

**ADOPTED REGULATION OF THE  
STATE BOARD OF NURSING**

**LCB File No. R114-13**

Effective February 26, 2014

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

AUTHORITY: §§1-5, 7 and 9-23, NRS 632.120 and 632.237; §6, NRS 632.120, 632.237 and 632.238; §8, NRS 632.120 and 632.345.

A REGULATION relating to nursing; replacing the term “advanced practitioner of nursing” with “advanced practice registered nurse”; making various other changes to provisions governing advanced practice registered nurses; and providing other matters properly relating thereto.

**Section 1.** Chapter 632 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

**Sec. 2.** *As used in NAC 632.255 to 632.295, inclusive, and sections 2 to 6, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Population of focus” means a population of focus recognized by the Board pursuant to subsection 5 of NAC 632.2597.*

**Sec. 4.** *“Role” means a role described in subsection 1 of NAC 632.2597.*

**Sec. 5.** *Each advanced practice registered nurse shall maintain a portfolio, which must include, without limitation:*

*1. A copy of each license relating to nursing that the advanced practice registered nurse holds;*

*2. A copy of the license issued by the Board pursuant to NAC 632.2595, if applicable;*

3. *A copy of the policy of professional liability insurance required pursuant to section 6 of this regulation;*

4. *A list of all locations at which the advanced practice registered nurse:*

(a) *Currently practices; and*

(b) *Has practiced within the 2 years immediately preceding his or her most recent application for a license or renewal of a license to practice as an advanced practice registered nurse;*

5. *Evidence of any national certifications or other certifications relating to nursing which the advanced practice registered nurse has received;*

6. *The protocol required by paragraph (b) of subsection 3 of NRS 632.237, if the advanced practice registered nurse prescribes a controlled substance listed in schedule II and does not have the experience described in paragraph (a) of subsection 3 of NRS 632.237;*

7. *Proof of the hours of continuing education that the advanced practice registered nurse has completed in the 4 years immediately preceding his or her most recent application for a license or renewal of a license to practice as an advanced practice registered nurse;*

8. *Copies of the transcripts from the program completed by the advanced practice registered nurse as required pursuant to NAC 632.260 and from any other institution of higher education attended by the advanced practice registered nurse; and*

9. *An attestation which states that the advanced practice registered nurse will not practice outside the scope of his or her education, role or population of focus.*

**Sec. 6.** *Each advanced practice registered nurse who is not otherwise covered under a policy of professional liability insurance shall maintain a policy of professional liability insurance.*

Sec. 7. NAC 632.020 is hereby amended to read as follows:

632.020 “Advanced ~~{practitioner of nursing}~~ *practice registered nurse*” means a registered ~~{professional}~~ nurse who ~~{has}~~ :

1. *Has* specialized skill, knowledge and experience obtained from an organized formal program of training ; and ~~{who is}~~

2. *Is licensed by the Board and is* authorized in special conditions as set forth in NAC 632.255 to 632.295, inclusive, *and sections 2 to 6, inclusive, of this regulation* to provide designated services in addition to those which a registered nurse is authorized to perform.

Sec. 8. NAC 632.190 is hereby amended to read as follows:

632.190 The following fees are established:

1. For a registered nurse:

Application for a license.....	\$100.00
NCLEX Verification or the National Practitioner Data Bank Verification .....	5.00
Application for <del>{certification}</del> <i>a license to practice</i> as an advanced <del>{practitioner of nursing}</del> <i>practice registered nurse</i> .....	200.00
Fee for examination on law relating to pharmacy for advanced <del>{practitioner of nursing}</del> <i>practice registered nurse</i> .....	150.00
Application for certification as a certified registered nurse anesthetist .....	200.00
Biennial fee for renewal of <del>{certification}</del> <i>a license to practice</i> as an advanced <del>{practitioner of nursing or a certified }</del> <i>practice registered nurse or certification as a</i> registered nurse anesthetist .....	200.00

2. For a practical nurse:

Application for a license.....	\$90.00
NCLEX Verification or the National Disciplinary Data Bank Verification .....	5.00

