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NOTICE OF RETRACTION

TERM 'OSTEOPRACTOR' AND 'OSTEOPRACTIC'

The Physical Therapy Examiner's Board of the State of Nevada ("the Board") retracts its policy regarding the terms Osteopractor and Osteopractic adopted on March 28, 2013, and published in the Board's Winter 2013 Web News Bulletin, as well as the February 2014 version of the policy included in the Board's Policy Manual as "23. Policy regarding the use of the terms 'Osteopractic' and 'Osteopractor' by Practitioners of Physical Therapy". The policy is being retracted because the Nevada Supreme Court ruled on May 26, 2016, that the policy is of general applicability and effectuates law or policy. The Board was required by the Nevada Supreme Court to pay Plaintiff the maximum allowed by law as the prevailing party in the appeal. Further, on July 18, 2016, the District Court, Clark County, ruled that Plaintiff had exhausted his remedies and Plaintiff's claim that the Policy constituted improper *ad hoc* rulemaking in violation of the Nevada Administrative Procedure Act was properly before the court.

As such, Licensees are free to use the terms Osteopractor and Osteopractic, whether in writing or orally.

Case # A-14-701094-C