

**Nevada Administrative Code**  
**Chapter 634**

**Draft Includes Uncodified Regulations Below:**

	<b>R114-23</b>	<b>Effective: 02/27/2024</b>
	<b>R115-23</b>	<b>Effective: 02/27/2024</b>

## CHAPTER 634 - CHIROPRACTIC PHYSICIANS AND CHIROPRACTIC ASSISTANTS

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## GENERAL PROVISIONS

**NAC 634.110 Definitions.** ([NRS 634.030](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 634.111](#) to [634.124](#), inclusive, have the meanings ascribed to them in those sections.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 3, §§ 3.1 through 3.6, eff. 12-8-74]—(NAC A 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R101-08, 12-17-2008)

**NAC 634.111 “Advertisement” defined.** ([NRS 634.030](#)) “Advertisement” includes, without limitation, calling cards, inside and outside signs, stationery, listings in telephone and other directories, and advertisements in newspapers, magazines and by electronic means, including, without limitation, advertisements placed on the Internet.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98)

**NAC 634.112 “Ancillary services” defined.** ([NRS 634.030](#)) “Ancillary services” means services related to the practice of chiropractic that a chiropractic assistant is authorized to perform

under the terms of the certificate issued to him or her by the Board. The term does not include acts that a chiropractic assistant is prohibited from performing pursuant to [NAC 634.460](#).

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R101-08, 12-17-2008)

**NAC 634.113 “Applicant” defined. ([NRS 634.030](#))** “Applicant” means a person who applies or petitions for any right or authority from the Board.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98)

**NAC 634.114 “Board” defined. ([NRS 634.030](#))** “Board” means the Chiropractic Physicians' Board of Nevada.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98)

**NAC 634.116 “Certificate” defined. ([NRS 634.030](#))** “Certificate” means a current certificate as a chiropractic assistant.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R101-08, 12-17-2008)

**NAC 634.117 “Chiropractic assistant” defined. ([NRS 634.030](#))** “Chiropractic assistant” means a person who holds a certificate as a chiropractic assistant pursuant to [NRS 634.123](#) and the provisions of this chapter and who is dedicated to assisting in all permissible aspects of chiropractic practice under the direct supervision and responsibility of a chiropractic physician.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R150-13, 3-28-2014)

**NAC 634.119 “Direct supervision” defined. ([NRS 634.030](#))** “Direct supervision” means that the supervising licensee or licensed provider of health care, as appropriate, is actually present in the chiropractic facility during the period of supervision.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98)

**NAC 634.1195 “Good standing” defined. ([NRS 634.030](#))** “Good standing” with respect to a license to practice chiropractic means that the license is not restricted by revocation, suspension or probation or otherwise encumbered as specified by an order of the Board.

(Added to NAC by Chiropractic Physicians' Bd. by R101-08, eff. 12-17-2008)

**NAC 634.121 “Licensee” defined. ([NRS 634.030](#))** “Licensee” means a chiropractic physician who is licensed by the Board pursuant to [chapter 634](#) of NRS.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98)

**NAC 634.124 “Referral bureau” defined. ([NRS 634.030](#))** “Referral bureau” means a group of two or more licensees who practice in separate locations, have a telephone number specifically designated for the referral bureau and advertise or market themselves as a referral bureau.

(Added to NAC by Chiropractic Physicians' Bd. by R101-08, eff. 12-17-2008)

**NAC 634.1245 “Precisely controlled force” interpreted. ([NRS 634.014](#), [634.030](#))** For the purposes of [NRS 634.014](#), the Board interprets the term “precisely controlled force” to mean:

1. One or more thrusts involving both amplitude and velocity, including, without limitation, one or more thrusts involving any combination of high or low amplitude and high or low velocity; or

2. An application of a resistive movement by applying a specific force, without the use of a thrust, to a specific focal point of the anatomy.

(Added to NAC by Chiropractic Physicians’ Bd. by R072-15, eff. 4-4-2016)

**NAC 634.125 Severability of provisions.** ([NRS 634.030](#)) The provisions of this chapter are hereby declared to be severable and the invalidity of any rule, clause, sentence, paragraph or section of this chapter does not affect the validity of the remainder.

[Bd. of Chiropractic Exam’rs, Rule of Practice No. 10, § 10.3, eff. 12-8-74]—(NAC A 7-29-88)—(Substituted in revision for NAC 634.115)

### CHIROPRACTIC PHYSICIANS’ BOARD OF NEVADA

**NAC 634.140 Election of officers.** ([NRS 634.030](#)) The Board will elect officers as required pursuant to [NRS 634.030](#) at the first regular meeting of the Board during each even-numbered year.

(Added to NAC by Chiropractic Physicians’ Bd. by R030-98, eff. 9-10-98)

### FEEES

**NAC 634.200 Amount; reduction or waiver of fee for renewal of license or certificate; nonrefundable.** ([NRS 634.030](#), [634.115](#), [634.130](#), [634.135](#))

1. Except as otherwise provided in subsection 2, the Board will charge and collect the following fees:

For an application for a license to practice chiropractic.....	\$200.00
For an examination for a license to practice chiropractic.....	125.00
For an application for, and the issuance of, a certificate as a chiropractic assistant.....	100.00
For an application for a temporary license to practice chiropractic pursuant to <a href="#">NRS 634.115</a> .....	50.00
For an examination for a certificate as a chiropractic assistant.....	75.00
For the issuance of a license to practice chiropractic.....	225.00
For the issuance of a temporary license to practice chiropractic pursuant to <a href="#">NRS 634.115</a> .....	50.00
For the biennial renewal of an active license to practice chiropractic.....	700.00

For the biennial renewal of an inactive license to practice chiropractic.....	250.00
For the biennial renewal of a certificate as a chiropractic assistant.....	120.00
For the restoration to active status of an inactive license to practice chiropractic.....	300.00
For reinstating a license to practice chiropractic which has been suspended or revoked	500.00
For reinstating a certificate as a chiropractic assistant which has been suspended or revoked.....	70.00
For reinstating an inactive license to practice chiropractic which has been suspended or revoked.....	200.00
For a review of any subject on the examination.....	25.00
For the issuance of a duplicate license or certificate or for changing the name on a license or certificate.....	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 a check which is made payable to the Board that is dishonored upon presentation for payment.....	25.00
For providing a copy of the statutes, regulations and other rules governing the practice of chiropractic in this State.....	25.00
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. For a person whose license as a chiropractic physician or certificate as a chiropractic assistant was issued during the same year in which the license or certificate, as applicable, must be renewed pursuant to [NRS 634.130](#), the Board will:

(a) Reduce the fee for renewal by 50 percent if the license or certificate, as applicable, was issued on or after January 1 but not later than May 31 of the current year.

(b) Waive the fee for renewal if the license or certificate, as applicable, was issued on or after June 1 of the current year.

3. The fees set forth in this section are not refundable.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R140-05, 11-17-2005; R101-08, 12-17-2008; R150-13, 3-28-2014; R010-17, 12-19-2017; R064-19, 2-7-2020)

**NAC 634.210 Methods of payment. ([NRS 634.030](#))** Payment of fees and remittances made to the Board by money order, bank draft or check must be made payable to the Chiropractic Physicians' Board of Nevada. Remittances in currency or coin are made wholly at the risk of the sender, and the Board assumes no responsibility for their loss. Postage stamps will not be accepted as payment.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 2, § 2.4, eff. 12-8-74]—(NAC A 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**NAC 634.215 Fee for issuance of license: Time for payment; failure to pay. ([NRS 634.030](#))**

1. An applicant for a license to practice chiropractic in this State must pay the fee for the issuance of a license to practice chiropractic required pursuant to [NAC 634.200](#) within 1 year after he or she has satisfied all the requirements for licensure set forth in this chapter and [chapter 634](#) of NRS, other than the payment of the fee for the issuance of the license.

2. If such an applicant does not pay the fee for the issuance of a license to practice chiropractic in the period set forth in subsection 1, he or she:

(a) Shall be deemed to have withdrawn the application; and

(b) Must reinitiate the application process if he or she wishes to apply for a license at a later date.

(Added to NAC by Chiropractic Physicians' Bd. by R095-03, eff. 10-22-2003)

## LICENSING AND CERTIFICATION

### Examinations

**NAC 634.290 Examinations required for licensure; passing score. ([NRS 634.030](#), [634.070](#))**

1. In addition to the subjects of examination set forth in [NRS 634.070](#), an applicant for a license to practice chiropractic in Nevada, other than an applicant for licensure by endorsement pursuant to [NAC 634.363](#), must pass:

(a) An examination on the statutes and regulations of this State which are related to the practice of chiropractic, other than those set forth in this chapter and [chapter 634](#) of NRS; and

(b) Any other subject or examination that the Board determines to be necessary. An examination required by the Board pursuant to this paragraph may include, without limitation, an examination on clinical rationale.

2. To pass a subject or examination required pursuant to [NRS 634.070](#) or this section, an applicant for a license to practice chiropractic in Nevada must receive a score of at least 75 percent for a closed-book examination and a score of at least 90 percent for an open-book examination.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R150-13, 3-28-2014; R010-17, 12-19-2017; R064-17, 2-27-2018; R179-20, 12-22-2021)

**R114-23 NAC 634.300 is hereby amended to read as follows:**

**NAC 634.300 Examinations for licensure: Period for taking; failure to pass; failure to appear. ([NRS 634.030](#), [634.070](#))**

1. Except as otherwise provided in subsection 2 and [NAC 634.215](#):

(a) If a person applies for a license to practice chiropractic in Nevada, the application remains open for 1 year after the date of the first examination that the person is eligible to take.

(b) Subject to the limitations set forth in this section, during the period in which an application is open, an applicant may take any required examination at such times as may be allowed by the Board and the testing vendor, if any.

(c) If an applicant does not, on the first attempt, pass an examination that is administered by the Board, the applicant may retake the examination one time without paying an additional fee.

2. If an applicant provides evidence satisfactory to the Board that the applicant failed to appear for an examination because of exceptional circumstances, the Board may:

(a) Allow the applicant to take the next scheduled examination without the payment of an additional fee; and

(b) If necessary, extend the period during which the application is open.

3. If an applicant for a license to practice chiropractic fails on two occasions to pass any portion of the examinations administered pursuant to [NRS 634.070](#), the applicant shall ~~;~~

~~—(a) Refrain refrain from supervised practice. [; or~~

~~—(b) Submit a new application for examination in accordance with [NRS 634.080](#).~~

4. An applicant for a license to practice chiropractic who fails to appear for examination within 1 year after being first qualified therefor:

(a) Shall be deemed to have withdrawn his or her application; and

(b) Forfeits the application fee.

Ê If the applicant applies thereafter for a license, he or she must establish eligibility for that license in accordance with the provisions of this chapter and [chapter 634](#) of NRS.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R010-17, 12-19-2017)

**R114-23 Sec. 3 NAC 634.305 is hereby amended to read as follows:**

**NAC 634.305 Examination for certification as chiropractic assistant; passing score; failure to pass; failure to appear. ([NRS 634.030](#))**

1. At least once each year, the Board will administer an examination to applicants for a certificate as a chiropractic assistant.

2. The examination will consist of the following subjects, including, without limitation:

(a) Radiographic technology, protection, quality control and positioning of the patient;

- (b) Ancillary procedures and applications relating to chiropractic; and
- (c) The provisions of NRS and NAC that are related to the practice of chiropractic.

3. An applicant who receives a score of at least 75 percent for a closed-book examination ~~[or a score of at least 90 percent for an open-book examination]~~ is entitled to a certificate as a chiropractic assistant.

4. If an applicant fails to receive a score of at least 75 percent for a closed-book *or open-book* examination ~~[or a score of at least 90 percent for an open-book examination]~~ the first time he or she takes the examination, the applicant may retake the examination ~~[within 1 year]~~ *at the time of the next scheduled exam* without payment of an additional fee.

