



State of Nevada  
DEPARTMENT OF BUSINESS AND INDUSTRY

# REFORMING NEVADA'S BOARDS AND COMMISSIONS

Findings and Recommendations

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## ACKNOWLEDGEMENTS

The Department of Business and Industry would like to thank Nevada's occupational boards, Homa Woodrum, Cara Brown, Brett Harris, Dr. Dorian Stonebarger, the Department of Health and Human Services, and the fiscal section of the Department of Business and Industry for their assistance.

The authors benefited from background conversations with state legislators, former state officials, the Legislative Council Bureau, Nevada State Archives, UNLV-Lincy Institute and the Research Library of the Nevada Legislature.

The Department's leadership would like to thank Governor Joe Lombardo for his continued support and focus on modernizing and enhancing Nevada's state government.

## POLICY REFORM GOALS

### GOAL #1

Increase board and commission accountability and transparency

### GOAL #2

Enhance operations and reduce redundancy

### GOAL #3

Reduce administrative cost burdens to licensees

### GOAL #4

Provide excellent service delivery

### GOAL #5

Enhance Nevada's economic competitiveness

# TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	5
BACKGROUND.....	11
FINDINGS.....	20
<u>FINDING 1</u> : The growing number of boards and commissions in Nevada.....	20
<u>FINDING 2</u> : Term limits, appointment process, and legislative oversight.....	20
<u>FINDING 3</u> : Antitrust findings for boards and commissions.....	21
<u>FINDING 4</u> : Fiscal impacts of boards and commissions and requirements set in statute.....	21
<u>FINDING 5</u> : Staffing and oversight.....	22
<u>FINDING 6</u> : Accountability of centralizing occupational and licensing boards.....	23
<u>FINDING 7</u> : Advisory councils within Nevada executive branch departments.....	23
<u>FINDING 8</u> : Inconsistent and ineffective licensing standards.....	24
POLICY REFORM RECOMMENDATIONS.....	25
<u>RECOMMENDATION 1</u> : Regular reviews and sunset clauses for boards and commissions.....	25
<u>RECOMMENDATION 2</u> : Term limits, appointment provisions, and strengthening the legislative process.....	25
<u>RECOMMENDATION 3</u> : Eliminate the existing meeting requirements stipulated in each board's statute, and permit boards and commissions to convene only when necessary.....	25
<u>RECOMMENDATION 4</u> : Centralize the administrative operations of the occupational licensing boards.....	26
<u>RECOMMENDATION 5</u> : Consolidate, merge, and eliminate to allow the boards and commissions to better serve the citizens of Nevada.....	30
BIBLIOGRAPHY.....	33
APPENDIX A: Exempted Boards.....	36
APPENDIX B: Nevada Board Establishment 1899-2023.....	40
APPENDIX C: State of Nevada Boards and Commissions.....	46
APPENDIX D: Individual Board Reform Summaries.....	58

## EXECUTIVE SUMMARY

Recognizing that Nevada must restructure its boards and commissions to better serve the public interest, Governor Joe Lombardo directed the Department of Business and Industry (“B&I”, “Department”) to develop a framework for reform and modernization.

Policy evolution pertaining to boards and commissions has a rich history with roots dating back centuries. For clarity of purpose, Department staff have focused on specific developmental points that are relevant to the policy discussion of Nevada reform. Many of the topics addressed in the brief are explored in comprehensive articles published over the previous 100 years. This policy brief is not intended to be all encompassing, rather, we have endeavored to blend historical data, economic data, state comparison data, administrative theory, and case law to present policy makers with suggested policy alternatives. Special emphasis was placed on oversight, accountability, enhancing operations, ensuring equity, and providing better service.

Nevada’s regulatory, advisory, and occupational boards are a form of participatory state government where citizens can volunteer to serve their community and profession. Since the state’s founding in 1864, boards and commissions have expanded to over 315 executive department entities with over 1,700 appointees appointed by the Governor. Nevada’s government is comprised of an executive, legislative, and judicial branch. However, the size and scope of the state’s boards and commissions constitute a fourth branch of appointed representatives that have minimal oversight and wide-ranging authorities that impact the state’s economy and the livelihood of thousands of residents.

This policy brief is limited in scope to Nevada’s occupational (Title 54) and executive department advisory boards. B&I staff exempted regulatory boards, constitutional boards and boards nested within the Nevada System of Higher Education. As such, 315 boards were reviewed, 107 were deemed exempt while 203 were included in the analysis that follows. A full list of the exempted boards can be found in Appendix B.

The history and development of Nevada’s boards and commissions reflects national trends during the nineteenth and twentieth century as policy makers sought to balance the growth of industry with oversight and regulation. Nevada’s earliest occupational requirements instituted by the legislature were in 1875 and pertained to medical professionals. Subsequent initiatives during the period of 1899-1920 reflected the Progressive Era policy objectives and established a foundation for twentieth century board development. Policymakers in this period were primarily seeking to protect public health and ensure workplace safety. During the twentieth century, the number, size, and scope of Nevada’s boards grew to encompass over 30 percent of Nevada’s workforce, the highest in the country.<sup>1</sup> Growth in this era has continued: during the 2017 and 2019 legislative sessions, 30 new advisory boards were created, the most of any three-year period in the history of the state.

<sup>1</sup>According to the 2015, White House Report on Occupational Licensing: A Framework for Policymakers, Nevada was second in the United States behind Iowa for the percent of the state’s workforce licensed by the state. Iowa reformed its boards and commissions in early 2024, thereby resulting in Nevada having the highest rate in the country.

Policy studies pertaining to the impact of occupational licensing cross the political spectrum as analysts identify challenges and seek solutions. The Obama era Department of the Treasury, Office of Economic Policy concluded that “current systems of licensure can also place burdens on workers, employers and consumers and too often are inconsistent, inefficient, and arbitrary.”<sup>2</sup> While a recent study conducted by the Federalist Society concluded that “today, occupational licensing requirements often fail to focus upon the goal of enhancing consumer outcomes and, instead, perversely seek to protect incumbents from competition.”<sup>3</sup> Proponents of occupational licensing boards contend that they protect the health and safety of the public and if operating effectively, can reduce illegal behavior. Department staff sought to balance these perspectives when developing potential policy recommendations.

Nevada’s boards and commissions are a source of income for over 250 staff, contractors and executive directors, with an estimated cost of \$39 million dollars annually. Administratively, each board operates as an autonomous entity with minimal oversight even where law and regulation provide otherwise. Board appointments are generally facilitated through the executive and legislative branch however, neither has direct authority to intervene when issues arise. The Nevada State Legislature, through the Sunset Subcommittee of the Legislative Commission is authorized to conduct reviews of the state’s legislatively established boards and commissions and presents recommendations to the legislature pertaining to consolidation, modification, and improvements. This review process is woefully inadequate as the continued growth of the state’s boards has outpaced the committee’s ability to provide timely oversight.<sup>4</sup> Often, the subcommittee’s recommendations never progress beyond the Commission as such policy reforms must compete with other more timely policy priorities.

Nevada’s comparatively high rate of occupational licensing adversely impacts entrepreneurship for minority and low-income citizens. According to the 2020 census, 30 percent of the state’s population is of Hispanic descent, 10 percent Black or African American, and nine percent Asian. In a study on entrepreneurship and low-income populations conducted by the Goldwater Institute, Nevada ranked 10th in the nation for entrepreneurship among low-income residents. The state’s rating is positive but could be better when considering that 55 percent of Nevada’s low-income residents are subject to occupational licensing. The Goldwater study concludes that, “the higher the rate of licensure of low-income occupations, the lower the rate of low-income entrepreneurship. The states that license more than 50 percent of the low-income occupations had an average entrepreneurship rate that was 11 percent lower than the average for all states.”<sup>5</sup> The report also indicates that Hispanic popula-

<sup>2</sup>*supra* note 1, at 7

<sup>3</sup>Regulatory Transparency Project, State Licensing Boards, Antitrust and Innovation, November 13, 2017

<sup>4</sup>Nevada Revised Statutes 23B.220 - 232B.250. Responsibilities include: (1) conducting reviews of all boards, commissions, and similar entities in Nevada, created by statute, and determine whether each entity should be continued, modified, consolidated with another entity, or terminated; (2) recommending improvements to the entities that are to be conducted, modified, or consolidated; and (3) determining whether any tax exemptions, abatements, or money set aside for an entity should be continued, modified, or terminated.

<sup>5</sup>Bootstraps Tangled in Red Tape: How State Occupational Licensing Hinders Low-Income Entrepreneurship, Goldwater Institute, 2015

tions are more adversely impacted by occupational licensing than other ethnic or racial categories.

Another area of concern pertaining to Nevada's current occupational licensing board framework is potential violations of the Sherman Antitrust Act. In 2014, the United States Supreme Court in *North Carolina State Board of Dental Examiners v. Federal Trade Commission* held that "in order to obtain antitrust immunity, a state agency must be actively supervised by the state if a controlling number of [its] decisionmakers are active market participants in the occupation the board regulates."<sup>6</sup> Nevada's occupational boards are comprised of board members that are often licensed by the board in which they hold a position. Potential antitrust issues arise when such a board is comprised of a majority (or "dominance") of the very licenses being regulated. According to a study published by the *California Law Review* in 2017, of the 40 occupational boards surveyed in Nevada, 83 percent had dominance issues.<sup>7</sup>

While seeking to identify policy alternatives that would address oversight and accountability while providing a framework for more efficient operations, ensure equity and enhanced service, Department staff sought guidance from several states that have undergone similar reform with a focus on Iowa, Texas, Utah, Missouri, Wyoming, New Hampshire and Florida. Iowa's experience is worth noting as it is the only state in the nation to have undergone comprehensive boards and commissions reform. B&I leadership traveled to Iowa and met with Governor Reynolds' policy team to discuss their methodology and policy reform goals. Department staff also conducted surveys, held roundtable discussions, interviewed multiple boards' staff, and met with legislators while developing the policy recommendations contained in this report.

Understanding that Nevada's occupational licensing and advisory boards perform an essential function, B&I staff have sought to preserve the operational integrity of the boards while reforming their administrative functions. B&I is a fee-based Department comprised of eleven regulatory agencies with only 1.3 percent of its \$700 million budget derived from the general fund. It is therefore uniquely positioned to understand the similar frameworks of licensing and advisory boards. The statutory authorities granted to the Department along with its cost allocated budget philosophy provide a road map for administrative board restructuring.

The Director of B&I ("Director") is an appointed member of the Governor's cabinet with administrative authority over the functions of regulatory agencies within the Department to include budgeting, accounting, planning, program development, personnel, information services, dispute resolution, travel, workplace safety, acceptance of gifts or donations, management of records, coordination in adopting and enforcing regulations, executing agreements, purchasing goods, services or equip-

<sup>6</sup>Harvard Law Review, vol 129, no. 1 (2015), *North Carolina State Board of Dental Examiners v. FTC.* 135S.Ct.1101 (2015)

<sup>7</sup>Allensworth, Rebecca Haw. "Foxes at the Henhouse: Occupational Licensing Boards Up Close." *California Law Review*, vol. 105 no. 6 2017, pp. 1567-1610.

ment, preparing legislative requests, and leasing or using office space.<sup>8</sup> While the Director is granted administrative and coordinating authority, the agencies function as independent entities under the Department umbrella.

Department staff propose that the administrative functions of Nevada's occupational licensing boards be aggregated under the authorities vested in the Director's Office. Such an approach would eliminate redundancy, reduce costs to licensees, ensure consistency across all occupational licensing and advisory boards, mitigate antitrust exposure through adequate supervision, and allow board members to focus on essential functions instead of duplicative administrative activities. The Department will streamline all processes pertaining to board audits, compliance with Nevada Revised Statutes, Nevada Administrative Code, with Nevada's open meeting laws, and will develop one fully integrated website. Initial estimates indicate that this proposed structure is projected to save Nevada's licensees \$19 million dollars annually.

The Office of Nevada Boards, Commissions and Councils Standards ("Office") was established within the Director's Office of B&I during the 82nd session of the Nevada Legislature in 2023. The Office is tasked with the centralized administration of the state's occupational and professional boards and commissions, and for establishing a uniform set of standards for internal controls, legal representation, structural standards, transparency and consumer protection with the objective of enhanced efficacy and efficiency.<sup>9</sup> The statutory language serves as a foundation for a more robust policy that will provide B&I and the Office with the necessary authority and resources to achieve the Legislature's stated objectives.

The Department has not only looked at the administrative workings of these licensing and advisory boards, but their ancillary activities and community reliance upon them. Through strategic partnerships with Nevada's law enforcement agencies, community partners, and nonprofits, Nevada's occupational licensing boards aid in the reduction of human trafficking and the spread of illicit drugs and controlled substances while enhancing the safety of our communities. While B&I staff have recommended board mergers, eliminations, and restructuring in several cases, we have worked to preserve board authority, avoided changing the statutory framework that defines each board's responsibilities and duties and preserved board licensing authority to include fee capture.

Of the 203 boards reviewed, 67 percent are advisory boards that are imbedded in the state's various departments and agencies. Although well intentioned, many of these boards are obsolete, ineffective, meet irregularly, and lack purpose. A 2024 survey of the Governor's cabinet indicated that the advisory boards adversely impact agency budgets and consume staff resources while providing minimal value. One common critique was that agency advisory boards consult with agency staff, the Di-

<sup>8</sup>See NRS 232.520, Director: Appointment and titles of chiefs and executive directors of the Department; powers and duties.

<sup>9</sup>See NRS 232.8415, Duties relating to regulation of occupations and professions: professional and occupational licensing boards within the purview of the Office



rector's Office, and internal agency experts when making substantive recommendations on policy to the exclusion of external knowledge, ideas and expertise, thereby creating a closed feedback loop. Another common concern was that the advisory boards seek guidance from agency staff on operational matters, including providing the impetus for meeting and their agendas, expecting the agency to provide administrative and legal support.

The policy recommendations contained in this report advance Governor Lombardo's economic development and business development goals as articulated in Section 2.4 of the Lombardo Administration's 3-Year Strategic Plan and Policy Matrix. The Department recognizes that the discourse around board reform often includes policy discussions focused on reciprocity, state compacts, and licensing requirements. Given the complexity of comprehensive board reform, Department staff have focused on subsections 2.4.1 and 2.4.3.

## **2.4. SIMPLIFYING PROFESSIONAL LICENSING AND REDUCING BARRIERS TO ENTRY**

**2.4.1.** Build out new boards and commissions office in the Department of Business and Industry

**2.4.2.** Develop comprehensive compact and reciprocity strategies

**2.4.3.** Eliminate unnecessary licenses and reduce licensing fees

# POLICY RECOMMENDATIONS

## RECOMMENDATION #1

Conduct regular reviews of and establish sunset clauses for boards and commissions.

## RECOMMENDATION #2

Establish term limits and criteria for new boards.

