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CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA

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Business Entity Registration

Commencing January 1, 2022, some businesses or practices (hereinafter Business Entity) that offer chiropractic services must be registered with the Board. Business Entity applications are due to the Board at least 60 days prior to the implementation of the Business Entity. A copy of the Business Entity Statute and Rule is enclosed. It is recommended that the Business Entity carefully review these documents prior to submitting the registration application.

Business Entities That Must Register and Those That Are Not Required to Register

Exempt Businesses or Practices:

The following business or practices **are exempt** from registration:

- A business or practice wholly owned by one or more chiropractic physicians licensed by this Board, or a medical doctor or physician assistant licensed by the State Board of Medical Examiners, an osteopathic physician or physician assistant licensed by the Board of Osteopathic Medicine, or a combination of any of these. The type of entity (sole proprietorship, partnership, professional corporation, or professional limited liability company) does not matter as long as the entity is wholly owned by chiropractic physicians, medical doctors, osteopathic physicians, and/or physician assistants.
 - **NOTE:** Because Nevada is a community property state, where a chiropractic physician, medical doctor, osteopathic physician, or physician assistant are owners of a business, ownership by the spouses of any of these medical professionals shall be considered to be ownership by the medical professional spouse.
- An administrator or executor of the estate of a deceased chiropractic physician or a person who is legally authorized to act for a chiropractic physician who has been adjudicated to be incapacitated for not more than 1 year after the date of the death or incapacitation of the chiropractic physician; or
- A medical facility licensed pursuant to chapter 449 of NRS.

Businesses or Practices Required to Register:

Any business or practice, regardless of what type of entity, that is not wholly owned by chiropractic physicians, medical doctors, osteopathic physicians, or physician assistants (in any combination), or that is otherwise exempt from registration pursuant to the above discussion, must register with the Board. Practically speaking, this includes:

- Publicly-traded corporations
- Non-public entities where any proportion of the ownership consists of people who are not chiropractic physicians, medical doctors, osteopathic physicians, or physician assistants.

Registration & Renewal:

To register with the Board, a Business Entity must:

- File a completed registration application.

Business Entity Registrations expire each year on June 1. To renew the registration, a business entity must submit a completed application for renewal on or before May 31. The Board will send a reminder to renew the registration no later than May 1 of each year.

Compliance:

Commencing January 1, 2022, a Business Entity must notify the Board within 30 days after any change in:

- Entity name, address or telephone number.
- Entity officers or directors.
- Doctor(s) of Chiropractic authorized to provide and responsible for providing or supervising the provision of chiropractic services in any facility.

Commencing January 1, 2022, the Business Entity must establish a written policy or procedure for the secure storage and transfer of the medical records of a patient and the access to those records by the patient. The policy and procedure must include procedures for:

- Notifying each patient of the location to which his or her medical records will be moved if the business entity ceases operations.
- Disposing of unclaimed medical records.
- Responding to a request by a patient or a representative of the patient for any copy of his or her medical records.
- Notify the Board later than 30 days after the dissolution of the business entity or the closing of any facility owned or operated by the business entity.

The Business Entity Registration must be conspicuously displayed at each location owned and operated. Business Entities are responsible to assure that all of their employed chiropractic physicians, chiropractor's assistants, and other employees comply with all applicable Nevada statutes and regulations related to the practice of chiropractic.

Application for Business Entity Registration Instructions

1. Enter the name of the BUSINESS ENTITY.
2. Enter the name of a CONTACT PERSON who is authorized to receive and respond to all related correspondence on behalf of the Business Entity and to sign on behalf of the Owner/Officer/Director(s).
3. Enter the Email address for the Business Entity CONTACT PERSON.
4. Enter the TELEPHONE, FAX NUMBER and MAILING ADDRESS for the Business Entity CONTACT PERSON.
5. Enter the total number of PRACTICE LOCATIONS operated by the Business Entity.
6. Enter the address, telephone and fax numbers for the PRIMARY practice location as well as for each ADDITIONAL practice location. (You may attach additional pages if necessary)
7. List the name and license number for EACH chiropractic physician working at EACH practice location. (You may attach additional pages if necessary)
8. Provide the total number of OWNERS/OFFICERS/DIRECTORS of the Business Entity.
9. List the name of any OFFICER or DIRECTOR of the business entity. (You may attach additional pages if necessary)

Application for Business Entity Registration

Type or print in blue or black ink. You must provide a response to each question. You may answer "None" or "N/A" if it is the correct response.