5. If an applicant who receives training and employment as a chiropractic assistant trainee pursuant to subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#) fails to receive a score of at least 75 percent for a closed-book *or open-book* examination ~~[or a score of at least 90 percent for an open-book examination]~~ after two attempts, ~~[and wishes to continue working as a chiropractic assistant trainee, the supervising licensee must, within 30 days after the date of the notice from the Board of the results of the examination, submit a plan for additional training to the Board. The chair of the test committee will:~~

~~—(a) Approve or deny the plan; and~~

~~—(b) Determine whether the chiropractic assistant trainee may continue working as a chiropractic assistant trainee.~~

~~—6.— If, pursuant to paragraph (b) of subsection 5, the chair of the test committee determines that a chiropractic assistant trainee may continue working as a chiropractic assistant trainee, the chiropractic assistant trainee may continue working as a chiropractic assistant trainee if he or she:~~

~~—(a) Pursuant to [NAC 634.350](#), submits a new application for a certificate as a chiropractic assistant and pays the required fee; and~~

~~—(b) Provides the chair of the test committee with proof that the chiropractic assistant trainee is enrolled in an educational course in a subject described in subsection 2.~~

~~—7.— If a chiropractic assistant trainee who has submitted an application pursuant to paragraph (a) of subsection 6 fails to receive a score of at least 75 percent for a closed-book examination or a score of at least 90 percent for an open-book examination after two attempts, the chiropractic assistant trainee shall not work as a chiropractic assistant trainee until the chiropractic assistant trainee has received a score of at least 75 percent for a closed-book *or open book* examination ~~or a score of at least 90 percent for an open-book examination.]~~~~

8. 6. An applicant for a certificate as a chiropractic assistant who fails on two occasions to appear for an examination that he or she has been scheduled to take:

- (a) Shall be deemed to have withdrawn his or her application;
- (b) Forfeits any application fees paid to the Board; and

(c) Must, if he or she has been receiving training and employment as a chiropractic assistant trainee pursuant to subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#), cease working as a chiropractic assistant trainee.

Ê If the applicant applies thereafter for a certificate, the applicant must establish eligibility for the certificate in accordance with the provisions of this chapter and [chapter 634](#) of NRS.

~~—[9.— As used in this section, “chair of the test committee” means the member of the Board who is assigned by the Board to serve as the chair of the committee that is created by the Board to administer an examination to applicants for a certificate as a chiropractic assistant.]~~

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R014-10, 5-5-2011; R064-17, 2-27-2018)

**NAC 634.320 Authorized persons in waiting area; conduct of applicant.** ([NRS 634.030](#)) During the examination of applicants for licensing as chiropractic physicians or for certification as chiropractic assistants, only members of the Board, testing consultants, examination proctors, applicants and persons requested by the Board will be allowed in the waiting area for applicants or in the room in which the examination is given. An applicant may not:

1. Communicate with any person while he or she is in the waiting area, halls or restrooms;
2. Leave the waiting area without the permission of a member of the Board, a testing consultant or an examination proctor; or
3. Bring any electronic device, unless the electronic device is approved by the Executive Director of the Board, or any written or recorded material relating to the practice of chiropractic into the examination facility.

[Bd. of Chiropractic Exam'rs, Art. XV § 1, eff. 8-27-76; A 11-28-79]—(NAC A 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R101-08, 12-17-2008; R064-17, 2-27-2018)

**NAC 634.330 Cheating by applicants.** ([NRS 634.030](#)) Any applicant who is found to be cheating during an examination:

1. Will be required to leave immediately;
2. Shall immediately cease providing clinical services in a chiropractic practice and may not provide clinical services in a chiropractic practice for 2 years after the date of the examination from which he or she was dismissed;
3. Will not be permitted to take an examination for 2 years after the date of the examination from which he or she was dismissed; and
4. Must file a new application after the passage of the 2-year period described in subsections 2 and 3 before he or she will be permitted to take the examination again.

[Bd. of Chiropractic Exam'rs, Art. XV § 2, eff. 8-27-76; A 11-28-79]—(NAC A 7-29-88; A by Chiropractic Physicians' Bd. by R150-13, 3-28-2014)

### **Preceptor Program**

**NAC 634.331 Definitions.** ([NRS 634.030, 634.137](#)) As used in [NAC 634.331](#) to [634.347](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 634.333](#) and [634.334](#) have the meanings ascribed to them in those sections.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.333 "Preceptor" defined.** ([NRS 634.030, 634.137](#)) "Preceptor" means a licensee who has been approved by the Board to participate in the preceptor program.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.334 "Student" defined.** ([NRS 634.030, 634.137](#)) "Student" means a person who is enrolled in a college of chiropractic.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.335 Establishment.** ([NRS 634.030, 634.137](#)) The Board hereby establishes the preceptor program required by [NRS 634.137](#) as set forth in [NAC 634.331](#) to [634.347](#), inclusive.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.336 Application procedure for student; eligibility requirements.** ([NRS 634.030](#), [634.137](#), [634.1375](#)) A student who wishes to participate in the preceptor program must submit to the Board an application for approval to participate in the preceptor program. The application must include, without limitation:

1. Written proof, which may include a preliminary transcript, from the college of chiropractic at which the student is enrolled that the student:

(a) Has successfully completed all the didactic course work required by the college of chiropractic to consider the student enrolled in his or her final academic year;

(b) Is in good standing with the college of chiropractic; and

(c) Has completed the hours of clinical work required by the college of chiropractic to qualify the student to participate in the preceptor program.

2. A copy of a written agreement entered into pursuant to [NAC 634.338](#) evidencing that the student has been accepted to practice chiropractic under the supervision of a preceptor.

3. The date on which the student will commence his or her practice of chiropractic as a participant in the preceptor program.

4. The date by which the student will end his or her practice of chiropractic as a participant in the preceptor program, which must be not later than 1 year after the date of commencement of the practice.

5. Each address at which the student may perform chiropractic services.

6. A written acknowledgment that the student has read and understands the laws of this State relating to the practice of chiropractic.

7. A waiver of confidentiality which authorizes the Board to obtain information from the college of chiropractic at which the student is enrolled to verify that the student is qualified to practice chiropractic as a participant in the preceptor program.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.337 Application procedure for licensee; requirements to act as preceptor.** ([NRS 634.030](#), [634.137](#), [634.1379](#))

1. A licensee who wishes to act as a preceptor must submit to the Board an application for approval to participate in the preceptor program. The application must include, without limitation:

(a) Proof satisfactory to the Board that the licensee maintains malpractice insurance in an amount not less than \$1,000,000 per occurrence and not less than \$3,000,000 in the aggregate;

(b) Written evidence that the licensee has been accepted to serve as a preceptor by the college of chiropractic at which the student who will be supervised by the licensee is enrolled; and

(c) Proof satisfactory to the Board that the licensee meets the requirements set forth in subsection 2.

2. A licensee who applies to participate in the preceptor program must have not less than 5 years of experience as a licensed chiropractor, at least 2 years of which must have been as a chiropractic physician licensed to practice chiropractic in Nevada.

3. In determining whether to approve an application to participate in the preceptor program submitted by a licensee, the Board will review the disciplinary history of the licensee.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.338 Preceptor agreement: Form; contents; required provisions.** ([NRS 634.030](#), [634.137](#))

1. A student and the preceptor who will supervise the student during his or her participation in the preceptor program must enter into an agreement before the student may commence the practice of chiropractic as a participant in the preceptor program.

2. The written agreement must include, without limitation:

(a) A statement acknowledging that all work performed by the student must be done only at the direction of and under the direct supervision of the preceptor;

(b) A statement by the preceptor in which he or she agrees to take full liability and responsibility for any work performed by the student;

(c) A statement by the preceptor that he or she will not authorize the student to perform any act which is prohibited by [NAC 634.339](#);

(d) A statement by the student that he or she will not perform any act which is prohibited by [NAC 634.339](#);

(e) A statement setting forth the commencement date and end date of the period during which the student may perform chiropractic under the supervision of the preceptor; and

(f) An acknowledgment that the student will not practice chiropractic for more than 40 hours during any week in which the student participates in the preceptor program.

3. If a student will be supervised by more than one preceptor, each preceptor who intends to supervise the student must be approved by the Board and enter into an agreement with the student pursuant to this section.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.339 Duties of preceptor; scope of authorized activities of student. ([NRS 634.030](#), [634.137](#))**

1. In supervising a student who is participating in the preceptor program, a preceptor:

(a) Shall ensure that the student is exposed to and, within the discretion of the preceptor and except as otherwise provided in subsection 2, is allowed to perform all aspects of chiropractic as practiced by the preceptor;

(b) Shall assume all responsibility and liability for all acts performed by the student;

(c) Shall notify the Board within 15 business days after the termination of the student's participation in the preceptor program; and

(d) Shall not supervise more than one student.

2. A student who participates in the preceptor program shall not:

(a) Diagnose the condition of a patient without the written concurrence of the preceptor, which must be documented in the health care record of the patient.

(b) Establish a plan of treatment or prognosis for a patient without the written concurrence of the preceptor, which:

(1) Must be documented in the health care record of the patient; and

(2) May occur before or after the student has commenced treatment of the patient.

(c) Perform any service except at the direction of and under the direct supervision of the preceptor.

(d) Practice chiropractic more than 40 hours during any week in which the student participates in the preceptor program.

(e) Bill independently of the preceptor for any service rendered.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012; A by R010-17, 12-19-2017)

**NAC 634.341 Student providing chiropractic services: Notice to patient; duties of student and preceptor.** ([NRS 634.030](#), [634.137](#))

1. Before a student who participates in the preceptor program provides chiropractic services to a patient:

(a) The preceptor shall inform the patient that the patient will be receiving chiropractic services from a student pursuant to the preceptor program. The preceptor shall obtain from the patient written consent for the receipt of chiropractic services from a student.

(b) The student or preceptor shall perform the initial evaluation and assessment of the patient and develop the plan of treatment for the patient. If the student:

(1) Observes or learns of a condition or issue that was not contained in the original evaluation, assessment or plan of treatment, the student shall immediately notify the preceptor of the condition or issue.

(2) Wishes to make a change or addition to the plan of treatment of a patient, the student must obtain the concurrence of the preceptor before making the change or addition.

2. The final assessment of the condition of a patient must be conducted by a licensee.

3. The preceptor who supervises a student shall review the health care records of a patient not less than once every third visit of the patient to ensure that the student is performing the chiropractic services as directed by the preceptor and is maintaining the health care record of the patient in accordance with applicable law.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012; A by R010-17, 12-19-2017)

**NAC 634.342 Identification as student.** ([NRS 634.030](#), [634.137](#)) A student who is providing chiropractic services pursuant to the preceptor program shall wear a badge or other type of visible identification which clearly identifies the student as a "student" or "student chiropractic physician."

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.343 Continued professional relationship between student and preceptor.** ([NRS 634.030](#), [634.105](#), [634.137](#)) If a student who participates in the preceptor program graduates from a college of chiropractic and his or her participation in the preceptor program is terminated, the student and a chiropractic physician may continue the professional relationship pursuant to the provisions of [NRS 634.105](#) if the student and the chiropractic physician:

1. Submit a declaration to the Board of their intent to continue the relationship after the termination of the student's participation in the preceptor program; and

2. Comply with all requirements for authorization to perform chiropractic services pursuant to [NRS 634.105](#) while the student is waiting to take the Board's examination, including, without limitation, compliance with [NAC 634.368](#).

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

**NAC 634.347 Disciplinary action.** ([NRS 634.030](#), [634.137](#), [634.140](#), [634.190](#))

1. The Board may place conditions upon the issuance of a license to an applicant who participated in the preceptor program if the Board determines that the applicant violated any provision of this chapter or [chapter 634](#) of NRS during the applicant's participation in the preceptor program.

2. The Board may take appropriate disciplinary action against a licensee who participates in the preceptor program, including, without limitation, disallowing the person from serving as a preceptor, if the licensee or a student supervised by the licensee violates any provision of this chapter or [chapter 634](#) of NRS during the student's participation in the preceptor program.

(Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

### **Chiropractic Assistants**

**NAC 634.3475 “Detrimental to the best interests of the public” interpreted.** ([NRS 634.030](#))

1. As used in subsection 10 of [NRS 634.018](#), the Board will interpret the phrase “detrimental to the best interests of the public” as applied to a chiropractic assistant to include, without limitation:

- (a) Unlawful disclosure of information about a patient.
- (b) Willful or careless disregard for the health, welfare or safety of patients, regardless of whether proof of actual injury is established.
- (c) Engaging in any conduct or verbal behavior that is inappropriately sexual with or towards a current patient.
- (d) Engaging in any conduct or verbal behavior that is sexually or racially demeaning or offensive with or towards a current patient.
- (e) Engaging in or soliciting sexual misconduct.
- (f) Engaging with a patient in a romantic or dating relationship unless the patient is the spouse of the chiropractic assistant.
- (g) Use of protected or privileged information obtained from a patient to the detriment of the patient.
- (h) Performing services which the chiropractic assistant is not authorized to perform under the terms of a certificate issued by the Board as provided by [NRS 634.125](#).
- (i) Billing or charging a patient for the services of the chiropractic assistant.
- (j) Intentionally causing physical or emotional injury to a patient.
- (k) Aiding, abetting or assisting any person in violating any provision of this chapter or [chapter 634](#) of NRS.
- (l) Engaging in fraudulent or deceitful conduct in the capacity of a chiropractic assistant.
- (m) Obtaining any certificate through fraud, misrepresentation or deceit.
- (n) Impersonating an applicant or acting as a proxy for the applicant in any examination.
- (o) Disclosing the contents of an examination given by the Board or soliciting, accepting or compiling information regarding the contents of an examination before, during or after the administration of an examination given by the Board.
- (p) Failing to provide the Board or its agents with any documents lawfully requested by the Board, whether by subpoena or otherwise.
- (q) Failing to cooperate fully with the Board during the course of an investigation.
- (r) Claiming or making representations of the attainment of any academic degree or award not actually received.
- (s) Disobeying an order of the Board.
- (t) Splitting fees or giving or receiving a commission in the referral of patients for services.
- (u) The suspension or revocation of a license or certificate or other disciplinary action taken by another state against the chiropractic assistant based on a license or certificate issued by that state for an act that would constitute grounds for disciplinary action in this State. A certified copy

of the suspension, revocation or other disciplinary action taken by another state against the chiropractic assistant based on a license or certificate issued by that state is conclusive evidence of that action.

(v) Performing a task for which the chiropractic assistant has not been trained or which the chiropractic assistant is not clinically competent to perform.

2. A supervising licensee is responsible for all of the acts performed by a chiropractic assistant whom he or she supervises. A supervising licensee may be subject to disciplinary action for any violations of law or regulation committed by his or her chiropractic assistant.

3. A supervising licensee shall notify the Board in writing of any dismissal of a chiropractic assistant for cause within 10 days after the dismissal.

4. A patient's consent to, initiation of or participation in sexual behavior or involvement in a romantic or dating relationship with a chiropractic assistant does not excuse the conduct of the chiropractic assistant.

5. As used in this section:

(a) "Sexual misconduct" means:

(1) Sexual relations between a chiropractic assistant and a patient, regardless of whether the patient initiated or consented to those sexual relations.

(2) Conduct by a chiropractic assistant, in regard to a patient, that is sexual in nature, sexually suggestive or sexually demeaning to the patient.

(3) The commission by a chiropractic assistant of one or more of the offenses defined in [NRS 200.368](#), [200.730](#), [201.210](#) and [201.220](#).

(4) The use by a chiropractic assistant of deception, misrepresentation or force for the purpose of engaging in sexual conduct with a patient in:

(I) A clinical setting; or

(II) A setting that is used ordinarily for the provision of chiropractic services.

Ê The term does not include sexual conduct or sexual relations that take place between a chiropractic assistant and his or her spouse or between a chiropractic assistant and a person who was a patient after the chiropractic assistant-patient relationship has been terminated for a reasonable time.

(b) "Sexual relations" means:

(1) Sexual intercourse.

(2) Any touching of sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the chiropractic assistant for the purpose of arousing or gratifying the sexual desire of either the chiropractic assistant or the patient.

(Added to NAC by Chiropractic Physicians' Bd. by R150-13, eff. 3-28-2014)

**NAC 634.348 Performance of ancillary services. ([NRS 634.030](#), [634.125](#))**

1. A person who desires to perform ancillary services must obtain a certificate as a chiropractic assistant.

2. A person who holds a certificate as a chiropractic assistant may perform ancillary services, including, without limitation:

(a) Administering to patients by means of physiotherapeutic equipment;

(b) Taking and developing radiographs;

(c) Assisting with the education of a patient concerning his or her health;

(d) Assisting a patient with exercise or rehabilitation activities;

(e) Taking the history of the health of a patient; and

(f) Assisting the supervising licensee with an examination of a patient.

3. A person who holds a certificate as a chiropractic assistant may take and develop radiographs only after the supervising licensee has:

- (a) Determined that radiographs are appropriate for the patient; and
- (b) Ordered the person to take and develop radiographs for the patient.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R095-03, 10-22-2003; R101-08, 12-17-2008; R150-13, 3-28-2014)

**NAC 634.350 Application for certification: Filing; requirements; expiration; waiver of requirements. ([NRS 634.030](#), [634.123](#))**

1. An applicant for a certificate as a chiropractic assistant must file an application with the Board on a form furnished by the Board and pay the required fee within 15 days after the date on which the applicant has begun performing duties as a chiropractic assistant. An applicant who has not begun performing duties as a chiropractic assistant may file an application at any time after completing his or her formal training required pursuant to [NRS 634.123](#).

2. The application must set forth:

- (a) The date of the application.
- (b) The applicant's date and place of birth and two personal references based upon 5 years' acquaintance.
- (c) The applicant's name, age, social security number, sex and current residence.
- (d) The name and mailing address of the applicant's current employer, if any.
- (e) If applicable, the date on which he or she was hired to perform the duties of a chiropractic assistant.
- (f) Whether or not the applicant has ever applied for certification as a chiropractic assistant in another state. If the applicant has so applied, he or she must state when and where he or she applied and the result of that application.

(g) If the applicant has been certified in another state, whether any proceeding to discharge, dismiss or discipline him or her or other similar proceeding has ever been instituted against him or her and the disposition of each such proceeding.

3. An application expires after 1 year.

4. For good cause shown, the Board may, at its discretion, waive one or more of the requirements of this section.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008)

**R114-23 Sec. 4 NAC 634.355 is hereby amended to read as follows:**

**NAC 634.355 Certification: Additional requirements; waiver of requirements. ([NRS 634.030](#), [634.123](#))**

634.355 1. An applicant for a certificate as a chiropractic assistant must, in addition to fulfilling the requirements of [NAC 634.350](#), furnish evidence satisfactory to the Board that he or she:

- (a) Is 18 years of age or older; and
- (b) Has received a score of at least 75 percent for a closed-book *or open-book* examination ~~[or a score of at least 90 percent for an open-book examination]~~ administered by the Board on the provisions of NRS and NAC that are related to the practice of chiropractic.

2. In addition to the requirements set forth in subsection 1 and [NAC 634.350](#), an applicant for a certificate as a chiropractic assistant must furnish evidence satisfactory to the Board that he or she:

(a) Satisfies one of the following:

(1) Has successfully completed an educational program offered by a high school, community college, state university or private post-secondary school that is approved by the Board; or

(2) Has had 6 months of full-time, or 12 months of part-time, training and employment as a chiropractic assistant trainee from a licensee.

(b) Has received a score of at least 75 percent for a closed-book *or open-book* examination ~~[or a score of at least 90 percent for an open-book examination]~~ for certification required pursuant to [NAC 634.305](#).

3. Evidence of an applicant's completion of approved training pursuant to subparagraph (2) of paragraph (a) of subsection 2 must consist of a certification by each licensee who supervised the work and training of the applicant.

4. The Board may, at its discretion:

(a) Waive one or more of the requirements of this section for good cause shown.

(b) Upon receipt from an applicant of documentation demonstrating that the applicant has received additional formal training, education or experience, grant the applicant credit toward fulfilling the requirements of subparagraph (2) of paragraph (a) of subsection 2.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 7-29-88; 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008; R150-13, 3-28-2014; R064-17, 2-27-2018; R179-20, 12-22-2021)

**NAC 634.357 Adherence to standards of practice; duties to recognize and respond to emergencies and demonstrate professionalism. ([NRS 634.030](#))** A chiropractic assistant shall:

1. Adhere to the ethical and legal standards of professional practice for chiropractic physicians;

2. Recognize and respond to emergencies arising in the course of chiropractic procedures; and

3. Demonstrate characteristics of professionalism.

(Added to NAC by Chiropractic Physicians' Bd. by R150-13, eff. 3-28-2014)

**R114-23 Sec. 5 NAC 634.360 is hereby amended to read as follows:**

**NAC 634.360 Employment and training as chiropractic assistant trainee. ([NRS 634.030](#), [634.123](#))**

1. A person may not be employed and trained for more than 15 days as a chiropractic assistant trainee for the purposes of satisfying subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#) unless the person, within the first 15 days during which he or she performs any duties as a chiropractic assistant trainee, applies to the Board by submitting a form provided by the Board.

2. ~~[Except as otherwise provided in subsection 3, an]~~ An applicant for a certificate as a chiropractic assistant who completes training pursuant to subparagraph (2) of paragraph (a) of subsection 2 of [NAC 634.355](#) shall, upon the completion of the training:

(a) Apply to the Board to sit for the next scheduled examination; and

(b) Submit the fees required by the Board pursuant to [NAC 634.200](#).

~~—3.— For good cause shown, the Board may, at its discretion, extend the training period of a chiropractic assistant trainee and authorize the trainee to take a later scheduled examination.~~

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008)

### Miscellaneous Provisions

#### **NAC 634.363 License by endorsement. ([NRS 622.530](#), [634.030](#), [634.135](#))**

1. Except as otherwise provided in subsection 2, the Board will issue a license by endorsement pursuant to [NRS 622.530](#) to an applicant for licensure as a chiropractic physician who:

(a) Holds a corresponding valid and unrestricted license to engage in the practice of chiropractic in the District of Columbia or any state or territory of the United States;

(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in the practice of chiropractic in this State;

(c) Has successfully completed parts I, II, III and IV of the examination administered by the National Board of Chiropractic Examiners, or its successor organization, or those parts of the examination in effect at the time that the applicant obtained his or her initial licensure to engage in the practice of chiropractic in the District of Columbia or any state or territory of the United States;

(d) Has actively engaged in the practice of chiropractic in another state for not less than 7 of the 10 years immediately preceding the date of submission of the application;

(e) Provides an affidavit stating that the information contained in the application and any accompanying material is true and complete;

(f) Completes the application for endorsement provided by the Board; and

(g) Pays the fees prescribed by [NAC 634.200](#) for an application for a license to practice chiropractic and the issuance of such a license.

2. The Board will not issue a license by endorsement to engage in the practice of chiropractic in this State if:

(a) The Board is prohibited from issuing the license by subsection 2 of [NRS 622.530](#); or

(b) The report from the Federal Bureau of Investigation pursuant to paragraph (g) of subsection 2 of [NRS 622.530](#) indicates that the applicant has been convicted of a crime described in subsection 3 of [NRS 634.140](#) and the Board has not previously taken disciplinary action against the licensee based on that conviction.

3. A license by endorsement to engage in the practice of chiropractic issued pursuant to this section may be issued at a meeting of the Board or between meetings of the Board by the President and Executive Director of the Board. Such an issuance is deemed to be an action of the Board.

(Added to NAC by Chiropractic Physicians' Bd. by R179-20, eff. 12-22-2021)

#### **NAC 634.366 Requirements to practice chiropractic or provide services relating to chiropractic; report to Board of any other license, certificate or registration as provider of health care. ([NRS 634.030](#), [634.137](#))**

1. Except as otherwise provided in [NAC 634.360](#), a person may not practice chiropractic or provide services relating to chiropractic to patients unless the person:

(a) Is a licensee;

(b) Holds a valid certificate as a chiropractic assistant pursuant to [NRS 634.123](#) and the provisions of this chapter;

(c) Is authorized to perform chiropractic pursuant to [NRS 634.105](#) while waiting to take the Board's examination;

(d) Holds a valid temporary license to practice chiropractic pursuant to [NRS 634.115](#);

(e) Holds a valid license or certificate as a provider of health care that is issued by an agency of this State pursuant to one or more of the chapters of title 54 of NRS; or

(f) Is a student who is authorized to perform chiropractic pursuant to the preceptor program.

