



NEVADA ASSOCIATION OF LAND SURVEYORS

526 South E Street – Santa Rosa, CA 95404

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November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

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November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



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RE: Comments on Proposed Regulation – LCB File No. R074-25

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Jennifer Letten
Board President

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PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

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NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

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For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

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- (i) The bills tracked by the Board*
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(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

6170 Mae Anne Ave., Suite 1, Reno, NV 89523
(775) 746-9423 / Fax (775) 746-4105
www.nvrehs.org Email board@nvrehs.org

October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

Frank DiMaggio, Executive Director of Nevada State Board of Osteopathic Medicine

Comments for B&I Public Workshop on Regs- 11/25/2025 – 1pm

B&I: refers to the Nevada Department of Business and Industry

Office: refers to the Office of Nevada Boards, Commissions, and Councils Standards within B&I.

In addition to my forthcoming comments, I also echo and list for the record all the concerns and comments set forth in the Summary of Input from Boards and Executive Directors on the Proposed Regulations listed on the B&I website under the “Board & Commissions” tab, then under the heading of “Proposed Regulations”.

I also echo and list for the record the comments of the other five speakers who proceeded my comments at this Workshop.

NRS 232.8413(2) requires B&I to “adopt the necessary regulations and procedures to effectively administer the responsibilities of the Office.” Those responsibilities are set forth in **NRS 232.8415(1)**. Accordingly, those 2 statutes allow B&I authority to set its own internal administrative rules to administer its responsibility. No statutory authority is given for B&I establish regulations requiring Boards to act in any specific way. See sections 10, 11, 12, 14, 16, and 17-20 of R074-25P.

Neither **NRS 232.8413** nor **232.8415** define the term “purview”. However, B&I has defined “purview” to mean “administrative oversight” (**R074-25P, Sec. 9.**) No authority is given for B&I to define the words used in those two statutes. Furthermore, the definition given does not provide clarity or specificity, but rather creates a vague and ambiguous term “administrative oversight”.

Various sections of **R074-25P** establish requirements for the Nevada State Board of Osteopathic Medicine (‘the Board’) not set forth in any other statute or regulation of the Board. Accordingly, these regulations are an attempt to replace the statutory or regulatory scheme established by NRS 633 and NAC 633. Examples of the various sections of **R074-25P** which establish requirements for the boards are as follows:

Sec. 10- requires the boards “under its purview” to adopt a policy regarding board member absences from board meetings.

Sec. 11(1)- requires the Executive Director to notify board members of required trainings.

Sec. 11(2)-requires boards to provide written notice to the Office confirming that a board member has completed the required training.

Sec. 14(1)- requires boards to track certain bills and **14(2)** requires each board to submit a report to the Office of bills tracked; potential impact of each bill; any actions required by the board to implement any bill; and estimated timeline for the board to implement any bill. Sec. **14(3)** requires the board to notify the Office once the board has implemented the bill.

Sec. 16(5)- requires boards to provide to the Office any files, documents, data, or other information relating to an investigation conducted by the boards, including any disciplinary action. In addition to the unauthorized mandate to do so, this may violate certain confidentiality statutes, such as NRS 633.301.

Sec. 17- requires boards to submit information to the Office, which information is already being reported to statutes set forth in said regulation as well as “any other information requested by the Office”.

Sec. 18(2) requires boards to submit a copy of the balance sheet or report of a required audit; a simplified financial report quarterly; another simplified financial report not later than 9 months after the close of the fiscal year, summarizing the finances of the boards that that fiscal year.

Sec. 19(2)- requires boards to cooperate with the Office in any performance evaluation conducted by the Office and provide any information to the Office “that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board.”‘

19(3)- requires boards to take corrective action to improve efficiency and effectiveness, reduce costs, or enhance consumer protections.

Sec. 20(1)- requires boards to take corrective action based upon the Office’s determination that boards have failed to comply with the requirements set forth in Sec. 2-Sec 20 inclusive.

Sec. 20(2)- allows the Office to assess penalties to boards failing to take the Office’s corrective actions.

If these regulations as proposed are approved, they will require additional expenditure of Board staff time or perhaps hiring of additional staff, thereby necessitating the Board to seek an increase in its fees charged to its licensees. This Board has not increased its licensing fees since 2013 (12 years) and most likely since the early 2000’s from what I could quickly determine.

Nevada Attorney General’s Administrative Rulemaking Guide- 10th edition 2023-
requires the following:

Page 4- imposition of penalties require specific statutory authorization.

Comment: No specific statutory authorization exists for the Office to impose any penalties such as set forth in Sec. 20 of R074-25P.

Page 5- Regarding the SBIS requirement in the Nevada Administrative Procedures Act:

"The analysis should be conducted by a knowledgeable employee or through the use of a consultant or independent contractor, and be prepared in consultation with owners and officers of small businesses likely to be affected. As a matter of practice, the agency should submit a Small Business Impact Statement regardless of whether an impact is anticipated- demonstrating to the legislature that the agency reached out to work with small businesses."

Comment: Along with the Notice of this Workshop, a Small Business Impact Statement was included. No indication that a survey of small businesses was conducted or that it was prepared by a "knowledgeable employee or through the use of a consultant or independent contractor and prepared in consultation with owner and officers of small businesses likely to be affected".

Ms. Haag sent an email on 11/17/2025 stating that proposed regulations were issued on 11/14/2025 and that further revisions to those regulations were made by Ms. Haag, but Ms. Haag had not yet received the updated version. Then, Ms. Haag's email with a link to **R074-25I** and **R074-25P** was sent yesterday at 12 noon. The Board's last meeting was on November 12, 2025, and the Board meets monthly except for August. No time was given to allow the Board members to view R074-25P which was submitted to LCB on 11/14/2025. Board members should be given an opportunity at a Board meeting to review such regulation so that they may provide their comments and feedback, but no such opportunity was afforded to the Board members.

I request B&I and the Office to make deletions, revisions, and amendments to **R074-25P** in accordance with the comments set forth and referenced herein.

Thank you for the opportunity to provide these comments.

Sincerely,



Frank DiMaggio, Executive Director
Nevada State Board of Osteopathic Medicine
2275 Corporate Circle, Ste. 210
Henderson, NV 89074
(702)732-2147

From: David James <jamesdrs@gmail.com>
Sent on: Monday, November 24, 2025 6:57:25 PM
To: BCCS Info <BCCSinfo@business.nv.gov>
CC: Mark Fakler <mfakler@nvpels.nv.gov>; Philip Giles <pgiles@nspe.org>
Subject: Proposed Regulation R074-25 comment, concern: additional administrative and financial burden

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear members of the Legislature and assembled members of the professions and the public,

My name is David E. James, PE. I am a licensed Civil Engineer (license 013388, current through 6/30/2027) in the State of Nevada. My qualifications, license application, and license renewals have been fairly, efficiently and promptly reviewed by the Nevada State Board of Engineers and Land Surveyors (NVPBELS) since 1998.

My comment about proposed Regulation R074-25 pertains to sections 17 and 18 that require boards to "*provide certain quarterly and annual information and reports to the Office relating to complaints, investigatory actions, discipline and licensees*" (section 17), and "*submit certain financial information to the Office on a quarterly and annual basis*"

My concern is that these new reporting functions will increase workload on the current NVPBELS members and staff, and that no provision has been made to fund or support the increased workload"

NVPBELS self funds its operation through licensing fees, and there will be small business impact

if the board has to raise fees to hire additional professional staff to generate these reports.

As written, proposed R074-25 does not address costs associated with the added workload.

I request that Nevada Business and Industry briefly revise the proposed regulations to

a) allow more flexibility in reporting. For example, NVBPEPLS already generates monthly financial reports which could be submitted instead of quarterly reports (so language such as "monthly, or quarterly, or annual basis" could be used (this would reduce added administrative burdens

by accepting reports already generated and available that meet the intent of the proposed regulations)

and, to facilitate planning and staff time allocation

b) provide a description of the required timing of required report submission (eg "no later than

30 days after the close of each fiscal quarter"

c) provide a brief description of the reporting process, regarding specific content and length,

and

d) name the receiving NBCCS staff member or administrator for the reports; eg. "Reports shall be submitted addressed to the Director

Thank you for the opportunity to comment.

Sincerely,

David E. James, PE (Nevada, Civil license 013388 expiring 06/30/2027)

email: jamesdrs@gmail.com

telephone: 702-595-1209

Hi Nikki,

Hope all is well. The regulations are coming along nicely. I understand another draft is in queue from the LCB so some of the questions/inquiries may have already been addressed. Just wanted to put the following on your radar:

- **Section 13 - 1(g)** - Can we please get a time limit on this, perhaps the last 5 years? It would be burdensome for us to attempt to digitize historical minutes. The resources and time involved digitizing historical minutes would exceed the utilization of the digitized records.
- **Section 13 - 1(i)** - Can we add a modifier such as “active licenses” or “active licenses and those revoked, suspended, or surrendered in the prior 10 years?”
- **Section 13 - 1(j)** - Regarding any reference to “disciplinary actions,” this is not defined in the beginning definitions section. Confirming this means complaints that have been settled with probation or resulted in suspension, revocation, or surrender.
- **Section 13 - 1(j5)** - Can we make this either a prospective requirement to start when this regulation passes, or cap with a time limit, such as for cases resolved in the last 5 years? As above, our Board is quite old and a good majority of our disciplinary orders and settlement agreements were not computerized or not stored in a computer in any searchable database, such that trying to track down older disciplinary orders would be burdensome. Further, in the past and potentially before any prohibitions of same, some of our settlement agreements contained confidentiality language.
- **Section 16 - 3** - Can we please get the word investigate changed to review, or in the alternative, get a definition of investigate that contemplates an investigation including a review for initial jurisdiction, and not further investigation if jurisdiction is found lacking? Our own regulations require a jurisdictional review prior to the investigation commencing and a dismissal if there is no jurisdiction, so we cannot comply with this as written.
- **Section 16 - 3(a)(b)** - Regarding these two requirements, they do not correspond to our disciplinary procedures. It is not our filed complaint that documents the results of an investigation; rather, for us, it is a Preliminary Screening Consultant (licensed professional) report that does so. Thus, can we change the wording to “For any

matter under an investigation conducted by or on behalf of a board, the documentation of the investigation must include ..." This makes it more generic to whatever a given Board's process is.

- **60 days vs 90 days** - Is it possible to make the number of days to remedy/corrective action the same time frame?

A.L. Higginbotham

Executive Director - Nevada State Board of Dental Examiners

2651 N. Green Valley Parkway, Suite 104

Henderson, Nevada 89014

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PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



Nevada Osteopathic Medical Association

Nevada Osteopathic Medical Association
PO Box 33484
Reno, NV 89533
Nov 11, 2025

To whom it may concern,

The Nevada Osteopathic Medical Association (NOMA), representing over 1,000 osteopathic physicians, osteopathic medical students, and medical residents in Nevada, writes to express our strong opposition to the proposed regulation LCB File No. R074-25, as drafted by the Department of Business and Industry's Office of Nevada Boards, Commissions, and Councils Standards. While we appreciate efforts to promote administrative consistency and transparency across state regulatory bodies, this proposal imposes unnecessary, burdensome, and potentially harmful requirements on professional licensing boards, including the Nevada State Board of Osteopathic Medicine. We urge the withdrawal or substantial revision of this regulation to avoid undermining the independence, efficiency, and effectiveness of these boards in protecting public health and safety.

Our opposition is rooted in several key concerns:

- 1. Duplication of Existing Statutory Requirements and Increased Administrative Burden:** The proposed regulation essentially restates or expands upon obligations already mandated by Nevada Revised Statutes (NRS), such as NRS 622.100 (reporting of complaint and licensing data), NRS 622A (investigative procedures and timelines), NRS 218G.400 (audit requirements), and NRS 241 (open meeting laws). For instance, the quarterly reporting demands in NAC 232.-(1)(a) and financial summaries in NAC 232.-(1)(d) duplicate reports already submitted to the Legislative Counsel Bureau and other entities. This redundancy would force boards like the Board of Osteopathic Medicine to divert limited resources from core regulatory functions—such as processing licenses, investigating complaints, and disciplining unethical practitioners—to compiling repetitive data and summaries. For a board overseeing a specialized medical profession, this added paperwork could delay critical actions, ultimately harming patient safety rather than enhancing it.
- 2. Erosion of Board Independence and Fiscal Autonomy:** Pursuant to NRS 232.8415, the Office is tasked with oversight, but this proposal oversteps by mandating centralized controls that infringe on the self-governing nature of professional boards. Sections like NAC 232.-(2)(d), which affirms fiscal independence but subjects it to "applicable financial controls," and NAC 232.-(6), which authorizes punitive measures such as enhanced oversight, referral to the Governor for removals under NRS 232A.030, or withholding of support services, create a coercive framework. Professional boards, funded entirely by licensee fees, should retain autonomy to manage their operations without fear of arbitrary intervention. This one-size-fits-all approach fails to account for the unique needs of medical boards, which require specialized expertise in osteopathic medicine rather than generic administrative standards. Imposing such

controls could politicize board functions and deter qualified professionals from serving as board members.

3. **Privacy and Confidentiality Risks in Investigations:** NAC 232.-(1)(g) grants the Office access to investigative reports and documentation, including confidential materials protected under NRS 622.360 and federal laws like HIPAA. While the proposal states that confidentiality remains intact, sharing sensitive medical complaint details with a non-specialized oversight office increases the risk of unintended disclosures. For the Board of Osteopathic Medicine, which handles allegations involving patient care and professional conduct, this could compromise investigations, deter complainants, and violate the trust essential to effective regulation.
4. **Inappropriate Application to Specialized Professions:** The standards in this proposal treat all boards uniformly, ignoring the distinct regulatory demands of healthcare professions. Osteopathic medicine involves complex ethical, clinical, and scientific considerations that require agile, expert-led oversight—not rigid timelines for website updates (e.g., disciplinary actions within 15 days under NAC 232.-(4)(a)(xi)) or generic performance metrics. The emphasis on "efficacy and efficiency" (NAC 232.-(5)) through Office evaluations could prioritize administrative checkboxes over substantive public protection, potentially weakening the board's ability to address emerging issues in medical practice.

NOMA supports genuine efforts to ensure accountability and consumer protection, as evidenced by our ongoing collaboration with the Board of Osteopathic Medicine on initiatives like continuing education and ethical standards. However, as drafted, this proposal creates more problems than it solves by layering unnecessary requirements on already compliant boards. We recommend that the Department reconsider this regulation in consultation with affected stakeholders, focusing instead on targeted assistance where deficiencies exist, rather than broad mandates.

We are available to discuss these concerns further and participate in any workshops or hearings on this matter.

Sincerely,



Henry Lok
Nevada Osteopathic Medical Association

To: Office of the Nevada Boards, Commissions, and Councils Standards
Via email: BCCSinfo@business.nv.gov
cc: Nikki Haag: Nikki.Haag@business.nv.gov
Dr. Kristopher Sanchez: Kristopher.Sanchez@business.nv.gov

From: NEVADA STATE BOARD OF ACCOUNTANCY
1325 Airmotive Way, Suite 220
Reno, Nevada 89502
(775) 786-0231 (Phone)
(775) 786-0234 (Fax)
Viki Windfeldt, Executive Director
viki@nvaccountancy.com

Date: November 19, 2025

The Nevada State Board of Accountancy (“Board of Accountancy” or “Board”) hereby submits the following written comments in response to the Proposed Regulations of the Director of the Department of Business and Industry, LCB File No. R074-25 dated November 14, 2025. The Board of Accountancy appreciates the opportunity to provide these comments and to work with the Office to promulgate clear and concise regulations to effectively administer the responsibilities of the Office.

The Board of Accountancy provides comments on certain sections of the proposed regulation and has some questions and concerns regarding particular provisions of the proposed regulation as set forth below.

Comments on the Proposed Regulation

1. Section 9, “Purview” definition: This definition should be clarified that the Office’s administrative oversight applies to the seven items specified in NRS 232.8415(1).
2. Section 13(1)(g) requires Boards to post an archive of all agendas and minutes of previous meetings on its website. There is no time limit for the archived agendas and minutes. The Board of Accountancy has been in existence since 1913. Is the Board required to put all past agendas and minutes on its website? The Board suggests posting of all agendas and minutes for the last 5 years based on NRS 241.035(2).
3. Section 13(1)(j) requires the Board’s website post a system for reviewing the history of disciplinary actions of a licensee which must be searchable and provide access to a copy of a final order or a settlement agreement, among other requirements. This would require a large software development expense to implement such a system and staff time to designate the documents that would be available on the website. How much time is a board afforded to implement the requirements of the regulation?

This regulation should also state a timeline on how far back this information should be available. The Board of Accountancy has been in existence since 1913 and as written, the regulation would require all disciplinary actions taken by the Board to be available on the Board's website. The Board recommends this requirement either start prospectively or state how far back this information should be available on a board's website. Further, the proposed regulation requires updates within 15 days of final disciplinary action. This might be a little tight to comply with and the Board recommends the regulation provide a board has 30 days to post updates.

4. Section 13(1)(l) should be changed from "any recent financial audits or balance sheets" to the most recent financial audit or balance sheets. The language "any recent" is vague and may prompt a deficiency notice pursuant to proposed Section 20 if a board's interpretation of "any recent" is different from the Office's interpretation of that phrase.
5. Section 13(1)(o) is vague, and the documents required to be posted could be voluminous. There is no time period for how long any reports required by statute or prepared annually by a board are required to be posted on a board's website.
6. Section 13(1)(p) is vague and does not provide a time period for how long any performance data prepared by a board is required to be posted on a board's website.
7. Section 14(2)(b) should be clarified to require the potential impact reporting for only those tracked bills that passed during the session. Requiring a report of the potential impact on the board's operations or licensees of a tracked bill that did not pass during the legislative session is not relevant because the proposed legislation is moot. Further, it is not clear if subsection 2 is only intended to apply to specific Board related legislation or would require a Board to report on the potential impact for any legislation affecting board operations, i.e., modifications by the Attorney General to the open meeting law, public records law, amendments to NRS Chapter 232, 622, etc.
8. Some of the language in Section 16(3) does not make sense considering the requirements of subsections (a), (b) and (c) in Section 16(3). Should "filed complaint documenting" be changed to "complaint file documenting"?
9. Section 16(5) requires a board, upon the request of the Office and to the extent permit by law, to provide to the Office any files, documents, data or other information relating to an investigation conducted by a board. It is not clear the Office can require boards to provide this information. NRS 232.8415(1)(b) provides the Office is responsible for "A uniform set of standards for investigations, licensing and discipline, including, without limitation, separating the roles and responsibilities for occupational licensure from the roles and responsibilities for occupational discipline". There is no indication in NRS 232.8415 that the Office is a licensing or disciplinary agency or can conduct investigations of licensees. Nor does the regulation state for what purpose the Office would need this information or what it would do with it. All documents and other information compiled as a result of an investigation conducted by the Board of Accountancy to determine whether to initiate

disciplinary action are confidential and privileged pursuant to NRS 628.418(1). Not only is the information confidential for purposes of the public records law, but the Board's investigative materials are also privileged and not subject to subpoena production. The Office does not appear to have such statutory protection in place for its records, and the Board of Accountancy is concerned that a regulation adopted by the Office without statutory authority would not adequately protect the confidentiality and privilege afforded to any investigative information provided by the Board of Accountancy to the Office. The Board believes that licensees, including firms, would have an issue knowing that confidential and privileged information, which could include sensitive client or competitive business information, is being provided to an agency outside the appropriate disciplinary and licensing body.

10. Section 17(4) is vague and should be deleted. If the Office is going to require quarterly reporting in Section 17, the regulation should list what information is required to be reported. The regulation should not contain provisions or requirements which are not vetted in the Nevada Administrative Procedure Act regulation adoption process.
11. Sections 19 and 20 provide for the Office to conduct performance evaluations or audits of boards. Performance evaluations or audits of boards do not appear in NRS 232.8415, the statute providing the scope of the Office's statutory authority. Even if the Office has such authority, the regulation does not provide the standards or guidelines to be used to determine or assess the performance evaluations or the efficiency and effectiveness of a board's operations based upon a board's submissions to the Office either pursuant to Sections 17 and 18 of the regulation or the information provided to the Office as required in Section 19(2). The regulation is inconsistent. The regulation provides in Section 19(1) that the reports and information submitted to the Office pursuant to Sections 17 and 18 will be used to evaluate board performance but then in Section 19(2), a board is required to provide "any information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board." Standards to evaluate board performance in Section 19(1) are not defined or provided for purposes of that section or for Section 19(3). Efficiency and effectiveness used in Section 19(2) are not defined nor are the standards provided by which to evaluate those terms or a board's performance. Effectiveness is not used in NRS 232.8415. The Office is responsible for "efficacy and efficiency" pursuant to NRS 232.8415(1)(g). If effectiveness is to be evaluated, "effectiveness" is not defined nor are the standards the Office would use to judge effectiveness provided.

