

State of Nevada

# Physical Therapy Board

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## BOARD MEMBER MANUAL



Revised:1/2/2024

## **A MESSAGE FROM THE EXECUTIVE DIRECTOR**

The Board Member Manual serves as a general reference including laws, regulations, and basic policies to guide the actions of Board members. This manual is not intended to answer every question or address every matter that you may face as a board member. Some of the information may be elementary to you, but overall, the manual offers a comprehensive guide to help ensure Board effectiveness and efficiency.

It is important to begin your position with a basic set of information regarding your fundamental duties, roles, and responsibilities as a member of the Nevada Physical Therapy Board. The primary function of each board member is to ensure that the public health, safety, and welfare are protected. All decisions that are made must come from that purpose, whether on a matter of examination, licensure, or performance by a licensed physical therapist or physical therapist assistant. The interests of the profession and the professional must be subordinate to the interests of the public.

Board members have responsibilities to the following groups:

### **A. The General Public.**

The public has an expectation of fair dealing with the profession as a whole and trusts that the regulated individuals will be qualified to perform properly and safely. It anticipates that a fair method will be provided to settle disputes that may arise from its dealings with the profession. It has a right to know what is happening within the board and how the board justifies the action it takes.

### **B. Potential Licensees or other Regulated Individuals**

A person who wishes to earn a living in an occupation should not be kept out unreasonably. That person should also have easy access to all information about entering the profession, including testing, and/or transferring a license to or from another state and what is expected of the individual by the board.

### **C. Other Board Members**

Each board member has the responsibility to listen to other board members and to consider their views and contributions. Each member is responsible for helping to determine good policy and procedures for contributing to fair determinations of problems, and for helping the board operate efficiently and effectively.

We hope you'll find the Board Member Manual a helpful reference. There are many opportunities to gain additional knowledge. Sources range from orientation and conversations with board staff, and the expertise of the Board Chair and fellow members, to board conferences and reference materials and training available online. Continually increasing your knowledge will make you a better board member every year.

Charles D. Harvey, MPA  
Executive Director

# Physical Therapy Board

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## I. INTRODUCTION



Nevada Physical Therapy Board

### A. VISION

The Nevada Physical Therapy Board (NVPTB) will be the leader in public protection through the promotion of safety, competence, and access to care.

### B. MISSION

To protect and promote the health and safety of Nevadans by pursuing the highest quality of physical therapy practice through education, communication, legislation, licensing, regulation, and enforcement.

### C. OVERVIEW

The physical therapy regulatory community's primary purpose is to ensure that patients have access to physical therapy care that is safe and provided by competent practitioners. The NVPTB is responsible for safeguarding the health, safety, and welfare of Nevadans, by requiring that all who provide physical therapy services within the state be qualified to practice. The NVPTB interprets the laws, rules, and regulations to determine the appropriate standards of practice to ensure the highest degree of professional conduct. The NVPTB is also responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

One of the tools that the NVPTB uses to accomplish its mission of protecting the health and safety of Nevadans is the Exam, Licensure, and Disciplinary Database (ELDD). The ELDD is a comprehensive physical therapy database of disciplinary, licensure, and examination score information. This reporting tool, managed by the Federation of State Boards of Physical Therapy, facilitates data sharing among jurisdictions by linking exams, score transfers, and disciplinary actions with licensees. Licensee disciplinary information is also provided on the NVPTB website, as well as through the Reports of Occupational Licensing Boards on the Nevada Legislature website: <https://www.leg.state.nv.us/App/OL/A/>.

Nevada	Active Compact Member State - No
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Consumer Protection Rating (CPR)

FSBPT ID	Licensure Data	Disciplinary Data

Ratings Key:

Green	Actively Participating
Yellow	Working towards Participating
Red	Not Participating

### D. BOARD STRUCTURE

The NVPTB consists of five members who are appointed by the Governor. Three members are licensed physical therapists, one member is a licensed physical therapist assistant, and one member serves as a representative of the public. Members serve a

3-year term and all members must be a resident of the state. Before serving as a board member, each person must file a constitutional oath of office with the Secretary of State. A board member may only serve two consecutive full terms. A member who serves two consecutive full terms is not eligible to serve on the NVPTB for one year. Any time served on the NVPTB in filling the unexpired term of another member does not apply to the two consecutive full terms.

#### E. FUNDING

The NVPTB is funded solely through license and application fees and does not receive any funding from the State General Fund. Fees are due at the time of application or service.

Any fee paid in error through duplication or erroneous amounts is refunded upon notification and verification by board staff of the error or duplicate payment. All fees collected by the NVPTB are deposited in banks, credit unions, or savings and loans in the State of Nevada. All expenses are paid from the revenues collected. Administrative fines are deposited in the State General Fund. All fees charged by the NVPTB are displayed on the website [http://ptboard.nv.gov/Licensure/Fee\\_Schedule/](http://ptboard.nv.gov/Licensure/Fee_Schedule/).

#### F. BANK ACCOUNTS

The NVPTB is a member of the State of Nevada, Pooled Collateral Program. The program monitors collateral maintained by depositories for their public deposits and is governed by NRS 356 and NAC 356. The Nevada Collateral Pool is managed through the State of Nevada, Treasurer's Office.

The NVPTB maintains financial accounts at Wells Fargo Bank, which is an approved and participating Nevada Pooled Collateral Program institution. All funds are classified as public funds. The Executive Director and the Treasurer are authorized signers on all bank accounts. Funds are received for licensing and renewal fees, exam processing fees, continuing competence course application reviews, purchase of mailing lists, and miscellaneous charges such as return check fees and late fees. All revenue is deposited into the board's bank accounts. Checks, money orders, and cashier checks received in the board office are deposited at a branch location no less than monthly. Cash is not accepted.

#### G. ACCOUNTING SYSTEMS

The NVPTB contracts for bookkeeping services with an external entity that records the board's financial transactions in conformance with Generally Accepted Accounting Principles and provides records that accurately reflect financial activities, revenue, and expense classifications, and meets reporting requirements in conformance with State law, regulations, and policies. Additional internal worksheets are maintained in the NVPTB administrative office and are utilized for contract tracking, inventory control, and budgetary analysis. Copies of all bank statements, deposits, and checks written with supporting documentation are provided to the bookkeeping service monthly.

The NVPTB contracts with a certified public accounting firm to perform an annual financial audit. The audit report is presented to the NVPTB at a public meeting no later than December 1<sup>st</sup> following the end of the fiscal year(s) audited. All audit reports are submitted to the State of Nevada, Legislative Counsel Bureau no later than December 1<sup>st</sup> following the end of the fiscal year(s) audited in accordance with NRS 218.825.

## H. OFFICE LOCATION

The NVPTB administrative office is located at 3291 N. Buffalo Drive, Suite 100, Las Vegas Nevada 89129. This physical location provides public access to general information and immediate response to telephone, electronic and walk-in inquiries. All records and files of the NVPTB are open to public inspection between 8:30 a.m. - 4:00 p.m. Monday – Friday.

## I. BOARD WEBSITE

The NVPTB website is located at <https://ptboard.nv.gov/>.

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State of Nevada Physical Therapy Board

Home Home The Board New Applicants Licensees Continuing Competency Public/Consumers Associations and Organizations Important Documents

Search State Agencies State Jobs ADA Assistance

### Welcome to the Nevada PHYSICAL THERAPY BOARD

< The Nevada Physical Therapy Board is here to serve you. Please click here for more information about the Physical Therapy (PT) Board. >

Next Board Meeting: March 15th, 2024 at 9:00 a.m.

2022 Proposed Rule Changes

Verify a license

Physical Therapy Practice Act

Continuing Competence

File A Complaint / Disciplinary Actions

## NEWSLETTER

October 2023

Nevada Physical Therapy Board

### VISION

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### MISSION

The Nevada Physical Therapy Board protects and promotes the health and safety of Nevadans by pursuing the highest quality of physical therapy practice through education, communication, licensing, regulation, regulation, and enforcement.

### HAPPY NATIONAL PHYSICAL THERAPY MONTH

Next Board Meeting  
December 8, 2023  
Nevada Physical Therapy Board  
3291 N. Buffalo Drive, Suite 100  
Las Vegas, NV 89129  
Phone: (702) 876-3335  
Fax: (702) 876-3335  
Website: <https://ptboard.nv.gov/>  
Email: [generalinquiries@ptboard.nv.gov](mailto:generalinquiries@ptboard.nv.gov)

New Applicants

Licensees

Public/Consumers

BOARD MEETINGS & MINUTES

FREQUENTLY ASKED QUESTIONS

HOW ARE WE DOING?

BOARD NEWSLETTERS

## II. BOARD SERVICES

The NVPTB is responsible for licensing and regulating physical therapists and physical therapist assistants in the State of Nevada. The NVPTB is also charged with enforcing the provisions of Nevada Revised Statutes 640 and Nevada Administrative Code 640, adopting regulations necessary to carry out the provisions of the Practice Act, preparing and maintaining a record of its proceedings, investigating complaints received by the NVPTB, and prosecuting disciplinary matters as needed. The functional areas are outlined below.

### A. LICENSURE

Any person wishing to provide physical therapy services in the State of Nevada must obtain a license through the NVPTB. The NVPTB requires a person to submit an application for licensure and provide evidence that they possess the qualifications required for a license.

Applications may be submitted electronically or via paper. Upon receipt, applications are reviewed for completeness, receipt of payment, and documentation. Completed applications are approved by the Executive Director and one board member. Application processing and initial license issuance are approved within 3 – 5 business days of receipt of final documentation. In most cases, the processing time is shortened if the initial application is complete upon submittal.

#### 1. General Requirements

The NVPTB has defined the general requirements for licensure as a physical therapist or physical therapist assistant:

- Be a person of good moral character.
- Successfully complete the academic requirements of an educational program in physical therapy approved by the NVPTB; and,
- Pass an examination approved by the NVPTB unless the applicant is entitled to licensure without examination.

#### 2. National Physical Therapy Examination

The NVPTB approves the licensure exam and requirements for passage of the exam. The NVPTB has designated the National Physical Therapy Examination (NPTE) examination as the board's exam for licensure. In addition, the NVPTB has established a Nevada jurisprudence examination as an additional exam required for licensure in Nevada. The board does not require a person to take the NPTE if the person holds a corresponding valid and unrestricted license as a physical therapist or physical therapist assistant in the District of Columbia, any state, or territory of the United States.



### 3. Criminal History Background Check

In order to determine an applicant's suitability for licensure, the NVPTB requires each applicant to undergo a criminal history check. Applicants may submit fingerprints by visiting a law enforcement agency or private fingerprinting site. A criminal conviction is not an automatic barrier to licensure. Individuals interested in pursuing a physical therapy career may request that the NVPTB review their criminal history to determine if the person is eligible for licensure, based solely on the person's criminal background up to that point in time.

Pursuant to NAC 622.085, a person with a criminal history may petition the NVPTB at any time including, without limitation, before obtaining any education or paying any fee required to obtain a license from the board. The petition process includes the completion of the Petition for Criminal History Review Form, submission of court documents, a criminal history background check, and a fee of \$50. The NVPTB will inform the petitioner of the determination of whether the person's criminal history will disqualify them from obtaining a license within 90 days of receipt of the petition.

### 4. Graduation from School in a Foreign Country

Applicants who have graduated from a school in another country that is not accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association must complete an evaluation from the Foreign Credentialing Commission on Physical Therapy to determine that the education of the applicant is equivalent in content to an accredited educational program for physical therapy in the United States.

If an applicant's native language is not English, and the applicant did not graduate from a program of physical therapy that was conducted in the English language, the applicant must demonstrate proficiency in the English language by completing a Test of English as a Foreign Language (TOEFL), administered by the Educational Testing Service.

### 5. Expedited License

The NVPTB may issue an expedited license by endorsement to a person who is a veteran and/or holds a current license in good standing in another state or territory of the United States and meets the requirements for licensing in the State of Nevada. Veterans, active military members, veterans, and military spouses are eligible for a reduced fee for licensure in Nevada.

### 6. Good Moral Character

The good moral character of an applicant is called into question anytime the applicant has committed a crime. As part of the application process, the applicant must disclose any legal issues and, submit all of the facts about the incident



or conviction. Once the facts are accumulated, the case is evaluated for potential moral character determination. The Executive Director will rule either that the incident is not applicable or bring the applicant before the NVPTB for a determination on whether a license should be issued. The NVPTB does not allow the issuance of a license if the person owes child support.

