



NEVADA BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

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Reno, NV 89502

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NOTICE OF PUBLIC HEARING WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS AND RULES FOR POSSIBLE AMENDMENT OR REMOVAL PURSUANT TO EXECUTIVE ORDER 2023-003 (EO2023-003)

As required by Governor Lombardo's executive order 2023-003, the Nevada Board of Homeopathic Medical Examiners (NVBHME) is undertaking a comprehensive review of the regulations and rules subject to its enforcement. As required by EO2023-003, the Board will be providing report to the Governor's office by May 1st 2023 *"detailing how those regulations can be streamlined, clarified or otherwise improved to ensure they provide for the general welfare of the state without a necessarily inhibiting economic growth"*. The report will provide recommendations for amendments and a *"list of not less than 10 regulations recommended for removal, ranking them in descending order of priority"*.

Prior to submitting the report to the Governor's office, EO2023-003 requires the Board to hold public hearing to vet the Board's recommended changes, solicit input as to the merits of the Board's recommended changes, and identify other rule or regulatory changes the public fields are worthy of consideration. EO2023-003 also requires the board to reflect stakeholder input in the summary of findings and recommendations included in the report. This Public Hearing will be conducted subject to the Nevada Open Meeting Law (NRS 241.020) and the purpose is to solicit comments from interested persons on the proposed changes and this Public Hearing Workshop will be held online via ZOOM.

Topic: NVBHME Workshop re: Executive Order 2023-003

Description: Notice of Public Hearing to solicit comments on proposed regulations and rules for possible amendment or removal pursuant to Executive Order 2023-003

Date: Friday, April 28, 2023

Time: 06:30 PM Pacific Time (US and Canada)
Estimated length of this Public Hearing is set for 90 minutes.

Online: <https://zoom.us/j/97442843172?pwd=QmpuR0VyViswVDNFb3BFTXJFM0VxZz09>

Meeting ID: 974 4284 3172

Passcode: 267534

The sections of the Nevada Administrative Code ("NAC") that are being proposed for possible amendment or removal are provided here in as **"Attachment 1"**.

Please submit any written comments no later than April 23, 2023.

A copy of all materials relating to the proposed regulation or rule amendments may be obtained at the public hearing or by visiting the Nevada Board of homeopathic medical examiners website at www.nvbhmc.org, or by contacting Charles green secretary treasurer of the Nevada Board of homeopathic medical examiners, at 3315 East Russell road suite A 3, Las Vegas Nevada 89120 or at CGreen@nvbhmc.org. a reasonable fee for copy maybe charged. Members of the public who would like additional information about a proposed regulation may contact Charles Green, Secretary-Treasurer, at 775-324-3353.

Notice of the public hearing was provided via US mail and electronic means to all persons on the agencies email list for noticing of administrative regulations and of other agency actions. This notice of public hearing to solicit comments on proposed regulations and rules for the possible amendment and Removal pursuant to executive order 2023-003 was posted to the Board's internet website at www.nvbhmc.org, the official website of the board pursuant to NRS 232.2175@ notice.nv.gov and at the following locations:

Bio Health Center - 615 Sierra Rose #3 Reno, NV 89511
Forsythe Cancer Care Center, 521 Hammill Lane, Reno NV 89511
Gerber Medical Clinic - 1225 Westfield Drive, Reno, NV 89509
Nevada Clinic - 3663 Pecos-McLeod Int., Las Vegas, NV 89121
Sierra Integrative Medical Center - 6110 Plumas Street Suite B, Reno, NV 89519
MGNC Nutrition Center- 3315 E Russell Road, A-3 Las Vegas, NV 89120
State of Nevada Board posting site (www.notice.nv.gov)

Members of the public who are disabled and require special accommodations or assistance during public hearing are requested to give written notice no later than five working days before the workshop to: Nevada Board of Homeopathic Medical Examiners, 3315 E. Russell Rd, Ste. #A-3, Las Vegas, NV 89120.
PLEASE KNOW THAT "CLOSED CAPTIONING" WILL BE TURNED "ON" DURING THE WORKSHOP.