## RECOMMENDATION #3

Permit boards and commissions to convene only when necessary

## RECOMMENDATION #4

Centralize the administrative operations of the occupational licensing boards under the Department of Business and Industry.

## RECOMMENDATION #5

Consolidate, merge, and eliminate certain boards and commissions to better serve the citizens of Nevada.

## BACKGROUND

Boards and commissions in the United States can be traced to the colonial period and were influenced by the occupational guilds that existed in England and Europe during the Middle Ages.<sup>10</sup> The discourse on the impact of regulating occupations has a storied history with economists ranging from Adam Smith to Milton Friedman contributing to the literary record. Occupational licensing in the United States as a function of state administration dates to the nineteenth century. At the national level during the 1800s, beyond physicians, few occupations were licensed. The question pertaining to a state's right to regulate professions was determined by the U.S. Supreme Court in *Dent v. West Virginia*, 129 U.S. 114 (1889), which affirmed a state's ability to grant licenses. Justice Stephen Field, for the unanimous court, wrote that, "The power of the State to provide for the general welfare of its people authorizes it to prescribe all such regulations as, in its judgment, will secure or tend to secure them against the consequences of ignorance and incapacity as well as deception and fraud."<sup>11</sup> Further, "[t]he law of West Virginia was intended to secure such skill and learning in the profession of medicine that the community might trust with confidence those receiving a license under authority of the State."<sup>12</sup>

The court's decision removed the federal government's right to preempt states' rights in this area, thereby, providing state government the ability to regulate occupations. Within a decade, the movement to protect American society from uncontrolled business expansion while providing workers with better conditions and places to live would gain further traction. The Progressive Era (as it became known) also ushered in a series of state policies aimed at protecting the public through occupational regulation and licensing.

In the December 1903 edition of the *Political Science Quarterly*, Francis Smith, when studying the development of state level commissions writes, "It frequently happens that the law organizing the commission is so expressed as to give the governor, after making the appointment of its members, no further control over the actions of that body."<sup>13</sup> Progressive Era policymakers sought to reduce the influence of politics on government administration and limited gubernatorial control and power over state administration.<sup>14</sup> Such limitations extended to the legislative branch of government and often resulted in "legislatures, elected officials, and boards and commissions operating disjointedly, and sometimes at cross-purposes."<sup>15</sup> As the century progressed, national policy makers would reach similar conclusions pertaining to growth of commissions and boards at the federal level.

As the Progressive Era concluded and the federal government grew in response to World War I and

<sup>10</sup>Kleiner, Norris M., "Guild-Ridden Labor Markets: The Curious Case of Occupational Licensing." W.E. Upjohn Institute for Employment Research. 2015

<sup>11</sup>*Dent v. West Virginia*, 129 U.S. 114, 122 (1889)

<sup>12</sup>*Id.* at 128.

<sup>13</sup>White, Francis. "The Growth and Future of State Boards and Commissions." *Political Science Quarterly*, vol.18, no. 4, 1903, pp. 631-656.

<sup>14</sup>Seifter, Miriam., "Gubernatorial Administration." *Harvard Law Review Association*, vol. 131 no. 2. 2017, pp. 483-542.

<sup>15</sup>Miriam, *supra* note 10, at 496.

the Great Depression, the federal bureaucracy increased in size and scope. During President Herbert Hoover's administration from 1929-1933, real per capita federal expenditures increased by 88 percent.<sup>16</sup> By 1937, President Franklin Roosevelt concluded that, "the administrative management of the Government needs overhauling." President Roosevelt established the President's Committee on Administrative Management, "to examine the whole problem broadly."<sup>17</sup>

The committee's report, published in 1937, mirrors many of the challenges that state governments face in the modern era. Although the scope of the review was focused on the federal government, the observations pertaining to the development of independent commissions are especially relevant as Nevada policymakers consider reforming the state's boards and commissions. The authors of the report conclude that, "[t]he independent regulatory commissions present a challenging problem in any program of Federal administrative reorganization." The committee concluded that "they are a sort of fourth department in the National Government."<sup>18</sup> The committee observed that independent commissions appointed by the president operated outside of executive and legislative branch jurisdiction. The authors trace the development of state level boards and commissions to the regulation of railroads prior to 1887 and conclude, "The seeds were being rapidly sown for the growth of the multitude of State boards and commissions that were ultimately to produce the almost complete decentralization of executive power in the American State."<sup>19</sup>

As this brief survey of the historical record indicates, Nevada's contemporary experience with state boards and commissions is rooted in early twentieth century reform movements focused on public health and safety, the development of the administrative functions of government, and the prevention of corrupt political practices. This framework is important to consider when reviewing the history and development of boards and commissions in Nevada.

One of the earliest instances of occupational regulation in Nevada pertains to physicians and was introduced in 1875 by Assemblyman Henry Bergstein M.D. "to prevent the practice of medicine or surgery by unqualified persons." The bill required that physicians receive their medical education from a chartered medical school and upon establishing residence, register their diploma with the County Recorder's Office.<sup>20</sup> Assemblyman Bergstein, when writing about his bill, remarked that the Acting Governor, L.R. Bradley opposed it because many of the state's practitioners studied when medical colleges were not available. This led to a compromise in section 6 of the bill that allowed practitioners that had lived in the state for 10 years to be exempted. Section 6 also included a provision that

<sup>16</sup>Holcombe, Randall G., "The Growth of the Federal Government in the 1920s." *Cato Journal*, vol. 16, no. 2 1996. For a broader comparison of the Hoover's depression era federal per capita expenditures with that of Roosevelt's New Deal program, see page 180-181.

<sup>17</sup>Message from the President of the United States to the Congress of the United States, January 12, 1937

<sup>18</sup>See, The President's Committee on Administrative Management Report 1937, Robert Cushman, *The Problem of the Independent Regulatory Commissions*, Introduction pp. 207-208.

<sup>19</sup>*supra* note 14, at 209

<sup>20</sup>Davis, Sam P., 1913. *The History of Nevada*. Nevada Publications

allowed such physicians to respond to emergencies. The legislative debate and subsequent compromise are illustrative of how similar policies would unfold throughout the twentieth century, balancing the right of a state to regulate while also acknowledging the impact of a sea change upon existing practitioners.

On November 20, 1924, the Nevada State Legislature acknowledged a report authored by the New York Bureau of Municipal Research on the general organization and management of the government of the State of Nevada. The report provided a comprehensive review of Nevada's government administration, budget, and functions. The report stated that "another serious defect of the present organization is the lack of coordination between the numerous offices, boards, commissions and agencies of the state administration."<sup>21</sup> During the period that the research was conducted, Nevada had only nine occupational licensing boards (the first having been created 25 years earlier).

By the late 1950s, about five percent of U.S. workers were required to hold a state license to perform their job.<sup>22</sup> In 2015, when the Obama White House released its occupational licensing reform agenda, 25 percent of America's workforce held a state issued occupational license.<sup>23</sup> The increase can be attributed to the country's shift from an industrial-based economy to a service-based economy as well as an increase in occupations becoming subject to licensing by states.

From 1960-1980, Nevada's advisory, occupational, and regulatory boards expanded to meet the state's changing industrial base, the growth of the gaming industry, and to protect consumers. Nationally, major government reform initiatives were gaining popularity that resulted in another review of U.S. government administration and prompted the states to follow. In a message to the legislature in 1977, Governor Mike O'Callaghan addressed the growth of boards in Nevada:

As we all know, advisory boards and commissions at any level of government tend to mushroom. Unchecked, they can grow with minimal analysis of their effectiveness or continued justification for existence. These bodies must be accountable to the public, and must serve, not merely represent, the public. To ensure that the current 149 state boards and commissions are productive, useful and necessary, I directed the State Planning Coordinator to conduct a study of their functions and make recommendations for improvement. Completion of this intensive review brought a recommendation to eliminate 37 boards. Another 77 boards were recommended for modifications, such as limiting terms of appointments, staggering terms, and bringing more members of the general public to the boards. Results of the study have triggered considerable comment about its recommendations. This is inevitable in most proposals to streamline existing structures. With a clear view toward streamlining state government and increasing public confidence in the decision-making process, I urge you to carefully review this important study.<sup>24</sup>

<sup>21</sup>Nevada State Journal, "Nevada and Its Government" Bureau of Municipal Research new York, 1924

<sup>22</sup>Kleiner, Norris M., "Reforming Occupational Licensing Polices." The Hamilton Project, Brookings. 2015

<sup>23</sup> Supra note 1, at 6

<sup>24</sup> O'Callaghan, Mike, Message of the Governor to the Legislature of the Nevada 59th Session. 1977

It's worth noting that Governor O'Callaghan's remarks occurred 40 years after President Roosevelt's Committee on Administrative Management released its findings but reflect a common theme: the decentralization of government and diffusion of executive power through ever expanding boards and commissions.

In a 1976 memorandum to Governor O'Callaghan, Nevada State Planning Coordinator Bruce Arkell wrote that the increasing number of boards resulted in "administrative problems" due to a lack of "synchronization."<sup>25</sup> Similar to the approach that the Department has adopted herein, the 1976 study excluded state compacts, boards that were constitutional, elected, judicial, or legislative. The remaining 150 statutory boards and commissions studied were those regulating individual occupations and private business and advised state agencies. The study concluded that the boards had administrative inconsistencies resulting from a lack of coordination and difficulty performing administrative functions due to a lack of support. Arkell also wrote that Nevada's Governor is "considered ultimately responsible for decisions of executive boards and agencies. Yet, the Governor's authority to administer effectively is sometimes hampered." In addressing these concerns, Arkell recommended the following:

In order to address these problems, the following are recommended and should also be considered when creating new boards:

1. To have the terms of office of public policy boards fall due on specific dates of the year.
2. To stagger the terms of office for boards and commissions which are advisory, policy-making or regulatory in the area of public policy over a three year period.
3. To limit the terms of appointment to not more than two consecutive terms on the same boards.
4. To reduce the number of board members to no more than nine, where possible.
5. To attach boards to existing state agencies where possible to provide administrative support for the board.
6. To remove requirements the Governor be provided a list from which to select members.
7. To remove all administrative authority (appoint staff, approve budget) where it exists with public policy boards.
8. To place members from the general public on boards where the membership reflects one interest.

When concluding the study, Arkell found that the historical record pertaining to the reasons why many of the boards were created did not exist. As a result, "the office took the approach of looking at the board's responsibility from the basis as to whether or not it was necessary to retain the board to protect the health, safety and welfare of the citizens of Nevada." (Not unlike the core reason the

<sup>25</sup>Arkell, Bruce D., "Nevada Executive Branch Boards and Commissions Recommendations for Change." Governor's Office of Planning Coordination, September 1976

U.S. Supreme Court upheld West Virginia’s regulation of the practice of physicians in 1889.) If the recommendations outlined in the study would have been adopted during the 59th Session of the Nevada Legislature in 1977, 43 boards and commissions would have been eliminated and gubernatorial appointments would have decreased by 200.

From 1980-2010, Nevada’s economy and population continued to expand, resulting in increased demand for government services and the regulation of new and emerging industries. In response to this growth, 65 boards were established over the 30-year period. In 2010, the Nevada Spending and Government Efficiency Commission (“SAGE”) published a series of recommendations aimed at reducing government expenditures and streamlining state agencies. Recommendation 17 called for the establishment of an evaluation and sunset commission that “would make recommendations concerning statutorily created state agencies, boards, and commissions regarding duplication of efforts, efficiencies to be achieved and potential elimination of functions.”<sup>26</sup> The SAGE Commission concluded that a Sunset Commission could ensure that each government entity was meeting its obligations under statute and “doing what it was established to do.” Special emphasis was placed on cost reduction, better resource allocation, and adopting a public sector approach in the administrative management of Nevada government.

The legislature considered these recommendations during the 76th Session in 2011 and passed Senate Bill 251, establishing the Sunset Subcommittee of the Legislative Commission. In Nevada Revised Statutes 232B.220, the subcommittee is directed as follows:

1. The Sunset Subcommittee of the Legislative Commission shall conduct a review of each board and commission in this State which is not provided for in the Nevada Constitution or established by an executive order of the Governor to determine whether the board or commission should be terminated, modified, consolidated with another board or commission or continued. Such a review must include, without limitation:

(a) An evaluation of the major policies and programs of the board or commission, including, without limitation, an examination of other programs or services offered in this State to determine if any other provided programs or services duplicate those offered by the board or commission.

(b) Any recommendations for improvements in the policies and programs offered by the board or commission; and

(c) A determination of whether any statutory tax exemptions, abatements or money set aside to be provided to the board or commission should be terminated, modified or continued.

2. The Sunset Subcommittee shall review not less than 10 boards and commissions specified in subsection 1 each legislative interim.

Since 2013, the Sunset Subcommittee has recommended that 35 advisory boards and commissions be eliminated: 26 boards abolished and nine abolished with their functions transferred to another board. From 2013-2023, only 13 of the 35 boards reviewed and recommended for termination were

<sup>26</sup> Partlow, Frank A., “Nevada Spending and Government Efficiency Commission”, 2010

abolished. Growth of new boards did not slow. During the 2017, 2019, and 2021 sessions of the Nevada Legislature, no boards were eliminated. However, 35 new advisory boards or councils were created during this period with 12 additional boards established during the 2023 session for a total of 47 entities in six years.

The development of boards and commissions in the twentieth century reflected the growth and sophistication of government administration as the population increased and the nation's economy changed and matured over time. Policy experts throughout the century grappled with balancing limited government and citizen participation in regulating industry and advising decision makers. The historical survey provided in this report demonstrates that Nevada's experience is far from unique and rooted in the development of government administration and the diffusion of power in the American system of governance.

When considering policy alternatives for Nevada, B&I staff reviewed reform concepts from Florida, Iowa, Missouri, New Hampshire, Texas, Utah, and Wyoming. B&I staff summarized the policy initiatives proposed in Florida, Iowa, Texas, and Utah as they were representative of the types of reform proposed in all of the states studied. When Governor Lombardo first took office, he issued an Executive Order freezing new regulations by boards and commissions that add restrictions to occupational licensing while also requiring an examination of the way Nevada's boards related to other states, including reciprocity.<sup>27</sup> Examining other state approaches is a key component of Nevada's economic growth. The commonalities of the proposed reform initiatives included a reduction in the number of boards and appointments, consolidation, enhanced administrative oversight, and reduced costs to the licensee and state.

## **IOWA**

In June 2023, Iowa Governor Kim Reynolds, in partnership with the Iowa Legislature, established the Boards and Commissions Review Committee. The committee was tasked with reviewing the efficiency and effectiveness of all boards, commissions and other similar entities created in Iowa law. The committee's final report released in September 2023 served as the foundation for a comprehensive reform package introduced during the 2024 legislative cycle as Iowa Senate Bill 2385.

