

# NEVADA ADMINISTRATIVE CODE

## CHAPTER 630A

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### GENERAL PROVISIONS

**NAC 630A.010 Definitions.** ([NRS 630A.200](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 630A.0105](#) to [630A.0133](#), inclusive, and section 1 of this regulation have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R058-00, 12-11-2000; R043-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.0105 Advanced practitioner of homeopathy defined.** ([NRS 630A.200](#)) Advanced practitioner of homeopathy has the meaning ascribed to it in [NRS 630A.015](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs by R058-00, eff. 12-11-2000)

**NAC 630A.011 Board defined.** ([NRS 630A.200](#)) Board means the Board of Homeopathic Medical Examiners. (Added to NAC by Bd. of Homeopathic Medical Exam rs by R058-00, eff. 12-11-2000)

**NAC 630A.0115 Controlled substance defined.** ([NRS 630A.200](#)) Controlled substance has the meaning ascribed to it in [NRS 0.031](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs by R058-00, eff. 12-11-2000)

**NAC 630A.012 Homeopathic assistant defined.** ([NRS 630A.200](#)) Homeopathic assistant has the meaning ascribed to it in [NRS 630A.035](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 12-11-2000)

**NAC 630A.0125 Homeopathic medicine and homeopathy defined.** ([NRS 630A.200](#)) Homeopathic medicine or homeopathy has the meaning ascribed to it in [NRS 630A.040](#). The terms include:

1. The methods of practicing homeopathy described in subsection 1 of [NRS 630A.040](#); and
2. The complementary and alternative methods of diagnosing and treating a patient described in subsection 2 of [NRS 630A.040](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003)

**NAC 630A.013 Homeopathic physician defined.** ([NRS 630A.200](#)) Homeopathic physician has the meaning ascribed to it in [NRS 630A.050](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 12-11-2000)

**NAC 630A.0131 Internet defined.** ([NRS 630A.200](#))

1. Internet means:

- (a) The computer network commonly known as the Internet and any other computer network that is similar to or is a predecessor or successor of the Internet; and
- (b) Any identifiable site on the Internet or such other computer network.

2. The term includes, without limitation:

- (a) A website or other similar site on the World Wide Web;
- (b) A site that is identifiable through a Uniform Resource Location;
- (c) A site on a computer network that is owned, operated, administered or controlled by a provider of Internet service;
- (d) An electronic bulletin board;
- (e) A list server;
- (f) A newsgroup; or
- (g) A chat room.

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

**NAC 630A.0132 Intrastate practice of homeopathic medicine using electronic means defined.** ([NRS 630A.200](#)) Intrastate practice of homeopathic medicine using electronic means means the practice of homeopathic medicine using electronic means by a homeopathic physician located in this State to treat a patient located in this State or an advanced practitioner of homeopathy located in this State to treat a patient located in this State.

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

**NAC 630A.0133 Practice of homeopathic medicine using electronic means ” defined. (NRS 630A.200)** Practice of homeopathic medicine using electronic means ” means the practice of homeopathic medicine by using equipment that transfers information concerning the medical condition of a patient electronically, telephonically or by fiber optics, including, without limitation, through the Internet.

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

**NAC 630A.0135 Homeopathic service ”defined for NRS 630A.035. (NRS 630A.035, 630A.200)** As used in [NRS 630A.035](#), the term homeopathic service means providing, employing, using, recommending, advising, directing or assisting in the use of homeopathic medicine, including, without limitation, the methods and therapies set forth in subsection 2 of [NRS 630A.040](#), within the limitations imposed by the Board.

(Added to NAC by Bd. of Homeopathic Medical Exams by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003)

**NAC 630A.014 Interpretation of terms used in NRS 630A.040. (NRS 630A.040, 630A.155, 630A.200)**

1. As used in [NRS 630A.040](#), unless the context otherwise requires, the Board will interpret:

(a) Herbal therapy to mean a system of healing art that places the chief emphasis on the flow and balance of dynamic force or energy in the body mechanism as being the most important single factor in maintaining the natural health and well-being of the living organism and includes, without limitation, the prescribing and use of plants or plant extracts or a combination thereof to treat an ailment or disease of the mind, emotions or body, or for the cure or relief of any wound, bodily injury or deformity. As used in this paragraph:

(1) Plant includes, without limitation, any tree, vine, shrub, vegetable or herb or any part of a tree, vine, shrub, vegetable or herb.

(2) Plant extract means a substance removed from a plant by physical or chemical means for medicinal purposes.

(b) Neural therapy to mean dry needling, the use of an electronic testing and treatment device and the injection of vitamins, minerals, homeopathic medications, herbal extracts, enzymes, orthomolecular substances or other medicinal or pharmaceutical preparations into the:

(1) Acupuncture, acupressure or trigger points;

(2) Ganglia; or

(3) Subcutaneous tissue, intracutaneous tissue, intra-articular tissue or periosteal tissue, of a patient to control pain or produce other beneficial clinical effects.

(c) Neuromuscular integration to mean the progressive harmonization of the endocrine system, immune system, autonomic nervous system, skeletal system and

smooth muscle system of a patient with the cognitive and noncognitive faculties of a patient by the use of:

(1) Manipulation of the soft tissues of the body to balance the body, including, without limitation:

(I) Aquastretch exercising or any other form of aquatic therapy; and

(II) Cranio-sacral manipulation; and

(2) Thought field therapy to recondition the endocrine system, immune system, autonomic nervous system and central nervous system.

(d) Nutrition to include, without limitation, applied kinesiology or any other modality or method used for the recognition, evaluation, treatment and correction of the unique dietary needs of a patient.

(e) Orthomolecular therapy to mean the treatment and prevention of disease, including, without limitation, infection, malignancy and degenerative illness, by adjusting the natural chemical constituents of the body on the molecular level. The term includes, without limitation:

(1) The prescription of topical and oral supplements, medicines and pharmaceutical preparations; and

(2) The intravenous infusion, intramuscular injection, subcutaneous injection and intradermal injection of vitamins, amino acids, peptides, polypeptides, enzymes, sarcodes, medicines and pharmaceutical preparations, homeopathic medications, ozone, bio-oxidative substances or chelating agents, to detoxify and remove harmful substances from the body, including, without limitation, heavy metals, the buildup of vascular and arterial plaque and toxic environmental factors, including, without limitation, pesticides, xenobiotics, bacteria and fungi.

2. As used in this section:

(a) Aquastretch exercising means a method of personal or assisted exercise used as a form of aquatic or nonaquatic therapy which enables stretching of the body to encourage dynamic intuitive movement, usually in various depths of water and with various weights attached to the body, to increase systemic flexibility and improve vascular, nerve and muscular functions.

(b) Bio-oxidative substances means substances that are used to promote healing at the cellular level by the use of oxygen in its various forms.

(c) Chelating agents means substances that are used to remove heavy metals and other toxins from the body, including, without limitation:

(1) Sodium 2,3-dimercaptopropane-1-sulfonate (DMPS);

(2) Dimercaptosuccinic acid (DMSA);

(3) Ethylene diamine tetra-acetic acid (EDTA);

(4) Penicillamine;

(5) Diethylene triamine penta-acetic acid (DTPA);

(6) Deferoxamine mesylate; and

(7) Clathration agents.

(d) Cranio-sacral manipulation means the manipulation of muscles, ligaments,

fascia or other connective tissues, and any anatomical structures relating to those tissues, to improve the function of cranial nerves and systemic neurological dynamics.

(e) **Dry needling** means a procedure that involves inserting acupuncture needles under the skin at trigger points and while those needles are inserted, rotating the needles or connecting the needles to a low current electrical supply.

(f) **Pharmaceutical preparations** includes narcotic drugs or opiates that are listed as schedule II controlled substances pursuant to [chapter 453](#) of NRS.

(g) **Thought field therapy** means a technique that uses the energy meridians of the body which are used in acupuncture and acupressure to treat abnormal patterns of thought that cause emotional and psychophysiological distress.

(h) **Trigger point** means a hyperirritable spot within the skeletal muscle or the fascia of that muscle that, upon compression, causes pain, tenderness and autonomic nervous system phenomena.

(i) **Xenobiotics** means chemical compounds that, under normal circumstances, are foreign to living organisms.

(Added to NAC by Bd. of Homeopathic Medical Exam rs by R213-97, eff. 12-18-98; A by R058-00, 12-11-2000; R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.015 Use of electronic testing and treatment device.** ([NRS 630A.040](#), [630A.155](#), [630A.200](#))

1. A homeopathic physician, advanced practitioner of homeopathy or homeopathic assistant may use an electronic testing and treatment device to:

(a) Measure the resistance of the skin at acupuncture points;

(b) Evaluate and treat a patient; and

(c) Assist in the selection and use of homeopathic medicines and therapies pursuant to [NRS 630A.040](#).

2. A homeopathic physician shall not use an electronic testing and treatment device as the sole method for diagnosing a patient.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 3-30-94; A by R105-03, 9-24-2003)

**NAC 630A.020 Use of sarcodes in macro dosage.** ([NRS 630A.040](#), [630A.155](#), [630A.200](#)) The use of sarcodes in macro dosage includes the use of stem cells and is called "cell therapy."

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R105-03, 9-24-2003)

**NAC 630A.022 Formulation of herbal substances.** ([NRS 630A.155](#), [630A.200](#)) Herbal substances intended for use in herbal therapy may be formulated by:

1. A homeopathic physician;

2. An herbalist;

3. A pharmacist;

4. A pharmacologist; or

5. Any other person determined by the Board to possess the training and experience necessary to formulate herbal substances.