1. Business Entity Name: _____

2. Contact Person: _____

3. Contact Person Email Address: _____

4. Telephone Number: (____) _____ Fax Number: (____) _____

Mailing
Address: _____

City: _____ State: _____ Zip: _____

5. Total number of practice locations: _____

6. Practice Address(es): (Please feel free to attach additional pages if necessary)

Primary site: _____

City: _____ State: _____ Zip: _____

Telephone Number: (____) _____ Fax Number: (____) _____

Additional Site: _____

City: _____ State: _____ Zip: _____

Telephone Number: (____) _____ Fax Number: (____) _____

Additional Site: _____

City: _____ State: _____ Zip: _____

Telephone Number: (____) _____ Fax Number: (____) _____

7. List the name and license number of each licensed chiropractic physician who is authorized to provide and responsible for providing or supervising the provision of chiropractic services at each location. If additional space is required, please attach a separate sheet of paper.

Chiropractic Physicians' Name

License Number

_____	_____
_____	_____
_____	_____
_____	_____

8. Total number of Owners/Officers/Directors _____

9. Name and title of each Officer, Director, or Partner of the Business Entity. If additional space is required, please attach a separate sheet of paper.

CHAPTER.....

AN ACT relating to chiropractic; requiring a business entity that provides chiropractic services to register with the Chiropractic Physicians’ Board of Nevada; establishing certain duties of a registrant; revising terminology used to refer to a person who provides chiropractic services; revising certain qualifications of an applicant for a license to engage in the practice of chiropractic; authorizing a chiropractic physician to recommend, dispense or administer certain drugs and devices; creating a privilege for confidential communication between a patient and a chiropractic physician; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law regulates the licensing and certification of the practice of chiropractic. (Chapter 634 of NRS) **Section 2** of this bill defines “business entity” for the provisions relating to the practice of chiropractic. **Section 3** of this bill requires a business entity that provides chiropractic services to register with the Chiropractic Physicians’ Board of Nevada. **Section 3** requires a business entity to notify the Board of any change to certain information submitted as part of an application for registration. **Section 4** of this bill requires a registered business entity to: (1) ensure that all chiropractic physicians and chiropractic assistants who provide chiropractic services in any facility owned or operated by the business entity comply with the provisions of existing law and regulations that govern the practice of chiropractic; (2) establish a written policy and procedure relating to the medical records of a patient; and (3) notify the Board if the business entity dissolves or a facility owned or operated by the business entity closes. **Section 6** of this bill requires the Board to keep records relating to registration of a business entity in the same manner as it keeps records of licensing and disciplinary actions. **Section 5** of this bill makes a conforming change to indicate the placement of **section 2** in the Nevada Revised Statutes.

Existing law provides grounds for initiating disciplinary action against practitioners of chiropractic. (NRS 634.018, 634.140) **Sections 9-15** of this bill make various changes to authorize the imposition of disciplinary action against a registered business entity, as applicable. **Section 18** of this bill makes it a category D felony to own or operate a business entity: (1) that provides chiropractic services without being appropriately registered with the Board; or (2) for which an unlicensed person engages in the practice of chiropractic. **Sections 17 and 19** of this bill make conforming changes to reflect the registration requirement for a business entity that provides chiropractic services.

Existing law requires an applicant for a license to engage in the practice of chiropractic to meet certain requirements. (NRS 634.090) **Section 7** of this bill revises certain requirements relating to the education of an applicant and the successful completion of an examination. **Sections 6, 8, 15-19 and 22** of this bill change the title of a person practicing chiropractic from “chiropractor” to “chiropractic physician” and the title of a person assisting a chiropractic physician from a “chiropractor’s assistant” to a “chiropractic assistant.”



Existing law prohibits a chiropractic physician from administering or prescribing drugs. (NRS 634.220) **Section 16** of this bill authorizes a chiropractic physician to recommend, dispense or administer any drug or device for which a prescription or order is not required.

