

**NEVADA STATE BOARD OF ATHLETIC TRAINERS
NOTICE OF INTENT TO ACT UPON A REGULATION**

Notice of Hearing for the Adoption of

**LCB File No. R135-23
of the
Board of Athletic Trainers**

DATE & TIME: April 19, 2024 @ 3:00 p.m.

Public Access in Person:

Board Administrative Office
6170 Mae Anne Ave, Suite 1
Reno, NV 89523

Virtual Meeting Access Via Zoom:

Meeting ID: 897 506 8640
Passcode: 640B

<https://us06web.zoom.us/j/8975068640?pwd=ckhJYStrbi9wWk5BbXdKQXITMnVCZz09>

The purpose of the hearing is to receive final comments from all interested parties regarding the adoption, amendment, and repeal of regulations that pertain to LCB File No. R135-23, Chapter 640B of the Nevada Administrative Code (NAC).

A REGULATION relating to athletic trainers; correcting a statutory reference; revising fees relating to the licensing of athletic trainers; repealing certain duplicative provisions relating to athletic trainers; and providing other matters properly relating thereto.

The following information is provided pursuant to the requirements of NRS 233B.0603:

LCB File No. R135-23

1. Need and purpose of the proposed regulations or amendments

The need for the proposed regulations is to address sections identified in the report to the Governor pursuant to Executive Order 2023-003 to potentially streamline, clarify, reduce, or otherwise improve regulations that pertain to Chapter 640B of the Nevada Administrative Code (NAC) and to protect the public health, safety, and welfare by ensuring that only qualified and competent athletic trainers are licensed in the state. The purpose of the adopted regulation is to provide clarity for the public, individuals, and licensees through regulations.

2. How to obtain the approved or revised text of regulations prepared by LCB

Individuals may obtain a copy of the proposed regulations by writing to the Board of Athletic Trainers, 6170 Mae Anne Ave, Suite 1, Reno, Nevada 89523; or by calling the Board office at 775-787-2636. The proposed regulations are also available for review and download on the Board website: <http://nevadaathletictrainers.nv.gov/>.

3. Methods used in determining the impact on a small business

Comments were solicited from small businesses, specifically licensed athletic trainers who are owners, operators or providers of athletic training services as self-employed practitioners by notification of a Public Hearing to Review Regulations held on 4/7/2023 and a Workshop to Solicit Comments on Proposed Regulation held on 11/17/2024. In addition, a Public Meeting was held on January 12, 2024 to review and discuss feedback received from the Legislative Counsel Bureau (LCB) regarding the proposed regulation that was assigned File No. R135-23. The Board solicited comments from the public through a notice of a public hearing and workshop. Notice of the workshop and the hearing were noticed as required on three different websites and individual notices sent to the interested parties lists maintained by the Board. In addition, the Board submitted the proposed changes to all active licensees and other potentially affected parties to survey their thoughts regarding the proposed revisions. No small businesses commented on the regulation at the public hearing or workshop.

The Board used informed, reasonable judgement to determine there will be no impact on small businesses. In making this determination, the Board considered the comments received during the hearing and workshops, in addition to any comments received by email or mail.

4. Estimated economic effect of regulations on business and the public

a. Adverse and beneficial effects

The adoption of these regulations should have no adverse economic effect on business, the public or practitioners of athletic training. The benefits of these regulations are that the public, clients, employers, and athletic trainers will be provided clarity in NAC 640B.

b. Immediate and long-term effects

The immediate and long-term effects of the regulations proposed in R135-23 are to improve clarity and communication of practice requirements for athletic trainers in Nevada.

5. Cost for enforcement of the regulations

There are no additional costs involved in enforcing the proposed regulations.

6. Overlap or duplication of other state or local governmental agencies

The proposed regulations do not overlap or duplicate any regulation of other state or local governmental entities.

7. Regulation required by federal law

Not applicable

8. More stringent than federal regulations

The Board is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

9. New or increases in existing fees

The regulation does not propose a new fee or increase an existing fee. The regulation removes certain fees that are no longer necessary and lowers the fees for initial licensure and renewal fees.

Persons wishing to comment on the proposed action of the Board of Athletic Trainers may appear at the scheduled public hearing or address their comments, data, views, or arguments in written form to the Board of Athletic Trainers, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523. The Board of Athletic Trainers must receive all written submissions on or before **April 12, 2024**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Athletic Trainers may proceed immediately to action upon any written submissions.

A copy of this notice and the regulations to be adopted, R135-23, will be on file at the Nevada State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Copies of the notice and the regulations to be adopted, R135-23, will be available from the Board of Athletic Trainers, 6170 Mae Anne Ave., Suite 1, Reno, Nevada 89523, for inspection and copying by members of the public during business hours and will be available on the Board of Athletic Trainers website: <http://nevadaathletictrainers.nv.gov/>. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request.