2. A licensee shall report to the Board any other license, certificate or registration as a provider of health care he or she obtains pursuant to a chapter of title 54 of NRS other than [chapter 634](#) of NRS within 15 days after the effective date of the license, certificate or registration.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R095-03, 10-22-2003; R101-08, 12-17-2008; R004-12, 11-1-2012)

**R115-23 Section 1. NAC 634.3665 is hereby amended to read as follows:**

**NAC 634.3665 Requirements to perform manipulation on patient under anesthesia. ([NRS 634.030](#))**

1. A licensee shall not perform manipulation on a patient under anesthesia unless the licensee performs the manipulation at a medical facility or office described in subsection 2 and:

(a) Has obtained certification to perform such manipulation from:

(1) A college of chiropractic that is accredited by the Council on Chiropractic Education;

or

(2) Another program approved by the Board; or

(b) Is enrolled in a program to obtain the certification described in paragraph (a) at the time the manipulation is performed and the licensee performs the manipulation under the direct supervision of a qualified instructor approved by the Board.

2. The manipulation described in subsection 1 may be performed:

(a) On a patient who is under general anesthesia or deep sedation, only in a hospital or surgical center for ambulatory patients that is licensed by the Division of Public and Behavioral Health of the Department of Health and Human Services and accredited by:

(1) The Joint Commission; ~~[on Accreditation of Healthcare Organizations;]~~ or

(2) The National Committee for Quality Assurance; or

(b) On a patient who is under conscious sedation:

(1) In a medical facility described in paragraph (a); or

(2) In the office of a physician licensed pursuant to [chapter 630](#) of NRS or osteopathic physician licensed pursuant to [chapter 633](#) of NRS who is currently certified by a specialty board of the American Board of Medical Specialties in the specialty of anesthesiology~~[,]~~ or emergency medicine or the ~~[management of pain,]~~ *subspecialty of pain medicine* if the office is approved by the Board for the administration, monitoring and control of conscious sedation by a licensee.

3. As used in this section:

(a) "Conscious sedation" means a minimally depressed level of consciousness, produced by a pharmacologic or nonpharmacologic method, or a combination thereof, in which the patient retains the ability independently and continuously to maintain an airway and to respond appropriately to physical stimulation and verbal commands.

(b) "Deep sedation" means a controlled state of depressed consciousness, produced by a pharmacologic or nonpharmacologic method, or a combination thereof, and accompanied by a partial loss of protective reflexes and the inability to respond purposefully to verbal commands.

(c) “General anesthesia” means a controlled state of unconsciousness, produced by a pharmacologic or nonpharmacologic method, or a combination thereof, and accompanied by partial or complete loss of protective reflexes and the inability independently to maintain an airway and respond purposefully to physical stimulation or verbal commands.

(d) “Hospital” has the meaning ascribed to it in [NRS 449.012](#).

(e) “Surgical center for ambulatory patients” has the meaning ascribed to it in [NRS 449.019](#).

(Added to NAC by Chiropractic Physicians’ Bd. by R095-03, eff. 10-22-2003; A by R034-05, 10-31-2005)

**R115-23 Sec. 2. NAC 634.3668 is hereby amended to read as follows:**

**NAC 634.3668 Requirements to obtain certification to perform dry needling; renewal of certificate; chiropractic assistant prohibited from performing dry needling. ([NRS 634.030](#), [634.035](#))**

1. A chiropractic physician who wishes to obtain certification to perform dry needling must submit to the Board an application in the form prescribed by the Board. The application must include, without limitation, proof that the applicant has completed at least 50 hours of didactic education and training in dry needling offered or certified by:

(a) The Federation of Chiropractic Licensing Boards, or its successor organization;

(b) The American Chiropractic Association, or its successor organization;

(c) The International Chiropractors Association, or its successor organization;

~~(d) The Providers of Approved Continuing Education, or its successor organization;~~

~~[(e)]~~ The American Medical Association, or its successor organization;

~~[(f)]~~ (e) The American Osteopathic Association, or its successor organization;

~~[(g)]~~ (f) The Accreditation Council for Continuing Medical Education, or its successor organization;

~~[(h)]~~ (g) The State Board of Oriental Medicine; or

~~[(i)]~~ (h) A school of chiropractic.

2. Except as otherwise provided in this subsection, a chiropractic physician who wishes to renew a certificate issued pursuant to this section must submit to the Board with each application to renew his or her license to practice chiropractic proof that he or she completed at least 4 hours of continuing education in dry needling during the immediately preceding biennium. A chiropractic physician is not required to complete such continuing education during the biennium in which the certificate is issued.

3. A chiropractic physician may perform dry needling only if he or she is certified pursuant to this section. A chiropractic assistant shall not perform dry needling.

(Added to NAC by Chiropractic Physicians’ Bd. by R064-19, eff. 2-7-2020)

**NAC 634.367 Temporary license: Authorized acts. ([NRS 634.030](#), [634.115](#))**

1. A person who is issued a temporary license pursuant to [NRS 634.115](#) is authorized to:

(a) Substitute for a licensee during a period in which the licensee is:

(1) On vacation; or

(2) Unable to perform chiropractic services because of illness, injury, pregnancy, family medical leave or military leave.

(b) Perform chiropractic services for a traveling sports or professional group.

(c) Demonstrate and perform chiropractic services as a visiting teacher of an educational seminar.

(d) Perform chiropractic services in other circumstances as the Board may approve.

2. A person is not required to obtain a temporary license to demonstrate a chiropractic technique upon a chiropractic physician at an educational class, seminar, conference or other educational opportunity.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R150-13, 3-28-2014; R010-17, 12-19-2017)

**NAC 634.368 Practice by applicant waiting to take examination. ([NRS 634.030](#), [634.105](#))**

1. Except as otherwise provided in this section, an applicant for a license to practice chiropractic may perform chiropractic as specified in [NRS 634.105](#) if:

(a) His or her completed application is on file in the office of the Board and he or she meets the requirements of [NRS 634.090](#);

(b) The fee for the application has been paid; and

(c) The Board has approved a licensee to supervise the applicant after receiving from that licensee a completed form that is provided by the Board and which sets forth:

(1) The fact of the applicant's employment;

(2) The date that the applicant is to begin working for the supervising licensee;

(3) A statement in which the supervising licensee agrees to take responsibility for the applicant's work;

(4) The assurance of the supervising licensee that chiropractic adjustments and manipulations performed by the applicant will be performed under the direct supervision of the supervising licensee and any act prohibited by subsection 5 will not be performed by the applicant; and

(5) The statement required pursuant to subsection 2.

2. The supervising licensee shall inform the applicant of the provisions of this section, and the applicant must sign a statement indicating that he or she has been so informed and understands the provisions and agrees to comply with them. The statement must be in substantially the following form:

I, ....., (name of applicant) am an applicant for a license to practice chiropractic who is waiting to take the Board's examination. I have been informed by my supervising chiropractic physician ..... (name of supervising chiropractic physician) of the content of the provisions of [NAC 634.368](#). I understand those provisions, and I agree that I will not perform a chiropractic adjustment or manipulation except under the direct supervision of my supervising chiropractic physician or any act prohibited by subsection 5 of [NAC 634.368](#) during this supervisory period.

.....  
(date)

.....  
(signature of applicant)

3. An applicant who works for a supervising licensee under the provisions of this section and [NRS 634.105](#) is not required to apply for or obtain a certificate as a chiropractic assistant.

4. The supervising licensee shall notify the Board within 5 business days after the applicant leaves his or her employ and the date on which the applicant left such employ.

5. In addition to the prohibitions set forth in [NRS 634.105](#), an applicant shall not:

(a) Perform any service, except at the direction and direct supervision of a licensee; or

(b) Bill independently of the supervising licensee for any service rendered.

6. Any violation of [chapter 634](#) of NRS or this chapter by the applicant constitutes grounds for the Board to:

(a) Prohibit the applicant from taking the examination for licensure or place conditions upon the issuance of a license to the applicant; and

(b) Take appropriate disciplinary action against the supervising licensee.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 5-13-82; A 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R014-10, 5-5-2011; R004-12, 11-1-2012; R150-13, 3-28-2014)—(Substituted in revision for NAC 634.340)

**NAC 634.370 Replacement of lost, stolen or mangled license or certificate.** ([NRS 634.030](#)) A licensee or holder of a certificate is entitled to a duplicate license or certificate if the original license or certificate is lost, stolen or mangled. Each request for a duplicate license or certificate must be accompanied by the required fee and a signed written statement which sets forth the circumstances concerning the need for the duplicate license or certificate. If the duplicate license or certificate is requested to replace a mangled license or certificate, the licensee or holder of the certificate shall submit the mangled license or certificate with the request.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**NAC 634.373 Registration and change of name or Internet address of practice.** ([NRS 634.030](#)) A licensee who operates or organizes a business, corporation, office, partnership or practice for the purpose of providing chiropractic services shall:

1. Ensure that the name of the business, corporation, office, partnership or practice is registered with the Board;

2. If the name of the business, corporation, office, partnership or practice changes, provide the new name to the Board within 15 days after the change; and

3. If the business, corporation, office, partnership or practice maintains one or more websites, provide the Internet address of the website to the Board within 15 days after the establishment or change of the Internet address of one or more of its websites.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R150-13, 3-28-2014)

**NAC 634.375 Notification of Board of change of name.** ([NRS 634.030](#)) A licensee or holder of a certificate who legally changes his or her name from that which is currently registered with the Board or which appears on his or her license or certificate:

1. Shall, within 15 days after the change, provide the Board with the new name by submitting a written statement and legal documentation of the change to the office of the Board; and

2. May obtain a replacement license or certificate if he or she:

(a) Complies with the provisions of subsection 1;

(b) Remits the required fee; and

(c) Returns his or her current license or certificate to the Board.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**R115-23 Sec. 3 is hereby amended to read as follows:**

**NAC 634.380 Notification of Board regarding address of legal residence and mailing address. (NRS 634.030)**

1. A chiropractic physician or chiropractic assistant who is licensed or certified by the Board shall:

(a) Provide the Board with the **[address]** :

*(1) Address of his or her current legal residence; and*

*(2) Electronic mail address that he or she uses in the course of his or her professional practice; and*

(b) Notify the Board, in writing, of any change in his or her legal residence within 15 days after the change.

2. In addition to providing the Board with the address of each office where he or she practices pursuant to [NRS 634.129](#), and the address of his or her legal residence, a chiropractic physician or chiropractic assistant may provide the number of a post office box which is to be used as his or her mailing address.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R101-08, 12-17-2008)

**NAC 634.383 Notification of Board of practice in mobile chiropractic office. (NRS 634.030)**

1. A chiropractic physician or chiropractic assistant who practices in a mobile chiropractic office shall notify the Board of that fact within 15 days after beginning to practice in the mobile chiropractic office.

2. As used in this section, "mobile chiropractic office" means a self-contained, self-supporting, enclosed mobile unit where one or more persons engage in the practice of chiropractic at multiple locations, including, without limitation, within the mobile unit or at a patient's home, business or hotel room.