Iowa's Boards and Commissions Review Committee recommended that the state's boards and commissions be reduced from 256 to 111, Governor appointments be reduced by 450 appointees, eligibility for service on an Iowa board be expanded, and clear, consistent, and effective licensing standards be adopted. In May 2024, Governor Reynolds signed Senate Bill 2385 into law. The codified version of the law eliminates or changes 80 of Iowa's boards, establishes a review committee tasked with recommending additional changes or eliminations, and requires the Iowa Department of Inspections, Appeals and Licensing to review occupational licensing fees and renewals.<sup>28</sup>

<sup>27</sup> Executive Order 2023-003 and 2023-004, respectively

<sup>28</sup> Sostaric, Katarina, "Reynolds signs law eliminating 83 state boards and commissions" Iowa Public Radio, May 17, 2024



As the first state to adopt a comprehensive boards and commissions reform package in the nation, Iowa's reform initiative was of particular interest to the Department. Upon closer review, B&I staff discovered that Nevada and Iowa licensing statutes shared many similarities, often using the same language and titles for specific boards and their responsibilities. The Director of the Department along with the Deputy Director of the Office of Nevada's Boards, Commissions and Councils Standards traveled to Iowa in June of 2024 to meet with Governor Reynolds' policy team to discuss their findings and the Governor's priorities for reform in Senate Bill 2385.

## **TEXAS**

In 2017, during the 85th session of the Texas Legislature, the state's Legislative Sunset Advisory Committee published a staff report titled, "Health Licensing Consolidation Project." The authors concluded that the legislature considered consolidation and recommended:

Merging the programs regulating psychologists, marriage and family therapists, professional counselors, social workers, sex offender treatment providers, and chemical dependency counselors into a single umbrella licensing agency. The newly created Texas Behavioral Health Executive Council would take advantage of economies of scale and eliminate duplicate administrative functions for these programs, while preserving each professional board to oversee standards of its profession.<sup>29</sup>

The Texas Legislative Sunset Advisory Committee prioritized reducing duplicative administrative functions, gaining economies of scale, reducing the administrative cost per license for small boards, consolidation, and achieving greater efficiency. The report identified nine small health licensing boards that licensed 117,000 professionals with a combined staff of 82 and four large boards that licensed 700,000 professionals with a combined staff of 473.<sup>30</sup> Executive branch agencies in Texas provide board oversight which provided the Sunset Advisory Committee with an ability to enhance agency budgets to support consolidation efforts until cost savings could be realized when full implementation was complete. The authors concluded that greater efficiencies could be achieved with fewer full-time staff and integrated administrative support.

## **UTAH**

Utah has implemented a series of reforms in recent years to modernize and streamline its occupational licensing. A study from the Institute for Justice found that occupational licensing in Utah costs the state about 19,000 jobs annually and results in a deadweight loss of nearly \$88 million per year.<sup>31</sup> These reforms were designed to reduce barriers to employment, promote workforce mobility, and make the state's regulatory environment more friendly.

<sup>29</sup> Texas Legislature 2016-17 85th Session, Sunset Advisory Commission, Staff Report with Final Results, "Health Licensing Consolidation Project"; See summary pp. A3.

<sup>30</sup> *supra* note 18, at 3.

<sup>31</sup> Klenner and Vorotnikov, At What Cost? Institute for Justice, 2018. <https://ij.org/report/at-what-cost/>.

In 2020, the state passed a form of universal recognition, meaning out-of-state licenses will generally be accepted in Utah. This reform, enacted by Utah Senate Bill 23 facilitates easier entry into Utah's workforce by recognizing professional licenses obtained in other states, enabling professionals, particularly those in fields like healthcare, cosmetology, and construction, to begin working without a burdensome re-licensing process.

In 2022, Utah passed Senate Bill 16 which created the Office of Professional Licensure Review ("OPLR") within the Department of Commerce. The office is mandated to review the licensure requirements for all of Utah's regulated occupations at least once every 10 years as well as review applications to establish new regulated occupations. Each year, the OPLR team must identify which occupations to review and provides the legislature with objective, data-driven recommendations on improving licensure requirements.

In 2023, building on the legislature's prior efforts to recognize out-of-state licenses, Senate Bill 35 was passed. SB 35 expands Utah's universal licensing recognition laws by removing barriers to licensure for internationally trained applicants. The law allows a wide range of individuals licensed to practice outside of the United States the opportunity to practice in Utah without requalification. The law removes the hurdles of repeating education requirements and retraining or retesting, allowing for non-U.S. and out-of-state professionals to begin practicing upon legal entry (and applicable federal work authorization) into the country.

## **FLORIDA**

Florida has taken several significant steps to reduce barriers to occupational entry and reform the state's licensing system through a series of legislative actions, particularly with the passage of House Bill 1193 in 2020. This bill, known as the "Occupational Freedom and Opportunity Act," aimed to simplify licensing requirements for a wide range of professions, making it easier for Floridians to enter the workforce.

The law eliminates or reduces licensing requirements for more than 30 professions. This includes occupations such as interior designers, hair braiders, and makeup artists, which the legislature determined could safely operate without the need for state licensing. By removing these requirements, the state reduced unnecessary regulatory burdens, making it easier for individuals to enter these professions without extensive training or fees.

Florida introduced laws to facilitate the recognition of out-of-state professional licenses, particularly for professions like engineering, construction, and cosmetology. This helps skilled workers from other states more easily transition into the Florida workforce without going through duplicative licensing processes. This reform is expected to make Florida more attractive to skilled workers by easing the transition into the state's labor market.

The law reduces or eliminates licensing fees for some professions and establishes a cap on fees for others. This is part of the broader effort to reduce financial barriers to entering regulated professions. This provision lowers the cost of doing business for many entrepreneurs and professionals, particularly those entering small business sectors.

While Florida's HB 1193 made significant changes to occupational licensing, specific studies examining the long-term impacts of the legislation are still developing. Prior to the reform, Florida's occupational licensing laws were ranked among the most restrictive in the nation, hindering job creation. A study by the Institute for Justice estimated that those laws cost the state over 129,000 jobs annually, and Florida lost nearly \$459.9 million annually due to excessive licensing costs that will likely be reduced with the reforms.<sup>32</sup>

<sup>32</sup>Klenner and Vortnikov, At What Cost? Institute for Justice, 2018. <https://ij.org/report/at-what-cost/>.

## FINDINGS

Through the research outlined in this report, surveys conducted with occupational licensing boards, department boards, commissions, and consultations with other states and national organizations, we present the following findings related to the current structure, organization, and composition of boards and commissions in the State of Nevada.

### **FINDING 1: THE GROWING NUMBER OF BOARDS AND COMMISSIONS IN NEVADA**

The number of boards and commissions in Nevada has been steadily increasing with each legislative session. While creating a new board or commission is relatively straightforward, eliminating or consolidating existing ones has proven to be a complex and challenging task. This difficulty in streamlining boards and commissions contrasts sharply with practices in the business world, where organizations regularly assess their strengths and weaknesses to remain effective and relevant.

In Nevada, boards and commissions should undergo similar evaluations to ensure they are serving their intended purpose and effectively addressing the needs of constituents. Despite numerous legislative efforts over several sessions to merge, reorganize, or eliminate boards and commissions, the majority of these initiatives fail to pass. This failure to act has led to a continued increase of boards and commissions, many of which overlap in function and add little value.

The growing number of boards and commissions, and their subsequent regulatory actions, not only complicates the governance landscape but also risks reducing the overall effectiveness of state oversight. Without regular evaluation and strategic reform, this trend will likely persist, leading to greater inefficiencies and redundancy that do not serve the best interests of Nevadans.

### **FINDING 2: TERM LIMITS, APPOINTMENT PROCESS, AND LEGISLATIVE OVERSIGHT**

The current structure of term limits, the appointment process and legislative oversight for Nevada's boards and commissions require significant reform to enhance transparency, accountability and effectiveness. Term limits are essential to prevent stagnation and promote fresh perspectives within boards and commissions. However, the inconsistency in applying term limits across different boards has led to imbalances in governance, with some members serving extended terms while others rotate out more frequently.

The existing process for appointments, which vary widely across boards, often lack uniform criteria and transparency. This inconsistency can result in appointments that do not fully reflect the diversity or needs of the communities these boards serve. Streamlining the appointment process with clear, consistent criteria would help ensure that board members are selected based on their qualifications, experience and ability to contribute to the board's mission.

Legislative oversight is another critical area for reform. The legislative process governing boards and commissions is often slow and cumbersome (as evidenced by the net increase in boards and commissions since the Sunset Subcommittee's inception), making it difficult to implement timely changes or respond to emerging issues. Enhancing legislative oversight, while ensuring it is both rigorous and responsive, will help maintain the integrity and effectiveness of these bodies. By refining term limits, standardizing the appointment process and improving legislative oversight, Nevada can strengthen the governance of its boards and commissions, ensuring they are better equipped to serve the public interest.

### **FINDING 3: ANTITRUST FINDINGS FOR BOARDS AND COMMISSIONS**

Antitrust laws are designed to prevent controlling practices and ensure fair competition. When it comes to professional licensing boards, the concern arises when a majority of the board members are professionals actively practicing and licensed within the industry they regulate. This situation creates potential conflicts of interest, where decisions might favor the interests of the profession rather than the public or competitive market principles.

Boards with a majority of members who are licensees may create an environment where the board's decisions could be influenced by self-interest. These members have a vested interest in maintaining the status quo of their profession, which can lead to actions that stifle competition, such as overly restrictive licensing requirements or biased disciplinary actions against perceived competitors/newer market entrants.

Current quorum rules under open meeting law (a simple majority of members currently appointed) means that important matters involving voting or discipline issues exacerbate antitrust concerns when the majority of those appointed and present are licensees. Licensing boards with lay members have those lay members substantially outnumbered. If licensee-majority boards vote on matters like setting industry standards or disciplining practitioners, they could make decisions that limit competition, protect incumbent practitioners from new entrants, or impose barriers that are more about protecting their interests than ensuring public safety. Even if those licensees comply with NRS 281A.420 (1)(b)-(c) regarding disclosure and abstention, these disclosures are often rote and perfunctory, further diminishing public trust.

Such practices may be seen as violating antitrust laws, particularly if the board's actions can be interpreted as restraining trade or competition. A notable case is *North Carolina State Board of Dental Examiners v. Federal Trade Commission (2015)*, where the United States Supreme Court held that a state board composed mostly of active market participants (in this case, dentists) did not have immunity from antitrust laws without active state supervision.

The composition of professional licensing boards is a critical issue in maintaining a balance between regulation and competition. Ensuring that these boards do not operate in a manner that violates antitrust laws is essential for protecting public interest and fostering a competitive marketplace.

### **FINDING 4: FISCAL IMPACTS OF BOARDS AND COMMISSIONS, AND REQUIREMENTS SET IN STATUTE**

The fiscal impacts of maintaining independent boards and commissions in Nevada are significant when compared to the potential cost savings and efficiencies that could be achieved through centralization under a single office. Independent boards often operate with redundant administrative structures, leading to higher operational costs that are ultimately passed on to licensees through fees. These fragmented systems also contribute to inefficiencies in service delivery, resulting in slower processing times and inconsistent service quality for constituents.

Centralizing independent boards and commissions under one office would streamline administrative functions, reduce overhead costs, increase transparency and eliminate duplication of effort. Consoli-

dation would not only lead to direct cost savings but also create a more efficient and responsive system. Licensees could benefit from lower fees due to reduced administrative costs, while constituents would receive improved and more consistent services. By optimizing resources and providing better oversight, the state can enhance the overall effectiveness of its regulatory framework, ensuring that both licensees and the public are better served.

Centralizing operations reduces administrative overhead by consolidating roles, resulting in lower expenses for salaries, benefits, and office resources. A unified office can also offer specialized support services, such as IT support, legal counsel (to supplement required representational counsel under NRS 228.110), human resources, and fiscal management, which many smaller boards may struggle to provide independently. Some of Nevada’s smaller boards are currently operating at a deficit, or “in the red,” as identified through the legislative audit process under NRS 218G.400 and in contravention of Nevada’s balanced budget approach for all branches of state government. Centralization not only ensures better oversight and accountability but also optimizes the use of staff time and resources across various boards and commissions.

Moreover, by centralizing administrative functions like payroll and benefits, the burden on individual boards is alleviated, allowing them to focus more effectively on their core responsibilities. This model also has the potential to lower licensing fees, as the efficiencies gained through consolidation can be passed on to licensees, ultimately providing better service to Nevadans and visitors to our state.

The fiscal impact of maintaining statutory requirements for regular meetings of boards and commissions versus transitioning to a system where meetings are held as needed is substantial. Currently, some advisory councils within departments face challenges in generating sufficient agenda items to justify frequent meetings. This often leads to underutilized resources and inefficiencies, as meetings are held without substantive content, placing unnecessary financial and administrative burdens on the departments often providing staff time via unfunded mandate.

Moreover, meeting as needed can address the issue of councils struggling to assemble meaningful agenda items. This flexibility ensures that meetings are held only when there is a clear and substantial purpose, optimizing resource allocation and enhancing overall efficiency as well as addressing feedback loops created with meetings for the purpose of satisfying meeting requirements. As a result, departments will be better able to manage their budgets and focus their resources on more critical functions, ultimately leading to more effective and fiscally responsible operations.

## **FINDING 5: STAFFING AND OVERSIGHT**

Prior to the enactment of Senate Bill 431 in 2023, Nevada’s occupational licensing boards operated independently, lacking centralized oversight. The establishment of the new Office of Nevada Boards, Commissions and Councils Standards (“Office”) provides a crucial opportunity to implement consistent standards and ensure effective oversight across all boards. The framework for this report was created, and the funding for a Deputy to operate the Office provided via action of the Legislature’s Interim Finance Committee. A key element in achieving this balance between regulation and accessibility will be the strategic allocation of staff within the new Office.

The Nevada Legislature’s consolidation of all professional and occupational licensing boards under

one office or division within the Department will significantly improve efficiency by streamlining administrative functions, reducing redundancy and enhancing the speed and consistency of licensing processes. The centralized oversight will also foster clearer accountability, ensuring that all boards maintain uniform standards. Moreover, smaller boards, which may have previously faced challenges due to limited resources and expertise, will now benefit from being integrated into a larger, more resourceful division. Standardizing the investigation, licensing and disciplinary processes across all boards will address existing inequalities and promote a fairer system for all applicants, ultimately strengthening Nevada's occupational licensing framework.

#### **FINDING 6: ACCOUNTABILITY OF CENTRALIZING OCCUPATIONAL AND LICENSING BOARDS**

Centralizing Nevada's occupational and licensing boards under a single office, rather than allowing them to operate independently, enhances accountability across the board. When boards operate independently, they may develop disparate standards, practices and levels of oversight, leading to inconsistency and potential gaps in regulation within the state and across state lines. By bringing all boards under one centralized office within an executive branch department, there is a unified structure that ensures consistent application of standards, streamlined procedures, clear lines of responsibility, and eliminates the fourth branch of government that is created when boards and commissions lack direct supervision.

