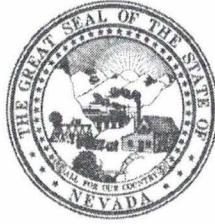


#1



Brian Sandoval, Governor



Maggie Tracey, O.M.D., President
Lisa Grant, O.M.D., Secretary/Treasurer
Fely Quitevis, Member
Abraham Jim Nagy, MD, Member
Merle Lok, Executive Director

**STATE OF NEVADA
BOARD OF ORIENTAL MEDICINE**

*****PUBLIC NOTICE***
REGULAR BOARD MEETING
October 17, 2017 @ 6:30 PM**

AT THE FOLLOWING LOCATION:

Grant Sawyer Building, Office of the Attorney General, 555 East Washington Ave., Room #4500 - Las Vegas, NV 89101.

*****MINUTES*****

1. CALL TO ORDER (Discussion/For Possible Action) Maggie Tracey, OMD, President

Roll call to determine presence of a quorum, at 6:30 pm

Board Members Present:

- Dr. Maggie Tracey, OMD (in person)
- Ms. Fely Quitevis (in person)
- Dr. Lisa Grant, OMD (via telephone and in person)
- Dr. Abraham Jim Nagy, OMD (via telephone)

Board Staff:

- Merle Lok, Executive Director
- Asheesh Bhalla, Deputy AG

Public via telephone:

- Susie Rosenberger
- Michael Ferris
- Yeaji Suh
- Naoita Hansen
- Joyce Edwards

2. Public Comment (Discussion Only).

None

3. Adoption of agenda (For Possible Action)

Motion: Ms. Quitevis motioned to approve

Second: Dr. Nagy

Action: Motion carried unanimously

4. Approve or disapprove the previous board meeting minutes of August 16, 2017 (For Possible Action).

Dr. Tracey stated that the board minutes had a typo in item #13 and the word should be changed from affected to effect.

Motion: Ms. Quitevis motioned to approve with Dr. Tracey's change

Second: Dr. Grant

Action: Motion carried unanimously

5. Approve or disapprove of Naoita Hansen's request regarding an apprenticeship-like program which is continued from the 8/16/2017 board meeting with updated information (For Possible Action).

Dr. Tracey stated that there is no mechanism to monitor the apprenticeship as there is no one to do the monitoring. Ms. Hansen asked for guidance regarding other programs and Dr. Tracey offered to discuss her request privately.

Motion: Ms. Quitevis motioned to deny

Second: Dr. Grant

Action: Motion carried unanimously

6. Approve or disapprove of guidelines regarding a licensee who is seeking to renew his license after several years of non-practice but has not paid any active or inactive fees and has not submitted any CEU certificates of attendance during the years of non-practice which was continued from the 8/16/2017 board meeting (For Possible Action).

Dr. Tracey stated that in consultation with the Deputy AG, there is no way to renew the license. The licensee would have to re-apply to take the exam.

Motion: Ms. Quitevis motioned to deny

Second: Dr. Grant

Action: Motion carried unanimously

7. Approve or disapprove of hiring exam writers to draft questions for future licensing exams which was continued from the 8/16/2017 board meeting with updated information (For Possible Action).

Motion: Dr. Grant motioned to approve hiring exam writers to update the exam

Second: Ms. Quitevis

Action: Motion carried unanimously

8. Discussion regarding prospective applicant Joyce Edwards' transcripts and whether any additional education is necessary for her to be eligible for licensure in Nevada (For Discussion Only).

Dr. Tracey stated that Ms. Edwards' transcripts gave her enough hours to be eligible for the state licensing exam. The Executive Director stated Ms. Edwards would still have to comply with the subject requirements as well as the NCCAOM subject areas.

9. Approve or disapprove of Yvette Guzman's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

10. Approve or disapprove of Yoojin Lee-Sedera's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

11. Approve or disapprove of Carla McClure's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

12. Approve or disapprove of Heather Roderick's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

13. Approve or disapprove of Matthew Roderick's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

14. Approve or disapprove of Susan Rosenberger's eligibility to re-take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

15. Approve or disapprove of DuWayne Steele's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

16. Approve or disapprove of Melissa Wilson's eligibility to take the state licensing exam on December 16, 2017 (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

17. Approve or disapprove of Ta Uyen Ngugen La's request to extend her application until the December 2018 exam (For Possible Action).

The Executive Director stated that Ms. La requested that her application for the state licensing exam remain open until 12/2018 due to family issues. The application had been received in 2016. The AG stated that based on reading the NAC, the Board had some discretion to extend the date. Dr. Tracey stated that the applicable statute, with the most generous interpretation, would allow extension until June 2018, but no longer.

