

MINUTES OF THE PUBLIC HEARING TO REVIEW REGULATIONS FOR THE NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE & TIME: April 7, 2023

VIRTUAL MEETING ACCESS VIA ZOOM:

Meeting ID: 897 506 8640

Passcode: 640B

1. Meeting called to order by NSBAT Chair, Kyle Moore, at 5:01 PM.

Board Members Present: Kyle Moore, Board Chair; Bryan Lindl, Vice Chair; Jeremy Fisher, Treasurer. *Kristopher Bosch had a last-minute emergency and was not able to attend.*

Staff Present: Harry Ward, Deputy Attorney General; and Michelle Cothrun, Executive Secretary.

Public Present: Tedd Girouard, Jennifer Barrett, Michelle Samuel, and Susan Priestman.

2. Introduction of workshop process. (Discussion) Kyle Moore asks Michelle Cothrun to give a quick summary. Michelle explains that the main purpose of this workshop is to get the public's opinion or feedback on the report that was put together. Michelle asks Harry Ward how other boards have handled the workshop.

Harry Ward, Deputy Attorney General, summarizes the Governor's Executive Order 2023-003 which orders all boards to suggest at least ten (10) regulations for elimination. To adopt a regulation, a 30-day notice is required and the same is required with deregulation. This workshop gives the public the opportunity to provide feedback on which regulations to eliminate or keep. Kyle thanks Harry for his summary. There is no further discussion.

3. Public comment. Michelle Cothrun confirms that she has not received any comments or feedback regarding this public workshop for the review of NAC 640B. Currently no members of the public have a comment, so there is no public comment.

4. The Nevada State Board of Athletic Trainers will receive comments and input from interested persons regarding the review of Chapter 640B of the Nevada Administrative Code (NAC) to identify at least ten (10) regulations recommended for removal. In addition, the Board will receive comments and input to (1) vet the Board's proposed recommended changes; (2) solicit input as to the merits of those changes; and (3) identify other regulatory changes stakeholders feel are worthy of consideration regarding the potential to streamline, clarify, reduce, or otherwise improve regulations that pertain to the Nevada Administrative Code (NAC) Chapter 640B. The input received will be reflected in the Report to the Governor's Office. (For Possible Action) Kyle Moore asks Harry Ward if we should go through the list of suggested items for removal in the NAC 640B Review Notes one by one. Harry Ward states that other boards have pulled certain items that need discussion and then at the end voted to approve as a whole group instead of individually. Michelle shares her screen

so that everyone can see the items as they are discussed. Kyle starts the discussion with the two items that are marked with the question: "Is this regulation necessary?"

Kyle states that NAC 640B.030, Subsection 2, is redundant and not necessary. Athletic trainers need to follow BOC regulations regardless. He asks for any other discussion. Michelle clarifies her question about this regulation. Is it necessary that the Board review and approve changes made by the Board of Certification (BOC) within thirty (30) days? Jeremy Fisher finds the thirty (30) days limiting and an unrealistic timeframe, and Kyle agrees. Jeremy asks for clarification if the NRS or NAC mention the Commission on Accreditation of Athletic Training Education (CAATE) at all or just references the BOC. Tedd Girourd clarifies that CAATE regulates the education of athletic training, whereas the BOC sets the standards for the practice of athletic training.

Michelle comments that this regulation went into effect in 2006 and it is a shame that Steve McCauley is not here, as he may know the reason it was added. Tedd reiterates that every athletic trainer must always comply with the BOC's practice standards and states that this regulation is redundant. Jeremy agrees because NRS 640B states that licensees must abide by the BOC's standards of being an athletic trainer and in maintaining certification. Since there is agreement, Kyle moves the discussion forward.

Kyle states that NAC 640B.050 is also redundant. Tedd Girourd asks if anyone has looked up the Board meeting minutes from January 30, 2008, when this regulation was added to the NAC. Since it was not in the original language, he wonders about the thought process behind it. While Michelle looks for the minutes, Bryan Lindl points out that the postmark of the renewal is not in the NRS. The Board discusses the possibility of prorated fees for recent graduates, changing from a set expiration date to expiring one year from issue date, and specifically reducing fees for graduates from UNLV. Jeremy asks if the fee could be waived altogether for UNLV grads to encourage athletic trainers educated in Nevada to stay and practice in Nevada. Tedd points out that the NRS puts limits on fees stating that the fees must not exceed a certain amount. Fees can be reduced through regulation. Kyle states that there is more discussion needed but for another meeting.

It appears that NAC 640B.050 was added to make sure that the items were postmarked on or before June 30. Jeremy states that the Board's renewal process has changed greatly since 2008 and asks if anyone submits their renewal in the mail. Michelle confirms that all renewals are submitted online. The Board concludes that since the renewals are now submitted online, the postmark language is not necessary. Kyle asks if there are any other points of discussion. Michelle suggests a clarification to the dry needling language that specifies the 25 hours of in person instruction, which now reads: "Each part of the course, including, without limitation, each examination, must be completed in person." She suggests moving the parenthetical statements to the end: "Each part of the course must be completed in person, including, without limitation, each examination" to emphasize that the examinations must also be completed in person. Kyle informs the Board that only two (2) dry needling applications had courses that did not fulfill the 25 hours of in person education. This issue is mainly for those that have taken a dry needling course several years prior to the time the regulation was adopted. The Board members agree that the current wording suffices.

Kyle opens the discussion to the members of the public in attendance and asks if they can suggest any changes. Tedd states that since the report is looking at NAC 640B.060 to eliminate the four (4) fees, he reminds the Board that there were discussions before he left to look at reducing the initial and renewal license fees. He goes on the record to state that he is still in favor of at some point of reducing those fees since the Board's reserves are exorbitant. Kyle assures Tedd that the Board continues to discuss reducing fees, but for the sake of this meeting, the focus is on the ten (10) items suggested for removal. Tedd, as a member of the public, is in full support of all the other changes. Jeremy asks if reducing fees can be done now. However, Harry states that the purpose of today's meeting is to deregulate. In other words, the Board is looking only to remove regulations, not changing them.

Jennifer Barrett, a member of the public, also agrees with the suggested ten (10) items listed. She adds that she would still like to see the definition of athlete changed to be more in line with the other states. Some of the definitions she sent to Michelle could potentially be used through NAC versus NRS. Kyle agrees that the profession

of athletic training is expanding. He adds that the Subcommittee which Jeremy is leading is taking the definitions under consideration. Susan Priestman, President of the APTA Board, appreciates the careful consideration of these changes and has no objections to any of these changes. Kyle thanks everyone for their input and there is no further discussion.

5. The Nevada State Board of Athletic Trainers will review, discuss, and possibly approve the Report that will be sent to the Governor's Office. (For Possible Action) Kyle Moore motions that in response to Executive Order 2023-003 by the Governor, the Athletic Training Board submit the eight items that were suggested for removal in the "NAC 640B REVIEW NOTES" prepared by Michelle Cothrun, with numbers nine (9) and ten (10) being NAC 640B.030, Subsection two, and NAC 640B.050. Jeremy Fisher seconds the motion. Kyle asks if there is any more discussion. Seeing none, he asks for a vote, and the motion passes.

6. Public comment. Kyle Moore asks Michelle Cothrun if she has received any public comment. Michelle confirms that no one has joined the meeting and she sees no raised hands from the public in attendance. There is no public comment.

7. Adjournment. (For Possible Action) Kyle Moore adjourns the meeting at **6:03 PM**.

**** MEETING MINUTES ARE SUBJECT TO APPROVAL
AT THE NEXT SCHEDULED SUBCOMMITTEE MEETING ****