This centralized oversight creates a more transparent system where the actions and decisions of each board are subject to regular review and alignment with broader state objectives. Currently, members of the public and licensees alike are often faced with a dead end when they wish to challenge the actions of a board because they do not have a direct path to provide grievances. Centralization reduces the risk of conflicts of interest or insular decision-making that can occur when boards operate without external oversight. Furthermore, having a single office responsible for all boards allows for better monitoring of compliance, more efficient handling of complaints and investigations, and the ability to swiftly address any issues that arise. This consolidation strengthens the overall integrity of the licensing process, ensuring that it serves the public interest more effectively.

#### **FINDING 7: ADVISORY COUNCILS WITHIN NEVADA EXECUTIVE BRANCH DEPARTMENTS**

Currently, 67 percent of boards and commissions within the executive branch of government in Nevada are merely advisory, lacking official policymaking, rulemaking, or decision-making authority. Staff findings indicate there are 26 advisory bodies in economic sectors, 23 in public safety, and 46 within health-related topics. This concentration of advisory councils within executive branch agencies creates silos, which is not an effective governance model.

A survey of executive branch departments revealed that only 47 percent of respondents believe recommendations from the advisory councils sometimes influence their department's decision-making process. This limited impact suggests that the increase of advisory bodies dilutes the strength and effectiveness of boards while demanding considerable time and effort from those who participate, many of them well-meaning and genuinely interested in serving the public good.

Research indicates that a more strategic approach, involving a broader-defined purpose and representation of diverse viewpoints from various communities, organizations, and stakeholder groups,



would benefit board members. Reducing the "silo effect" of these advisory councils is crucial for Nevada to enhance the efficiency and impact of its boards and commissions. Addressing this issue could lead to more cohesive and effective decision-making processes within the state's executive branch.

### **FINDING 8: INCONSISTENT AND INEFFECTIVE LICENSING STANDARDS**

The requirements for licenses and certifications across many of Nevada's occupations are inconsistent, ineffective, and unequal. Each occupational and licensing board in the state operates under its own statutes and regulations, resulting in a fragmented and confusing process for consumers. This lack of standardization has led to significant disparities in how professions are regulated, creating barriers for those seeking licensure.

During the 2023 Legislative Session, Senate Bill 431 established the Office of Nevada Boards, Commissions and Councils Standards ("Office") within the Department. This Office is tasked with overseeing all professional and occupational licensing boards created by the Legislature, to the extent permitted by the Nevada Constitution and federal law. Consolidating these functions under one department presents a unique opportunity to address and rectify the weaknesses in Nevada's approach to occupational and professional licensure.

According to a 2023 study, Nevada ranks as having the country's second worst regulatory environment for low-income occupations. This ranking is based on the number of low-income occupations that are licensed and the overall burden created by licensure requirements such as education, experience, exams, and fees. The establishment of the Office is a critical step toward improving the occupational licensing process and making it more equitable and efficient.



## POLICY REFORM RECOMMENDATIONS

### **RECOMMENDATION 1: CONDUCT REGULAR REVIEWS AND ESTABLISH SUNSET CLAUSES FOR BOARDS AND COMMISSIONS**

All advisory boards and commissions should undergo regular reviews on a rolling basis, with a sunset clause unless reauthorized through this process. Boards under review must justify their continued existence by demonstrating their necessity instead of passively continuing to operate at the public's expense. These reviews should assess each board's usefulness, performance and efficacy, including an analysis of the costs associated with its existence and the agency staff time required to support its activities. The evaluation should also consider whether the board should be abolished, merged with another entity, or if its duties and responsibilities should be reconsidered. Additionally, the board's effectiveness, the relevance of the information it provides for legislative policy changes, and whether its recommendations influence departmental decision-making should be examined. The board's contributions should be assessed in relation to the current issues and challenges faced by the departments.

### **RECOMMENDATION 2: ESTABLISH TERM LIMITS AND CRITERIA FOR NEW BOARDS AND COMMISSIONS**

For occupational and licensing boards, members should serve four-year terms with a limit of two terms. For executive branch department bodies, members should serve two-year terms, also with a two-term limit. Boards and commissions housed within state departments should report to the department director, who will convene them as needed, assign special tasks, and determine whether they should continue or dissolve upon task completion. If necessary, these boards may be extended to take on new tasks. The department director should also assist with member appointments, operating guidelines, and other operational requirements for these boards and commissions. As newly appointed individuals become ready to serve, training of board and commission members can be accomplished through the centralized office.

Additionally, Nevada needs to strengthen its legislative process when creating new boards within the executive branch departments by establishing and adhering to criteria for the creation of new boards and commissions and including a dissolution date not exceeding two years from their establishment, unless extended by the legislature or renewed by the department director. To ensure effectiveness, state law should clearly state that if a board or commission is not recommended for continuation by the reviewing entity, it should be repealed.

### **RECOMMENDATION 3: PERMIT BOARDS AND COMMISSIONS TO CONVENE ONLY WHEN NECESSARY**

The advisory bodies shall convene meetings only as necessary to fulfill their statutory obligations and to address matters requiring board action. Meetings can be called by the chair or upon the written

request of a simple majority of members. Regular meetings, as currently required by statute, should be eliminated.

This amendment allows for greater flexibility in scheduling board and commission meetings, ensuring that they convene only when there is substantial need. It reduces unnecessary meetings and allows the boards and commissions to focus resources on addressing critical issues. This change also aims to enhance efficiency and responsiveness in the operations of boards and commissions within the State of Nevada.

Nevadans from across the state sit on the various boards and commissions. Often, the state covers the costs for members to attend meetings, whether in person or virtually. It would be more efficient for the state to fund these meetings on an as-needed basis rather than solely based on statutory requirements. Reducing the frequency of meetings could enhance member engagement and lead to more effective decision-making and outcomes.

Advisory council members may be eligible for reimbursement of actual and necessary expenses incurred while performing their duties, subject to the availability of funds. Additionally, regulatory and licensing members who dedicate multiple hours or days preparing for their meetings may receive compensation of \$150 per day, and the General Services Administration rate for per diem if the board or commission's budget allows.

#### **RECOMMENDATION 4: CENTRALIZE THE ADMINISTRATIVE OPERATIONS OF THE OCCUPATIONAL LICENSING BOARDS**

The Department is a fee-based department comprised of 11 regulatory agencies with only 1.3 percent of its \$700 million budget derived from the general fund. The statutory authorities granted to the Department along with its cost allocated budget philosophy provide a road map for administrative board restructuring. Note that any exempted board may possibly seek contracts for certain administrative services.

The Director of the Department is an appointed member of the Governor's cabinet with administrative authority over the functions of regulatory agencies within the Department to include budgeting, accounting, planning, program development, personnel, information services, dispute resolution, travel, workplace safety, acceptance of gifts or donations, management of records, coordination in adopting and enforcing regulations, executing agreements, purchasing goods, services or equipment, preparing legislative requests, and leasing or using office space. While the Director is granted administrative and coordinating authority, the agencies function as independent entities under the Department umbrella.

Senate Bill 431 authorized the centralization of administrative functions for Nevada's occupational

licensing boards under the authority of the Director's Office. This proposed structure aims to eliminate redundancies, reduce costs for licensees, ensure consistent operations across all occupational licensing and advisory boards, minimize antitrust risks through proper supervision, and enable board members to focus on critical tasks. Through this reorganization, the Department will standardize processes related to board audits, compliance with the Nevada Revised Statutes, Nevada Administrative Code, and open meeting laws, as well as develop a single integrated website, thereby decreasing the state's liability. Preliminary estimates suggest that this consolidation could reduce costs to licensees by approximately 50%.

### **Centralized Website**

Having a single, centralized website for boards and commissions within the State of Nevada offers several advantages. A unified platform streamlines navigation, making it easier for users to access information about various boards and commissions without needing to visit multiple sites. It ensures consistent design and functionality across all boards and commissions, enhancing the overall user experience and minimizing confusion. Additionally, a single site improves transparency by providing a comprehensive view of all boards and commissions, including meeting schedules, minutes, and member information in one location. Currently meeting notices on [notice.nv.gov](http://notice.nv.gov) expire from the site after a given meeting and require users to know exactly which board or commission they are searching for in the first place to find information. The three-day posting requirement for meetings is insufficient to address public participation and a consolidated website could provide more information than limited meeting notices required by law can provide. Consolidating multiple sites can also reduce costs related to website maintenance, hosting, and development. Moreover, a unified website facilitates better communication between boards and the public by centralizing contact information and updates and minimizing conflicting meetings.

### **Centralizing Staff**

We recommend centralizing the operations of all boards and commissions under a single office. This approach will ensure uniform application of policies, procedures, and standards, thereby enhancing operational consistency across the board. By consolidating roles and administrative functions, this model will reduce duplication and administrative overhead, leading to significant cost savings in salaries, benefits, and office resources.

A unified office can offer specialized support services, such as IT support, specialized legal counsel, human resources, and fiscal support, which smaller boards may lack the capacity to provide independently. For example, in a smaller board outside contractors are needed to even conduct workplace investigations, resulting in greater costs. Centralized staffing will facilitate better oversight and accountability, ensuring adherence to established standards and regulations. Additionally, this structure allows for more strategic resource allocation, optimizing staff time and effort across various boards and commissions.

Centralizing administrative functions like payroll and benefits will alleviate the administrative burden on the boards, enabling them to focus more effectively on their core responsibilities. Most importantly, moving the fiscal operations of these bodies into the state's system as well as requiring that funds go through the State Treasurer's office instead of disparate accounting approaches that have even legislative auditors forced to request bank statements from board members, will also increase transparency.

This consolidation will standardize the licensing process across all boards, addressing existing disparities and strengthening Nevada's overall occupational licensing framework. To ensure a smooth transition, it is recommended that this consolidation occur in phases, with boards being integrated into the new Office on a staggered quarterly basis. This phased approach will allow for careful management of the transition, minimizing disruptions and ensuring that the benefits of centralization are fully realized.

### **Procurement, Contracting, and Public Records**

Currently licensing boards do not follow all procurement and contracting requirements in NRS 333, NAC 333, NRS 334 and the State Administrative Manual. This results in a lack of transparency regarding board spending and decisions relating to contract valuation and vendors. For example, some licensing boards allow contracted vendors to charge fees to users separate and apart from their statutorily or regulatorily authorized fees. Others do not engage in appropriate competition for services and even pay vendors without approved contracts via the State Board of Examiners. Many licensing boards operate as if their funds from licensee fees are not subject to the same restrictions as executive branch agency spending. Further, many licensing boards contract with their executive directors with assurances associated with employment which are costly instead of having them serve in an unclassified capacity. Board staff even support retreats, meals, and other expenses for themselves and board members using licensing revenue without scrutiny over the nature of those expenditures.

### **Attorneys**

Given the Office's specialized knowledge of the regulatory landscape, board operations, and compliance issues, it is also recommended that the Office take a leading role in providing general counsel for the public bodies. In-house attorneys have or develop a deep understanding of the specific needs, processes, and nuances of the boards and commissions they serve, allowing for more tailored and efficient legal advice. Utilizing in-house attorneys is more cost-effective over time as they are salaried employees and can address ongoing legal matters without additional fees. They are readily available, providing timely legal support and advice as issues arise, which can be crucial for quick decision-making and compliance. Their services are not motivated by billable hour requirements or high per hour fees but by public service. They ensure consistency in legal advice and documentation, which helps maintain uniformity in how legal matters are handled across the boards and commissions. The Office will retain the authority to hire outside counsel under in-house counsel supervi-

sion, ensuring that any external legal support is managed centrally and strategically. All of the foregoing will be compliant with NRS 228.110 which mandates that representation of agencies be provided by the Office of the Attorney General as in-house attorneys will provide specialized advice related to licensing and regulation but not subsume the role of agency counsel. Currently it is a challenge to obtain more than open meeting law and disciplinary hearing support from the Office of the Attorney General and boards have been retaining their own counsel who often take positions loyal to board staff and leadership instead of to the state. By having a designated office handle the hiring of outside counsel it maintains oversight, coordination, and consistency in legal representation across various boards and commissions.

### **Contested Case Hearings and Disciplinary Matters**

To address the challenges faced by licensing boards in finding prospective members who can commit to lengthy disciplinary hearings, we recommend implementing structured services of administrative law judges to handle these cases instead of board members attempting to conduct hearings with their own staff having investigated matters, internal counsel often prosecuting, their board sitting in judgment, and their Deputy Attorney General advising the board chair as to evidentiary and other matters. Currently, some boards spend two to three days or more on hearings during board meetings, with members themselves sometimes responsible for administering discipline and fines of their colleagues. Utilizing administrative law judges would streamline the hearing process, reducing the burden on board members and ensuring a more independent, efficient and legal review of disciplinary matters as well as allowing licensees to have their case receive independent consideration.

### **Board Membership**

Licensing boards typically require that a certain percentage of their members hold a license regulated by the board. However, when a board oversees multiple license types, it is generally not necessary to have representation from holders of less advanced licenses. Individuals with more advanced licenses are typically well-equipped to regulate all licensees and ensure public protection.

### **Bill Draft Requests**

All legislative bill draft requests submitted by any public entity will undergo vetting through the Office to ensure compliance with established criteria. This review process guarantees that proposed bills meet all legal, operational, and financial requirements. Additionally, it ensures that the proposals are not redundant, align with statutory regulations, address stakeholder concerns, and are designed to be cost-effective and efficient. The vetting process aims to uphold high standards of accountability, transparency, and effective governance.

## **RECOMMENDATION 5: CONSOLIDATE, MERGE, AND ELIMINATE BOARDS AND COMMISSIONS TO BETTER SERVE THE CITIZENS OF NEVADA**

**NO CHANGE** to the following boards as currently titled, but subject to certain centralization and other changes referenced across recommendations:

1. Certified Court Reporters Board of Nevada
2. Commission on Postsecondary Education
3. Private Investigators Licensing Board
4. The Dental Board
5. The Nevada Board of Funeral and Cemetery Services
6. The Nevada State Board of Accountancy Board
7. The Nevada State Board of Veterinary Medical Examiners
8. The State Barbers Health and Sanitation Board
9. The State Board of Cosmetology
10. The State Board of Nursing Board
11. The State Board of Pharmacy
12. The State Contractors Board

**MERGE/CONSOLIDATE** the following boards:

### **THE NEVADA BOARD OF REHABILITATIVE PRACTICE AND THERAPY**

The four boards set forth below consisting of 22 total members should be consolidated into a 11-member board focusing on therapy and rehabilitation. The board membership would consist of two licensed physical therapists, one licensed physical therapist assistant, two licensed occupational therapists, two licensed athletic trainers with five years experience working as an athletic trainer or five years experience teaching or conducting research concerning the practice of athletic trainers, one licensed speech-language pathologist, one licensed audiologist, one hearing specialist, and one member of the general public who must not be related to or involved in any of the above practices and who must represent the interests of the general public. Nevadans would benefit from a collaborative forum in which related occupations can coordinate supervision of licensees. Over the past year, these boards investigated approximately 55 complaints.