(Added to NAC by Chiropractic Physicians' Bd. by R101-08, eff. 12-17-2008)

**R115-23 Sec. 4 NAC 634.384 is hereby amended to read as follows:**

**NAC 634.384 Biennial submission of self-inspection form to Board by licensee. (NRS 634.030)** ~~[Each]~~ A licensee shall ~~[biennially]~~, *within 10 business days after receiving a self-inspection form from the Board relating to a complaint, as described in NRS 634.160, made against the licensee, complete and* submit ~~[a]~~ the self-inspection form ~~[prescribed by]~~ to the Board. ~~[The]~~ *A failure to complete and submit the* self-inspection form ~~[must be received by the Board on or before December 31 of each even-numbered year. The Board will reject a self-inspection form submitted pursuant to this section if the form is incomplete.]~~ *is grounds for disciplinary action by the Board.*

(Added to NAC by Chiropractic Physicians' Bd. by R007-19, eff. 10-30-2019; A by R179-20, 12-22-2021)

**R115-23 Sec. 5 NAC 634.384 is hereby amended to read as follows:**

**NAC 634.385 Continuing education of licensees and holders of certificates. (NRS 634.030, 634.130)**

1. Except as otherwise provided in subsection ~~7~~ 6, the Board may approve or endorse an educational class or a seminar if it concerns:

- (a) The practice of chiropractic;
- (b) Performing chiropractic adjustment;
- (c) Avoiding unprofessional conduct or malpractice including, without limitation, gross malpractice;
- (d) Performing manipulation;
- (e) Diagnosis and treatment of subluxation complex;
- (f) Compliance with this chapter or [chapter 629](#) or [634](#) of NRS; or
- (g) Lifesaving skills, as described in subsection 4 of [NRS 634.130](#).

2. The Board may approve or endorse the attendance by licensees or holders of certificates, in person or on-line, of an educational seminar or seminars if:

(a) The syllabus and curriculum of the instructors of the seminar or seminars and the required fee are submitted to the Board;

(b) The seminar or seminars provide instruction in conformity with subsection 3 or 4 of [NRS 634.130](#), as applicable;

(c) The seminar or seminars concern a subject described in subsection 1;

(d) The sponsor of the seminar or seminars ensures that each licensee and holder of a certificate who requests credit for continuing education to satisfy the requirement set forth in subsection 3 or 4 of [NRS 634.130](#), as applicable, attends at least 50 minutes of each hour of instruction; and

(e) The seminar or seminars are sponsored by:

(1) A chiropractic college which has been accredited by:

(I) The Council on Chiropractic Education; or

(II) Another educational entity that has been approved by the Board;

(2) A state chiropractic board or association;

(3) The American Chiropractic Association, the International Chiropractors Association or the successor of either;

(4) A major hospital, as defined in [NRS 439B.115](#);

(5) An accredited university or college; or

(6) A regulatory body as defined in [NRS 622.060](#).

~~3.—[As an alternative to the method of approval and endorsement provided in subsection 2, the Board will approve and endorse the attendance by licensees or holders of certificates, as applicable, in person or on-line, of an educational seminar or seminars if the seminar or seminars have been granted recognition status by the Providers of Approved Continuing Education of the Federation of Chiropractic Licensing Boards and concern a subject described in subsection 1.~~

~~4.]~~ The sponsor of the seminar or seminars shall ensure that each licensee or holder of a certificate, as applicable, attending that seminar is in attendance in a timely manner at the start of each lecture. If the sponsor fails to maintain the proper monitoring procedure, such failure may constitute grounds for the Board to withdraw its approval of a current or future seminar or seminars hosted or arranged by that sponsor.

~~5.]~~ 4. The sponsor of a seminar shall allow any representative of the Board to attend all or part of the seminar in order to monitor the content of the course or lecture and the procedures for taking attendance. A representative who is taking the seminar to satisfy the requirements of subsection 3 or 4 of [NRS 634.130](#), as applicable, shall pay the full registration fee.

~~6.]~~ 5. The sponsor of a seminar which has received the approval of the Board shall report to the Board all changes in the seminar as soon as possible.

~~[7.]~~ 6. Except as otherwise provided in this subsection, the Board will not award credit for continuing education to a licensee or holder of a certificate, as applicable, for an educational class or seminar that is of a nonclinical nature, including, without limitation, an educational class or seminar regarding the building or management of a chiropractic practice. For the purposes of this subsection, an educational class or seminar regarding proper billing procedures shall not be deemed to be an educational class or seminar regarding the building or management of a chiropractic practice.

~~[8.]~~ 7. The Board will not award credit for continuing education to an instructor of an educational class or seminar unless the instructor obtained from the Board approval for such credit before teaching the educational class or seminar.

~~[9.]~~ 8. Continuing education hours earned through the completion of a specific educational class or seminar may be counted only once during a calendar year toward the hours of continuing education required by subsection 3 or 4 of [NRS 634.130](#), as applicable, even if the licensee or holder of a certificate completes that class or seminar more than once during that calendar year.

~~[10.]~~ 9. The Board will award credit for continuing education to a licensee or a holder of a certificate for all educational classes or seminars which are approved and endorsed by the Board pursuant to this section and are attended by the licensee or holder of a certificate.

[Bd. of Chiropractic Exam'rs, eff. 4-15-63; A 3-19-65; 3-12-71]—(NAC A 7-29-88; 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R034-05, 10-31-2005; R101-08, 12-17-2008; R014-10, 5-5-2011; R150-13, 3-28-2014; R010-17, 12-19-2017; R007-19, 10-30-2019; R064-19, 2-7-2020)

*10. The Board will award credit for continuing education, not to exceed 4 hours per calendar year, to a licensee or a holder of a certificate for attending a meeting of the Board during the calendar year.*

**NAC 634.386 Audits of licensees and holders of certificates to ensure compliance with requirements of continuing education. ([NRS 634.030](#), [634.130](#))**

1. The Board may perform random audits of licensees and chiropractic assistants or audits that are based on complaints or charges against licensees or chiropractic assistants to ensure compliance with the requirements for continuing education.

2. If the Board chooses to conduct an audit of a licensee or chiropractic assistant, the Board will notify the licensee or chiropractic assistant, as applicable, of its decision to conduct an audit. The licensee or chiropractic assistant, as applicable, shall provide to the Board detailed information and documentation concerning the hours of continuing education claimed.

(Added to NAC by Chiropractic Physicians' Bd. by R007-19, eff. 10-30-2019)

**NAC 634.390 Voluntary surrender of license or certificate; complaint for disciplinary action authorized; circumstances under which surrender considered disciplinary action; discretion of Board. ([NRS 634.030](#))**

1. If a licensee desires to surrender his or her license to practice chiropractic or a chiropractic assistant desires to surrender his or her certificate, the licensee or holder of the certificate shall submit to the Board a sworn written statement of surrender of the license or certificate accompanied by delivery to the Board of the actual license or certificate issued to him or her. The Board will accept or reject the surrender of the license or certificate. If the Board accepts the surrender of the license or certificate, the surrender is absolute and irrevocable and the Board will

notify any agency or person of the surrender and the conditions under which the surrender occurred, as the Board considers advisable.

2. The voluntary surrender of a license or certificate or the failure to renew a license or certificate does not preclude the Board from hearing a complaint for disciplinary action made against the licensee or holder of the certificate.

3. A voluntary surrender of a license or certificate granted by the Board:

(a) While the holder of the license or certificate is not under investigation by the Board shall be deemed voluntary and shall not be considered as disciplinary action by the Board.

(b) While the holder of the license or certificate is under investigation by the Board shall be deemed a revocation of the license or certificate.

4. The Board's acceptance or denial of a request for a voluntary surrender of a license or certificate pursuant to this section is within the Board's discretion.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R150-13, 3-28-2014; R010-17, 12-19-2017)

## STANDARDS OF PRACTICE

### **NAC 634.410 Conduct on premises. ([NRS 634.030](#))**

1. A licensee is responsible for the conduct of his or her employees and other persons subject to his or her supervision in his or her place of practice and shall ensure that the conduct conforms to the law and to the provisions of this chapter.

2. Sexual acts involving patients, patrons or customers must not be permitted on the premises of any facility used by a licensee for the practice of chiropractic.

[Bd. of Chiropractic Exam'rs, Art. XII, eff. 3-14-73]—(NAC A 7-29-88)

### **NAC 634.412 Competence. ([NRS 634.030](#))**

1. A licensee shall maintain competence in:

(a) The application of chiropractic; and

(b) The production and interpretation of radiographs.

2. In determining whether a licensee has maintained competence in the production and interpretation of radiographs, the Board will consider whether the licensee:

(a) Produces radiographs that are of diagnostic quality;

(b) Uses appropriate techniques to protect a patient in the taking of radiographs;

(c) Ensures that the exposure of a patient to radiation is based upon clinical necessity as documented by the record of that patient;

(d) Documents the interpretation of radiographs in writing and maintains those written interpretations as a part of the record of the patient to whom the radiographs pertain; and

(e) Ensures that the radiographic equipment with which radiographs are taken and produced:

(1) Meets the specifications established by the manufacturer for the safety and use of that equipment;

(2) Is maintained properly; and

(3) Is registered with and made available for inspection by the Division of Public and Behavioral Health of the Department of Health and Human Services pursuant to [chapter 459](#) of NAC.

(Added to NAC by Chiropractic Physicians' Bd. by R030-98, eff. 9-10-98; A by R095-03, 10-22-2003; R150-13, 3-28-2014)

**NAC 634.415 Supervision of others by licensee.** ([NRS 634.030](#), [634.137](#)) A licensee who supervises:

1. A chiropractic assistant;
2. An applicant for a license to practice chiropractic who is authorized to perform chiropractic pursuant to [NRS 634.105](#);
3. A student who is authorized to perform chiropractic pursuant to the preceptor program; or
4. Any other person who is subject to the supervision of the licensee,

Ê shall ensure that the person who is supervised complies with the provisions of this chapter and [chapter 634](#) of NRS, and shall make all decisions relating to the diagnosis, treatment, management and future disposition of a patient.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R101-08, 12-17-2008; R004-12, 11-1-2012)

**NAC 634.418 Supervision of employees by licensee; procedures for independent contractor to provide services to patient.** ([NRS 634.030](#))

1. A licensee shall ensure that each of his or her employees who provides services other than chiropractic or clerical services to a patient of the licensee provides those services only under the direct supervision of the licensee.

2. A licensee shall not authorize an independent contractor to provide services to a patient in the office of the licensee unless the licensee has established procedures to ensure that the patient is notified that:

- (a) The independent contractor is not an employee of the licensee; and
- (b) The services are not provided under the direct supervision or control of the licensee.

(Added to NAC by Chiropractic Physicians' Bd. by R007-19, eff. 10-30-2019)

**NAC 634.423 Authorization of person to work in chiropractic practice for training and education.** ([NRS 634.030](#)) A chiropractic physician may employ or otherwise allow a person to work in his or her chiropractic practice for the purposes of training and education if:

1. The chiropractic physician has verified that the person is enrolled in a program for the training of an assistant in a health care field which allows for the person to participate in an externship or internship as part of the program and the person is qualified by the program to participate in the externship or internship;

2. The chiropractic physician has notified the Board on a form provided by the Board that the person will be working in the chiropractic physician's practice as part of the person's externship or internship; and

3. The chiropractic physician and the person enter into a written agreement of a duration of 90 days or less whereby:

(a) The chiropractic physician identifies the tasks or acts which the person may perform, all of which must be tasks or acts which may be performed by a chiropractic assistant trainee;

(b) The chiropractic physician acknowledges that he or she will be responsible for any and all acts or tasks performed by the person; and

(c) The parties to the agreement acknowledge that the duration of the agreement does not exceed 90 days.

(Added to NAC by Chiropractic Physicians' Bd. by R150-13, eff. 3-28-2014)

**NAC 634.425 Reports to Board of certain judgments, settlements and convictions.** ([NRS 634.030](#))

1. If a judgment is entered against him or her in any court, or a settlement is reached, on a claim involving malpractice, a licensee shall report that fact to the Board within 15 days. The licensee may satisfy the provisions of this subsection if he or she provides the Board with a copy of the judgment or settlement.

2. If a licensee or holder of a certificate is convicted of any crime, other than a traffic violation, he or she shall report that fact to the Board within 15 days after the conviction.

3. If a licensee or holder of a certificate fails to report a judgment, settlement or conviction pursuant to this section, he or she may be subject to disciplinary action pursuant to [NRS 634.140](#) to [634.216](#), inclusive.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 7-29-88; A 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**R115-23 Sec. 6 NAC 634.384 is hereby amended to read as follows:**

**NAC 634.430 Unprofessional conduct: Interpretation of statutory phrase. ([NRS 634.018](#), [634.030](#))**

1. As used in subsection 10 of [NRS 634.018](#), the Board will interpret the phrase “conduct unbecoming a person licensed to practice chiropractic or detrimental to the best interests of the public” to include, without limitation:

(a) Engaging in or soliciting sexual misconduct.