NRS 232.8415 does not mention the Office can require corrective action to "improve efficiency and effectiveness, reduce costs or enhance consumer protection" as proposed in Section 19(3) nor does NRS 232.8415 mention the Office can issue a notice of deficiency and require corrective action as proposed in Section 20. There is no procedure for a board to question or be heard on a deficiency or a recommended or required corrective action

issued pursuant to Section 19 or 20. It is not clear what “administrative or fiscal support services” can be withheld by the Office as provided in Section 20(2)(c) or if the Office would even have authority to negate its statutory responsibilities if it is required to provide such services to a board pursuant to NRS 232.8415. It seems this would punish a board when the Office should want compliance with its uniform standards as that would be in the public interest.

Thank you again for the opportunity to comment on the Director’s proposed regulation. The Board of Accountancy will continue to participate in this rulemaking process and will provide further written comments prior to any hearing held on the proposed regulation.

4923-3280-4219, v. 1

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

Reno: 6005 Plumas St., Suite 100, Reno, Nevada 89519 - Telephone (888) 590-6726 - Fax (775) 687-7707

Las Vegas: 4220 S. Maryland Pkwy., Building B, Suite 300, Las Vegas, Nevada 89119 - Telephone (888) 590-6726 - Fax (702) 486-5803
www.nevadanursingboard.org

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

October 10, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

Thank you for allowing us the opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as "Regulations and Administrative Standards for Nevada's Title 54 Boards-draft NH" (Draft Regulations). It is clear the Department and stakeholders have put considerable time and energy into developing the proposed regulation changes before us now.

The Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

Section 1(b), 1(b)(i), 1(b)(ii), there is reference to "procedures required by the Office". Those undefined procedures should be set forth in the regulations, rather than left to the Office to develop without input, to prevent unfeasible requirements and/or arbitrary rule-making;

Section 1(b)(iii)1, We prepare monthly financial statements (a widespread practice). These statements are presented at our regular board meetings. The additional effort and money spent producing a quarterly report feels like an unwarranted cost burden that we and the other boards will have to bear.

Section 1(e)(i) requires the Board to share documents/information regarding an investigation. However, NRS 625.425(1) provides that investigative records are confidential, and pursuant to NRS 625.425(3), the records can only be shared with another licensing board or agency that is investigating that person. It does not make an exception for an agency that is auditing the Board;

Section 2 talks about each Board adopting the “uniform standards created by the Office”. However, again, any uniform standards should be set forth in regulation, rather than developed by the Office without stakeholder input/public oversight;

Section 3, the same comment as above regarding “standards for financial controls approved by the Office”. Standards should be developed in regulation;

Section 3(b)(2)(b), what does “enhanced administrative oversight” consist of, and what “administrative or fiscal support services” are even being provided that could be withheld?

Section 3(c)(iii), There are no statutes enacted by the legislature to allocate funds from the boards to fund the operations of the Office. (iii) should be deleted.

Section 4, what “uniform set of standards for legal representation” does the Office envision. What guidance is there for the Board to know what standards would be acceptable?

Section 5, the same concern as set forth for Section 4, above, regarding a “uniform set of structural standards created or approved by the Office.” Such standards should be set forth in regulation, rather than developed at the whim of the Office, without input/public process;

Section 5(c)(i) says the Office shall set minimum attendance requirements, but then (ii) and (iii) go on to address minimum attendance requirements. (i) should be deleted;

(iv) under Section 5(c) is blank and should be deleted;

Section 5(c)(v), Individual boards should be the ones who create procedures for their board members and prospective board members. However, these procedures should be reviewed by the office.

Section 7, any requirements imposed upon Boards should be set forth in regulation and not developed by the Office internally. Not putting such requirements in regulation deprives the process of transparency and stakeholder/public input.

The process feels compressed, and we are concerned that the first public workshop scheduled for next Friday might be a bit premature given the fact that it is only a week after you are to receive comments from the responding boards. I believe that this could jeopardize quality and effectiveness of regulations that we are working toward.

This schedule does not allow us the opportunity to present the proposed regulations to our board for their insight and feedback. I cannot speak for the other boards, but I believe that

many are in the same predicament that NVBPELS is in, which is the missed opportunity for boards and board members to review of the proposed regulation changes and provide their input. I would respectfully request that the first public workshop be rescheduled for later in the month to allow us the opportunity to present the proposed regulation changes to our full Board. NVBPELS could convene a special Board meeting on or around the date of Thursday, October 23rd if this would be possible.

Thank you for all your hard work and communication with the Title 54 Boards. We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,



Mark J Fakler, PE
Executive Director.

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

November 24, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25P, as drafted on November 14, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review the latest draft regulations (R074-25P) to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

Section 3 - Remove the “and which is under the purview of the Office” This seems to be redundant and un-necessary.

Section 10. 3. - NVBPELS meets or exceeds this expectation.

Section 11. 1 - This should be a responsibility of the Office, not the boards.

Section 13. 1 (j) (3) - 30 days would be more appropriate, but we can live with 15 days.

Section 14. 1 & 2 - Legislation is something that the Office should be tracking and providing notification to each of the boards.

Section 17. 4 - This is an open-ended statement and should be deleted.

Section 18. 2 (b) - NVBPELS - prepare monthly financial statements and will provide this information to the Office. Quarterly reporting will require extra and un-necessary work for Board staff. This additional reporting will be an extra burden on staff, possibly requiring additional staff. The addition of staff may require the board to increase fees that are paid by licensees, firms and applicants.

Section 19.2 – This is an open-ended statement and the last portion of the sentence “and provide any information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the of the board” should be deleted.

We are committed to this process and working with the Department of Business and Industry and the Office as we move forward together to draft regulations that best serve our great State and its citizens. We look forward to attending the upcoming workshops for R074-25P.

Sincerely,



Mark J Fakler, PE
Executive Director.

DEPARTMENT OF BUSINESS AND INDUSTRY

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. "Chief" means the chief of a division of the Department.
2. "Department" means the Department of Business and Industry.
3. "Director" means the Director of the Department.

4. "Office" means the Office of Nevada Boards, Commissions, and Councils Standards.

5. "Board" means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.

6. "Board Member" means a person appointed to serve on a specific board or who has previously served on that specific board.

7. "Executive Director, or equivalent officer of the boards" means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.

8. "License" means any permit, registration, certificate, or license issued by the a board under the Department.

9. "Licensee" means any person who has been issued a permit, registration, certificate, or license by the board under the Department.

10. "Profession" means any activity, occupation, or vocation regulated by the board under the Office of Nevada Boards, Commissions, and Councils Standards.

NAC 232.XXX – Department; powers and duties

1. *Pursuant to NRS 232.8415(1)(a), Boards shall adopt and enforce those procedures and requirements which are created or approved by the Office for their centralized administration, including*
 - a. *In regards to Performance Monitoring and Date Reporting, Boards shall:*
 - i. *submit quarterly reports to the Office detailing*

- 1. complaints received, resolved, pending, and processing time averages
- 2. licensing received, rejected and processing time averages
- ii. Adopt and maintain a written investigation policy that includes estimated timelines for each phase of the investigative process. The policy may allow for deviations from these timelines, provided the deviation is clearly documented, that the reason for any deviation is clearly documented in the investigative file.
- iii. Track bills during the legislative session that affect Board operations or professions
- iv. Update its administrative codes in response to newly enacted laws
- v. Ensure proper reconciliation of board accounts and bank records
- b. **In regards to reporting and audit readiness, Boards shall ensure timely and accurate compliance with all audit requirements, including but not limited to those mandated by statute, regulation, the State Administrative Manual, and procedures required by the Office.** To meet these obligations, Boards shall:
 - i. Track and meet reporting deadlines required in statute, regulation, the State Administrative Manual, and procedures required by the Office including those enumerated in NRS 218G.400, NRS 331.110, NRS 333.705,
 - ii. Maintain an internal system to track all report due dates as required by statute, regulation, the State Administrative manual, and procedures required by the Office, including those referenced in subsection (b)(i) of this section
 - iii. **Prepare and Submit Financial Statements pursuant to Nevada Revised Statute to the Office, including**
 - 1. Submission of quarterly financial statements as required by the Office within 4530 days after the close of each quarter, using the standardized format provided by the Office.
 - 2. Submit a comprehensive annual financial report within 9 months of year end close out:
 - a. Total revenues, expenditures, and year-end cash balances
 - b. A review of the adequacy of existing fees
 - c. Any significant financial or structural concerns
 - c. For Training and Professional Development, all Boards will draft a policy detailing training requirements for board members. This policy must:
 - i. Require Board Members to complete standardized training from the Attorney General's Office as required by NRS 622.200. When approved by the Office, this standardized training may be satisfied by completion of courses provided on the Attorney General's Office website.

Commented [MF1]: Section 1(b), 1(b)(i), 1(b)(ii), there is reference to "procedures required by the Office". Those undefined procedures should be set forth in the regulations, rather than left to the Office to develop without input, to prevent unfeasible requirements and/or arbitrary rule-making;

Commented [MF2]: Section 1(b)(iii)1. We prepare monthly financial statements (a widespread practice). These statements are presented at our regular board meetings. The additional effort and money spent producing a quarterly report feels like an unwarranted cost burden that we and the other boards will have to bear.

- ii. *Require the Board's Executive Director and relevant staff to notify Board Members of updated training modules to ensure their ongoing compliance with training required by this Chapter;*
- iii. *Executive Directors will provide completion status of training to the Office.*
- iv. *(intentionally left blank) Required Board Members complete any specific training mandated by the Office*
- v. *Include timelines for the completion of any training required by this chapter.*
- vi. *Be approved by the Office.*

d. *In regards to Board Member Support Services:*

- i. *Boards shall maintain a centralized log of appointment terms and expiration dates*

e. *Access to investigative reports and documentation*

- i. *Upon request of the Office, a board communicate or cooperate with or provide any documents or other information to the Office regarding and investigation or disciplinary matter of the Board. :*
- ii. *Any confidential or investigatory records obtained by the Office pursuant to this section must remain confidential in accordance with applicable state or federal law and shall be used solely for official purposes consistent with the Office's statutory duties.*

2. *(intentionally left blank) Pursuant to NRS 232.8415(1)(b), Boards shall adopt and enforce those uniform standards created by the Office for investigations, licensing and discipline, including, without limitation, those which separate the roles and responsibilities for occupational licensure from the roles and responsibilities for occupational discipline.*

3. *Pursuant to NRS 232.8415(1)(c), Boards shall adopt and enforce those standards for internal financial controls approved by the Office. These standards must include:*

- a. *In regards to fiscal accountability, Boards shall develop and monitor board budgets*
- b. *In regards to data integrity and information management, Board's shall*
 - i. *Ensure licensee, financial, and complaint data are accurate and verifiable*
 - ii. *Protect confidential and personally identifiable information*
 - 1. *Respond to all statutory Audits including*
 - a. *Addressing audit findings of authorized entities, including the Office, with written plans and submission follow-up documentation as required*

Commented [MF3]: Section 1(e)(i) requires the Board to share documents/information regarding an investigation. However, NRS 625.425(1) provides that investigative records are confidential, and pursuant to NRS 625.425(3), the records can only be shared with another licensing board or agency that is investigating that person. It does not make an exception for an agency that is auditing the Board;

Commented [MF4]: Section 2 talks about each Board adopting the 'uniform standards created by the Office'. However, again, any uniform standards should be set forth in regulation, rather than developed by the Office without stakeholder input/public oversight;

Commented [MF5]: Section 3, the same comment as above regarding "standards for financial controls approved by the Office". Standards should be developed in regulation;

- b. Cooperating with audit reviews conducted by ~~the Office~~, the Legislative Auditor, or other authorized entities
- 2. Remedies for Noncompliance
 - a. ~~(intentionally left blank) The Office may issue a written notice of deficiency and require corrective action within a 30 days~~
 - b. ~~Continued failure to comply may result in enhanced administrative oversight or, referral to the Governor for potential removal actions under NRS 232A.030, or withholding of administrative or fiscal support services~~
 - c. **Fiscal independence and cost allocation**
 - i. ~~Each Board shall retain full control and custody of all revenue collected under its statutory authority, including but not limited to license fees and other board-generated income.~~
 - ii. ~~The Office shall not access, redirect, or utilize Boards funds~~
 - iii. ~~(intentionally left blank) Boards shall be responsible only for cost allocation charges specifically authorized by statute and enacted by the legislature to fund the operations of the Office.~~
 - iv. ~~All other funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.~~
- 4. **Pursuant to NRS 232.8415(1)(d), Boards shall adopt and enforce those uniform set of standards for legal representation that are created or approved by the Office.**
- 5. **Pursuant to NRS 232.8415(1)(e), Boards shall adopt and enforce those sets of structural standards created or approved by the Office, including:**
 - a. **In regards to Board composition and statutory compliance, Boards shall maintain records of each board member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.**
 - b. **In regards to Board officer roles and elections, Boards shall**
 - i. **Hold officer elections as required by statute or regulation of the Board. Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.**
 - c. **In regards to Board Member attendance and participation,**
 - i. **Board Members shall observe the minimum attendance requirements for board meetings set by the Office**
 - ii. **Boards shall recommend the removal of any Board member who has three consecutive unexcused absences, as defined by the Office, for meetings, or has unexcused absences for 50% of the meetings within a 12-month period.**

Commented [MF6]: Section 3(c)(iii). There are no statutes enacted by the legislature to allocate funds from the boards to fund the operations of the Office. (iii) should be deleted.

Commented [MF7]: Section 4, what "uniform set of standards for legal representation" does the Office envision. What guidance is there for the Board to know what standards would be acceptable?

Commented [MF8]: Section 5, the same concern as set forth for Section 4, above, regarding a "uniform set of structural standards created or approved by the Office." Such standards should be set forth in regulation, rather than developed at the whim of the Office, without input/public process;

Commented [MF9]: Section 5(c)(i) says the Office shall set minimum attendance requirements, but then (ii) and (iii) go on to address minimum attendance requirements. (i) should be deleted;

iii. *Defining “unexcused absences” and procedures for documenting member absences*

iv.

v. *Board Members shall observe the procedures created by Board staff and accepted by the Office for participation in training and active engagement in board responsibilities.*

6. Pursuant to NRS 232.8415(1)(f), Boards shall adopt and enforce those requirements created or approved by the Office for transparency and consumer protection including

a. *In regards to Websites*

i. *Boards shall maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*

1. *A citation and link to the enabling statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
2. *The name of all current Board Members*
3. *The statutorily designated position each board member fills*
4. *The start and expiration date of each board member’s current term*
5. *The name and title of the Executive Director or equivalent officer of the boards*
6. *A general email address for contacting the Board*
7. *The physical and mailing address of the Board*
8. *The main telephone number of the Board*
9. *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information for year if available*
10. *Archived agendas and minutes of past meetings must follow NRS 241.035*
11. *A license verification system available on the Board’s homepage or accessible within one click from the homepage that includes at a minimum:*

- a. *The full name of each active licensee*
- b. *The type of license or certification held*
- c. *The license number*
- d. *The license status*
- e. *The original issuance date and expiration or renewal date, and*
- f. *An indication of whether the licensee has ever been subject to discipline (“yes” or “no”)*

Commented [MF10]: (iv) under Section 5(c) is blank and should be deleted;

Commented [MF11]: Section 5(c)(v), Individual boards should be the ones who create procedures for their board members and prospective board members. However, these procedures should be reviewed by the office.

12. A disciplinary action portal or searchable system available on the Board's homepage including, at a minimum, unless otherwise provided by statute:

- a. All disciplinary actions taken by the Board against licensees**
- b. The licensee's name, license number, type of disciplinary action, and date of action**
- c. Access to the final order or settlement agreement**
- d. The portal or searchable system must be updated within 15 calendar days of any new disciplinary decision**

13. Instructions and forms for filing a complaint against a licensee

14. The most recent financial statement or budget summary required under NRS 622.100 or NRS 218G.400

15. Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and

16. A direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.

17. All regulations that have been adopted and not codified

18. Each Board shall include the following additional information on its website to improve transparency and service to the public:

- a. Mission statement**
- b. Annual reports or performance data**
- c. Instructions and forms for licensure, renewal, and reinstatement**
- d. All statutory reports and audits**

b. In regards to complaint transparency and access, Boards shall

- i. Provide clear instructions for filing complaints against licensees or the Board**
- ii. Offer online complaint portals or downloadable forms on Board websites**
- iii. Protect confidentiality in accordance with applicable laws while promoting fairness and responsiveness**

c. In regards to consumer education and outreach, Boards may

- i. Publish newsletters, alerts, and bulletins to inform the public about board activities**
- ii. Provide resources on professional standards, ethical conduct, and how to report misconduct**
- iii. Promote awareness of consumer rights and board jurisdiction**

7. *(intentionally left blank) Pursuant to NRS 232.8415(1)(g), Boards shall adopt and enforce those requirements created by the Office for efficacy and efficiency.*

Commented [MF12]: Section 7, any requirements imposed upon Boards should be set forth in regulation and not developed by the Office internally. Not putting such requirements in regulation deprives the process of transparency and stakeholder/public input.

DRAFT

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R074-25

November 14, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§ 1-20, NRS 232.8413.

A REGULATION relating to professional and occupational licensing boards; defining certain terms relating to the regulation of professional and occupational licensing boards; setting forth certain structural standards for a board relating to recordkeeping, officers of the board and attendance; establishing certain requirements relating to the training of board members; establishing certain standards for the internal controls of a board; establishing certain requirements for the Internet website of a board; establishing certain requirements for a board relating to certain bills during a legislative session; authorizing a board to publish certain information for the public; setting forth certain standards relating to complaints to and investigations by or on behalf of a board; requiring a board to provide certain information to the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry; providing for the Office to conduct performance evaluations of a board; establishing provisions for the enforcement of certain regulatory requirements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry and charges the Office with certain duties relating to the regulation of professional and occupational licensing boards, including: (1) centralized administration; (2) establishing uniform sets of standards for investigations, licensing and discipline, internal controls and legal representation; (3) establishing consistent sets of structural standards for boards and commissions; (4) transparency and consumer protection; and (5) efficacy and efficiency. Existing law requires the Director of the Department to adopt regulations and procedures to administer the responsibilities of the Office. (NRS 232.8413, 232.8415) **Sections 3-8** of this regulation defines certain terms relating to the regulation of professional and occupational licensing boards. **Section 2** of this regulation applies these definitions to the provisions of this regulation.

Existing law provides that all professional and occupational licensing boards created by the Legislature are under the purview of the Office. (NRS 232.8415) **Section 9** of this regulation interprets the term “purview” for the purpose of this provision.

Section 10 of this regulation establishes certain structural standards for each board to: (1) maintain certain centralized records relating to each seat on the board, the board members filling the seats, and the terms of the board members serving on the board; (2) appoint or elect officers of the board; and (3) establish certain expectations and policies relating to the attendance of board member at meetings.

Section 11 of this regulation requires: (1) the Executive Director of a board to notify board members regarding certain training and when the training is offered; and (2) the board to notify the Office that a board member has completed a required training.

Section 12 of this regulation requires each board to establish certain standards for internal controls including: (1) developing and implementing a budget; (2) maintaining and protecting information in the records of the board in certain manners; (3) complying and cooperating with all statutory and regulatory reporting and auditing requirements; and (4) taking certain actions to respond to audits that recommend corrective action.

Section 13 of this regulation requires each board to maintain a publicly accessible Internet website of the board which includes certain information.

Section 14 of this regulation requires each board to: (1) track bills during a regular or special legislative session which may impact the operations of or licensees regulated by the board; (2) report certain information to the Office relating to the bills tracked by the board; and (3) take certain steps to implement any bill which is passed during a regular or special legislative session.

Section 15 of this regulation authorizes a board to publish certain materials to inform the public of various information relating to the board and licensees of the board.

Section 16 of this regulation sets forth certain requirements relating to complaints to and investigations conducted by or on behalf of a board. **Section 17** of this regulation requires a board to provide certain quarterly and annual information and reports to the Office relating to complaints, investigations, disciplinary actions and licensees.

Section 18 of this regulation requires a board to submit certain financial information to the Office on a quarterly and annual basis.

Section 19 of this regulation provides that the Office will evaluate the performance of a board using the reports and other information required to be submitted to the Office by **sections 17 and 18**, and, based on the results of the evaluation, may issue recommendations or require a board to take corrective action.