## 7. License Denial

The NVPTB may deny a license for missing any part of the licensure application. The Executive Director may bring an application before the board for action. The NVPTB may deny the license for good cause after hearing and consideration of the specific circumstances.

## B. LICENSE RENEWAL

Each license is active for one year and must be renewed before its expiration date. Licensees may complete their renewal 60 days before expiration by visiting <http://ptboard.nv.gov> and selecting "License Renewal". Licenses may be renewed online and paid via credit card, or by downloading the mail-in renewal and paying by check.

There are two renewal periods. All licenses issued before October 1, 2017, expire at midnight on July 31<sup>st</sup> each year. Licenses issued on or after October 1, 2017, expire 1 year after their date of issuance.

Upon receipt, renewal applications are reviewed for completeness, receipt of payment, and documentation. Renewal applications that contain affirmative legal questions or are missing components of continuing competence or payment of fees require staff review and approval prior to renewal of the license.

## C. CONTINUING COMPETENCE

Continuing competence in physical therapy is the lifelong process of maintaining and formally documenting competence through ongoing self-assessment, development, implementation of a personal learning plan, and subsequent reassessment. Continuing competence is intended to develop and increase knowledge, skills, and professional performance, while trying to prevent professional obsolescence by staying current with new developments in theory and practice and preventing skill and knowledge deterioration.

Continuing competence requirements for physical therapists and physical therapist assistants in the State of Nevada are contained in NAC 640. A provider of continuing competency or a licensee seeking approval for any course of study, training, or material, must submit the appropriate fee and a Course Review Application, for evaluation by the Advisory Committee on Continuing Competence.

## 1. Annual Continuing Competence Requirements

Each licensed physical therapist and physical therapist assistant is required to complete 15 hours of continuing competence within the year immediately preceding their application for renewal of a license. There are several options for licensees to satisfy their annual training requirements. The Continuing Competency Model (located in the Appendix) provides details on how to successfully meet the minimum requirements for Certified Activities, Advanced Competency Activities, and Professional Activities.

## 2. Continuing Competence Audits

The NVPTB conducts an annual audit of licenses renewed each year. This audit requires randomly selected licensees to provide copies of documentation showing completion of continuing competence activities used to satisfy renewal requirements. Licensees are sent audit notices via email from the board office. To comply with the request, licensees simply submit the proper documentation to the NVPTB by the requested date.

### D. THE ADVISORY COMMITTEE ON CONTINUING COMPETENCE (ACCC)

The ACCC is responsible for evaluating continuing competence course applications, training, and related activities, based on board-approved criteria. The ACCC is comprised of five members who are licensed physical therapists in the State of Nevada. The ACCC holds public meetings six times per year, and as needed. In accordance with NAC 640.490, the ACCC is composed of the following members:

- A member of the NVPTB.
- Not more than three members representing northern Nevada, and not more than three members representing southern Nevada, as follows:
  - At least one member representing physical therapists who are in private practice.
  - At least one member representing physical therapists who work in hospitals.
  - At least one member representing physical therapists who work primarily with children, in a school district, or in the area of home health.

The Chair of the ACCC is responsible for::

- Providing leadership and direction to the Advisory Committee.
- Serving as the liaison between the Advisory Committee and the Executive Director.
- Recommending criteria for evaluating materials, courses of study, or training for continuing education.

- Conducting ACCC meetings; facilitating the discussion and evaluation of course applications, training, and other materials based on the criteria approved by the NVPTB.
- Recommending to the NVPTB, the accreditation of a course of study or training or materials and the number of units of continuing competency to be awarded.
- Acting for the ACCC in ruling on motions and ensuring proper documentation of Advisory Committee meeting minutes.

## E. COMPLIANCE, ENFORCEMENT & DISCIPLINARY ACTION

The NVPTB is charged with enforcing the provisions of NRS 640 and regulations adopted by the board. The Executive Director is responsible for directing the course of compliance inspections and investigations into the conduct of applicants or licensees. The NVPTB employs part-time investigators and inspectors to investigate complaints filed against licensees in accordance with NAC 640.170, and conducts routine inspections to determine compliance pursuant to NRS 640.050. Licensees may be disciplined for a violation of these provisions; however, discipline does not occur without a complete investigation, including information provided by the licensee. The Executive Director determines the resources to be expended on any given case, including whether a subject matter expert should be consulted, and who may act as a subject matter expert.

### 1. Compliance Inspections

The NVPTB may conduct licensee inspections to determine compliance with the provisions of the Practice Act. The primary role of an NVPTB Inspector is to be a finder of facts. This task is achieved without assigning innocence or guilt to any of the licensees. It is the Inspector's responsibility to know the pertinent laws and regulations codified in NRS 640 and NAC 640. This knowledge helps guide the Inspector in the proper direction during their inspection and helps save time and effort in avoiding the pursuit of acts that are not illegal. It is also the Inspector's responsibility to be a recorder of all the information related to an inspection. The Inspector must keep track of all information reviewed, individuals contacted, evidence gathered, and write a report outlining all the facts of the inspection. The Inspector may serve as a witness during any hearings that result from their inspection and will then be a provider of information.

During routine inspections, the Inspector confirms that: licenses are properly displayed within the place of business; business addresses correspond to the licensee's address of record; proper supervision ratios are maintained. Inspectors also complete observations on the quality of care, which include chart audits to ensure the following requirements are being met:

- Initial examinations, including identification of a problem list, impairment list, or some form of specific assessment related to a patient's physical

- therapy diagnosis [NAC 640.590(b)(c)].
- Plan of care including goals, presented with the initial evaluation [NAC 640.590(c).
- PT assesses the patient every 7th day of treatment or every 21 days [NAC640.592(d).
- Evidence of patient program review and/or progression [NAC 640.590(g)(h)(i)(j)].
- Evidence of discharge evaluation, report, or documentation reflecting patient discharge [NAC 640.590(i)].
- Notes for care provided are completed within 72 hours of the visit [NAC 640.610(1b)]
- Evidence that dry needling is only being performed by approved licensees.

## 2. Board Citations

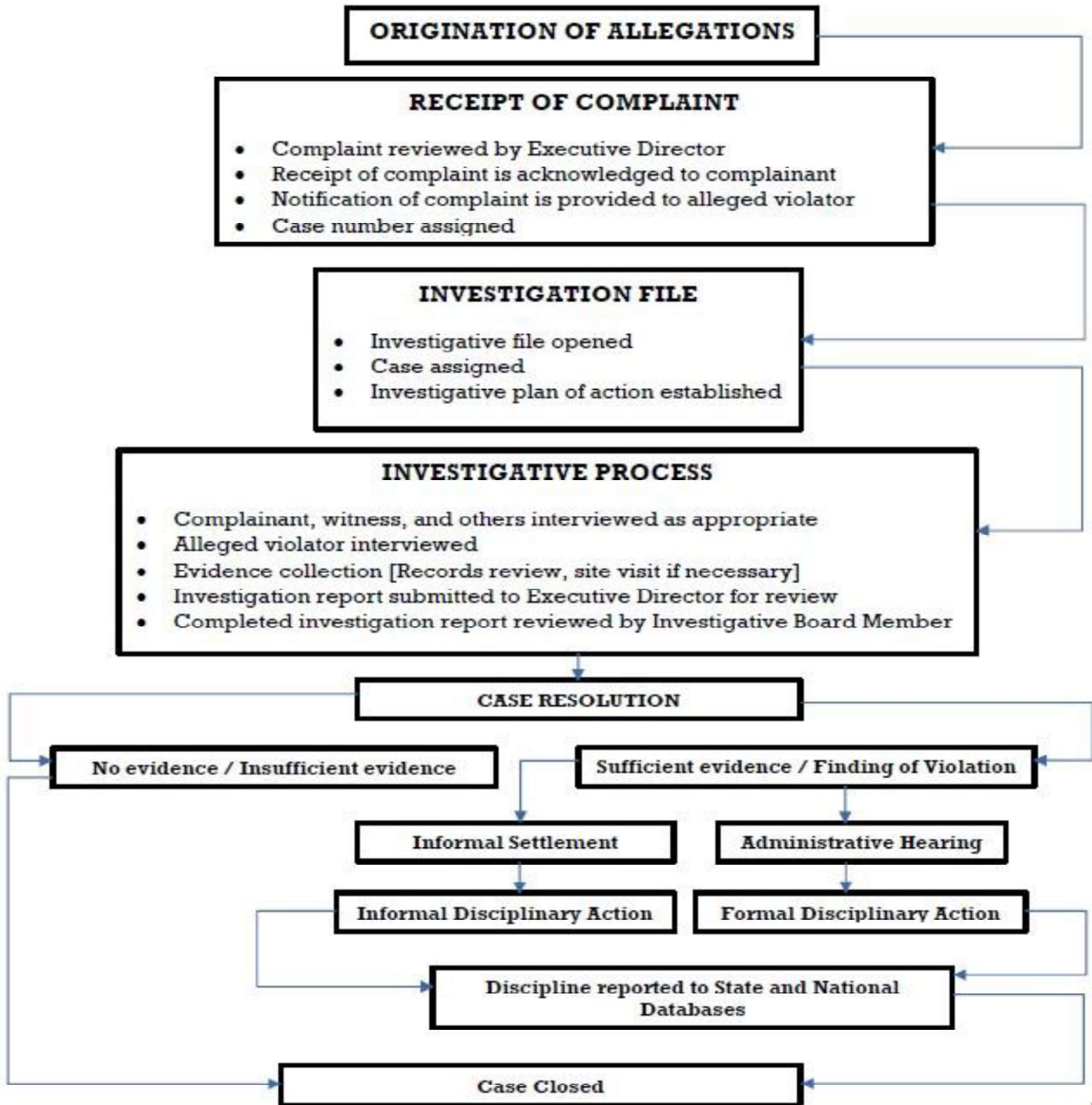
The NVPTB may issue a citation pursuant to NRS 640.155, as an alternate means to address minor violations not necessarily warranting discipline. Citations increase the effectiveness of the oversight process, providing a method to effectively address less egregious violations. Citations shall be in writing and shall describe the nature and facts of the violation, including a reference to the statute or regulation allegedly violated. Payment of a fine with or without an informal conference or administrative hearing does not constitute an admission of the violation charged but represents a satisfactory resolution of the citation for purposes of public disclosure. After a citation is issued, the licensee may: Pay the fine and the matter will be satisfactorily resolved or request an Administrative Hearing in appeal of the citation. Failure to pay a fine, unless the citation is being appealed, may result in disciplinary action.

## 3. Complaints and Investigations

A complaint may be initiated by the NVPTB or may be filed with the NVPTB by any member or agent of the board, or any aggrieved person. The complaint must allege one or more violations of the practice act and must contain a statement of facts, sufficiently detailed to enable the respondent to understand the allegations. Complaints must be provided in writing and may be filed anonymously. However, anonymous complaints may be rejected if the anonymity of the complaint makes processing the complaint impossible or unfair to the person who is the subject of the complaint. The NVPTB's complaint and investigation process is outlined in the following flowchart.

## COMPLAINT AND INVESTIGATION PROCESS

Complaints may be initiated against any person licensed by the Nevada Physical Therapy Board. The following chart provides an overview of the complaint, investigation, and resolution process.



### III. THE BOARD MEMBER

#### A. PUBLIC PROTECTION

The primary responsibility of the NVPTB is to regulate the practice of physical therapy to protect the public from the unauthorized, unqualified, and unregulated practice of physical therapy. The NVPTB has the responsibility to license those persons who meet the legal competency standards necessary to practice physical therapy and to discipline those licensed physical therapy professionals who fail to follow legal and professional standards of practice.

Boards are statutorily created governmental bodies and their powers are authorized by the legislation under which they are established. Individual board members are charged with the responsibility of regulating the profession by carrying out the duties specifically outlined in statutes and regulations. The first task of a board member should be to become completely familiar with the statutes and regulations about the practice of physical therapy. NRS 640.050 provides specific powers and duties to the NVPTB, as shown below.

NRS 640.050. Powers and duties; regulations.