~~(b) Performing any chiropractic service on a patient who is under the age of 18 years without first obtaining the consent of the parent or legal guardian of that patient if the consent is required pursuant to [NRS 129.030](#).~~

~~(c)~~ Performing manipulation on a patient under anesthesia without complying with the requirements set forth in [NAC 634.3665](#).

~~(d)~~ (c) Entering into a financial agreement or making a financial arrangement with a potential or existing patient as an inducement to enter into or continue care. This paragraph does not prohibit a licensee from providing complimentary chiropractic services to an existing patient.

~~(e)~~ (d) Participating in any verbal or written arrangement that involves capping or fee splitting.

~~(f)~~ (e) Engaging in practices regarding the billing of patients or the making of claims under a contract of insurance that are abusive or fraudulent, or both, including, without limitation:

(1) Billing patients or making claims under a contract of insurance for chiropractic services that have not been performed.

(2) Billing patients or making claims under a contract of insurance in a manner which misrepresents the nature of the chiropractic services that have been performed.

(3) Submitting to patients or carriers of insurance bills or claims which fail to disclose pertinent information or which contain false information, including, without limitation:

(I) Failing to disclose to a patient that a bill has already been paid, in full or in part, by a carrier of insurance.

(II) Failing to disclose to a carrier of insurance that a claim has already been paid, in full or in part, by a different carrier of insurance.

(III) Stating falsely that the injury of a patient is the result of an accident or work-related incident.

~~(g)~~ (f) Engaging in a practice of waiving, abrogating or rebating the deductible or copayment required to be paid by a policy of insurance or a third party if the practice is used as a device for advertising or marketing, or both.

~~(g)~~ (g) Failing to make any report or record available to the Board upon lawful request, failing to cooperate with any investigation by the Board or knowingly giving false information to the Board, including, without limitation, falsifying documentation concerning continuing education.

~~(h)~~ (h) Failing to make any report or record available to another licensee, practitioner, patient or institution upon a lawful request to do so in compliance with the provisions of [chapter 629](#) of NRS.

~~(i)~~ (i) Being delinquent in the payment of a judgment for the payment of child support pursuant to [chapter 425](#) of NRS or being subject to a court order for the support of one or more children and not complying with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

~~(j)~~ (j) Being in default on the payment of a student loan.

~~(k)~~ (k) Violating the rules or regulations of a federal program that relates to the practice of chiropractic.

~~(l)~~ (l) Engaging in fraud, misrepresentation or deception in any business affairs that relate to the practice of chiropractic.

~~(m)~~ (m) Allowing a person to:

(1) Perform chiropractic services; or

(2) Engage in any aspect of the provision of chiropractic care to patients,

if that person is not authorized to perform such services or provide such care pursuant to this chapter and [chapter 634](#) of NRS. The prohibition set forth in this paragraph does not apply to a person who is licensed or certified as a provider of health care pursuant to one or more of the chapters of title 54 of NRS.

~~(n)~~ (n) Engaging with a patient in a romantic or dating relationship unless the patient is the spouse of the licensee.

~~(o)~~ (o) Examining or treating the anus, breast or genitalia of a patient without first:

(1) Obtaining from the patient an informed consent that refers to the specific procedures that will be performed on those parts of the body of the patient; and

(2) Making a note of such consent in the record of the patient.

~~(p)~~ (p) Violating a provision of a chapter of title 54 of NRS other than [chapter 634](#) of NRS pursuant to which the licensee holds a license or certificate as a provider of health care.

~~(q)~~ (q) Knowingly giving a false or factually unsupported opinion in a peer review, records review, independent medical examination or chiropractic examination for the purpose of reducing a payment or reimbursement to a licensee for the care or treatment of a patient.

~~(r)~~ (r) Failing to either post a written disclosure or give a written disclosure to a patient and maintain the written disclosure concerning a lack of maintaining professional liability insurance in accordance with the requirements of [NRS 634.1295](#) and [NAC 634.445](#).

~~(s)~~ (s) Practicing chiropractic while impaired by alcohol, the use of illicit drugs, the unauthorized or improper use of a prescription drug or controlled substance, or any known or diagnosed mental illness or cognitive deficit.

~~(t)~~ (t) Paying or receiving any remuneration in such a manner and amount as would constitute a violation of 42 U.S.C. § 1320a-7b(b), regardless of whether the patient for whom the remuneration is paid or received is a patient under a federal health care program.

2. A patient's consent to, initiation of or participation in sexual behavior or involvement in a romantic or dating relationship with a licensee does not excuse the conduct of the licensee.

3. As used in this section:

(a) "Capping" means the use by a licensee of the services of ~~(a)~~:

(1) A person who is remunerated for referring to the licensee a new patient who has been involved in a motor vehicle accident or who has been injured as a result of the actions of another person.

(2) A person who, with or without remuneration, refers a prospective new patient to the licensee:

(I) *At the scene of a traffic crash;*

(II) *At a county or city jail or detention facility; or*

(III) *Within 72 hours after the prospective new patient has been involved in a motor vehicle accident or been injured as a result of the actions of another person, if the person who refers the prospective new patient is not a person who is licensed or certified as a provider of health care pursuant to one or more of the chapters of title 54 of NRS or the laws of another state or the District of Columbia.*

(b) “Fee splitting” means the acceptance of remuneration by a licensee for referring a patient to another provider of health care or a health care facility or the provision of remuneration by a licensee for a referral to the business of the licensee.

(c) “Sexual misconduct” means:

(1) Sexual relations between a licensee and a patient of that licensee, regardless of whether the patient initiated or consented to those sexual relations.

(2) Conduct by a licensee, in regard to a patient, that is sexual in nature, sexually suggestive or sexually demeaning to the patient.

(3) The commission by a licensee of one or more of the offenses defined in [NRS 200.368](#), [200.730](#), [201.210](#) and [201.220](#).

(4) The use by a licensee of deception, misrepresentation or force for the purpose of engaging in sexual conduct with a patient in:

(I) A clinical setting; or

(II) A setting that is used ordinarily for the provision of chiropractic services.

Ê The term does not include sexual conduct or sexual relations that take place between a licensee and his or her spouse or between a licensee and a person who was a patient after the chiropractic physician-patient relationship has been terminated for a reasonable time.

(d) “Sexual relations” means:

(1) Sexual intercourse.

(2) Any touching of sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the licensee for the purpose of arousing or gratifying the sexual desire of either the licensee or the patient.

(Added to NAC by Bd. of Chiropractic Exam’rs, eff. 7-29-88; A 1-31-94; A by Chiropractic Physicians’ Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R140-05, 11-17-2005; R150-13, 3-28-2014; R007-19, 10-30-2019)

#### **NAC 634.435 Health care records. ([NRS 634.030](#))**

1. In addition to the requirements set forth in [chapter 629](#) of NRS, a licensee shall ensure that the health care records of his or her patients:

(a) Include documentation of treatment of a patient, as specified in subparagraph (3) of paragraph (e), within 72 hours after that treatment;

(b) Include documentation of information exchanged with a patient within 72 hours after that exchange;

(c) Are clear, legible, complete and accurate;

(d) Remain confidential, where such confidentiality is required by law;

- (e) Contain the following information:
    - (1) A description of the chief complaint for which the patient sought treatment from the licensee;
    - (2) Documentation of any significant event that affects the chief complaint of the patient or the general history of the health of the patient; and
    - (3) An accurate record of the diagnostic and therapeutic procedures that the licensee has employed in providing chiropractic services to the patient, including, without limitation:
      - (I) Examinations and the results of those examinations;
      - (II) Diagnoses;
      - (III) Plans for treatment of the patient, including, without limitation, any changes in those plans and the reasons for those changes;
      - (IV) Areas of the body of the patient on which the licensee has performed chiropractic adjustments;
      - (V) Dates on which the licensee provided chiropractic services to the patient; and
      - (VI) A record of the response of the patient to treatment; and
  - (f) Are not altered without recordation of the date and time of the alteration and the identity of the person who makes the alteration, whether the records are made and maintained on paper or in a computer.
2. A licensee who obtains the records of a patient of another licensee because of a change in the ownership of a practice shall:
    - (a) Report to the Board the transfer of the records; and
    - (b) Inform the Board, in writing, of the physical location of those records within 15 days after the change in ownership of the practice.
  3. A licensee who retires, moves to another state, closes his or her practice or changes the status of his or her license from active to inactive shall, within 15 days after the retirement, move, closure or change of status, inform the Board of the location at which the records of his or her patients may be obtained.
  4. The administrator of the estate of a licensee who is deceased shall inform the Board of the location at which the records of the patients of the deceased licensee will be retained.
  5. As used in this section, “patient” includes:
    - (a) A member of the licensee’s family;
    - (b) A relative of the licensee; and
    - (c) A member of the licensee’s staff,
 Ê to whom the licensee provides chiropractic services.
- (Added to NAC by Bd. of Chiropractic Exam’rs, eff. 11-23-93; A by Chiropractic Physicians’ Bd. by R030-98, 9-10-98; R014-10, 5-5-2011; R150-13, 3-28-2014)

**NAC 634.445 Practice without maintaining professional liability insurance: Written disclosures. ([NRS 634.030](#), [634.1295](#))**

1. Each written disclosure that is posted by a licensee pursuant to paragraph (a) of subsection 1 of [NRS 634.1295](#) must:
  - (a) Be printed in boldface capital letters on paper that is at least 8 1/2 inches by 11 inches in size;
  - (b) Not contain text that is smaller than a 42-point font or less than 1/2 inch in height; and
  - (c) Be in substantially the following form:

IMPORTANT NOTICE TO MY PATIENTS

I, ..... (NAME OF CHIROPRACTIC PHYSICIAN), DO NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE.

2. Each written disclosure that is given to a patient by a licensee pursuant to paragraph (b) of subsection 1 of [NRS 634.1295](#) must:

- (a) Be printed in boldface letters on paper that is at least 8 1/2 inches by 11 inches in size;
- (b) Be captioned in capital letters in text that is not smaller than a 28-point font or less than 1/4 inch in height;
- (c) Not contain text that is smaller than an 18-point font or less than 1/4 inch in height; and
- (d) Be in substantially the following form:

**ACKNOWLEDGMENT OF LACK OF PROFESSIONAL LIABILITY INSURANCE**

I, ..... (name of patient), acknowledge that I am aware that ..... (name of chiropractic physician) does not maintain professional liability insurance coverage.

(date)

.....  
(signature of patient)

3. A written disclosure described in subsection 2 must be signed by the patient before the licensee provides any chiropractic treatment or care to the patient.

4. After a written disclosure described in subsection 2 is signed by a patient, the licensee shall maintain the written disclosure as a part of the record of the patient.

(Added to NAC by Chiropractic Physicians' Bd. by R140-05, eff. 11-17-2005; A by R101-08, 12-17-2008)

**NAC 634.455 Chiropractic assistant: Display of certificate. ([NRS 634.030](#))**

1. A chiropractic assistant shall display his or her certificate at the place of practice of the supervising licensee.

2. If the supervising licensee practices at more than one location and the chiropractic assistant works at more than one of those locations, the chiropractic assistant shall:

(a) Display his or her certificate at the office where he or she performs the majority of his or her work; and

(b) Display a duplicate certificate, which the chiropractic assistant shall obtain from the Board, at each of the other locations where he or she works.

3. A chiropractic assistant shall not display his or her certificate except as otherwise provided in this section.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 11-23-93; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R101-08, 12-17-2008)

**NAC 634.460 Chiropractic assistant and chiropractic assistant trainee: Prohibited acts. ([NRS 634.030](#))** A chiropractic assistant or chiropractic assistant trainee may not:

- 1. Diagnose a patient or establish a prognosis.
- 2. Prescribe a program of treatment for any patient.
- 3. Perform any service that is not specifically authorized by the provisions of [chapter 634](#) of NRS.
- 4. Perform any service that is not specifically authorized by the terms of his or her certificate.
- 5. Perform a chiropractic adjustment.