Upon adoption of any regulations, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This **Notice of Hearing** has been posted on the Board's website: <http://nevadaathletictrainers.nv.gov/>; and may also be accessed at the following websites:

<https://www.leg.state.nv.us/App/Notice/A/> - Nevada Legislature Administrative Notices

<https://notice.nv.gov/> - State of Nevada Public Notices

<http://www.leg.state.nv.us/register/> - State of Nevada Register of Administrative Regulations

Dated: March 19, 2024

**PROPOSED REGULATION OF THE
BOARD OF ATHLETIC TRAINERS**

LCB File No. R135-23

January 29, 2024

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

AUTHORITY: § 1, NRS 640B.260 and 640B.310; § 2, NRS 640B.250, 640B.260 and 640B.410; § 3, NRS 640B.260 and 640B.400.

A REGULATION relating to athletic trainers; correcting a statutory reference; revising fees relating to the licensing of athletic trainers; repealing certain duplicative provisions relating to athletic trainers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 1 of this regulation corrects a statutory reference to account for changes made by Assembly Bill No. 275 of the 2019 Legislative Session. (Section 61 of Assembly Bill No. 275, chapter 627, Statutes of Nevada 2019, at page 4300)

Existing law requires the Board of Athletic Trainers to prescribe fees relating to the licensure of athletic trainers. (NRS 640B.410) **Section 2** of this regulation reduces the fees for: (1) an initial application for a license from \$300 to \$200; (2) the renewal of a license from \$150 to \$125; and (3) the issuance of a duplicate license from \$25 to \$1. **Section 2** additionally eliminates fees for: (1) a change of name on a license; (2) a list of business addresses of licensees on mailing labels; and (3) a dishonored check. **Section 2** also establishes reduced fees for an initial application for a license by: (1) an active member, the spouse of an active member, a veteran or the surviving spouse of a veteran of the Armed Forces of the United States; and (2) an applicant who graduated from certain accredited institutions within 1 year before the date on which the application is submitted.

Existing law provides that words and terms defined in the Nevada Revised Statutes have the same meaning in corresponding provisions of the Nevada Administrative Code. (NRS 0.024) **Section 3** of this regulation repeals from the Nevada Administrative Code certain duplicative definitions that are set forth in the Nevada Revised Statutes. (NRS 640B.025, 640B.060, 640B.065)

Existing law provides that a license to engage in the practice of athletic training expires on June 30 of each year and may be renewed upon the submission of certain items before the license expires. (NRS 640B.400) **Section 3** repeals a duplicative requirement in Nevada Administrative Code that all items for the renewal of a license to engage in the practice of athletic training be submitted or postmarked on or before June 30 of each year.

Section 1. NAC 640B.040 is hereby amended to read as follows:

640B.040 The passing grade for the examination required by paragraph ~~(g)~~ (f) of subsection 1 of NRS 640B.310 will be determined by the National Athletic Trainers' Association Board of Certification, Inc., or its successor organization.

Sec. 2. NAC 640B.060 is hereby amended to read as follows:

640B.060 1. ~~The~~ *Except as provided in subsections 2 and 3, the* Board will charge and collect the following fees:

For an initial application for a license	300 200
For the renewal of a license.....	150 125
For the restoration of an expired license	300
For the issuance of a duplicate license	25
For a change of name on a license	25 1
For a list of business addresses of licensees.....	25
For a list of business addresses of licensees on mailing labels.....	100
For a dishonored check	25

2. *If an applicant is an active member, the spouse of an active member, a veteran or the surviving spouse of a veteran of the Armed Forces of the United States, the Board will charge a fee of \$100 for an initial application for a license.*

3. *If an applicant is a graduate of an institution of higher education in the State of Nevada that is accredited by the Commission on Accreditation of Athletic Training Education, or its successor organization, the Board will charge a fee of \$50 for an initial application for a*

license if the application is submitted not later than 1 year after the date the degree was conferred.

4. A fee charged and collected pursuant to this section:

- (a) Must accompany the application or other documentation to which the fee pertains; and
- (b) Is not refundable.

Sec. 3. NAC 640B.005, 640B.010, 640B.013, 640B.015 and 640B.050 are hereby repealed.

TEXT OF REPEALED SECTIONS

640B.005 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 640B.010, 640B.013 and 640B.015 have the meanings ascribed to them in those sections.

640B.010 “Board” defined. “Board” means the Board of Athletic Trainers.

640B.013 “License” defined. “License” means a license to engage in the practice of athletic training issued pursuant to chapter 640B of NRS.

640B.015 “Licensee” defined. “Licensee” means a person who has been issued a license pursuant to chapter 640B of NRS.

640B.050 Submission of items required for renewal of license. All items required by NRS 640B.340 and 640B.400 for the renewal of a license must be received by the Board, or postmarked, not later than June 30 of each year. If the Board does not receive the items, or if the items are not postmarked, on or before June 30, the license expires.