Motion: Dr. Grant motioned to approve extending the application for the 6/2018 exam, and after that, Ms. La will have to pay a new application fee.

Second: Ms. Quitevis

Action: Motion carried unanimously

18. Approve or disapprove of Dr. Angela Stueber's CEU titled Pediatric Essentials for 15 hours online sponsored by Acupuncture Pediatrics (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

19. Discussion regarding the December exam subjects and study guide (Closed session)

Session is closed per NRS 241.030 and 241.033.

20. Discussion regarding the Attorney General's training session for Board and Commission members and staff on 10/25/2017 in Carson City and 11/1/2017 in Las Vegas (Discussion Only)

Dr. Tracey encouraged all board members and staff to attend. The training session will give a background on boards and commissions. Our DAG will be presenting.

21. Approve or disapprove of future Board meeting dates (For Possible Action).

Motion: Dr. Grant motioned to approve the future Board meeting date of 1/23/2018

Second: Ms. Quitevis

Action: Motion carried unanimously

22. Public Comment (Discussion Only).

Michael Ferris asked about whether the upcoming exam would be a new test or a previous test. Dr. Tracey stated that we cannot answer this question. DAG stated that this is a period of public comment and not for the board to answer questions.

Susie Rosenberger stated that she did not have a clear path for studying. She brought up the topic of biochemistry and wants to know how to best spend her time. Dr. Tracey stated that she understood as we have all been there and we are working on it.

23. Adjournment (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Ms. Quitevis

Action: Motion carried unanimously

#2

CREENTIAL EVALUATION AND AUTHENTICATION REPORT

Name: SALLABERRY, Arianne Melissa
Date of Birth: _____

Date : November 20, 2017
Ref #: 2463192/rjh
Page: 1 of 3

U.S. EQUIVALENCY SUMMARY

Five years of post-secondary professional study at a regionally accredited institution

Duplicate Evaluation Report (original completed on May 02, 2014)

CREENTIAL ANALYSIS

- Credential Authentication:** Documents were verified by the institution
Country: China
Credential: Bachelor of Medicine
Year: 2012
Awarded By: Beijing University of Chinese Medicine
Status: Accredited Institution
Admission Requirements: Graduation Certificate (Senior High School)
Length of Program: Five years
Major/Specialization: Acupuncture, Moxibustion and Massage

U.S. Equivalency: Five years of post-secondary professional study

Remarks: Traditional Chinese medicine is a recognized system of medical practice in China. The holder of the Bachelor of Medicine is entitled to practice.





WORLD EDUCATION SERVICES

COURSE-BY-COURSE ANALYSIS

Name: SALLABERRY, Arianne Melissa
Date of Birth:

Date : November 20, 2017
Ref #: 2463192/rjh
Page: 2 of 3

INSTITUTIONS - DATES - SUBJECTS	U.S. Semester Credits	U.S. Grades
---------------------------------	-----------------------	-------------

Beijing University of Chinese Medicine
2007-2008

Basic TCM Theory	5.5	B
Physical Education	0.0	B
Basic Computer Skills	3.0	B
College Chinese	3.0	C
History of Chinese Medicine	2.0	B
Chinese Pharmacology	5.0	C
Chinese Diagnostics	6.5	B
Normal Human Anatomy	5.5	B
Physical Education	0.0	B

2008-2009

Histology and Embryology	3.0	B
Chinese Medical Formula	5.0	C
Ancient Medical Literatures	4.5	A
Fundamentals of Law	2.0	A
Introduction to Traditional Chinese Philosophy	3.0	C
Medical Genetics	2.0	C
Physical Education	0.0	B
Selected Readings of Inner Canon of Yellow Emperor	3.0	C
Selected Readings of Treatise on Febrile Diseases	3.0	C
Main and Collateral Channels and Acupoints	7.0	C
Physiology	5.5	C
Biochemistry	4.5	C
Physical Education	0.0	A

2009-2010

English for Acupuncture and Moxibustion	3.0	A
English for Acupuncture and Moxibustion	3.0	A
Concentrated Practice	8.0	A
Clinical Anatomy for Acupuncture and Moxibustion	2.0	B
Medical Ethics	1.0	C
Chinese Medical Treatment--Breathing Technique	2.0	C
Acupuncture and Moxibustion Manipulation	3.5	B
Chiropractic Medicine	2.0	C
Experimental Acupuncture and Moxibustion	4.0	C
Anthology of Acupuncture and Moxibustion	4.0	C

