



STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS

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March 23, 2026

Office of Nevada Boards, Commissions, and Councils Standards
Department of Business and Industry
Nikki.Haag@business.nv.gov

Re: Proposed Regulation R074-25

To the Office of Boards, Commissions, and Councils Standards:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to the February 23, 2026, draft of Proposed Regulation R074-25, in anticipation of the March 31, 2026, workshop.

While our board recognizes the intent and potential of the regulation to improve oversight and consistency across the occupational licensing boards, we would like to highlight the need for additional funding to successfully implement the proposed provisions. The responsibilities outlined in the regulation will require licensing boards to expand their administrative functions, update their online systems, and perform additional reporting and enforcement activities. These new obligations will inevitably result in increased costs, including staffing, technology upgrades, and ongoing operational expenses.

Many of the occupational licensing boards operate with limited budgets that are already stretched thin by their existing statutory responsibilities. Your own office has recently completed audits indicating that many licensing boards may require additional funding to meet their current obligations. These findings indicate that boards are not presently positioned to absorb further responsibilities without financial support. Without additional resources, these new requirements could lead to delays and reduced services for the license holders and public. It is important that the financial burden associated with the proposed regulation not be absorbed solely by the licensing boards themselves. Instead, the Office of Boards, Commissions, and Councils Standards should take responsibility for identifying and securing the necessary funding to support its implementation. This approach will help ensure that the regulation achieves its intended outcomes without placing undue strain on existing board resources or requiring excessive fee increases for license holders.

In addition to funding concerns, our board would like to reiterate the following considerations we included in our letter submitted to your office on November 14, 2025:

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... [The proposed regulation does not specify or outline] the structure of the department, the scope of its powers, or...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... 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...

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

Governor
Joe Lombardo

Executive Director
Elisabeth Barnard



Board Members
Chair – Rebecca Dorangricchia
Vice Chair – Paula Wilber
Secretary-Treasurer – Jenn Ty
Lorna Benedict
Alan Kite - Swinden
Rosemarie Mueller
Bill Schoen
John Teng
Reflexology Member - Vacant
LVMPD Advisory Member – Vacant

Nevada State Board of Massage Therapy

March 23, 2026

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 R074-25RP3

Dear Ms. Haag,

The Nevada State Board of Massage Therapy (“Board”) appreciates the diligent work undertaken by the Office of Nevada Boards, Commissions and Councils Standards (“Office”) to promulgate regulations pursuant to Nevada Revised Statutes 232.8413(2). The Board wishes to provide comments on the current proposed regulations with consideration of the duties of the Office, current requirements on Board staff, and capabilities of the Board.

Feedback regarding specific sections is as follows:

Section 12

This section requires the Executive Director to notify board members of the training provided by the Attorney General’s Office. The Attorney General’s Office has provided links to prior recordings and slide decks on their website; the Board provides that to each Board member shortly after their appointment. NRS 622.200 is not clear whether Board members must attend the training in person or retake it when it is subsequently offered. The Attorney General’s Office does provide mailed notice of in-person training that may not arrive with sufficient time for Board members to rearrange their busy schedules. We would request revision to account for notice being provided to the Executive Director of such trainings occurring in a timely manner. We also request clarity as to whether the training shared on the Attorney General’s Office website is sufficient, or whether in person training is required. If training is required in person, then recognition that the trainings are typically held in person every other year would be requested.

Section 14

The requirements in Subsection (1)(i) and (j) seem simple and the Board applauds the intent to increase transparency. While the Board is happy to work towards having this information available online, our current licensing platform does not fully support the proposed requirement as stated. True compliance would require changes to the current way our search results are provided. And would incur substantial costs to the Board to make this change.

The Board currently allows a consumer to verify a license from its main page. When a consumer clicks the “verify license” link, the consumer is taken to a page where they can search by name, license number, and/or license type. Once the consumer enters the desired search criteria, the page displays the name, license number, the status of the license, and the location of the licensee. It also contains a link for additional details which, if the licensee has had discipline, will briefly describe the discipline imposed by the Board. The Board does not currently have capabilities to include a link to the actual Findings of Facts, Conclusions of Law, and Order, or other disciplinary documents.