6. Perform any service, except at the direction and under the direct supervision of a licensee.
  7. Bill independently of the supervising licensee for any services rendered.
- (Added to NAC by Bd. of Chiropractic Exam'rs, eff. 7-29-88; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R034-05, 10-31-2005; R101-08, 12-17-2008)

## ADVERTISING AND OTHER COMMUNICATIONS

**R114-23 Section 1.** Chapter 634 of NAC is hereby amended by adding thereto a new section to read as follows:

*A licensee shall not advertise in such a manner that the advertising:*

1. *Includes any false claim;*
2. *Is intended or has the tendency to:*
  - (a) *Deceive or mislead the public; or*
  - (b) *Create unrealistic expectations in any particular case.*
3. *Fails to clearly identify the licensee as a holder of a license to practice chiropractic in this State; or*
4. *Holds the licensee out as being:*
  - (a) *Certified; or*
  - (b) *An expert or specialist other than an expert witness,*

*in a field of chiropractic unless he or she is registered with and approved by the Board as holding the applicable professional credentials in that field.*

**R114-23 Sec. 6** NAC 634.515 is hereby amended to read as follows:

**NAC 634.515 Permissible information.** ([NRS 634.030](#)) The following information included in an advertisement or written communication shall be deemed to be in compliance with ~~NAC 634.515 to 634.565, inclusive;~~ *this section and section 1 of this regulation:*

1. Information relating to the licensee or chiropractic office, including, but not limited to:
  - (a) The name of the licensee or chiropractic office;
  - (b) A list of licensees associated with a chiropractic office and their designations, such as doctor of chiropractic, chiropractor or chiropractic physician;
  - (c) The address and telephone number of the office; and
  - (d) The hours during which the office will be open or the licensee will be available.
2. The date on which a license was issued to the licensee by the Board or by the licensing agency of another state.
3. Technical and professional licenses granted by this or any other state.
4. The ability of the licensee or persons employed by the licensee or in the chiropractic office to speak a language other than English.
5. The fields of chiropractic in which the licensee is certified or is a specialist, subject to the restrictions of ~~NAC 634.550;~~ *section 1 of this regulation:*

6. Information regarding prepaid or group plans for health care services in which the licensee participates.

7. The types of credit cards, if any, which are accepted.

8. The fee for an initial consultation or a schedule of fees. ~~provided in accordance with NAC 634.556.~~

9. The use of the name and address of a licensee or chiropractic office in a public service announcement or in connection with a charitable, civic or community program or event.

(Added to NAC by Bd. of Chiropractic Exam'rs, eff. 1-31-94; A by Chiropractic Physicians' Bd. by R030-98, 9-10-98; R095-03, 10-22-2003; R010-17, 12-19-2017)

## PRACTICE BEFORE THE CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

### General Provisions

**R114-23 Sec. 7** NAC 634.610 is hereby amended to read as follows:

**NAC 634.610 Scope and construction of provisions; deviations. (NRS 634.030)**

634.610 1. NAC 634.610 to ~~634.775,~~ 634.765 inclusive, *and section 1 of this regulation* govern all practice and procedure before the Chiropractic Physicians' Board of Nevada, except as otherwise directed by the Board.

2. Each provision of NAC 634.610 to ~~634.775,~~ 634.765, inclusive, *and section 1 of this regulation* must be liberally construed to secure a just, speedy and economical determination of all issues presented to the Board.

3. In special cases, for good cause shown and when not contrary to statute, the Board may permit deviation from a provision of NAC 634.610 to ~~634.775,~~ 634.765, inclusive, *and section 1 of this regulation* if it finds that compliance is impractical or unnecessary.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 1, §§ 1.1 through 1.3, eff. 12-8-74]—(NAC A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

### Rules of Practice

**NAC 634.615 Communications with Board. (NRS 634.030)** All formal written communications and documents must be addressed to the Board and not to its individual members or staff. All communications and documents are deemed to be officially received by the Board when delivered at its principal office.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 2, § 2.3, eff. 12-8-74]

**R114-23 Sec. 8** NAC 634.620 is hereby amended to read as follows:

**NAC 634.620 Appearance and practice at hearings. (NRS 634.030)**

~~1. An interested party who is or may be directly and substantially affected by a hearing may appear, introduce evidence and, at the discretion of the Board, otherwise participate in the proceeding.~~

~~2. A party shall appear at the beginning of a hearing, or at a time designated by the presiding officer, by giving his or her name and address and stating his or her position or interest in the hearing to the presiding officer. This information must be recorded in the transcript of the hearing.~~

~~3. A party who is entitled to appear may appear in person or by an attorney.~~

—4. 2. An attorney who appears as counsel in any proceeding must be an attorney at law who is admitted to practice and is in good standing before the highest court of any state. If the attorney is not admitted to practice in the State of Nevada, he or she must be associated with a Nevada attorney.

5. 3. Any attorney of record who wishes to withdraw from a proceeding before the Board must immediately notify the Board or the presiding officer in writing of that fact and name the party whom he or she represents.

~~6.—As used in this section, “interested party” means a person who believes that he or she may be affected by a proceeding but who does not seek to participate in the proceeding.~~

[Bd. of Chiropractic Exam’rs, Rule of Practice No. 4, §§ 4.1 through 4.5, eff. 12-8-74]—(NAC A 7-29-88; 11-23-93)

**NAC 634.630 Pleadings: Generally. ([NRS 634.030](#))**

1. Each pleading must be designated as an application, petition, notice of charges, answer or motion.

2. All pleadings, except motions and notices of charges brought by the Board on its own motion, must be verified.

3. The Board may allow any pleading to be amended or corrected or any omission therein to be supplied.

4. Pleadings will be liberally construed, and defects which do not affect substantial rights of the parties will be disregarded.

5. If, within a notice of charges, a member of the Board’s staff groups similar violations into one cause of action, that grouping is for administrative convenience only and does not affect the authority of the Board to take disciplinary action for each separate violation.

[Bd. of Chiropractic Exam’rs, Rule of Practice No. 5, §§ 5.1 through 5.3, eff. 12-8-74]—(NAC A by Chiropractic Physicians’ Bd. by R014-10, 5-5-2011)

**NAC 634.645 Filing and service of documents. ([NRS 634.030](#))**

1. An original of all pleadings must be filed with the Board. A copy of any pleading designated by the Board must be made available by the party filing it to any other person whom the Board determines may be affected by the proceeding and who desires a copy of the pleading.

2. All notices, findings of fact, opinions and orders required to be served by the Board and all documents filed by any party may be served by mail, and service thereof shall be deemed complete when a copy of the paper or document, properly addressed and stamped, is deposited in the United States mail.

3. An acknowledgment of service or certificate of mailing must appear on each document which is required to be served.

[Bd. of Chiropractic Exam’rs, Rule of Practice No. 6, §§ 6.1 through 6.3, eff. 12-8-74]—(NAC A by Chiropractic Physicians’ Bd. by R030-98, 9-10-98)

**NAC 634.650 Pleadings: Answer to notice of charges; motions. ([NRS 634.030](#))**

1. An answer to a notice of charges as described in [NRS 634.170](#) must be filed with the Board and service thereof made on parties of record within 15 days after service of the notice of charges, unless the Board, for good cause shown, extends the time. Any matter which is alleged as an affirmative defense must be separately stated and numbered.

2. A party who fails to answer the notice of charges within 15 days shall be deemed to have admitted the allegations set forth in the notice of charges. Based on those admissions, the Board

may impose discipline on the licensee in the same manner as if the allegations had been proven by substantial evidence at a hearing of the Board held on the complaint. The Board may proceed with the matter based solely upon the issues set forth in the notice of charges unless the matter is continued by the Board.

3. Any motion upon a notice of charges must be filed before the answer is due. If it is not so filed, the objection must be raised in the answer.

4. If a motion is directed toward an answer, it must be filed within 5 days of service after the answer.

5. All other motions must be timely filed.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 6, §§ 6.4 and 6.5, eff. 12-8-74]—(NAC A 11-23-93; A by Chiropractic Physicians' Bd. by R095-03, 10-22-2003)

**NAC 634.653 Declaratory orders and advisory opinions. ([NRS 233B.120](#), [634.030](#))**

1. A petition to the Board for a declaratory order or advisory opinion may only be filed by the holder of or an applicant for a license issued by the Board.

2. The filing must include the original and 10 copies of the petition.

3. A petition that is filed with the Board not less than 10 days before its next regularly scheduled meeting will be reviewed by the Board at that meeting. The Board will issue a declaratory order or advisory opinion within 30 days after reviewing the petition.

(Added to NAC by Chiropractic Physicians' Bd. by R101-08, eff. 12-17-2008)

**NAC 634.660 Subpoenas. ([NRS 634.030](#), [634.044](#))**

1. A subpoena requiring the attendance of a witness from any place within the State at a hearing to receive his or her testimony may be issued by the Secretary of the Board upon application in writing.

2. Subpoenas for the production of documents, books or other records, unless issued by the Board on its own motion, will be issued only upon application in writing. The application must specify as clearly as possible the documents, books or other records desired.

3. The Board, upon a prompt motion not later than the time specified in the subpoena for compliance, may:

(a) Quash the subpoena if it is unreasonable or oppressive; or

(b) Condition denial of the motion upon the advancement of the reasonable cost of producing the documents, books or other records desired by the person in whose behalf the subpoena is issued.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.10, eff. 12-8-74]

**NAC 634.665 Filing of briefs. ([NRS 634.030](#))**

1. At a hearing, the Board may order briefs to be filed within a time which it prescribes. Any requested brief must be filed with the Board and must be accompanied by an acknowledgment of service on, or a certificate of mailing to, the other parties of record.

2. The Board may set the matter for oral argument after briefs are filed or when a motion is contested. Ten days' notice of the time set for oral argument must be given to all parties of record, unless the Board specifies a shorter time.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.13, eff. 12-8-74]—(NAC A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**NAC 634.670 Computation of time; obtaining information about proceedings. (NRS 634.030)**

1. The time within which any act ordered pursuant to this chapter must be accomplished is computed by excluding the first day and including the last day unless the last day is Saturday, Sunday or a legal holiday, in which case it is excluded.

2. Additional information about proceedings before the Board or the status of any matter relating to the Board may be secured by applying to the Secretary of the Board at the principal office of the Board.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 10, §§ 10.1 and 10.2, eff. 12-8-74]—(NAC A 7-29-88)

### Hearings

**R114-23 Sec. 9. NAC 634.715 is hereby amended to read as follows:**

634.715 1. If the party who filed the complaint or the licensee fails to appear at the hearing scheduled by the Board and no continuance has been requested or granted, the Board may hear the evidence of those witnesses who have appeared and proceed to consider the matter and dispose of it on the basis of the evidence before it in the manner required by ~~[NAC 634.720 to 634.775.]~~ **634.725 634.740 and 634.765 [inclusive.]**

2. Where, because of accident, sickness or other reasonable cause, a person fails to appear for a hearing scheduled by the Board or fails to request a continuance thereof, he or she may, within a reasonable time, but not more than 15 days, apply to the Secretary of the Board at the office of the Board to reopen the proceedings. The Board, if it finds that the cause for failing to appear is sufficient and reasonable, will immediately fix a time and place for the hearing and give the person notice thereof. At the time and place fixed by the Board, the person may testify in his or her own behalf or present other evidence. Witnesses who have previously testified are not required to appear at the second hearing unless so directed by the Board.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.2, eff. 12-8-74]—(NAC A by Chiropractic Physicians' Bd. by R030-98, 9-10-98)

**NAC 634.725 Standards of conduct. (NRS 634.030)** All parties to the hearing, their counsel and spectators shall conduct themselves in a respectful manner.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.4, eff. 12-8-74]

**NAC 634.740 Consolidation of proceedings. (NRS 634.030)**

1. The Board may consolidate two or more proceedings in any one hearing when it appears that the issues are substantially the same and that the rights of the parties will not be prejudiced thereby.