Section 20 of this regulation provides that if a board fails to comply with a requirement in this regulation, the Office may issue a written notice of deficiency and require the board to take corrective action. If the board fails to take such corrective action, **section 20** provides that the Office may: (1) increase the administrative oversight of the board; (2) refer the board members to the Governor for removal; or (3) withhold certain support services provided by the Office.

Section 1. Chapter 232 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 20, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 20, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, have the meanings ascribed to them in those sections.*

Sec. 3. *“Board” means any professional or occupational licensing body, including, without limitation, a board, commission or council, that has been created by the Legislature.* ~~*and which is under the purview of the Office.*~~

Commented [MF1]: This is un-necessary and this portion of the sentence should be deleted.

Sec. 4. *“Board member” means a person appointed to serve on a board.*

Sec. 5. *“Executive Director” means a person appointed or employed by a board to oversee the daily operations of the board.*

Sec. 6. *“License” means any professional or occupational authorization, including, without limitation, a license, permit, registration or certificate, that is issued by a board.*

Sec. 7. *“Licensee” means any person who holds a license issued by a board.*

Sec. 8. *“Office” means the Office of Nevada Boards, Commissions and Councils Standards.*

Sec. 9. *For the purpose of NRS 232.8415, the Office interprets the term “purview” to mean administrative oversight.*

Sec. 10. *For the purpose of a consistent set of structural standards, each board shall:*

1. *Maintain a centralized record of:*
 - (a) *Each seat on the board, including whether the seat is required by statute to represent certain interests or to serve a certain role;*
 - (b) *Each board member who is filling a seat on the board; and*
 - (c) *The terms of each board member including, without limitation, the date on which the term began and expires.*

2. *Elect or appoint the officers of the board in accordance with the applicable statutes and regulations governing the board. Except as otherwise provided by specific statute or regulation adopted by the board, a board shall elect the officers on an annual basis.*

3. *Establish the expectation that the board members must attend and participate in meetings of the board. Each board shall adopt a policy providing that, if a board member has three or more consecutive unexcused absences or has unexcused absences from 50 percent or more of the meetings of the board within a 12-month period, the board may recommend to the Governor that the board member be removed pursuant to NRS 232A.030.*

Commented [MF2]: NVBPELS meets or exceeds this expectation.

4. *As used in this section, “unexcused absence” means an absence that is not:*

- (a) *Caused by illness, family emergency or other extenuating circumstance;*
- (b) *Approved by the chair of the board; or*
- (c) *Otherwise authorized by statute.*

Sec. 11. 1. *The Executive Director Office of each board shall notify the board members each board Executive Director of any training that the board members are required to complete pursuant to NRS 622.200 and when such training is offered.*

Commented [MF3]: This should be a responsibility of the Office, not the boards.

2. *Not more than 30 days after completing any training required pursuant to NRS 622.200, a board shall provide written notice to the Office, on a form prescribed by the Office, confirming that a board member completed the required training.*

Sec. 12. *For the purpose of establishing a uniform set of standards for internal controls, each board shall:*

- 1. *Develop a budget for the board and monitor the implementation of the budget.*
- 2. *Maintain any information in the records of the board relating to licensees, finances, and complaints in a manner to ensure the information is accurate and verifiable.*

3. *Protect the confidential and personal identifying information in the records of the board.*
4. *Comply and cooperate with all reporting and auditing requirements set forth by any applicable statute or regulation, including, without limitation, the requirements of NRS 218G.400, 331.110, 333.705, as amended by section 8 of Assembly Bill No. 506, chapter 153, Statutes of Nevada 2025, at page 859, and 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444, in a timely and accurate manner and in accordance with any deadlines set forth in statute or regulation.*

5. *Respond to all audits of the board conducted pursuant to statute. Except as otherwise provided by specific statute, each board shall, not more than 60 days after receiving a final report of the results of an audit that recommends corrective action:*

- (a) *Prepare a written plan for corrective action that addresses all recommendations for the corrective action; and*
- (b) *Submit the evidence to the auditing entity that the corrective action set forth in the plan prepared pursuant to paragraph (a) has been taken.*

Sec. 13. 1. *Each board shall maintain a publicly accessible Internet website of the board which is accessible to persons with disabilities, including, without limitation, persons who are blind or visually impaired and, in addition to any other information required by statute or regulation of a board, post on the Internet website of the board:*

- (a) *A citation and link to the enabling statutes of the board and any regulations adopted by the board, including, without limitation, emergency regulations, temporary regulations and permanent regulations of the board which have been adopted and filed with the Secretary of*

State pursuant to chapter 233B of NRS but not yet codified in the Nevada Administrative Code;

- (b) The mission statement of the board.*
- (c) For all current members of the board:*
 - (1) The name of each member of the board;*
 - (2) If the member was appointed to represent certain interests or serve a certain role that is required by statute, the interests or role which the member of the board represents or serves; and*
 - (3) The dates on which the term of each member of the board begins and expires;*
- (d) The name and title of the Executive Director of the board;*
- (e) The contact information for the board, including, without limitation, an electronic mailing address, mailing address, physical address and telephone number;*
- (f) Any upcoming meetings of the board or a subcommittee of the board which must include, without limitation, the date, time, location, agenda, when available, and any other information required for notice of an upcoming meeting pursuant to NRS 241.020 or 622.340;*
- (g) An archive of all agendas and minutes of previous meetings of the board prepared pursuant to NRS 241.035;*
- (h) Instructions for applying for licensure, renewing a license and reinstatement of a license;*
- (i) A system for verifying licenses which must be accessible from the homepage of the Internet website with one click and, for each licensee, must include, without limitation, the full name of the licensee, the type and status of the license, the license number, the date of*

issuance and the date of expiration of the license and a yes-or-no-indication of whether the licensee has any history of disciplinary actions;

(j) A system for reviewing the history of disciplinary actions of a licensee which must:

(1) Be accessible from the homepage of the Internet website;

(2) Be searchable;

(3) Be updated not more than 1530 days after any new disciplinary action is finalized;

(4) Include, without limitation, the full name of the licensee, the license number, the type of disciplinary action and the date of the disciplinary action; and

(5) Unless otherwise declared confidential by statute or court order, provide access to a copy of the final order or settlement agreement for the disciplinary action;

(k) Clear instructions on how to file the complaint with the board accompanied by forms that may be downloaded for filing a complaint or an online system on the Internet website that authorizes a person to file a complaint electronically;

(l) A copy of the most recent financial summary submitted to the Office pursuant to section 18 of this regulation with a copy of any recent financial audits or balance sheets submitted pursuant to NRS 218G.400;

(m) A copy of any review, report, or audit of the board conducted by or on behalf of the Sunset Committee of the Legislature prepared within the previous 5 calendar years;

(n) A link to the Internet website of the Office which must be accessible from the homepage of the Internet website of the board;

(o) Any other reports required by statute or prepared annually by the board; and

(p) Any performance data prepared by the board.

2. As used in this section:

Commented [MF4]: 30 days would be more appropriate, but we can live with 15 days.

(a) "Emergency regulation" has the meaning ascribed to it in NRS 233B.033.

(b) "Permanent regulation" has the meaning ascribed to it in NRS 233B.036.

(c) "Temporary regulation" has the meaning ascribed to it in NRS 233B.0385.

Sec. 14. 1. ~~During each regular or special legislative session, each board—the Office~~

~~shall track any bills introduced to the Legislature which may impact the operations of or~~

~~licensees regulated by the board.~~

2. ~~Not later than 60 days after the adjournment of every regular or special legislative~~

~~session, each board—the Office shall submit a report to the Office each board Executive~~

~~Director, on a form prescribed by the Office, identifying:~~

(a) ~~The bills tracked by the board—the Office and whether the bills became law;~~

(b) ~~The potential impact of each bill on the operations of or licensees regulated by the~~

~~board;~~

(c) ~~Any actions required by the board to implement any bills which became law during the~~
~~legislative session; and~~

(d) ~~The estimated timeline for the board to implement any bills which became law during~~
~~the legislative session.~~

3. ~~For any bill tracked pursuant to subsection 2 which a board is required to take action~~
~~to implement, the board shall:~~

(a) ~~Update the regulations of the board consistent with the bill;~~

(b) ~~Ensure that the bank accounts and records of the board are consistent with the~~
~~requirements of the bill; and~~

(c) ~~Notify the Office, in a format prescribed by the Office, once the board has implemented~~
~~the bill.~~

Commented [MF5]: Legislation is something that the Office should be tracking and providing notification to each of the boards.

Sec. 15. *To provide outreach and education to the public, each board may publish newsletters, alters or bulletins to inform the public of the activities of the board, professional standards of and ethical requirements for the licensees regulated by the board, the rights of the public and the procedures for reporting the misconduct of a licensee to the board.*

Sec. 16. 1. *To ensure transparency and access to the public, each board shall make available to any person who wishes to file a complaint with the board a form for filing the complaint or a method to file the complaint electronically.*

2. *When responding to a complaint filed with the board, a board shall comply with all requirements for confidentiality while ensuring the board is fair and responsive to the complaint.*

3. *A board shall investigate any complaint filed with the board. For any matter under an investigation conducted by or on behalf of a board, the filed complaint documenting the investigation must include, without limitation:*

- (a) Any deadlines by which the board is required to complete any step of an investigation;***
- (b) Whether the board met all the deadlines identified pursuant to paragraph (a); and***
- (c) If the board did not meet any deadlines identified pursuant to paragraph (a), the reason why the board did not meet the deadline.***

4. *For the purposes of subsection 3, the steps of an investigation may include, without limitation, the receipt or acknowledgment of a complaint, the issuance of a notice to a licensee, the determination of probable cause, the filing of a formal complaint, the scheduling of a hearing and the issuance of a final decision by the board.*

5. *Upon the request of the Office and to the extent permitted by law, a board shall provide to the Office any files, documents, data or other information relating to an investigation*

conducted by the board, including, without limitation, any disciplinary action instituted during an investigation.

Sec. 17. *On or before the 20th day of January, April, July and October, each board shall submit to the Office on a form prescribed by the Office:*

- 1. All information required to be submitted to the Director of the Legislative Counsel Bureau pursuant to NRS 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444. A board may submit a copy of the report submitted to the Director of the Legislative Counsel Bureau pursuant to NRS 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444, to satisfy this requirement;*
- 2. A summary of all complaints filed with the board during the immediately preceding calendar quarter, which must include, without limitation, all complaints received, pending and resolved by the board for the calendar quarter;*
- 3. A summary of all cases in which an investigation conducted by or on behalf of the board missed a statutory deadline for completing the investigation along with an explanation of the reason for missing the deadline; and*

4. Any other information requested by the Office.

Commented [MF6]: This is an open ended statement and should be deleted.

Sec. 18. *1. All money in the possession of a board must be deposited and used in accordance with any applicable statutes governing the board. The Office will not request or attempt to access, redirect or use any money of a board.*

2. Each board shall submit to the Office:

(a) *On or before December 15 of each year, a copy of the balance sheet or report of an audit required to be filed with the Legislative Auditor and Chief of the Budget Division of the Office of Finance pursuant to NRS 218G.400;*

(b) *Not later than 30 days after the close of each fiscal quarter month, a simplified financial report, in the form prescribed by each board shall provide a balance sheet and profit and loss statement to the Office, summarizing the finances of the board for that fiscal quarter month, which must include, without limitation, the total revenue, total expenditures and cash balances at the end of the fiscal quarter month; and*

(c) *Not later than 9 months after the close of the fiscal year, an audited financial report or a simplified financial report, in the form prescribed by the Office, summarizing the finances of the board for that fiscal year, which must:*

(1) Include, without limitation, the total revenue, total expenditures and cash balances at the end of the fiscal year;

(2) Reconcile the financial information included in the report pursuant to subparagraph (1) with the balance sheets or audits prepared pursuant to NRS 218G.400;

(3) Include, without limitation, a statement identifying any significant financial or structural concerns of the board identified by the board; and

(4) Review the adequacy of the existing fees which the board is authorized to charge under statute.

Sec. 19. 1. *The Office will evaluate the performance of each board using the reports and information submitted to the Office pursuant to sections 17 and 18 of this regulation.*

2.—Each board shall cooperate with the Office in any performance evaluation conducted by the Office pursuant to subsection 1 or audits conducted by the Office, and provide any

Commented [MF7]: NVBPELS - prepare monthly financial statements and will provide this information to the Office. Quarterly reporting will require extra and unnecessary work for Board staff. This additional reporting will be an extra burden on staff, possibly requiring additional staff. The addition of staff may require the board to increase fees that are paid by licensees, firms and applicants.

information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board.

Commented [MF8]: This is an open ended statement and should be deleted.

3.2. *Based on the results of the performance evaluations conducted pursuant to subsection 1, the Office may issue recommendations or require a board to take corrective action to improve efficiency and effectiveness, reduce costs or enhance consumer protections.*

4.3. *Unless the Office specifies in writing that the board must take such action in a different timeframe, if the Office requires a board to take corrective action pursuant to subsection 3, the board shall take such corrective action not more than 90 days after receiving notice from the Office regarding the corrective action.*

Sec. 20. **1.** *Except as otherwise provided in section 19 of this regulation, if a board fails to comply with the requirements set forth in sections 2 to 20, inclusive, of this regulation, the Office may issue a written notice of deficiency to the board and require the board to take corrective action. Any such corrective action must be taken not more than 60 days after the written notice is received by the board.*

2. *If a board fails to take corrective action pursuant to subsection 1, the Office may:*

- (a)** *Increase the administrative oversight of the board;*
- (b)** *Refer the members of the board to the Governor for removal for malfeasance or nonfeasance pursuant to NRS 232A.030; or*
- (c)** *Withhold any administrative or fiscal support services provided by the Office to the board.*

Nov. 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions and Council Standards

Re: LCB File No. R074-25

Dear Ms. Haag:

Please accept this letter on behalf of the Nevada Chapter of the American Council of Engineering Companies (ACEC-NV) in response to the above-referenced proposed regulations. ACEC-NV is a statewide trade association representing the engineering and land surveying industry that includes over 40 engineering firms with approximately 2,000 employees in Nevada, many of whom are licensed by the Nevada State Board of Professional Engineers and Land Surveyors (NSBPELS).

As a general matter we wish to express our support of the Department's efforts to improve the efficiency and transparency of the operation of state boards, commissions and councils throughout Nevada. These are laudable goals worth pursuing. Such bodies that are not operating in a manner that effectively and efficiently support and promote the industries for which they were established should rightly be subject to additional oversight.

As a board that is funded by the fees of its industry members ACEC-NV cares greatly in the efficient and transparent operation of NSBPELS. It is the experience of ACEC-NV and its member firms that NSBPELS has not only met the standards for which the Department seeks of its state boards, commissions and councils, but exceeds them. NSBPELS has and continues to operate with fiscal responsibility, quickly and efficiently performs its licensing duties and fairly and diligently investigates complaints. As such, it is important to ACEC-NV that the proposed regulations contemplate flexibility with respect to their implementation rather than paint all boards with a broad regulatory brush. In this regard the regulations should be careful not to imbue regulatory authority in "procedures" and "standards" that have not otherwise been fully vetted among relevant stakeholders through a public hearing process and the adoption of regulations establishing specific procedures and standards. These public hearing processes allow for a full and robust discussion of standards and their applicability which allow for a more thoughtful and careful application where a board, commission or council is failing to meet the desired standards.

To be clear, ACEC-NV does not object to the establishment of uniform standards that support the efficient and transparent operation of state boards. However, we are concerned that those bodies that are already operating in such a manner, such as NSBPELS, become swept into a broadened regulatory framework that impedes those boards that are effectively supporting their respective industries. This concern is heightened with respect to NSBPELS given the critical public safety role it performs with respect to the competency and licensure of the engineering community.

Thank you for your kind consideration of our concerns. We look forward to working with you and the Department as these proposed regulations continue through the process.

Sincerely,

Dawn Miller

Dawn Miller, Executive Director
ACEC-NV

Opposition Statement for proposed regulations of Business and Industry LCB File No. R074-25

My name is Michael S. Laymon, PT, DPT, DSc., Ph.D, OCS and current Chair of the State of Nevada Board of Physical Therapy. I present my statements based on my position on the Board of Physical Therapy and my interactions and oversight of Board operations. Board of Directors are volunteer positions, licensed professionals in the field with one public member. The measure of the effectiveness and management of the Nevada Physical Therapy Board (NVPTB) is evidenced by being recognized at the national level for its outstanding effectiveness and operational excellence by the Federation of State Boards of Physical Therapy (FSBPT) Excellence in Regulation Award this year. The FSBPT Excellence in Regulation Award celebrates state boards that have effectively protected the public through strong regulations, efficient operations, and legislative improvements. State of Nevada Physical Therapy Board's achievements in passing model legislation, timely licensing, and transparent public reporting, were specifically cited in the selection criteria for this national honor. This award was given to only two boards in the nation that demonstrated superior achievement in regulatory governance and safeguarding consumers of physical therapy services. Being a voluntary

Board, we are heavily dependent on the Board staff and daily operations.

Therefore, the success of the Board is dependent on effective administration.

That lies with a dedicated and **focused** staff and Executive Director.

Additionally, Executive Director Charles Harvey was awarded the 2025 FSBPT

Outstanding Service Award in his role of operationalizing staff and day to day

tasks specific to Board effectiveness. These accolades acknowledge

exceptional leadership and contributions to advancing the physical therapy

profession, upholding high regulatory standards, and fostering innovation and

accountability within the Board to protect public safety and health. The recent

awards from FSBPT demonstrate that NVPTB's processes already meet or

exceed the highest standards for regulation, efficiency, and service.

My understanding of the proposed regulations is to promote efficiency by

standardizing procedures, and providing oversight for public safety. Close

review of the proposed regulations would substantially increase staff workload

and distractions to prepare quarterly written and annual reports on

complaints, investigations, disciplinary actions, and licensees. Develop and

create quarterly and annual financial summaries in specified formats—even

where such information is already reported elsewhere. Report bill tracking and

implementation actions within set timeframes, regardless of the board’s unique meeting schedule and voluntary member limitations. These additional regulations would create extra work via duplicate reporting and new paperwork streams that do not contribute to actual public protection or service improvement, directly undermining existing efficiency.

The regulation’s enforcement model is punitive: if boards fail to meet requirements (even if due to external consultant or District Attorney General delays rather than board nonfeasance); the Business and Industry Committee can increase oversight or refer for Board removal. Such measures threaten genuine self-governance and professional expertise that have demonstrably protected Nevada’s consumers of physical therapy services better than other professions and in other “troubled” States cited nationally.

Requirements for reporting missed deadlines in investigations, even if those are due to District Attorney General capacity/manpower issues (not board actions), add to “audit culture” stress without resolving root delay causes. NVPTB’s swift license processing standards (1-3 days) and thorough investigations are already exemplary.

Although the regulation does not specifically make boards “advisory only,” it reserves to the Office the power to shift autonomous boards towards tighter administrative controls and intervention, including withholding support services. The cited examples from Colorado, and from national boards that lost autonomy highlight tangible public harm, slow regulatory adaptation, and an uptick in unregulated “bad actors” following loss of self-governance.

The NVPTB meets six times per year and as needed. Mandates around legislative bill monitoring and reporting within short timeframes (60 days post-session, 30 days for some actions) do not acknowledge the volunteer and working-professional status of board members, making compliance unrealistic and potentially stalling public-facing protocols.

The NVPTB is current with financial reporting and audits. The proposed regulation requires Boards to submit detailed quarterly and annual financial reports, reconcile audits, and provide statements on fee structure adequacy, even when this information is already available or submitted to other agencies. This redundancy will increase administrative burdens without evident benefits.

Mandatory training notice and submission of written verification within 30 days for board members adds another duplicative layer, since these records are

already kept internally. Website and Transparency Mandates specified in the new requirements for public access and meeting minutes, complaints, license verification, regulatory postings, and financials is already practiced by NVPTB.