Our current database provider indicates it can support the requested changes, though it may not be timely implemented due to their processes. They gave a rough estimate of approximately \$15,000 to \$20,000 to implement those changes. The estimate may change depending on the final scope needed to meet the proposed regulatory changes.

Subsection (1)(k) - The Board accepts complaints via many methods, including a form available on the website, phone calls, in person visits, and mail. This requirement would seem to direct that complaints could only be accepted via an online system. We would ask for clarification that a consumer may file a complaint by any of the methods, including, without limitation, by using the form.

Subsection (1)(p) - The term “performance data” is very broad. While the Board embraces transparency, the broadness of this requirement may discourage public sharing of information out of apprehension that it should also be added to the website. Conversely, to potentially comply, there may be unnecessary information posted, creating a cluttered and difficult to read website. We would ask for clarification of what is meant by “performance data” and when such information is required to be posted to the Board’s website.

Section 15

The Board endeavors to maintain awareness of legislative activities during each legislative session. The language of this section, however, would demand substantial staff time, adding a seasonal employee, or contracting with a government relations firm. Subsection 1 requires the Board to track all bills which may impact the Board’s operations or its licensees. While seemingly simple, many times a bill that on its face does not appear to impact the Board or its licensees can in fact impact the Board and its licensees. Bills can also be amended, creating an impact when there was not an impact before. Additionally, having to create a report 60 days after session is concluded with detailed information regarding the bills, whether they became law, and their impact on licensees creates another workflow adding more strain on staff time.

Complying with this section will either require funds or take away from current activities beyond what is required during session. There is no clear timeframe articulated on when a board would need to ensure their awareness of bills. Bills often undergo changes throughout session, creating additional challenges to compliance.

Section 17

Subsection 3 – Complaints can be complex and an investigation may be needed to fully determine jurisdiction. We would recommend revising to allow for some sort of investigation to determine jurisdiction.

Subsection 5 – This is noted to be only applicable to subsection 4, however it would potentially create conflict with subsection 3.

Section 18

Subsection 1 - As noted, the Board is required by NRS 622.100 to make quarterly reports to the Legislative Counsel Bureau. Will a link to this report be sufficient?

Subsection 3 - The Board has been responsive, cooperative, and transparent in providing information as requested by the Office. However, this subsection is overly broad and creates concerns that the Office may generate additional tasks for Board staff creating burdens in addition to their daily duties.

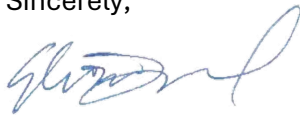
General comments on the proposed regulation

Some of the proposed regulations create specific repetition of tasks with which the Board must already comply. Further, while there are many requirements presented for the Board to comply with, there are no reciprocal requirements of what the Office is required to provide to support this or other boards in compliance with existing or proposed requirements.

Additionally, nothing in this proposed regulation assists any board with added efficiency. What would be helpful would be some commitment by the Office to assist boards with complying with the requirements of NRS and NAC chapter 333. For example, many statewide contracts require access to NevadaEPro or Advantage. This Board has not been able to get approval to access either of those systems to properly follow State Purchasing requirements.

Thank you for the opportunity to comment on the Office's proposed regulation. The Board may provide additional comments during Public Workshops and Hearings as these regulations are fine tuned.

Sincerely,



Elisabeth Barnard

March 31, 2026

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. R074-25RP3, as drafted on February 23, 2026.

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.

My overarching concerns associated with the proposed regulation updates (LCB File No. R074-25 Feb 23, 2026) are as follows. There are many sections with reporting requirements that include the open ended statement "in the format prescribed by the office"; and we have no idea what the formats will look like and cannot accurately account for the likely cost burdens to the board that will follow if statements like this permeate the Regulation.

Another area of concern is Section 15.2(a)(b)(c)(d) & Section 3(a)(b)(c)- We currently track legislation. However, this added requirement for reporting will most likely require this Board to engage the services of consultant versed in the legislative process, if allowed. If we are not able to contract with an outside consultant, we would need to bring additional staff (costs could be in the \$100k range). The additional cost burdens associated with the additional reporting and legislative attendance will likely require this Board to increase fees.

Our annual board budget is based upon a Zero net fund increase/decrease. We use our reserves to work on deferred projects, currently we're updating our online platforms and completing our move to a paperless office with deferred funds.