3. For a registered nurse or practical nurse:

Biennial renewal fee.....	\$100.00
Fee for the reinstatement of a license.....	100.00
Proctoring an examination.....	150.00

4. For a nursing assistant or medication aide - certified:

Application for a certificate.....	\$50.00
Biennial renewal fee.....	50.00
Manual skills certification examination .....	90.00
Approval of proctors for manual skills certification examination .....	50.00
Approval of training programs:	
If using model curriculum .....	250.00
If using alternate curriculum .....	250.00
Annual approval of instructors of training programs .....	100.00
Annual fee for review of training programs .....	100.00

5. Validation of licensure or certification:

For a registered nurse ..... \$25.00  
For a licensed practical nurse ..... 25.00  
For a nursing assistant or medication aide - certified..... 25.00

6. Survey and evaluation of school of practical nursing, or school and course

of professional nursing ..... \$150.00  
per day,  
per consultant

7. Miscellaneous:

For duplicating the records of the Board.....\$0.60 per page  
For taking disciplinary action against a licensee..... Actual costs, including the  
costs incurred which are  
related to any assistance  
received from the Office  
of the Attorney General.

For monitoring a licensee who has been placed on probation ..... Actual costs

For submission of fingerprints of a person to the Department of Public Safety for review and forwarding to the Federal Bureau of Investigation for a report of the person's criminal history ..... Actual costs as specified by the Department of Public Safety and the Federal Bureau of Investigation

For taking fingerprints..... \$15.00

**Sec. 9.** NAC 632.255 is hereby amended to read as follows:

632.255 An advanced ~~practitioner of nursing~~ *practice registered nurse* may perform the following acts in addition to the functions of a registered nurse if the advanced ~~practitioner of nursing~~ *practice registered nurse* is properly prepared and the acts are currently within the standard of practice for his or her ~~clinical specialty and appear in his or her protocols:~~ *role and population of focus:*

1. Systematically assess the health status of persons and families by:
  - (a) Taking, recording and interpreting medical histories and performing physical examinations; and
  - (b) Performing or initiating selected diagnostic procedures.
2. Based on information obtained in the assessment of a person's health, manage the care of selected persons and families with common, acute, recurrent or long-term health problems.

Management may include:

- (a) Initiation of a program of treatment;

- (b) Evaluation of responses to health problems and programs of treatment;
  - (c) Informing a person or family of the status of the patient's health and alternatives for care;
  - (d) Evaluation of compliance with a program of treatment agreed upon by the person or family and the advanced ~~{practitioner of nursing,}~~ *practice registered nurse*;
  - (e) Modification of programs of treatment based on the response of the person or family to treatment;
  - (f) Referral to appropriate providers of health care; and
  - (g) Commencement of care required to stabilize a patient's condition in an emergency . ~~{until a physician can be consulted.}~~
3. Any other act if:
- (a) The advanced ~~{practitioner of nursing,}~~ *practice registered nurse* is certified to perform that act by an organization recognized by the Board;
  - (b) The performance of the act was taught in the program of education attended by the advanced ~~{practitioner of nursing,}~~ *practice registered nurse*;
  - (c) The performance of the act was taught in a comprehensive program of instruction successfully completed by the advanced ~~{practitioner of nursing,}~~ *practice registered nurse*, which included clinical experience;
  - (d) The act is within the scope of practice of an advanced ~~{practitioner of nursing,}~~ *practice registered nurse* as determined by the Board; or
  - (e) The advanced ~~{practitioner of nursing,}~~ *practice registered nurse* is trained to perform that act by a physician or another advanced ~~{practitioner of nursing,}~~ *practice registered nurse* and the act:

(1) Has been described as being performed by an advanced ~~practitioner of nursing~~ *practice registered nurse* in two or more national nursing publications, national nursing practice guidelines or national standards for nursing practice, or any combination thereof, which are listed in the *Cumulative Index to Nursing and Allied Health Literature*, as adopted by reference in NAC 632.110; or

(2) Has been individually approved by the Board.