- The Board of Athletic Trainers
- The Nevada Board of Physical Therapy
- The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board
- The Board of Occupational Therapy

### **THE NEVADA INTEGRATIVE HEALTH PROFESSIONS BOARD**

The four boards identified below consisting of 28 total members should merge to form a 9 member board. The focus of the newly merged board would be to provide comprehensive and cohesive oversight of the professions. By integrating the regulation of these diverse but interconnected disci-

plines, they would work to promote collaboration among the professions while safeguarding the quality, safety, and accessibility of care provided to the public. The new board members would consist of the following: two licensed massage therapists, two licensed chiropractors, 2 members currently engage in the practice of oriental medicine in this State, two licensed podiatric physicians, and one general public member. Together, these boards investigated 145 complaints.

- The Board of Massage Therapy
- Chiropractic Physicians Board of Nevada
- The State Board of Oriental Medicine
- The State Board of Podiatry

### **THE NEVADA BOARD OF PROFESSIONAL DESIGN AND ENVIRONMENTAL SPECIALISTS**

The four boards consisting of 28 total members should be consolidated into a 13-member board focusing on professional design and environment. The board membership would consist of one registered architect with at least three years of active practice in Nevada, two professional engineers who should be engaged in the practice or teaching of professional engineering, two environmental health specialists, two registered landscape architects, one registered interior designer, one registered residential designer, two land surveyors, one general public member not affiliated with any of the licensed professions and a chief medical officer or designated representative. Over the past year, these boards have investigated less than 20 total complaints.

- The State Board of Architecture, Interior Design and Residential Design
- The State Board of Landscape Architecture
- The State Board of Professional Engineers and Land Surveyors
- The Board of Environmental Health Specialists

### **THE NEVADA BEHAVIORAL WELLNESS ALLIANCE BOARD**

The five boards set forth below consisting of 33 total members should be consolidated into a 13-member board focusing on behavioral health and wellness throughout Nevada. The board membership would consist of one licensed behavior analyst or assistant behavior analyst, two licensed marriage and family therapist, two licensed social workers, one licensed psychologist (this member could also be a faculty member from an accredited doctoral program or internship location to meet existing requirements), one licensed clinical alcohol and drug counselor or alcohol and drug counselor, one licensed clinical professional counselor, one licensed problem gambling counselor, one member of the general public who must not be affiliated with any of the licensed professions representing the public interest, one member of the general public representing healthcare for indigent or uninsured persons, one member representing an academic or training institution and one licensed or certified member from any of the represented fields. Over the past year, these boards have investigated 73 complaints.

- The Board of Applied Behavior Analysis
- The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors
- The Board of Examiners for Social Workers



- The Board of Psychological Examiners
- Board of Examiners for Alcohol, Drug and Gambling Counselors

### **THE NEVADA MEDICAL BOARD**

The two boards identified below consisting of 18 total members should merge to make an 9-member board. Fourteen other states have a combined Medical Board for medical doctors and Doctor of Osteopathic Medicine, making the single entity more efficient with regulatory oversight. The new board members would consist of the following: three licensed medical doctors, three licensed osteopathic doctors, one licensed physician assistant, one licensed respiratory care practitioner and one member of the general public not related to a person licensed to practice any healing art and not involved in the administration of any medical or dependent facility. Together, both boards investigated 632 complaints with 144 belonging to the State Board of Osteopathic Medicine.

- The Board of Medical Examiners
- The State Board of Osteopathic Medicine

### **THE NEVADA OPTOMETRY AND DISPENSING OPTICIANS BOARD**

The two boards identified below consisting of nine total members should merge to form an 5-member board. The new board would center on regulating the professions of optometry and ophthalmic dispensing in a unified, efficient, and equitable manner. By combining expertise from both fields, the board would prioritize establishing impartiality, and ensuring high-quality, safe and accessible eye care services for the public. With balanced representation of professionals and a general public member, the board would aim to foster collaboration between the professions, uphold public trust and maintain a consumer-centered approach in all regulatory activities. The new board members would consist of the following: two licensed optometrists, two licensed ophthalmic dispensers (opticians), and one general public member who is not licensed in any of these professions overseen by the board and must not be related to anyone who is. Together, these boards had less than 15 complaints.

- The Nevada State Board of Optometry
- The State Board of Dispensing Opticians

## **TOTAL BOARDS REVIEWED AND OUTCOMES**

### **Title 54 Occupational and Licensing Boards (37 entities reviewed):**

- 37 reduced to 19
- Merged: 20 into 6
- Eliminated: 3
- Reduced Appointments: 249 to 148



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**APPENDIX A:  
EXEMPTED BOARDS**

## EXEMPTED BOARDS: EXECUTIVE BRANCH, NO CHANGES RECOMMENDED

Advisory Board on Maternal and Child Health  
Advisory Committee on Control of Emissions from Motor Vehicles  
Advisory Committee on Housing  
Advisory Committee on Problem Gambling  
Advisory Committee on Traffic Safety  
Advisory Council on Graduate Medical Education  
Advisory Council on Mortgage Investment and Mortgage Lending  
Appeals Panel for Industrial Insurance  
Appraisal Advisory Review Committee  
Appraiser's Certification Board  
Assistive Technology Council  
Bicycle and Pedestrian Advisory Board  
Board for Financing Water Projects  
Board for the Education and Counseling of Displaced Homemakers  
Board of Directors of the Nevada State Infrastructure Bank  
Board of Examiners for Long-Term Care Facility Administrators  
Board of Nevada Arts Council  
Board of Parole Commissioners  
Board of Search and Rescue  
Board of Wildlife Commissioners  
California-Nevada Super Speed Ground Transportation Commission  
Commission for Common-Interest Communities and Condominium Hotels  
Commission of Appraisers of Real Estate  
Commission on Nuclear Projects  
Commissioner's Network Adequacy Advisory Council  
Committee on Testing for Intoxication  
Committee to Administer the Public Employees' Deferred Compensation Program  
Committee to Oversee the Charter School Audit List  
Committee to Review Suicide Fatalities  
Diapering Resource Committee  
Drug Use Review Board  
Early Intervention Interagency Coordinating Council - Federal  
Electronic Health Information Advisory Group  
Emergency Medical Services for Children  
Environmental Protection, Board to Review Claims  
Executive Committee to Review the Death of Children  
Government Employee-Management Relations Board  
Governor's Council on Developmental Disabilities - Federal  
Health Care Workforce Working Group  
Healthcare Associated Infection Task Force

Home Care Employment Standards Board  
Human Trafficking Coalition  
Indigent Defense Services  
Industrial Relations Advisory Council  
Information Technology Advisory Board  
Interstate Commission for Adult Offender Supervision  
Interstate Mutual Aid Committee  
Junior Livestock Show Board  
Maternal Mortality Review Committee  
Medical Care Advisory Committee  
Nevada Advisory Council on Federal Assistance  
Nevada Committee of Vendors Who are Blind  
Nevada Indian Commission  
Nevada Interscholastic Activities Association  
Nevada Lifespan Respite Care Coalition  
Nevada Local Justice Reinvestment Coordinating Council  
Nevada Office of Minority Health and Equity Advisory Committee  
Nevada Sentencing Commission  
Nevada State Council for Interstate Juvenile Supervision  
Nevada State Rehabilitation Council  
Nevada Tahoe Regional Planning Agency  
Northern Nevada Veterans Memorial Cemetery Advisory Committee  
Oversight Panel for Convention Facilities  
Patient Protection Commission - Exempt  
Peace Officers' Standards and Training Commission (POST)  
Predatory Animal and Rodent Control Committee  
Primary Care Advisory Council  
Private Activity Bond Council  
Psychedelic Medicines Working Group  
Public Works Board  
Real Estate Commission  
Regional Transmission Task Force  
Sagebrush Ecosystem Council  
Silver State Health Insurance Exchange Board  
Silver State Scripts Board  
Southern Nevada Veterans Memorial Cemetery Advisory Committee  
Special Education Advisory Committee Member Information  
State Board of Equalization  
State Board of Fire Services  
State Conservation Commission

State Council on Libraries and Literacy  
State Disaster Identification Coordination  
State Emergency Response Commission  
State Land Use Planning Advisory Council  
State Public Charter School Authority  
Statewide Independent Living Council  
Subcommittee on Misdemeanors of the Sentencing  
Subcommittee on Patient-Centered Medical Homes  
Tax Commission  
Vulnerable Audit Fatality Review  
Weatherization Assistance Program  
Well Drillers' Advisory Board  
Women Veterans Advisory Committee

**APPENDIX B:  
NEVADA BOARD ESTABLISHMENT 1899-2023**



Occupational and Licensing Board	Year
Medical Examiners, The Board of	1899
Pharmacy, The State Board of	1901
Funeral and Cemetery Services Board, The Nevada	1909
Accountancy, The Nevada State Board of	1913
Optometry, The Nevada State Board of	1913
Professional Engineers and Land Surveyors, The State Board of	1919
Veterinary Medical Examiners, The Nevada State Board of	1919
Nursing, The State Board of	1923
Chiropractic Physicians' Board of Nevada, The	1923
Osteopathic Medicine, The State Board of	1925
Barbers Health and Sanitation Board, The State	1929
Cosmetology, The State Board of	1931
Contractors Board, The State	1941
Podiatry, The State Board of	1949
Architecture, Interior Design and Residential Design, The State Board of	1949;1975 Residential De- signed combined; 1995 Inte- rior Design added
Dental Examiners of Nevada, The Board of	1951
Dispensing Opticians, The Board of	1951
Physical Therapy Board, The Nevada	1957
Psychological Examiners, The Board of	1963
Private Investigator's Licensing Board, The	1967
Marriage and Family Therapists and Clinical Professional Counselors, The Board of Examiners for	1973
Oriental Medicine, The State Board of	1973
Certified Court Reporters Board of Nevada, The	1973
Landscape Architecture, The State Board of	1975
Postsecondary Education, The Commission on	1975
Homeopathic Medical Examiners, The Nevada Board of	1983
Environmental Health Specialist, The Board of	1987; voluntary registration 2007; mandatory registration
Social Workers, The Board of Examiners for	1987
Occupational Therapy, The Board of	1991
Alcohol, Drug and Gambling Counselors, The Board of Examiners for	2000
Commission on Construction Education, The	2001
Athletic Trainers, The Board of	2003; 2005 added licensure
Massage Therapy, The Board of	2005
Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, The	2015; 1972 merged with Board of Examiners for Hear- ing Aid Specialists ;1979 merged with the Board of Examiners for Audiology and Speech Pathology
Applied Behavior Analysis, The Board of	2021

<b>Boards, Commissions, Advisory Councils</b>	<b>Year</b>
Nevada Tax Commission	1913
Nevada State Board of Agriculture	1915
Board of Health	1919
State Board of Equalization (SBE)	1929
State Conservation Commission	1937
Nevada Board of Wildlife Commissioners	1947
Real Estate Commission	1949
Employment Security Council; Board of Review	1951
State Public Works Board	1953
Well Drillers' Advisory Board	1955
Nevada Committee of Blind Vendors (NCBV)	1959
Human Resources Commission (formerly Personnel Commission)	1963
State Council on Libraries and Literacy	1965
Nevada Arts Council Board	1967
Comstock Historic District Commission	1967
Medical Laboratory Advisory Committee (MLAC)	1967
Merit Award Board	1967
Government Employee-Management Relations Board	1969
Taxicab Authority	1969
State Board of Education	1971
Commissioner's Advisory Committee on Health Care and Insurance	1971
Commissioner's Property and Casualty Advisory Committee	1971
State Land Use Planning Advisory Council	1973
Nevada Tahoe Regional Planning Agency	1973
State Environmental Commission (SEC)	1973
Occupational Safety and Health Review Board	1973
Commission on Postsecondary Education	1975
Medicaid Reinvestment Advisory Committee (MRAC)	1975
Nevada State Rehabilitation Council (NSRC)	1975
Appraiser Certification Board	1975
Veterans Service Commission	1975
The Nevada Public Employees' Deferred Compensation Committee	1976
State Land Use Planning Advisory Council - Executive Council	1977
Board of Museums and History	1979
Industrial Relations Advisory Council	1981
Nevada Commission on Tourism	1982
Commission on Aging	1983
Committee On Testing for Intoxication	1983
Board of Search and Rescue	1983
State Apprenticeship Council	1985
Board for Financing Water Projects	1987
Commission on Professional Standards in Education	1987
Commission on Behavioral Health	1989
Board for the Education and Counseling of Displaced Homemakers (DH)	1989
Advisory Board on Automotive Affairs	1989

<b>Boards, Commissions, Advisory Councils</b>	<b>Year</b>
Board to Review Claims (a.k.a. Nevada Petroleum Fund Board)	1989
Behavioral Health Planning and Advisory Council	1989
Nevada State Historical Records Advisory Board	1989
Commission of Appraisers of Real Estate	1989
Northern Nevada Memorial Cemetery Advisory Committee	1990
Nevada Commission for Women	1991
Nevada Bicycle and Pedestrian Advisory Board	1991
Maternal and Child Health Advisory Board	1992
Commission for Cultural Centers and Historic Preservation	1993
Drug Utilization Review (DUR) Board	1993
State Records Committee	1993
Board of Museums and History	1994
The Children's Justice Act Task Force	1994
Board for Administration of Subsequent Injury Account for Self-Insured Employers	1995
Board for the Administration of the Subsequent Injury Fund for Associations of Self-Insured Public or Private Employers	1995
State Disaster Identification Coordinating Committee	1997
Nevada Transportation Authority	1997
Council to Establish Academic Content Standards	1999
Industrial Insurance Appeals Panel	1999
Advisory Council on Mortgage Investments and Mortgage Lending	1999
Nevada Children's Behavioral Health Consortium (NCBHC)	2000
Clark County Children's Mental Health Consortium	2001
Statewide Coordinating Council of the RPDP	2001
Committee on Local Government Finance (CLGF)	2001
Nevada State Council for Adult Offender Supervision	2001
Executive Committee to Review the Death of Children	2003
Homeland Security Commission, Committee on Finance	2003
Commission on Homeland Security	2003
Commission on Minority Affairs	2003
Commission for Common-Interest Communities and Condominium Hotels	2003
Common Interest Community Task Force	2003
IDEA Part C Office for Interagency Coordinating Council (ICC)	2004
Substance Abuse Prevention and Treatment Agency Advisory Board	2004
Assistive Technology Council	2004
NOMHE Advisory Committee	2005
The State Advisory Committee on Chronic Disease and Community Wellness	2005
Nevada Aviation Technical Advisory Committee	2005
Advisory Committee on Problem Gambling	2006
Primary Care Advisory Council	2008