(Added to NAC by Bd. of Homeopathic Medical Examiners by R213-97, eff. 12-18-98)

**NAC 630A.023 Nutritional evaluation and treatment of patients. ([NRS 630A.155](#), [630A.200](#))**

1. If a homeopathic physician, advanced practitioner of homeopathy or homeopathic assistant performs a nutritional evaluation on a patient, the nutritional evaluation may include:

- (a) An analysis of the blood, urine and body tissue for vitamins, minerals and amino acids, whether or not the analysis is performed by a laboratory;
- (b) A functional intracellular analysis;
- (c) A test of muscle strength and endurance using applied kinesiology; and
- (d) The use of dark-field microscopy.

2. If a homeopathic physician, advanced practitioner of homeopathy or homeopathic assistant performs nutritional treatment on a patient, the treatment may include:

- (a) Dietary recommendations; and
- (b) Supplementation of the diet with vitamins, minerals, amino acids or protomorphogens, or any combination thereof.

3. As used in this section:

(a) Dark-field microscopy means a method of microscopy in which an amount of light is excluded from an object under examination, thereby resulting in a dark or nearly dark field around the specimen.

(b) Functional intracellular analysis means the use of peripheral blood cells to analyze the metabolic and nutritional status of a patient.

(c) Protomorphogens means glandular material taken from mammals other than humans, including, without limitation, the bovine, ovine or porcine species, that supplies biologically active hormones, hormone precursors, enzymes, vitamins, minerals, soluble proteins and natural lipid factors.

(Added to NAC by Bd. of Homeopathic Medical Examiners by R213-97, eff. 12-18-98; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**BOARD OF HOMEOPATHIC MEDICAL EXAMINERS**

**NAC 630A.024 Oath or affirmation of office of members. ([NRS 630A.130](#), [630A.200](#))**

1. In addition to taking the constitutional oath or affirmation of office set forth in [Section 2 of Article 15](#) of the Constitution of the State of Nevada, each member of the Board will, as required pursuant to [NRS 630A.130](#), take the following oath or affirmation:

I, ....., do solemnly swear (or affirm) that I am legally qualified to serve as a member of the Board of Homeopathic Medical Examiners and that I will well and faithfully perform all the duties of a member of the Board, on which I am about

to enter, (if an oath) so help me God, (if an affirmation) under the pains and penalties of perjury.

2. An officer of the Board will administer the oaths or affirmations described in subsection 1.

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

**NAC 630A.031 Committee to examine and make recommendations regarding education in homeopathy. ([NRS 630A.200](#))**

1. The President of the Board shall appoint a committee composed of the Secretary-Treasurer of the Board and at least two other persons who are homeopathic physicians or advanced practitioners of homeopathy. The committee shall:

(a) Periodically examine the educational activities, quality of training seminars, meetings and materials used for educating homeopathic physicians, homeopathic assistants or advanced practitioners of homeopathy; and

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

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

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 2-11-2000; A by R105-03, 9-24-2003; R217-08, 12-17-08.) ~~-(Substituted in revision for NAC 630A.098)~~

**LICENSING AND CERTIFICATION**

**NAC 630A.050 Application for license. ([NRS 630A.155](#), [630A.200](#), [630A.240](#), [630A.330](#))**

1. An applicant for a license to practice homeopathic medicine must submit to the Board a completed and notarized application on a form furnished by the Board. The form may be obtained from the office of the Board or from the Internet website of the Board. The application must include or indicate the following:

(a) A certificate, on a form furnished by the Board, proving that the applicant holds a valid and unrestricted license to practice allopathic, homeopathic or osteopathic medicine properly issued by the District of Columbia, any state or territory of the United States or a foreign country whose standards for licensing are approved by the Educational Commission for Foreign Medical Graduates. The form for the certificate may be obtained from the office of the Board or from the Internet website of the Board.

(b) A certificate proving that the applicant completed the required period of postgraduate training.

(c) The applicant's place and date of birth, his social security number as required pursuant to [NRS 630A.246](#), his registration number issued by the Drug Enforcement Administration, and the address and telephone number of his home and office.

(d) A chronological history of the years and places of his allopathic, homeopathic and osteopathic medical practice and his postgraduate training.

(e) A list of allopathic, homeopathic and osteopathic medical societies and specialty boards, if any, of which he is a member.

(f) The names and addresses of all hospitals of which he is or has been a member of the staff during the past 10 years.

(g) Whether he has ever been charged with or convicted of a felony or an offense involving moral turpitude.

(h) Whether he has ever been addicted to the use of narcotics, controlled substances or alcohol.

(i) Whether he has even been charged with, convicted of or investigated for illegally using, dispensing or selling controlled substances.

(j) Whether he has ever been refused or denied a license or certificate by examination or reciprocity.

(k) Whether he has ever had his allopathic, homeopathic or osteopathic medical license or certificate suspended or revoked or has been placed on probation or has ever surrendered his license or certificate because of a disciplinary action or a pending disciplinary action.

(l) A photograph of the applicant taken within 60 days before the date of the application.

(m) A complete set of fingerprints on a form furnished by the Board, along with the written consent of the applicant for the Board to forward the fingerprints to a law enforcement agency for a report on the criminal history of the applicant.

(n) Letters of recommendation from three physicians who are currently in practice, at least two of whom are actively engaged in the practice of homeopathic medicine in this State and each of whom is personally acquainted with the applicant.

2. The applicant must submit with the application the application fee required pursuant to [NRS 630A.330](#). The application fee is nonrefundable.

3. If the application is rejected, it will be retained by the Board pursuant to subsection 4 of [NRS 630A.290](#) and the Board will notify the applicant of the reasons for the rejection.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.060 Examination to practice homeopathic medicine. ([NRS 630A.155](#), [630A.200](#))**

1. The Board will administer an examination to practice homeopathic medicine at least two times each year at the dates and times established by the Board. An applicant for a license to practice homeopathic medicine must submit the completed application required pursuant to [NAC 630A.050](#) to the Secretary-Treasurer of the Board not later than 60 days before the date scheduled for the examination to be eligible to take that examination.

2. The examination will consist of a written examination that is based upon the principles of homeopathy as defined in [NRS 630A.040](#). The time allowed for completing the examination must not exceed 3 hours.

3. The Secretary-Treasurer shall notify the applicant of the time and place of the examination not later than 20 days before the date scheduled for the examination.

4. Any book, computer, note or other material approved by the Secretary-Treasurer of the Board before the examination may be used during the written examination.

5. To pass the examination, an applicant must receive a score of at least 76 percent on the written examination.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A 10-25-96; R058-00, 12-11-2000; R105-03, 9-24-2003)

**NAC 630A.062 Medical competency examination.** ([NRS 630A.155](#), [630A.200](#), [630A.430](#))

1. A homeopathic physician who is subject to a medical competency examination pursuant to [NRS 630A.430](#) shall pay the costs of the examination.

2. The medical competency examination:

(a) May be written or oral;

(b) Will last no longer than 4 hours; and

(c) Must be administered by two physicians selected by the Board who are licensed and actively engaged in the practice of homeopathic medicine in this State.

3. If the person being examined objects to the physicians selected to administer the examination and the Board finds that his objections are valid, he may submit a list of eight names of homeopathic physicians who are actively engaged in the practice of homeopathic medicine in this State from which the Board may select one or two physicians to replace one or both of the examiners previously selected.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R105-03, 9-24-2003)

**NAC 630A.065 Examination of graduate of foreign medical school.** ([NRS 630A.155](#), [630A.200](#), [630A.270](#)) An applicant for a license to practice homeopathic medicine who is a graduate of a foreign medical school must successfully complete the:

1. Examination administered by the Educational Commission for Foreign Medical Graduates; or

2. Federation Licensing Examination.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 3-19-87)

**NAC 630A.070 Postgraduate training of graduate of medical school.** ([NRS 630A.155](#), [630A.200](#))

1. An applicant for a license to practice homeopathic medicine who is a graduate of a medical or osteopathic school, as required pursuant to [NRS 630A.230](#) and [630A.240](#), must have completed 6 months of his postgraduate medical or osteopathic training in the United States.

2. An applicant for a license to practice homeopathic medicine who is a graduate of a foreign medical school, as required pursuant to NRS 630A.270, must have completed 6 months of his postgraduate medical training in the United States.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.072 Postgraduate training in homeopathy: Approval of course or program.** ([NRS 630A.155](#), [630A.200](#), [630A.240](#))

1. The 6 months of postgraduate training in homeopathy required of an applicant for a license to practice homeopathic medicine pursuant to [NRS 630A.240](#) must consist of courses, instructors or programs which are approved by the Board. In determining whether to approve a course or program, the Board will consider:

- (a) The textbooks and other instructional aids used in the course or program;
- (b) The institution offering the course or program;
- (c) The qualifications of the instructor teaching the course or program; and
- (d) Whether the course or program includes instruction on:
  - (1) The diagnostic and therapeutic principles referred to in [NRS 630A.040](#);
  - (2) The procedure for evaluating a patient;
  - (3) The procedure for selecting an appropriate treatment based upon the evaluation of the patient;
  - (4) Homeopathic posology and pharmacology; and
  - (5) The methodology of prescribing homeopathic medicines and therapies.