DATED this 13th day of April 2023

CHARLES GREEN
Secretary-Treasurer
Nevada Board of Homeopathic Medical Examiners

Attachment 1

HOMEOPATHIC MEDICAL EXAMINER'S BOARD REGULATIONS TO STRIKE AS PER EXECUTIVE ORDER 3

1. **NAC 630A.0107 “Applied kinesiology” defined. (NRS 630A.200)** “Applied kinesiology” means a method for identifying nutritional, energetic or other factors that may affect the functions of the body of a person by measuring muscle strength and endurance.
2. **NAC 630A.0131 “Internet” defined. (NRS 630A.200)**
 1. “Internet” means:
 - (a) The computer network commonly known as the Internet and any other computer network that is similar to or is a predecessor or successor of the Internet; and
 - (b) Any identifiable site on the Internet or such other computer network.
 2. The term includes, without limitation:
 - (a) A website or other similar site on the World Wide Web;
 - (b) A site that is identifiable through a Uniform Resource Location;
 - (c) A site on a computer network that is owned, operated, administered or controlled by a provider of Internet service;
 - (d) An electronic bulletin board;
 - (e) A list server;
 - (f) A newsgroup; or
 - (g) A chat room.
3. **NAC 630A.0132 “Intrastate practice of homeopathic medicine using electronic means” defined. (NRS 630A.200)** “Intrastate practice of homeopathic medicine using electronic means” means the practice of homeopathic medicine using electronic means by a homeopathic physician located in this State to treat a patient located in this State or an advanced practitioner of homeopathy located in this State to treat a patient located in this State.
4. **NAC 630A.0133 “Practice of homeopathic medicine using electronic means” defined. (NRS 630A.200)** “Practice of homeopathic medicine using electronic means” means the practice of homeopathic medicine by using equipment that transfers information concerning the medical condition of a patient electronically, telephonically or by fiber optics, including, without limitation, through the Internet.
5. **NAC 630A.110 Limited license. (NRS 630A.155, 630A.200, 630A.320)** A limited license must state that it is a limited license to practice homeopathic medicine as a resident physician in a postgraduate program of clinical training, and the period during which it is valid.

(Added to NAC by Bd. of Homeopathic Medical Exam’rs, eff. 8-29-85)
6. **NAC 630A.031 Committee to examine and make recommendations regarding education in homeopathy. (NRS 630A.200)**
 1. The President of the Board shall appoint a committee composed of the Secretary-Treasurer of the Board and at least two other persons who are homeopathic physicians or advanced practitioners of homeopathy. The committee shall:
 - (a) Periodically examine the educational activities, quality of training seminars, meetings and materials used for educating homeopathic physicians, homeopathic assistants or advanced practitioners of homeopathy; and

(b) Make recommendations to the Board regarding the education of homeopathic physicians, homeopathic assistants and advanced practitioners of homeopathy.

2. The Board may accept, reject or alter any recommendation of the committee

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003; R217-08, 12-17-2008)—(Substituted in revision for NAC 630A.098)

7. **NAC 630A.132(3)(a)** Amygdalin (laetrile), if the patient has consented in writing to the use of the substance;

- The Food and Drug Administration has banned the sale and use of amygdalin (Laetrile®) due to the risk of cyanide poisoning. For this reason, Laetrile® is only offered at alternative medicine clinics outside the United States. Some clinics use it as a component of multi-modality [metabolic therapies](#), but these therapies generally have not been found effective.:

<https://www.mskcc.org/cancer-care/integrative-medicine/herbs/amygdalin>

8. **NAC 630A.136(2)(a)** As used in this section: (a) “Community” embraces the entire area customarily served by homeopathic physicians and advanced practitioners of homeopathy among whom a patient may reasonably choose, not merely the particular area inhabited by the patients of that individual homeopathic physician or advanced practitioner of homeopathy or the particular city or place where the homeopathic physician or advanced practitioner of homeopathy has his or her office.

9. **NAC 630A.138 Consultation with another provider of health care.** ([NRS 630A.155](#), [630A.200](#)) A homeopathic physician shall consult with another provider of health care in difficult cases or in cases where the homeopathic physician is in doubt if it appears to the homeopathic physician that such consultation may enhance the quality of homeopathic medical services.

10. NAC 630A.142 Construction of provisions. (NRS 630A.155, 630A.200) Nothing in NAC 630A.142 to 630A.148, inclusive, shall be construed to:

1. Authorize any person not licensed or certified pursuant to chapter 630A of NRS to engage in the intrastate practice of homeopathic medicine using electronic means; or

2. Regulate the practice of homeopathic medicine using electronic means by a homeopathic physician or advanced practitioner of homeopathy if:

(a) The homeopathic physician or advanced practitioner of homeopathy is not located in this State; or

(b) The patient who is being treated by the homeopathic physician or advanced practitioner of homeopathy is not located in this State.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R043-03, eff. 9-24-2003)

11. NAC 630A.144 Homeopathic physicians: Restrictions. (NRS 630A.155, 630A.200)

1. Except as otherwise provided in subsection 2, a homeopathic physician may engage in the intrastate practice of homeopathic medicine using electronic means.