**Sec. 10.** NAC 632.256 is hereby amended to read as follows:

632.256 1. An advanced ~~practitioner of nursing~~ *practice registered nurse* shall maintain accurate records documenting all physical findings concerning a patient, the diagnosis and treatment, and any prescriptions written for a patient for whom the advanced ~~practitioner of nursing~~ *practice registered nurse* provides care.

2. A system of quality assurance must be in place. ~~and set forth in protocols.~~

3. All the records must be available for review by the Board. Any review will be conducted in accordance with the laws relating to the confidentiality of medical records.

**Sec. 11.** NAC 632.257 is hereby amended to read as follows:

632.257 1. An applicant for a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing~~ *practice registered nurse* will be authorized to issue written prescriptions for controlled substances, poisons, dangerous drugs and devices only if the applicant:

(a) Is authorized to do so by the Board;

(b) Submits an application for authority to issue written prescriptions for controlled substances, poisons, dangerous drugs or devices to the Board; and

(c) Has successfully completed:



(1) A program that complies with the requirements set forth in paragraph (a) of subsection 1 of NAC 632.260 and includes an advanced course in pharmacotherapeutics; or

(2) A program of academic study that:

(I) Is approved by the Board;

(II) Consists of at least 2 semester credits or an equivalent number of quarter credits in advanced pharmacotherapeutics; and

(III) Is completed within the 2 years immediately preceding the date the application is submitted to the Board.

2. In addition to the information contained in the application for a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing,~~ *practice registered nurse*, an applicant who completes, before June 1, 2005, a program designed to prepare an advanced ~~practitioner of nursing,~~ *practice registered nurse* and who does not hold a master's or doctorate degree with a major in nursing ~~for a related health field approved by the Board~~ must, in his or her application for authority to write a prescription for controlled substances, poisons, dangerous drugs and devices, include documentation of 1,000 hours of active practice prescribing medication in the immediately preceding 2 years as an advanced ~~practitioner of nursing under the direct supervision of a collaborating physician. The documentation must consist of a signed statement from the collaborating physician indicating to the Board that the applicant is competent to prescribe those classes of drugs listed in his or her protocols.~~ *practice registered nurse.*

3. Except as otherwise provided in subsection 4, if an advanced ~~practitioner of nursing~~ *practice registered nurse* who is authorized to prescribe certain controlled substances, poisons, dangerous drugs and devices changes his or her ~~clinical specialty,~~ *role or population of focus,*

he or she must submit an application to the Board for authority to prescribe those controlled substances, poisons, dangerous drugs and devices which are currently within the standard of practice in that ~~{clinical specialty.}~~ *role or population of focus*. In addition to the information contained in an application submitted pursuant to this subsection, an advanced ~~{practitioner of nursing}~~ *practice registered nurse* who completes, before June 1, 2005, a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* and who does not hold a master's or doctorate degree with a major in nursing ~~{for a related health field approved by the Board}~~ must include in his or her application documentation of 1,000 hours of active practice prescribing medication in the new ~~{clinical specialty}~~ *role or population of focus* as an advanced ~~{practitioner of nursing under the direct supervision of a collaborating physician.}~~ *practice registered nurse*.

4. An advanced ~~{practitioner of nursing}~~ *practice registered nurse* who:

(a) Is authorized to prescribe certain controlled substances, poisons, dangerous drugs and devices; and

(b) Changes his or her ~~{clinical specialty}~~ *role or population of focus* to a ~~{clinical specialty}~~ *role or population of focus* that is substantially similar to his or her former ~~{clinical specialty.}~~ *role or population of focus*,

↪ is not required to submit to the Board the application required pursuant to subsection 3 if the Board has authorized him or her to prescribe controlled substances, poisons, dangerous drugs and devices in the practice of his or her former ~~{clinical specialty.}~~ *role or population of focus*.

**Sec. 12.** NAC 632.259 is hereby amended to read as follows:

632.259 An advanced ~~{practitioner of nursing}~~ *practice registered nurse* may only prescribe controlled substances, poisons, dangerous drugs or devices which are currently within the standard of practice in his or her identified ~~{clinical specialty}~~ *role or population of focus*.