(Continued on next page)





WORLD EDUCATION SERVICES

COURSE-BY-COURSE ANALYSIS

Name: SALLABERRY, Arianne Melissa
Date of Birth:

Date : November 20, 2017
Ref #: 2463192/rjh
Page: 3 of 3

INSTITUTIONS - DATES - SUBJECTS	U.S. Semester Credits	U.S. Grades
Manipulation and Massage	6.0	C
Pathology	5.0	C
2010-2011		
Internal Medicine of TCM 126 hours	7.0	C
Basic Diagnostics 135 hours	7.5	B
Orthopedics of TCM	3.5	C
Acupuncture and Moxibustion and Immune Regulation	1.5	B
Famous Schools of Acupuncture and Moxibustion	2.0	B
Prescription of Acupuncture and Moxibustion	2.0	C
Chinese Gynecology and Obstetrics 45 hours	2.5	B
Introduction to Surgery 54 hours	3.0	C
Acupuncture and Moxibustion Therapy 99 hours	5.5	B
Internal Medicine 126 hours	7.0	B
Chinese Pediatrics	2.0	C
2011-2012		
Chronotherapy	1.5	B
Comprehensive Test for Graduation 1600 hours	0.0	B

SUMMARY

Total Traditional Chinese Medicine Semester Credits: 161.5 GPA: 2.62



*The Degree Awarding Committee, in accordance with "The Regulations Concerning
Academic Degrees in the People's Republic of China", has conferred upon*

ARIANNE MELISSA SALLABERRY

the degree of **Medicine**
BACHELOR OF **Acupuncture, Moxibustion & Tuina**

with all its rights, privileges and honors

given at **Beijing**, *China, on the* **28th** *day of* **June**,
in the year of **2012**



Gao Sihua, **Beijing University of Chinese Medicine** *Chairman, Degree Awarding Committee*

No. **1002642012030109**

Beijing University of Chinese Medicine

Transcript

School: International School	Major: Acupuncture Moxibustion and Massage (International Student)
Class: AM (I) 0701	Name: ARIANNE MELISSA SALLABERRY
Student No.	Date of Enrollment: Sep. 2006
Date of Graduation: Jul. 1, 2012	Length of Learning: 5 Years
Date of Birth:	ID No.:
Total Credits: 209.5; Required Credits: 177.5; Elective Credits: 32	

Course	Category	Hours	Credits	Grade
1 st Term, 2007 - 2008 Academic Year				
Basic theories of Chinese Medicine	R	99	5.5	76
P.E. I	R	34	2	80
Basics of Computer	R	54	3	78
College Chinese	R	54	3	63
Chinese Medical History	E	36	2	80
2 nd Term, 2007 - 2008 Academic Year				
Science of Chinese Pharmacology	R	90	5	70
Diagnostics of Traditional Chinese Medicine	R	117	6.5	78
Normal Human Anatomy (including topography)	R	99	5.5	82
P.E. II	R	36	2	78
1 st Term, 2008 - 2009 Academic Year				
Histoembryology	E	54	3	79
Prescriptions of Chinese Materia Medica	R	90	5	71
Classical Literature of Traditional Chinese Medicine	R	81	4.5	85
Basics of Law	R	36	2	90
Introduction to Chinese Traditional Philosophy	R	54	3	60
Medical Genetics	E	36	2	62
P.E. III	R	36	2	83
2 nd Term, 2008 - 2009 Academic Year				
Selected Reading of the Internal Canon of Medicine	E	54	3	74
Selected Reading of Treatise on Febrile Diseases	E	54	3	64
Meridian and Acupoint	R	126	7	70
Physiology	R	99	5.5	61
Biochemistry	R	81	4.5	70
P.E. IV	R	36	2	90