2. The Board may, without notice, revoke the approval of a course or program that the Board has previously approved if the Board determines that the course or program no longer complies with the considerations set forth in subsection 1.

3. The Board will maintain a list of courses and programs that are currently approved by the Board.

4. If an applicant for a license to practice homeopathic medicine has completed a course or program that has not been approved by the Board, he may submit the course or program to the Board for approval. The Board will review the course or program based upon the considerations set forth in subsection 1. If the Board approves the course or program, the applicant will receive credit for the postgraduate training.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 3-30-94; A by R058-00, 12-11-2000; R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.076 Training in homeopathy: Eligibility of homeopathic physician to serve as supervisor.** ([NRS 630A.155](#), [630A.200](#)) A homeopathic physician who is actively practicing homeopathy in Nevada and who is in good standing with the Board may serve as a supervisor of a person who is engaged in the postgraduate training required by paragraph (c) of subsection 1 of [NRS 630A.240](#) or who is engaged in training required pursuant to [NAC 630A.420](#), if the licensee:

1. Receives approval in writing from the Board;

2. Notifies the Board in writing at the conclusion of the training that the person:
  - (a) Has completed the required period of training; and
  - (b) Is prepared to be examined by the Board; and
3. Attests in writing to the Board that he has not willfully and intentionally made a false or fraudulent statement or submitted a false or fraudulent document to the Board.

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 12-11-2000; R217-08, 12-17-08) –(Substituted in revision for NAC 630A.425)

**NAC 630A.080 Interview of graduate of medical school.** ([NRS 630A.155](#), [630A.200](#)) Any applicant for a license to practice homeopathic medicine who is a graduate of a medical school, as required pursuant to [NRS 630A.230](#), [630A.240](#) or [630A.270](#), shall appear personally before the Board for an interview.

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 8-29-85; A by R105-03, 9-24-2003)

**NAC 630A.090 Licensing by reciprocity.** ([NRS 630A.155](#), [630A.200](#))

1. In addition to the requirements set forth in [NRS 630A.280](#), an applicant may obtain a license by reciprocity without a written examination if he submits a certificate endorsed by the Homeopathic Medical Examining Board of any state, territory or the District of Columbia which licensed or certified the applicant indicating that:

- (a) He passed an examination to obtain the license or certificate;
- (b) His license or certification has never been revoked or suspended; and
- (c) The photograph and signature appearing on the license or certification are that of the applicant.

2. The applicant must appear at a meeting of the Board for an interview. The Secretary-Treasurer will notify the applicant whose application and supporting documents have been accepted by the Board of the time and place for the interview 20 days before it is to take place.

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 8-29-85; A by R105-03, 9-24-2003)

**NAC 630A.096 Continuing education: General requirements; exemption; failure to comply.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#))

1. Except as otherwise provided in subsection 2, each homeopathic physician, homeopathic assistant or advanced practitioner of homeopathy applying for renewal of his license or certificate must, at the time of annual registration, submit to the Board evidence, in such form as the Board requires, that he has completed during the preceding year 20 credits of continuing education in courses approved by the Board, including, without limitation, courses relating to:

- (a) Homeopathy;
- (b) Complementary and alternative therapy; or
- (c) The protocol of an advanced practitioner of homeopathy.

2. A homeopathic physician who has completed a full year of residency or fellowship in allopathic, osteopathic or homeopathic medicine any time during the period for annual registration immediately preceding the submission of the application for annual registration is exempt from the requirements set forth in subsection 1 for that year.

3. If a homeopathic physician, homeopathic assistant or advanced practitioner of homeopathy fails to submit evidence of his completion of continuing education within the time and in the manner set forth in subsection 1, his license or certificate will not be renewed. Such a person may not resume the practice of homeopathic medicine pursuant to this chapter and [chapter 630A](#) of NRS unless he:

(a) Pays a fee to the Board which is twice the fee for renewal of:

(1) A license as set forth in subsection 1 of [NAC 630A.120](#);

(2) A certificate to practice as a homeopathic assistant as set forth in paragraph (c) of subsection 2 of [NAC 630A.550](#); or

(3) A certificate to practice as an advanced practitioner of homeopathy as set forth in paragraph (c) of subsection 2 of [NAC 630A.550](#);

(b) Submits to the Board, in such form as it requires, evidence that he has completed the 20 credits of continuing education required by subsection 1; and

(c) Is found by the Board to be otherwise qualified for active status pursuant to the provisions of this chapter and [chapter 630A](#) of NRS.

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

**NAC 630A.100 Temporary license; special license.** ([NRS 630A.155](#), [630A.200](#), [630A.310](#))

1. An applicant for a temporary license shall furnish to the Board, along with his application, a letter from the homeopathic physician for whom the applicant is to serve as a substitute requesting the issuance of the temporary license, stating the reasons for the absence from his practice and the period of his absence.

2. A homeopathic physician licensed in another state who applies to the Board for a special license to practice homeopathic medicine in this State for a specified period of time and for specific purposes must do so by a letter, accompanied by proof that he holds a valid license issued to him by the other state.

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

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

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 8-29-85; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.110 Limited license.** ([NRS 630A.155](#), [630A.200](#), [630A.320](#)) A limited license must state that it is a limited license to practice homeopathic medicine as a

resident physician in a postgraduate program of clinical training, and the period during which it is valid.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85)

**NAC 630A.120 Fees.** ([NRS 630A.200](#), [630A.330](#)) The Board will charge and collect the following fees:

1. For the annual renewal of a license to practice homeopathic medicine..... \$600
2. For the reexamination of an applicant who fails the examination for a license to practice homeopathic medicine..... \$400
3. For the reexamination of an applicant who fails the examination for a certificate to practice as an advanced practitioner of homeopathy..... \$215
4. For the reexamination of an applicant who fails the examination for a certificate to practice as a homeopathic assistant.....\$108
5. For a temporary, special or limited license or certificate.....\$150

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R137-97, 1-22-98; R105-03, 9-24-2003; R085-08, 12-17-08)

**NAC 630A.130 Notification of change in address of home or office; failure to comply.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#), [630A.510](#))

1. A holder of a license to practice homeopathic medicine, a certificate to practice as an advanced practitioner of homeopathy or a certificate to practice as a homeopathic assistant shall notify the Board in writing of any change in the address of his home or office not later than 30 days after the change.

2. If a holder of a license to practice homeopathic medicine, a certificate to practice as an advanced practitioner of homeopathy or a certificate to practice as a homeopathic assistant fails to notify the Board in writing of any change in the address of his home or office within the period set forth in subsection 1, the Board may by order, after providing a hearing pursuant to [NRS 630A.480](#) or [NAC 630A.580](#) and except as otherwise provided in this subsection, impose an administrative fine. If the holder of a license to practice homeopathic medicine, a certificate to practice as an advanced practitioner of homeopathy or a certificate to practice as a homeopathic assistant waives his right to a hearing set forth in [NRS 630A.480](#) or [NAC 630A.580](#), the Board will impose an administrative fine in the amount of \$500 for the first day after the period set forth in subsection 1 plus an additional \$20 per day for each day thereafter that the holder of the license or certificate does not notify the Board of the change. The total amount of the administrative fine will not exceed \$700.

3. If a holder of a license to practice homeopathic medicine, a certificate to practice as an advanced practitioner of homeopathy or a certificate to practice as a homeopathic assistant fails to notify the Board in writing of any change in the address of his home or office within 60 days after the change and the holder of the license or certificate fails to pay a fine imposed pursuant to subsection 2, the Board will by order, after providing a hearing pursuant to [NRS 630A.480](#) or [NAC 630A.580](#), suspend the license or certificate

of the holder for a specified period or until the Board orders the license or certificate to be reinstated.

4. A person may restore a license that has been suspended pursuant to this section in the manner provided in subsection 5 of [NRS 630A.530](#) for the restoration of a license that has been revoked by the Board.

5. A person may restore a certificate that has been suspended pursuant to this section in the manner provided in [NAC 630A.620](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85; A by R105-03, 9-24-2003)

#### STANDARDS OF PRACTICE

**NAC 630A.132 Duties; prohibited practices; use of certain substances, devices or agents; failure to provide certain information to Board.** ([NRS 630A.155](#), [630A.200](#), [630A.510](#))

1. A homeopathic physician shall:

(a) Complete and return any official practice surveys, questionnaires or other necessary information required by the Board to protect the public within 30 days after the date the survey, questionnaire or other necessary information is postmarked; and

(b) Maintain a legible, written record, including, without limitation, a record that is typed, printed or generated by a computer, for each patient attended, as required by [chapter 629](#) of NRS, and keep this record available for copying or inspection, as necessary, upon receipt of a written request for records authorized pursuant to [chapter 629](#) of NRS.

2. A homeopathic physician shall not:

(a) Falsify records of health care or insurance;

(b) Falsify medical records of a patient, including, without limitation, altering records to indicate the presence of the homeopathic physician at a time when the homeopathic physician was not in attendance or to indicate that procedures were performed on the patient by the homeopathic physician that were in fact not performed by him;

(c) Render professional service to a patient while under the influence of alcohol or any controlled substance or while in any other impaired mental or physical condition;

(d) Acquire any controlled substance from a pharmacy or other source by misrepresentation, fraud, deception or subterfuge;

(e) Allow any person who is unlicensed and uncertified to treat a patient by means of homeopathy;

(f) Fail to provide adequate supervision of a homeopathic assistant or advanced practitioner of homeopathy who is employed or supervised by him;

(g) Fail to honor the advance directive of a patient without informing the patient, the surrogate or the guardian of the patient, and without documenting in the records of the patient the reasons for failing to honor the advance directive of the patient contained therein;

(h) Fail to prescribe adequately therapies or substances allowed in [NRS 630A.040](#) for the control of pain;

(i) Enter into a multilevel marketing agreement with a patient or an immediate family member of the patient; or

(j) Submit false or fraudulent information to the Board.