**Sec. 13.** NAC 632.2595 is hereby amended to read as follows:

632.2595 1. The State Board of Nursing will issue a ~~{certificate}~~ *license* to dispense controlled substances, poisons, dangerous drugs and devices to an advanced ~~{practitioner of nursing}~~ *practice registered nurse* if the practitioner:

(a) Successfully completes an examination administered by the State Board of Nursing on Nevada law relating to pharmacy; and

(b) Submits to the State Board of Nursing his or her affidavit verifying that he or she has made application with the State Board of Pharmacy for a certificate of registration.

2. An advanced ~~{practitioner of nursing}~~ *practice registered nurse* who receives a certificate of registration from the State Board of Pharmacy shall, upon receipt, submit a copy of the certificate to the State Board of Nursing.

**Sec. 14.** NAC 632.2597 is hereby amended to read as follows:

632.2597 1. The Board will issue a ~~{certificate of recognition}~~ *license to practice* as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* authorizing the ~~{holder of the certificate}~~ *licensee* to practice *in a role* as:

(a) A ~~{certified}~~ nurse midwife;

(b) ~~{A nurse psychotherapist;~~

~~—(c) A certified} A~~ nurse practitioner;

~~{(d)}~~ (c) A clinical nurse specialist; or

~~{(e)}~~ (d) Any combination thereof.

2. An applicant for a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing~~ *practice registered nurse* must submit to the Board documentation of completion of the educational requirements set forth in:

(a) NAC 632.260, to practice as a ~~certified~~ nurse midwife or a ~~certified~~ nurse practitioner;

*or*

(b) ~~NAC 632.062 and 632.260, to practice as a nurse psychotherapist; or~~

~~—(c)~~ NAC 632.260 and 632.300, to practice as a clinical nurse specialist.

3. If an applicant wishes to obtain a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing~~ *practice registered nurse* to practice in more than one role listed in subsection 1, the applicant must submit to the Board the documentation required pursuant to subsection 2 for each role for which he or she seeks a ~~certificate of recognition.~~ *license.*

4. An applicant who wishes to obtain a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing to practice as a nurse practitioner or a clinical nurse specialist~~ *may* ~~practice registered nurse must~~ request that the Board issue the ~~certificate~~ *license* to specify the ~~clinical specialty~~ *role of the applicant and the population of focus* of the applicant within ~~the~~ *that* specific role.

5. ~~If an applicant makes a request pursuant to subsection 4, the~~ *The Board recognizes the following populations of focus:*

(a) *Women's health or gender-specific health;*

(b) *Family health and caring for a patient across the life span of the patient;*

(c) *Mental health;*

(d) *Adult health;*

(e) *Gerontology;*

(f) *Pediatrics;*

(g) *Neonatal; and*

(h) *Any other population of focus approved by the Board.*

6. *An* applicant must submit to the Board documentation of completion of the educational requirements prescribed by the Board for the ~~{clinical specialty}~~ *population of focus* for the specific role for which ~~{certification}~~ *the license* is requested.

**Sec. 15.** NAC 632.260 is hereby amended to read as follows:

632.260 1. An applicant for a ~~{certificate of recognition}~~ *license to practice* as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* must:

(a) Have completed a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* which must:

(1) Be at least 1 academic year in length, ~~{including at least 4 months of}~~ *which must include, without limitation, didactic* instruction ~~{in the classroom}~~ and clinical experience with a qualified physician or advanced ~~{practitioner of nursing;}~~ *practice registered nurse;*

(2) Be accredited or approved by an organization approved by the Board to accredit or approve those programs;

(3) Include an advanced course in the following areas of study:

(I) The assessment of the health of patients;

(II) Pathophysiology; and

(III) The preparation for practice as an advanced ~~{practitioner of nursing;}~~ *practice registered nurse;*

(4) Include a concentration of courses ~~{in at least one clinical specialty;}~~ *for preparation in a specific role or population of focus;*

(5) Include clinical experience that requires the student to integrate the knowledge and skills that are taught in the program and emphasizes the ~~{clinical specialty}~~ *specific role and population of focus* chosen by the student; and

(6) Include training in making clinical decisions, including, but not limited to, diagnosing health conditions and providing appropriate care.