<b>Boards, Commissions, Advisory Councils</b>	<b>Year</b>
Commission on Autism Spectrum Disorders	2008
Nevada Early Childhood Advisory Council (ECAC)	2009
Commission on Services for Persons with Disabilities	2009
State Council for the Coordination of the Interstate Compact on Education Opportunity for Military Children	2009
Advisory Committee on the State Program for Oral Health (AC4OH)	2009
Commission on Off-Highway Vehicles	2011
Advisory Council for Family Engagement	2011
Teachers and Leaders Council (TLC)	2011
Mining Oversight and Accountability Commission	2011
Nevada State Council for Interstate Juvenile Supervision	2012
Governor's Office of Economic Development (GOED)	2012
Interagency Council on Veterans Affairs	2012
Sagebrush Ecosystem Council	2013
Nevada State Parks and Cultural Resources Endowment Fund Committee	2013
Dietitian Advisory Group	2013
Committee to Review Suicide Fatalities	2013
Task Force on Alzheimer's Disease	2013
English Mastery Council	2013
Governor's Council on Food Security	2014
Governor's Workforce Development Board (GWDB)	2015
Healthcare Associated Infection (HAI) Program HAI Task Force	2015
Intrastate Mutual Aid System Committee	2015
Committee on Statewide School Safety	2015
Women's Veterans Advisory Committee	2015
The Nevada Coalition to Prevent the Sexual Exploitation of Children	2016
Nevada Children's Commission	2016
Battle Born Growth Escalator	2016
State Board Subcommittee on the Holocaust and Other Genocides	2016
Clark Regional Behavioral Health Policy Board	2017
Northern Regional Behavioral Health Policy Board	2017
Southern Regional Behavioral Health Policy Board	2017
Nevada Commission on Mentoring	2017
Advisory Council on Palliative Care and Quality of Life	2017
Southern Regional Behavioral Health Policy Board	2017
Committee to Review Child Support Guidelines	2017
Advisory Committee on Medicaid Innovation	2017
Washoe Regional Behavioral Health Policy Board	2017
Diapering Resources Committee	2017
Northern Regional Behavioral Health Policy Board	2017
Nevada Commission for Persons Who are Deaf or Hard of Hearing	2017

<b>Boards, Commissions, Advisory Councils</b>	<b>Year</b>
State Independent Living Council	2017
Rural Regional Behavioral Health Policy Board	2018
COSAL Committee	2018
United Veterans Legislative Council (UVLC)	2018
ABOR - Advisory Board on Outdoor Recreation	2019
Patient Protection Commission (PPC)	2019
Interagency Advisory Council on Homelessness to Housing (ICHH)	2019
Radiation Therapy and Radiologic Imaging Advisory Committee	2019
Silver State Scripts Board	2019
Rare Disease Advisory Council (RDAC)	2019
Nevada Resilience Advisory Committee	2019
Nevada Tribal Emergency Coordinating Council	2019
Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force	2019
Commission on School Funding	2019
Northern Nevada State Veterans Home Independent Advisory Board	2019
Advisory Committee on Housing	2019
Credit Union Advisory Council	2019
Private Activity Bond Council	2019
Maternal Mortality Review Committee	2020
Regional Transmission Committee Task Force	2021
Kidney Disease Advisory Committee (KDAC) - Subcommittee for the State Advisory Committee on Community Wellness and Chronic Disease (CWCD)	2021
Advisory Committee for a Resilient Nevada (ACRN)	2021
Medicaid Reinvestment Advisory Committee (MRAC)	2021
Nevada Advisory Committee on Traffic Safety	2021
Health Care Workforce Working Group	2022
Cybersecurity Task Force	2022
Vulnerable Adult Fatality Review Committee	2023
Nevada Human Trafficking Coalition	2023
Naprapathic Practice Advisory Board	2023
Committee on the Safety and Well-Being of Public School Staff (AB72)	2023
Committee on Response to Power Based Violence in Schools (AB245)	2023
Psychedelic Medicines Working Group	2023
Air Service Development Commission	2023
Commission on Innovation and Excellence in Education	2023
Electronic Health Information Advisory Group	2024

**APPENDIX C:  
STATE OF NEVADA BOARDS AND COMMISSIONS**

## TITLE 54 OCCUPATIONAL AND LICENSING BOARDS

### TITLE 54 OCCUPATIONAL AND LICENSING BOARDS

1. The Nevada State Board of Accountancy
2. Board of Examiners for Alcohol, Drug and Gambling Counselors
3. The Board of Applied Behavioral Analysis
4. The State Board of Architecture, Interior Design and Residential Design
5. The Board of Athletic Trainers
6. The State Barbers Health and Sanitation Board
7. Certified Court Reporters' Board of Nevada
8. Chiropractic Physicians Board of Nevada
9. The Commission on Construction Education
10. The State Contractors Board
11. The State Board of Cosmetology
12. The Board of Dental Examiners of Nevada
13. The Committee on Dental Hygiene and Dental Therapy
14. The Board of Dispensing Opticians
15. The Board of Environmental Health Specialists
16. The Nevada Funeral and Cemetery Services Board
17. The Nevada Board of Homeopathic Medical Examiners
18. The State Board of Landscape Architecture
19. The Board of Examiners for Marriage and Family Therapist and Clinical Professional Counselors
20. The Board of Massage Therapy
21. The Board of Medical Examiners
22. The State Board of Nursing
23. The Advisory Committee on Nursing Assistants and Medication Aides
24. The Board of Occupational Therapy
25. The Nevada State Board of Optometry
26. The State Board of Oriental Medicine
27. The State Board of Osteopathic Medicine
28. The State Board of Pharmacy
29. The Nevada Physical Therapy Board
30. The State Board of Podiatry
31. The Commission on Postsecondary Education
32. The State Board of Professional Engineers and Land Surveyors
33. The Board of Psychological Examiners
34. Private Investigators Licensing Board
35. The Board of Examiners for Social Workers
36. Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Board
37. The Nevada State Board of Veterinary Medical Examiners

# EXECUTIVE BRANCH BOARDS AND COMMISSIONS

## DEPARTMENT OF ADMINISTRATION

1. Commission for Women
2. Committee on Catastrophic Leave
3. Deferred Compensation Committee
4. Employee-Management Committee
5. State Historical Records Advisory Board
6. Libraries and Literacy Council
7. Merit Award Board
8. Human Resource Commission (Personnel Commission)
9. Public Works Board
10. Committee to Approve Schedules for the Retention and Disposition of Official State Records (State Records Committee)

## DEPARTMENT OF AGRICULTURE

1. Board of Agriculture
2. Junior Livestock Show Board

### DIVISION APPOINTED

1. Predatory Animal and Rodent Control Committee

## DEPARTMENT OF BUSINESS AND INDUSTRY

1. Board for Administration of Subsequent Injury Account for Self-Insured Employers
2. Board for the Administration of the Subsequent Injury Fund for Associations of Self-Insured Public or Private Employers
3. Commission of Appraisers of Real Estate
4. Commission for Common-Interest Communities and Condominium Hotels
5. Credit Union Advisory Council
6. Government Employee-Management Relations Board
7. Industrial Insurance Appeals Panel
8. Industrial Relations Advisory Council
9. Nevada Transportation Authority
10. Occupational Safety and Health Review Board
11. Real Estate Commission
12. State Apprenticeship Council
13. Taxicab Authority

### DIRECTOR APPOINTED

1. Private Activity Bond Council
2. Common Interest Community Task Force
3. Advisory Committee on Housing



### **DIVISION APPOINTED**

1. Appraisal Advisory Review Committee
2. Commissioner's Property & Casualty Advisory Committee
3. Commissioner's Network Adequacy Advisory Council
4. Commissioner's Life and Health Advisory Committee
5. Advisory Council on Mortgage Investments and Mortgage Lending
6. Commission on Minority Affairs
7. Commissioner's Producers & Brokers Insurance Advisory Committee
8. Commissioner's Title Insurance Advisory Committee
9. Weatherization Assistance Program

### **DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

1. Advisory Board on Outdoor Recreation
2. Board for Financing Water Projects
3. Commission for Cultural Centers and Historic Preservation
4. Commission on Off-Highway Vehicles
5. Comstock Historic District Commission
6. Environmental Protection, Board to Review Claims
7. Sagebrush Ecosystem Council
8. State Land Use Planning Advisory Council
9. State Conservation Commission
10. State Environmental Commission

#### **DIVISION APPOINTED**

1. Perfluoroalkyl and Polyfluoroalkyl Substances Working Group
2. State Land Use Planning Advisory Council – Executive Council
3. Well Drillers' Advisory Board

### **DEPARTMENT OF EDUCATION**

1. Advisory Committee on the Safety and Well-Being of Public School Staff
2. Board of Education
3. Commission on Innovation and Excellence in Education
4. Commission on Professional Standards in Education
5. Commission on School Funding
6. Committee on Statewide School Safety
7. Council for Establishment of Academic Standards for Public Schools
8. Nevada Advisory Commission on Mentoring
9. State Council for the Coordination of the Interstate Compact on Educational Opportunity for Military Children
10. Statewide Council for the Coordination of the Regional Training Programs

## 11. Teachers and Leaders Advisory Council

### **DIVISION APPOINTED**

1. Advisory Council for Family Engagement
2. Nevada Interscholastic Activities Association
3. Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force
4. State Financial Literacy Advisory Council (effective through June 30, 2028)
5. Committee to Oversee the Charter School Audit List
6. Committee on Responses to Power Based Violence in Schools
7. Special Education Advisory Committee Member Information
8. Advisory Committee on Language Development for Children Who Are Deaf, Hard of Hearing, Blind or Visually Impaired

## **DEPARTMENT OF EMERGENCY MANAGEMENT**

### **DIVISION APPOINTED**

1. Board of Search and Rescue
2. Interstate Mutual Aid Committee
3. State Disaster Identification Coordination

## **DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION**

1. Board for the Education and Counseling of Displaced Homemakers
2. Employment Security Council
3. Equal Rights Commission
4. Nevada State Rehabilitation Council

### **DIVISION APPOINTED**

1. Nevada Committee of Vendors Who are Blind

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

1. Advisory Committee on Problem Gambling
2. Behavioral Health Planning and Advisory Council
3. Board of Examiners for Long-Term Care Facility Administrators
4. Board of Health
5. Clark Regional Behavioral Health Policy Board
6. Commission on Aging
7. Commission on Autism Spectrum Disorder
8. Commission on Behavioral Health
9. Council on Food Security
10. Early Childhood Advisory Council

11. Early Intervention Interagency Coordinating Council
12. Governor’s Council on Developmental Disabilities
13. Interagency Advisory Council on Homelessness to Housing
14. Juvenile Justice Oversight Commission
15. Naprapathic Practice Advisory Board
16. Nevada Commission for Persons Who are Deaf, Hard of Hearing or Speech Impaired
17. Nevada State Council for Interstate Juvenile Supervision
18. Northern Regional Behavioral Health Policy Board
19. Patient Protection Commission
20. Psychedelic Medicines Working Group
21. Radiation Therapy and Radiologic Imaging Advisory Committee
22. Rural Regional Behavioral Health Policy Board
23. Southern Regional Behavioral Health Policy Board
24. Statewide Independent Living Council
25. Washoe Regional Behavioral Health Policy Board

**DIRECTOR APPOINTED**

1. Advisory Committee for Resilient Nevada
2. Advisory Committee on Medicaid Innovation
3. Assistive Technology Council
4. Committee to Review Suicide Fatalities
5. Diapering Resource Committee
6. Dietitian Advisory Group
7. Drug Use Review Board
8. Electronic Health Information Advisory Group
9. Grants Management Advisory Committee
10. Health Care Workforce Working Group
11. Home Care Employment Standards Board
12. Maternal and Child Health Advisory Board
13. Maternal Mortality Review Committee
14. Medical Care Advisory Committee
15. Nevada Commission on Services for Persons with Disabilities
16. Nevada Office of Minority Health and Equity Advisory Council
17. Rare Disease Advisory Council
18. Silver State Scripts Board
19. State of Nevada Advisory Council on Palliative Care and Quality of Life
20. Task Force on Alzheimer’s Disease
21. Vulnerable Audit Fatality Review Committee

**DIVISION APPOINTED**

1. Advisory Committee on the State Program for Oral Health Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease

2. Advisory Board on Maternal and Child Health
3. Children’s Justice Act
4. Clark County Children’s Mental Health Consortium
5. Committee on Emergency Medical Services
6. Emergency Medical Services for Children
7. Executive Committee to Review the Death of Children
8. Healthcare Associated Infection Task Force
9. Human Trafficking Coalition
10. Kidney Disease Advisory Council
11. Medicaid Reinvestment Advisory Committee
12. Medical Laboratory Advisory Committee
13. Nevada Children’s Behavioral Health Consortium
14. Nevada Lifespan Respite Care Coalition
15. Primary Care Advisory Council
16. Rural Children’s Mental Health Consortium
17. Subcommittee on Patient-Centered Medical Homes
18. Substance Abuse Prevention and Treatment Agency Advisory Board
19. The Committee to Review Child Support Guidelines
20. The Nevada Coalition to Prevent the Sexual Exploitation of Children
21. Washoe County Children’s Mental Health Consortium

**DEPARTMENT OF INDIGENT DEFENSE SERVICES**

1. Indigent Defense Services

**DEPARTMENT OF MOTOR VEHICLES**

1. Automotive Affairs Advisory Board

**DIVISION APPOINTED**

1. Advisory Committee on Control of Emissions from Motor Vehicles

**DEPARTMENT OF NATIVE AMERICAN AFFAIRS**

1. Nevada Indian Commission

**DEPARTMENT OF PUBLIC SAFETY**

1. Board of Parole Commissioners
2. Council for Interstate Adult Offender Supervision
3. State Board of Fire Services
4. State Emergency Response Commission

**DIRECTOR APPOINTED**

1. Committee on Testing for Intoxication

**DIVISION APPOINTED**

1. Nevada Threat Analysis Center Advisory Committee

**DEPARTMENT OF SENTENCING POLICY**

1. Nevada Sentencing Commission

**DIVISION APPOINTMENT**

1. Nevada Local Justice Reinvestment Coordinating Council
2. Subcommittee on Misdemeanors of the Sentencing Commission

**DEPARTMENT OF TAXATION**

1. Board of Equalization
2. Mining Oversight and Accountability Commission
3. Tax Commission

**DIVISION APPOINTED**

1. Appraiser Certification Board
2. Committee on Local Government Finance

**DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS**

1. Commission on Tourism
2. Nevada Arts Council Board
3. Museums and History Advisory Board

**DEPARTMENT OF TRANSPORTATION**

1. Bicycle and Pedestrian Advisory Board
2. Board of Directors of the Nevada State Infrastructure Bank

**DIRECTOR APPOINTED**

1. Advisory Committee on Traffic Safety

**DEPARTMENT OF VETERAN SERVICES**

1. Interagency Council on Veteran Affairs
2. Nevada Veterans Services Commission
3. Northern Nevada Veterans Cemetery Advisory Committee
4. Southern Nevada Veterans Cemetery Advisory Committee
5. Women Veterans Advisory Committee