1 st Term, 2009 – 2010 Academic Year				
Specialized English (Acupuncture Moxibustion)	E	54	3	85
English of Acupuncture Moxibustion (Specialized)	E	54	3	85
Concentrated probation	R	320	8	94
Clinical Anatomy of Acupuncture and Massage	E	36	2	77
Medical Ethics	R	18	1	60
Chinese Medical Qigong	R	36	2	70
Method of Acupuncture and Moxibustion	R	63	3.5	80
Chiropractic Medicine	E	36	2	70
2 nd Term, 2009 – 2010 Academic Year				
Experimental Acupuncture and Moxibustion	R	72	4	68
Selected Medical Works of Acupuncture and Moxibustion	R	72	4	62
Science of Naprapathy and Massage	R	108	6	68
Pathology	R	90	5	73
1 st Term, 2010 – 2011 Academic Year				
Chinese Internal Medical	R	126	7	68
Basics of Diagnostics	R	135	7.5	78
Orthopedics of Chinese Medicine	R	63	3.5	70
Acupuncture and Moxibustion and Immunoregulatory Therapy	E	27	1.5	79
Different Acupuncture and Moxibustion Theory	E	36	2	76
Prescription Theory of Acupuncture and Moxibustion	E	36	2	61
2 nd Term, 2010 – 2011 Academic Year				
Gynecology of Chinese Medicine	R	45	2.5	75
Introduction to Surgery	R	54	3	72
Acupuncture and Moxibustion Therapy	R	99	5.5	84
Western Internal Medicine	R	126	7	83
Pediatrics of Chinese Medicine	E	36	2	63
1 st Term, 2011 – 2012 Academic Year				
Chronotherapy	E	27	1.5	78
2 nd Term, 2011 – 2012 Academic Year				
Graduation Comprehensive Assessment	R	1600	40	78

Notes:

R = Required Course; **E** = Elective Course.

Corresponding relation between Level-5 Scoring System and Centesimal System: Excellent (90 - 100); **Good** (80 - 89); Medium (70 - 79); Pass (60 - 69); Fail (below 60).

The International College of Beijing University of Chinese Medicine (seal)

TMCC Official Transcript

Name: Sallaberry, Arianne M
 Student ID:
 DOB:

Arianne Sallaberry
 hold for pickup 12/26/*2017
 USA

Beginning of Undergraduate Record
 2001 Fall

Course	Description	Att.	Earned	Grade	Points
JPN 101B	Conv. Japanese I	3.00	3.00	A	12.000
MATH 96	Intermediate Algebra	3.00	3.00	A	12.000
RPED 178	Slimnests/Weight Cntrl	3.00	3.00	A	12.000
SOC 101	Principles of Sociology	3.00	3.00	B	9.000
Term GPA 3.75 Term Tot		12.00	12.00	12.000	45.000

2002 Spring

Course	Description	Att.	Earned	Grade	Points
CHEM 101	General Chemistry I	5.00	5.00	C	10.000
MATH 126	Pre-Calculus I	3.00	3.00	A	12.000
PHIL 101	Intro to Philosophy	3.00	3.00	B+	9.900
RPED 169	Yoga	2.00	2.00	A	8.000
RPED 169	Yoga	2.00	2.00	A-	7.400
Term GPA 3.15 Term Tot		15.00	15.00	15.000	47.300

2003 Spring

Course	Description	Att.	Earned	Grade	Points
ANTH 201	Peoples/Cultures of World	3.00	3.00	A	12.000
AST 104	Int Astro-Stars/Galxys	3.00	3.00	A	12.000
WOOD 197B	Woodworking, Beginning	0.00	0.00	W	0.000
Term GPA 4.00 Term Tot		6.00	6.00	6.000	24.000

2003 Fall

Course	Description	Att.	Earned	Grade	Points
MATH 127	Pre-Calculus II	3.00	3.00	C	6.000
Term GPA 2.00 Term Tot		3.00	3.00	3.000	6.000

Undergraduate Career Totals

Cum GPA:	3.40	Cum Tot	36.00	36.00	36.000	122.300
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End of TMCC Official Transcript

ISSUED TO STUDENT

Information of Practice Term

1 .

Name of Clinic or Hospital	Beijing University of Chinese Medicine GuoYi Tang Clinic
Address	11 N 3rd Ring Rd. E Chaoyang Qu, Beijing Shi, China, 100029
Date Began	From: September 2009
Date Finished	To: January 2010
Years/Months Attended	5 months

2 .

Name of Clinic or Hospital	Xiyuan Hospital of China Academy of Chinese Medical Sciences
Address	China, Beijing Shi, Haidian Qu, Zhongzhi E Rd, 西苑操场1号
Date Began	From: September 2011
Date Finished	To: June 2012
Years/Months Attended	10 months

3 .

Name of Clinic or Hospital	
Address	
Date Began	From:
Date Finished	To:
Years/Months Attended	

4 .

Name of Clinic or Hospital	
Address	
Date Began	From:
Date Finished	To:
Years/Months Attended	

5 .

Name of Clinic or Hospital	
Address	
Date Began	From:
Date Finished	To:
Years/Months Attended	

Information of Undergraduate School of College or University attended

1.