1. The Board shall:
  - a. Enforce the provisions of this chapter and any regulations adopted pursuant thereto;
  - b. Evaluate the qualifications and determine the eligibility of an applicant for a license as a physical therapist or physical therapist assistant and, upon payment of the applicable fee, issue the appropriate license to a qualified applicant;
  - c. Investigate any complaint filed with the Board against a licensee; and
  - d. Unless the Board determines that extenuating circumstances exist, forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning a person who practices as a physical therapist or physical therapist assistant without a license.
2. The Board may adopt reasonable regulations to carry this chapter into effect, including, but not limited to, regulations concerning the:
  - a. Issuance and display of licenses.
  - b. Supervision of physical therapist assistants and physical therapist technicians.
3. The Board shall adopt regulations establishing: The qualifications a physical therapist must obtain before they are authorized to perform dry needling, which must include, without limitation, the successful completion of not less than 150 hours of didactic education and training in dry needling approved by the Board. Such hours may include didactic education and training completed as part of a graduate-level program of study.



- a. Procedures concerning the handling of needles used to perform dry needling, including, without limitation, procedures for the disposal of a needle after a single use.
  - b. Procedures to ensure that a physical therapist does not engage in needle retention.
4. The Board shall prepare and maintain a record of its proceedings, including, without limitation, any disciplinary proceedings.
5. The Board shall maintain a list of licensed physical therapists authorized to practice physical therapy and physical therapist assistants licensed to assist in the practice of physical therapy in this State.
6. The Board may:
  - a. Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.
  - b. Employ attorneys, investigators, and other professional consultants and clerical personnel necessary to the discharge of its duties.
  - c. Adopt a seal of which a court may take judicial notice.
7. Any member or agent of the Board may enter any premises in this State where a person who holds a license issued pursuant to the provisions of this chapter practices physical therapy or as a physical therapist assistant and inspect the premises to determine whether a violation of any provision of this chapter or any regulation adopted pursuant thereto has occurred, including, without limitation, an inspection to determine whether any person at the premises is practicing physical therapy or as a physical therapist assistant without the appropriate license issued pursuant to the provisions of this chapter.
8. Any voting member of the Board may administer an oath to a person testifying in a matter that relates to the duties of the Board. [Part 3:364:1955] + [4:364:1955] — (NRS A [1963, 157](#); [1971, 1126](#); [1981, 934](#); [1989, 1575](#); [1993, 2544](#); [2013, 2240](#); [2017, 1582](#); [2019, 1586](#))

## B. GENERAL RULES OF CONDUCT

Members of the NVPTB, as public officials, must apply the statutes and regulations of the State of Nevada in an unbiased manner. All actions taken by a board member and board are subject to scrutiny by the profession, the legislative and judicial branches of government, and the public, and to be valid and enforceable, must be based upon an objective consideration of legal evidence and application of relevant laws or regulations. Therefore,

- Board members shall commit time to prepare for Board meeting responsibilities. This includes reviewing Board meeting minutes, administrative cases, and any other materials provided to the Board members by staff that is related to official Board business.
- Board members shall respect and recognize the equal role and responsibilities of all Board members, whether public or professional.
- Board members shall treat all applicants and licensees fairly and impartially.
- Board members shall not speak to interested parties (such as vendors, lobbyists, legislators, or other governmental entities) on behalf of the Board or

- act for the Board without proper authorization.
- Board members shall maintain the confidentiality of information received in closed sessions.
- Board members' actions shall uphold the Board's primary mission - the protection of the public.
- Board members shall not use their positions on the Board for political, personal, familial, or financial gain.
- Board members shall act in accordance with their oath of office, and shall conduct themselves in a courteous, professional, nonpartisan, unbiased, and ethical manner.

#### C. FREQUENCY OF MEETINGS

The NVPTB meets six times per calendar year. Special meetings of the board may be held at such times and locations as the board deems necessary. Each meeting is posted on the Board website at <https://ptboard.nv.gov/About/Meetings/>.

#### D. MEETING ATTENDANCE

NVPTB members shall attend each meeting of the board. NVPTB members shall allow sufficient time to conduct all board business at each meeting. If a member is unable to attend or must leave before the end of a scheduled meeting, they must notify the Board Chair or Executive Director.

The Governor has the power to remove from office any member for continued neglect of duties, which may include unexcused absences from meetings.

#### E. PUBLIC PARTICIPATION

NVPTB meetings are subject to the provisions of the Nevada Open Meeting Law. The OML ensures that the actions and deliberations of public bodies be conducted openly. All meetings in which a quorum of the members are present shall be open to the public.

If a meeting agenda contains matters which are appropriate for a closed session, the agenda must cite the particular statutory section and subdivision authorizing the closed session.

#### F. QUORUM

A quorum is the minimum number of members who must be present to legally transact business. Pursuant to NRS 640.030, a majority of the voting members of the NVPTB constitute a quorum. A meeting occurs when a quorum of the board is present to deliberate on a decision or act on any matter over which the board has supervision, control, jurisdiction, or advisory power. No board meeting may be conducted if the meeting lacks a quorum.

## G. NOTICE OF MEETINGS

In accordance with Nevada Open Meeting Law, meeting notices (including agendas for board, committee, or task force meetings) shall be posted on the internet in advance of the meeting and sent to persons on the Board's mailing list at least 3 calendar days in advance. The notice shall include the name, work address, email address, and work phone number of a staff person who can provide further information prior to the meeting.

## H. RECORD OF MEETINGS

The Board and each committee or task force shall keep an official record of all proceedings. The minutes are a summary, not a transcript, of each board, committee, or task force meeting. Minutes shall be submitted for approval at the next scheduled meeting of the board, committee, or task force. When approved, the minutes shall serve as the official record of the meeting.

## I. LAWS

The Nevada Legislature is the entity that creates and approves statutory authority through law. The Legislature meets in odd-numbered years for 120 consecutive days, beginning the first Monday in February. Any changes or revisions to the Nevada Revised Statutes require a Bill to be introduced and passed by both the Assembly and the Senate. The Governor makes the final determination as to the passage of a Bill when it is signed into law or vetoed.

The laws found in Chapter 640 of the Nevada Revised Statutes were originally enacted on March 6, 1957. These laws form the basis for how physical therapy is practiced in the State of Nevada. All actions of the NVPTB are governed by authority contained in NRS 640.

### 1. Fiscal Notes

The Board may submit a fiscal note on proposed legislation if the Legal Division of the Legislative Counsel Bureau determines that a bill is likely to have a fiscal impact.

### 2. Positions Taken by the board on Proposed Legislation

The NVPTB may adopt the following positions regarding pending or proposed legislation.

- Oppose: The board may actively oppose proposed legislation and demonstrate opposition through letters, testimony, and other action necessary to communicate the opposing position taken by the board.
- Neutral: The board neither supports nor opposes the addition/ amendment/ repeal of the statutory provision(s) set forth by the bill.

- Watch: The watch position adopted by the board will indicate concern regarding the proposed legislation. Board staff and members will closely monitor the progress of the proposed legislation and amendments.
- Support: The board will actively support proposed legislation and demonstrate support through a letter, testimony, and any other action necessary to communicate the support position taken by the board.

## J. REGULATIONS

The Nevada Legislature authorizes almost every department, agency, board, and commission to create, enact and implement administrative regulations. Administrative regulations take into consideration complex and technical issues that are not addressed in our state statutes.

The regulations governing the practice of physical therapy are contained in NAC 640. They provide details on how physical therapy is to be practiced in the State of Nevada, therefore they should be reviewed regularly, and updated as needed.

NAC 640 covers the following areas:

- General Provisions
- Prerequisite qualifications and documentation requirements for licensure
- Expiration and renewal of standard license
- Continuing competence requirements for licensure and license renewal, and limitations on specific activities
- Standard fees and reduced fees for military affiliations
- Scope of services, standards of practice, and restrictions
- Supervisory authority, responsibilities, and delegation of activities
- Provisions regarding patient records, fees, advertising
- Administrative fines and penalties
- Complaint processes, disciplinary actions, and formal proceedings before the NVPTB.

The process for creating and enacting regulations is generally referred to as the “rulemaking process” and is governed by the Nevada Administrative Procedures Act. Participation in the rulemaking process by interested members of the public is a central theme of the procedural requirements of the Administrative Procedure Act. The public notice and comment process begins when an agency publishes proposed regulatory changes describing generally what problems or goals the agency is working on, why it thinks the proposal is a good solution and solicits public input on the proposed change, and the potential impact on small businesses. A member of the public may also petition the NVPTB to adopt, amend or repeal a regulation.

In general, the following steps must be completed when adopting regulations:

- Discuss the content or purpose of the proposed regulation with the board, or

- agency head with rulemaking
- Draft the language or determine what regulatory changes are needed.
- Consider the impact of the regulation on small businesses and, if necessary, consult with small business owners and prepare a small business impact statement.
- Conduct at least one workshop with interested persons to discuss the general topics addressed in the regulation. This workshop must be conducted according to the requirements of the Open Meeting Law. At the same time, the agency must provide notice of the workshop to the public. An electronic copy of both the notice and agenda for this workshop must be submitted to the Legislative Counsel Bureau.
- In the case of a permanent regulation, send the draft regulation language or summary of regulation changes that are needed to the Legislative Counsel for drafting the proposed regulation.
- After receiving the proposed regulation drafted by Legislative Counsel, set a hearing for public comment, draft notice of the hearing, and post it along with the text of the proposed regulation for thirty (30) days.
- Conduct a public hearing.
- Evaluate and consider written and oral public comments on the proposed regulation and, in the case of permanent regulations, any revisions of form and style made by the Legislative Counsel. Discuss the comments made with the board, commission, or agency head, if necessary. Amend the draft regulation to reflect any changes resulting from public comment.
- Draft an informational statement describing the regulation and rulemaking proceeding. Prepare a statement regarding the methods used in determining the impact on small businesses and the reasons for the agency's conclusions.
- In the case of permanent regulations, after approval by the Legislative Commission or Subcommittee to Review Regulations, the Legislative Counsel will file the regulation with the Secretary of State.
- File a copy of the regulation bearing the seal of the Secretary of State with the State Library and Archives Administrator.

#### K. CONFLICTS OF INTEREST – DISQUALIFICATION

NVPTB members must be constantly aware of and avoid conflicts of interest. Board members when meeting in a quorum are viewed as the Nevada Physical Therapy Board. Therefore, their image and reputation must be impeccable if the Nevada Physical Therapy Board is to remain a viable state regulatory agency.

NVPTB members must conscientiously avoid any attempt to regulate the economics of the profession through the establishment or enforcement of board laws and regulations or any selective applicability of such laws and regulations to any professional or group of professionals. A board member must consistently apply laws and regulations in an objective, unprejudiced manner for the protection of the public.

In many instances, board members are active members of one or more associations.

There is no reason why a board member should not retain these memberships. However, members should avoid serving as officers in these associations. Members should also avoid serving on association committees that develop policies that could influence the board's adoption of laws and regulations or the enforcement of laws and regulations in a manner that might be prejudicial to a particular professional or group of professionals.

In the event board members discover that their views may have been prejudiced by activities related to their professional service, they should abstain or disqualify themselves from participating in board proceedings involving the relevant areas. Failure to do so may result in the reversal or setting aside of the NVPTB's decision in disciplinary matters, or rule and regulation adoption.

Possible conflicts of interest in the regulation of individual physical therapists could include the following:

- A board member who is a relative, close friend, employee, or coworker of an individual being subjected to possible disciplinary action; or
- A board member who maintains a physical therapy establishment and is in competition with a nearby location that is owned by another physical therapist who is subject to possible disciplinary action.

In the second example, a board's decision could substantially affect the economic position of that board member. It is advised that in such a situation, the board member consider disqualifying themselves. Unfortunately, it is not easy in many instances to readily ascertain whether a conflict is serious enough to require disqualification. If any doubt exists, a board member should consult the Attorney General's office. The important factor is to be aware of these areas of possible conflict.

#### L. CONFIDENTIALITY

Much of the information to which board members become privy constitutes confidential or privileged information. State freedom of information acts and/or right of privacy acts generally determine the confidentiality status of such information. Generally, information in the files of applicants and licensees should be released only upon appropriate court order, or under appropriate NVPTB policies. Board members should be familiar with the provisions of statutes related to information held in agency files and should avoid discussing any such information except in the context of board functions.

