

NEVADA STATE BOARD OF NURSING

5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502
4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119
telephone 775.687.7700 facsimile 775.687.7707
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NOTICE OF INTENT TO ACT UPON A REGULATION

**NOTICE OF HEARING FOR THE REVIEW AND POSSIBLE AMENDMENT OF
REGULATIONS OF THE NEVADA STATE BOARD OF NURSING**

The Nevada State Board of Nursing will hold a public hearing at 11:00 a.m., on Wednesday, March 22, 2023, at the Nevada State Board of Nursing Board meeting held in Reno, Nevada. The address of that hearing is the Aloft Reno-Tahoe International Airport Hotel, 2015 Terminal Way, Reno, Nevada 89502.

The purpose of the public hearing is to comply with Nevada Governor Lombardo's Executive Order 2023-003 and also to: vet the recommended changes to chapter 632 of the Nevada Administrative Code; solicit input as to the merits of those changes, and to identify other regulatory changes that are worthy of consideration.

The following regulations have been identified by the Nevada State Board of Nursing for possible streamlining, clarification, reduction or otherwise improvement:

The text of the proposed changes to regulations may be inspected and copied at either of the offices of the Nevada State Board of Nursing. The addresses of those offices are: Reno: 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502; Las Vegas: 4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119. Text of the proposed regulations may also be inspected online at www.nevadanursingboard.org.

Persons wishing to comment upon the proposed action of the Nevada State Board of Nursing may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to the Nevada State Board of Nursing, 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502, or at the e-mail address: nursingboard@nsbn.state.nv.us. Written submissions must be received by the Board by Friday, March 17, 2023, at 5:00 p.m. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice of intent to act upon a regulation has been mailed to all persons who have requested in writing that they be placed upon a mailing list, which has been kept by the Nevada State Board of Nursing for this purpose.

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

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

Nevada State Board of Nursing
4220 S. Maryland Parkway
Building B, Suite 300
Las Vegas, Nevada
Clark County

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Douglas County Library
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Eureka Branch Library
P.O. BOX 293
Eureka, NV 89316

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89404

Battle Mountain Library
(Lander County)
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
P.O. Box 1390
Hawthorne, NV 89415

Ormsby Public Library
900 North Roop Street
Carson City, NV 89701

Pershing County Library
P.O. Box 781
Lovelock, NV 89419

Storey County Commissioners
P.O. Box 176
Virginia City, NV 89440

Goldfield Public Library
(Esmeralda County)
P.O. Box 430
Goldfield, NV 89013

Tonopah Public Library
(Nye County)
P.O. Box 449
Tonopah, NV 89049

White Pine County Library
Courthouse Plaza
Ely, NV 89301

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

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On January 12, 2023, Nevada Governor Joe Lombardo issued Executive Order 2023–003. Section 1 of that Executive Order requires the Nevada State Board of Nursing (Board) to conduct a comprehensive review of the regulations subject to the Board’s enforcement. After that comprehensive review, the Nevada State Board of Nursing shall identify any regulations that can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State of Nevada without unnecessarily inhibiting economic growth.

Additionally, Executive Order 2023-003 requires the Nevada State Board of Nursing to create a list of not less than ten regulations that could be recommended for removal from the Nevada Administrative Code.

After a comprehensive review, the Nevada State Board of Nursing has identified the following regulations found in chapter 632 of the Nevada Administrative Code, that can be streamlined, clarified, reduced or otherwise improved.

NAC 632.150 Qualifications for license.

1. In addition to those requirements contained in [chapter 632](#) of NRS, an applicant for a license to practice as a registered nurse must:

(a) Have graduated from a nursing program approved by the Board.

(b) Have successfully completed courses on the theory of and have clinical experience in medical-surgical nursing, maternal and child nursing and psychiatric nursing if the applicant graduated from an accredited school of professional nursing after January 1, 1952.

(c) On or after July 1, 1982, pass the examination for licensure approved by the Board.

2. An applicant for a license to practice as a licensed practical nurse must:

(a) ~~[Have graduated from high school or passed the general educational development test.~~

~~—(b)]~~ Have graduated or received a certificate of completion from a program for registered nurses or practical nurses approved by the Board.

~~[(e)]~~ (b) Have successfully completed a course of study on the theory of and have clinical practice in medical-surgical nursing, maternal and child health nursing and

principles of mental health if the applicant graduated from an accredited school of practical or vocational nursing after January 1, 1952.

~~[(d)]~~ (c) Pass the examination for licensure approved by the Board.

NAC 632.155 Application and examination.

1. An application must be completed and filed in the office of the Board.

2. The application must be accompanied by:

(a) A complete set of the applicant's fingerprints ~~[or two completed fingerprint cards]~~; and

(b) The appropriate fee.

~~[3. The candidate must write the first examination within 90 days after receiving authorization from the Board to write the examination.]~~

NAC 632.167 Application for certification: Submission to Board.

1. A trainee who receives an application for certification to practice as a nursing assistant or a medication aide - certified must submit to the Board the completed application.