Name of School	Beijing University of Chinese Medicine
Address of Location	11 N 3rd Ring Rd E, Chaoyang Qu, Beijing, China 100029
Term (From – To)	2007 - 2012
Length (Years & Months)	5 years
Major	Acupuncture Moxibustion and Massage
Degree Obtained	Bachelor of Medicine, Acupuncture, Moxibustion & Tuina
Year of Graduation	2012

2.

Name of School	TMCC / TMCC Highschool
Address of Location	7000 Dandini Blvd, Reno, NV 89512
Term (From – To)	Fall 2001 - Fall 2003
Length (Years & Months)	2 years
Major	No major, I attended TMCC highschool which
Degree Obtained	allowed me to take college courses. I have
Year of Graduation	2003 included the transcripts because I

3.

Name of School	studied Chemistry at TMCC but not at my Chinese Medicine University. Chemistry is a course requirement on the application checklist.
Address of Location	
Term (From – To)	
Length (Years & Months)	
Major	
Degree Obtained	
Year of Graduation	

4.

Name of School	
Address of Location	
Term (From – To)	
Length (Years & Months)	
Major	
Degree Obtained	
Year of Graduation	

Information of School or College of Oriental Medicine attended

1 .

Name of School	Beijing University of Chinese Medicine		
Address of Location	11 N 3rd Ring Rd E, Chaoyang Qu, Beijing, China, 100029		
Term (From – To)	2007 - 2012		
Length (Years & Months)	5 years & Tuina		
Degree Obtained	Bachelor of Medicine, Acupuncture, Moxibustion		Year of Graduation 2012
Total Credits & Hours accomplished	(2,905) Didactic Hours (1,920) Clinical Hours		
	(4,825) Total Hours		

2 .

Name of School			
Address of Location			
Term (From – To)			
Length (Years & Months)			
Degree Obtained			Year of Graduation
Total Credits & Hours accomplished	() Didactic Hours () Clinical Hours		
	() Total Hours		

3 .

Name of School			
Address of Location			
Term (From – To)			
Length (Years & Months)			
Degree Obtained			Year of Graduation
Total Credits & Hours accomplished	() Didactic Hours () Clinical Hours		
	() Total Hours		

4 .

Name of School			
Address of Location			
Term (From – To)			
Degree Obtained			Year of Graduation
Total Credits & Hours accomplished	() Didactic Hours () Clinical Hours		
	() Total Hours		

Licensure Screening Questions

- Have you ever been convicted of a felony? YES _____ NO ✓
- Have you ever been convicted of a crime of moral turpitude? YES _____ NO ✓
- Have you ever had a license issued by a governmental agency which had some type of disciplinary action taken against you? (i.e. suspension, revocation, probation, restriction, etc.) YES _____ NO ✓
- Have you ever been addicted to the use of narcotics? YES _____ NO ✓
- Have you ever been addicted to alcohol? YES _____ NO ✓
- Have you ever been expelled from a professional society? YES _____ NO ✓
- _____ Have you a physical condition, which may impact your ability to practice Oriental Medicine? YES _____ NO ✓
- _____ Have you a mental condition, which may impact your ability to practice Oriental Medicine? YES _____ NO ✓

If you answered "YES" to any of the above, give details on a separate sheet of paper.

Professional Information

List all Societies of which you are, or have been, a member. You must be specific and complete.

Name	Address	Dates (From – To)	Other Information

Do you hold, or have you ever held, a license issued by a governmental agency to practice Oriental Medicine in any country? YES _____ **NO** ○

If "YES", please have the issuing entity send a copy of verification to the Board of Oriental Medicine.

When was it issued? _____ Expiration _____

Where was it issued? _____

What is the License Number? _____

Issuing Agency? _____

Information of a National Exam which was passed by the Applicant

1.

Name of National Exam	Chinese Herbology Exam
Address	Pearson Professional Centers, Reno NV, 5250 S. Virginia, Suite 301
Date of the Exam	12/11/2017
Module(s)	Chinese Herbology
Name of Administrative Body	NCCAOM

89502

2.

Name of National Exam	Foundations of Oriental Medicine - Linear
Address	Pearson Professional Centers, Reno NV, 5250 S. Virginia, Suite 301
Date of the Exam	11/16/2017
Module(s)	Foundations of Oriental Medicine
Name of Administrative Body	NCCAOM

89502

3.

Name of National Exam	Acupuncture and Point Location Exam
Address	Pearson Professional Centers, Reno NV, 5250 S. Virginia, Suite 301
Date of the Exam	11/09/2017
Module(s)	Acupuncture and Point Location
Name of Administrative Body	NCCAOM

89502

4.