#### M. COMMUNICATION WITH INTERESTED PARTIES

NVPTB members are required to disclose at board meetings all discussions and communications with interested parties regarding any item pending or likely to be pending before the board. NVPTB minutes shall reflect the items disclosed by board members.



## N. LIABILITY

Judgments by boards and board members require a good working knowledge of their state practice acts in their entirety, particularly when considering the establishment of laws and regulations to be adopted by a board to implement the act. NVPTB members should understand that even while acting in their official capacity, irresponsible activities could lead to possible personal liability on the part of the board member. Under normal circumstances, a board member acting under the legislative directive, in good faith, within the scope of their authority, who neither knew nor should have known that an act of that board member may have violated the practice act or in deprivation of the constitutional rights and privileges of the affected party, will be protected from personal liability.

This protection or immunity from liability is a judicially established concept that was developed to permit administrative officials to carry out their duties and responsibilities without fear of liability. The immunity concept, however, does not protect a board member from lawsuits, nor does it guarantee the board member complete immunity from liability. It is only where the board member acts within the scope of the member's statutory authority in a reasonable and unbiased manner that the board member will avoid ultimate liability.

In the case - Federal Trade Commission v. North Carolina Dental Board, the U.S. Supreme Court ruled that when a controlling number of decision makers on a state licensing board are active participants in the occupation the board regulates, the board can only invoke state-action immunity if it is subject to active supervision by the state.

## O. ANTITRUST LAWS

It is incumbent upon board members to understand the existence of antitrust laws and the relevant implications of these laws, as there appears to be a growing tendency to assert antitrust liability upon administrative officials.

Antitrust laws regulate combinations, conspiracies, and monopolies in restraint of trade, including price-fixing and other matters that involve the economics of the profession. Board members may ask why they should be concerned about antitrust laws when their sole responsibility is the protection of public health, and when they have been instructed to avoid the economics of the profession in carrying out their duties as board members.

It is not always easy to ascertain when a board's action may have an economic effect that could be construed as involving a combination or conspiracy in restraint of trade. Other general policies could be construed as attempts to lessen competition, even though the effect on competition may not have been considered by a board member. Whenever you are in an area in which you believe you could conceivably fall within the purview of the antitrust laws, you should seek advice from the Attorney General's office.

## P. TORT LIABILITY

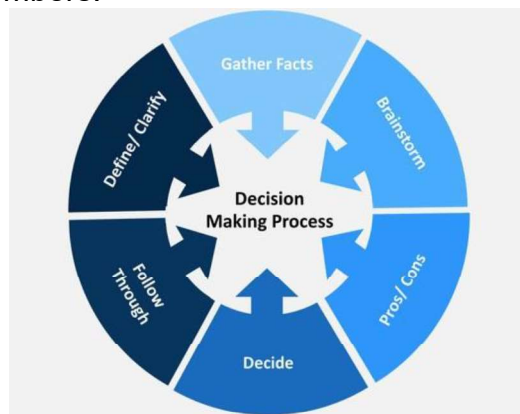
Board members may be troubled by potential tort liability, particularly the tort of defamation of character, which includes both libel (written) and slander (verbal). Can a board member be held liable for accusations made against physical therapists in the normal course of issuance of a complaint or for those which are asserted at a disciplinary hearing? What if a physical therapist is found to have violated the practice act, is disciplined by a board, and is later successful in overturning the board decision by a court appeal? What is the liability of a board member signing a complaint against a physical therapist?

Generally, if board members are acting within the scope of their authority, in good faith, and an unbiased manner, they will be completely protected against liability under torts such as defamation of character. In all instances, however, the board members should insist that facts alleged against a physical therapist be substantiated to the greatest extent possible to avoid any allegations that a claim is so frivolous as to constitute gross negligence on the part of a board member and cause that board member possible liability. The NVPTB contributes to the State Tort Liability Fund, which is utilized to protect the State and the board's interests.

## Q. DECISION-MAKING WITH CONVICTION

If an individual accepts an appointment to the NVPTB, it becomes the duty of that individual to carry out responsibilities that include making decisions, which in many instances involve the livelihood of a physical therapy practitioner or an applicant seeking licensure into the profession. These decisions must be made fairly and fearlessly.

This manual has touched upon certain areas where the decision-making processes may require greater thought and, perhaps, legal advice to assist board members in making the hard decisions that must be made to ensure the protection of public health. A board member should be inquisitive and should not succumb to past practices of a particular board without knowing why certain procedures are being followed. New board members provide a fresh, independent view of the board's practices and procedures. They should not be reluctant to ask questions to better understand the individual functions of board members.



## IV. OPEN MEETING LAW

The Nevada Open Meeting Law (OML) is contained in NRS Chapter 241 and applies to all meetings of public bodies within the State. The OML was enacted in 1960 to ensure that the actions and deliberations of public bodies be conducted openly. In enacting the law, the Nevada legislature declared that the actions of public bodies be taken openly and that their deliberations be conducted openly.

### A. WHEN DOES THE OML APPLY?

The OML governs meetings of public bodies. A public body is any administrative, advisory, executive, or legislative body of the state or local government that expends or disburses, or which advises or makes recommendations to any entity which expends or disburses, including any board, commission, committee, subcommittee, or subsidiary

### B. IS A MEETING GOING TO OCCUR?

The OML only applies to meetings of a quorum of the members of a public body. As previously stated, a quorum is a simple majority of the membership of a public body or another proportion established by law. A meeting occurs when a quorum of the public body is present to deliberate on a decision or take action on any matter over which the public body has supervision, control, jurisdiction, or advisory power.

### C. HAS PROPER NOTICE BEEN GIVEN OF THE MEETING?

The OML requires that a written notice of the meeting be prepared which includes the time, place, and location of the meeting, a list of places where the notice was posted, a statement regarding assistance and accommodations for physically handicapped people, and an agenda of the meeting.

The notice must be posted at the NVPTB office, and posted at not less than three other separate, prominent places within the jurisdiction of the board office. The notice must be posted no later than 9 a.m. on the third working day prior to the meeting (not including the day of the meeting). Written notice must be mailed, at no charge, to those who have requested written notice, and delivered to the United States Postal Service no later than 9 a.m. of the third working day before the meeting.

### D. DOES THE AGENDA COMPLY WITH THE OML?

The OML requires that the agenda for the meeting consist of a clear and complete statement of the topics to be considered during the meeting. The agenda must include a list describing the items on which action may be taken and denoting the action which may be taken on those items.

The agenda must also include a period devoted to public comment and should include a statement that no action may be taken upon a matter raised under the public comment period unless the matter itself has been specifically included on an agenda as an action item.

#### E. OML EXCEPTIONS

Nevada law provides for certain exceptions to the OML which allow a public body to temporarily close its meeting to the public. The OML permits a public body to close its meeting to consider a person's character, alleged misconduct, professional competence, or physical or mental health. Such a session, whether open or closed, cannot be held unless the subject of the meeting has been given written notice of the time and place of the meeting by certified mail at least 21 days before the meeting, or by personal service at least five days before the meeting, and cannot be held if the person is an elected member of a public body, or to discuss the appointment of any person to public office or as a member of a public body.

#### F. MINUTES AND RECORDINGS UNDER THE OML

The OML requires that written minutes be kept of each meeting of the public body, for both closed and open sessions. Written minutes must include the date, time, and place of the meeting, the members of the public body who were present, the substance of all matters proposed, discussed, or decided, and the substance of oral or written remarks made by a member of the public if he so requests, and any other information which a member of the public body requests to be included.

Written minutes and any audio or tape recordings of an open meeting must be available for public inspection within 30 working days after the adjournment of the meeting. Minutes of public meetings must be retained by the public body for at least five years. Upon request, minutes of closed sessions must be provided to the person to which the closed session pertained within 30 working days of adjournment of the meeting. Minutes of closed sessions are generally not public records.

#### G. VIOLATIONS OF THE OML

The Office of the Attorney General is required to investigate and prosecute violations of the OML. The Office of the Attorney General and any person denied a right conferred under the OML, may sue in District Court to void any action taken in violation of the OML within 60 days after the action was taken or may sue to require compliance with the OML within 120 days after the action objected to was taken.

A member of a public body may be guilty of a misdemeanor if he willfully violates the OML. For additional information, please contact the Office of the Attorney General by Phone at (775) 684-1100 or (702) 486-3420, Fax (775) 684-1108 or (702) 486-3768.

#### H. PARLIAMENTARY PROCEDURE

NVPTB meetings are conducted according to parliamentary procedures which consist of rules for conduct at meetings, ensuring that everyone has the opportunity to be heard and to make decisions without confusion. The method used by members to express themselves is in the form of motions. A motion is a proposal that the entire membership takes action or a stand on an issue. Individual members can: 1) Make a motion; 2)

Second motions; 3) Discuss motions; 4) Vote on motions. Following is a basic guide for the operation for organizations using parliamentary procedure. .

## Basic Roberts Rules Of Order

### *For use for reference during meetings*

<b>AGENDAS</b> A typical agenda includes...	<b>TYPICAL LANGUAGE USED BY PERSON RUNNING MEETING</b>
Call To Order	"I call this meeting to order"
Roll Call	"Will the secretary please do roll call?"  "We have a quorum. Will the secretary please read the minutes of the last meeting"
Reading & Approval of Minutes	"Are there any corrections to the minutes?" "If there are no corrections, the minutes stand approved".
Reports of Officers	"We'll now move to the officer's reports. Will the treasurer, Jane Doe please read/submit their report.  "Are there any questions concerning the treasurer's report? (if none) Will the Vice President now give their report?"
Unfinished Business	"We'll now move on to unfinished business. At the last meeting..."
New Business	"The meeting is now open for new business" "It has been moved and seconded that.....is there any further discussion?"  "We will now vote on that motion that...All in favor say "Aye". All opposed say "Nay". The motion has passed.
Announcements	"Are there any announcements?" The next meeting will be held on....."
Adjournment	"May I please have a motion to adjourn the meeting?"

#### **HANDLING MOTIONS**

Member says, "I move that....". Another member seconds the motion, or chair asks, "is there a second?"

Chair states motion and asks for discussion.

Members enter into a debate. Make of motion has first right of floor. Debate only on merits of motion.

Debate is closed when no members seek further discussion.

Chair puts motion to vote.

Chair announces results of vote.

#### **WHAT MINUTES MUST INCLUDE**

- The kind of meeting begin held..regular, special, etc.
- The name of club
- Date, time and place of meeting
- Names of person running meeting
- Names of everyone in attendance.
- Approval of past meeting minutes with any corrections.
- Summaries of reports from officers.
- Exact final working of all motions with names of movers and seconds.
- Results of all votes.
- Points of order raised an appeals made, with the chair's ruling on each.
- Announcements.
- The time of adjournment.
- The signature of the secretary or person who took minutes.

## V. PUBLIC MEETINGS

NVPTB meetings are held every two months, and as needed. Meetings begin at 9:00 a.m. and end upon meeting adjournment. Board staff will upload board member packets into Dropbox for review and board meeting prep prior to each meeting. Board members may not discuss board business outside of an official board meeting. All external communications with the NVPTB are to be directed to the board office for response by the Executive Director. The Executive Director will communicate with board members by email, blind copy, by telephone, or in person. Members should contact the Executive Director directly if they have questions regarding any items on the agenda or documentation in Dropbox.

### A. MEETING AGENDAS

The agenda followed by the NVPTB is routine and follows the constructs of proper meeting management. Agenda content contains mandatory language under the OML and allows for two public comment agenda items, one at the beginning of the meeting and one at the end of the meeting. The typical order of business follows:

- Call to order
- Roll call of members to determine if a quorum is present.
- Public Comment
- Approval of minutes of last meeting (For Possible Action)
- Update from the Nevada American Physical Therapy Association (APTA NV)
- Legislative Report
- Committee Reports (For Possible Action)
- Licensure Ratification (For Possible Action)
- Hearings/Disciplinary Actions (For Possible Action)
- Report from Legal Counsel
- Report from Executive Director (For Possible Action)
- Report from Board Chair
- Public Comment
- Adjournment.