2. At a consolidated hearing, the presiding officer will determine the order in which the parties must introduce their evidence and which party must open and close the proceeding.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.7, eff. 12-8-74]

**NAC 634.765 Matters of official notice. (NRS 634.030)** The Board may take official notice of:

1. Regulations, official reports, decisions and orders of the Board or any other regulatory agency of this State.

2. The contents of decisions, orders, certificates and permits issued by the Board.

3. Matters of common knowledge and established technical or scientific facts.

4. Pertinent official documents, when properly introduced into the record of formal proceedings by reference. Proper and definite reference to official documents must be made by the party offering them and they must be published and generally circulated so that an opportunity is given to all the parties of interest to the hearing to examine them and present rebuttal evidence.

[Bd. of Chiropractic Exam'rs, Rule of Practice No. 7, § 7.14, eff. 12-8-74]

**R114-23 Sec. 10**      **NAC 634.130, 634.220, 634.311, 634.518, 634.521, 634.525, 634.530, 634.536, 634.541, 634.545, 634.550, 634.556, 634.565, 634.625, 634.635, 634.710, 634.720, 634.730, 634.735, 634.745, 634.750, 634.755, 634.760, 634.770, 634.775 and 634.810 are hereby repealed.**

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TEXT OF REPEALED SECTIONS

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**NAC 634.130 Regular meetings.** (NRS 634.030, 634.040) Regular meetings of the Board will be held at its principal office or at any other place and time as the Board may specify.

**NAC 634.220 Fingerprinting and investigation of applicants.** (NRS 634.030, 634.131) Each applicant for examination and each applicant for reinstatement of an expired license to active status pursuant to NRS 634.131 must:

1. Submit one set of his or her fingerprints on a standard fingerprint card with his or her application and pay any associated costs; and
2. Agree to a background investigation.

**NAC 634.311 Retention and destruction of records.** (NRS 634.030)

1. Except as otherwise provided in this section, the Board:
  - (a) May destroy the records of examination for a successful applicant not earlier than 90 days after granting a license to the applicant.
  - (b) Will retain the records of examination for an unsuccessful applicant until the examination has been given two additional times.
2. The Board may extend the period of retention for records of examination for good cause shown.

**NAC 634.518 Maintenance of documents relating to advertisements.** (NRS 634.030) A licensee shall maintain a copy of all documents relating to his or her advertisements for at least 2 years after the first date that the advertisement is broadcast or disseminated.

**NAC 634.521 False or misleading communications prohibited.** (NRS 634.030) A licensee shall not make any false or misleading communications about himself or herself or his or her services. A communication shall be deemed to be misleading if it contains:

1. A material misrepresentation of fact or law, or omits a fact necessary to make the statement, considered as a whole, not misleading; or

2. A testimonial or endorsement representing that a person is a patient of the licensee made by a person who is not in fact a patient of the licensee.

**NAC 634.525 Advertisements for electronic media. (NRS 634.030)**

1. An advertisement for any electronic media may contain the same factual information and illustrations which are allowed in advertisements for any printed media.

2. A person who appears in an advertisement for any electronic media as a licensee or appears in such a manner as to imply that he or she is a licensee must be:

- (a) A licensee who holds a license in good standing to practice chiropractic in this State; and
- (b) The licensee who will provide the services advertised or who is associated with the practice which is advertising the service.

3. A person who appears in an advertisement on electronic media as an employee of a licensee or chiropractic practice must be an actual employee of the licensee or chiropractic practice whose services are being advertised, unless the advertisement discloses that such a person is an actor.

4. If an actor appears in an advertisement in accordance with this section, the advertisement must disclose that the person is an actor.

**NAC 634.530 Advertisement of affiliation with provider of health care. (NRS 634.030)** A licensee shall not represent that he or she is affiliated within the same office with a provider of health care who is not licensed pursuant to chapter 634 of NRS unless that provider of health care spends at least 20 percent of his or her time in the licensee's office.

**NAC 634.536 Designation as licensee. (NRS 634.018, 634.030)** The failure of a licensee in any advertising to clearly designate himself or herself as a licensee shall be deemed to be false and misleading for the purposes of subsection 4 of NRS 634.018.

**NAC 634.541 Inclusion of name of licensee, referral bureau responsible for content or telephone number and Internet address of licensee. (NRS 634.030)** All advertisements and written communication must include the:

- 1. Name of at least one licensee;
- 2. Name of a referral bureau for licensees that is responsible for the content of the advertisement or communication; or
- 3. Telephone number and Internet address of the website that identifies at least one licensee.

**NAC 634.545 Advertisement of affiliation with research project. (NRS 634.018, 634.030)**

If a licensee advertises any affiliation with a research project, he or she must make a written statement of the objectives, cost and budget of the project and the persons conducting the research available on request to the Board, to scientific organizations and to the general public. Any willful failure to comply with the requirements of this section shall be deemed to be false and deceptive advertising for the purposes of subsection 4 of NRS 634.018.

**NAC 634.550 Advertisement as expert or specialist. (NRS 634.030)** Except as otherwise provided in NAC 634.515 to 634.565, inclusive, a licensee shall not hold himself or herself out in any advertisement as being:

- 1. Certified; or
- 2. An expert or specialist other than an expert witness,

Ê in a field of chiropractic unless he or she is registered with and approved by the Board as holding the applicable professional credentials in that field.

**NAC 634.556 Advertisement of fees. (NRS 634.030)**

1. Except as otherwise provided in this section, a licensee who advertises a specific fee or range of fees shall honor the advertised fee or range of fees for at least 90 days after the last date that the advertisement is broadcast or disseminated, unless the advertisement specifies a shorter period. If a specific fee or range of fees is advertised in a telephone directory or other type of media which is not published more frequently than annually, the licensee shall honor that fee or range of fees for at least 1 year after the publication of the telephone directory or other type of media.
2. If an advertisement states that a chiropractic service is being offered free of charge or at a discounted rate:
  - (a) The service must be provided at the advertised rate regardless of whether the service is to be paid for by the patient or a third party, such as an insurer.
  - (b) The licensee who advertises the service shall ensure that:
    - (1) A patient to whom the service is provided receives and signs a statement of disclosure which sets forth:
      - (I) A detailed description of the service that will be provided free of charge or at a discounted rate.
      - (II) The amount that will be charged for any additional services that will be provided.
      - (III) If the offer to provide a service free of charge or at a discounted rate is valid for a limited time, the date on which that offer will end.
    - (2) A statement of disclosure that is required pursuant to subparagraph (1) is placed and maintained in the record of a patient to whom a service is provided free of charge or at a discounted rate.
3. If a licensee provides diagnostic services, including, without limitation, examinations and radiographs, free of charge or at a discounted rate pursuant to an advertisement, the licensee shall provide those services in a sufficiently complete and thorough manner so as to allow the licensee to make a proper diagnosis.
4. No separate charge may be made for the professional evaluation of diagnostic tests or procedures which are provided free of charge or at a discount, regardless of whether the professional evaluation is made at the time of the initial office visit or at a later time.

**NAC 634.565 Advertisement of 24-hour service. (NRS 634.030)** No licensee or referral bureau for licensees may advertise 24-hour service unless a licensee is available at all times to perform any chiropractic service which may be needed.

**NAC 634.625 Participation by staff of Board. (NRS 634.030)** The staff of the Board may appear at any hearing and has all of the rights of participation of a party to the proceeding.

**NAC 634.635 Pleadings: Complaints. (NRS 634.030, 634.160)**

1. A complaint as described in NRS 634.160 may be made against a licensee charging him or her with one or more of the causes set forth in chapter 634 of NRS for which he or she is subject to disciplinary action.
2. The original complaint must be in writing and filed with the Executive Director of the Board.

**NAC 634.710 Persons presiding; resetting after continuance; location. (NRS 634.030)**

1. Hearings will be held before one or more members of the Board.
2. A hearing which has been previously continued may be reset upon a notice of not less than 10 days.
3. Hearings will be held at a place in the State as designated by the Board in the notice of hearing.

**NAC 634.720 Preliminary procedure. (NRS 634.030)** The presiding officer of the Board will call the proceeding or hearing to order, proceed with each party's appearance and act upon any pending motions. The parties may then make opening statements.

**NAC 634.730 Testimony: Oath or affirmation required. (NRS 634.030)** All testimony considered by the Board in formal hearings, except matters officially noticed or entered by stipulation, must be sworn. Before testifying, each person shall swear or affirm that he or she will testify truthfully.

**NAC 634.735 Order of presentation. (NRS 634.030)**

1. Evidence at the hearing must be presented in the following order:
  - (a) Opening statements by counsel for complainant and respondent. Respondent may defer his or her opening statement until the completion of the complainant's case.
  - (b) Presentation of complainant's case, which may be followed by cross-examination.
  - (c) Presentation of respondent's case, which may be followed by cross-examination.
  - (d) Rebuttal testimony, if any.
  - (e) Argument by respective counsel, in the following order:
    - (1) Opening argument for complainant.
    - (2) Argument for respondent.
    - (3) Closing argument for complainant.
2. As used in this section:
  - (a) "Complainant" means a person who complains to the Board of any act. If the Board initiates a proceeding, it may be a complainant.
  - (b) "Respondent" means a person against whom a complaint has been filed or of whom an investigation has been commenced.

**NAC 634.745 Stipulations. (NRS 634.030)**

1. With the approval of the presiding officer, the parties may stipulate any fact at issue, either by written stipulation introduced in evidence as an exhibit or by oral statements shown upon the record.
2. A stipulation is binding upon all parties so stipulating and may be regarded by the Board as evidence at the hearing.
3. The Board may require proof by evidence of the facts stipulated in addition to the stipulation of the parties.

**NAC 634.750 Rules of evidence. (NRS 634.030)**

1. In conducting any investigation, inquiry or hearing, the Board, its officers or employees are not bound by the technical rules of evidence and any informality in a proceeding or in the manner of taking testimony does not invalidate any order, decision, rule or regulation made, approved or confirmed by the Board.

2. Rules of evidence recognized by the courts of Nevada will be followed generally but may be relaxed by the Board when deviation from the technical rules of evidence will aid in ascertaining the facts.
3. When an objection is made to the admissibility of evidence, the evidence may be received subject to a later ruling by the Board.
4. The Board may exclude inadmissible, incompetent, cumulative or irrelevant evidence, or order that presentation of that evidence be discontinued.
5. A party objecting to the introduction of evidence shall state briefly the grounds of objection at the time the evidence is offered.
6. Evidence must be material and relevant to the issues involved to be admitted at the hearing.

**NAC 634.755 Offer of proof. (NRS 634.030)** An offer of proof for the record consists of a statement of the substance of the evidence to which an objection has been sustained.

**NAC 634.760 Continuances. (NRS 634.030)** The Board, before or during a hearing, on proper showing, may grant continuances for the submission of further proof of any subject matter.

**NAC 634.770 Transcripts. (NRS 634.030)** The Board will have a transcript made of all formal hearings. Parties desiring copies of the transcript may obtain them from the transcriber upon payment of the fees fixed therefor.

**NAC 634.775 Submission of matters for decision; dissemination of orders. (NRS 634.030)**

1. A proceeding is submitted for decision to the Board after the taking of evidence, the filing of briefs or the presentation of oral argument as prescribed by the Board or the presiding officer unless otherwise specifically approved.
2. Orders of the Board will be served by the Secretary by mailing a copy to each party of record or their representatives or by personal service. Additional copies of orders issued by the Board may be obtained upon written request.

**NAC 634.810 Authority of Board. (NRS 634.030, 634.137, 634.140, 634.190)** The Board may begin proceedings against:

1. A licensee;
2. A chiropractic assistant;
3. An applicant for a license to practice chiropractic who is authorized to perform chiropractic pursuant to NRS 634.105;
4. A student who is authorized to perform chiropractic pursuant to the preceptor program; or
5. A person who holds a temporary license to practice chiropractic pursuant to NRS 634.115, Ê for a violation of any provision of this chapter or of chapter 634 of NRS even though no member of the public is actually harmed by the violation and there is no complaint from any other person.