## **DEPARTMENT OF WILDLIFE**

1. Board of Wildlife Commissioners

## **GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT**

1. Air Service Development Commission

## **GOVERNOR'S OFFICE OF ENERGY**

1. Regional Transmission Task Force

## **GOVERNOR'S OFFICE OF FEDERAL ASSISTANCE**

1. Nevada Advisory Council on Federal Assistance

## **NEVADA HEALTH LINK**

1. Silver State Health Insurance Exchange Board

## **OFFICE OF THE CHIEF INFORMATION OFFICER**

1. Information Technology Advisory Board

## **OFFICE OF THE GOVERNOR**

1. Commission on Nuclear Projects
2. Selection Committee to the Nevada Awards and Honors Board
3. The Nevada Awards and Honors Project

## **OFFICE OF SCIENCE, INNOVATION AND TECHNOLOGY**

1. Advisory Council on Graduate Medical Education

## **PUBLIC CHARTER SCHOOL AUTHORITY**

1. State Public Charter School Authority

## **NO DEPARTMENT CONNECTION**

1. California-Nevada Super Speed Ground Transportation Commission
2. Oversight Panel for Convention Facilities

# EXEMPT BOARDS AND COMMISSIONS

## **ATTORNEY GENERAL'S OFFICE**

1. Advisory Council for Prosecuting Attorneys
2. Committee for the Statewide Alert System

### **DIVISION APPOINTED**

1. Committee on Domestic Violence
2. Advisory Committee on Rights of Survivors of Sexual Assault
3. Statewide Substance Use Response Working Group

## **LIEUTENANT GOVERNOR**

1. Keep Nevada Working Task Force

## **SECRETARY OF STATE**

### **DIVISION APPOINTED**

1. Advisory Committee on Participatory Democracy
2. Committee to Approve Schedules for the Retention and Disposal of Official State Records
3. Task Force of Safe Sidewalk Vending

## **STATE TREASURER**

1. Board of Trustees of the College Savings Plans of Nevada
2. Nevada Capital Investment Corporation
3. Nevada Gift and Endowment Fund
4. Nevada State Parks and Cultural Resources Endowment Fund Committee

### **DIVISION APPOINTED**

1. Board of Trustees for the Nevada Employee Savings Trust
2. Nevada Statewide Council on Financial Independence

## **NEVADA CONSTITUTION**

1. Board of State Prison Commissioners
2. State Board of Examiners
3. State Board of Pardons Commissioners
4. Commission on Judicial Selection
5. Commission on Judicial Discipline

## **NEVADA SYSTEM OF HIGHER EDUCATION AND BOARD OF REGENTS**

1. Board of Regents of the University of Nevada
2. Nevada State Board of Geographic Names
3. State 4-H Camp Advisory Council
4. Task Force on Sexual Misconduct at Institutions of Higher Education

## **BOARDS AND STATUTORY BODIES**

1. Advisory Board on Dream Tags
2. Attorney for Injured Workers
3. Board of Directors for the Department of Transportation
4. Board of Directors for Jobs for Nevada Graduates, Inc.

## EXEMPT BOARDS AND COMMISSIONS

5. Board of Public Employees' Benefits Program
6. Board of Trustees of the Fund for Hospital Care to Indigent Persons
7. Board of Economic Development
8. Board for the Regulation of Liquefied Petroleum Gas
9. Cannabis Advisory Commission
10. Cannabis Compliance Board
11. Commissioner's Producers & Brokers Insurance Advisory Committee
12. Cybersecurity Task Force
13. Department of Administration Appeals Officers and Special Appeals Officers
14. Education Commission of the States
15. Economic Forum
16. Executive Branch Audit Committee
17. Governor's Advisory Council on Education Relating to the Holocaust
18. Governor's Workforce Development Board
19. Home Means Nevada, Inc.
20. Nevada Athletic Commission
21. Nevada Clean Energy Fund
22. Nevada Commission on Homeland Security
23. Nevada Life and Health Insurance Guaranty Association
24. Nevada Surplus Lines Association
25. Nevada Insurance Guaranty Association
26. Police and Firefighters' Retirement Funds Advisory Committee
27. Public Defender for the State
28. State Board of Finance
29. Truckee Meadows Regional Planning Agency-Commission
30. Truckee Meadows Regional Planning Agency-Governing Board
31. Children's Commission
32. Colorado River Basin Salinity Control Advisory Council
33. Colorado River Basin Salinity Control Forum
34. Colorado River Commission
35. Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers
36. Carson-Truckee Water Conservancy District
37. Commission on Mineral Resources
38. Commission to Study Governmental Purchasing
39. Southern Nevada Enterprise Community Board
40. Southern Nevada Regional Planning Coalition
41. Homeland Security Commission, Committee of Finance
42. Gaming Control Board
43. Gaming Policy Committee
44. P-20W Research Data System Advisory Committee
45. Peace Officers' Standards and Training Commission
46. Public Utilities Commission
47. Ethics Commission
48. Esports Technical Advisory Committee
49. Nevada Advisory Council on Financial Assistance
50. Nevada Aviation Technical Advisory Committee



## EXEMPT BOARDS AND COMMISSIONS

51. Nevada Battle Born Growth Escalator
52. Nevada Commission for the Reconstruction of the V&T Railway
53. Nevada Resilience Advisory Committee
54. Nevada State Parks and Cultural Resources Endowment Fund Committee
55. Nevada Tribal Emergency Coordinating Council
56. Nevada Volunteers
57. Public Employees' Retirement Board
58. Rocky Mountain Low-Level Radioactive Waste Board
59. Stadium Authority
60. Tahoe Regional Planning Agency
61. Tahoe Transportation District, Board of Directors
62. University School for Profoundly Gifted Pupils-Davidson Academy of Nevada
63. Western Interstate Commission for Higher Education
64. Western Interstate Nuclear Compact

**APPENDIX D:  
INDIVIDUAL BOARD REFORM SUMMARIES**

## THE NEVADA BOARD OF REHABILITATIVE PRACTICE AND THERAPY

**Merge** the following occupational boards:

- The Board of Athletic Trainers – NRS 640B.170
- The Nevada Board of Physical Therapy – NRS 640.030
- The Board of Occupational Therapy – NRS 640A.080
- Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board– NRS 367B.100

These four boards, the Board of Athletic Trainers, the Nevada Board of Physical Therapy, the Board of Occupational Therapy, and the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, share several commonalities based on their respective Nevada Revised Statutes (NRS) and board duties:

### KEY SIMILARITIES ACROSS THE BOARDS

1. **Regulation of Health Professions:** Each board is responsible for regulating a specific health profession within Nevada. They establish standards for practice, oversee licensure, and ensure that practitioners meet the necessary qualifications to provide safe and effective care.
2. **Licensing Authority:** These boards have the authority to issue, renew, and, if necessary, revoke licenses for professionals in their respective fields. They set the criteria for licensure, which may include educational requirements, examinations and continuing education mandates.
3. **Disciplinary Actions:** They are empowered to investigate complaints against practitioners and take disciplinary actions when violations of professional standards or ethical codes occur. This helps maintain the integrity of the profession and protects public health and safety.
4. **Public Protection Mandate:** A primary duty of each board is to protect the public by ensuring that practitioners adhere to established standards of practice and ethics. This includes setting regulations, monitoring compliance and addressing any breaches through appropriate disciplinary measures.
5. **Dry Needling:** In Nevada, the boards authorized to perform dry needling include the Board of Athletic Trainers, the Nevada Board of Physical Therapy and the Chiropractic Physicians Board. Each of these boards mandates that licensed practitioners complete rigorous, additional training in dry needling techniques, often requiring at least 150 hours of didactic education and a substantial in-person component, including practical examinations. These measures ensure that only professionals with verified competencies are allowed to perform dry needling, safeguarding patient safety and maintaining high standards within each profession. Merging these boards under a unified structure could enhance regulatory consistency, streamline training standards and facilitate cross-professional collaboration. Given that athletic trainers, physical therapists and chiropractors share similar requirements and perform dry needling within overlapping health domains, a merged board would benefit from shared resources and could establish uniform standards for dry needling practices. This alignment would not only improve regulatory efficiency but also strengthen Nevada's healthcare system by fostering

coordinated efforts in patient care, safety protocols and professional education across these interrelated fields.

### **NEW BOARD MAKE-UP (11 MEMBERS)**

- **2 Licensed Physical Therapists:** 3,420 licensees and 16 complaints required an investigation.
- **1 Licensed Physical Therapist Assistant** in the State of Nevada
- **2 Licensed Occupational Therapists:** 1,810 licensees and 5 complaints required an investigation.
- **2 Licensed Athletic Trainers:** Must have 5 years experience or taught or conducted research concerning the practice of Athletic Trainers. 331 licensees and no complaints required an investigation.
- **1 Licensed Speech-Language Pathologist (SLP):** Representing the Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board with 1,606 licensees and 6 complaints required an investigation. Each SLP should practice in a different setting (e.g., university, public school, hospital, or private practice) to maintain diversity in representation.
- **1 Licensed Audiologist:** Representing the same board. At least one of these members must be a dispensing audiologist who has practiced for at least three years preceding the appointment.
- **1 Hearing Aid Specialist:** Representing the Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board. This member must have practiced, taught, or conducted research in the field for at least three years and cannot be a stakeholder in a manufacturer of hearing aids.
- **1 General Public Member:** Must not be related to or involved in any of the above practices; must represent the general interest of the public.

### **OTHER STATES**

The structure of regulatory boards for Athletic Trainers, Physical Therapists, Occupational Therapists, and Speech-Language Pathology, Audiology, and Hearing Aid Dispensing varies by state.

A few states have moved toward consolidation, merging multiple professions under a single regulatory entity. For example:

- In **Georgia**, the licensing and oversight of physical therapists, athletic trainers, and other related professions are handled under unified systems within the state's Professional Licensing Boards Division. This centralization allows for better coordination and management of licensure and regulatory processes for multiple professions, such as chiropractic care, massage therapy, and occupational therapy.
- **Colorado** has a single Office of Occupational Therapy and Physical Therapy. Colorado follows a similar approach, with its Department of Regulatory Agencies overseeing various health professions. These kinds of integrations help in ensuring uniform standards and facilitate collaboration between related health services, enhancing public safety and service quality across professions.
- **North Carolina** has a combined Board of Physical Therapy Examiners that also oversees athletic trainers. Similarly, in North Carolina, the Board of Physical Therapy Examiners oversees not just

physical therapists but also manages regulations that impact related professions. These boards function under the state government's regulatory framework, emphasizing integration to reduce administrative overhead.

- **California:** The Department of Consumer Affairs oversees various health-related boards, including those for physical therapy, occupational therapy, and chiropractic care.
- **Florida:** The Department of Health houses multiple boards, such as the Board of Massage Therapy, Board of Physical Therapy Practice, and Board of Chiropractic Medicine.
- **Texas:** The Texas Department of Licensing and Regulation manages several health profession boards, including those for massage therapy and athletic trainers.

## CONCLUSION

Yes, the boards can be merged into one regulatory body, if there is careful planning to address the distinct needs of each profession, ensure representation and maintain high standards of practice and consumer protection. This approach could improve efficiency and reduce administrative burdens, while still allowing each profession to maintain its identity and standards within a unified structure.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Maintaining Core Professional Expertise:** The board should include licensed professionals from all represented fields to ensure comprehensive oversight and expertise in all key areas.
- **Strengthening Public Representation:** Including multiple general public members helps maintain public trust and accountability, ensuring the board's decisions reflect community needs and perspectives.
- **Public and Community Representation:** Including a member who represents public interests maintains transparency, fairness, and accountability.

## References:

[Georgia Secretary of State](https://sos.ga.gov/page/faq-georgia-state-board-physical-therapy) <https://sos.ga.gov/page/faq-georgia-state-board-physical-therapy>  
[Federation of State Boards of Physical Therapy](https://www.fsbpt.org/Free-Resources/Licensing-Authorities-Contact-Information) <https://www.fsbpt.org/Free-Resources/Licensing-Authorities-Contact-Information>

## NEVADA INTEGRATIVE HEALTH PROFESSIONS BOARD

**Merge** the following occupational boards:

- The Board of Massage Therapy – NRS 640C.015
- Chiropractic Physicians Board of Nevada – NRS 634.020
- The State Board of Oriental Medicine – NRS 634A.030
- The State Board of Podiatry – NRS 635.020

These four boards, the Board of Massage Therapy, the Chiropractic Physicians' Board of Nevada, the State Board of Oriental Medicine, and the State Board of Podiatry share several commonalities based on their respective Nevada Revised Statutes (NRS) and board duties:

### KEY SIMILARITIES ACROSS THE BOARDS

1. **Regulation of Health Professions:** Each board is responsible for regulating a specific health profession within Nevada. They establish standards for practice, oversee licensure, and ensure that practitioners meet the necessary qualifications to provide safe and effective care.
2. **Licensing Authority:** These boards have the authority to issue, renew, and, if necessary, revoke licenses for professionals in their respective fields. They set the criteria for licensure, which may include educational requirements, examinations, and continuing education mandates.
3. **Disciplinary Actions:** They are empowered to investigate complaints against practitioners and take disciplinary actions when violations of professional standards or ethical codes occur. This helps maintain the integrity of the profession and protects public health and safety.
4. **Public Protection Mandate:** A primary duty of each board is to protect the public by ensuring that practitioners adhere to established standards of practice and ethics. This includes setting regulations, monitoring compliance, and addressing any breaches through appropriate disciplinary measures.

### NEW BOARD MAKE-UP (9 MEMBERS):

**2 Licensed Massage Therapists,** 5,555 licensees and 103 complaints required an investigation.

**2 Licensed Chiropractors,** 1,164 licensees and 31 complaints required an investigation.

**2 members currently engaged in the practice of Oriental medicine in this State:** having engaged in the practice of Oriental medicine in the State at least 3 years preceding the appointment to the Board. 107 licensees and 1 complaint required an investigation.

**2 Licensed Podiatric Physicians:** Representing the State Board of Podiatry, with 214 active licensees and 10 complaints required an investigation.

**1 General Public Member:** Must not be related to or involved in any of the above practices; must represent the general interest of the public.