2. The application must be accompanied by:

(a) A copy of a certificate or transcript received by the applicant upon the completion of an approved program or an approved program for medication aides - certified, as applicable.

(b) The appropriate fee.

(c) A complete set of the applicant's fingerprints ~~[or two completed fingerprint cards]~~.

NAC 632.170 Qualifications for license or certificate without examination.

To be licensed without examination:

1. An applicant for a license to practice as a registered nurse must:

(a) Have completed a course of study in an accredited school of professional nursing. If the applicant graduated on or after January 1, 1952, he or she must have theory and clinical experience in medical-surgical nursing, maternal and child health nursing, and mental health and psychiatric nursing.

(b) Submit to the Board:

(1) A completed application;

(2) A complete set of his or her fingerprints ~~[or two completed fingerprint cards]~~; and

(3) The appropriate fee.

2. An applicant for a license to practice as a licensed practical nurse must:

(a) ~~[Have graduated from high school or passed the general educational development test.~~

~~(b)]~~ Have completed a course of study in an accredited school of practical or vocational nursing. If the applicant graduated on or after January 1, 1952, he or she must have theory and clinical experience in medical-surgical nursing and maternal-child nursing, including mental health concepts.

~~[(c) Hold a current license in good standing from another state or country which was issued by a recognized legal agency.]~~

~~[(d)]~~ (b) Submit to the Board:

(1) A completed application;

(2) A complete set of his or her fingerprints ~~[or two completed fingerprint cards];~~

and

(3) The appropriate fee.

3. An applicant for certification to practice as a nursing assistant or a medication aide - certified must:

(a) Submit to the Board a completed application accompanied by a complete set of his or her fingerprints ~~[or two completed fingerprint cards];~~ and

(b) Request and confirm receipt by the Board of verification from the appropriate agency that he or she holds a current certificate to practice as a nursing assistant or a medication aide - certified, as applicable.

NAC 632.180 Graduation from program outside United States.

1. After an application for a license is filed by a graduate of a program outside of the United States who holds a license from another jurisdiction in the United States, the applicant's credentials will be reviewed by the Board and eligibility for licensure established. Translations must be paid for by the applicant. The ability to read, write and speak English must be shown by proof that the applicant has satisfactorily passed:

(a) The State Board Test Pool Examination;

(b) The National Council Licensing Examination; *or*

(c) ~~[The examination given by the Commission on Graduates of Foreign Nursing Schools; or~~

~~—(d)]~~ Another test of competency in English acceptable to the Board.

2. All graduates of programs in professional nursing outside of the United States who graduated on or after January 1, 1952, must have completed courses of study in the theory and clinical practice in medical nursing, surgical nursing, obstetric nursing, nursing of children and psychiatric nursing and must pass a licensing test in each of these areas. Deficiencies may be removed by participation in an accredited program in nursing or as determined by the Board.

3. All graduates of programs in practical nursing outside of the United States who graduated on or after January 1, 1952, must have completed courses of study in the theory and clinical practice in medical nursing, surgical nursing, obstetric nursing, nursing of children and principles of mental health. Deficiencies may be removed by participation in an accredited program in nursing or as determined by the Board.

NAC 632.190 Fees.

1. For a registered nurse:

Application for a license.....\$100.00

NCLEX Verification or the National Practitioner Data Bank Verification..... 5.00

Application for a license to practice as an advanced practice registered nurse.....
200.00

~~[Fee for examination on law relating to pharmacy for an advanced practice registered~~

~~Nurse 150.00]~~

- Application for certification as a certified 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 alternative curriculum].....250.00~~
Annual approval of instructors of training programs.....100.00
Annual fee for review of training programs 100.00
5. Validation of license 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 licenseeActual 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]~~

NAC 632.192 Expiration and renewal of license or certificate.

1. Each licensee or holder of a certificate who wishes to renew his or her license or certificate must submit an application for renewal of the license or certificate to the Board before the expiration of the license or certificate. The application for renewal must be received by the Board on or before the end of the business day on which the authorization to practice expires.

2. The Board will find that the licensee or holder of the certificate has made sufficient application for renewal of the authorization to practice and will renew that person's license or certificate if:

- (a) The application for renewal is:

- (1) Truthful, accurate and complete, and made on the form supplied by the Board.
- (2) Accompanied by payment of the required fee. If the fee is paid in a form other than cash, it must be made on an account with a sufficient amount of money for payment of the instrument or by a valid debit or credit card.
- (3) Accompanied by proof that the requirement of continuing education is met.
- (4) Accompanied by a complete set of the applicant's fingerprints [~~or two completed fingerprint cards, if so required by the Board~~].
- (5) Accompanied by proof that the licensee has satisfied the requirements of subsection 4, if the application is for renewal of a license and the licensee has not practiced nursing during the immediately preceding 5-year period.
- (6) Accompanied by the attestation required pursuant to [NAC 632.193](#), if the application is for the renewal of a certificate to practice as a nursing assistant or medication aide - certified.

(b) The applicant attests that he or she committed no act which could subject his or her application to denial nor developed any condition which may interfere with his or her ability to practice in a safe and effective manner.