Section 10, Defining the word "purview" in this regulation change looks to me to be statutory change within the regulatory process.

Section 14.1(j)(5), This is covered in NRS 625.425.

Section 14.1.(l), NVBPELS has a CPA prepare financial reports on a monthly basis. Additionally, we are audited by a separate auditing firm on annual basis. This report is submitted to the State and Dept of Business & Industry every year. Quarterly reporting is redundant and excessive, and will be a cost burden to the Board.

Our annual board budget is based upon a Zero net fund increase/decrease. We use our reserves to work on deferred projects, currently we're updating our online platforms and completing our move to a paperless office with deferred funds. This could be done by the Office.

Section 15.2(a)(b)(c)(d) & Section 3(a)(b)(c)- We currently track legislation. However, this added requirement for reporting will most likely require this Board to engage the services of consultant versed in the legislative process, if allowed. If we are not able to contract with an outside consultant, we would need to bring on additional staff (costs could be in the \$100k range).

The additional cost burdens associated with the additional reporting and legislative attendance will require this Board to increase fees.

Section 19.2 (a)(b), We have a CPA who prepares financial reports monthly and we have a professional auditor who prepares an annual audit report which is submitted to the LCB Legislative Auditor and the Department of Business and Industry on or before December 1 of each year. As mentioned earlier in this update, there could be additional expenses incurred by the Board. Reporting to the Office on forms proscribed by the Office will have cost implications on this Board. We have and will continue to prepare monthly financial statements. Quarterly reporting is additional work.

Section 19.3 (a)(b)(c), Quarterly reports - Additional cost burden to Board.

Section 20.2, This sentence should be re-written. A written response from a board should merit the Office being required to modify its findings and conclusions based upon the information submitted by the board.

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". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark J Fakler, PE
Executive Director.

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

LCB File No. R074-25

February 23, 2026

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

AUTHORITY: §§ 1-21, 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 standards for each board relating to recordkeeping, officers of the board and attendance at board meetings; 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; providing for the Office to issue certain recommendations relating to a board; and providing other matters properly relating thereto.

Commented [MF1]: My overarching concerns associated with the proposed regulation updates (LCB File No. R074-25 Feb 23, 2026) are as follows. There are many sections with reporting requirements that include the open ended statement “in the format prescribed by the office”; and we have no idea what the formats will look like and cannot accurately account for the likely cost burdens to the board that will follow if statements like this permeate the Regulation. Another area of concern is Section 15.2(a)(b)(c)(d) & Section 3(a)(b)(c)- We currently track legislation. However, this added requirement for reporting will most likely require this Board to engage then services of consultant versed in the legislative process, if allowed. If we are not able to contract with an outside consultant, we would need to bring on additional staff (costs could be in the \$100k range). The additional cost burdens associated with the additional reporting and legislative attendance will likely require this Board to increase fees. Our annual board budget is based upon a Zero net fund increase/decrease. We use our reserves to work on deferred projects, currently we’re updating our online platforms and completing our move to a paperless office with deferred funds.

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 a uniform set of standards for investigations, licensing and discipline, internal controls and legal representation; (3) establishing a consistent set 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 3-10** of this regulation define 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.

Section 11 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

those seats, and the terms of the board members serving on the board; and (2) elect or appoint officers of the board. **Section 11** also sets forth certain attendance requirements for board members at meetings.

Section 12 of this regulation requires: (1) the executive director of each board to notify board members of certain training requirements and when such training is offered; and (2) the board to notify the Office that a board member has successfully completed such training.

Section 13 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 a certain manner; (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 14 of this regulation requires each board to maintain a publicly accessible Internet website of the board, which includes certain information and meets certain requirements.

Section 15 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 such bills; and (3) take certain steps to implement bills which became law.

Section 16 of this regulation authorizes a board to publish certain materials to inform the public of information relating to the board and licensees of the board.

Section 17 of this regulation sets forth certain requirements relating to complaints to and investigations conducted by or on behalf of a board. **Section 18** of this regulation requires a board to provide certain quarterly information to the Office relating to complaints, investigations, disciplinary actions, licensees and other board operations.

Section 19 of this regulation requires a board to submit certain financial information to the Office on a quarterly and annual basis.

Section 20 of this regulation requires the Office to evaluate the performance of each board using the reports and other information required to be submitted to the Office.

