by this regulation change.

5. *Estimated cost to the agency of the proposed regulation amendment.*

There will be no fiscal impact on the agency from implementation of the proposed new definitions.

The cost of hearing and issuing declaratory orders or advisory opinions will be negligible.

There will be no cost to the agency for increasing the fees, or deletion of the regulations requiring certification of Massage Therapists as Chiropractor's Assistants for Massage and registration of Referral Bureaus.

6. *Description of and citation to any other regulations that this proposed amendment overlaps or duplicates.*

This proposed regulation amendment does not overlap or duplicate any other federal, state, or local governmental regulations.

7. *Citation and description of federal laws that require the proposed regulation amendment.*

There are no federal laws that require the proposed regulation amendment.

8. *If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.*

The regulation amendment does not include any provisions which are more stringent than a federal regulation that regulates the same activity.

9. *Whether the proposed regulation establishes a new fee or increases an existing fee.*

The proposed regulation establishes increases in the following existing fees: examination for a license to practice chiropractic and examination for a certificate as a chiropractor's assistant; issuance of a license to practice chiropractic; biennial renewals of active and inactive licenses to practice chiropractic and certificate as a chiropractor's assistant; and reinstating a certificate as a chiropractor's assistant which has been suspended or revoked and an inactive license to practice chiropractic which has been suspended or revoked. All proposed fee increases are within the cap under NRS 634.135.

Persons wishing to comment upon the proposed action of the Chiropractic Physicians' Board of Nevada may appear at the scheduled workshop and public comment hearing or may address their comments, data, views or arguments in written form to:

Chiropractic Physicians Board of Nevada
4600 Kietzke Lane, Suite Mw245
Reno, NV 89502
775-688-1921

Written submissions must be received by the Chiropractic Physicians' Board on or before **May 21, 2008**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Chiropractic Physicians' Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the Nevada State Library and Archives, 100 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 amended will be available at the Chiropractic Physicians' Board of Nevada, 4600 Kietzke Lane, Suite M245, Reno, Nevada 89502, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are 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>. 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. This does not apply to a public body subject to the Open Meeting Law.

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 or incorporate therein its reason for overruling the consideration urged against its adoption (NRS 233B.064(2)).

This Notice of Workshop and Public Comment Hearing has been sent to all persons on the agency's mailing list for administrative regulations and has been posted at the following locations:

- Capitol Building, 101 N. Carson Street, Carson City, Nevada
- Legislative Building, 401 N. Carson Street, Carson City, Nevada
- Nevada State Library and Archives, 100 Stewart Street, Carson City, Nevada
- The Main Branches of the Public Libraries in the following counties in which an office of the agency is not maintained:

Battle Mountain Branch Library (Lander County)
625 Broad Street, Battle Mountain, Nevada 89820-1920

Churchill County Library
553 South Maine Street, Fallon, Nevada 89406-3306

Douglas County Library
1625 Library Lane, Minden, Nevada 89423-4420

Elko County Library
720 Court Street, Elko, Nevada 89801-3331

Eureka Branch Library
10190 Monroe Street, Eureka, Nevada

Goldfield Public Library/Esmeralda County
Fourth & Crook Street, Goldfield, Nevada

Humboldt County Library
85 East 5th Street, Winnemucca, Nevada 89445-3010

Lincoln County Library
93 Main Street, Pioche, Nevada 89043

Lyon County Library
20 Nevin Way, Yerington, Nevada 89447-2327

Mineral County Library
First & A Streets, Hawthorne, Nevada

Pershing County Library
1125 Central Avenue, Lovelock, Nevada

Storey County Library
95 South R Street, Virginia City, Nevada