Name of National Exam	
Module(s)	
Date of the Exam	
Subjects	
Name of Administrative Body	

5.

Name of National Exam	
Module(s)	
Date of the Exam	
Subjects	
Name of Administrative Body	

#3

Senate Bill No. 69—Committee on
Commerce, Labor and Energy

CHAPTER.....

AN ACT relating to state government; requiring certain regulatory bodies to adopt regulations governing the issuance of a license by endorsement to a natural person who holds a comparable license issued by the District of Columbia or any state or territory of the United States and meets certain other requirements; prohibiting the appointment as a member of a regulatory body of a person who has served as a member for 12 years or more under certain circumstances; revising provisions relating to the payment of fees for legal services on a contingent basis; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the regulation of certain occupations and professions in this State. (Title 54 of NRS) The various state agencies, boards and commissions that are authorized to license and regulate particular occupations or professions are generally referred to as "regulatory bodies." (NRS 622.060)

Section 3 of this bill requires a regulatory body that is not otherwise authorized or required by specific statute to issue a license to engage in an occupation or profession in this State to a natural person who has been issued a comparable license by another jurisdiction to adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person who: (1) holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States; (2) possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and (3) satisfies certain other requirements.

Section 4 of this bill establishes term limits for members of regulatory bodies. Specifically, **section 4** provides that a person may not be appointed as a member of a regulatory body if the person has served as a member of that regulatory body, or at the expiration of his or her current term if he or she is so serving will have served, 12 years or more at the time of his or her appointment, unless the person is serving as a member of a regulatory body with less than 250 licensees.

Existing law establishes specific requirements that must be satisfied before certain state agencies or officials may enter into a contingent fee contract with an attorney or law firm and sets certain limitations on the amount of the fee that may be paid to an attorney or law firm retained in any matter that is the subject of a contingent fee contract. (NRS 228.111-228.1118) **Section 5** of this bill prohibits any regulatory body from entering into such a contract. **Section 8** of this bill makes a conforming change. **Section 8.5** of this bill revises the limitations on the amount of the fee that attorneys or law firms retained in any matter that is the subject of a contingent fee contract may be paid.

Existing law requires each regulatory body to submit a quarterly report to the Director of the Legislative Counsel Bureau that includes certain information concerning the disciplinary actions taken and the number of licenses issued by the regulatory body during the immediately preceding calendar quarter. (NRS 622.100) **Section 7** of this bill requires the regulatory body also to include in the report: (1)



the total number of applications for licensure received by the regulatory body; (2) the number of applications rejected by the regulatory body as incomplete; (3) the average number of days between the date of rejection of an application as incomplete and the resubmission by the applicant of a complete application; (4) a list of each reason given by the regulatory body for the denial of an application and the number of applications denied by the regulatory body for each such reason; and (5) the number of applications reviewed on an individual basis by the regulatory body or the executive head of the regulatory body.

Section 18 of Senate Bill No. 516 of this session creates the Office of Workforce Innovation in the Office of the Governor. Section 19 of Senate Bill No. 516 of this session requires the Governor to appoint the Executive Director of the Office of Workforce Innovation. **Section 9.5** of this bill requires the Executive Director of the Office of Workforce Innovation, on or before January 1 of each year, to submit to the Director of the Legislative Counsel Bureau a written report that includes: (1) the number of persons in this State who are engaged in an occupation or profession that is regulated by a regulatory body; and (2) the demand for the services of such persons engaged in such a regulated occupation or profession.

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

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

Section 1. Chapter 622 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. (Deleted by amendment.)

Sec. 3. 1. *Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:*

(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession 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 that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. *The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:*



(a) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(b) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

(c) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

(d) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

(e) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

(f) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

(g) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;

(h) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(i) Submits to the regulatory body the statement required by NRS 425.520.

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;



(3) *Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and*

(4) *Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;*

(b) *An affidavit stating that the information contained in the application and any accompanying material is true and complete; and*

(c) *Any other information required by the regulatory body.*

4. *Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:*

(a) *Sixty days after receiving the application;*

(b) *If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or*

(c) *If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,*

↳ whichever occurs later.