### B. ORDER AND DECORUM

#### 1. Public Comment

- a) Matters on the Agenda: The NVPTB shall allow public comment on items appearing on the agenda when the agenda item is considered by the board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the board.
- b) Matters not on the Agenda: At regular meetings of the NVPTB, members of the public shall be allowed to address the board on matters not

appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction of the NVPTB. The NVPTB may not take any action or discuss any matter not appearing on the agenda. At special meetings of the board, public comment will only be allowed on matters appearing on the agenda. The Board Chair may limit any individual desiring to address the board to no less than three (3) minutes. Time to address the board will be allocated based on the order in which the requests were received.

## 2. Action Items

Any agenda item that may be considered for action by the NVPTB must so state by indicating "For Possible Action". No action may be taken on any item not specifically identified or listed for action on an agenda.

## 3. Members of the public wishing to provide comments:

- i. Are encouraged but not required to provide their name before addressing the board.
- ii. May comment on the specific matter before the board with reasons for the position taken.

It is the responsibility of the Chair to ensure public comment avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attacks. Time limitations for public comment may be modified at the Chair's discretion. The Chair may allow up to five (5) minutes for individuals serving as a spokesperson for a group or organization. A member of the public providing comments may not yield their time to another person or organization. No individual may provide comments more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. Members of the public wishing to ask questions or hear a discussion on items listed under the consent/informational items may raise their concerns to the board members when the consent agenda is introduced. The Board Chair will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

## C. TELECONFERENCING & VIDEOCONFERENCING

The NVPTB may conduct meetings utilizing teleconference or videoconference if: (1) quorum is actually or collectively present, whether in person or using electronic communication, and (2) there is a physical location where members of the public are permitted to attend and participate. NRS 241.023(1).

In addition, the Board Chair, or designee, must make reasonable efforts to ensure that members can participate in the meeting and members of the public in attendance at the physical location can hear or observe each member attending by teleconference. NRS 241.023(2). While the OML does not require that teleconference or videoconference options be provided to members of the public, due to current events, the OAG encourages offering such options where circumstances permit.



#### D. EMERGENCY MEETINGS

The OML offers an exception to the public notice requirement in the case of an emergency. For purposes of this exception, “emergency” means “an unforeseen circumstance which requires immediate action and includes, but is not limited to:

. . . (b) Any impairment of the health and safety of the public.” For purposes of its enforcement abilities under NRS 241.037 and 241.039, the OAG will liberally construe this exception where the intent is protecting public health in light of COVID-19.

When conducting an emergency meeting, only the requirements concerning public notice being given three working days before the meeting are waived. NRS 241.020(3). Public bodies should still draft a public notice agenda for their meetings and comply with as many of the posting requirements as it is reasonably able under the circumstances. See NRS 241.020(3)-(6). Only those agenda items which are required by the emergency circumstances should be considered or acted upon during an emergency meeting. A physical location where members of the public are permitted to attend and make public comments is still required, even in the event of an emergency meeting. NRS 241.023. The OAG recognizes that due to current events, many public bodies need to act quickly and may have confusion regarding their abilities under Nevada’s OML. Public bodies are encouraged to contact the OAG if they have general questions regarding the OML and OAG staff will make every effort to respond as quickly as possible.





## VI. BOARD MEMBER TRAVEL AND SALARY

### A. TRAVEL POLICY

It is the policy of the NVPTB to allow travel when there is a valid business purpose and other methods to accomplish that purpose, such as video conferencing, have been evaluated and determined to be ineffective or insufficient. For approved travel, board members will be reimbursed for actual lodging expenses supported by receipts and will be reimbursed for a meal and supplemental expenses in accordance with the State Administrative Manual – Chapter 200 – Travel.

### B. TRAVEL APPROVAL

Board Chair approval is required for all board member travel, except for travel to regularly scheduled board, committee, or task force meetings to which the board member is assigned.

Unscheduled travel plans shall be submitted in writing to the Executive Director, who will then seek the approval of the Board Chair.

### C. TRAVEL ARRANGEMENTS

NVPTB members may make their own travel arrangements but are encouraged to coordinate with board staff on travel accommodations.

### D. TRAVEL CLAIMS

All expenses shall be claimed on the appropriate travel expense claim. Travel claims and supporting receipts shall be submitted to the Executive Director immediately after returning from a trip and no later than two weeks following the trip.

### E. COMPENSATION

Each member of the NVPTB is entitled to receive a salary per diem of one hundred and 50 dollars (\$150) for each day spent in the discharge of duties for board meetings, and a per diem of not more than one hundred and 50 dollars (\$150) per day for board meeting prep, and fifty dollars (\$50) per hour for investigative review – not to exceed \$150/day. Each member of the ACCC is entitled to receive a salary per diem of not more than one hundred and 50 dollars (\$150) per day for each day spent in the discharge of duties for ACCC meetings, and a per diem of not more than eighty dollars (\$80) per day for ACCC meeting prep. A per diem allowance and travel expenses are also available, while members are engaged in the business of the NVPTB. An expense claim shall be completed and submitted to the Executive Director for compensation and reimbursement of travel expenditures within 30 days of the expense. Compensation shall be claimed on an expense sheet no later than two weeks following a meeting. A sample Expense Claim is provided on the following page.

## Physical Therapy Board

## BOARD EXPENSE SHEET

NAME:

	Date						Totals
Board Meeting/Board Business (\$150/day)							o
Board Prep Day (\$150/day)							o
Board Inspector Activity (\$25/hour)							o
Board Investigator Activity (\$50/hour)							o
ACCC Meeting (\$80/day)							o
ACCC Prep Day (\$150/day)							o

TRAVEL	Destination:						
Airfare							o
Mileage (@.58/mile) Enter # miles _____							o
Parking							o
Taxi Fare							o
Hotel (In-state rate) *							o
Hotel (Out-of-state rate)							o

PER DIEM							
Breakfast (\$16.00)							o
Lunch (\$17.00)							o
Dinner (\$31.00)							o
Incidental Expense (\$5.00)							o

MISCELLANEOUS							
Telephone							o
Postage							o
Office Supplies							o
Host Fund							o
Other							o

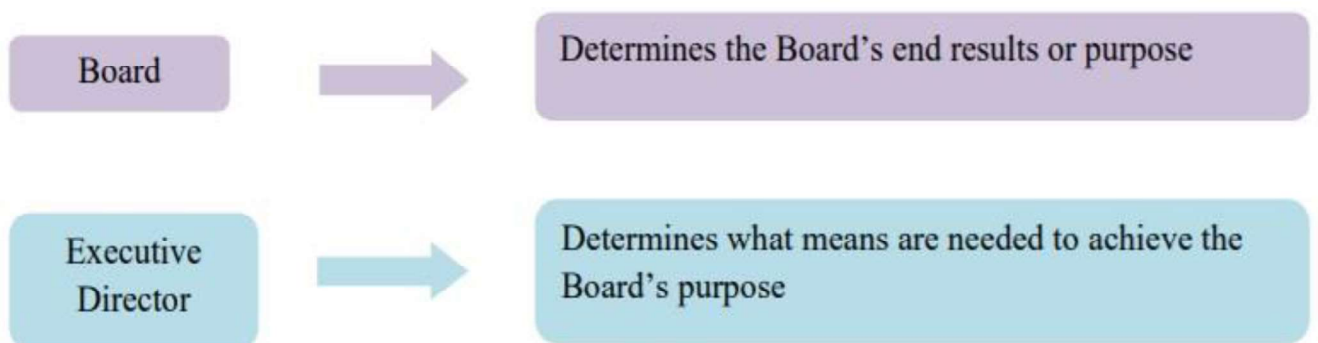
	Clark	Washoe	Other				
* Hotels (In State)	\$120	\$114	\$98				
Print Name:				Total:	\$0.00		
Signature:				Check:			
Date:				Paid:			
Receipts must be attached for all travel, per diem and miscellaneous expenses.				Rev. 1/2/2024			

## VII. BOARD GOVERNANCE

Board governance is the framework that structures the board and how it operates. Boards that understand the division of responsibilities among the members and committees and how to work with management, perform better. There is less contention among board members and far greater efficiency in developing strategy and in accounting for the board's results. The NVPTB operates most effectively when clear responsibilities are established. Forming an effective board requires a clear answer to this question:

### **What benefits (or results) are we providing to whom?**

In addition to answering this question, Boards need to establish a single point of administrative authority. This person is responsible for using whatever means are necessary to accomplish the board's desired goals, within legal means or limitations established in advance by the board.



#### A. FRAMEWORK

The board members establish the framework for the NVPTB.

- Create and update the mission and vision statements.
- Define what benefits (or results) the board is providing to whom and what it will cost to deliver them.
- Determine how the board's performance will be measured.

#### B. DIRECTION

The board members set the direction for the NVPTB.

- Set goals and approve and monitor the strategic plan
- Develop board policies, including the policies that govern how the NVPTB will operate.

### C. ACCOUNTABILITY

Board members are responsible for their behavior and the performance of board members and the Executive Director.

- Act with honesty and integrity.
- Select an Executive Director.
- Establish the results the Executive Director is assigned to achieve and define any limitations on the means the Executive Director can use or any functions the Executive must perform.
- Monitor financial and operational performance.
- Receive and approve the annual audit report.

The board will be able to make better decisions more quickly and use the talents of board members, board staff, and resources if the board:

- Is clear about its role, duties, and responsibilities
- Approves procedures for how the board is going to operate, and
- Establishes a partnership with the Executive Director to take all actions needed to accomplish the intended results.

### D. EXECUTIVE DIRECTOR

The Executive Director is responsible for the financial operations and integrity of the NVPTB and is the official custodian of records. The Executive Director oversees board operations and staff and ensures all of its programs function efficiently and effectively. Board members should be concerned primarily with formulating decisions on NVPTB policies rather than decisions concerning the means for carrying out a specific course of action. It is inappropriate for board members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the Executive Director. Board members should not interfere with day-to-day operations, which are under the authority of the Executive Director.

### E. BOARD STAFF

Individuals hired by the NVPTB are not employees of the State of Nevada for purposes of personnel administration and benefits under NRS Chapter 284, State Personnel System. Employees of the board are governed solely by the NVPTB under the authority of NRS 640.050(6). It is most appropriate that the board delegate all authority and responsibility for the management of the staff to the Executive Director. Board members should not intervene or become involved in specific day-to-day personnel transactions.

#### F. CONSULTANTS

The NVPTB requires special services, certain content experts, or consultants for specific projects and problems. Such services are arranged through state-approved contracts. Consistent with state law, such individuals may not serve as members of subcommittees; nor may they function as ex officio members of a board.

