



Nevada

2023-01 ~ LAC 46LXXXV.301.801.1201 – Repeal of Letters of Reference Requirement for Applications

The Nevada State Board of Veterinary Medical Examiners will hold a public hearing at:

Date: 8:30 am, Thursday, January 18, 2024

Location: Aloft Hotel at 2015 Terminal Way, Reno, NV 89502

Teleconference: 1-857-799-9907

Videoconference <https://join.freeconferencecall.com/nevadaveterinary>

The purpose of the hearing is to receive comments from all interested persons of the public regarding the adoption of regulations that pertain to Chapter 638 of the Nevada Administrative Code.

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

1. The need and the purpose of the proposed regulation or amendment.

R116-23: The purpose of R116-23 is to update, streamline, and clarify the scope of practice for licensed veterinary technicians to better serve veterinary practice, including, the public who would benefit from the modifications made within the regulations. The changes better reflect the education and abilities of licensed veterinary technicians and their skills.

R117-23: The purpose of R117-23 is to streamline, clarify, and update various regulations that were a result of a comprehensive review of the regulations contained in NAC chapter 638. Section 1 updates the fee schedule. There are moderate fee increases to licensing and application costs, however, the majority of these fees have not been updated since the late 1990's. The Board strives to operate in such a way as to reflect sound and responsible business practices that do not overburden the licensees or applicants. However, these fees are a necessary increase to maintain the operations of the Board. Additionally, due to the consistent growth within the sector, consumer complaints, and additional services the Board would like to offer to streamline operations and reduce wait times, hiring additional staff has become necessary. Section 2 increases the maximum amount a contract may be approved by the Executive Director to an amount that better reflects the current costs of professional services. Section 3 specifies the elements of the considerations that must be considered when determining the amount of such a fine to give better flexibility and discretion to the Board when evaluating an administrative fine. Section 4 clarifies the ability of a veterinarian to discontinue services if subject to verbal or physical threats of violence and would not violate the ethical obligations of a veterinarian to a patient. Section 5 updates the requirements for providing medical records to an owner in an emergency and during regular (non-emergent) treatment to

better reflect the availability of records and how medical records can be better utilized during an emergency. Sections 7-12 updates the requirements of a veterinary technician in training (VTIT) who is seeking an extension to create clearer guidelines and expectations for how and under what circumstances a VTIT may seek and receive an extension. Section 8 provides for updated protocols for euthanasia technicians and the drugs that may be legally possessed under their licensure to perform their duties while minimizing suffering and pain. Section 13 allows for the administration of supplemental oxygen to an animal during transport to a veterinary facility as needed. Section 14 makes an update to language that was missed during a previous regulation technician training by removing unnecessary language. Section 17 establishes a specific and clear requirement for licensure by endorsement by the Veterinary Board. Section 18 defines the term 'owner' to clarify what individuals and organizations can be considered owners of a pet, and to clarify the term for use in other sections. Section 18 is meant to retain the definition of 'informed consent' from a section that is otherwise being removed in Section 19. Section 19 is the result of Executive Order 2023-003 by which the Board undertook a comprehensive review of NAC 638 and found 19 paragraphs for removal from the chapter.

2. Either the terms or the substance of the regulations to be adopted and amended.
A copy of the proposed regulations (R116-23 and R117-23) is attached to this notice.
3. The estimated economic effect of the regulation on the business which it is to regulate and on the public.
 - a. Both adverse and beneficial economic effects.

R116-23

Adverse effects: None

Beneficial effects: No fee changes are proposed, but we do expect that the better and more accurate utilization of licensed veterinary technicians in the veterinary practice will enhance fiscal efficiencies both for the business and the public.

R117-23

Adverse effects: There is a moderate fee increase that the Board is proposing for licensees and applicants. Additionally, the fee schedule has been updated to reflect the biannual renewal schedule but does not increase the total fee that would have been paid over that time for renewals.

Beneficial effects: The majority of the fee increases have not been increased since the late 1990's. The increase would allow the office to hire additional staff to reduce wait times, increase public and sector outreach, and increase the ability of the Board to offer additional services to the licensing space that would also support the central mission of the Board, which is to protect the public. Additional supportive services that the Board would like to offer would also serve to support the retention of licensees throughout their careers and retain vital workforce numbers throughout Nevada. The overall effect of these changes will clarify and ensure effective governance of the Board and its provisions within NAC 638. Additionally,

the updates made to licensure by endorsement, the provision of medical records, and euthanasia drug protocols will enhance and improve the practice of veterinary medicine for the public and the licensees.

b. Both immediate and long-term effects:

R116-23 and R117-23

Immediate effects: The immediate effect will be a more accessible administrative chapter that will be better suited to the public and licensees who refer to the chapter regularly for guidance in the practice of veterinary medicine. Staff would be able to better and more quickly respond to the public and licensees with questions and concerns, and more quickly process and license applicants.

R116-23 and R117-23

Long-Term: The long-term effect is that by making the updates to the regulations the chapter will be more accessible and thereby ensure that the public and licensees have more information about their rights and responsibilities that are contained therein. Updating the licensure by endorsement should allow for the greater mobility of licensure in Nevada and serve to support and enhance the overall image of its governance structure. The office would be able to better support licensees and retain veterinary licensees throughout the length of a career and support and reduce burnout and turnover.

4. The estimated cost to the agency for enforcement of this regulation.

R116-23: There will be no cost incurred by the Board for enforcement of this regulation.

R117-23: There will be no cost incurred by the Board for enforcement of this regulation.

5. A description of and citation to any regulations or other state or local governmental agencies in which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

R116-23: The Board of Veterinary Medical Examiners is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

R117-23: The Board of Veterinary Medical Examiners is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

R116-23: The Board of Veterinary Medical Examiners is not aware of this regulation being required by federal law.

R117-23: The Board of Veterinary Medical Examiners is not aware of this regulation being required by federal law.

7. If the regulation included provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

R116-23: The Board of Veterinary Medical Examiners is not aware of any similar regulations of the same activity in which the Federal regulation is more stringent.

R117-23: The Board of Veterinary Medical Examiners is not aware of any similar regulations of the same activity in which the Federal regulation is more stringent.

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

R116-23: The regulation does not establish or increase any fees. The fee adjustments for the renewals are the same for the length of time for which the renewal of the license is being issued.

R117-23: The regulation does not establish or increase any fees. The fee adjustments for the renewals are the same for the length of time for which the renewal of the license is being issued, namely, that the fees are being modified from one year to a two-year period of licensure.

Persons wishing to comment upon the proposed action of the Nevada State Board of Veterinary Medical Examiners may appear at the scheduled public hearing or may address their comments, data, views, arguments, or comment on any business impact in written form to the Nevada State Board of Veterinary Medical Examiners, 4600 Kietzke Lane, O-265, Reno, Nevada, 89502.

Written submissions must be received by the Nevada State Board of Veterinary Medical Examiners 10 days prior to the hearing date. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Veterinary Medical Examiners may proceed immediately to act upon any written submissions.

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.