Existing law establishes a privilege for a patient to refuse to disclose and prevent any other person from disclosing confidential communication with an allopathic or osteopathic physician or dentist. (NRS 49.215, 49.225) **Section 20** of this bill extends this privilege to apply to confidential communications between a patient and a chiropractic physician.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets ~~for mitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 634 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *“Business entity” means a sole proprietorship or any lawful fictional entity by which business may be conducted lawfully in this State. The term does not include:*

1. A facility wholly owned by one or more persons licensed pursuant to this chapter or chapter 630 or 633 of NRS;

2. A sole proprietorship or partnership that consists solely of persons who are licensed pursuant to this chapter or chapter 630 or 633 of NRS;

3. A professional corporation or professional limited liability company, the shares of which are wholly owned by a person or persons licensed pursuant to this chapter or chapter 630 or 633 of NRS;

4. An administrator or executor of the estate of a deceased chiropractic physician or a person who is legally authorized to act for a chiropractic physician who has been adjudicated to be incapacitated for not more than 1 year after the date of the death or incapacitation of the chiropractic physician; or

5. A medical facility licensed pursuant to chapter 449 of NRS.

Sec. 3. *1. To obtain a registration as a business entity that provides chiropractic services, a business entity must submit to the Board an application in the form prescribed by the Board. The application must include:*

(a) The name, address and telephone number of the business entity;

(b) The name of any officer or director of the business entity;
and



(c) The name of any chiropractic physician who is responsible for providing or supervising the provision of chiropractic services in any facility owned or operated by the business entity.

2. A registration as a business entity that provides chiropractic services expires on June 1 of each year and may be renewed by submitting to the Board before the expiration of the registration an application for renewal in the form prescribed by the Board.

3. The Board may approve a late application for renewal.

4. A business entity shall notify the Board in writing within 30 days after any change to the information described in subsection 1.

5. The Board shall impose an administrative fine in an amount prescribed by regulation of the Board against a registrant that does not comply with the requirements of subsection 4.

Sec. 4. *A business entity that is registered to provide chiropractic services pursuant to section 3 of this act shall:*

1. Ensure that all chiropractic physicians and chiropractic assistants who provide chiropractic services in any facility owned or operated by the business entity comply with the provisions of this chapter or the regulations adopted by the Board, and any other statute or regulation pertaining to the practice of chiropractic;

2. Establish a written policy and procedure for the secure storage and transfer of the medical records of a patient and the access to those records by the patient. The policy and procedure must include procedures for:

(a) Notifying each patient of the location to which his or her medical records will be moved if the business entity ceases operations, is sold or ceases maintaining medical records at the facility where the medical records are currently maintained;

(b) Disposing of unclaimed medical records; and

(c) Responding to a request by a patient or a representative of the patient for any copy of his or her medical records within the time period prescribed by NRS 629.061.

3. Not later than 30 days after the dissolution of the business entity or the closing of any facility owned or operated by the business entity, notify the Board of the dissolution or closure and the procedure by which a patient of the business entity may obtain his or her medical records.

Sec. 5. NRS 634.010 is hereby amended to read as follows:

634.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 634.012 to 634.018,



inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 634.055 is hereby amended to read as follows:

634.055 1. The Board shall keep a record of its proceedings relating to licensing , *registration* and disciplinary actions. Except as otherwise provided in NRS 634.214, the records must be open to public inspection at all reasonable times and must contain the name, known place of business and residence, and the date and number of the license of every ~~chiropractor~~ *chiropractic physician* licensed under this chapter. The Board may keep such other records as it deems desirable.

2. Except as otherwise provided in this subsection and NRS 239.0115, all information pertaining to the personal background, medical history or financial affairs of an applicant *for licensure* or licensee , *an officer or director of an applicant for registration or registrant or a chiropractic physician who provides or supervises the provision of chiropractic services at the facility of an applicant for registration or registrant* which the Board requires to be furnished to it under this chapter, or which it otherwise obtains, is confidential and may be disclosed in whole or in part only as necessary in the course of administering this chapter or upon the order of a court of competent jurisdiction. The Board may, under procedures established by regulation, permit the disclosure of this information to any agent of the Federal Government, of another state or of any political subdivision of this State who is authorized to receive it.

3. Notice of the disclosure and the contents of the information disclosed pursuant to subsection 2 must be given to the ~~applicant or licensee~~ *person* who is the subject of that information.