In Summary: these regulations impede and interfere with effective Board management and operations which protect the public interest. Boards that fall short in financial, public protections, and licensure practice are further dysfunctional through over-regulation and external control versus correction of the dysfunctional operations. As with combining Boards; dilution of peer accountability and legislative enhancements which act to protect public health, insure professional standards, and grow and adapt to the needs of a fluent society; over-regulation or morphing Boards autonomy to becoming advisory in nature **DOES NOT** promote public safety or insure professional standards.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

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Carson City, NV 89702

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NEVADA ASSOCIATION OF LAND SURVEYORS

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November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

4790 Caughlin Pkwy #241, Reno, NV 89519 • Telephone 775 / 433-1700 • Fax 775 / 433-1705
Email: info@nvopticians.org • Website: www.nvbdo.nv.gov

November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

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(775) 746-9423 / Fax (775) 746-4105
www.nvrehs.org Email board@nvrehs.org

October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

Hi Nikki,

Hope all is well. The regulations are coming along nicely. I understand another draft is in queue from the LCB so some of the questions/inquiries may have already been addressed. Just wanted to put the following on your radar:

- **Section 13 - 1(g)** - Can we please get a time limit on this, perhaps the last 5 years? It would be burdensome for us to attempt to digitize historical minutes. The resources and time involved digitizing historical minutes would exceed the utilization of the digitized records.
- **Section 13 - 1(i)** - Can we add a modifier such as “active licenses” or “active licenses and those revoked, suspended, or surrendered in the prior 10 years?”
- **Section 13 - 1(j)** - Regarding any reference to “disciplinary actions,” this is not defined in the beginning definitions section. Confirming this means complaints that have been settled with probation or resulted in suspension, revocation, or surrender.
- **Section 13 - 1(j5)** - Can we make this either a prospective requirement to start when this regulation passes, or cap with a time limit, such as for cases resolved in the last 5 years? As above, our Board is quite old and a good majority of our disciplinary orders and settlement agreements were not computerized or not stored in a computer in any searchable database, such that trying to track down older disciplinary orders would be burdensome. Further, in the past and potentially before any prohibitions of same, some of our settlement agreements contained confidentiality language.
- **Section 16 - 3** - Can we please get the word investigate changed to review, or in the alternative, get a definition of investigate that contemplates an investigation including a review for initial jurisdiction, and not further investigation if jurisdiction is found lacking? Our own regulations require a jurisdictional review prior to the investigation commencing and a dismissal if there is no jurisdiction, so we cannot comply with this as written.
- **Section 16 - 3(a)(b)** - Regarding these two requirements, they do not correspond to our disciplinary procedures. It is not our filed complaint that documents the results of an investigation; rather, for us, it is a Preliminary Screening Consultant (licensed professional) report that does so. Thus, can we change the wording to “For any

matter under an investigation conducted by or on behalf of a board, the documentation of the investigation must include ..." This makes it more generic to whatever a given Board's process is.

- **60 days vs 90 days** - Is it possible to make the number of days to remedy/corrective action the same time frame?

A.L. Higginbotham

Executive Director - Nevada State Board of Dental Examiners

2651 N. Green Valley Parkway, Suite 104

Henderson, Nevada 89014

T: 702.486.7048 | E: ahigginbotham@dental.nv.gov

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

*(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:*

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*
(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

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Las Vegas: 4220 S. Maryland Pkwy., Building B, Suite 300, Las Vegas, Nevada 89119 - Telephone (888) 590-6726 - Fax (702) 486-5803
www.nevadanursingboard.org

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nov. 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions and Council Standards

Re: LCB File No. R074-25

Dear Ms. Haag:

Please accept this letter on behalf of the Nevada Chapter of the American Council of Engineering Companies (ACEC-NV) in response to the above-referenced proposed regulations. ACEC-NV is a statewide trade association representing the engineering and land surveying industry that includes over 40 engineering firms with approximately 2,000 employees in Nevada, many of whom are licensed by the Nevada State Board of Professional Engineers and Land Surveyors (NSBPELS).

As a general matter we wish to express our support of the Department's efforts to improve the efficiency and transparency of the operation of state boards, commissions and councils throughout Nevada. These are laudable goals worth pursuing. Such bodies that are not operating in a manner that effectively and efficiently support and promote the industries for which they were established should rightly be subject to additional oversight.

As a board that is funded by the fees of its industry members ACEC-NV cares greatly in the efficient and transparent operation of NSBPELS. It is the experience of ACEC-NV and its member firms that NSBPELS has not only met the standards for which the Department seeks of its state boards, commissions and councils, but exceeds them. NSBPELS has and continues to operate with fiscal responsibility, quickly and efficiently performs its licensing duties and fairly and diligently investigates complaints. As such, it is important to ACEC-NV that the proposed regulations contemplate flexibility with respect to their implementation rather than paint all boards with a broad regulatory brush. In this regard the regulations should be careful not to imbue regulatory authority in "procedures" and "standards" that have not otherwise been fully vetted among relevant stakeholders through a public hearing process and the adoption of regulations establishing specific procedures and standards. These public hearing processes allow for a full and robust discussion of standards and their applicability which allow for a more thoughtful and careful application where a board, commission or council is failing to meet the desired standards.

To be clear, ACEC-NV does not object to the establishment of uniform standards that support the efficient and transparent operation of state boards. However, we are concerned that those bodies that are already operating in such a manner, such as NSBPELS, become swept into a broadened regulatory framework that impedes those boards that are effectively supporting their respective industries. This concern is heightened with respect to NSBPELS given the critical public safety role it performs with respect to the competency and licensure of the engineering community.

Thank you for your kind consideration of our concerns. We look forward to working with you and the Department as these proposed regulations continue through the process.

Sincerely,

Dawn Miller

Dawn Miller, Executive Director
ACEC-NV

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

P.O. Box 1824

Carson City, NV 89702

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NEVADA ASSOCIATION OF LAND SURVEYORS

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November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

4790 Caughlin Pkwy #241, Reno, NV 89519 • Telephone 775 / 433-1700 • Fax 775 / 433-1705
Email: info@nvopticians.org • Website: www.nvbdo.nv.gov

November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

6170 Mae Anne Ave., Suite 1, Reno, NV 89523
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www.nvrehs.org Email board@nvrehs.org

October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*
(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

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www.nevadanursingboard.org

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

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Governor

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President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Dear Ms. Haag,

After careful review of the proposed regulations I would like to share my personal observations.

Please note, that the comments in this letter and in the attached document are my own and do not represent the position that the Chiropractic Physician's Board may have, since they have not had an opportunity to take a formal position at an open and public meeting.

I appreciate the intent of the proposed regulations to enhance transparency and accountability. However, the reporting requirements outlined appear to duplicate information already submitted through existing processes or places unnecessary demands on Board staff. To promote efficiency and reduce administrative burden, I recommend streamlining or aligning these reporting requirements with current reporting mechanisms. This approach would maintain transparency while ensuring that resources remain focused on core regulatory and public protection functions.

Please refer to the attached document which identifies my comments to the respective sections.

Once you have received the version of the language from the Legislative Counsel Bureau please share that version with the Board and allow the Board at least 90 days for us to obtain a position and comments from the Board in an open and public meeting.

Thank you for considering my comments

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Strandberg".
Julie Strandberg
Executive Director

Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Dear Ms. Haag,

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Once you have received the version of the language from the Legislative Counsel Bureau please share that version with the Board and allow the Board at least 90 days for us to obtain a position and comments from the Board in an open and public meeting.

Thank you for considering my comments

Sincerely,


Julie Strandberg
Executive Director



NEVADA ASSOCIATION OF LAND SURVEYORS

526 South E Street – Santa Rosa, CA 95404

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November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

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November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

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October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*
(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

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Las Vegas: 4220 S. Maryland Pkwy., Building B, Suite 300, Las Vegas, Nevada 89119 - Telephone (888) 590-6726 - Fax (702) 486-5803
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November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

P.O. Box 1824

Carson City, NV 89702

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Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, M-245 | Reno, Nevada 89502-5000

Phone: (775) 688-1921 | Fax: (775) 688-1920

Website: <https://chirobd.nv.gov> | Email: chirobd@chirobd.nv.gov

November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Dear Ms. Haag,

After careful review of the proposed regulations I would like to share my personal observations.

Please note, that the comments in this letter and in the attached document are my own and do not represent the position that the Chiropractic Physician's Board may have, since they have not had an opportunity to take a formal position at an open and public meeting.

I appreciate the intent of the proposed regulations to enhance transparency and accountability. However, the reporting requirements outlined appear to duplicate information already submitted through existing processes or places unnecessary demands on Board staff. To promote efficiency and reduce administrative burden, I recommend streamlining or aligning these reporting requirements with current reporting mechanisms. This approach would maintain transparency while ensuring that resources remain focused on core regulatory and public protection functions.

Please refer to the attached document which identifies my comments to the respective sections.

Once you have received the version of the language from the Legislative Counsel Bureau please share that version with the Board and allow the Board at least 90 days for us to obtain a position and comments from the Board in an open and public meeting.

Thank you for considering my comments

Sincerely,


Julie Strandberg
Executive Director

Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

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Sincerely,


Julie Strandberg
Executive Director



State of Nevada
Board of Environmental Health Specialists

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(775) 746-9423 / Fax (775) 746-4105
www.nvrehs.org Email board@nvrehs.org

October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

Frank DiMaggio, Executive Director of Nevada State Board of Osteopathic Medicine

Comments for B&I Public Workshop on Regs- 11/25/2025 – 1pm

B&I: refers to the Nevada Department of Business and Industry

Office: refers to the Office of Nevada Boards, Commissions, and Councils Standards within B&I.

In addition to my forthcoming comments, I also echo and list for the record all the concerns and comments set forth in the Summary of Input from Boards and Executive Directors on the Proposed Regulations listed on the B&I website under the “Board & Commissions” tab, then under the heading of “Proposed Regulations”.

I also echo and list for the record the comments of the other five speakers who proceeded my comments at this Workshop.

NRS 232.8413(2) requires B&I to “adopt the necessary regulations and procedures to effectively administer the responsibilities of the Office.” Those responsibilities are set forth in **NRS 232.8415(1)**. Accordingly, those 2 statutes allow B&I authority to set its own internal administrative rules to administer its responsibility. No statutory authority is given for B&I establish regulations requiring Boards to act in any specific way. See sections 10, 11, 12, 14, 16, and 17-20 of R074-25P.

Neither **NRS 232.8413** nor **232.8415** define the term “purview”. However, B&I has defined “purview” to mean “administrative oversight” (**R074-25P, Sec. 9.**) No authority is given for B&I to define the words used in those two statutes. Furthermore, the definition given does not provide clarity or specificity, but rather creates a vague and ambiguous term “administrative oversight”.

Various sections of **R074-25P** establish requirements for the Nevada State Board of Osteopathic Medicine (‘the Board’) not set forth in any other statute or regulation of the Board. Accordingly, these regulations are an attempt to replace the statutory or regulatory scheme established by NRS 633 and NAC 633. Examples of the various sections of **R074-25P** which establish requirements for the boards are as follows:

Sec. 10- requires the boards “under its purview” to adopt a policy regarding board member absences from board meetings.

Sec. 11(1)- requires the Executive Director to notify board members of required trainings.

Sec. 11(2)-requires boards to provide written notice to the Office confirming that a board member has completed the required training.

Sec. 14(1)- requires boards to track certain bills and **14(2)** requires each board to submit a report to the Office of bills tracked; potential impact of each bill; any actions required by the board to implement any bill; and estimated timeline for the board to implement any bill. Sec. **14(3)** requires the board to notify the Office once the board has implemented the bill.

Sec. 16(5)- requires boards to provide to the Office any files, documents, data, or other information relating to an investigation conducted by the boards, including any disciplinary action. In addition to the unauthorized mandate to do so, this may violate certain confidentiality statutes, such as NRS 633.301.

Sec. 17- requires boards to submit information to the Office, which information is already being reported to statutes set forth in said regulation as well as “any other information requested by the Office”.

Sec. 18(2) requires boards to submit a copy of the balance sheet or report of a required audit; a simplified financial report quarterly; another simplified financial report not later than 9 months after the close of the fiscal year, summarizing the finances of the boards that that fiscal year.

Sec. 19(2)- requires boards to cooperate with the Office in any performance evaluation conducted by the Office and provide any information to the Office “that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board.”‘

19(3)- requires boards to take corrective action to improve efficiency and effectiveness, reduce costs, or enhance consumer protections.

Sec. 20(1)- requires boards to take corrective action based upon the Office’s determination that boards have failed to comply with the requirements set forth in Sec. 2-Sec 20 inclusive.

Sec. 20(2)- allows the Office to assess penalties to boards failing to take the Office’s corrective actions.

If these regulations as proposed are approved, they will require additional expenditure of Board staff time or perhaps hiring of additional staff, thereby necessitating the Board to seek an increase in its fees charged to its licensees. This Board has not increased its licensing fees since 2013 (12 years) and most likely since the early 2000’s from what I could quickly determine.

Nevada Attorney General’s Administrative Rulemaking Guide- 10th edition 2023-
requires the following:

Page 4- imposition of penalties require specific statutory authorization.

Comment: No specific statutory authorization exists for the Office to impose any penalties such as set forth in Sec. 20 of R074-25P.

Page 5- Regarding the SBIS requirement in the Nevada Administrative Procedures Act:

"The analysis should be conducted by a knowledgeable employee or through the use of a consultant or independent contractor, and be prepared in consultation with owners and officers of small businesses likely to be affected. As a matter of practice, the agency should submit a Small Business Impact Statement regardless of whether an impact is anticipated- demonstrating to the legislature that the agency reached out to work with small businesses."

Comment: Along with the Notice of this Workshop, a Small Business Impact Statement was included. No indication that a survey of small businesses was conducted or that it was prepared by a "knowledgeable employee or through the use of a consultant or independent contractor and prepared in consultation with owner and officers of small businesses likely to be affected".

Ms. Haag sent an email on 11/17/2025 stating that proposed regulations were issued on 11/14/2025 and that further revisions to those regulations were made by Ms. Haag, but Ms. Haag had not yet received the updated version. Then, Ms. Haag's email with a link to **R074-25I** and **R074-25P** was sent yesterday at 12 noon. The Board's last meeting was on November 12, 2025, and the Board meets monthly except for August. No time was given to allow the Board members to view R074-25P which was submitted to LCB on 11/14/2025. Board members should be given an opportunity at a Board meeting to review such regulation so that they may provide their comments and feedback, but no such opportunity was afforded to the Board members.

I request B&I and the Office to make deletions, revisions, and amendments to **R074-25P** in accordance with the comments set forth and referenced herein.

Thank you for the opportunity to provide these comments.

Sincerely,



Frank DiMaggio, Executive Director
Nevada State Board of Osteopathic Medicine
2275 Corporate Circle, Ste. 210
Henderson, NV 89074
(702)732-2147

From: David James <jamesdrs@gmail.com>
Sent on: Monday, November 24, 2025 6:57:25 PM
To: BCCS Info <BCCSinfo@business.nv.gov>
CC: Mark Fakler <mfakler@nvpels.nv.gov>; Philip Giles <pgiles@nspe.org>
Subject: Proposed Regulation R074-25 comment, concern: additional administrative and financial burden

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear members of the Legislature and assembled members of the professions and the public,

My name is David E. James, PE. I am a licensed Civil Engineer (license 013388, current through 6/30/2027) in the State of Nevada. My qualifications, license application, and license renewals have been fairly, efficiently and promptly reviewed by the Nevada State Board of Engineers and Land Surveyors (NVPBELS) since 1998.

My comment about proposed Regulation R074-25 pertains to sections 17 and 18 that require boards to "*provide certain quarterly and annual information and reports to the Office relating to complaints, investigatory actions, discipline and licensees*" (section 17), and "*submit certain financial information to the Office on a quarterly and annual basis*"

My concern is that these new reporting functions will increase workload on the current NVPBELS members and staff, and that no provision has been made to fund or support the increased workload"

NVPBELS self funds its operation through licensing fees, and there will be small business impact

if the board has to raise fees to hire additional professional staff to generate these reports.

As written, proposed R074-25 does not address costs associated with the added workload.

I request that Nevada Business and Industry briefly revise the proposed regulations to

a) allow more flexibility in reporting. For example, NVBPEPLS already generates monthly financial reports which could be submitted instead of quarterly reports (so language such as "monthly, or quarterly, or annual basis" could be used (this would reduce added administrative burdens

by accepting reports already generated and available that meet the intent of the proposed regulations)

and, to facilitate planning and staff time allocation

b) provide a description of the required timing of required report submission (eg "no later than

30 days after the close of each fiscal quarter"

c) provide a brief description of the reporting process, regarding specific content and length,

and

d) name the receiving NBCCS staff member or administrator for the reports; eg. "Reports shall be submitted addressed to the Director

Thank you for the opportunity to comment.

Sincerely,

David E. James, PE (Nevada, Civil license 013388 expiring 06/30/2027)

email: jamesdrs@gmail.com

telephone: 702-595-1209

Hi Nikki,

Hope all is well. The regulations are coming along nicely. I understand another draft is in queue from the LCB so some of the questions/inquiries may have already been addressed. Just wanted to put the following on your radar:

- **Section 13 - 1(g)** - Can we please get a time limit on this, perhaps the last 5 years? It would be burdensome for us to attempt to digitize historical minutes. The resources and time involved digitizing historical minutes would exceed the utilization of the digitized records.
- **Section 13 - 1(i)** - Can we add a modifier such as “active licenses” or “active licenses and those revoked, suspended, or surrendered in the prior 10 years?”
- **Section 13 - 1(j)** - Regarding any reference to “disciplinary actions,” this is not defined in the beginning definitions section. Confirming this means complaints that have been settled with probation or resulted in suspension, revocation, or surrender.
- **Section 13 - 1(j5)** - Can we make this either a prospective requirement to start when this regulation passes, or cap with a time limit, such as for cases resolved in the last 5 years? As above, our Board is quite old and a good majority of our disciplinary orders and settlement agreements were not computerized or not stored in a computer in any searchable database, such that trying to track down older disciplinary orders would be burdensome. Further, in the past and potentially before any prohibitions of same, some of our settlement agreements contained confidentiality language.
- **Section 16 - 3** - Can we please get the word investigate changed to review, or in the alternative, get a definition of investigate that contemplates an investigation including a review for initial jurisdiction, and not further investigation if jurisdiction is found lacking? Our own regulations require a jurisdictional review prior to the investigation commencing and a dismissal if there is no jurisdiction, so we cannot comply with this as written.
- **Section 16 - 3(a)(b)** - Regarding these two requirements, they do not correspond to our disciplinary procedures. It is not our filed complaint that documents the results of an investigation; rather, for us, it is a Preliminary Screening Consultant (licensed professional) report that does so. Thus, can we change the wording to “For any

matter under an investigation conducted by or on behalf of a board, the documentation of the investigation must include ..." This makes it more generic to whatever a given Board's process is.

- **60 days vs 90 days** - Is it possible to make the number of days to remedy/corrective action the same time frame?

A.L. Higginbotham

Executive Director - Nevada State Board of Dental Examiners

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Henderson, Nevada 89014

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PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

*(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:*

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*



Nevada Osteopathic Medical Association

Nevada Osteopathic Medical Association
PO Box 33484
Reno, NV 89533
Nov 11, 2025

To whom it may concern,

The Nevada Osteopathic Medical Association (NOMA), representing over 1,000 osteopathic physicians, osteopathic medical students, and medical residents in Nevada, writes to express our strong opposition to the proposed regulation LCB File No. R074-25, as drafted by the Department of Business and Industry's Office of Nevada Boards, Commissions, and Councils Standards. While we appreciate efforts to promote administrative consistency and transparency across state regulatory bodies, this proposal imposes unnecessary, burdensome, and potentially harmful requirements on professional licensing boards, including the Nevada State Board of Osteopathic Medicine. We urge the withdrawal or substantial revision of this regulation to avoid undermining the independence, efficiency, and effectiveness of these boards in protecting public health and safety.

Our opposition is rooted in several key concerns:

- 1. Duplication of Existing Statutory Requirements and Increased Administrative Burden:** The proposed regulation essentially restates or expands upon obligations already mandated by Nevada Revised Statutes (NRS), such as NRS 622.100 (reporting of complaint and licensing data), NRS 622A (investigative procedures and timelines), NRS 218G.400 (audit requirements), and NRS 241 (open meeting laws). For instance, the quarterly reporting demands in NAC 232.-(1)(a) and financial summaries in NAC 232.-(1)(d) duplicate reports already submitted to the Legislative Counsel Bureau and other entities. This redundancy would force boards like the Board of Osteopathic Medicine to divert limited resources from core regulatory functions—such as processing licenses, investigating complaints, and disciplining unethical practitioners—to compiling repetitive data and summaries. For a board overseeing a specialized medical profession, this added paperwork could delay critical actions, ultimately harming patient safety rather than enhancing it.
- 2. Erosion of Board Independence and Fiscal Autonomy:** Pursuant to NRS 232.8415, the Office is tasked with oversight, but this proposal oversteps by mandating centralized controls that infringe on the self-governing nature of professional boards. Sections like NAC 232.-(2)(d), which affirms fiscal independence but subjects it to "applicable financial controls," and NAC 232.-(6), which authorizes punitive measures such as enhanced oversight, referral to the Governor for removals under NRS 232A.030, or withholding of support services, create a coercive framework. Professional boards, funded entirely by licensee fees, should retain autonomy to manage their operations without fear of arbitrary intervention. This one-size-fits-all approach fails to account for the unique needs of medical boards, which require specialized expertise in osteopathic medicine rather than generic administrative standards. Imposing such

controls could politicize board functions and deter qualified professionals from serving as board members.