Section 21 of this regulation provides that if the Office identifies: (1) certain concerns with a board, the Office may provide the board with written recommendations to address such concerns; or (2) certain conduct of a board member that may constitute malfeasance or nonfeasance, the Office may refer the board member to the Governor for possible removal.

Section 1. Chapter 232 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 21, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 21, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 10, inclusive, of this regulation 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.*

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

Sec. 5. *“Disciplinary action” means any final action taken by a board against a licensee, including, without limitation, a public reprimand, probation, a fine, the suspension or revocation of a license or the voluntary surrender of a license in lieu of discipline.*

Sec. 6. *“Executive director” means a person appointed or employed by a board to oversee the daily operations of the board.*

Sec. 7. *“License” means any professional or occupational authorization, including, without limitation, a license, permit, registration or certificate, that is issued by a board.*

Sec. 8. *“Licensee” means any person who holds a license issued by a board.*

Sec. 9. *“Office” means the Office of Nevada Boards, Commissions and Councils*

Standards within the Department.

Sec. 10. *“Purview” means administrative oversight.*

Sec. 11. *1. For the purposes of establishing a consistent set of structural standards pursuant to NRS 232.8415:*

(a) Each board shall:

(I) Maintain a centralized record of:

(I) Each seat on the board, including, without limitation, whether the seat is required by statute to represent certain interests or to serve a certain role;

(II) Each board member who is filling a seat on the board; and

Commented [MF2]: Section 10, Defining the word “purview” in this regulation change looks to me to be statutory change within the regulatory process.

(III) The terms of each board member, including, without limitation, the date on which each term begins 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, the board shall elect the officers of the board on an annual basis.

(b) Board members are required to attend and participate in meetings of the board. If, within a 12-month period, 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, the board member has failed to meet this attendance requirement and the board or the Office may submit a recommendation to the Governor for the removal of the board member pursuant to NRS 232A.030.

2. 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. 12. 1. The executive director of each board shall notify the board members of any training that the board members are required to complete pursuant to NRS 622.200 and when such training will be offered.

2. Not more than 30 days after a board member successfully completes any training required pursuant to NRS 622.200, the board shall provide written notice to the Office, in a format prescribed by the Office, confirming that the board member has successfully completed the required training.

Sec. 13. *For the purpose of establishing a uniform set of standards for internal controls pursuant to NRS 232.8415, 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 that ensures the information is accurate, complete and verifiable.

3. Protect the confidential and personally identifiable information in the records of the board.

4. Comply and cooperate with all reporting and auditing requirements:

(a) Set forth by any applicable statute or regulation, including, without limitation, the governing statutes of the board and the requirements of title 54 of NRS or 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, or NRS 622.100, as amended by section 3 of Senate Bill No. 274, chapter 83, Statutes of Nevada 2025, at page 444; or

(b) Established by any state entity authorized to conduct audits or require reports pursuant to any applicable statute or regulation, including, without limitation, the Legislative Auditor or the Budget Division of the Office of Finance,

↪ in a timely and accurate manner and in accordance with any deadline set forth in statute or regulation or established by the applicable state entity.

5. Respond to all audits of the board that are required or authorized by statute or conducted by a state entity that is authorized to conduct audits of the board pursuant to statute. Except as otherwise provided by specific statute, each board shall, not more than 90 days after receiving a final written report 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 evidence to the auditing entity that the corrective action set forth in the written plan prepared pursuant to paragraph (a) has been taken.

Sec. 14. 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 the 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 board members:

(1) The name of each board member;

(2) If the board member was appointed to represent certain interests or serve a certain role that is required by statute, the interests or role which the board member represents or serves; and

(3) The dates on which the term of each board member 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, the electronic mailing address, mailing address, physical address and telephone number for the board.

(f) Any upcoming meeting 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, as applicable.

(g) An archive consisting of all agendas and minutes of meetings of the board prepared pursuant to NRS 241.035 for a period of not less than the immediately preceding 5 years. All other agendas and minutes of meetings of the board outside of such 5-year period must be made available upon request in accordance with the provisions of chapter 239 of NRS.