Sec. 7. NRS 634.090 is hereby amended to read as follows:

634.090 1. An applicant must, in addition to the requirements of NRS 634.070 and 634.080, furnish satisfactory evidence to the Board:

(a) That the applicant is of good moral character;

(b) Except as otherwise provided in subsections ~~2~~ *3* and ~~5~~ *6*, that the applicant has a high school education and is a graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education , or ~~which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency, whose minimum course of study leading to the degree of doctor of chiropractic consists of not less than 4,000 hours of credit which includes instruction in each of the following subjects:~~



- ~~(1) Anatomy;~~
- ~~(2) Bacteriology;~~
- ~~(3) Chiropractic theory and practice;~~
- ~~(4) Diagnosis and chiropractic analysis;~~
- ~~(5) Elementary chemistry and toxicology;~~
- ~~(6) Histology;~~
- ~~(7) Hygiene and sanitation;~~
- ~~(8) Obstetrics and gynecology;~~
- ~~(9) Pathology;~~
- ~~(10) Physiology; and~~
- ~~(11) Physiotherapy;] its successor organization, or an accrediting agency recognized by that organization; and~~

(c) ~~[That]~~ Except as otherwise provided in subsection 2, that the applicant has successfully ~~[~~

~~(1) Completed parts] completed:~~

(1) *Parts* I, II, III and IV, and the portion relating to physiotherapy, of the examination administered by the National Board of Chiropractic Examiners, or its successor organization; or

(2) ~~[Completed an]~~ An examination that is required to graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education, or ~~[which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency.]~~ *its successor organization, or an accrediting agency recognized by that organization.* Such an examination must be:

- (I) Administered by such a college; and
- (II) Approved by the Board.

2. *If an applicant has actively engaged in the practice of chiropractic in another state, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States for not less than 7 of the immediately preceding 10 years without any adverse disciplinary action taken against him or her, the applicant is only required to have successfully completed those parts of the examination administered by the National Board of Chiropractic Examiners, or its successor organization, at the time that the applicant graduated from a college of chiropractic.*

3. The Board may, for good cause shown, waive the requirement for a particular applicant that the college of chiropractic from which the applicant graduated must be accredited by the Council on Chiropractic Education ~~for have a reciprocal agreement with the Council on Chiropractic Education or a governmental~~



~~accrediting agency~~ , or its successor organization, or an accrediting agency recognized by that organization.

~~3.4.~~ Except as otherwise provided in subsections ~~4.5~~ and ~~5.6~~, every applicant is required to submit evidence of the successful completion of not less than 60 credit hours at an accredited college or university.

~~4.5.~~ Any applicant who has been licensed to practice in another state, and has been in practice for not less than 5 years, is not required to comply with the provisions of subsection ~~3.4~~.

~~5.6.~~ If an applicant has received his or her training and education at a school or college located in a foreign country ~~and the course of study leading to his or her degree of doctor of chiropractic consisted of not less than 4,000 hours of instruction,~~ the Board may, if the Board determines that such training and education is substantially equivalent to graduation from a college of chiropractic that is accredited by the Council on Chiropractic Education ~~and otherwise meets the requirements specified in paragraph (b) of subsection 1,~~ or its successor organization, waive the requirement that an applicant attend or graduate from a college that ~~is~~

~~(a) is~~ is accredited by the Council on Chiropractic Education , ~~or~~

~~(b) Has a reciprocal agreement with the Council on Chiropractic Education or a governmental accrediting agency.~~ its successor organization, or an accrediting agency recognized by that organization.

Sec. 8. NRS 634.135 is hereby amended to read as follows:

634.135 1. The Board may charge and collect fees not to exceed:

For an application for a license to practice chiropractic.....	\$200.00
For an examination for a license to practice chiropractic.....	200.00
For an application for, and the issuance of, a certificate as a chiropractor's chiropractic assistant	100.00
For an examination for a certificate as a chiropractor's chiropractic assistant	100.00
For the issuance of a license to practice chiropractic.....	300.00
For the biennial renewal of a license to practice chiropractic.....	1,000.00