5. *A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.*

6. *A regulatory body may deny an application for licensure by endorsement if:*

(a) *An applicant willfully fails to comply with the provisions of paragraph (h) of subsection 2; or*

(b) *The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that*



would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. *The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.*

Sec. 4. 1. *Except as otherwise provided in subsection 2, notwithstanding any other provision of law, a person may not be appointed as a member of a regulatory body if the person has served as a member of that regulatory body, or at the expiration of his or her current term if he or she is so serving will have served, 12 years or more at the time of his or her appointment.*

2. *The provisions of subsection 1 do not apply to a person who has served as a member of a regulatory body which has less than 250 licensees.*

Sec. 5. 1. *Notwithstanding the provisions of NRS 228.111 to 228.1118, inclusive, and any other provision of law, a regulatory body shall not employ, retain or otherwise contract with an attorney or law firm pursuant to a contingent fee contract.*

2. *As used in this section, "contingent fee contract" means a contract for legal services between a regulatory body and an attorney or law firm, pursuant to which the fee of the attorney or law firm is payable, in whole or in part, from any money recovered in a matter governed by the contract.*

Sec. 6. (Deleted by amendment.)

Sec. 7. NRS 622.100 is hereby amended to read as follows:

622.100 1. Each regulatory body shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director:

(a) A summary of each disciplinary action taken by the regulatory body during the immediately preceding calendar quarter against any licensee of the regulatory body; and

(b) A report that includes:

(1) *For the immediately preceding calendar quarter:*

(I) *The number of licenses issued by the regulatory body ~~{during the immediately preceding calendar quarter;}~~ ;*

(II) *The total number of applications for licensure received by the regulatory body;*



(III) The number of applications rejected by the regulatory body as incomplete;

(IV) The average number of days between the date of rejection of an application as incomplete and the resubmission by the applicant of a complete application;

(V) A list of each reason given by the regulatory body for the denial of an application and the number of applications denied by the regulatory body for each such reason; and

(VI) The number of applications reviewed on an individual basis by the regulatory body or the executive head of the regulatory body; and

(2) Any other information that is requested by the Director or which the regulatory body determines would be helpful to the Legislature in evaluating whether the continued existence of the regulatory body is necessary.

2. The Director shall:

(a) Provide any information received pursuant to subsection 1 to a member of the public upon request;

(b) Cause a notice of the availability of such information to be posted on the public website of the Nevada Legislature on the Internet; and

(c) Transmit a compilation of the information received pursuant to subsection 1 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

3. The Director, on or before the first day of each regular session of the Legislature and at such other times as directed, shall compile the reports received pursuant to paragraph (b) of subsection 1 and distribute copies of the compilation to the Senate Standing Committee on Commerce and Labor and the Assembly Standing Committee on Commerce and Labor, each of which shall review the compilation to determine whether the continued existence of each regulatory body is necessary.

Secs. 7.3 and 7.6. (Deleted by amendment.)

Sec. 8. NRS 228.1111 is hereby amended to read as follows:

228.1111 1. ~~The~~ ***Subject to the limitations of section 5 of this act,*** the Attorney General or any other officer, agency or employee in the Executive Department of the State Government shall not enter into a contingent fee contract unless:

(a) The Governor, in consultation with the Attorney General, has determined in writing:

(1) That the Attorney General lacks the resources, skill or expertise to provide representation in the matter that is the subject of the proposed contract; and



(2) That representation pursuant to a contingent fee contract is cost-effective and in the public interest; and

(b) The proposed contract complies with the requirements of NRS 228.111 to 228.1118, inclusive.

2. Before entering into a contingent fee contract, the Attorney General or other officer, agency or employee, as applicable, must obtain approval from the Interim Finance Committee to commit money for that purpose.

Sec. 8.5. NRS 228.1116 is hereby amended to read as follows:

228.1116 1. ~~{~~Except as otherwise provided in subsection 2, a retained attorney or law firm is not entitled to a fee, exclusive of any costs and expenses described in that subsection, of more than:

—(a) Fifteen percent of that portion of any amount recovered of less than \$10,000,000;

—(b) Ten percent of that portion of any amount recovered of \$10,000,000 or more but less than \$15,000,000;

—(c) Five percent of that portion of any amount recovered of \$15,000,000 or more but less than \$20,000,000; and

—(d) Two percent of that portion of any amount recovered of \$20,000,000 or more.

—2.} The total fee payable to all retained attorneys or law firms in any matter that is the subject of a contingent fee contract must not exceed ~~{~~\$10,000,000,~~}~~ *25 percent of the amount recovered*, exclusive of any costs and expenses provided for by the contract and actually incurred by the retained attorneys or law firms, regardless of the number of actions or proceedings or the number of retained attorneys or law firms involved in the matter.

~~{~~3.} 2. A contingent fee:

(a) Is payable only from money that is actually received pursuant to a judgment or settlement agreement.

(b) Must not be based on any amount attributable to a fine or civil penalty, but may be based on an amount attributable to punitive damages.