3. A homeopathic physician is not subject to disciplinary action solely for prescribing, administering or dispensing to a patient under his care:

(a) Amygdalin (laetrile), if the patient has consented in writing to the use of the substance;

(b) Procaine hydrochloride with preservatives and stabilizers (Gerovital GH3);

(c) A controlled substance or controlled substance analog which is listed in the official *Homeopathic Pharmacopoeia of the United States* (HPUS) or any supplement thereto or which is approved by the State Board of Pharmacy pursuant to [NRS 453.146](#), if the homeopathic physician is authorized by law to prescribe the substance;

(d) A device or agent approved by the United States Food and Drug Administration in a manner that is not approved by the United States Food and Drug Administration if:

(1) The device or agent has not been scientifically proven to be of greater morbidity or mortality than the prevailing method of treatment;

(2) The device or agent is within the scope of practice of homeopathic medicine; and

(3) The patient has consented in writing to the use of the device or agent;

(e) Homeopathy for the treatment of chronic degenerative disease, cancer or intractable pain;

(f) Preventive or early intervention using homeopathy; or

(g) Homeopathic medicines:

(1) In single, alternating or sequential doses, or a combination of these methods; or

(2) From material doses and tinctures through low, medium, high and ultrahigh potencies relating to the specialty, subspecialty, school, method or style of homeopathy used.

4. If a homeopathic physician fails to complete and return a survey, questionnaire or other necessary information as required pursuant to paragraph (a) of subsection 1, the Board may by order, after a formal hearing held pursuant to [NRS 630A.480](#) and except as otherwise provided in this subsection, impose an administrative fine. If the homeopathic physician waives his right to the hearing set forth in [NRS 630A.480](#), the Board will impose an administrative fine in the amount of \$20 for each day a survey, questionnaire or other necessary information required to be completed and returned pursuant to paragraph (a) of subsection 1 is overdue, up to a maximum of \$500.

5. As used in this section:

(a) Controlled substance analog means:

(1) A substance whose chemical structure is substantially similar to the structure of a controlled substance listed in schedule III pursuant to [NAC 453.530](#); or

(2) A substance that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a person treated with a controlled substance listed in schedule III pursuant to [NAC 453.530](#), and which has, is

represented as having or is intended to have a stimulant, depressant or hallucinogenic effect on the central nervous system of a person.

(b) Intractable pain means a condition of discomfort for which the cause cannot be removed or otherwise treated and for which a method of providing relief or a cure for the cause has not been found after reasonable efforts have been taken, including, without limitation, evaluation by an attending homeopathic physician and one or more physicians specializing in the treatment of the area, system or organ of the body which is believed to be the source of the discomfort.

(Added to NAC by Bd. of Homeopathic Medical Exams by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003)

**NAC 630A.134 Use of certain intravenous therapies. ([NRS 630A.155](#), [630A.200](#))**

A homeopathic physician who uses intravenous hydrogen peroxide or intravenous chelation in the treatment of a patient shall:

1. Follow a protocol that has been approved by the Board; and
2. Be on the premises or have a licensed homeopathic physician, homeopathic assistant or advanced practitioner of homeopathy on the premises at all times while a patient is receiving intravenous hydrogen peroxide or intravenous chelation therapy.

(Added to NAC by Bd. of Homeopathic Medical Exams by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003)

**NAC 630A.136 Reports to Board of certain claims involving malpractice. ([NRS 630A.155](#), [630A.200](#))**

1. If a judgment is entered against a homeopathic physician or advanced practitioner of homeopathy in any court, or a settlement is reached, on a claim involving malpractice, the homeopathic physician or advanced practitioner of homeopathy shall report that fact to the Board within 60 days after the judgment is entered or the settlement is reached.

2. As used in this section:

(a) Community embraces the entire area customarily served by homeopathic physicians and advanced practitioners of homeopathy among whom a patient may reasonably choose, not merely the particular area inhabited by the patients of that individual homeopathic physician or advanced practitioner of homeopathy or the particular city or place where the homeopathic physician or advanced practitioner of homeopathy has his office.

(b) Malpractice means failure on the part of a homeopathic physician or advanced practitioner of homeopathy to exercise the degree of care, diligence and skill ordinarily exercised by homeopathic physicians and advanced practitioners of homeopathy in good standing in the community in which he practices.

(Added to NAC by Bd. of Homeopathic Medical Exams by R058-00, eff. 12-11-2000; A by R105-03, 9-24-2003)

**NAC 630A.138 Consultation with another provider of health care. ([NRS 630A.155](#), [630A.200](#))** A homeopathic physician shall consult with another provider of

health care in difficult cases or in cases where the homeopathic physician is in doubt if it appears to the homeopathic physician that such consultation may enhance the quality of homeopathic medical services.

(Added to NAC by Bd. of Homeopathic Medical Exam rs' by R058-00, eff. 12-11-2000)

**NAC 630A.140 Advertising: Prohibited acts.** ([NRS 630A.155](#), [630A.200](#)) A homeopathic physician in advertising his practice shall not:

1. Make any false claim of his medical skill or the efficacy or value of the medicine or treatment he uses.

2. Claim or imply superiority in the performance of any professional service as compared to other homeopathic physicians.

3. Make any other statement calculated to attract patients which may mislead the public.

4. Be deceptive or misleading or make false statements in regard to the fee or terms of credit for services performed or to be performed.

5. Make statements which have a tendency to produce unrealistic expectations in particular cases, even though no member of the public is actually deceived, misled or harmed.

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 8-29-85)

#### INTRASTATE PRACTICE USING ELECTRONIC MEANS

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

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

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

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

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

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

**NAC 630A.144 Homeopathic physicians: Restrictions.** ([NRS 630A.155](#), [630A.200](#))

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

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

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

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

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

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

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

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

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

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

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

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

2. Retain health care records in accordance with the requirements of [chapter 629](#) of NRS;

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

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

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

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

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

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

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

#### **PRACTICE BEFORE THE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS**

**NAC 630A.160 Verification of pleadings; answer to complaint; depositions prohibited.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. All pleadings must be verified.

2. A party may respond to a complaint by filing an answer within 20 days after receiving the complaint. If a party fails to file an answer within the time prescribed, he shall be deemed to have generally denied the allegations of the complaint.

3. Depositions of witnesses may not be taken before the hearing.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85)

**NAC 630A.170 Filing of pleading, motion or other paper.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#)) The original and two copies of each pleading, motion or other paper must be filed with the Secretary-Treasurer of the Board. He may require the party filing the document to make a copy available to any other person who the Secretary determines may be affected by the proceeding and who desires a copy.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85)

**NAC 630A.180 Service of documents; proof of service.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#), [630A.490](#))

1. Any document required to be served by a party, other than a notice of hearing, complaint, adverse decision or order of the Board, may be served by regular mail, and the service shall be deemed complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail.

2. There must appear on, or be attached to, each document which is required to be served proof of service by means of a certificate of an attorney or his employee, a proof of personal service, a written admission of service or an affidavit of mailing.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85)

**NAC 630A.190 Motions.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. All motions, unless made during a hearing, must be in writing. All written motions must set forth the nature of the relief sought, the grounds therefor, and the points and authorities relied upon in support of the motion.

2. A party who desires to oppose a motion may serve and file a written response to the motion within 20 days after service of the motion. The moving party may serve and file a written reply to the opposition to the motion within 10 days after the response is filed.

3. A decision on the motion will be rendered without oral argument unless oral argument is requested by the Board, in which event the Board will set a date and time for hearing the arguments.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff. 8-29-85)

**NAC 630A.200 Entry of appearance.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. Each party to a disciplinary hearing shall enter his appearance at the beginning of a hearing or at a time designated by the Board by giving his name and address and stating his position or interest to the Board. That information must be entered in the record of the hearing.

2. Following the entry of an appearance by an attorney for a party, all notices, pleadings and orders to be served on that party must be served upon the attorney, and that service is valid for all purposes concerning the party.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85)

**NAC 630A.210 Hearings.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. Hearings will be held before a majority of the members of the Board.

2. The member of the Board who is presiding over the hearing will call the hearing to order and note the appearances of board members, the parties and their counsel, if any. The Board will act upon any pending motions, stipulations and preliminary matters. The notice of hearing, complaint, petition, answer, response or written stipulation is a part of the record without the necessity of being read unless a party requests that the document be read verbatim into the record.

3. Applicants, petitioners or complainants shall present their evidence before the parties who are opposing the application, petition or complaint submit their evidence.

4. The Board may allow closing statements by the parties.

5. Briefs may be filed upon motion of a party or at the request of the Board. The time for filing briefs will be set by the Board.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85)

**NAC 630A.220 Decision by Board.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#)) A case stands submitted for decision by the Board after the taking of evidence, the filing of briefs or the presentation of oral arguments, if permitted. The Board will issue its order or render its decision within 90 days after the hearing or the submission of the case.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85)

**NAC 630A.230 Service of copy of findings and order.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#)) A copy of the disciplinary findings and the order of the Board must be served by personal service or by certified mail upon the person affected by them and upon his attorney of record.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85)

**NAC 630A.240 Petition for declaratory order or advisory opinion.** ([NRS 630A.200](#))

1. A petition for a declaratory order or advisory opinion may be filed by a holder of or an applicant for a license or permit to practice homeopathic medicine.