(b) Present evidence to the Board that:

(1) Within 2 years before the date of his or her application, the applicant completed a program to prepare an advanced ~~{practitioner of nursing;}~~ *practice registered nurse;* or

(2) He or she will complete 1,000 hours of practice, without the privilege of writing prescriptions, under the supervision of a qualified physician or ~~{certified advanced practitioner of nursing;}~~ *advanced practice registered nurse,* within a time specified by the Board.

(c) If previously licensed or certified as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* in another state or jurisdiction, have maintained the licensure or certification in good standing and complied with the requirements for continuing education of that state or jurisdiction.

(d) If the applicant completes a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* on or after July 1, 1992, but before June 1, 2005:

(1) Be certified as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* by a nationally recognized certification agency; and

(2) Hold a bachelor's degree in nursing from an accredited school.

(e) If the applicant completes a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* on or after June 1, 2005, but before July 1, 2014, hold a master's *or doctorate* degree in nursing . ~~{or in a related health field approved by the Board.}~~

(f) If the applicant completes a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* on or after July 1, 2014:

(1) Hold a master's or doctorate degree in nursing ; ~~{or in a related health field approved by the Board.}~~ and

(2) Be certified as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* by the American Board of Nursing Specialties, the National Commission for Certifying Agencies of the Institute for Credentialing Excellence or any other nationally recognized certification agency approved by the Board.

2. A student enrolled in a formal educational program for an advanced ~~{practitioner of nursing}~~ *practice registered nurse* may perform the functions of an advanced ~~{practitioner of nursing.}~~ *practice registered nurse*, except writing prescriptions, if he or she does so under the supervision of a licensed physician or ~~{a certified advanced practitioner of nursing.}~~ *an advanced practice registered nurse*. The student must hold a license as a registered nurse in this State.

**Sec. 16.** NAC 632.265 is hereby amended to read as follows:

632.265 A nurse registered in this State who wishes to obtain a ~~{certificate of recognition}~~ *license to practice* as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* must submit the following for the approval of the Board:

1. An application on forms provided by the Board.
2. The documentation required pursuant to NAC 632.2597.
3. Any other information deemed relevant by the Board.

**Sec. 17.** NAC 632.285 is hereby amended to read as follows:

632.285 An advanced ~~{practitioner of nursing}~~ *practice registered nurse* shall immediately:

1. Submit to the Board a new application for a ~~{certificate of recognition}~~ *license* if there is any change in his or her ~~{clinical specialty;}~~ *role or population of focus*; and
2. Notify the Board in writing of any change in *the* location ~~{set forth in the agreement for its approval and shall submit a new agreement if the Board so requires.}~~ *of the practice of the advanced practice registered nurse.*

**Sec. 18.** NAC 632.290 is hereby amended to read as follows:

- 632.290 1. The ~~{certificate}~~ *license* issued to an advanced ~~{practitioner of nursing}~~ *practice registered nurse* expires at the same time as a license for a registered nurse.
2. In addition to renewing his or her license as a registered nurse, an advanced ~~{practitioner of nursing}~~ *practice registered nurse* must renew his or her ~~{certificate}~~ *license to practice as an advanced practice registered nurse* by submitting the information required pursuant to NAC 632.291 to renew a ~~{certificate}~~ *license to practice as an advanced practice registered nurse* and submitting the fee for renewal of the ~~{certificate.}~~ *license to practice as an advanced practice registered nurse.*

**Sec. 19.** NAC 632.291 is hereby amended to read as follows:

- 632.291 1. When he or she renews his or her ~~{certificate.}~~ *license*, an advanced ~~{practitioner of nursing}~~ *practice registered nurse* must submit, on forms supplied by the Board:
- (a) An attestation that the advanced ~~{practitioner of nursing.}~~ *practice registered nurse:*
    - (1) Has not been named as a defendant in any malpractice suits;
    - (2) Has never had his or her clinical privileges limited, suspended or revoked; and



(3) Has completed satisfactorily 45 hours of continuing education directly related to his or her ~~{clinical specialty}~~ *role or population of focus*, which may include the requirements for continuing education for renewal of a license for a registered nurse.