(h) Clear instructions for applying for initial licensure, renewing a license and the reinstatement of a license and any applicable deadlines set forth in statute or regulation for applying for, renewing or reinstating 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 15 days after any new disciplinary action is finalized;

(4) Include, without limitation, the full name of the licensee, the type and status of the license, the license number of the licensee, 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 the final order or settlement agreement for any disciplinary action issued in the immediately preceding 5 years. All other final orders or settlement agreements for any disciplinary action not otherwise declared confidential outside of the immediately preceding 5-year period must be made available upon request in accordance with the provisions of chapter 239 of NRS.

Commented [MF3]: Section 14.1(j)(5), This is covered in NRS 625.425.

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

(l) A copy of the most recent quarterly update submitted to the Office pursuant to section 19 of this regulation and a copy of all financial audits or balance sheets filed pursuant to NRS 218G.400 within the immediately preceding 5 years.

Commented [MF4]: Section 14.1.(l), NVBPELS has a CPA prepare financial reports on a monthly basis. Additionally, we are audited by a separate auditing firm on annual basis. This report is submitted to the State and Dept of Business & Industry every year. Quarterly reporting is redundant and excessive, and will be a cost burden to the Board. Our annual board budget is based upon a Zero net fund increase/decrease. We use our reserves to work on deferred projects, currently we're updating our online platforms and completing our move to a paperless office with deferred funds. This could be done by the Office.

(m) A copy of any review, evaluation, report or audit of the board conducted or prepared within the immediately preceding 5 years by or on behalf of:

- (1) The Sunset Committee of the Legislature;*
- (2) The Division of Internal Audits of the Office of Finance;*
- (3) The Fiscal Analysis Division of the Legislative Counsel Bureau; or*
- (4) Any other entity authorized by statute to conduct or prepare a review, evaluation*

report or audit of the board.

(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 report required to be published by statute or submitted annually by the board.

(p) Any performance data prepared by the board.

2. *The Internet website of each board must comply with any applicable regulations, policies, standards and guidelines adopted by the Chief Information Officer of the Governor’s Technology Office within the Office of the Governor pursuant to NRS 242.111, as amended by section 19 of Senate Bill No. 467, chapter 513, Statutes of Nevada 2025, at page 3565, and section 15 of Assembly Bill No. 1, chapter 4, Statutes of Nevada 2025, 36th Special Session, at page 42, and NRS 242.115.*

3. *As used in this section:*

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

(b) *“Performance data” means information or metrics prepared by a board to measure or report on the operations, workload or compliance with the statutory duties of the board, including, without limitation, data or metrics prepared by the board during the ordinary course of business or that is required by statute or regulation.*

(c) *“Permanent regulation” has the meaning ascribed to it in NRS 233B.036.*

(d) *“Temporary regulation” has the meaning ascribed to it in NRS 233B.0385.*

Sec. 15. 1. *During each regular or special legislative session, each board shall track any bills introduced in the Legislature which may impact the operations of or licensees regulated by the board.*

2. *Not later than 60 days after the adjournment of each regular or special legislative session, each board shall submit a report to the Office, in a format prescribed by the Office, identifying, for each bill tracked pursuant to subsection 1:*

(a) *The bills tracked by the board 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 by the board pursuant to subsection 1 for 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 the 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.*

Sec. 16. *To provide outreach and education to the public, each board may publish newsletters, alerts 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. 17. 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 a board, the board shall comply with all requirements for confidentiality.*

3. *Before initiating an investigation, a board shall determine whether a complaint falls within the jurisdiction of the board.*

Commented [MF5]: Section 15.2(a)(b)(c)(d) & Section 3(a)(b)(c)- We currently track legislation. However, this added requirement for reporting will most likely require this Board to engage then services of consultant versed in the legislative process, if allowed. If we are not able to contract with an outside consultant, we would need to bring on an additional staff (costs could be in the \$100k range). The additional cost burdens associated with the additional reporting and legislative attendance will require this Board to increase fees.

4. *For any matter under an investigation conducted by or on behalf of a board, the file of the complaint documenting the investigation must include, without limitation:*

(a) Any statutory or regulatory deadlines applicable to the investigation and resolution of the complaint by the board;

(b) Whether the board met all the deadlines identified pursuant to paragraph (a); and

(c) If the board did not meet a deadline identified pursuant to paragraph (a), the reason the board did not meet the deadline.