2. The original and seven copies of the petition must be filed with the Secretary-Treasurer of the Board not less than 10 days before the next regularly scheduled meeting of the Board. The Secretary-Treasurer will submit the petition to the Board at that meeting. Within 30 days after the meeting, the Board will issue its declaratory order or advisory opinions.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85) —(Substituted in revision for NAC 630A.040)

**NAC 630A.250 Petitions concerning regulations. ([NRS 630A.200](#))**

1. A petition requesting the adoption, filing, amendment or repeal of any regulation must be accompanied by a draft of the proposed regulation in a form suitable for filing with the Secretary of State.

2. The original and seven copies of the petition and the proposed regulation must be filed with the Secretary-Treasurer of the Board.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 8-29-85) ~~—(Substituted in revision for NAC 630A.030)~~

**HOMEOPATHIC ASSISTANTS AND ADVANCED PRACTITIONERS OF HOMEOPATHY**

**Homeopathic Assistants**

**NAC 630A.300 Application for certificate. ([NRS 630A.155](#), [630A.200](#), [630A.299](#), [630A.330](#))**

1. An applicant for a certificate to practice as a homeopathic assistant must submit to the Board a notarized application on a form furnished by the Board. The form may be obtained from the office of the Board or from the Internet website of the Board.

2. The applicant must include on the application, or in an attachment thereto, any information required by the Board, including, without limitation:

(a) His place and date of birth;

(b) His social security number as required pursuant to [NRS 630A.246](#);

(c) The address and telephone number of his place of residence and place of business;

(d) Proof that he meets the qualifications required by the Board pursuant to subsections 1, 2, and 3 of [NAC 630A.320](#);

(e) A list describing any license or certificate that the applicant has earned which required the completion of medical training or which authorizes him to provide medical services;

(f) A statement disclosing whether he has ever been convicted of a crime;

(g) A statement disclosing whether any disciplinary action has ever been taken against him in his capacity as the holder of a license or certificate which authorizes him to provide medical services;

(h) A photograph of the applicant which was taken not more than 60 days before the application is submitted;

(i) A complete set of his fingerprints on a form which is furnished by the Board, along with the written consent of the applicant for the Board to forward the fingerprints to a law enforcement agency for a report on the criminal history of the applicant; and

(j) A letter of recommendation from:

(1) A homeopathic physician who is actively engaged in the practice of homeopathic medicine in this State; and

(2) Two persons who have known the applicant for at least 1 year.

3. The applicant must submit with the application, the application fee required pursuant to [NRS 630A.330](#). The application fee is nonrefundable.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.310 Grounds for denial of certificate; notice of denial.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#))

1. The Board may deny a certificate to practice as a homeopathic assistant to an applicant if:

(a) The application does not contain the information required pursuant to [NAC 630A.300](#);

(b) The applicant does not possess the qualifications required pursuant to subsections 1, 2 and 3 of [NAC 630A.320](#);

(c) The applicant does not pass the examination required pursuant to [NAC 630A.330](#) within 1 year after submitting the application; or

(d) Disciplinary action has been taken against the applicant in his capacity as the holder of a license or certificate which authorizes him to provide medical services.

2. If the application is rejected, it will be retained by the Board and the Board will notify the applicant of the reasons for the rejection.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.320 Qualifications for certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#)) An applicant for a certificate to practice as a homeopathic assistant must possess the qualifications required by the Board, including, without limitation:

1. Graduation from high school.

2. Successful completion of at least one training program approved by the Board. This training may include, without limitation, a program to become certified or licensed to practice as:

(a) A medical assistant;

(b) A physician assistant;

(c) A registered nurse;

(d) A licensed practical nurse;

(e) An emergency medical technician;

(f) A medic in the Armed Forces of the United States;

(g) A medical technician;

(h) A massage therapist; or

(i) A physical therapist or physical therapist's assistant

3. Successful completion of not less than 160 hours of training:

(a) Under the Supervision of a homeopathic physician; or

(b) In a program approved by the Board, including, without limitation, education concerning:

(1) Complementary and alternative medicine;

(2) Herbal therapy;

(3) Neural therapy;

- (4) Neuromuscular integration;
- (5) Nutrition; or
- (6) Orthomolecular therapy.

4. Successful completion of the examination administered by the Board pursuant to [NAC 630A.330](#).

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.330 Examination to practice.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#))

1. The Board will administer an examination to practice as a homeopathic assistant at least two times each year at the dates and times established by the Board. An applicant for a certificate to practice as a homeopathic assistant must submit the application required pursuant to [NAC 630A.300](#) to the Secretary-Treasurer of the Board not later than 60 days before the date scheduled for the examination to be eligible to take that examination.

2. The examination will consist of an open-book written examination and an oral examination.

3. The Secretary-Treasurer shall notify an applicant to practice as a homeopathic assistant of the time and place of the examination not later than 20 days before the date scheduled for the examination.

4. Any book, note or other material approved by the Board may be used during the written examination.

5. To practice as a homeopathic assistant, an applicant must receive:

- (a) A score of at least 70 percent on the written examination; or
- (b) A passing score on the oral examination from a majority of the board members who are present and grading the examination, which will be graded on a pass or fail basis.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.350 Requirements regarding supervising homeopathic physician.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#))

1. A homeopathic physician who supervises a homeopathic assistant must be licensed to practice homeopathic medicine in the State of Nevada and must currently practice homeopathic medicine in the State of Nevada.

2. A homeopathic assistant who is supervised by a homeopathic physician must be employed by that physician or by the entity that employs the homeopathic physician.

3. The supervising homeopathic physician of a homeopathic assistant shall meet and communicate with the homeopathic assistant whom he supervises on each day that the homeopathic assistant provides medical services.

4. The supervising homeopathic physician remains responsible for all medical services provided by a homeopathic assistant supervised by him.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96)

**NAC 630A.360 Acceptable activities; medical diagnosis and determination of treatment forbidden.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#))

1. Except as otherwise provided in subsection 2, a homeopathic assistant may perform electrodermal screening or any other activity related to the practice of homeopathy that his supervising homeopathic physician determines he is qualified to perform.

2. A homeopathic assistant shall not make a medical diagnosis or determine the treatment of a patient.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96)

**NAC 630A.370 Cessation of supervision: Procedure; suspension of certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.299](#))

1. A homeopathic physician who ceases to supervise a homeopathic assistant shall notify the Board and the homeopathic assistant in writing within 10 days after supervision ceases. Upon receipt of a notice, the Board will automatically suspend the certificate of the homeopathic assistant.

2. A homeopathic assistant whose certificate is suspended pursuant to subsection 1 may reactivate his certificate before the date on which his certificate is due for renewal if:

(a) He is reemployed as a homeopathic assistant; and

(b) He submits to the Board proof of employment from his new supervising homeopathic physician.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; R217-08, 12-17-08)

**Advanced Practitioners of Homeopathy**

**NAC 630A.400 Application for certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.330](#))

1. An applicant for a certificate to practice as an advanced practitioner of homeopathy must submit to the Board a notarized application on a form furnished by the Board. The form may be obtained from the office of the Board or from the Internet website of the Board.

2. The applicant must include on the application, or in an attachment thereto, any information required by the Board, including, without limitation:

(a) His place and date of birth;

(b) His social security number as required pursuant to [NRS 630A.246](#);

(c) The address and telephone number of his place of residence and place of business;

(d) Proof that he meets the qualifications required by the Board pursuant to subsections 1, 2 and 3 of [NAC 630A.420](#);

(e) A list describing any license or certificate that the applicant has earned which required the completion of medical or professional training or which authorizes him to provide medical or professional services;

(f) A statement disclosing whether he has ever been convicted of a crime;

(g) A statement disclosing whether any disciplinary action has ever been taken against him in his capacity as the holder of a license or certificate which authorizes him to provide medical or professional services;

(h) A photograph of the applicant which was taken not more than 60 days before the application is submitted;

(i) A complete set of his fingerprints on a form which is furnished by the Board, along with the written consent of the applicant for the Board to forward the fingerprints to a law enforcement agency for a report on the criminal history of the applicant; and

(j) A letter of recommendation from:

(1) A homeopathic physician who is actively engaged in the practice of homeopathic medicine in this State; and

(2) Two persons who have known the applicant for at least 1 year.

3. The applicant must submit with the application, the application fee required pursuant to [NRS 630A.330](#). The application fee is nonrefundable.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.410 Grounds for denial of certificate; notice of denial. ([NRS 630A.155](#), [630A.200](#), [630A.295](#))**

1. The Board may deny a certificate to practice as an advanced practitioner of homeopathy to an applicant if:

(a) The application does not contain the information required pursuant to [NAC 630A.400](#);

(b) The applicant does not possess the qualifications required pursuant to subsections 1, 2 and 3 of [NAC 630A.420](#);

(c) The applicant does not pass the examination required pursuant to subsection 4 of [NAC 630A.420](#) within 1 year after submitting the application; or

(d) Disciplinary action has been taken against the applicant in his capacity as the holder of a license or certificate which authorizes him to provide medical services.