(b) If the advanced ~~{practitioner of nursing}~~ *practice registered nurse* completes a program designed to prepare an advanced ~~{practitioner of nursing}~~ *practice registered nurse* on or after July 1, 2014, proof that the advanced ~~{practitioner of nursing}~~ *practice registered nurse* has maintained certification as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* by an entity described in subparagraph (2) of paragraph (f) of subsection 1 of NAC 632.260.

(c) Any other information required by the Board.

2. If an advanced ~~{practitioner of nursing}~~ *practice registered nurse* attests in the affirmative to subparagraphs (1) and (2) of paragraph (a) of subsection 1, a temporary ~~{certificate}~~ *license* may be issued until the next meeting of the Board.

3. The Board will perform random audits of advanced ~~{practitioners of nursing}~~ *practice registered nurses* to ensure compliance with the continuing education requirements of this section and compliance with the ~~{protocols established by the collaborating physician pursuant to subsection 2 of NRS 632.237.}~~ *requirement to maintain a portfolio pursuant to section 5 of this regulation.*

4. If audited by the Board, an advanced ~~{practitioner of nursing}~~ *practice registered nurse* shall submit:

(a) Proof that he or she has completed the continuing education described in paragraph (a) of subsection 1 during the 24 months which immediately precede the most recent birthday of the advanced ~~{practitioner of nursing}~~ *practice registered nurse* by presenting to the Board authenticated photocopies of original certificates of completion or computer printouts from

approved providers of continuing education. A certificate of completion must include, without limitation:

- (1) The title of the course;
- (2) The name of the provider of the course;
- (3) The name of the body which approved the course;
- (4) The date on which the course was presented;
- (5) The name and ~~{certificate of recognition}~~ *license* number of the advanced ~~{practitioner of nursing;}~~ *practice registered nurse*; and

- (6) The number of contact hours earned in the course.

(b) ~~{The written agreement entered into between the advanced practitioner of nursing and the collaborating physician which identifies the medical, therapeutic or corrective measures the advanced practitioner of nursing will perform in collaboration with the physician.~~

~~—(c) The protocols signed by the collaborating physician who collaborates with the advanced practitioner of nursing.~~

~~—(d) *The portfolio required to be maintained pursuant to section 5 of this regulation.*~~

(c) Proof that the advanced ~~{practitioner of nursing}~~ *practice registered nurse* has maintained ~~{certification}~~ *licensure* as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* pursuant to NAC 632.2597.

5. An advanced ~~{practitioner of nursing}~~ *practice registered nurse* shall retain documentation of completion of the requirements for continuing education for at least 4 years.

**Sec. 20.** NAC 632.292 is hereby amended to read as follows:

632.292 An advanced ~~{practitioner of nursing}~~ *practice registered nurse* must submit to the Board a written notification that he or she wishes his or her ~~{certificate of recognition}~~ *license* to be placed on inactive status.

**Sec. 21.** NAC 632.293 is hereby amended to read as follows:

632.293 If an advanced ~~{practitioner of nursing}~~ *practice registered nurse* has not engaged in at least ~~{800}~~ *1,000* hours of practice during the previous 5 years, or wishes to return from inactive to active status, the advanced ~~{practitioner of nursing}~~ *practice registered nurse* must submit to the Board an application to renew his or her practice which includes evidence that:

1. He or she has satisfactorily completed the continuing education required for that period; and

2. He or she has entered into an agreement with a ~~{collaborating}~~ physician or an advanced ~~{practitioner of nursing who is in the same clinical specialty}~~ *practice registered nurse* which provides that the practice of the applicant will be closely supervised by that physician or advanced ~~{practitioner of nursing}~~ *practice registered nurse* for a period of at least 1,000 hours.