3. If an application does not meet the requirements of subsection 2, the staff of the Board will not renew the license or certificate. If the applicant makes an application to appear before the Board, the staff may issue a temporary license or certificate which remains valid for not more than 6 months after the date on which the temporary license or certificate was issued. If the license or certificate is not renewed because the applicant paid the required fee with an instrument written on an account with an insufficient amount of money for payment of the instrument, the staff may require the payment of a late fee and a fee to cover the administrative cost of handling the instrument.

4. An applicant for renewal of a license who has not practiced nursing during the immediately preceding 5-year period must complete a course or program approved by the Board if the applicant has otherwise satisfied the requirements for renewal set forth in this chapter and [chapter 632](#) of NRS. The Board may issue to the applicant a temporary license for not more than 6 months after the date on which it was issued for the sole purpose of completing the course or program in which the applicant is enrolled. Upon submission of evidence of completion of the course or program, the Board will issue to the applicant a permanent license if he or she has satisfied the requirements of subsection 2.

5. An original license or certificate is valid for the period from the date of issuance to the licensee's or certificate holder's second birthday after issuance. Thereafter, each license or certificate will expire biennially on the licensee's or certificate holder's birthday. In a leap year the license or certificate of a licensee or certificate holder born on February 29 expires on February 28.

NAC 632.193 Renewal of certificate: Requirements; training programs; audits by Board to ensure compliance with certain requirements.

1. To renew his or her certificate, a nursing assistant must submit to the Board an attestation, on a form provided by the Board, attesting that he or she has completed:

- (a) Twenty-four hours of continuing training in the immediately preceding 2 years; and

(b) At least 40 hours of employment as a nursing assistant under the direct supervision of a registered nurse or licensed practical nurse during the 2 years immediately preceding the date of the renewal of the certificate;

or

(c) a passing score on the competency evaluation test completed during the 2 years immediately preceding the date of the renewal of the certificate.

2. To renew his or her certificate, a medication aide - certified must submit to the Board an attestation, on a form provided by the Board, attesting that he or she has completed:

(a) Twenty-four hours of continuing training in the immediately preceding 2 years; and

(b) At least 200 hours of employment as a medication aide - certified under the direct supervision of an advanced practice registered nurse or a registered nurse during the 2 years immediately preceding the date of the renewal of the certificate.

3. The certificate of completion must include:

(a) The name of the participant;

(b) The name of the training program;

(c) The number of hours of the training program;

(d) The name and signature of the instructor who taught the training program; and

(e) The date and location of the training program.

4. To be satisfactory to the Board a training program must relate to standards of care in nursing and must consist of one of the following:

(a) Training in the facility in which the nursing assistant or medication aide - certified works;

(b) An academic study or all of the courses required to obtain a license to practice as a registered nurse or a licensed practical nurse, if a nursing assistant or medication aide - certified is pursuing such a license, or both;

(c) A workshop conducted by a provider of continuing education that has been approved by the Board; or

(d) An online course for nursing assistants or medication aides - certified, as applicable.

5. A medical facility, educational institution or other organization that offers a training program must keep a record of the information required pursuant to subsection 3 for at least 4 years.

6. The Board will perform random audits of nursing assistants or medication aides - certified for compliance with the requirement for supervised employment set forth in paragraph (b) of subsection 1 or paragraph (b) of subsection 2, as applicable. If audited by the Board, a nursing assistant or medication aide - certified must prove that he or she has complied with the requirement for supervised employment set forth in paragraph (b) of subsection 1 or paragraph (b) of subsection 2, as applicable, by submitting to the Board a letter written by the employer of the nursing assistant or medication aide - certified on the stationery of the employer or on a form prescribed by the Board and must include in the letter or on the form:

(a) The name of the nursing assistant or medication aide - certified;

(b) The name of the employer;

(c) A statement indicating that, since his or her last renewal by the Board, the:

(1) Nursing assistant provided at least 40 hours of nursing services or services related to the scope of practice of a nursing assistant for monetary compensation under the direct supervision of a registered nurse or licensed practical nurse; or

(2) Medication aide - certified provided at least 200 hours of nursing services or services related to the scope of practice of a medication aide - certified for monetary compensation under the direct supervision of an advanced practice registered nurse or a registered nurse; and

(d) Any other information the Board may require for the renewal of the certificate.

NAC 632.2595 License to dispense controlled substances, poisons, dangerous drugs and devices.

1. The State Board of Nursing *will make eligible, and notify the Nevada State Board of Pharmacy of the eligibility* ~~[issue a license]~~ to dispense controlled substances, poisons, dangerous drugs and devices to an advanced practice registered nurse if the advanced practice registered nurse ~~[-~~

~~—(a)—S] 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 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.]~~

NAC 632.285 Change in role, population of focus or location of practice.

An advanced practice registered nurse shall immediately ~~[-~~

~~—1.—S] submit to the Board a new application for a license if there is any change in his or her role or population of focus. [-and~~

~~2.—Notify the Board in writing of any change in the location of the practice of the advanced practice registered nurse.]~~