2. If the application is rejected, it will be retained by the Board and the Board will notify the applicant of the reasons for the rejection.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.415 Effect of revocation of certificate to practice any type of medicine in another jurisdiction. ([NRS 630A.155](#), [630A.200](#), [630A.295](#))**

1. The Board will not issue a certificate as an advanced practitioner of homeopathy to an applicant who has been certified to practice any type of medicine in another jurisdiction and whose certificate was revoked for gross medical negligence by that jurisdiction.

2. The Board may revoke the certificate of any person certified to practice any type of medicine in another jurisdiction which was revoked for gross medical negligence by that jurisdiction.

3. The revocation of a certificate to practice any type of medicine in another jurisdiction on grounds other than grounds which would constitute revocation for gross medical negligence constitutes grounds for initiating disciplinary action or denying the issuance of a certificate as an advanced practitioner of homeopathy.

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

**NAC 630A.420 Qualifications for certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#)) An applicant for a certificate to practice as an advanced practitioner of homeopathy must possess the qualifications required by the Board, including, without limitation:

1. A baccalaureate degree from a college or university which is approved by the Board or equivalent qualifications as determined and approved by the Board.

2. Successful completion of at least one of the following training programs approved by the Board:

(a) A program to become certified or licensed to practice as:

- (1) A nurse practitioner;
- (2) A registered nurse;
- (3) A chiropractor;
- (4) An acupuncturist or doctor of oriental medicine;
- (5) A naturopathic physician;
- (6) A physician assistant;
- (7) A psychologist;
- (8) A marriage and family therapist;
- (9) A physical therapist;
- (10) An occupational therapist;
- (11) An emergency medical technician;
- (12) A medical technician; or
- (12) A midwife;

(b) A program to receive a degree or other certification specified by the Board from:

- (1) A domestic or foreign medical or osteopathic school approved by the Board;
- (2) A homeopathic medical school approved by the Board;
- (3) A school of naturopathy approved by the Board; or
- (4) A professional school or academic program approved by the Board; or

(c) Any other medical or professional training approved by the Board.

3. Successful completion of a period of training specified by the Board in at least one of the following areas:

- (a) Homeopathy;
- (b) Noninvasive electrodiagnosis;
- (c) Cell therapy;
- (d) Herbal therapy;
- (e) Neural therapy;
- (f) Neuromuscular integration;

- (g) Orthomolecular therapy; or
- (h) Nutrition.

4. Successful completion of the examination administered by the Board pursuant to [NAC 630A.430](#).

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 10-25-96; R217-08, 12-17-08)

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

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 10-25-96)

**NAC 630A.435 Certification by reciprocity: Authority of Board; qualifications of applicant.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#)) The Board may, in its discretion, issue a certificate to an applicant who holds a valid certificate as an advanced practitioner of homeopathy issued to him by the homeopathic medical examining board of the District of Columbia or of any state or territory of the United States if:

1. The legal requirements of the homeopathic medical examining board were, at the time of issuing the certificate, in no degree or particular less than those of this State at the time when the certificate was issued.
2. The applicant is of good moral character and reputation.
3. The applicant passes an oral examination, where required by the Board.
4. The applicant furnishes to the Board such other proof of qualifications, professional or moral, as the Board may require.

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

**NAC 630A.438 Certification by reciprocity: Waiver of written examination; interview by Board.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#))

1. In addition to the requirements set forth in [NAC 630A.435](#), an applicant may obtain a certificate as an advanced practitioner of homeopathy by reciprocity without a written examination if he submits a certificate endorsed by the homeopathic medical examining board of any state, territory or the District of Columbia which certified the applicant indicating that:

- (a) He passed an examination to obtain the certificate;
- (b) His certification has never been revoked or suspended; and
- (c) The photograph and signature appearing on the certification are that of the applicant.

2. The applicant must appear at a meeting of the Board for an interview. The Secretary-Treasurer will notify the applicant whose application and supporting documents have been accepted by the Board of the time and place for the interview 20 days before it is to take place.

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

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

1. Except as otherwise provided in [NAC 630A.415](#), the Board may:

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

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

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

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

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

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

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

2. An advanced practitioner of homeopathy certified in the District of Columbia or in any state or territory of the United States who applies to the Board for a special certificate as an advanced practitioner of homeopathy in this State for a specified period and for specific purposes must do so by a letter, accompanied by proof that he holds a valid certificate issued to him by the District of Columbia, state or territory.

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

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

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

**NAC 630A.450 Supervising homeopathic physician: Qualifications; general duties; provision of certain information to Board. ([NRS 630A.155](#), [630A.200](#))**

1. A homeopathic physician who supervises an advanced practitioner of homeopathy must currently practice homeopathic medicine in the State of Nevada.

2. The supervising homeopathic physician shall consult with and monitor the quality of care provided by the advanced practitioner.

3. The supervising homeopathic physician shall provide to the Board:

(a) The current physical address and telephone number of each location where an advanced practitioner of homeopathy whom he supervises provides medical services; and

(b) Any change in such information.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.460 Supervising homeopathic physician: Program to monitor quality of care; measures to protect public safety or ensure high quality services. ([NRS 630A.155](#), [630A.200](#))**

1. A homeopathic physician who supervises an advanced practitioner of homeopathy shall develop and implement a program to monitor the quality of care provided by the advanced practitioner. As part of the program, the supervising homeopathic physician shall:

(a) Assess the competency of the advanced practitioner to provide medical services;

(b) Review selected medical charts of the advanced practitioner; and

(c) Maintain accurate records and documentation of the program for each advanced practitioner whom the homeopathic physician supervises.

2. A homeopathic physician who supervises an advanced practitioner of homeopathy shall perform any other measure the Board requires the supervising homeopathic physician to perform to protect the public safety or to ensure that the advanced practitioner provides high quality services.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R073-05, 9-7-2005)

**NAC 630A.470 Supervising homeopathic physician: Availability for consultation; on-site supervision; miscellaneous duties. ([NRS 630A.155](#), [630A.200](#))**

1. Except as otherwise provided in this subsection and subsection 2, a homeopathic physician who supervises an advanced practitioner of homeopathy must be available to

consult with the advanced practitioner by phone or in person at all times when the advanced practitioner provides medical services. If the supervising homeopathic physician cannot be available, he shall designate an equally qualified homeopathic physician to be available for consultation.

2. Except as otherwise provided in this subsection, the Board may require a homeopathic physician who supervises an advanced practitioner of homeopathy to provide continuous on-site supervision of the advanced practitioner of homeopathy at all times when the advanced practitioner provides medical services if the Board determines it is necessary to do so. If the supervising homeopathic physician cannot provide continuous on-site supervision, he shall designate an equally qualified homeopathic physician to provide continuous on-site supervision.

3. The supervising homeopathic physician shall ensure that the advanced practitioner:

(a) Does not use a prescription which has been signed by a physician before a patient requires the prescription; and

(b) Is aware of all laws and regulations with which he must comply, including, without limitation, the regulations of the State Board of Pharmacy regarding prescriptions, controlled substances, and dangerous drugs and devices.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003; R073-05, 9-7-2005)

**NAC 630A.480 Authorized activities; measures to protect public safety or ensure high quality services. ([NRS 630A.155](#), [630A.200](#), [630A.295](#))**

1. An advanced practitioner of homeopathy may perform only those acts which he is:

(a) Authorized by the Board to perform pursuant to subsection 2; and

(b) Authorized to perform pursuant to the protocol established pursuant to [NAC 630A.490](#).

2. The Board may authorize an advanced practitioner of homeopathy to:

(a) Systematically assess the health of a person or family by:

(1) Taking, recording and interpreting a medical history;

(2) Performing a physical examination; and

(3) Performing or initiating any specific diagnostic procedure which is authorized in the protocol established pursuant to [NAC 630A.490](#).

(b) Manage the care of a person who has a common, acute, recurrent or chronic health-related problem, based on an assessment of the health of that person by:

(1) Initiating a program of treatment;

(2) Evaluating the response to health-related problems and programs of treatment;

(3) Informing a patient or a member of his family about the health of the patient and the alternatives for treatment;

(4) Evaluating the compliance of a patient with the program of treatment that was agreed upon by him or his family and the advanced practitioner;

(5) Modifying a program of treatment based upon the response of the patient to that treatment;

(6) Referring a patient to an appropriate provider of health care, if necessary;

(7) Treating minor lacerations which do not involve damage to a nerve, tendon or major blood vessel; and

(8) Commencing care which is necessary to stabilize the condition of a patient during an emergency until a physician can be consulted or the patient can be transported to a facility where emergency medical care is available.

(c) Perform any other procedure related to the practice of homeopathy if:

(1) The advanced practitioner is certified to perform that procedure by an organization which is recognized by the Board;

(2) The advanced practitioner learned how to perform the procedure in a program of education which he attended;

(3) The advanced practitioner learned how to perform the procedure during the successful completion of a comprehensive program of instruction which included clinical experience; or

(4) The act is within the authorized scope of practice of an advanced practitioner of homeopathy as determined by the Board.