3. **Privacy and Confidentiality Risks in Investigations:** NAC 232.-(1)(g) grants the Office access to investigative reports and documentation, including confidential materials protected under NRS 622.360 and federal laws like HIPAA. While the proposal states that confidentiality remains intact, sharing sensitive medical complaint details with a non-specialized oversight office increases the risk of unintended disclosures. For the Board of Osteopathic Medicine, which handles allegations involving patient care and professional conduct, this could compromise investigations, deter complainants, and violate the trust essential to effective regulation.
4. **Inappropriate Application to Specialized Professions:** The standards in this proposal treat all boards uniformly, ignoring the distinct regulatory demands of healthcare professions. Osteopathic medicine involves complex ethical, clinical, and scientific considerations that require agile, expert-led oversight—not rigid timelines for website updates (e.g., disciplinary actions within 15 days under NAC 232.-(4)(a)(xi)) or generic performance metrics. The emphasis on "efficacy and efficiency" (NAC 232.-(5)) through Office evaluations could prioritize administrative checkboxes over substantive public protection, potentially weakening the board's ability to address emerging issues in medical practice.

NOMA supports genuine efforts to ensure accountability and consumer protection, as evidenced by our ongoing collaboration with the Board of Osteopathic Medicine on initiatives like continuing education and ethical standards. However, as drafted, this proposal creates more problems than it solves by layering unnecessary requirements on already compliant boards. We recommend that the Department reconsider this regulation in consultation with affected stakeholders, focusing instead on targeted assistance where deficiencies exist, rather than broad mandates.

We are available to discuss these concerns further and participate in any workshops or hearings on this matter.

Sincerely,



Henry Lok
Nevada Osteopathic Medical Association

To: Office of the Nevada Boards, Commissions, and Councils Standards
Via email: BCCSinfo@business.nv.gov
cc: Nikki Haag: Nikki.Haag@business.nv.gov
Dr. Kristopher Sanchez: Kristopher.Sanchez@business.nv.gov

From: NEVADA STATE BOARD OF ACCOUNTANCY
1325 Airmotive Way, Suite 220
Reno, Nevada 89502
(775) 786-0231 (Phone)
(775) 786-0234 (Fax)
Viki Windfeldt, Executive Director
viki@nvaccountancy.com

Date: November 19, 2025

The Nevada State Board of Accountancy (“Board of Accountancy” or “Board”) hereby submits the following written comments in response to the Proposed Regulations of the Director of the Department of Business and Industry, LCB File No. R074-25 dated November 14, 2025. The Board of Accountancy appreciates the opportunity to provide these comments and to work with the Office to promulgate clear and concise regulations to effectively administer the responsibilities of the Office.

The Board of Accountancy provides comments on certain sections of the proposed regulation and has some questions and concerns regarding particular provisions of the proposed regulation as set forth below.

Comments on the Proposed Regulation

1. Section 9, “Purview” definition: This definition should be clarified that the Office’s administrative oversight applies to the seven items specified in NRS 232.8415(1).
2. Section 13(1)(g) requires Boards to post an archive of all agendas and minutes of previous meetings on its website. There is no time limit for the archived agendas and minutes. The Board of Accountancy has been in existence since 1913. Is the Board required to put all past agendas and minutes on its website? The Board suggests posting of all agendas and minutes for the last 5 years based on NRS 241.035(2).
3. Section 13(1)(j) requires the Board’s website post a system for reviewing the history of disciplinary actions of a licensee which must be searchable and provide access to a copy of a final order or a settlement agreement, among other requirements. This would require a large software development expense to implement such a system and staff time to designate the documents that would be available on the website. How much time is a board afforded to implement the requirements of the regulation?

This regulation should also state a timeline on how far back this information should be available. The Board of Accountancy has been in existence since 1913 and as written, the regulation would require all disciplinary actions taken by the Board to be available on the Board's website. The Board recommends this requirement either start prospectively or state how far back this information should be available on a board's website. Further, the proposed regulation requires updates within 15 days of final disciplinary action. This might be a little tight to comply with and the Board recommends the regulation provide a board has 30 days to post updates.

4. Section 13(1)(l) should be changed from "any recent financial audits or balance sheets" to the most recent financial audit or balance sheets. The language "any recent" is vague and may prompt a deficiency notice pursuant to proposed Section 20 if a board's interpretation of "any recent" is different from the Office's interpretation of that phrase.
5. Section 13(1)(o) is vague, and the documents required to be posted could be voluminous. There is no time period for how long any reports required by statute or prepared annually by a board are required to be posted on a board's website.
6. Section 13(1)(p) is vague and does not provide a time period for how long any performance data prepared by a board is required to be posted on a board's website.
7. Section 14(2)(b) should be clarified to require the potential impact reporting for only those tracked bills that passed during the session. Requiring a report of the potential impact on the board's operations or licensees of a tracked bill that did not pass during the legislative session is not relevant because the proposed legislation is moot. Further, it is not clear if subsection 2 is only intended to apply to specific Board related legislation or would require a Board to report on the potential impact for any legislation affecting board operations, i.e., modifications by the Attorney General to the open meeting law, public records law, amendments to NRS Chapter 232, 622, etc.
8. Some of the language in Section 16(3) does not make sense considering the requirements of subsections (a), (b) and (c) in Section 16(3). Should "filed complaint documenting" be changed to "complaint file documenting"?
9. Section 16(5) requires a board, upon the request of the Office and to the extent permit by law, to provide to the Office any files, documents, data or other information relating to an investigation conducted by a board. It is not clear the Office can require boards to provide this information. NRS 232.8415(1)(b) provides the Office is responsible for "A uniform set of standards for investigations, licensing and discipline, including, without limitation, separating the roles and responsibilities for occupational licensure from the roles and responsibilities for occupational discipline". There is no indication in NRS 232.8415 that the Office is a licensing or disciplinary agency or can conduct investigations of licensees. Nor does the regulation state for what purpose the Office would need this information or what it would do with it. All documents and other information compiled as a result of an investigation conducted by the Board of Accountancy to determine whether to initiate

disciplinary action are confidential and privileged pursuant to NRS 628.418(1). Not only is the information confidential for purposes of the public records law, but the Board's investigative materials are also privileged and not subject to subpoena production. The Office does not appear to have such statutory protection in place for its records, and the Board of Accountancy is concerned that a regulation adopted by the Office without statutory authority would not adequately protect the confidentiality and privilege afforded to any investigative information provided by the Board of Accountancy to the Office. The Board believes that licensees, including firms, would have an issue knowing that confidential and privileged information, which could include sensitive client or competitive business information, is being provided to an agency outside the appropriate disciplinary and licensing body.

10. Section 17(4) is vague and should be deleted. If the Office is going to require quarterly reporting in Section 17, the regulation should list what information is required to be reported. The regulation should not contain provisions or requirements which are not vetted in the Nevada Administrative Procedure Act regulation adoption process.
11. Sections 19 and 20 provide for the Office to conduct performance evaluations or audits of boards. Performance evaluations or audits of boards do not appear in NRS 232.8415, the statute providing the scope of the Office's statutory authority. Even if the Office has such authority, the regulation does not provide the standards or guidelines to be used to determine or assess the performance evaluations or the efficiency and effectiveness of a board's operations based upon a board's submissions to the Office either pursuant to Sections 17 and 18 of the regulation or the information provided to the Office as required in Section 19(2). The regulation is inconsistent. The regulation provides in Section 19(1) that the reports and information submitted to the Office pursuant to Sections 17 and 18 will be used to evaluate board performance but then in Section 19(2), a board is required to provide "any information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board." Standards to evaluate board performance in Section 19(1) are not defined or provided for purposes of that section or for Section 19(3). Efficiency and effectiveness used in Section 19(2) are not defined nor are the standards provided by which to evaluate those terms or a board's performance. Effectiveness is not used in NRS 232.8415. The Office is responsible for "efficacy and efficiency" pursuant to NRS 232.8415(1)(g). If effectiveness is to be evaluated, "effectiveness" is not defined nor are the standards the Office would use to judge effectiveness provided.

NRS 232.8415 does not mention the Office can require corrective action to "improve efficiency and effectiveness, reduce costs or enhance consumer protection" as proposed in Section 19(3) nor does NRS 232.8415 mention the Office can issue a notice of deficiency and require corrective action as proposed in Section 20. There is no procedure for a board to question or be heard on a deficiency or a recommended or required corrective action

issued pursuant to Section 19 or 20. It is not clear what “administrative or fiscal support services” can be withheld by the Office as provided in Section 20(2)(c) or if the Office would even have authority to negate its statutory responsibilities if it is required to provide such services to a board pursuant to NRS 232.8415. It seems this would punish a board when the Office should want compliance with its uniform standards as that would be in the public interest.

Thank you again for the opportunity to comment on the Director’s proposed regulation. The Board of Accountancy will continue to participate in this rulemaking process and will provide further written comments prior to any hearing held on the proposed regulation.

4923-3280-4219, v. 1

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

Reno: 6005 Plumas St., Suite 100, Reno, Nevada 89519 - Telephone (888) 590-6726 - Fax (775) 687-7707

Las Vegas: 4220 S. Maryland Pkwy., Building B, Suite 300, Las Vegas, Nevada 89119 - Telephone (888) 590-6726 - Fax (702) 486-5803
www.nevadanursingboard.org

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

*(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:*

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

October 10, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

Thank you for allowing us the opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as "Regulations and Administrative Standards for Nevada's Title 54 Boards-draft NH" (Draft Regulations). It is clear the Department and stakeholders have put considerable time and energy into developing the proposed regulation changes before us now.

The Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

Section 1(b), 1(b)(i), 1(b)(ii), there is reference to "procedures required by the Office". Those undefined procedures should be set forth in the regulations, rather than left to the Office to develop without input, to prevent unfeasible requirements and/or arbitrary rule-making;

Section 1(b)(iii)1, We prepare monthly financial statements (a widespread practice). These statements are presented at our regular board meetings. The additional effort and money spent producing a quarterly report feels like an unwarranted cost burden that we and the other boards will have to bear.

Section 1(e)(i) requires the Board to share documents/information regarding an investigation. However, NRS 625.425(1) provides that investigative records are confidential, and pursuant to NRS 625.425(3), the records can only be shared with another licensing board or agency that is investigating that person. It does not make an exception for an agency that is auditing the Board;

Section 2 talks about each Board adopting the “uniform standards created by the Office”. However, again, any uniform standards should be set forth in regulation, rather than developed by the Office without stakeholder input/public oversight;

Section 3, the same comment as above regarding “standards for financial controls approved by the Office”. Standards should be developed in regulation;

Section 3(b)(2)(b), what does “enhanced administrative oversight” consist of, and what “administrative or fiscal support services” are even being provided that could be withheld?

Section 3(c)(iii), There are no statutes enacted by the legislature to allocate funds from the boards to fund the operations of the Office. (iii) should be deleted.

Section 4, what “uniform set of standards for legal representation” does the Office envision. What guidance is there for the Board to know what standards would be acceptable?

Section 5, the same concern as set forth for Section 4, above, regarding a “uniform set of structural standards created or approved by the Office.” Such standards should be set forth in regulation, rather than developed at the whim of the Office, without input/public process;

Section 5(c)(i) says the Office shall set minimum attendance requirements, but then (ii) and (iii) go on to address minimum attendance requirements. (i) should be deleted;

(iv) under Section 5(c) is blank and should be deleted;

Section 5(c)(v), Individual boards should be the ones who create procedures for their board members and prospective board members. However, these procedures should be reviewed by the office.

Section 7, any requirements imposed upon Boards should be set forth in regulation and not developed by the Office internally. Not putting such requirements in regulation deprives the process of transparency and stakeholder/public input.

The process feels compressed, and we are concerned that the first public workshop scheduled for next Friday might be a bit premature given the fact that it is only a week after you are to receive comments from the responding boards. I believe that this could jeopardize quality and effectiveness of regulations that we are working toward.

This schedule does not allow us the opportunity to present the proposed regulations to our board for their insight and feedback. I cannot speak for the other boards, but I believe that

many are in the same predicament that NVBPELS is in, which is the missed opportunity for boards and board members to review of the proposed regulation changes and provide their input. I would respectfully request that the first public workshop be rescheduled for later in the month to allow us the opportunity to present the proposed regulation changes to our full Board. NVBPELS could convene a special Board meeting on or around the date of Thursday, October 23rd if this would be possible.

Thank you for all your hard work and communication with the Title 54 Boards. We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,



Mark J Fakler, PE
Executive Director.

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

November 24, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25P, as drafted on November 14, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review the latest draft regulations (R074-25P) to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

Section 3 - Remove the “and which is under the purview of the Office” This seems to be redundant and un-necessary.

Section 10. 3. - NVBPELS meets or exceeds this expectation.

Section 11. 1 - This should be a responsibility of the Office, not the boards.

Section 13. 1 (j) (3) - 30 days would be more appropriate, but we can live with 15 days.

Section 14. 1 & 2 - Legislation is something that the Office should be tracking and providing notification to each of the boards.

Section 17. 4 - This is an open-ended statement and should be deleted.

Section 18. 2 (b) - NVBPELS - prepare monthly financial statements and will provide this information to the Office. Quarterly reporting will require extra and un-necessary work for Board staff. This additional reporting will be an extra burden on staff, possibly requiring additional staff. The addition of staff may require the board to increase fees that are paid by licensees, firms and applicants.

Section 19.2 – This is an open-ended statement and the last portion of the sentence “and provide any information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the of the board” should be deleted.

We are committed to this process and working with the Department of Business and Industry and the Office as we move forward together to draft regulations that best serve our great State and its citizens. We look forward to attending the upcoming workshops for R074-25P.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

DEPARTMENT OF BUSINESS AND INDUSTRY

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

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5. "Board" means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.

6. "Board Member" means a person appointed to serve on a specific board or who has previously served on that specific board.

7. "Executive Director, or equivalent officer of the boards" means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.

8. "License" means any permit, registration, certificate, or license issued by the a board under the Department.

9. "Licensee" means any person who has been issued a permit, registration, certificate, or license by the board under the Department.

10. "Profession" means any activity, occupation, or vocation regulated by the board under the Office of Nevada Boards, Commissions, and Councils Standards.

NAC 232.XXX – Department; powers and duties

1. *Pursuant to NRS 232.8415(1)(a), Boards shall adopt and enforce those procedures and requirements which are created or approved by the Office for their centralized administration, including*
 - a. *In regards to Performance Monitoring and Date Reporting, Boards shall:*
 - i. *submit quarterly reports to the Office detailing*

1. complaints received, resolved, pending, and processing time averages
 2. licensing received, rejected and processing time averages
- ii. Adopt and maintain a written investigation policy that includes estimated timelines for each phase of the investigative process. The policy may allow for deviations from these timelines, provided the deviation is clearly documented, that the reason for any deviation is clearly documented in the investigative file.
- iii. Track bills during the legislative session that affect Board operations or professions
- iv. Update its administrative codes in response to newly enacted laws
- v. Ensure proper reconciliation of board accounts and bank records

b. **In regards to reporting and audit readiness, Boards shall ensure timely and accurate compliance with all audit requirements, including but not limited to those mandated by statute, regulation, the State Administrative Manual, and procedures required by the Office.** To meet these obligations, Boards shall:

- i. Track and meet reporting deadlines required in statute, regulation, the State Administrative Manual, and procedures required by the Office including those enumerated in NRS 218G.400, NRS 331.110, NRS 333.705,
- ii. Maintain an internal system to track all report due dates as required by statute, regulation, the State Administrative manual, and procedures required by the Office, including those referenced in subsection (b)(i) of this section
- iii. **Prepare and Submit Financial Statements pursuant to Nevada Revised Statute to the Office, including**
 1. Submission of quarterly financial statements as required by the Office within 4530 days after the close of each quarter, using the standardized format provided by the Office.
 2. Submit a comprehensive annual financial report within 9 months of year end close out:
 - a. Total revenues, expenditures, and year-end cash balances
 - b. A review of the adequacy of existing fees
 - c. Any significant financial or structural concerns

c. **For Training and Professional Development, all Boards will draft a policy detailing training requirements for board members. This policy must:**

- i. Require Board Members to complete standardized training from the Attorney General's Office as required by NRS 622.200. When approved by the Office, this standardized training may be satisfied by completion of courses provided on the Attorney General's Office website.

Commented [MF1]: Section 1(b), 1(b)(i), 1(b)(ii), there is reference to "procedures required by the Office". Those undefined procedures should be set forth in the regulations, rather than left to the Office to develop without input, to prevent unfeasible requirements and/or arbitrary rule-making;

Commented [MF2]: Section 1(b)(iii)1. We prepare monthly financial statements (a widespread practice). These statements are presented at our regular board meetings. The additional effort and money spent producing a quarterly report feels like an unwarranted cost burden that we and the other boards will have to bear.

- ii. *Require the Board's Executive Director and relevant staff to notify Board Members of updated training modules to ensure their ongoing compliance with training required by this Chapter;*
- iii. *Executive Directors will provide completion status of training to the Office.*
- iv. *(intentionally left blank) Required Board Members complete any specific training mandated by the Office*
- v. *Include timelines for the completion of any training required by this chapter.*
- vi. *Be approved by the Office.*

d. *In regards to Board Member Support Services:*

- i. *Boards shall maintain a centralized log of appointment terms and expiration dates*

e. *Access to investigative reports and documentation*

- i. *Upon request of the Office, a board communicate or cooperate with or provide any documents or other information to the Office regarding and investigation or disciplinary matter of the Board. :*
- ii. *Any confidential or investigatory records obtained by the Office pursuant to this section must remain confidential in accordance with applicable state or federal law and shall be used solely for official purposes consistent with the Office's statutory duties.*

2. *(intentionally left blank) Pursuant to NRS 232.8415(1)(b), Boards shall adopt and enforce those uniform standards created by the Office for investigations, licensing and discipline, including, without limitation, those which separate the roles and responsibilities for occupational licensure from the roles and responsibilities for occupational discipline.*

3. *Pursuant to NRS 232.8415(1)(c), Boards shall adopt and enforce those standards for internal financial controls approved by the Office. These standards must include:*

- a. *In regards to fiscal accountability, Boards shall develop and monitor board budgets*
- b. *In regards to data integrity and information management, Board's shall*
 - i. *Ensure licensee, financial, and complaint data are accurate and verifiable*
 - ii. *Protect confidential and personally identifiable information*
 - 1. *Respond to all statutory Audits including*
 - a. *Addressing audit findings of authorized entities, including the Office, with written plans and submission follow-up documentation as required*

Commented [MF3]: Section 1(e)(i) requires the Board to share documents/information regarding an investigation. However, NRS 625.425(1) provides that investigative records are confidential, and pursuant to NRS 625.425(3), the records can only be shared with another licensing board or agency that is investigating that person. It does not make an exception for an agency that is auditing the Board;

Commented [MF4]: Section 2 talks about each Board adopting the 'uniform standards created by the Office'. However, again, any uniform standards should be set forth in regulation, rather than developed by the Office without stakeholder input/public oversight;

Commented [MF5]: Section 3, the same comment as above regarding "standards for financial controls approved by the Office". Standards should be developed in regulation;

- b. Cooperating with audit reviews conducted by ~~the Office~~, the Legislative Auditor, or other authorized entities
- 2. Remedies for Noncompliance
 - a. ~~(intentionally left blank) The Office may issue a written notice of deficiency and require corrective action within a 30 days~~
 - b. ~~Continued failure to comply may result in enhanced administrative oversight or, referral to the Governor for potential removal actions under NRS 232A.030, or withholding of administrative or fiscal support services~~
 - c. **Fiscal independence and cost allocation**
 - i. ~~Each Board shall retain full control and custody of all revenue collected under its statutory authority, including but not limited to license fees and other board-generated income.~~
 - ii. ~~The Office shall not access, redirect, or utilize Boards funds~~
 - iii. ~~(intentionally left blank) Boards shall be responsible only for cost allocation charges specifically authorized by statute and enacted by the legislature to fund the operations of the Office.~~
 - iv. ~~All other funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.~~
- 4. **Pursuant to NRS 232.8415(1)(d), Boards shall adopt and enforce those uniform set of standards for legal representation that are created or approved by the Office.**
- 5. **Pursuant to NRS 232.8415(1)(e), Boards shall adopt and enforce those sets of structural standards created or approved by the Office, including:**
 - a. **In regards to Board composition and statutory compliance, Boards shall maintain records of each board member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.**
 - b. **In regards to Board officer roles and elections, Boards shall**
 - i. **Hold officer elections as required by statute or regulation of the Board. Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.**
 - c. **In regards to Board Member attendance and participation,**
 - i. **Board Members shall observe the minimum attendance requirements for board meetings set by the Office**
 - ii. **Boards shall recommend the removal of any Board member who has three consecutive unexcused absences, as defined by the Office, for meetings, or has unexcused absences for 50% of the meetings within a 12-month period.**

Commented [MF6]: Section 3(c)(iii). There are no statutes enacted by the legislature to allocate funds from the boards to fund the operations of the Office. (iii) should be deleted.