#### G. BOARD BUDGET

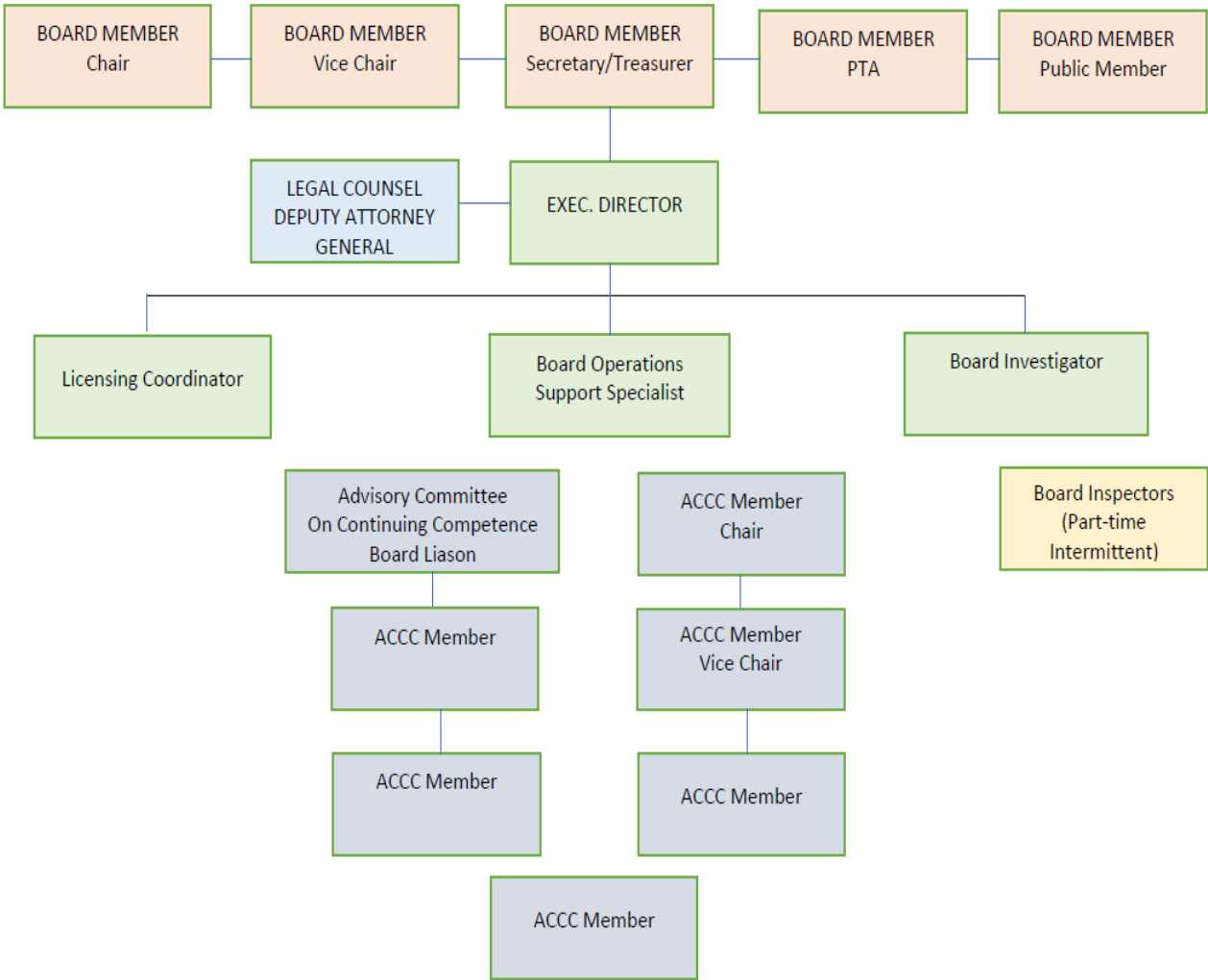
The Executive Director is responsible for the preparation of the budget to be presented to and approved by the NVPTB each year.



VIII. BOARD STRUCTURE



NEVADA PHYSICAL THERAPY BOARD  
ORGANIZATIONAL CHART



1/2/2024

## IX. SELECTION OF OFFICERS AND COMMITTEES

### A. ELECTION OF OFFICERS

Each year, the NVPTB shall select a Board Chair, Vice-Chair, Secretary-Treasurer, and a liaison to the Advisory Committee on Continuing Competency (ACCC), from among its members. Officers shall serve a term of one year. An officer may be re-elected and serve for more than one term. Note: NRS 640.035 Election of officers. At the first meeting of each fiscal year, the Board shall elect a Chair, a Vice Chair and a Secretary-Treasurer from among its members.

### B. ELECTION OF DELEGATES

The NVPTB shall elect delegates to serve as representatives for national conferences, meetings, workshops, etc. Delegates shall serve a term of one year. A delegate may be re-elected and serve for more than one term.

### C. OFFICER VACANCIES

If an office becomes vacant during the year, an election shall be held at the next meeting. If the office of the Board Chair becomes vacant, the Vice-Chair shall assume the office of the Chair. Elected officers then shall serve the remainder of the term.

### D. COMMITTEE OR TASK FORCE APPOINTMENTS

The Board Chair may establish committees, whether standing or special, as deemed necessary. The composition of the committees and the appointment of the members shall be determined by the Board chair in consultation with the Vice-chair, and the Executive Director. Committees may include the appointment of non-boardmembers.

### E. ATTENDANCE AT COMMITTEE OR TASK FORCE MEETINGS

If a board member wishes to attend a meeting of a committee or task force of which they are not a member, the board member should notify the committee or task force chair and Executive Director. Board members who are not members of the committee or task force that is meeting cannot vote during the committee or task force meeting and may participate only as observers if a majority of the board is present at a committee meeting.

## X. LEADERSHIP POSITIONS: DUTIES & RESPONSIBILITIES

### A. BOARD CHAIR

- Serve as primary contact for the Executive Director.
- Review and approve agendas for board meetings.
- Preside at meetings of the NVPTB.
- Certify and sign orders of the board; Act for the board in ruling on motions in disciplinary actions after consultation with legal counsel; Sign subpoenas and petition the District Court for an order of the court compelling compliance with subpoenas; consult with the board attorney and determine when an appeal should be filed by the board in any legal matter and order the filing of such appeal
- Organize and manage meetings of the legislative committee.
- Appoint members to committees as necessary.
- Represent the NVPTB at State oversight and legislative meetings; appoint representatives of the board to attend conferences and national meetings.
- Ensure the NVPTB strategic plan is current and relevant. When relevant, requests that the board review and update the plan.
- Review and approve the annual budget for the agency.
- Provide for an annual review of the Executive Director.
- Perform other duties as deemed necessary and appropriate or required by statute or regulation.

### B. VICE-CHAIR

- Attend and participate in all NVPTB meetings; preside in the absence of the Board Chair.
- Support the Board Chair in fulfilling the goals and objectives of the agency.
- Carry out any duties specified and/or requested by the Board Chair.
- Assists with all legislative and statutory activities.

### C. SECRETARY/TREASURER

- Attend and participate in all NVPTB meetings.
- Assist the Board Chair and Executive Director in formulating meeting agendas.
- Ensure that minutes of all official meetings are documented and safeguarded per Nevada Open Meeting Law.
- Ensure recording and safekeeping of board documents, records, and official actions and decisions.
- Advise the board of any unfinished action assignments or business.
- Ensure the preparation of the annual budget for review and approval by the NVPTB.
- Help assure fiscal responsibility for the board by reviewing expenditure detail, (bank statements, invoices, receipts, reimbursements, and financial reports).
- Prepare and present financial data and reports at NVPTB meetings, as needed.



#### D. LIAISON – ADVISORY COMMITTEE ON CONTINUING COMPETENCY

- Act as board liaison, reporting to the board regularly the activities and accomplishments of the Advisory Committee.
- Attend and participate in ACCC meetings; review course applications for completeness and make recommendations to approve or deny courses and activities based on approved guidelines.
- Provide leadership and direction, and ongoing communication regarding goals, objectives, strategies, timeliness, and committee activities.
- Bring committee motions, proposals, and/or recommendations to the board, as appropriate.

#### E. BOARD MEMBER

- Determine the Mission and Vision for the NVPTB.
- Establish the framework for the Board by setting goals, ensuring effective board planning, and tracking progress toward meeting the results defined by the strategic plan
- Develop board policies, including policies that govern how the practice of physical therapy
- Select and support the Executive Director in satisfying board goals and objectives
- Approve the annual budget and availability of adequate resources
- Monitor financial and operational performance
- Receive and approve the audit report
- Act with honesty and integrity

#### F. EXECUTIVE DIRECTOR

The Executive Director is responsible for determining what means are needed to achieve the board's purpose and implementing strategies and initiatives, and advising the board when milestones are reached.

##### 1. Financial Leadership

The Executive Director develops and maintains a business model that provides financial management and sustained financial health.

- Develop and implement financial policies and procedures, and monitor performance
- Develop annual budget, establish income and expense parameters, determine specific expenditures within approved budget lines
- Report to the board on cash flow, budget to actual, and other key financial measures
- Provide for periodic audits and financial reviews and respond to auditor findings
- Ensure adequate segregation of financial duties so that no one person is

involved in all aspects of financial transactions

## 2. Programs

The Executive Director manages all day-to-day responsibilities of the agency, including licensing, regulatory compliance and enforcement, human resources, information technology, finance and budget records, and equipment.

- Develop and implement programs
- Establish written policies and procedures for board operations
- Perform compliance inspections and investigate complaints
- Review board law and/or regulations
- Develop proposed law and/or regulatory language
- Monitor legislative and regulatory activities
- Provide evidence of program effectiveness

## 3. People

The Executive Director manages the work of board staff, contractors, and vendors.

- Hire, train, and supervise staff
- Provide performance feedback and corrective action
- Develop personnel policies, procedures, and compensation plan

## 4. Board Support

The Executive Director works closely with the NVPTB to develop the mission, vision, values, and strategic plan.

- Provide input on board goals and objectives
- Articulate a vision for achieving board goals
- Direct operational planning processes
- Provide training and support to board members
- Plan agendas for board meetings and record minutes
- Prepare exhibits, materials, and proposals for boards and committees
- Interpret NVPTB law and/or regulations to stakeholders
- Provide outreach and delivery of information to stakeholders, community, and interested parties.

## XI. OTHER POLICIES AND PROCEDURES

### A. BOARD MEMBER CONTACT INFORMATION

NVPTB member addresses, email addresses, and phone numbers are confidential and shall not be disclosed to the public without expressed authority of the individual board member. However, if the board member is a licensee with the board, the member's employment address of record is available to the public upon request in accordance. Note: Board-issued email addresses are not confidential.

### B. COMMUNICATIONS: OTHER ORGANIZATIONS/INDIVIDUALS/MEDIA

All communication relating to any board action or policy to any individual or organization, or a representative of the media shall be made only by the Board Chair, the Chair's designee, or the Executive Director. Any board member who is contacted by any of the above should inform the Board Chair or Executive Director.

### C. RESIGNATION

If it becomes necessary for a board member to resign, a letter shall be sent to the Governor with the effective date of the resignation. A copy of this letter also shall be sent to the Board Chair, and the Executive Director.

### D. REMOVAL OF BOARD MEMBER

The Governor has the power to remove from office, at any time, any member of any board for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct.

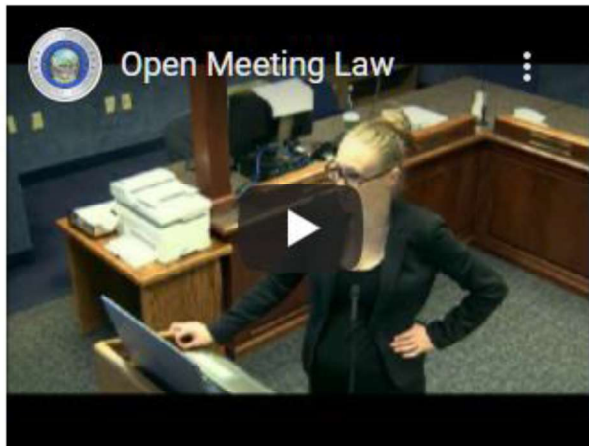
### E. BOARD MEMBER TRAINING REQUIREMENTS

Upon initial appointment, board members will be given an overview of board operations, policies, and procedures by board staff. Every newly appointed or reappointed NVPTB member must complete Boards and Commissions training provided by the Nevada Attorney General's office. The Nevada Attorney General's Office provides tools and resources for board members regarding their roles and responsibilities and legal requirements for the conduct of board business. The following online training presentations can be accessed from the Attorney General's Office website [https://ag.nv.gov/Hot\\_Topics/Training\\_Materials/](https://ag.nv.gov/Hot_Topics/Training_Materials/)



## Boards and Commissions Training Materials

Website: [https://ag.nv.gov/Hot\\_Topics/Training\\_Materials/](https://ag.nv.gov/Hot_Topics/Training_Materials/)



[Open Meeting Law Presentation](#)



[Ethics in Government Presentation](#)



[Administrative Rulemaking Presentation](#)



[Administrative and Hearing Procedure Presentation](#)



[State Contracting and Audits Presentation](#)



[Nevada Public Records Act Presentation](#)

Other online publications available from the Attorney General's Office - <https://ag.nv.gov/Publications/Publications/>

- Administrative Rulemaking Manual
- Boards and Commissions Manual
- Open Meeting Law Manual
- Attorney General Opinions
- Nevada Library and Archives

## F. OUTREACH & PUBLIC INFORMATION

Outreach and consumer education are provided by the NVPTB to applicants, licensees, and consumers regarding the role of the board, laws, and regulations, and how to file complaints against licensees. This information is provided by the board through:

- Board newsletters
- Student presentations
- Phone responses
- Responses to written, faxed and emailed inquires
- The Board website
- Social media