3. The Board may require an advanced practitioner of homeopathy to perform any measure the Board determines is necessary to protect the public safety or to ensure that the advanced practitioner provides high quality services.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R073-05, 9-7-2005)

**NAC 630A.490 Written protocol; informed consent form for patients. ([NRS 630A.155](#), [630A.200](#), [630A.293](#), [630A.295](#), [630A.370](#))**

1. An advanced practitioner of homeopathy and his supervising homeopathic physician shall prepare and sign a written protocol, demonstrating agreement to the terms and content of the protocol. The protocol must include, without limitation:

(a) A description of the scope of practice of the advanced practitioner as authorized by the supervising homeopathic physician, which may include, without limitation:

(1) A statement setting forth the modalities and services the advanced practitioner may provide; and

(2) A statement setting forth any limitations or restrictions imposed by the Board upon the practice of the advanced practitioner;

(b) A statement from the supervising homeopathic physician that he has determined that the advanced practitioner is qualified and competent to provide the services authorized in the scope of practice; and

(c) A list of conditions under which the advanced practitioner agrees to refer a patient to the supervising homeopathic physician.

2. If an advanced practitioner of homeopathy intends to engage in the intrastate practice of homeopathic medicine using electronic means, the written protocol must incorporate all the requirements and prohibitions that apply to homeopathic physicians engaging in the intrastate practice of homeopathic medicine using electronic means.

3. The protocol must:

(a) Reflect established national or customary standards for the practice of homeopathic medicine; and

(b) Include a summary of all applicable provisions of this chapter and chapter 630A of NRS relating to the advanced practitioner of homeopathy deemed necessary by the supervising homeopathic physician.

4. An advanced practitioner of homeopathy and his supervising homeopathic physician shall prepare a written informed consent form for patients. The informed consent form must:

(a) Disclose to a patient that the advanced practitioner of homeopathy is:

- (1) An advanced practitioner of homeopathy;
- (2) Not a licensed homeopathic physician; and
- (3) Governed by a protocol that is available for inspection.

5. Before an advanced practitioner of homeopathy may provide a medical service to a patient:

(a) The informed consent form must be reviewed and approved by the Board; and

(b) The advanced practitioner of homeopathy must obtain the signature of the patient on the informed consent form prepared and approved by the Board pursuant to this section.

6. The supervising homeopathic physician shall submit a copy of the protocol and the informed consent form to the Board for approval. If the Board does not approve the protocol or the informed consent form, it will return the protocol or the informed consent form to the physician with an explanation for the denial. The supervising homeopathic physician shall rewrite the protocol or the informed consent form to conform with any suggestion of the Board and resubmit it to the Board for consideration at the next regularly scheduled meeting of the Board.

7. A copy of the protocol and the informed consent form must be maintained and be available to the Board or an authorized representative of the Board for inspection at each location where the advanced practitioner provides medical services.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R043-03, 9-24-2003; R073-05, 9-7-2005; R217-08, 12-17-08)

**NAC 630A.500 Annual review of protocol; documentation of findings; review of records by supervising homeopathic physician and Board. ([NRS 630A.155](#), [630A.200](#), [630A.293](#))**

1. A homeopathic physician and an advanced practitioner of homeopathy whom he supervises shall conduct and document a review of the protocol required pursuant to [NRS 630A.293](#) each year at the time the certificate of the advanced practitioner is renewed.

2. The advanced practitioner shall maintain accurate records documenting all pertinent historical and physical findings concerning a patient, including, without limitation, the plan for the treatment of a patient.

3. The supervising homeopathic physician shall review a sample of the records of the findings of the advanced practitioner at least once every 6 months to ensure that the advanced practitioner is complying with the protocol.

4. The supervising homeopathic physician and the advanced practitioner shall make any medical record available to the Board for review. A review conducted by the Board will be in accordance with the laws relating to the confidentiality of medical records.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.510 Cessation of supervision: Procedure; suspension of certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#))

1. An advanced practitioner of homeopathy who ceases to be supervised by a homeopathic physician shall notify the Board in writing within 10 days after his supervision ceases. The supervising physician of the advanced practitioner shall also notify the Board in writing within 10 days after the cessation of the supervision. Upon receipt of a notice, the Board will automatically suspend the certificate of the advanced practitioner.

2. An advanced practitioner whose certificate is suspended pursuant to subsection 1 may reactivate his certificate before the date on which his certificate is due for renewal if:

(a) He submits to the Board proof of supervision from his new supervising homeopathic physician; and

(b) He and his new supervising homeopathic physician prepare and file a written protocol and informed consent form with the Board as required pursuant to [NAC 630A.490](#) within 30 days after the advanced practitioner is placed under the supervision of the homeopathic physician.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff. 10-25-96; A by R073-05, 9-7-2005)

**NAC 630A.520 Medical competency examination: Authority of Board.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#)) If the Board has reason to believe that the conduct of any advanced practitioner of homeopathy has raised a reasonable question as to his competence to practice as an advanced practitioner of homeopathy with reasonable skill and safety to patients, the Board may order an examination of the advanced practitioner of homeopathy to determine his fitness to practice as an advanced practitioner of homeopathy. When such action is taken, the reasons for the action must be documented and must be available to the advanced practitioner of homeopathy being examined.

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

**NAC 630A.525 Medical competency examination: Payment of costs; administration.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#))

1. An advanced practitioner of homeopathy who is subject to a medical competency examination pursuant to [NAC 630A.520](#) shall pay the costs of the examination.

2. The medical competency examination:

(a) May be written or oral;

(b) Will last no longer than 4 hours; and

(c) Must be administered by two physicians selected by the Board who are licensed and actively engaged in the practice of homeopathic medicine in this State.

3. If the person being examined objects to the physicians selected to administer the examination and the Board finds that his objections are valid, he may submit a list of eight names of homeopathic physicians who are actively engaged in the practice of homeopathic medicine in this State from which the Board may select one or two physicians to replace one or both of the examiners previously selected.

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

#### Miscellaneous Provisions

**NAC 630A.550 Renewal of certificate: Requirements; fee; failure to comply with requirements.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#), [630A.330](#))

1. A certificate to practice as a homeopathic assistant or advanced practitioner of homeopathy which is issued by the Board must be renewed each year before January 1.

2. To renew a certificate, a homeopathic assistant or advanced practitioner must:

(a) Submit an application for renewal to the Board;

(b) Submit proof that he has completed the required annual continuing education; and

(c) Pay to the Board:

(1) An annual renewal fee of \$200 for a certificate to practice as a homeopathic assistant; or

(2) An annual renewal fee of \$400 for a certificate to practice as an advanced practitioner of homeopathy.

3. A homeopathic assistant or advanced practitioner of homeopathy who fails to submit proof to the Board, before January 1, that he has completed the required annual continuing education may not renew his certificate until:

(a) He submits proof that he has completed the continuing education;

(b) The Board determines that he is otherwise qualified to practice as a homeopathic assistant or advanced practitioner of homeopathy; and

(c) He pays to the Board a renewal fee which is equivalent to two times the fee set forth in subsection 2.

4. The Board may revoke the certificate of a homeopathic assistant or advanced practitioner who does not pay the renewal fee before January 1. A homeopathic assistant or advanced practitioner whose certificate is revoked for this reason may request, within 2 years after revocation, that the Board restore his certificate.

(Added to NAC by Bd. of Homeopathic Medical Exam rs', eff. 10-25-96; A by R137-97, 1-22-98; R105-03, 9-24-2003; R085-08, 12-17-08)

#### Disciplinary Action

**NAC 630A.560 Grounds for initiating disciplinary action or denying certification.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#)) The Board may initiate disciplinary action against a homeopathic assistant or an advanced practitioner of

homeopathy or may deny the issuance or renewal of a certificate if the Board finds after providing notice and a hearing that the homeopathic assistant or advanced practitioner of homeopathy:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document to the Board;
2. Represented to another that the homeopathic assistant or advanced practitioner of homeopathy was a licensed physician or knowingly permitted another person to represent him as such;
3. Performed medical services which were not directed or supervised by a homeopathic physician as required by [NAC 630A.350](#) and [630A.470](#);
4. Provided medical services when he did not have the ability to provide such services with reasonable skill and safety because:
  - (a) He was under the influence of alcohol or a controlled substance; or
  - (b) He had a mental or physical illness;
5. Provided medical services in a negligent manner;
6. Failed to obey an order of the Board or an investigative committee of the Board, a law or a regulation which relates to the provision of health care or dispensing of drugs, including, without limitation, a regulation of the Board or the State Board of Health;
7. Administered, dispensed or possessed a controlled substance, except as authorized by law in the course of providing medical services;
8. Is not competent to provide the services required of a homeopathic assistant or advanced practitioner of homeopathy;
9. Has been convicted of a felony or any offense involving moral turpitude;
10. Falsified records of health care or insurance;
11. Falsified medical records of a patient, including, without limitation, altering records to indicate the presence of the homeopathic assistant or advanced practitioner of homeopathy at a time when the homeopathic assistant or advanced practitioner of homeopathy was not in attendance or to indicate that procedures were performed on the patient by the homeopathic assistant or advanced practitioner of homeopathy that were in fact not performed by him;
12. Acquired any controlled substance from a pharmacy or other source by misrepresentation, fraud, deception or subterfuge;
13. Allowed any person who is unlicensed and uncertified to treat a patient by means of homeopathy;
14. Failed to honor the advance directive of a patient without informing the patient, the surrogate or the guardian of the patient, and without documenting in the records of the patient the reasons for failing to honor the advance directive of the patient contained therein;
15. Entered into a multilevel marketing agreement with a patient or an immediate family member of the patient;
16. Failed to report timely to the Board any judgment or settlement required to be reported pursuant to [NAC 630A.136](#); or

17. Has had disciplinary action taken against him in another jurisdiction or by another board that regulates health care in this State if the disciplinary action was taken against the homeopathic assistant or advanced practitioner of homeopathy in his capacity as the holder of a license or certificate which authorizes him to provide medical services.