Commented [MF7]: Section 4, what "uniform set of standards for legal representation" does the Office envision. What guidance is there for the Board to know what standards would be acceptable?

Commented [MF8]: Section 5, the same concern as set forth for Section 4, above, regarding a "uniform set of structural standards created or approved by the Office." Such standards should be set forth in regulation, rather than developed at the whim of the Office, without input/public process;

Commented [MF9]: Section 5(c)(i) says the Office shall set minimum attendance requirements, but then (ii) and (iii) go on to address minimum attendance requirements. (i) should be deleted;

iii. *Defining “unexcused absences” and procedures for documenting member absences*

iv.

v. *Board Members shall observe the procedures created by Board staff and accepted by the Office for participation in training and active engagement in board responsibilities.*

6. Pursuant to NRS 232.8415(1)(f), Boards shall adopt and enforce those requirements created or approved by the Office for transparency and consumer protection including

a. *In regards to Websites*

i. *Boards shall maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*

1. *A citation and link to the enabling statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
2. *The name of all current Board Members*
3. *The statutorily designated position each board member fills*
4. *The start and expiration date of each board member’s current term*
5. *The name and title of the Executive Director or equivalent officer of the boards*
6. *A general email address for contacting the Board*
7. *The physical and mailing address of the Board*
8. *The main telephone number of the Board*
9. *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information for year if available*
10. *Archived agendas and minutes of past meetings must follow NRS 241.035*
11. *A license verification system available on the Board’s homepage or accessible within one click from the homepage that includes at a minimum:*

- a. *The full name of each active licensee*
- b. *The type of license or certification held*
- c. *The license number*
- d. *The license status*
- e. *The original issuance date and expiration or renewal date, and*
- f. *An indication of whether the licensee has ever been subject to discipline (“yes” or “no”)*

Commented [MF10]: (iv) under Section 5(c) is blank and should be deleted;

Commented [MF11]: Section 5(c)(v), Individual boards should be the ones who create procedures for their board members and prospective board members. However, these procedures should be reviewed by the office.

12. A disciplinary action portal or searchable system available on the Board's homepage including, at a minimum, unless otherwise provided by statute:

- a. All disciplinary actions taken by the Board against licensees**
- b. The licensee's name, license number, type of disciplinary action, and date of action**
- c. Access to the final order or settlement agreement**
- d. The portal or searchable system must be updated within 15 calendar days of any new disciplinary decision**

13. Instructions and forms for filing a complaint against a licensee

14. The most recent financial statement or budget summary required under NRS 622.100 or NRS 218G.400

15. Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and

16. A direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.

17. All regulations that have been adopted and not codified

18. Each Board shall include the following additional information on its website to improve transparency and service to the public:

- a. Mission statement**
- b. Annual reports or performance data**
- c. Instructions and forms for licensure, renewal, and reinstatement**
- d. All statutory reports and audits**

b. In regards to complaint transparency and access, Boards shall

- i. Provide clear instructions for filing complaints against licensees or the Board**
- ii. Offer online complaint portals or downloadable forms on Board websites**
- iii. Protect confidentiality in accordance with applicable laws while promoting fairness and responsiveness**

c. In regards to consumer education and outreach, Boards may

- i. Publish newsletters, alerts, and bulletins to inform the public about board activities**
- ii. Provide resources on professional standards, ethical conduct, and how to report misconduct**
- iii. Promote awareness of consumer rights and board jurisdiction**

7. *(intentionally left blank) Pursuant to NRS 232.8415(1)(g), Boards shall adopt and enforce those requirements created by the Office for efficacy and efficiency.*

Commented [MF12]: Section 7, any requirements imposed upon Boards should be set forth in regulation and not developed by the Office internally. Not putting such requirements in regulation deprives the process of transparency and stakeholder/public input.

DRAFT

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R074-25

November 14, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§ 1-20, NRS 232.8413.

A REGULATION relating to professional and occupational licensing boards; defining certain terms relating to the regulation of professional and occupational licensing boards; setting forth certain structural standards for a board relating to recordkeeping, officers of the board and attendance; establishing certain requirements relating to the training of board members; establishing certain standards for the internal controls of a board; establishing certain requirements for the Internet website of a board; establishing certain requirements for a board relating to certain bills during a legislative session; authorizing a board to publish certain information for the public; setting forth certain standards relating to complaints to and investigations by or on behalf of a board; requiring a board to provide certain information to the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry; providing for the Office to conduct performance evaluations of a board; establishing provisions for the enforcement of certain regulatory requirements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry and charges the Office with certain duties relating to the regulation of professional and occupational licensing boards, including: (1) centralized administration; (2) establishing uniform sets of standards for investigations, licensing and discipline, internal controls and legal representation; (3) establishing consistent sets of structural standards for boards and commissions; (4) transparency and consumer protection; and (5) efficacy and efficiency. Existing law requires the Director of the Department to adopt regulations and procedures to administer the responsibilities of the Office. (NRS 232.8413, 232.8415) **Sections 3-8** of this regulation defines certain terms relating to the regulation of professional and occupational licensing boards. **Section 2** of this regulation applies these definitions to the provisions of this regulation.

Existing law provides that all professional and occupational licensing boards created by the Legislature are under the purview of the Office. (NRS 232.8415) **Section 9** of this regulation interprets the term “purview” for the purpose of this provision.

Section 10 of this regulation establishes certain structural standards for each board to: (1) maintain certain centralized records relating to each seat on the board, the board members filling the seats, and the terms of the board members serving on the board; (2) appoint or elect officers of the board; and (3) establish certain expectations and policies relating to the attendance of board member at meetings.

Section 11 of this regulation requires: (1) the Executive Director of a board to notify board members regarding certain training and when the training is offered; and (2) the board to notify the Office that a board member has completed a required training.

Section 12 of this regulation requires each board to establish certain standards for internal controls including: (1) developing and implementing a budget; (2) maintaining and protecting information in the records of the board in certain manners; (3) complying and cooperating with all statutory and regulatory reporting and auditing requirements; and (4) taking certain actions to respond to audits that recommend corrective action.

Section 13 of this regulation requires each board to maintain a publicly accessible Internet website of the board which includes certain information.

Section 14 of this regulation requires each board to: (1) track bills during a regular or special legislative session which may impact the operations of or licensees regulated by the board; (2) report certain information to the Office relating to the bills tracked by the board; and (3) take certain steps to implement any bill which is passed during a regular or special legislative session.

Section 15 of this regulation authorizes a board to publish certain materials to inform the public of various information relating to the board and licensees of the board.

Section 16 of this regulation sets forth certain requirements relating to complaints to and investigations conducted by or on behalf of a board. **Section 17** of this regulation requires a board to provide certain quarterly and annual information and reports to the Office relating to complaints, investigations, disciplinary actions and licensees.

Section 18 of this regulation requires a board to submit certain financial information to the Office on a quarterly and annual basis.

Section 19 of this regulation provides that the Office will evaluate the performance of a board using the reports and other information required to be submitted to the Office by **sections 17 and 18**, and, based on the results of the evaluation, may issue recommendations or require a board to take corrective action.

Section 20 of this regulation provides that if a board fails to comply with a requirement in this regulation, the Office may issue a written notice of deficiency and require the board to take corrective action. If the board fails to take such corrective action, **section 20** provides that the Office may: (1) increase the administrative oversight of the board; (2) refer the board members to the Governor for removal; or (3) withhold certain support services provided by the Office.

Section 1. Chapter 232 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 20, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 20, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, have the meanings ascribed to them in those sections.*

Sec. 3. *“Board” means any professional or occupational licensing body, including, without limitation, a board, commission or council, that has been created by the Legislature.* ~~*and which is under the purview of the Office.*~~

Commented [MF1]: This is un-necessary and this portion of the sentence should be deleted.

Sec. 4. *“Board member” means a person appointed to serve on a board.*

Sec. 5. *“Executive Director” means a person appointed or employed by a board to oversee the daily operations of the board.*

Sec. 6. *“License” means any professional or occupational authorization, including, without limitation, a license, permit, registration or certificate, that is issued by a board.*

Sec. 7. *“Licensee” means any person who holds a license issued by a board.*

Sec. 8. *“Office” means the Office of Nevada Boards, Commissions and Councils Standards.*

Sec. 9. *For the purpose of NRS 232.8415, the Office interprets the term “purview” to mean administrative oversight.*

Sec. 10. *For the purpose of a consistent set of structural standards, each board shall:*

1. *Maintain a centralized record of:*
 - (a) *Each seat on the board, including whether the seat is required by statute to represent certain interests or to serve a certain role;*
 - (b) *Each board member who is filling a seat on the board; and*
 - (c) *The terms of each board member including, without limitation, the date on which the term began and expires.*

2. *Elect or appoint the officers of the board in accordance with the applicable statutes and regulations governing the board. Except as otherwise provided by specific statute or regulation adopted by the board, a board shall elect the officers on an annual basis.*

3. *Establish the expectation that the board members must attend and participate in meetings of the board. Each board shall adopt a policy providing that, if a board member has three or more consecutive unexcused absences or has unexcused absences from 50 percent or more of the meetings of the board within a 12-month period, the board may recommend to the Governor that the board member be removed pursuant to NRS 232A.030.*

Commented [MF2]: NVBPELS meets or exceeds this expectation.

4. *As used in this section, “unexcused absence” means an absence that is not:*

- (a) *Caused by illness, family emergency or other extenuating circumstance;*
- (b) *Approved by the chair of the board; or*
- (c) *Otherwise authorized by statute.*

Sec. 11. 1. *The Executive Director Office of each board shall notify the board members each board Executive Director of any training that the board members are required to complete pursuant to NRS 622.200 and when such training is offered.*

Commented [MF3]: This should be a responsibility of the Office, not the boards.

2. *Not more than 30 days after completing any training required pursuant to NRS 622.200, a board shall provide written notice to the Office, on a form prescribed by the Office, confirming that a board member completed the required training.*

Sec. 12. *For the purpose of establishing a uniform set of standards for internal controls, each board shall:*

- 1. *Develop a budget for the board and monitor the implementation of the budget.*
- 2. *Maintain any information in the records of the board relating to licensees, finances, and complaints in a manner to ensure the information is accurate and verifiable.*

3. *Protect the confidential and personal identifying information in the records of the board.*

4. *Comply and cooperate with all reporting and auditing requirements set forth by any applicable statute or regulation, including, without limitation, the requirements of NRS 218G.400, 331.110, 333.705, as amended by section 8 of Assembly Bill No. 506, chapter 153, Statutes of Nevada 2025, at page 859, and 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444, in a timely and accurate manner and in accordance with any deadlines set forth in statute or regulation.*

5. *Respond to all audits of the board conducted pursuant to statute. Except as otherwise provided by specific statute, each board shall, not more than 60 days after receiving a final report of the results of an audit that recommends corrective action:*

- (a) Prepare a written plan for corrective action that addresses all recommendations for the corrective action; and*
- (b) Submit the evidence to the auditing entity that the corrective action set forth in the plan prepared pursuant to paragraph (a) has been taken.*

Sec. 13. 1. *Each board shall maintain a publicly accessible Internet website of the board which is accessible to persons with disabilities, including, without limitation, persons who are blind or visually impaired and, in addition to any other information required by statute or regulation of a board, post on the Internet website of the board:*

- (a) A citation and link to the enabling statutes of the board and any regulations adopted by the board, including, without limitation, emergency regulations, temporary regulations and permanent regulations of the board which have been adopted and filed with the Secretary of*

State pursuant to chapter 233B of NRS but not yet codified in the Nevada Administrative Code;

- (b) The mission statement of the board.*
- (c) For all current members of the board:*
 - (1) The name of each member of the board;*
 - (2) If the member was appointed to represent certain interests or serve a certain role that is required by statute, the interests or role which the member of the board represents or serves; and*
 - (3) The dates on which the term of each member of the board begins and expires;*
- (d) The name and title of the Executive Director of the board;*
- (e) The contact information for the board, including, without limitation, an electronic mailing address, mailing address, physical address and telephone number;*
- (f) Any upcoming meetings of the board or a subcommittee of the board which must include, without limitation, the date, time, location, agenda, when available, and any other information required for notice of an upcoming meeting pursuant to NRS 241.020 or 622.340;*
- (g) An archive of all agendas and minutes of previous meetings of the board prepared pursuant to NRS 241.035;*
- (h) Instructions for applying for licensure, renewing a license and reinstatement of a license;*
- (i) A system for verifying licenses which must be accessible from the homepage of the Internet website with one click and, for each licensee, must include, without limitation, the full name of the licensee, the type and status of the license, the license number, the date of*

issuance and the date of expiration of the license and a yes-or-no-indication of whether the licensee has any history of disciplinary actions;

(j) A system for reviewing the history of disciplinary actions of a licensee which must:

(1) Be accessible from the homepage of the Internet website;

(2) Be searchable;

(3) Be updated not more than ~~1530~~ days after any new disciplinary action is finalized;

(4) Include, without limitation, the full name of the licensee, the license number, the type of disciplinary action and the date of the disciplinary action; and

(5) Unless otherwise declared confidential by statute or court order, provide access to a copy of the final order or settlement agreement for the disciplinary action;

(k) Clear instructions on how to file the complaint with the board accompanied by forms that may be downloaded for filing a complaint or an online system on the Internet website that authorizes a person to file a complaint electronically;

(l) A copy of the most recent financial summary submitted to the Office pursuant to section 18 of this regulation with a copy of any recent financial audits or balance sheets submitted pursuant to NRS 218G.400;

(m) A copy of any review, report, or audit of the board conducted by or on behalf of the Sunset Committee of the Legislature prepared within the previous 5 calendar years;

(n) A link to the Internet website of the Office which must be accessible from the homepage of the Internet website of the board;

(o) Any other reports required by statute or prepared annually by the board; and

(p) Any performance data prepared by the board.

2. As used in this section:

Commented [MF4]: 30 days would be more appropriate, but we can live with 15 days.

(a) "Emergency regulation" has the meaning ascribed to it in NRS 233B.033.

(b) "Permanent regulation" has the meaning ascribed to it in NRS 233B.036.

(c) "Temporary regulation" has the meaning ascribed to it in NRS 233B.0385.

Sec. 14. 1. ~~During each regular or special legislative session, each board—the Office~~

~~shall track any bills introduced to the Legislature which may impact the operations of or~~

~~licensees regulated by the board.~~

2. ~~Not later than 60 days after the adjournment of every regular or special legislative~~

~~session, each board—the Office shall submit a report to the Office each board Executive~~

~~Director, on a form prescribed by the Office, identifying:~~

(a) ~~The bills tracked by the board—the Office and whether the bills became law;~~

(b) ~~The potential impact of each bill on the operations of or licensees regulated by the~~

~~board;~~

(c) ~~Any actions required by the board to implement any bills which became law during the~~
~~legislative session; and~~

(d) ~~The estimated timeline for the board to implement any bills which became law during~~
~~the legislative session.~~

3. ~~For any bill tracked pursuant to subsection 2 which a board is required to take action~~
~~to implement, the board shall:~~

(a) ~~Update the regulations of the board consistent with the bill;~~

(b) ~~Ensure that the bank accounts and records of the board are consistent with the~~
~~requirements of the bill; and~~

(c) ~~Notify the Office, in a format prescribed by the Office, once the board has implemented~~
~~the bill.~~

Commented [MF5]: Legislation is something that the Office should be tracking and providing notification to each of the boards.

Sec. 15. *To provide outreach and education to the public, each board may publish newsletters, alters or bulletins to inform the public of the activities of the board, professional standards of and ethical requirements for the licensees regulated by the board, the rights of the public and the procedures for reporting the misconduct of a licensee to the board.*

Sec. 16. 1. *To ensure transparency and access to the public, each board shall make available to any person who wishes to file a complaint with the board a form for filing the complaint or a method to file the complaint electronically.*

2. *When responding to a complaint filed with the board, a board shall comply with all requirements for confidentiality while ensuring the board is fair and responsive to the complaint.*

3. *A board shall investigate any complaint filed with the board. For any matter under an investigation conducted by or on behalf of a board, the filed complaint documenting the investigation must include, without limitation:*

- (a) Any deadlines by which the board is required to complete any step of an investigation;***
- (b) Whether the board met all the deadlines identified pursuant to paragraph (a); and***
- (c) If the board did not meet any deadlines identified pursuant to paragraph (a), the reason why the board did not meet the deadline.***

4. *For the purposes of subsection 3, the steps of an investigation may include, without limitation, the receipt or acknowledgment of a complaint, the issuance of a notice to a licensee, the determination of probable cause, the filing of a formal complaint, the scheduling of a hearing and the issuance of a final decision by the board.*

5. *Upon the request of the Office and to the extent permitted by law, a board shall provide to the Office any files, documents, data or other information relating to an investigation*

conducted by the board, including, without limitation, any disciplinary action instituted during an investigation.

Sec. 17. *On or before the 20th day of January, April, July and October, each board shall submit to the Office on a form prescribed by the Office:*

- 1. All information required to be submitted to the Director of the Legislative Counsel Bureau pursuant to NRS 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444. A board may submit a copy of the report submitted to the Director of the Legislative Counsel Bureau pursuant to NRS 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444, to satisfy this requirement;*
- 2. A summary of all complaints filed with the board during the immediately preceding calendar quarter, which must include, without limitation, all complaints received, pending and resolved by the board for the calendar quarter;*
- 3. A summary of all cases in which an investigation conducted by or on behalf of the board missed a statutory deadline for completing the investigation along with an explanation of the reason for missing the deadline; and*

4. Any other information requested by the Office.

Commented [MF6]: This is an open ended statement and should be deleted.

Sec. 18. *1. All money in the possession of a board must be deposited and used in accordance with any applicable statutes governing the board. The Office will not request or attempt to access, redirect or use any money of a board.*

2. Each board shall submit to the Office:

(a) *On or before December 15 of each year, a copy of the balance sheet or report of an audit required to be filed with the Legislative Auditor and Chief of the Budget Division of the Office of Finance pursuant to NRS 218G.400;*

(b) *Not later than 30 days after the close of each fiscal quarter month, a simplified financial report, in the form prescribed by each board shall provide a balance sheet and profit and loss statement to the Office, summarizing the finances of the board for that fiscal quarter month, which must include, without limitation, the total revenue, total expenditures and cash balances at the end of the fiscal quarter month; and*

(c) *Not later than 9 months after the close of the fiscal year, an audited financial report or a simplified financial report, in the form prescribed by the Office, summarizing the finances of the board for that fiscal year, which must:*

(1) Include, without limitation, the total revenue, total expenditures and cash balances at the end of the fiscal year;

(2) Reconcile the financial information included in the report pursuant to subparagraph (1) with the balance sheets or audits prepared pursuant to NRS 218G.400;

(3) Include, without limitation, a statement identifying any significant financial or structural concerns of the board identified by the board; and

(4) Review the adequacy of the existing fees which the board is authorized to charge under statute.

Sec. 19. 1. The Office will evaluate the performance of each board using the reports and information submitted to the Office pursuant to sections 17 and 18 of this regulation.

2.—Each board shall cooperate with the Office in any performance evaluation conducted by the Office pursuant to subsection 1 or audits conducted by the Office, and provide any

Commented [MF7]: NVBPELS - prepare monthly financial statements and will provide this information to the Office. Quarterly reporting will require extra and unnecessary work for Board staff. This additional reporting will be an extra burden on staff, possibly requiring additional staff. The addition of staff may require the board to increase fees that are paid by licensees, firms and applicants.

information requested by the Office that the Office has determined is necessary to assess the efficiency and effectiveness of the operations of the board.

Commented [MF8]: This is an open ended statement and should be deleted.