## G. OTHER RESOURCES

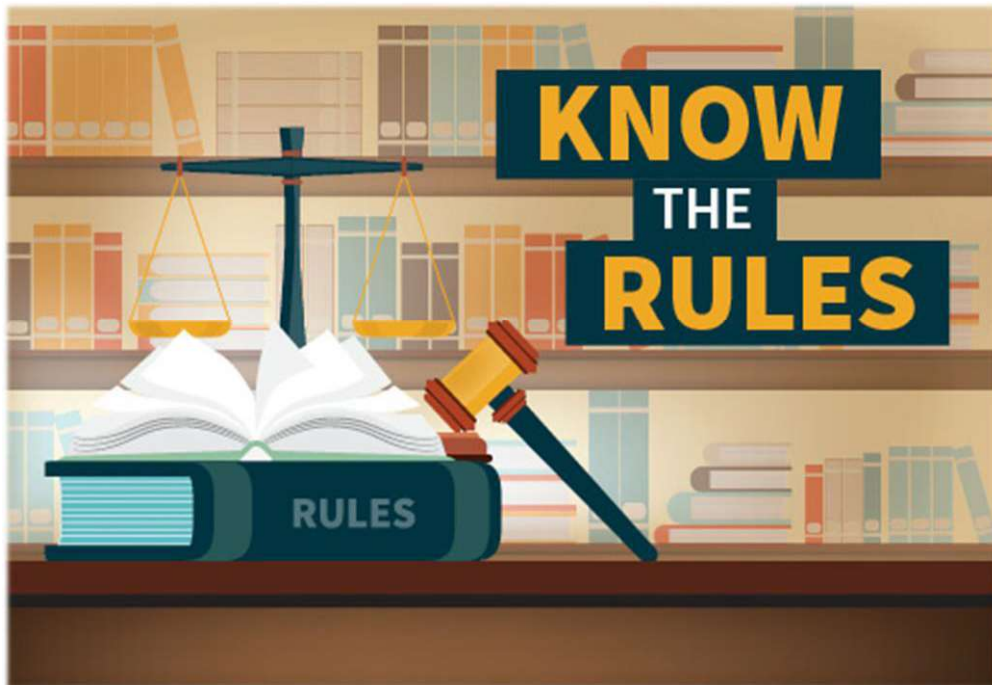
### 1. Federation of State Boards of Physical Therapy (FSBPT)

The FSBPT is a dynamic organization that promotes collaboration and teamwork between its various constituencies to ensure the best possible outcomes. FSBPT is a member-driven organization. Therefore, its member boards are at the top of the organizational structure. Member boards typically include professionals, public members, and administrators. The mission of the FSBPT is to protect the public by providing service and leadership that promote safe and competent physical therapy practice. The FSBPT's Vision is to achieve a high level of public protection through a strong foundation of laws and regulatory standards in physical therapy, effective tools and systems to assess entry-level and continuing competence, and public and professional awareness of resources for public protection.

### 2. Important Links

- Nevada Physical Therapy Board Website: <http://ptboard.nv.gov/Home/>. Review previous meeting minutes and newsletters and familiarize yourself.
- Nevada Physical Therapy Practice Act

- NRS 640 <https://www.leg.state.nv.us/NRS/NRS-640.html>
- NAC 640 <https://www.leg.state.nv.us/NAC/NAC-640.html>
- Federation of State Boards of Physical Therapy: <http://fsbpt.org>
- Nevada Ethics in Government Law NRS 281A and NAC281A:
  - <https://www.leg.state.nv.us/NRS/NRS-281A.html>;
  - <https://www.leg.state.nv.us/NAC/NAC-281A.html>
- Nevada Open Meeting Law found in NRS 241:  
<https://www.leg.state.nv.us/NRS/NRS-241.html>
- Nevada Attorney General's Office, Open Meeting Law Manual:  
[www.ag.state.nv](http://www.ag.state.nv).



## APPENDIX

- A. CONTINUING COMPETENCE MODEL
- B. CONTINUING COMPETENCE WHITE PAPER
- C. NEVADA LEGISLATIVE PROCESS 101



## NEVADA PHYSICAL THERAPY BOARD CONTINUING COMPETENCE MODEL

### NEVADA MINIMUM ANNUAL REQUIREMENT 15 Continuing Competence Units (CCUs)

**Documentation of ALL CCU activities must be uploaded by licensees during license renewal.**

There are several options for licensees to meet the minimum requirement. Please see the chart below, and the descriptions that follow, for details on how to successfully meet the minimum requirements in each category. Each description also includes a reference to the application/steps required to demonstrate successful completion of each activity.

Per NAC 640.400(2), the Board will not approve as training for continuing education, experience acquired in fields that it determines are unrelated to the practice of physical therapy

**\*\*NOTE: licensees can complete as many CCUs ABOVE the minimum requirement, but at this time no additional credit will be given and CCUs cannot be carried over to any additional licensing period\*\***

	Option A	Option B	Option C
1. Certified Activities	15 CCUs		≥7 CCUs
2. Advanced Competency Activities		15 CCUs	
3. Professional Activities			≤8 CCUs

#### Definition of Continuing Competence

Continuing competence in physical therapy is the lifelong process of maintaining and formally documenting competence through ongoing self-assessment, development, and implementation of a personal learning plan, and subsequent reassessment. The continuing competence is intended to develop and increase the knowledge, skills and professional performance while trying to prevent professional obsolescence by staying current with the new developments in theory and practice and preventing skill and knowledge deterioration.

#### Definition of Evidence Based Practice:

Evidence based practice is the integration of best research evidence with clinical expertise and patient values. This definition states that clinical decision-making should be based on three components:

1. Best Research Evidence
2. Clinical Expertise
3. Patient Values and Preferences

(as defined by Sakett DL, Straus SE, Richardson WS, et al. Evidence- based medicine: how to practice and teach EBM. 2nd ed. Edinburgh: Churchill Livingstone, 2000 as found in the Internet Journal of Allied Health Sciences and Practice, Vol. 3, No. 4)

Revised August 2, 2022



## NEVADA PHYSICAL THERAPY BOARD CCU DEFINITIONS

### 1. CERTIFIED ACTIVITIES:

These activities are **submitted with payment** for review by Nevada Physical Therapy Board (NPTB) Advisory Committee on Continuing Competency (ACCC). The ACCC certification process will determine if the activity is approved, and if so, the number of CCUs awarded. Licensees can accumulate a total of 15 CCUs from this category to complete the minimum requirement, unless otherwise specified.

#### Certified Activities:

- |  |
|--|
| ▪ Conferences: As awarded by the ACCC                                |
| ▪ Individual Continuing Education Courses: As awarded by the ACCC    |
| ▪ Non-Clinical Continuing Education Courses: As awarded by the ACCC* |

\*Licensees are able to accumulate a **MAXIMUM of 8 CCUs from the non-clinical category.**

### 2. ADVANCED COMPETENCY ACTIVITIES:

These activities are advanced coursework or specialization in a sub-specialty that demonstrates ongoing, contemporary learning **in the field of Physical Therapy**. Licensees can accumulate a total of 15 CCUs from this category to complete the minimum requirement.

#### Advanced Competency Activities:

- |  |
|--|
| ▪ Passing score on the Certified Specialist Examination through ABPTS: 15 CCUs** |
| ▪ Participation in an Accredited Residency: 15 CCUs                              |
| ▪ Participation in an Accredited Fellowship: 15 CCUs                             |

\*\*Credit given for the licensing year during which participation in the activity is > 6 months

### 3. PROFESSIONAL ACTIVITIES:

These are activities that the NPTB has deemed appropriate to receive CCUs without the need for ACCC review. Licensees can accumulate a **MAXIMUM of 8 CCUs from this category** towards completion of the minimum requirement. (You must complete an additional 7 CCUs from either of the other two categories to meet the minimum yearly requirement)

#### Professional Activities:

▪ In-Person Attendance at NPTB/APTA NV meetings	1 CCU per meeting	(max 4 CCUs/year)
▪ NPTB/APTA NV Board/Committee work	5 hours for 1 CCU	(max 4 CCUs/year)
▪ College Coursework	1 credit for 1 CCU	(max 8 CCUs/year)
▪ In-service (attending an in-service)	1 hour for 1 CCU	(max 4 CCUs/year)
▪ Pro-Bono PT service	2+ hrs/day of service for 1 CCU	(max 4 CCUs/year)
▪ Primary Clinical Instructor	40 hrs of CI time for 1 CCU	(max 4 CCUs/student)
▪ Peer Reviewed Publication	1 article for 8 CCUs	(max 8 CCUs/year)
▪ Primary Instructor of a Continuing Competency Course	1 Hour for 1 CCU	(max 8 CCUs/for the first year the course is taught)

Revised August 2, 2022

## NEVADA PHYSICAL THERAPY BOARD CCU DOCUMENTATION TABLE

### **CCU Documentation must be submitted with license renewal verifying 15 CCU/yr.**

NPTB CCU Verification Form\* is also required for Advanced Competency and Professional Activities.

NOTE: When signature is required, the signature must be from the officer of the organization. For example, NPTB hours must be verified by Executive Director or Residency Program verified by program director.

#### CCU Documentation Table:

CCU CATEGORY	Description of Documentation required for renewal
1. Certified Activities	
Conferences	Certificate of completion for the activity that is a NPTB approved continuing education course or conference.
Individual Continuing Education Courses	
Non-Clinical Continuing Education Courses	
2. Advanced Competency Activities	
Certified Specialist Examination through ABPTS	Passing Score demonstrated by the formal ABPTS letter and NPTB CCU verification form
Accredited Residency	Signed proof of participation on NPTB CCU Verification Form*
Accredited Fellowship	
3. Professional Activities	
In-person attendance at NPTB/APTA NV meetings	Certificate or Signed proof of attendance on NPTB CCU Verification Form*
NPTB/APTA NV Board/Committee work:	Signed proof of service on NPTB CCU Verification Form*
College Coursework	Copy of course syllabus & transcript submitted with NPTB CCU verification form* Contemporary learning in the field of Physical Therapy
In-service (attending an in- service)	Certificate or Signed proof of attendance on NPTB CCU Verification Form*
Pro-Bono PT Service	Certificate or Signed proof of service on NPTB CCU Verification Form*
Primary Clinical Instructor	Certificate or Signed proof of service on NPTB CCU Verification Form*
Peer Reviewed Publication	Active participation may include being the primary author, co-author, investigator, editor, etc. Copy of the published product submitted with NPTB CCU verification form*

Revised August, 2 2022

### NEVADA PHYSICAL THERAPY BOARD CCU DOCUMENTATION TABLE

Primary Instructor of Continuing Competency Course	Certificate or Signed proof of service on NPTB CCU Verification Form*
--	---

\*Nevada Physical Therapy Board (NPTB) Continuing Competence Verification Form found on website

## NEVADA PHYSICAL THERAPY BOARD ACCC REVIEW GUIDELINES

### CERTIFIED ACTIVITIES - ACCC COMMITTEE REVIEW GUIDELINES

#### Clinical Physical Therapy Practice (A)

*Clinical physical therapy practice implies that the continuing competence course must meet criteria in the categories listed below.*

1. The course must address at least one topic that covers an aspect of clinical practice directly related to patient care along the continuum of active pathology, impairment, functional limitations and disability. ^
  - a. Core Knowledge
  - b. Examination and Evaluation
  - c. Prognosis
  - d. Diagnosis
  - e. Clinical Decision Making
  - f. Clinical Guidelines
  - g. Evidence-Based Practice (as defined above)
  - h. Interventions
  - i. Wellness, Health Promotion, and Fitness
  - j. Clinical Outcome Measures
  - k. Psychosocial issues (including but not limited to: mental health, ethics, gender issues, cultural issues including spirituality and racial issues; **as they relate to the practice of healthcare**)
  - l. Injury Risk Reduction and Prevention
  - m. Technology (directly related to patient care)
  - n. Any of the nine specialty exams through the A.B.P.T.S.
2. The course must be taught by one individual or a team of individuals who hold a comparable level of competence as a physical therapist and/or who have:
  - a. Exhibited experience in the topic^^
  - b. Demonstrated expertise in the topic^^
3. The course must be sufficiently rigorous to be contemporary and beyond/above entry level physical therapist or physical therapist assistant practice in any areas of physical therapy practice including:
  - a. Hospital (e.g. wound care, critical care, intensive care, acute care, and subacute care settings)
  - b. Outpatient clinics
  - c. Rehabilitation settings
  - d. Subacute, extended care, skilled nursing or hospice facilities
  - e. Home Health
  - f. School Based
  - g. Industrial, workplace, or other corporate/occupational environments
  - h. Athletic, Fitness or sports training facilities
  - i. Mobile/Concierge settings
  - j. Telehealth
4. If the course is fully self-paced (recorded content with or without reading component), or a hybrid course (combination of live webinar and self-paced portions) with self-paced portions then a sufficiently rigorous post- test must be administered **AND** reflect/match the stated objectives.