2. While engaging in the intrastate practice of homeopathic medicine using electronic means, a homeopathic physician shall not:

(a) Provide any homeopathic service to a patient unless the homeopathic physician:

(1) Obtains a reasonable homeopathic history of the patient before providing the homeopathic service to the patient;

(2) Personally examines the patient before providing the homeopathic service to the patient if homeopathic physicians in the community in which the homeopathic physician practices would ordinarily personally examine such a patient before providing the homeopathic service; and

(3) Complies with all applicable state and federal laws; or

(b) Prescribe any controlled substance to a patient unless the homeopathic physician:

(1) Personally examines the patient and conducts any appropriate tests concerning the patient before prescribing the controlled substance to the patient; and

(2) Complies with all applicable state and federal laws.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R043-03, eff. 9-24-2003)

12. NAC 630A.146 Homeopathic physicians: Duties. (NRS 630A.155, 630A.200) A homeopathic physician engaging in the intrastate practice of homeopathic medicine by electronic means shall:

1. Ensure that the electronic transfer of information is reasonably secure and conducted in accordance with all applicable state and federal laws;

2. Retain health care records in accordance with the requirements of chapter 629 of NRS;

3. Discuss with each patient the risks and benefits of medication and any homeopathic services;

4. Conduct follow-up contact with each patient in a timely manner after recommending any homeopathic services;

5. Discuss with each patient various treatment alternatives that are available; and

6. Disclose to each patient that a physical examination or assessment by a homeopathic physician is always recommended before the use of homeopathic services.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R043-03, eff. 9-24-2003)

13. NAC 630A.148 Advanced practitioners of homeopathy: Written protocol. (NRS 630A.155, 630A.200, 630A.295) An advanced practitioner of homeopathy shall not engage in the intrastate practice of homeopathic medicine using electronic means unless a written protocol authorizing such practice is submitted to and approved by the Board pursuant to NAC 630A.490.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R043-03, eff. 9-24-2003)

14. NAC 630A.250 Petitions concerning regulations. 2. The original and seven copies of the petition and the proposed regulation must be filed with the Secretary-Treasurer of the Board.

15. NAC 630A.300, .400,

16. NAC 630A.310, .410

17. NAC 630A.430 Successful completion of examination to practice as homeopathic physician required. ([NRS 630A.155](#), [630A.200](#), [630A.295](#)) To practice as an advanced practitioner of homeopathy, a person must successfully complete the examination given by the Board to applicants to practice as a homeopathic physician pursuant to [NAC 630A.060](#) which is administered by the Board at least two times each year. An applicant will be notified and his or her examination administered and scored in the same manner as set forth in that section.

18. NAC 630A.441 Temporary, special and restricted certificates: Issuance; purposes; revocation. (NRS 630A.155, 630A.200, 630A.295)

1. Except as otherwise provided in NAC 630A.415, the Board may:

(a) Issue a temporary certificate, to be effective not more than 6 months after issuance, to any advanced practitioner of homeopathy who is eligible for a permanent certificate in this State and who also is of good moral character and reputation. The purpose of the temporary certificate is to enable an eligible advanced practitioner of homeopathy to serve as a substitute for some other advanced practitioner of homeopathy who is certified to practice homeopathic medicine in this State and who is absent from his or her practice for reasons deemed sufficient by the Board. A temporary certificate issued under the provisions of this paragraph is not renewable.

(b) Issue a special certificate to an advanced practitioner of homeopathy who is certified in another state to come into this State to care for or assist in the treatment of his or her own patients in association with a homeopathic physician licensed in this State. A special certificate issued under the provisions of this paragraph is limited to the care of a specific patient.

(c) Issue a restricted certificate for a specified period if the Board determines the applicant needs supervision or restriction.

2. A person who is certified pursuant to paragraph (a), (b) or (c) of subsection 1 shall be deemed to have given his or her consent to the revocation of the certificate at any time by the Board for any of the grounds provided in NAC 630A.415 and 630A.560.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R105-03, eff. 9-24-2003)

19. NAC 630A.443 Prerequisites to issuance of temporary or special certificate; contents of special certificate. (NRS 630A.155, 630A.200, 630A.295)

1. An applicant for a temporary certificate as an advanced practitioner of homeopathy must furnish to the Board, along with his or her application, a letter from the advanced practitioner of homeopathy for whom the applicant is to serve as a substitute requesting the issuance of the temporary certificate and stating the reasons for the absence from his or her practice and the period of the absence.

2. An advanced practitioner of homeopathy certified in the District of Columbia or in any state or territory of the United States who applies to the Board for a special certificate as an

advanced practitioner of homeopathy in this State for a specified period and for specific purposes must do so by a letter, accompanied by proof that he or she holds a valid certificate issued to him or her by the District of Columbia, state or territory.

3. The applicant for a nonrenewable temporary or a special certificate may be required to appear before the Board or one of its members for an oral interview before the issuance of the certificate.

4. A special certificate will state on its face the period during which it is valid and the specified purposes for the certificate.

(Added to NAC by Bd. of Homeopathic Medical Exam'rs by R105-03, eff. 9-24-2003; A by R217-08, 12-17-2008)