3.2. *Based on the results of the performance evaluations conducted pursuant to subsection 1, the Office may issue recommendations or require a board to take corrective action to improve efficiency and effectiveness, reduce costs or enhance consumer protections.*

4.3. *Unless the Office specifies in writing that the board must take such action in a different timeframe, if the Office requires a board to take corrective action pursuant to subsection 3, the board shall take such corrective action not more than 90 days after receiving notice from the Office regarding the corrective action.*

Sec. 20. **1.** *Except as otherwise provided in section 19 of this regulation, if a board fails to comply with the requirements set forth in sections 2 to 20, inclusive, of this regulation, the Office may issue a written notice of deficiency to the board and require the board to take corrective action. Any such corrective action must be taken not more than 60 days after the written notice is received by the board.*

2. *If a board fails to take corrective action pursuant to subsection 1, the Office may:*

- (a)** *Increase the administrative oversight of the board;*
- (b)** *Refer the members of the board to the Governor for removal for malfeasance or nonfeasance pursuant to NRS 232A.030; or*
- (c)** *Withhold any administrative or fiscal support services provided by the Office to the board.*

Nov. 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions and Council Standards

Re: LCB File No. R074-25

Dear Ms. Haag:

Please accept this letter on behalf of the Nevada Chapter of the American Council of Engineering Companies (ACEC-NV) in response to the above-referenced proposed regulations. ACEC-NV is a statewide trade association representing the engineering and land surveying industry that includes over 40 engineering firms with approximately 2,000 employees in Nevada, many of whom are licensed by the Nevada State Board of Professional Engineers and Land Surveyors (NSBPELS).

As a general matter we wish to express our support of the Department's efforts to improve the efficiency and transparency of the operation of state boards, commissions and councils throughout Nevada. These are laudable goals worth pursuing. Such bodies that are not operating in a manner that effectively and efficiently support and promote the industries for which they were established should rightly be subject to additional oversight.

As a board that is funded by the fees of its industry members ACEC-NV cares greatly in the efficient and transparent operation of NSBPELS. It is the experience of ACEC-NV and its member firms that NSBPELS has not only met the standards for which the Department seeks of its state boards, commissions and councils, but exceeds them. NSBPELS has and continues to operate with fiscal responsibility, quickly and efficiently performs its licensing duties and fairly and diligently investigates complaints. As such, it is important to ACEC-NV that the proposed regulations contemplate flexibility with respect to their implementation rather than paint all boards with a broad regulatory brush. In this regard the regulations should be careful not to imbue regulatory authority in "procedures" and "standards" that have not otherwise been fully vetted among relevant stakeholders through a public hearing process and the adoption of regulations establishing specific procedures and standards. These public hearing processes allow for a full and robust discussion of standards and their applicability which allow for a more thoughtful and careful application where a board, commission or council is failing to meet the desired standards.

To be clear, ACEC-NV does not object to the establishment of uniform standards that support the efficient and transparent operation of state boards. However, we are concerned that those bodies that are already operating in such a manner, such as NSBPELS, become swept into a broadened regulatory framework that impedes those boards that are effectively supporting their respective industries. This concern is heightened with respect to NSBPELS given the critical public safety role it performs with respect to the competency and licensure of the engineering community.

Thank you for your kind consideration of our concerns. We look forward to working with you and the Department as these proposed regulations continue through the process.

Sincerely,

Dawn Miller

Dawn Miller, Executive Director
ACEC-NV

Opposition Statement for proposed regulations of Business and Industry LCB File No. R074-25

My name is Michael S. Laymon, PT, DPT, DSc., Ph.D, OCS and current Chair of the State of Nevada Board of Physical Therapy. I present my statements based on my position on the Board of Physical Therapy and my interactions and oversight of Board operations. Board of Directors are volunteer positions, licensed professionals in the field with one public member. The measure of the effectiveness and management of the Nevada Physical Therapy Board (NVPTB) is evidenced by being recognized at the national level for its outstanding effectiveness and operational excellence by the Federation of State Boards of Physical Therapy (FSBPT) Excellence in Regulation Award this year. The FSBPT Excellence in Regulation Award celebrates state boards that have effectively protected the public through strong regulations, efficient operations, and legislative improvements. State of Nevada Physical Therapy Board's achievements in passing model legislation, timely licensing, and transparent public reporting, were specifically cited in the selection criteria for this national honor. This award was given to only two boards in the nation that demonstrated superior achievement in regulatory governance and safeguarding consumers of physical therapy services. Being a voluntary

Board, we are heavily dependent on the Board staff and daily operations.

Therefore, the success of the Board is dependent on effective administration.

That lies with a dedicated and **focused** staff and Executive Director.

Additionally, Executive Director Charles Harvey was awarded the 2025 FSBPT

Outstanding Service Award in his role of operationalizing staff and day to day

tasks specific to Board effectiveness. These accolades acknowledge

exceptional leadership and contributions to advancing the physical therapy

profession, upholding high regulatory standards, and fostering innovation and

accountability within the Board to protect public safety and health. The recent

awards from FSBPT demonstrate that NVPTB's processes already meet or

exceed the highest standards for regulation, efficiency, and service.

My understanding of the proposed regulations is to promote efficiency by

standardizing procedures, and providing oversight for public safety. Close

review of the proposed regulations would substantially increase staff workload

and distractions to prepare quarterly written and annual reports on

complaints, investigations, disciplinary actions, and licensees. Develop and

create quarterly and annual financial summaries in specified formats—even

where such information is already reported elsewhere. Report bill tracking and

implementation actions within set timeframes, regardless of the board’s unique meeting schedule and voluntary member limitations. These additional regulations would create extra work via duplicate reporting and new paperwork streams that do not contribute to actual public protection or service improvement, directly undermining existing efficiency.

The regulation’s enforcement model is punitive: if boards fail to meet requirements (even if due to external consultant or District Attorney General delays rather than board nonfeasance); the Business and Industry Committee can increase oversight or refer for Board removal. Such measures threaten genuine self-governance and professional expertise that have demonstrably protected Nevada’s consumers of physical therapy services better than other professions and in other “troubled” States cited nationally.

Requirements for reporting missed deadlines in investigations, even if those are due to District Attorney General capacity/manpower issues (not board actions), add to “audit culture” stress without resolving root delay causes. NVPTB’s swift license processing standards (1-3 days) and thorough investigations are already exemplary.

Although the regulation does not specifically make boards “advisory only,” it reserves to the Office the power to shift autonomous boards towards tighter administrative controls and intervention, including withholding support services. The cited examples from Colorado, and from national boards that lost autonomy highlight tangible public harm, slow regulatory adaptation, and an uptick in unregulated “bad actors” following loss of self-governance.

The NVPTB meets six times per year and as needed. Mandates around legislative bill monitoring and reporting within short timeframes (60 days post-session, 30 days for some actions) do not acknowledge the volunteer and working-professional status of board members, making compliance unrealistic and potentially stalling public-facing protocols.

The NVPTB is current with financial reporting and audits. The proposed regulation requires Boards to submit detailed quarterly and annual financial reports, reconcile audits, and provide statements on fee structure adequacy, even when this information is already available or submitted to other agencies. This redundancy will increase administrative burdens without evident benefits.

Mandatory training notice and submission of written verification within 30 days for board members adds another duplicative layer, since these records are

already kept internally. Website and Transparency Mandates specified in the new requirements for public access and meeting minutes, complaints, license verification, regulatory postings, and financials is already practiced by NVPTB.

In Summary: these regulations impede and interfere with effective Board management and operations which protect the public interest. Boards that fall short in financial, public protections, and licensure practice are further dysfunctional through over-regulation and external control versus correction of the dysfunctional operations. As with combining Boards; dilution of peer accountability and legislative enhancements which act to protect public health, insure professional standards, and grow and adapt to the needs of a fluent society; over-regulation or morphing Boards autonomy to becoming advisory in nature **DOES NOT** promote public safety or insure professional standards.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

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NEVADA ASSOCIATION OF LAND SURVEYORS

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November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

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Email: info@nvopticians.org • Website: www.nvbdo.nv.gov

November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

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October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

Hi Nikki,

Hope all is well. The regulations are coming along nicely. I understand another draft is in queue from the LCB so some of the questions/inquiries may have already been addressed. Just wanted to put the following on your radar:

- **Section 13 - 1(g)** - Can we please get a time limit on this, perhaps the last 5 years? It would be burdensome for us to attempt to digitize historical minutes. The resources and time involved digitizing historical minutes would exceed the utilization of the digitized records.
- **Section 13 - 1(i)** - Can we add a modifier such as “active licenses” or “active licenses and those revoked, suspended, or surrendered in the prior 10 years?”
- **Section 13 - 1(j)** - Regarding any reference to “disciplinary actions,” this is not defined in the beginning definitions section. Confirming this means complaints that have been settled with probation or resulted in suspension, revocation, or surrender.
- **Section 13 - 1(j5)** - Can we make this either a prospective requirement to start when this regulation passes, or cap with a time limit, such as for cases resolved in the last 5 years? As above, our Board is quite old and a good majority of our disciplinary orders and settlement agreements were not computerized or not stored in a computer in any searchable database, such that trying to track down older disciplinary orders would be burdensome. Further, in the past and potentially before any prohibitions of same, some of our settlement agreements contained confidentiality language.
- **Section 16 - 3** - Can we please get the word investigate changed to review, or in the alternative, get a definition of investigate that contemplates an investigation including a review for initial jurisdiction, and not further investigation if jurisdiction is found lacking? Our own regulations require a jurisdictional review prior to the investigation commencing and a dismissal if there is no jurisdiction, so we cannot comply with this as written.
- **Section 16 - 3(a)(b)** - Regarding these two requirements, they do not correspond to our disciplinary procedures. It is not our filed complaint that documents the results of an investigation; rather, for us, it is a Preliminary Screening Consultant (licensed professional) report that does so. Thus, can we change the wording to “For any

matter under an investigation conducted by or on behalf of a board, the documentation of the investigation must include ..." This makes it more generic to whatever a given Board's process is.

- **60 days vs 90 days** - Is it possible to make the number of days to remedy/corrective action the same time frame?

A.L. Higginbotham

Executive Director - Nevada State Board of Dental Examiners

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PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

*(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:*

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

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November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nov. 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions and Council Standards

Re: LCB File No. R074-25

Dear Ms. Haag:

Please accept this letter on behalf of the Nevada Chapter of the American Council of Engineering Companies (ACEC-NV) in response to the above-referenced proposed regulations. ACEC-NV is a statewide trade association representing the engineering and land surveying industry that includes over 40 engineering firms with approximately 2,000 employees in Nevada, many of whom are licensed by the Nevada State Board of Professional Engineers and Land Surveyors (NSBPELS).

As a general matter we wish to express our support of the Department's efforts to improve the efficiency and transparency of the operation of state boards, commissions and councils throughout Nevada. These are laudable goals worth pursuing. Such bodies that are not operating in a manner that effectively and efficiently support and promote the industries for which they were established should rightly be subject to additional oversight.

As a board that is funded by the fees of its industry members ACEC-NV cares greatly in the efficient and transparent operation of NSBPELS. It is the experience of ACEC-NV and its member firms that NSBPELS has not only met the standards for which the Department seeks of its state boards, commissions and councils, but exceeds them. NSBPELS has and continues to operate with fiscal responsibility, quickly and efficiently performs its licensing duties and fairly and diligently investigates complaints. As such, it is important to ACEC-NV that the proposed regulations contemplate flexibility with respect to their implementation rather than paint all boards with a broad regulatory brush. In this regard the regulations should be careful not to imbue regulatory authority in "procedures" and "standards" that have not otherwise been fully vetted among relevant stakeholders through a public hearing process and the adoption of regulations establishing specific procedures and standards. These public hearing processes allow for a full and robust discussion of standards and their applicability which allow for a more thoughtful and careful application where a board, commission or council is failing to meet the desired standards.

To be clear, ACEC-NV does not object to the establishment of uniform standards that support the efficient and transparent operation of state boards. However, we are concerned that those bodies that are already operating in such a manner, such as NSBPELS, become swept into a broadened regulatory framework that impedes those boards that are effectively supporting their respective industries. This concern is heightened with respect to NSBPELS given the critical public safety role it performs with respect to the competency and licensure of the engineering community.

Thank you for your kind consideration of our concerns. We look forward to working with you and the Department as these proposed regulations continue through the process.

Sincerely,

Dawn Miller

Dawn Miller, Executive Director
ACEC-NV

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

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Carson City, NV 89702

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NEVADA ASSOCIATION OF LAND SURVEYORS

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T: (888) 994-3510 E: nals@nvlandsurveyors.org

November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

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Email: info@nvopticians.org • Website: www.nvbdo.nv.gov

November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. *“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.*
5. *“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.*
6. *“Board Member” means a person appointed to serve on a specific board.*
7. *“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.*
8. *“License” means any permit, registration, certificate, or license issued by a board under the Department.*
9. *“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.*
10. *“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.*
11. *“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).*

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) Provide clear instructions for filing complaints against licensees or the Board**
- (ii) Offer online complaint portals or downloadable forms on Board websites**
- (iii) Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~**

(c) ~~In regard to consumer education and outreach, Boards are encouraged to publish~~

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

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October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

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10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

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(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
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- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

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(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

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- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

Reno: 6005 Plumas St., Suite 100, Reno, Nevada 89519 - Telephone (888) 590-6726 - Fax (775) 687-7707

Las Vegas: 4220 S. Maryland Pkwy., Building B, Suite 300, Las Vegas, Nevada 89119 - Telephone (888) 590-6726 - Fax (702) 486-5803
www.nevadanursingboard.org

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

P.O. Box 1824

Carson City, NV 89702

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Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, M-245 | Reno, Nevada 89502-5000

Phone: (775) 688-1921 | Fax: (775) 688-1920

Website: <https://chirobd.nv.gov> | Email: chirobd@chirobd.nv.gov

November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Dear Ms. Haag,

After careful review of the proposed regulations I would like to share my personal observations.

Please note, that the comments in this letter and in the attached document are my own and do not represent the position that the Chiropractic Physician's Board may have, since they have not had an opportunity to take a formal position at an open and public meeting.

I appreciate the intent of the proposed regulations to enhance transparency and accountability. However, the reporting requirements outlined appear to duplicate information already submitted through existing processes or places unnecessary demands on Board staff. To promote efficiency and reduce administrative burden, I recommend streamlining or aligning these reporting requirements with current reporting mechanisms. This approach would maintain transparency while ensuring that resources remain focused on core regulatory and public protection functions.

Please refer to the attached document which identifies my comments to the respective sections.

Once you have received the version of the language from the Legislative Counsel Bureau please share that version with the Board and allow the Board at least 90 days for us to obtain a position and comments from the Board in an open and public meeting.

Thank you for considering my comments

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Strandberg".
Julie Strandberg
Executive Director

Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
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Geoffrey D. Lowden, DC
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Sincerely,

A handwritten signature in black ink, appearing to read "Julie Strandberg".
Julie Strandberg
Executive Director



NEVADA ASSOCIATION OF LAND SURVEYORS

526 South E Street – Santa Rosa, CA 95404

T: (888) 994-3510 E: nals@nvlandsurveyors.org

November 12, 2025

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 College Parkway, Suite 100
Carson City, NV 89706

RE: Comments on Proposed Regulation – LCB File No. R074-25

Dear Director:

On behalf of the Nevada Association of Land Surveyors (NALS), we appreciate the opportunity to provide comments regarding the Proposed Regulation of the Department of Business and Industry Office of Nevada Boards, Commissions, and Councils Standards (Office) (LCB File No. R074-25).

NALS recognizes and supports the intent of this regulation to promote transparency, accountability, and consistent practices among Nevada's occupational licensing boards. However, we wish to express several concerns regarding the potential administrative, operational, and governance impacts on the Nevada Board of Professional Engineers and Land Surveyors (NVBPELS) and other Boards and Commissions.

Increased Administrative and Reporting Burden

The proposed regulation requires quarterly reporting on complaints, licensing data, financial summaries, and legislative tracking. These duplicative reporting requirements would significantly increase administrative workload and divert staff resources from essential regulatory and enforcement functions. NVBPELS already fulfills reporting obligations under NRS 622.

Reduction of Board Autonomy

While the regulation acknowledges each Board's fiscal independence, it grants the Office broad authority to issue corrective actions, require documentation of investigations, and recommend member removal. This undermines the independent, profession-driven governance structure that ensures public protection through technical expertise rather than political oversight.

Overreach of Centralized Control

The level of oversight proposed, particularly the ability to require additional data submissions and impose corrective timelines, appears to exceed the legislative intent of NRS 232.8415. For a specialized, self-funded Board such as NVBPELS, this could result in operational delays and the erosion of professional self-regulation.

Financial and IT Impacts

The required expansion of reporting will likely necessitate new software systems, staffing, and IT additions. These expenses could require an increase in licensee fees which would be an outcome contrary to efficient government operation.

NVBPELS has consistently demonstrated responsible self-governance, efficient operations, and strong public protection. We strongly believe that consistency and transparency can be achieved without compromising the independence or effectiveness of Nevada's professional licensing boards.

NALS opposes the proposed regulation – LCB File No. R074-25 and we respectfully urge the Office to, at minimum, consider revising the regulation to clarify limits of oversight and engage stakeholders in collaborative development of reporting standards.

Thank you for your commitment to responsible governance and public protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nick Ariotti, PLS".

Nick Ariotti, PLS
President



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

4790 Caughlin Pkwy #241, Reno, NV 89519 • Telephone 775 / 433-1700 • Fax 775 / 433-1705
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November 14, 2025

Ms. Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
1830 E. College Pkwy, Suite 100
Carson City, NV 89706

Re: Proposed Regulation R074-25

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10th, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten
Board President

Corinne Sedran
Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

EXPLANATION – Matter is *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

Disclaimer: *Nothing in these regulations shall be construed to supersede or conflict with the procedural requirements set forth in NRS Chapters 622 or 622A, or with any current NRS or NAC applicable to boards governed under Title 54. These standards are intended solely to supplement existing statutory provisions for the purpose of administrative oversight, operational consistency, and inter-board standardization pursuant to NRS 232.8415.*

General Provisions

NAC 232.010 Definitions. (NRS 233B.505) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires:

1. “Chief” means the chief of a division of the Department.
2. “Department” means the Department of Business and Industry.
3. “Director” means the Director of the Department.
4. ***“Office” means the Office of Nevada Boards, Commissions, and Councils Standards.***
5. ***“Board” means any board, commission, or other statutorily created entity under the purview of the Office pursuant to NRS 232.8415.***
6. ***“Board Member” means a person appointed to serve on a specific board.***
7. ***“Executive Director, or equivalent officer of the boards” means a person appointed or employed by a board who is responsible for overseeing the day-to-day operations of the board.***
8. ***“License” means any permit, registration, certificate, or license issued by a board under the Department.***
9. ***“Licensee” means any person who has been issued a permit, registration, certificate, or license by the board under the Department.***
10. ***“Profession” means any activity, occupation, or vocation regulated by a board under the Office of Nevada Boards, Commissions, and Councils Standards.***
11. ***“Purview” means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).***

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall ~~comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:~~

(a) In regard to Performance Monitoring and Date Reporting, Boards shall:

(i) submit to the Office, on a quarterly basis, the same complaint and licensing data required to be reported pursuant to NRS 622.100, together with a summary of complaints received by the Board from the public or licensees regarding alleged violations of law, regulation, or standards of practice by a licensee, or regarding the performance of the Board in its regulatory functions. Such summary must include:

(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with ~~any supplemental data requested by the Office that is not otherwise captured in that report.~~

(b) ~~Comply with investigative procedures and timelines established in statute, including NRS 622A.~~ For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

(c) Track bills during each regular and special session of the Nevada Legislature that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) The bills tracked by the Board*
- (ii) The potential impact of each bill on Board operations or Licensees.*
- (iii) Any actions required of the Board to implement enacted legislation; and*
- (iv) An estimated timeline for implementation of such actions.*

Each Board shall notify the Office when implementation of an enacted bill has been completed, using the form prescribed by the Office.

In addition to legislative reporting, each Board shall:

- (v) Update its administrative codes in response to newly enacted laws*
- (vi) Ensure proper reconciliation of board accounts and bank records*

(d) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:

- (i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.*
- (ii) submit to the Office a simplified quarterly financial summary within 30 days after the close of each quarter, including total revenues, total expenditures, and Quarter-end cash balances.*
- (iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:*
 - (i) Total revenues, expenditures, and year-end cash balances*
 - (ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.*
 - (iii) A statement identifying any significant financial or structural concerns observed by the Board; and*
 - (iv) A review of the adequacy of existing fees conducted pursuant to statute.*

(e) In regard to Training of Board Members, each Board shall:

- (i) Require the Board's Executive Director or equivalent officer and relevant*

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

(ii) Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion

(f) ~~In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates~~

(g) Access to investigative reports and documentation

(i) Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.