For the biennial renewal of an inactive license to practice chiropractic	\$300.00
For the biennial renewal of a certificate as a [chiropractor's] <i>chiropractic</i> assistant	200.00
For the restoration to active status of an inactive license to practice chiropractic	300.00
For reinstating a license to practice chiropractic which has expired pursuant to NRS 634.130 or has been suspended	500.00
For reinstating a certificate as a [chiropractor's] <i>chiropractic</i> assistant which has expired pursuant to NRS 634.130 or has been suspended	100.00
For a review of any subject on the examination	25.00
For the issuance of a duplicate license or for changing the name on a license	35.00
For written verification of licensure or issuance of a certificate of good standing	25.00
For providing a list of persons who are licensed to practice chiropractic to a person who is not licensed to practice chiropractic	25.00
For providing a list of persons who were licensed to practice chiropractic following the most recent examination of the Board to a person who is not licensed to practice chiropractic	10.00
For a set of mailing labels containing the names and addresses of the persons who are licensed to practice chiropractic in this State	35.00
For providing a copy of the statutes, regulations and other rules governing the practice of chiropractic in this State to a person who is not licensed to practice chiropractic	25.00
For each page of a list of continuing education courses that have been approved by the Board50
For an application to a preceptor program offered by the Board to graduates of chiropractic schools or colleges	35.00
For an application for a student or [chiropractor] <i>chiropractic physician</i> to participate in the preceptor program established by the Board pursuant to NRS 634.137	35.00



For a review by the Board of a course offered by a chiropractic school or college or a course of continuing education in chiropractic \$50.00

2. In addition to the fees set forth in subsection 1, the Board may charge and collect reasonable and necessary fees for the expedited processing of a request or for any other incidental service it provides.

3. For a check or other method of payment made payable to the Board or tendered to the Board that is returned to the Board or otherwise dishonored upon presentation for payment, the Board shall assess and collect a fee in the amount established by the State Controller pursuant to NRS 353C.115.

Sec. 9. NRS 634.140 is hereby amended to read as follows:

634.140 The *following acts, as applied to a licensee, an officer or director of a registrant or a person who provides or supervises the provision of chiropractic services at the facility of a registrant, are* grounds for initiating disciplinary action *against a licensee or registrant* pursuant to this chapter : ~~[are:]~~

- 1. Unprofessional conduct.
- 2. Incompetence or negligence in the practice of chiropractic.
- 3. Conviction of:
 - (a) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS;
 - (b) A crime relating to the practice of chiropractic;
 - (c) A violation of any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive; or
 - (d) Any offense involving moral turpitude.
- 4. Suspension or revocation of the license to practice chiropractic by any other jurisdiction.
- 5. Referring, in violation of NRS 439B.425, a patient to a health facility, medical laboratory or commercial establishment in which the licensee , *officer, director or person providing or supervising the provision of chiropractic services* has a financial interest.
- 6. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:
 - (a) The license of the facility is suspended or revoked; or
 - (b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

↳ This subsection applies to an owner or other principal responsible for the operation of the facility.



Sec. 10. NRS 634.160 is hereby amended to read as follows:

634.160 1. The Board or any of its members who become aware that any one or a combination of the grounds for initiating disciplinary action may exist as to a person practicing chiropractic *or a business entity providing chiropractic services* in this State shall, and any other person who is so aware may, file a written complaint specifying the relevant facts with the Executive Director of the Board. A complaint may be filed anonymously. If a complaint is filed anonymously, the Board may accept the complaint but may refuse to consider the complaint if anonymity of the complainant makes processing the complaint impossible or unfair to the person *or entity* who is the subject of the complaint.

2. The Board shall retain all complaints filed with the Executive Director pursuant to this section for at least 10 years, including, without limitation, any complaints not acted upon.

Sec. 11. NRS 634.170 is hereby amended to read as follows:

634.170 1. When a complaint is filed with the Executive Director of the Board, it must be considered by the President or a member of the Board designated by the President. If, from the complaint or from other official records, it appears that the complaint may be well founded in fact, the Executive Director shall cause written notice of the charges in the complaint to be served upon the person *or business entity* charged at least 20 days before the date fixed for the hearing. If the Board receives a report pursuant to subsection 5 of NRS 228.420, a hearing must be held within 30 days after receiving the report.

2. If the complaint is not deemed by the President or designated member of the Board to be of sufficient import or sufficiently well founded to merit bringing proceedings against the person *or business entity* charged, the complaint must be held in abeyance and discussed at the next meeting of the Board.