**Sec. 22.** NAC 632.295 is hereby amended to read as follows:

632.295 1. The Board may deny the issuance or renewal of, or suspend or revoke a ~~{certificate of recognition}~~ *license to practice* as an advanced ~~{practitioner of nursing}~~ *practice registered nurse* after a hearing if it finds that an advanced ~~{practitioner of nursing}~~ *practice registered nurse* has:

(a) Performed tasks beyond those permitted pursuant to this chapter or otherwise authorized by the Board, or breached ~~{an approval agreement or}~~ a protocol ~~{}~~ *with a collaborating physician;*

(b) Been negligent in performing services for patients;

(c) Impersonated a physician or permitted others to represent to the public that he or she is a physician;

(d) ~~Represented himself or herself as able to practice without a collaborating physician;~~

~~(e)~~ Violated any provision or failed to meet any requirement of this chapter;

~~(f)~~ (e) Made, or caused to be made, a false, fraudulent or forged statement or representation to procure or attempt to procure a ~~certificate of recognition~~ *license to practice* as an advanced ~~practitioner of nursing;~~

~~(g)~~ *practice registered nurse;*

(f) Violated any statute or regulation relating to prescribing, dispensing or administering any controlled substance, poison, dangerous drug or device; ~~or~~

*(g) Failed to maintain the portfolio required to be maintained pursuant to section 5 of this regulation; or*

(h) Failed to perform nursing functions in a manner consistent with established or customary standards.

2. Any licensed practical nurse or registered nurse who:

(a) Uses the title “advanced ~~practitioner of nursing~~” *practice registered nurse*” or any similar title or who acts as an advanced ~~practitioner of nursing~~ *practice registered nurse* without having obtained a ~~certificate~~ *license* pursuant to this section; or

(b) Prescribes or dispenses, without authority, controlled substances, poisons, dangerous drugs or devices,

↪ is guilty of unprofessional conduct.

*3. As used in this section:*

*(a) “Collaborating physician” means a person licensed to practice medicine in this State who is responsible for conferring with an advanced practice registered nurse concerning the prescription of controlled substances by the advanced practice registered nurse.*

*(b) “Protocol” means the written directions for the prescription of controlled substances that the advanced practice registered nurse and collaborating physician have agreed upon.*

**Sec. 23.** NAC 632.038, 632.062, 632.072 and 632.2555 are hereby repealed.

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### TEXT OF REPEALED SECTIONS

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**632.038 “Collaborating physician” defined. (NRS 632.120)** “Collaborating physician” means a person licensed to practice medicine in Nevada who is responsible for conferring with an advanced practitioner of nursing concerning the advanced practitioner’s performance of designated medical services.

**632.062 “Nurse psychotherapist” defined. (NRS 632.120)** “Nurse psychotherapist” means a registered professional nurse who has, at a minimum, a master’s degree in psychiatric or mental health nursing, counseling, social work or psychology.

**632.072 “Protocol” defined. (NRS 632.120)** “Protocol” means the written directions for assessment and management of medical conditions that the advanced practitioner of nursing and collaborating physician have agreed upon as a basis for their practice.

**632.2555 Requirements for protocol. (NRS 632.120, 632.237)** A protocol must:

1. Reflect the ongoing collaborative relationship between the advanced practitioner of nursing and the physician;

2. Reflect the current practice of the advanced practitioner of nursing;
3. Reflect established national or customary standards for his or her clinical specialty;
4. Be maintained at the place of his or her practice; and
5. Be available for review by the Board.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
NRS 233B.066  
LCB File No. R114-13**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 632.

**INFORMATIONAL STATEMENT**

Except as otherwise provided, each adopted regulation which is submitted to the Legislative Counsel pursuant to NRS 233B.067 or filed with the Secretary of State pursuant to subsection 2 or 3 of NRS 233B.070 must be accompanied by a statement concerning the regulation which contains the following information:

**(a) A clear and concise explanation of the need for the adopted regulation.**

Assembly Bill 170 was passed by the 2013 Nevada Legislature and signed by the Governor. The general effect of AB 170 was that an Advanced Practice Registered Nurse (APRN), with sufficient hours of practice, would not be required to have a written collaborative agreement with a physician to practice in the State of Nevada. The proposed regulations contained in LCB File R114-13 are intended to codify the requirements of this new law.