(ii) Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.

2. Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:

(a) In regard to fiscal accountability, Boards shall develop and monitor board budgets

(b) In regard to data integrity and information management, Board's shall

(i) Ensure licensee, financial, and complaint data are accurate and verifiable

(ii) Protect confidential and personally identifiable information

(c) Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.

(d) Fiscal independence

(i) All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.

3. Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

(i) Hold officer elections as required by statute or regulation of the Board.

(ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.

(c) In regard to Board Member attendance and participation,

(i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.

(ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020–030.

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*
- (v) The start and expiration date of each Board Member's current term*
- (vi) The name and title of the Executive Director or equivalent officer*

- (vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*
- (viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*
- (ix) *Archived agendas and minutes of past meetings*
- (x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*
- (xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*
- (xii) *Instructions and forms for filing a complaint*
- (xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*
- (xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*
- (xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*
- (xvi) *The Board's mission statement*
- (xvii) *The Board's Annual reports or performance data*
- (xviii) *licensing/renewal/reinstatement instructions, and*
- (xix) *statutory reports and audits*

(b) ~~In regard to complaint transparency and access, Boards shall~~

- (i) *Provide clear instructions for filing complaints against licensees or the Board*
- (ii) *Offer online complaint portals or downloadable forms on Board websites*
- (iii) *Protect confidentiality in accordance with NRS 622.360 and other applicable laws, ~~while ensuring fairness and responsiveness to complainants~~*

(c) *In regard to consumer education and outreach, Boards are encouraged to publish*

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

(i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.

(ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.

(b) Continuous Improvement

(i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.

(ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required.

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office. Continued failure to comply may result in:

(a) Enhanced administrative oversight,

(b) Referral to the Governor for potential removal actions under NRS 232A.030, or

(c) Withholding of administrative or fiscal support services.



State of Nevada
Board of Environmental Health Specialists

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October 10, 2025

Office of Nevada Boards, Commissions and Council Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Comments on Proposed Regulation
Workshop – October 17, 2025

The Board has not had an opportunity to convene a public meeting to discuss or provide comments on the proposed regulation prior to the October 10th deadline for submitting written comments.

The written comments contained herein are submitted as an interested person, and subject matter expert with many years of experience in Board administration.

The major point of concern is the lack of clarity in the duties of the Office as they pertain to “centralized administration”. The following points would clarify the role and duties of the Office as the centralized administrative entity for oversight and compliance:

1. The Office shall:
 - a. provide oversight of and compliance with State administrative requirements pertinent to Board administration
 - b. serve as the primary point of contact for Board administrators
 - c. coordinate with state agencies relating to compliance with any statutory administrative provisions that apply to Boards
 - d. coordinate Board access to State systems necessary for compliance with state administrative requirements
 - e. communicate administrative directives, all- agency memorandums, and applicable law and regulatory requirements and revisions pertinent to Board administration
 - f. monitor compliance with the administrative standards established through this regulation.

Ongoing open dialogue between stakeholders and the Office will foster greater transparency and trust throughout the regulation adoption process.

Respectfully submitted,

Loretta Ponton

Loretta L. Ponton, Executive Director

PROPOSED REGULATION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY - OFFICE OF NEVADA
BOARDS, COMMISSIONS AND COUNCILS STANDARDS

LCB File No. R074-25

November 5, 2025

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Commented [MF1]: The definition of “Purview” looks to go way beyond the intent of Senate Bill 431 (82nd Session) as it was explained at the Senate Committee on Government Affairs on April 26, 2023.

NAC 232. – Department; powers and duties

1. Pursuant to NRS 232.8415(1)(a), each Board shall comply with the procedures and requirements approved by the Office for purposes of centralized administration, which include, but are not limited to:

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(ii) the number of complaints received, resolved, pending, and the average processing times for each stage of the complaint process.

(iii) the number of licensing applications received, approved, denied, and rejected as incomplete, together with average processing times.

For purposes of this section, A Board satisfies the requirement to submit the same complaint and licensing data required pursuant to NRRS 622.100 by providing the Office, on a form provided by the Office, a copy of the report submitted to the Legislative Counsel Bureau under NRS 622.100, together with any supplemental data requested by the Office that is not otherwise captured in that report.

(b) Comply with investigative procedures and timelines established in statute, including NRS 622A. For purposes of oversight under subsection (1), each Board shall:

(i) Document in the investigative file the reason for any deviation from an established statutory timeline; and

(ii) Report to the Office, as part of the quarterly submission referenced in paragraph 1(a)(i) of this section, those cases in which investigative timelines were exceeded, together with a summary of the reason for delay.

④ Track bills during each regular and special session of the Nevada Legislature

Commented [MF2]: This is very broad language - not limited to what is listed. This could lead regulation by Office policy and or procedure

Commented [MF3]: This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

that may affect Board operations, or the professions regulated by the Board. Within 30 days after adjournment of the session, each Board shall submit to the Office a report,

on a form provided by the Office, identifying:

- (i) *The bills tracked by the Board*
- (ii) *The potential impact of each bill on Board operations or Licensees.*
- (iii) *Any actions required of the Board to implement enacted legislation; and*
- (iv) *An estimated timeline for implementation of such actions.*

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Each Board shall notify the Office when implementation of an enacted bill originating from that board has been completed, using the form prescribed by the Office.

Commented [MF4]: This is something that the Office (NBCCS) should prepare and provide to each of the boards.

In addition to legislative reporting, each Board shall:

*(v) (iii) Update its administrative codes in response to newly enacted laws
(vi) (iv) Ensure proper reconciliation of board accounts and bank records
(d) (c) In regard to reporting and audit readiness, each Board shall ensure timely and accurate compliance with all reporting and audit requirements mandated by statute or regulation, including but not limited to NRS 622.100, NRS 218G.400, NRS 331.110, and 333.705. To support centralized oversight and transparency, each Board shall:*

(i) Provide to the Office a copy of any report the Board is required to submit by statute to an authorized entity, along with a summary of the report on a form provided by the Office.

Commented [MF5]: Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be born by the boards.

(ii) submit to the Office a simplified quarterly monthly financial summary statements within 30 days after the close of each quartermonth, including total revenues, total expenditures, and Quarter-end monthly cash balances.

(iii) Submit to the Office, on a form provided by the Office, a simplified annual financial summary within 9 months after the end of each fiscal year, which must include:

(i) Total revenues, expenditures, and year-end cash balances

(ii) A reconciliation showing how the total revenues, total expenditures, and year-end cash balances reported in the simplified annual financial summary correspond to the year-end balances reflected in the balance sheet or audit report submitted pursuant to NRS 218G.400.

(iii) A statement identifying any significant financial or structural concerns observed by the Board; and

(iv) A review of the adequacy of existing fees conducted pursuant to statute.

(e)(d) In regard to Training of Board Members, each Board shall:

(i) Require the Board's Executive Director or equivalent officer and relevant

Commented [MF6]: This looks like something that the Office (NBCCS) could possibly do.

staff to notify Board Members of updated mandatory training modules required pursuant to NRS 622.055-622.060, including those prescribed by the Office of the Attorney General.

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- (ii) *Within 30 days after a Board Member completes mandatory training, the Executive Director or equivalent officer shall provide a written notice to the Office, on a form provided by the Office, confirming the date of completion*

(f)(e) In regard to Board Member Support Services, Boards shall maintain a centralized log of appointment terms and expiration dates

(g)(f) Access to investigative reports and documentation

- (i) *Upon request of the Office, and to the extent permitted by state or federal law, a Board shall communicate, cooperate with, or provide any documents or information to the Office regarding any investigation, including related disciplinary proceedings.*

- (ii) *Any confidential information provided to the Office remains subject to the same confidentiality laws that apply to the Board.*

2. *Pursuant to NRS 232.8415(1)(c), each Board shall comply with the following standards approved by the Office for internal financial controls:*

(a) *In regard to fiscal accountability, Boards shall develop and monitor board budgets*

(b) *In regard to data integrity and information management, Board's shall*

- (i) *Ensure licensee, financial, and complaint data are accurate and verifiable*
- (ii) *Protect confidential and personally identifiable information*

(c) *Respond to all statutory audits including addressing audit findings of authorized entities, including the Office, by submitting a written corrective action plan within 60 days, together with documentation demonstrating the completion or substantial progress of the corrective actions.*

(d) *Fiscal independence*

- (i) *All funding shall remain under the Board's sole authority, subject only to its enabling statutes and applicable financial controls.*

3. *Pursuant to NRS 232.8415(1)(e), each Board shall comply with the standards approved by the Office for its structure:*

Commented [MF7]: This looks like something that the Office (NBCCS) could possibly do.

Commented [MF8]: NRS 625.425 - Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records dictate what we can and cannot share.

(a) In regard to Board composition and statutory compliance, Boards shall

maintain records of each Board Member's designated seat, including whether their designation is statutorily required as a public member, industry representative, or licensee.

(b) In regard to Board officer roles and elections, Boards shall:

- (i) Hold officer elections as required by statute or regulation of the Board.*
- (ii) Where the term of an officer is not provided by Statute or Regulation of the Board, the Boards shall hold annual elections for officer positions.*

(c) In regard to Board Member attendance and participation,

- (i) Each Board Member is expected to attend and participate in meetings in compliance with NRS 241, the Board's enabling statutes, and these regulations.*
- (ii) A Board member who has three consecutive unexcused absences, or who is absent without excuse from 50 percent or more of the Board's meetings within a 12-month period, may be recommended by the Board to the appointing authority for removal in accordance with NRS 232A.020-.030.*

(d) For purposes of this subsection, an "unexcused absence" means an absence that is not:

- (i) Caused by illness, family emergency, or other unavoidable circumstance.*
- (ii) Approved in advance by the Board chair; or*
- (iii) Otherwise authorized by statute.*

4. Pursuant to NRS 232.8415(1)(f), each Board shall comply with the following standards approved by the Office for transparency and consumer protection:

(a) In regard to Websites, Boards shall:

- (i) maintain a publicly accessible and ADA-compliant website containing, at a minimum, the following information:*
- (ii) A citation and link to the statutes of the Board in the Nevada Revised Statutes (NRS) and its regulations in the Nevada Administrative Code (NAC)*
- (iii) The name of all current Board Members*
- (iv) The statutorily designated position each Board Member fills*

(v) *The start and expiration date of each Board Member's current term*

(vi) *The name and title of the Executive Director or equivalent officer*

(vii) *Contact information for the Board's office, including email, mailing and physical addresses, and telephone number*

(viii) *Upcoming Board and committee meetings, including the date, time, location, agenda, and virtual attendance information*

(ix) *Archived agendas and minutes of past meetings*

(x) *A license verification system accessible from the homepage within one click, including full name, license type, license number, status, issuance/expiration dates, and an indication of disciplinary history ("yes/no").*

(xi) *A disciplinary action portal or searchable system available on the Board's homepage, updated within 15 days of new disciplinary actions, which includes at a minimum, the licensee name, license number, action type and date, and access to final orders or settlement agreements, unless confidentiality is required by statute*

(xii) *Instructions and forms for filing a complaint*

(xiii) *The most recent financial summary prescribed under Section 1(b) of this section, together with any CPA audit or balance sheet submitted pursuant to NRS 218G.400*

(xiv) *Any audit, sunset review report, or legislative performance evaluation prepared within the last 5 years, and a direct link to the website of the Office of Nevada Boards, Commissions, and Councils Standards available on the Board's homepage.*

(xv) *Final adopted regulations not yet codified in NAC, as filed with the Secretary of State*

(xvi) *The Board's mission statement*

(xvii) *The Board's Annual reports or performance data*

(xviii) *Licensing/renewal/reinstatement instructions, and*

(xix) *Statutory reports and audits*

(b) *In regard to complaint transparency and access, Boards shall*

(i) *Provide clear instructions for filing complaints against licensees or the Board*

(ii) *Offer online complaint portals or downloadable forms on Board websites*

(iii) *Protect confidentiality in accordance with NRS 622.360*

and other applicable laws, while ensuring fairness and responsiveness to complainants

(c) In regard to consumer education and outreach, Boards are encouraged to publish

newsletters, alerts, or bulletins to inform the public of Board activities, professional standards, ethical requirements, consumer rights, and procedures for reporting misconduct.

5. Pursuant to NRS 232.8415(1)(g), each Board shall comply with the standards approved enumerated below by the Office for its efficacy and efficiency:

(a) Evaluation of Performance:

- (i) The Office may evaluate each Board's performance using the financial and operational reports submitted to Section 1(b) of these regulations and the transparency and complaint data submitted pursuant to Section 6.*
- (ii) Boards shall cooperate with the Office in any performance reviews, audits, or requests for additional information necessary to assess the efficiency and effectiveness of operations.*

(b) Continuous Improvement

- (i) Based on the results of these evaluations, the Office may issue recommendations or require corrective action to improve efficiency, reduce costs, or enhance consumer protection.*
- (ii) Boards shall implement corrective actions within 90 days of receiving notice from the Office, unless the Office specifies a different timeframe in writing based on the nature or complexity of the corrective action required*

6. Pursuant to NRS 232.8415, each Board shall comply with the requirements of this section and noncompliance may result in the Office's issuance of a written notice of deficiency, which may require corrective action by the Board within 60 days, or in a timeframe otherwise authorized by the Office, but not less than 60 days. Continued failure to comply may result in:

- (a) Enhanced administrative oversight,*
- (b) Referral to the Governor for potential removal actions under NRS 232A.030, or*
- (c) Withholding of administrative or fiscal support services.*

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

CATHY DINAUER
Executive Director

DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS

NEVADA STATE BOARD OF NURSING

November 17, 2025

Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry

RE: Comments for Workshop on R074-25I

Deputy Director Haag,

Please accept the attached comments on the proposed regulation amendments contained in LCB File R074-25I. Further comments will be provided, if necessary, after LCB releases R074-25P.

Why is a regulation necessary to require Boards to provide to the Office reports already required by NRS 622.100, NRS 218G.400, NRS 331.110, and NRS 333.705? It would seem logical for the Office to request the consolidated data from the Legislative Counsel Bureau, the Legislative Auditor, the Administrator of the State Public Works Division of the Department of Administration, or the Interim Finance Committee. I would recommend those agencies collect information for later distribution to the Office, rather than collecting the information from 37 Boards.

Under the broad category of providing information to the Office involving investigations and investigation timelines, there is a question of confidentiality. If confidentiality is required by a Board's statute, then can the Office waive that confidentiality statute by a regulation?

Why is a regulation necessary requiring Boards to follow the Nevada Open Meeting Law when already in statute?

Finally, placing responsibility on Boards to pay for an amount of cost allocation charges that may or may not be set in statute at some future date to fund the Office does not seem appropriate.

Cathy Dinauer, MSN, RN
Executive Director
Nevada State Board of Nursing

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www.nevadanursingboard.org

November 18, 2025

Ms. Nikki Haag
Deputy Director
Office of Nevada Boards, Commissions, and Council Standards
Department of Business and Industry

Ms. Nikki Haag:

The Nevada Board of Professional Engineers and Land Surveyors has taken this opportunity to review and comment on the Department of Business and Industry's proposed regulation changes, referred to as Proposed Regulations of the Department of Business and Industry b- Office of Nevada Boards, Commissions, and Council Standards LCB File No. R074-25, as drafted on November 5, 2025.

The Nevada Board of Professional Engineers and Land Surveyors (NVPBPELS) is fully committed to any and all practices that improve accountability, transparency and efficiency and it is in this light that we have taken the time to thoroughly review your draft regulations to provide you with thoughtful commentary and meaningful revisions. Our comments and revisions are enumerated below and collected in a Word Document mark-up file; attached for your review.

NAC 232.010 Definitions. (NRS 233B) As used in NAC 232.010 to 232.140, inclusive, unless the context otherwise requires: 11. "Purview" means the scope of authority, oversight and administrative responsibility assigned to the Office pursuant to NRS 232.8415, including oversight of the boards and commissions enumerated in NRS 232.8415(2).

Section 1, This is very broad language - not limited to what is listed. This could lead to regulation by Office policy and or procedure.

Section 1(a)(iii), This is open ended. NRS 622.100 is detailed and complete. Supplemental reporting could be a costly burden to boards and their licensees.

Section 1(c), This is something that the Office (NBCCS) should prepare and provide to each of the boards. This should be deleted in its entirety.

Section 1(d)(i), Summary preparation of a report prepared by a board as required by statute is additional and un-necessary work to be borne by the boards.

Section 1(e)(ii & iii), This looks like something that the Office (NBCCS) could possibly do.

Section 1(f)(i & ii), NRS 625.425 - Certain records relating to investigation deemed confidential; certain records related to disciplinary action deemed public records dictate what we can and cannot share.

There are additional edits in the R074-25 Proposed Regulation document (included with this letter)

We know this is long arduous process that requires time, hard work, and compromise. We are committed to this process and working with the Department of Business and Industry and the Office as we work together to draft regulations that best serve our great State and its citizens.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark J Fakler".

Mark J Fakler, PE
Executive Director.

Nikki- for the proposed NAC 232 regulations dated by LCB on 11/5/2025 and the 11/25 workshop, some questions of mine on behalf of Optometry-

Section 1's intro says "but are not limited to:" What other reporting mandates are there going to be?

Section 1(c)(vi) regards proper reconciliation of board accounts and bank records. But those processes are undefined. My Board is provided all bank statements on a monthly basis, then we have an open meeting in June with a proposed budget for the upcoming FY. I would like to know what is meant by "proper reconciliation" so my Board doesn't run afoul of any of the Office's expectations or mandates.

Section 1(d)(ii)- this section doesn't say so like the others, but will this be "on a form provided by the Office"? Or is an email going to suffice?

Section 1(d)(xiii)- for the public postings of financial summaries and CPA audits, with there be any redactions allowed? Seems like sensitive financial information, typically kept in-house, now becomes available to the public without even a public records request for it.

Section 4(a)- these website updates might cost any given board thousands of dollars in I.T. fees. Is any stipend or supplemental funds coming from the Office? I see section 6(c) mentions the withholding of administrative or fiscal support services, which suggests that fiscal support would be provided to the board? Or are the boards still on their own for what I would classify as this unfunded mandate?

Section 5(b)- what if the Board contests or disagrees with the Office's required corrective actions? There is no mechanism allowed in the regulation for any Board to contest anything, which would seem to make the process even more expensive by needing judicial intervention.

Adam Schneider, Esq.

Executive Director

Nevada State Board of Optometry

P.O. Box 1824

Carson City, NV 89702

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Vice President
Jason O. Jaeger, DC
Secretary-Treasurer



Geoffrey D. Lowden, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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November 13, 2025

Nikki Haag, Deputy Director
Office of Nevada Boards, Commissions and Councils Standards
1830 College Parkway, Suite 100
Carson City, NV 89706

Dear Ms. Haag,

After careful review of the proposed regulations I would like to share my personal observations.

Please note, that the comments in this letter and in the attached document are my own and do not represent the position that the Chiropractic Physician's Board may have, since they have not had an opportunity to take a formal position at an open and public meeting.

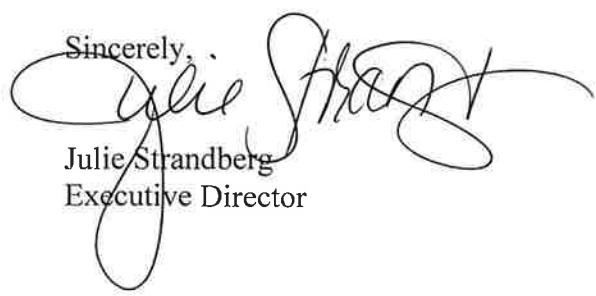
I appreciate the intent of the proposed regulations to enhance transparency and accountability. However, the reporting requirements outlined appear to duplicate information already submitted through existing processes or places unnecessary demands on Board staff. To promote efficiency and reduce administrative burden, I recommend streamlining or aligning these reporting requirements with current reporting mechanisms. This approach would maintain transparency while ensuring that resources remain focused on core regulatory and public protection functions.

Please refer to the attached document which identifies my comments to the respective sections.

Once you have received the version of the language from the Legislative Counsel Bureau please share that version with the Board and allow the Board at least 90 days for us to obtain a position and comments from the Board in an open and public meeting.

Thank you for considering my comments

Sincerely,


Julie Strandberg
Executive Director

Joe Lombardo
Governor

Benjamin S. Lurie, DC
President
Adam L. Ingles, DC
Vice President
Jason O. Jaeger, DC
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Julie Strandberg
Executive Director