Revised April 1<sup>st</sup>, 2022



## NEVADA PHYSICAL THERAPY BOARD ACC REVIEW GUIDELINE

### Non-Clinical Physical Therapy Practice (B)

1. The course must address at least one topic of an aspect of physical therapy practice.
  - a. Healthcare Policy and Administration
  - b. Interdisciplinary/Intradisciplinary Healthcare
  - c. Physical Therapy Documentation
  - d. Physical Therapy Insurance and Reimbursement
  - e. Physical Therapy Research Methods/Procedures
  - f. Physical Therapy Case Management
  - g. Medicolegal Pertaining to Physical Therapy
  - h. Patient Satisfaction
  - i. Language (directly related to physical therapy practice)
  - j. Professional Development/Professionalism (including leadership, communication, conflict resolution)

### Denials- Courses not likely to receive approval (C)

1. Courses that are:
  - a. Self-paced Reading of Textbooks/Chapters of Textbooks/Excerpts of Textbooks/Copies or Reprints of Textbooks or peer reviewed journal article with a post-test.
  - b. Beyond the scope of physical therapy practice
  - c. Clearly under the purview of another discipline
  - d. Below entry-level physical therapist or physical therapist assistant clinical practice
  - e. General Business Practice Management/Improvement (including marketing strategies, expanding clinical practice, revenue generation)
  - f. About issues related to an area of clinical practice for which the scientific evidence has clearly invalidated the topic
  - g. About a practice that is not accepted by contemporaneously practicing physical therapists
  - h. About general self-improvement (e.g., self-help courses, psychosocial content not relating to the practice of healthcare)
  - i. Employment law
  - j. Language courses unrelated to physical therapy practice
  - k. University course work unrelated to healthcare
  - l. Computer competence courses (unrelated to PT practice or telehealth)
  - m. Animal Physical Therapy related courses (approved through Nevada State Board of Veterinary Medical Examiners)
  - n. Training faculty
  - o. Insufficient documentation after 30 - day grace period to re-submit (*Approved with Condition Courses only*)
  - p. Outdated Material(s)
  - q. Self-paced course consisting of only reading material (no video or recorded content)
  - r. Lack of instructor expertise or experience in content area

Revised April 1<sup>st</sup>, 2022

## NEVADA PHYSICAL THERAPY BOARD ACC REVIEW GUIDELINES

### Approved with Condition- Courses that do not provide sufficient documentation (D)

Courses that do not provide sufficient documentation will receive an email, indicating that one or more of the following components are missing and need to be submitted in order for the course to be approved. If request for additional documentation is not completed and received within 30 days from date of the letter, then the course will be denied based on insufficient documentation see subsection (C.1.o.). Sufficient documentation request may include one or more of the following conditions:

- a. Course overview of objectives
- b. Hour-by-hour timeline (for all courses, regardless of length)
  - If breaks/meals are not identified
- c. Brief Biography of Instructor demonstrating knowledge/ experience in content area
- d. No post-test for self-paced or virtual courses
- e. No references
- f. Course certificate (with appropriate course title/instructor/CCUs that match the application)
- g. Psychosocial issues content that does not relate to the practice of healthcare
- h. Delivery method not supported (self-paced reading only course) with recommendation to change delivery method for approval

*^Courses that are tangential or indirectly related to clinical practice will be reviewed and evaluated on a case-by-case basis.*

*^^Experience and expertise will be reviewed on a case by case basis.*

Revised April 1<sup>st</sup>, 2022

## **NEVADA LEGISLATIVE PROCESS – MAKING LAW 101**

Passing a bill in the Nevada Legislature may seem at first blush an easy feat, in reality it is a laborious process and a bill can endure many twists and turns before reaching the Governor's office waiting to be signed into law.

### **INITIAL STEPS BY THE AUTHOR**

#### *Idea*

Sources of ideas for legislation include state agencies, local governments, elected officials, businesses, lobbyists, organizations and citizens.

#### *Drafting*

Requests for drafting may be made by the Governor, legislators, legislative committees, state agencies and local governments. A staff attorney for the Legislature prepares a formal draft of a bill.

#### *Introduction and First Reading*

A bill is submitted for introduction by an individual legislator or committee chairman. The bill is then numbered, read for the first time, referred to the committee and printed. A bill or resolution may be introduced in either the Senate or the Assembly and cosponsors in the other house may be listed on the front of the measure. A bill however must begin in the sponsoring legislator or chairman's house of origin.

### **ACTION IN THE HOUSE OF ORIGIN**

#### *Committee*

A committee holds a hearing to take testimony and gather information about the bill. The committee may recommend that the House pass a bill as it is written, pass it with amendments or not pass it at all. If members of a committee feel a bill requires further committee consideration, it may recommend that the legislative house amend the bill and re-refer it to the same committee or that it re-refer the bill to a different committee. Finally, a committee may vote to indefinitely postpone consideration of a bill, in effect killing the bill, or it may take no action at all. After committee reports are read, bills are placed on second reading for the next legislative day unless the committee recommends the bill be placed on a Consent Calendar. This action is limited to certain, non-controversial bills reported out of committee with no amendments.

#### *Second Reading Before the Full House*

A bill given a "Do Pass" recommendation is read a second time before the House and placed on the General File for debate and vote. A bill that is given an "Amend and Due Pass" recommendation is read a second time, amended and reprinted before being placed on the General File for action.

#### *Floor Debate and Vote by the Full House*

Bills are read a third time and debated. A roll-call vote follows. For passage of a measure that requires a constitutional majority, 11 votes are needed in the Senate and 22 in the Assembly. The passage of a measure that imposes or increases a tax or fee requires a two-thirds majority or 14 votes in the Senate or 28 votes in the Assembly. A measure that does not receive at least the required number of votes is defeated. Any member who votes against a measure that is defeated may serve notice of reconsideration to request a second vote. All bills that are passed by the first legislative house are then forwarded to the second legislative house where the process begins again.

## **ACTION IN THE SECOND HOUSE**

### *First Reading*

The bill is read for the first time and referred to committee.

### *Committee*

Procedures and possible actions are identical to those in the first legislative house, or house of origin.

### *Second Reading Before the Full House*

If passed by the committee, the bill is read a second time and placed on the daily file, or agenda, for debate and vote.

### *Floor Debate and Vote by the Full House*

The procedure is identical to that in the first legislative house. If the second legislative house considers and passes a bill without amendment, it is returned to the first legislative house for enrollment and transmittal to the Governor. Resolutions that are passed are routed to the Secretary of State\*. If the second legislative house amends a measure, it is returned to the house of origin for consideration of amendments.

## **RESOLUTION OF DIFFERENCES AS NECESSARY**

### *Consideration of Amendments*

The house of origin decides whether to accept the second legislative house's amendments. If the house of origin accepts the amendments, the bill goes to the Governor. If the amendment is rejected, the bill is returned to the second legislative house for a decision whether to withdraw the proposed changes. If the second legislative house does not recede, the bill is referred to a two-house conference committee.

### *Conference*

After meeting, the conference committee attempts to reconcile the differences and presents its recommendation in the form of a conference report and both legislative houses vote on the report. If both legislative houses accept the report, the bill goes to the Governor. If either legislative house rejects the report, a second and final conference committee may be appointed. The bill dies if the members of the second conference committee fail to agree.

## **ROLE OF THE GOVERNOR**

Generally, the Governor must act on a bill within five days of receiving it if the Legislature is still in session, not including Sundays. However, if there are fewer than five days remaining in session, or if the bill is delivered after the adjournment or sine die, the Governor has 10 days to act following sine die. The Governor may sign the bill into law, allow it to become law without signature or veto it. A vetoed bill returns to the house of origin for a possible vote of overriding the veto. An override requires a two-thirds majority vote of both legislative houses. If the Governor vetoes a bill following sine die, it returns to the next legislative session. Measures become effective on October 1 following sine die, unless otherwise specified in the bill.

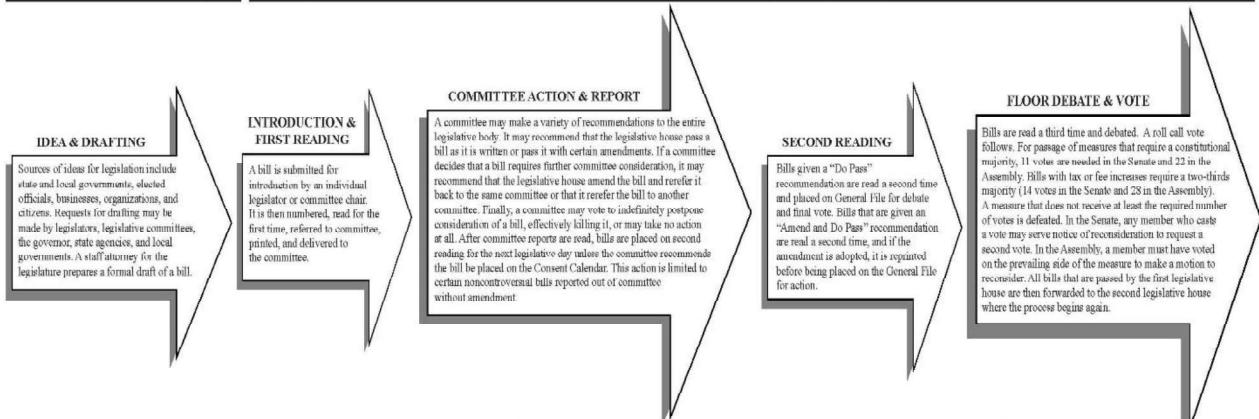
\*The process for a resolution varies slightly depending upon whether it is a simple, concurrent or joint resolution. Deadlines for final action on bills and resolutions by committee and house are typically established by rule at the beginning of session.



# NEVADA'S LEGISLATIVE PROCESS

## INITIAL STEPS BY THE AUTHOR

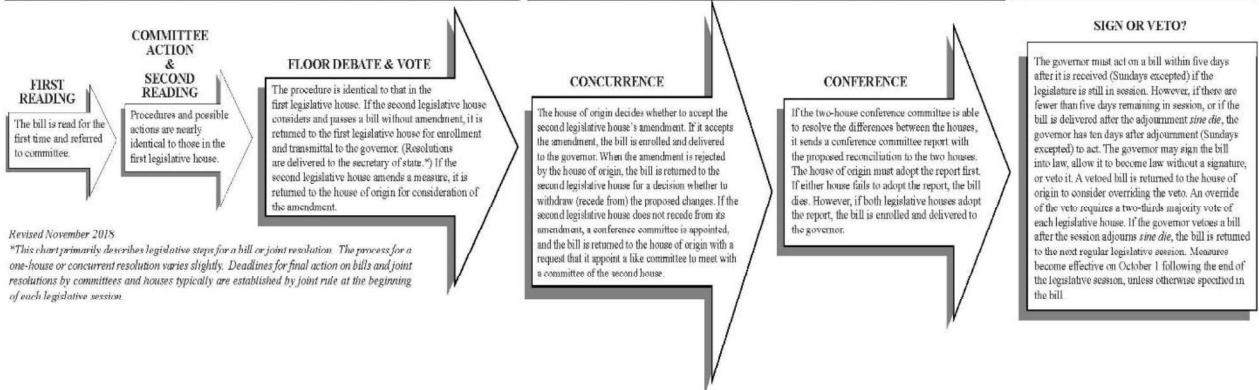
## ACTION IN THE HOUSE OF ORIGIN



## ACTION IN THE SECOND HOUSE

## RESOLUTION OF DIFFERENCES, IF NECESSARY

## ROLE OF THE GOVERNOR



Revised November 2018

\*This chart primarily describes legislative steps for a bill or joint resolution. The process for a one-house or concurrent resolution varies slightly. Deadlines for final action on bills and joint resolutions by committees and houses typically are established by joint rule at the beginning of each legislative session.