Sec. 12. NRS 634.190 is hereby amended to read as follows:

634.190 1. The person *or business entity* charged is entitled to a hearing before the Board, but the failure of the person charged *or a representative of the business entity charged* to attend a hearing or to defend himself or herself *or the business entity, as applicable*, does not delay or void the proceedings. The Board may, for good cause shown, continue any hearing from time to time.

2. If the Board finds that the person *or business entity* committed one or more of the charges made in the complaint, the Board may by order:

(a) Place the person *or business entity* on probation for a specified period or until further order of the Board.



(b) Administer to the person *or business entity* a public reprimand.

(c) Limit the practice of the person *or business entity* to, or by the exclusion of, one or more specified branches of chiropractic.

(d) Suspend the license of the person to practice chiropractic *or the registration as a business entity that provides chiropractic services* for a specified period or until further order of the Board.

(e) Revoke the license of the person to practice chiropractic *or registration as a business entity that provides chiropractic services.*

(f) Impose a fine of not more than \$5,000 for each act which constitutes a ground for disciplinary action, which must be deposited with the State Treasurer for credit to the State General Fund.

↪ The order of the Board may contain such other terms, provisions or conditions as the Board deems proper to remedy or address the facts and circumstances of the particular case.

3. If the Board finds that a licensee has violated the provisions of NRS 439B.425, the Board shall suspend the license for a specified period or until further order of the Board.

4. The Board shall not administer a private reprimand.

5. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

Sec. 13. NRS 634.200 is hereby amended to read as follows:

634.200 1. Any person who has been placed on probation or whose license *or registration* has been limited, suspended or revoked by the Board is entitled to judicial review of the Board's order.

2. The district court shall give a petition for judicial review of the Board's order priority over other civil matters which are not expressly given that priority by law.

Sec. 14. NRS 634.204 is hereby amended to read as follows:

634.204 1. Any person:

(a) Whose practice of chiropractic has been limited; or

(b) Whose license to practice chiropractic *or registration to operate a business entity offering chiropractic services* has been suspended until further order,

↪ by an order of the Board may apply to the Board after a reasonable period for removal of the limitation or restoration of his or her license *or registration.*

2. In hearing the application, the Board:

(a) May require the person *or an officer or director of the business entity, as applicable,* to submit to a mental or physical



examination by physicians or other appropriate persons whom it designates and submit such other evidence of changed conditions and of fitness as it deems proper;

(b) Shall determine whether under all the circumstances the time of the application is reasonable; and

(c) May deny the application or modify or rescind its order as it deems the evidence and the public safety warrant.

Sec. 15. NRS 634.216 is hereby amended to read as follows:

634.216 The Board or any person who or other organization which initiates or assists in any lawful investigation or proceeding concerning the discipline of a ~~chiropractor~~ *chiropractic physician or a business entity that provides chiropractic services* is immune from any civil action for that initiation or assistance or any consequential damages, if the person or organization acted without malicious intent.

Sec. 16. NRS 634.220 is hereby amended to read as follows:

634.220 **1.** Nothing in this chapter shall be construed to permit a ~~chiropractor~~ *chiropractic physician* to practice medicine, osteopathic medicine, dentistry, optometry or podiatry, or to administer or prescribe drugs ~~;~~ *except where authorized by subsection 2.*

2. *A chiropractic physician may recommend, dispense or administer any drug or device for which the prescription or order of a practitioner is not required by federal or state law.*

3. *As used in this section, "practitioner" has the meaning ascribed to it in NRS 639.0125.*

Sec. 17. NRS 634.226 is hereby amended to read as follows:

634.226 Unless the Board determines that extenuating circumstances exist, the Board shall forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning ~~it~~:

1. A person who practices or offers to practice chiropractic or as a ~~chiropractor's~~ *chiropractic* assistant without the appropriate license or certificate issued pursuant to the provisions of this chapter.

2. *A business entity that provides chiropractic services without being registered pursuant to the provisions of this chapter.*

Sec. 18. NRS 634.227 is hereby amended to read as follows:

634.227 **1.** A person who:

(a) Presents to the Board as his or her own the diploma, license or credentials of another;

(b) Gives false or forged evidence of any kind to the Board; or



(c) Practices chiropractic under a false or assumed name or falsely personates another licensee,
↳ is guilty of a misdemeanor.