(Added to NAC by Bd. of Homeopathic Medical Exams, eff. 10-25-96; A by R058-00, 12-11-2000; R105-03, 9-24-2003; R217-08, 12-17-08)

**NAC 630A.570 Procedure for disciplinary action: Written complaint; investigation. ([NRS 630A.155](#), [630A.200](#), [630A.210](#))**

1. If the Board, a member of the Board or any other person who is aware of any act or circumstance that constitutes grounds for disciplinary action against a homeopathic assistant or an advanced practitioner of homeopathy desires to initiate disciplinary action against a homeopathic assistant or advanced practitioner of homeopathy, the Board, member of the Board or other person must file with the Board a written complaint specifying the charge against the homeopathic assistant or advanced practitioner of homeopathy.

2. Unless the Board determines that the complaint is without merit, in response to a complaint filed against a homeopathic assistant or advanced practitioner of homeopathy or on its own initiative, the Board will assign an investigative committee to determine whether a charge against a homeopathic assistant or advanced practitioner of homeopathy justifies disciplinary action. The investigative committee will be composed of not less than three members of the Board, at least one of whom is a licensed homeopathic physician.

3. Following an investigation, the investigative committee will present its evaluation and recommendations to the Board. The Board will review the findings of the committee to determine whether to take further action.

4. If the Board determines after investigation that a homeopathic assistant or advanced practitioner of homeopathy has violated any of the provisions of this chapter, the Board will notify the Attorney General of its findings and any disciplinary action taken.

5. A member of the Board who participates in an investigation will not participate in the review conducted pursuant to subsection 3 or in a subsequent hearing or action which is related to the investigation.

6. Before assigning the complaint to an investigative committee pursuant to subsection 2, the Board must provide the supervising physician and homeopathic assistant or advanced practitioner of homeopathy, as applicable, with a copy of the complaint. If the Board determines that a complaint is without merit, the Board may provide the supervising physician and homeopathic assistant or advanced practitioner of homeopathy, as applicable, with a copy of the complaint, including the name of the person who filed the complaint.

(Added to NAC by Bd. of Homeopathic Medical Exams, eff 10-25-96; A by R058-00, 12-11-2000)

**NAC 630A.580 Procedure for disciplinary action: Hearing; notice.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. If the Board proceeds with disciplinary action against a homeopathic assistant or advanced practitioner of homeopathy, it will set a time and place for a disciplinary hearing. The Board will notify the homeopathic assistant or advanced practitioner and his supervising homeopathic physician of:

- (a) The specific complaint against the homeopathic assistant or advanced practitioner;
- (b) The time and place set for the disciplinary hearing; and
- (c) The sanctions which the Board may impose for the conduct in which the homeopathic assistant or advanced practitioner of homeopathy allegedly engaged.

2. The Board will serve the notice required by subsection 1 not less than 20 days before the date set for the disciplinary hearing, and will serve notice in the manner set forth in [NAC 630A.590](#).

3. During a disciplinary hearing conducted pursuant to this section:

- (a) Formal rules of evidence will not be applied;
- (b) Proof of actual injury need not be established; and
- (c) The Board will consider a certified copy of the record of a court or a certifying agency showing a conviction or plea of nolo contendere or the suspension, revocation, limitation, modification, denial or surrender of a certificate to practice as a homeopathic assistant or advanced practitioner of homeopathy as conclusive evidence of its occurrence.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.590 Requirements for service of notice.** ([NRS 630A.155](#), [630A.200](#), [630A.210](#))

1. The Board will cause the notice required by [NAC 630A.580](#) to be made either in person or by registered or certified mail, return receipt requested, and addressed to the homeopathic assistant or advanced practitioner of homeopathy and his supervising homeopathic physician at the last known address of each person. If service cannot be made in person and if notice by mail is returned undelivered, the Secretary-Treasurer of the Board will publish notice once a week for 4 consecutive weeks in a newspaper published in the county of the last known address of the person, or, if no newspaper is published in the county, in a newspaper widely distributed in that county.

2. Proof of service of process or publication of notice made pursuant to this section will be recorded in the minutes of the Board.

(Added to NAC by Bd. of Homeopathic Medical Exam rs, eff 10-25-96)

**NAC 630A.600 Mental or physical examination: Circumstances requiring examination; certification to practice deemed consent to examination; refusal of examination deemed admission of charge.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#))

1. If the Board determines that the conduct of a homeopathic assistant or advanced practitioner of homeopathy raises a reasonable question as to his competence to treat a patient with reasonable skill and safety, it will order him to undergo a mental or physical examination to test his competence and ability to practice as a homeopathic assistant or advanced practitioner.

2. A person who is certified by the Board to practice as a homeopathic assistant or advanced practitioner shall be deemed to have consented to a mental or physical examination.

3. A homeopathic assistant or advanced practitioner who refuses to undergo a mental or physical examination shall be deemed to have admitted the charge made against him, and the Board will take disciplinary action against such a person without further investigation or testimony.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff 10-25-96)

**NAC 630A.610 Forms of disciplinary action; decision of Board final; action to prevent unlawful or unauthorized conduct. ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#))**

1. If the Board determines that a homeopathic assistant or advanced practitioner of homeopathy has engaged in an activity for which disciplinary action is authorized pursuant to [NAC 630A.560](#), the Board will issue an order:

(a) Placing him on probation for a specified period of time, according to any conditions set forth in the order;

(b) Publicly reprimanding him;

(c) Placing a limitation on his certificate;

(d) Suspending his certificate for a specified period of time or until the Board orders his certificate to be reinstated; or

(e) Revoking his certificate.

2. If the Board determines that a homeopathic assistant or advanced practitioner of homeopathy has engaged in an activity for which disciplinary action is authorized pursuant to [NAC 630A.130](#), the Board may issue an order imposing an administrative fine in accordance with [NAC 630A.130](#). If the Board determines that a homeopathic assistant or advanced practitioner of homeopathy has engaged in an activity for which disciplinary action is required pursuant to [NAC 630A.130](#), the Board will issue an order imposing an administrative fine or suspending the certificate of the homeopathic assistant or advanced practitioner of homeopathy in accordance with [NAC 630A.130](#).

3. An order of the Board which limits the ability of a homeopathic assistant or advanced practitioner of homeopathy to provide medical services or revokes his certificate is effective from the date the Secretary-Treasurer of the Board certifies the order until the date the order is modified or reversed.

4. For the purposes of [NRS 233B.130](#), a decision of the Board pursuant to this section is a final decision.

5. In addition to any other action, if the Board determines that a homeopathic assistant or advanced practitioner of homeopathy is engaging in unlawful or unauthorized conduct, the Board will take any appropriate action authorized by law to prevent such conduct.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff 10-25-96; A by R105-03, 9-24-2003)

**NAC 630A.620 Requirements for removal of limitation on or restoration of certificate.** ([NRS 630A.155](#), [630A.200](#), [630A.295](#), [630A.299](#))

1. A homeopathic assistant or advanced practitioner of homeopathy whose certificate to practice as a homeopathic assistant or advanced practitioner has been limited, suspended or revoked pursuant to [NAC 630A.130](#) or [630A.610](#) may apply to the Board to remove the limitation or restore his certificate.

2. The applicant has the burden of proving by clear and convincing evidence that he has complied with all of the terms and conditions set forth in the final order of the Board and that he is capable of practicing as a homeopathic assistant or advanced practitioner with reasonable skill and safety to patients. The Board will not remove a limitation or restore a certificate until it is satisfied that the applicant has met this burden of proof.

3. In addition to the requirements of subsection 2, a homeopathic assistant or advanced practitioner whose certificate has been suspended pursuant to [NAC 630A.130](#) or revoked must submit an application to the Board pursuant to [NAC 630A.300](#) or [630A.400](#), respectively, and successfully complete the examination required of new applicants.

(Added to NAC by Bd. of Homeopathic Medical Examiners, eff 10-25-96; A by R105-03, 9-24-2003)

**NEVADA INSTITUTIONAL REVIEW BOARD**

**NAC 630A.810 Oath or affirmation of office of members.** ([NRS 630A.870](#), [630A.900](#))

1. In addition to taking the constitutional oath or affirmation of office set forth in [Section 2 of Article 15](#) of the Constitution of the State of Nevada, each member of the Nevada Institutional Review Board will, as required pursuant to [NRS 630A.870](#), take the following oath or affirmation:

I, ....., do solemnly swear (or affirm) that I am legally qualified to serve as a member of the Nevada Institutional Review Board and that I will well and faithfully perform all the duties of a member of the Nevada Institutional Review Board, on which I am about to enter, (if an oath) so help me God, (if an affirmation) under the pains and penalties of perjury.

2. An officer of the Nevada Institutional Review Board will administer the oaths or affirmations described in subsection 1.

(Added to NAC by Nev. Institutional Rev. Bd. by R154-05, eff. 11-17-2005)

**NAC 630A.820 Election and terms of officers.** ([NRS 630A.865](#), [630A.900](#)) The Nevada Institutional Review Board will elect its officers annually before June 30. The term of an officer begins on July 1 after the election and ends on June 30 of the succeeding year.

(Added to NAC by Nev. Institutional Rev. Bd. by R154-05, eff. 11-17-2005)