**(b) A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of nursing as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada State Board of Nursing (NSBN), [www.nursingboard.state.nv.us](http://www.nursingboard.state.nv.us), mailed to all county libraries in Nevada and posted at the following locations:

Nevada State Board of Nursing  
5011 Meadowood Mall Way, Suite 300  
Reno, Nevada 89502

Nevada State Board of Nursing  
2500 W. Sahara Avenue, No. 207  
Las Vegas, Nevada 89102

State Library and Archives  
100 North Stewart Street  
Carson City, Nevada 89701

A workshop was held on October 18, 2013, to receive comments on the proposed regulations. A transcript of that workshop, attached hereto, contain a summary of the discussion held regarding the proposed amendments. Thereafter, on or about December

10, 2013, the Executive Director of the NSBN issued a Notice of Intent to Act upon a Regulation which incorporated in the proposed amendments the suggestions of the parties attending the October 18<sup>th</sup> workshop as well as the recommendations of other concerned parties.

An explanation of how an interested person may obtain a copy of the summary of public response would be to go to the Nevada State Board of Nursing's physical offices located at 5011 Meadowood Mall Way, Suite 300, Reno, Nevada, 89502, 2500 W. Sahara Avenue, No. 207, Las Vegas, NV 89102 or go to the NSBN website.

**(c) The number of persons who:**

- (1) Attended each hearing:** One person attended the hearing on these regulations. Thirty persons attended the workshop on these regulations (sign-in sheets attached) and the comments of those thirty persons were presented to the Board at the hearing.
- (2) Testified at each hearing:** Stacy M. Woodbury, MPA, Executive Director of the Nevada State Medical Association testified at the hearing on these regulations.
- (3) Submitted written comments:** Twenty-six persons submitted letters (attached) that might be characterized as letters in support of the regulations. Four persons submitted written letters (attached) that might be characterized as letters of concern in the proposed changes to the regulations. Those comments were relayed to the Board at the hearing.

**(d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:**

- (1) Name;**
- (2) Telephone number;**
- (3) Business address;**
- (4) Business telephone number;**
- (5) Electronic mail address; and**
- (6) Name of entity or organization represented.**

Every letter of written comments presented to the Board has been copied and attached to this Informational Statement. The name, telephone number, business address, business telephone number, electronic mail address and name of entity or organization represented, if provided, are contained in the written comments. The only person who testified at the hearing, the Executive Director of the Nevada State Medical Association, also provided written documents with the contact information contained therein.



- (e) A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question #1.

- (f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The permanent regulation was adopted on January 15, 2014 and included some of the changes suggested at the workshop held on October 18, 2013.

- (g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (1) Both adverse and beneficial effects; and  
(2) Both immediate and long-term effects.**

- (1) Adverse economic effects

- a. There are no adverse economic effects to APRNs if these regulations were to be adopted.  
b. There may be adverse economic effects to physicians who were previously required to collaborate with an APRN. Physicians were often given a stipend for their collaboration that was either paid by the employing agency or by the APRNs themselves.

- (1) Beneficial economic effects

- a. APRNs will have a beneficial economic effect due their not being required to pay a collaborative physician in order to practice.  
b. Patients will have a beneficial economic effect in that APRNs are reimbursed at a lower rate than physicians. Patients also may have another beneficial economic effect in that APRNs may practice in underserved areas so the patients may not be required to travel as far to get treatment.

- (2) Immediate and long-term economic effects

- a. APRNs will not be required to reimburse physicians for their collaboration.  
b. Patients may have greater access to care by a licensed health care provider in underserved areas.  
c. The state of Nevada will benefit from an increased healthcare workforce since research has shown that APRNs relocate to states that allow APRNs full practice authority.

- (h) The estimated cost to the agency for enforcement of the adopted regulation:**

There is no additional cost to the agency for the enforcement of this regulation.

- (i) A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agencies that the proposed regulations duplicate.

- (j) If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

APRNs are not regulated federally so there are no more stringent regulations.

- (k) If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The regulation does not provide for a new or increased existing fee.