~~{~~4.} 3. As used in this section, “amount recovered” does not include any money paid as costs.

Sec. 9. Section 3 of this act is hereby amended to read as follows:

Sec. 3. 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:



(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession 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 that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

(a) Is a citizen of the United States or otherwise has the legal right to work in the United States;

(b) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

(c) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

(d) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

(e) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

(f) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

(g) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State; *and*

(h) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check. ~~;~~ *and*



~~—(i) Submits to the regulatory body the statement required by NRS 425.520.†~~

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the



applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,

↳ whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.

6. A regulatory body may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph (h) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

Sec. 9.5. Section 20 of Senate Bill No. 516 of this session is hereby amended to read as follows:

Sec. 20. The Executive Director of the Office of Workforce Innovation shall:

1. Provide support to the Office of the Governor, the Governor's Workforce Development Board created by NRS 232.935 and the industry sector councils established by the Governor's Workforce Development Board on matters relating to workforce development.

2. Work in coordination with the Office of Economic Development to establish criteria and goals for workforce development and diversification in this State.

3. Collect and systematize and present in biennial reports to the Governor and the Legislature such statistical



details relating to workforce development in the State as the Executive Director of the Office may deem essential to further the objectives of the Office of Workforce Innovation.

4. At the direction of the Governor:

(a) Identify, recommend and implement policies related to workforce development.

(b) Define career pathways and identify priority career pathways for secondary and postsecondary education.

(c) Discontinue career pathways offered by the State which fail to meet minimum standards of quality, rigor and cross-education alignment, or that do not demonstrate a connection to priority industry needs.

(d) In consultation with the Governor's Workforce Development Board, identify industry-recognized credentials, workforce development programs and education.

(e) Maintain and oversee the statewide longitudinal data system that links data relating to early childhood education programs and K-12 public education with data relating to postsecondary education and the workforce in this State.

(f) Collect accurate educational data in the statewide longitudinal data system for the purpose of analyzing student performance through employment to assist in improving the educational system and workforce training program in this State.

(g) Apply for and administer grants, including, without limitation, those that may be available from funding reserved for statewide workforce investment activities.

(h) Review the status and structure of local workforce investment areas in the State, in coordination with the Governor and the Governor's Workforce Development Board.

(i) Report periodically to the Governor's Workforce Development Board concerning the administration of the policies and programs of the Office of Workforce Innovation.

(j) On or before March 31 of each year, submit to the Governor a complete report of the activities, discussions, findings and recommendations of the Office of Workforce Innovation.

(k) Oversee the State Apprenticeship Council and the State Apprenticeship Director pursuant to NRS 610.110 to 610.185, inclusive, and perform such other functions as may be necessary for the fulfillment of the intent and purposes of chapter 610 of NRS.



(l) Suggest improvements regarding the allocation of federal and state money to align workforce training and related education programs in the State, including, but not limited to, career and technical education.

(m) On or before January 1 of each year, collect and analyze data as needed to create a written report for the purposes of this paragraph, and submit such a report to the Director of the Legislative Counsel Bureau. The report must include, without limitation:

(1) Statistical data based on an analysis of the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body in relation to the total population of this State or any geographic area within this State;

(2) The demand within this State or any geographic area within this State for the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body; and

(3) Any other factors relating to the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body that adversely affect public health or safety.

↳ As used in this paragraph, “regulatory body” has the meaning ascribed to it in NRS 622.060.

Sec. 10. The provisions of section 4 of this act apply only to time served as a member of a regulatory body pursuant to an appointment made after the effective date of this act.

Sec. 11. 1. The provisions of section 5 of this act do not apply to an agreement between a regulatory body and an attorney or law firm entered into before the effective date of this act, but do apply to any renewal or extension of such an agreement.

2. The provisions of section 8.5 of this act do not apply to a contingent fee contract entered into before the effective date of this act, but do apply to any renewal or extension of such a contingent fee contract. As used in this subsection, “contingent fee contract” has the meaning ascribed to it in NRS 228.111.

Sec. 12. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 13. A regulatory body that is required to adopt regulations pursuant to section 3 of this act shall adopt such regulations not later than February 1, 2018.



Sec. 14. 1. This section and sections 1 to 8.5, inclusive, and 10 to 13, inclusive, of this act become effective upon passage and approval.

2. Section 9.5 of this act becomes effective on July 1, 2017, if and only if Senate Bill No. 516 of this session is enacted by the Legislature and approved by the Governor.

3. Section 9 of this act becomes effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.