5. *For the purposes of subsection 4, 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 reasonable doubt, the filing of a formal complaint, the scheduling of a hearing and the issuance of a final decision by the board.*

6. *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 as a result of an investigation.*

Sec. 18. *On or before the 20th day of January, April, July and October, each board shall submit to the Office, in a format 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:*

(a) *All complaints received, pending and resolved by the board for the calendar quarter;*
and

(b) *The number of complaints resolved by the board at each stage of the process for resolving a complaint, consistent with the statutory procedures of the board.*

3. *Any other information requested by the Office that is reasonably related to the administrative, fiscal or investigative operations of the board.*

Sec. 19. 1. *All money in the possession of a board must be deposited and used in accordance with any applicable statutes governing the board.*

2. *On or before December 1 of each year, each board shall submit to the Office:*

(a) *A copy of the balance sheet or the report of an audit, as applicable, required to be filed with the Legislative Auditor and the Chief of the Budget Division of the Office of Finance pursuant to NRS 218G.400; and*

(b) *A form, in the format prescribed by the Office, summarizing the information provided pursuant to paragraph (a), which must include, without limitation:*

(1) *The total revenue of the fiscal year;*

(2) *The total expenditures of the board at the end of the fiscal year;*

(3) *The cash balances of the board at the end of the fiscal year;*

(4) *A statement from the board identifying any significant financial or structural concerns identified by the board; and*

(5) *A review of the adequacy of the existing fees which the board is authorized to charge under statute.*

Commented [MF6]: Section 19.2.(a)(b), We have a CPA who prepares financial reports monthly and we have a professional auditor who prepares and annual audit report which is submitted to the LCB Legislative Auditor and the Department of Business and Industry on or before December 1 of each year. As mentioned earlier in this update, there could be additional expenses incurred by the Board. Reporting to the Office on forms proscribed by the Office will have cost implications on this Board. We have and will continue to prepare monthly financial statements. Quarterly reporting is additional work.

3. *Not later than 30 days after the close of each fiscal quarter, each board shall submit to the Office a quarterly update summarizing the finances of the board for that fiscal quarter, in a format prescribed by the Office, which must include, without limitation:*

- (a) The total revenue of the board at the end of the fiscal quarter;*
- (b) The total expenditures of the board at the end of the fiscal quarter; and*
- (c) The cash balances of the board at the end of the fiscal quarter.*

Sec. 20. 1. *The Office shall evaluate the performance of each board using the reports and information submitted to the Office pursuant to sections 2 to 21, inclusive, of this regulation to assess the administrative efficiency, internal controls, transparency, responsiveness to the public and compliance with statutory reporting requirements of a board.*

2. If the Office identifies any issues during a performance evaluation conducted pursuant to subsection 1, the Office shall notify the board in writing and the board shall have 60 days to submit a written response addressing the issues identified by the Office. The Office shall evaluate the written response of the board, if any, before completing the performance evaluation of the board. The Office is not required to modify its findings or conclusions based on the written response of the board.

3. After completing a performance evaluation conducted pursuant to subsection 1, the Office may issue written recommendations to a board pursuant to section 21 of this regulation.

4. Nothing in this section shall be construed to authorize the Office to direct the financial or operational activities of a board or to require a board to take corrective action beyond what is required by statute.

Sec. 21. 1. *If the Office identifies concerns regarding the compliance of a board with the requirements of statute or with the administrative practices, internal controls or reporting*

Commented [MF7]: Section 19.3 (a)(b)(c), Quarterly reports - Additional cost burden to Board.

Commented [MF8]: Section 20.2, A written response from a board should merit the Office being required to modify its findings and conclusions based upon the information submitted by the board.

compliance of the board, the Office shall provide the board with written recommendations to promote improved performance, administrative consistency or compliance with statutory and regulatory requirements.

2. Not more than 60 days after receiving written recommendations provided pursuant to subsection 1, a board shall review such recommendations and provide the Office with a written response describing the actions the board intends to take to address the written recommendations of the Office, if any.

3. If the Office identifies any conduct by a board member in the performance of his or her duties that may constitute malfeasance or nonfeasance, including, without limitation, neglect of duty, incompetence or inefficiency, the Office may refer such conduct to the Governor to consider whether the board member should be removed from the board pursuant to NRS 232A.030.