2. Except as otherwise provided in NRS 634.105, 634.117 and 634.1375, a person who does not hold a license issued pursuant to this chapter and:

(a) Practices chiropractic in this State;

(b) Holds himself or herself out as a ~~chiropractor;~~ *chiropractic physician;*

(c) Uses any combination, variation or abbreviation of the terms “chiropractor,” “chiropractic” or “chiropractic physician” as a professional or commercial representation; or

(d) Uses any means which directly or indirectly conveys to another person the impression that he or she is qualified or licensed to practice chiropractic,

↳ is guilty of a category D felony and shall be punished as provided in NRS 193.130, unless a greater penalty is provided pursuant to NRS 200.830 or 200.840.

3. In addition to any other penalty prescribed by law, if the Board determines that a person has committed any act described in subsection 2, the Board may:

(a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or certificate or otherwise demonstrates that he or she is no longer in violation of subsection 2. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

4. *A person who owns or operates a business entity that offers chiropractic services:*

(a) *Which is not registered with the Board pursuant to section 3 of this act; or*



(b) For which a chiropractic physician who is not licensed pursuant to this chapter engages in the practice of chiropractic, ↪ is guilty of a category D felony and shall be punished as provided in NRS 193.130.

Sec. 19. NRS 634.240 is hereby amended to read as follows:

634.240 1. In addition to any other remedy provided by law, the Board, through its President, Secretary or its attorney, or the Attorney General, may bring an action in any court of competent jurisdiction to enjoin any person who does not hold a license issued by the Board from practicing chiropractic or representing himself or herself to be a ~~[chiropractor.]~~ *chiropractic physician or any business entity that is providing chiropractic services and is not registered pursuant to section 3 of this act.* As used in this subsection, “practicing chiropractic” includes the conducting of independent examinations and the offering of opinions regarding the treatment or care, or both, with respect to patients who are residents of this State.

2. The court in a proper case may issue an injunction for such purposes without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure. The issuance of such an injunction does not relieve the person from criminal prosecution for a violation of NRS 634.227.

Sec. 20. NRS 49.215 is hereby amended to read as follows:

49.215 As used in NRS 49.215 to 49.245, inclusive:

1. A communication is “confidential” if it is not intended to be disclosed to third persons other than:

(a) Those present to further the interest of the patient in the consultation, examination or interview;

(b) Persons reasonably necessary for the transmission of the communication; or

(c) Persons who are participating in the diagnosis and treatment under the direction of the doctor, including members of the patient’s family.

2. “Doctor” means a person licensed to practice medicine, dentistry or osteopathic medicine *or chiropractic* in any state or nation, or a person who is reasonably believed by the patient to be so licensed, and in addition includes a person employed by a public or private agency as a psychiatric social worker, or someone under his or her guidance, direction or control, while engaged in the examination, diagnosis or treatment of a patient for a mental condition.

3. “Patient” means a person who consults or is examined or interviewed by a doctor for purposes of diagnosis or treatment.



Sec. 21. 1. Notwithstanding any provision of this act to the contrary, any business entity that is providing chiropractic services on or before January 1, 2022:

(a) May continue to provide such services without being registered with the Chiropractic Physicians' Board of Nevada pursuant to section 3 of this act until July 1, 2022; and

(b) Must be registered pursuant to section 3 of this act if the entity continues to provide such services after that date.

2. As used in this section, "business entity" has the meaning ascribed to it in section 2 of this act.

Sec. 22. The Legislative Counsel shall:

1. In preparing the Nevada Revised Statutes, use the authority set forth in subsection 10 of NRS 220.120 to substitute appropriately:

(a) The term "chiropractic physician" for the term "chiropractor" as previously used in reference to the practice of chiropractic; and

(b) The term "chiropractic assistant" for the term "chiropractor's assistant" as previously used in reference to the practice of chiropractic.

2. In preparing supplements to the Nevada Administrative Code, substitute appropriately:

(a) The term "chiropractic physician" for the term "chiropractor" as previously used in reference to the practice of chiropractic; and

(b) The term "chiropractic assistant" for the term "chiropractor's assistant" as previously used in reference to the practice of chiropractic.

Sec. 23. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 22, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2022, for all other purposes.