### OTHER STATES:

The structure of regulatory boards for **Massage Therapists, Podiatry, Chiropractors, and Ori-**

**ental Medicine** varies by state.

A few states have moved toward consolidation, merging multiple professions under a single regulatory entity. For example:

- **Florida:** The Department of Health houses multiple boards, such as the Board of Massage Therapy, Board of Physical Therapy Practice, and Board of Chiropractic Medicine.
- **Texas:** The Texas Department of Licensing and Regulation manages several health profession boards, including those for massage therapy and athletic trainers.
- **Virginia:** the Board of Medicine oversees multiple professions, including medicine, chiropractic, and podiatry.
- **Other states** have chosen to incorporate acupuncture regulations within existing medical or health-related boards. This approach can streamline administrative processes and foster interdisciplinary collaboration. For instance, in some states, acupuncture is regulated under the state's medical board or a combined board that oversees multiple health professions. The decision to merge acupuncture boards with other regulatory bodies often aims to enhance efficiency and consistency in the oversight of health professions.

## CONCLUSION

Yes, the boards can be merged into one regulatory body, if there is careful planning to address the distinct needs of each profession, ensure representation, and maintain high standards of practice and consumer protection. This approach could improve efficiency and reduce administrative burdens, while still allowing each profession to maintain its identity and standards within a unified structure.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Maintaining Core Professional Expertise:** The board should include licensed professionals from all represented fields to ensure comprehensive oversight and expertise in all key areas.
- **Strengthening Public Representation:** Including multiple general public members helps maintain public trust and accountability, ensuring the board's decisions reflect community needs and perspectives.
- **Public and Community Representation:** Including a member who represents public interests maintains transparency, fairness, and accountability.

### Reference:

West Virginia University Knee Regulatory Research Center, <https://csorwvu.com/find-occupations/>

# THE NEVADA BOARD OF PROFESSIONAL DESIGN AND ENVIRONMENTAL SPECIALISTS

**Merge** the following occupational boards:

- The State Board of Architecture, Interior Design and Residential Design
- The State Board of Landscape Architecture
- The State Board of Professional Engineers and Land Surveyors
- The Board of Environmental Health Specialist

Based on job duties, responsibilities and regulatory functions described, it is feasible to combine the Architecture, Interior Design and Residential Design, Landscape Architecture, Professional Engineers and Land Surveyors and Environmental Health Specialists into one larger, consolidated board.

## KEY SIMILARITIES ACROSS THE BOARDS

1. **Similar Regulatory Functions:** Each of these boards handles similar regulatory tasks, such as licensing, maintaining records, enforcing standards, issuing subpoenas and adopting codes of conduct. Combining them would streamline these overlapping functions, leading to more efficient administrative operations.
2. **Specific Needs and Representation:** By ensuring that each profession has dedicated representation within the combined board, the distinct standards and regulatory requirements of each discipline can be maintained. For example, landscape architecture and engineering have different technical competencies, but their licensing, examination and disciplinary functions are similar enough to be managed under one system.
3. **Consolidation Benefits:** A combined board would reduce administrative costs, eliminate redundancies in staff and resources and centralize operations, making the system more efficient overall. It would also simplify processes for public and professional inquiries, potentially improving service delivery across professions.
4. **Maintaining Integrity:** With appropriate safeguards—such as ensuring that board members from each profession actively participate in decisions that affect their specific fields—this consolidation would not compromise the quality, integrity, or specialized regulations of each profession.

## NEW BOARD MAKE-UP (13 MEMBERS)

- **1 Registered Architect:** Representing the State Board of Architecture, Interior Design and Residential Design Board, which has 3,087 licensees and zero complaints that required an investigation. This member should have at least three years of active practice in Nevada.
- **1 Registered Residential Designer:** Representing the State Board of Architecture, Interior Design and Residential Design who have 163 licensees.
- **1 Registered Interior Designer:** Representing the State Board of Architecture, Interior Design and Residential Design who have 181 licensees.
- **2 Professional Engineers:** Representing the Professional Engineers and Land Surveyors



Board, which has 14,940 active licensees and 15 complaints that required an investigation. This member should be engaged in the practice or teaching of professional engineering.

- **2 Environmental Health Specialists:** Representing the Environmental Health Specialists Board, which has 307 licensees, and zero complaints required an investigation.
- **2 Registered Landscape Architects:** Representing the Landscape Architecture Board, which has 363 licensees and two complaints that required an investigation. Must have at least three years of practice with no disciplinary actions
- **2 Land Surveyors:** Representing the Professional Engineers and Land Surveyors Board, ensuring both disciplines are represented adequately. There are 671 licensees.
- **1 General Public Member:** Ensuring the representation of the general public's interests, must not be affiliated with any of the licensed professions.
- **1 Chief Medical Officer:** Meeting the requirement of the Environmental Health Specialists Board, the Chief Medical Officer or designated representative.

## OTHER STATES

Several states have successfully combined boards that regulate professions such as architecture, engineering, interior design and landscape architecture, demonstrating the feasibility of such consolidations.

- **Virginia** has a combined board known as the APELSCIDLA Board which governs Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. This board manages licensing, continuing education and professional conduct across these disciplines. The unified structure allows for streamlined regulatory processes while maintaining individual standards for each profession, such as separate sections for each discipline within the board.
- **Wisconsin** has a similar setup with its Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers. This board is divided into sections to handle specific professional concerns but operates under a unified administrative framework.
- **Minnesota** also regulates a wide range of related professions under a single board - the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design. This consolidation helps in reducing administrative overlap while ensuring that each profession's regulatory and licensure needs are met through specialized attention within the unified board.

## CONCLUSION:

In summary, combining these boards is feasible but it must be done thoughtfully to maintain the unique regulatory frameworks and ensure continued professional representation from each discipline.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Maintaining Core Professional Expertise:** Ensuring that the board has licensed professionals from architecture, landscape architecture, professional engineering, land surveying and environmental health ensures coverage of the key areas of practice.
- **Meeting Specialized Representation Requirements:** Including members like interior designers, landscape architects and environmental health specialists brings necessary expertise and meets specific professional requirements.
- **Ensuring Public and Community Oversight:** Having a general public member, as well as a representative from the medical community, ensures the board reflects public concerns and maintains transparency.

### Resources:

Virginia Department of Professional and Occupational Regulation: <https://dpor.virginiainteractive.org/Boards/APELS>

Wisconsin Department of Safety and Professional Services: <https://dsps.wi.gov/Pages/BoardsCouncils/AE/Default.aspx>

Minnesota Board of AELSLAGID: <https://mn.gov/aelslagid/states.html>

## THE NEVADA BEHAVIORAL WELLNESS ALLIANCE BOARD

**Merge** the following occupational boards:

- The Nevada Applied Behavior Analysis Board – NRS 641D.010
- The Nevada Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors – NRS 641A.010
- The Nevada Board of Examiners for Social Workers – NRS 641B.020
- The Nevada Board of Psychological Examiners – NRS 641.010
- The Alcohol, Drug and Gambling Counselors – NRS 641C.010

Based on the job duties, responsibilities, and regulatory functions described, it is possible to merge the ABA Board, Marriage and Family Therapists, Social Workers, Psychological Examiners and Alcohol, Drug and Gambling Counselors boards into one larger, consolidated board. This approach will lead to more efficient governance, streamlined processes, and reduced administrative costs.

### KEY SIMILARITIES ACROSS THE BOARDS

1. **Licensing and Examination:** All boards are responsible for examining qualifications, licensing, and registration of applicants for their respective professions.
2. **Disciplinary Actions:** Each board has the authority to revoke or suspend licenses, enforce disciplinary measures and maintain records of violations.
3. **Reporting Requirements:** All boards are required to submit annual reports to oversight committees or authorities.
4. **Rulemaking and Regulation:** Each board has the authority to develop, adopt and enforce rules and regulations related to their profession, including ensuring that practitioners limit their practice to areas of competence.
5. **Supervision and Training:** Most boards have responsibilities related to supervising interns or trainees and establishing standards for remote supervision.

### NEW BOARD MAKE-UP (13 MEMBERS)

- **1 Licensed Behavior Analyst or Assistant Behavior Analyst:** Representing the Applied Behavior Analysis Board with 2,800 active licensees and 12 complaints required an investigation.
- **2 Licensed Marriage and Family Therapists (MFT):** Representing Marriage and Family Therapists Board with 3,469 active licensees and 32 complaints required an investigation.
- **2 Licensed Social Workers:** Representing the Social Workers Board, which has the highest number of active licensees 4,723 and 16 complaints required an investigation.
- **1 Licensed Psychologist:** Representing the Psychological Examiners Board, with 939 active licensees and 8 complaints required an investigation. This member could also be a faculty member from an accredited doctoral program or internship location to meet existing requirements.

- **1 Licensed Clinical Alcohol and Drug Counselor or Alcohol and Drug Counselor:** Representing the Alcohol, Drug, and Gambling Counselors Board, which has 1,300 active licensees and 5 complaints required an investigation.
- **1 Licensed Clinical Professional Counselor:** Representing clinical professional counselors as required by the Marriage and Family Therapists Board.
- **1 Licensed Problem Gambling Counselor:** Ensuring representation for certified problem gambling counseling, which was a specific requirement on the Alcohol, Drug, and Gambling Counselors Board.
- **1 General Public Member:** Must not be affiliated with any of the licensed professions; representing the general interests of the public.
- **1 General Public Member:** Representing Healthcare for Indigent or Uninsured Persons: As required by the Psychological Examiners Board.
- **1 Member Representing an Academic or Training Institution:** A licensed psychologist who is a core faculty member at a doctorate-level program or internship location accredited by the American Psychological Association, or a similar accredited institution, to bring in academic oversight.
- **1 Licensed or Certified Member from Any of the Represented Fields:** This position would be flexible to ensure balanced representation as needed, possibly rotating between boards to maintain diversity.

## OTHER STATES

Several states have successfully consolidated occupational licensing boards into one or more overarching boards or agencies. For example:

- **California's Board of Behavioral Sciences** oversees multiple professions, including marriage and family therapists, social workers and professional clinical counselors.
- **Florida's Department of Health** manages a variety of health-related professions through its Division of Medical Quality Assurance, utilizing subcommittees for specific professions.

Several states have taken steps to consolidate similar licensing boards into single or combined entities:

- **California** has a Board of Behavioral Sciences that oversees the licensing and regulation of multiple professions, including Licensed Marriage and Family Therapists (LMFTs), Licensed Clinical Social Workers (LCSWs), Licensed Educational Psychologists (LEPs), and Licensed Professional Clinical Counselors (LPCCs).
- **Georgia** has established a Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists. This board regulates and sets licensing guidelines for professional counselors, social workers, and marriage and family therapists in the state.
- **Idaho** also has a Board of Professional Counselors and Marriage and Family Therapists that regulates both counselors and marriage and family therapists under a single regulatory structure.

## CONCLUSION

Merging boards that regulate related professions is feasible if mechanisms are in place to ensure that each profession's specific standards and needs are respected. This consolidated structure would lead to more efficient oversight, reduced costs and improved public access to information. Examples from other states demonstrate that merging oversight bodies for similar professions can streamline regulations, enhance efficiency, and provide better services for professionals and consumers while still maintaining the integrity of each profession's standards.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Maintaining Core Professional Expertise:** The board should include licensed professionals from all represented fields to ensure comprehensive oversight and expertise in key areas, such as behavior analysis, marriage and family therapy, social work, psychology, and addiction counseling.
- **Ensuring Specialized Representation:** Incorporating additional licensed and certified professionals (such as problem gambling counselors or academic representatives) ensures specialized expertise and supports the board's diverse range of responsibilities.
- **Strengthening Public Representation:** Including multiple general public members helps maintain public trust and accountability, ensuring the board's decisions reflect community needs and perspectives.

## References:

[Board of Behavioral Sciences](https://bbs.ca.gov/applicants/lmft.html) <https://bbs.ca.gov/applicants/lmft.html>

[Georgia Secretary of State](https://sos.ga.gov/board-professional-counselors-social-workers-and-marriage-family-therapists) <https://sos.ga.gov/board-professional-counselors-social-workers-and-marriage-family-therapists>

[Occupational Licenses](https://dopl.idaho.gov/cou/) <https://dopl.idaho.gov/cou/>

## NEVADA MEDICAL BOARD

**Merge** the following occupational boards:

- The Board of Medical Examiners – NRS 360.050
- The State Board of Osteopathic Medicine – NRS 633.011

The duties and regulations of the Nevada Board of Medical Examiners and the Nevada Board of Osteopathic Medicine show significant overlap in their core functions, particularly regarding licensure, disciplinary actions, medical ethics and the supervision of medical assistants. Both boards have similar mandates to enforce regulations for their respective licensees, establish standards for licensure, and take disciplinary actions when necessary.

### KEY SIMILARITIES ACROSS THE BOARDS

1. **Licensure and Regulation:** Both boards are responsible for the licensure of medical professionals, ensuring that licensees meet the qualifications for practice and adopting regulations to govern the profession. The process of evaluating applicants and maintaining licensure standards is consistent across both boards.
2. **Disciplinary Actions:** Each board conducts investigations and enforces disciplinary actions for malpractice, negligence, or violations of controlled substance regulations. They both maintain records of disciplinary actions and cooperate with other agencies when necessary.
3. **Ethics and Professional Standards:** Both boards are empowered to adopt regulations governing medical ethics and conduct. While they address different professions (allopathic vs. osteopathic), the ethical principles and standards of care they enforce have much in common, especially concerning issues like controlled substance prescribing and general patient care.
4. **Reporting and Recordkeeping:** Both boards submit reports to state authorities, maintain records of proceedings, and are responsible for making certain documents available to the public, especially regarding disciplinary actions. Their duties to communicate with other licensing boards and agencies also align closely.
5. **Supervision of Medical Assistants:** Both boards have regulations that govern the supervision of medical assistants, specifically focusing on the possession and administration of dangerous drugs, showing alignment in regulatory scope.
6. **Confidentiality and Public Records:** Both boards have similar provisions regarding confidentiality in investigations and disciplinary proceedings, with exceptions for public records related to certain documents or when requested by the licensee.

### NEW BOARD MAKE-UP: (9 MEMBERS)

- **3 Licensed Medical Doctors:** approximately 14,000 licensees and 488 complaints
- **3 Licensed Osteopathic Doctors:** 2,914 licensee and 144 complaints
- **1 Licensed Physician Assistant**
- **1 Licensed Respiratory Care Practitioner**
- **1 General Public Member:** Not related to a person licensed to practice any healing art, and

not involved in the administration of any medical or dependent facility.

## OTHER STATES

- **Alaska:** The Alaska State Medical Board regulates both allopathic and osteopathic physicians in the state.
- **Delaware:** Delaware has a single Board of Medical Licensure and Discipline, which oversees both allopathic and osteopathic physicians.
- **Georgia:** The Georgia Composite Medical Board regulates both MDs and DOs.
- **Hawaii:** The Hawaii Medical Board is a joint board that licenses and regulates both allopathic (MD) and osteopathic (DO) physicians.
- **Illinois:** The Illinois Department of Financial and Professional Regulation (IDFPR) regulates both MDs and DOs under the same medical board structure.
- **Maryland:** The Maryland Board of Physicians oversees the licensure and regulation of both allopathic and osteopathic doctors.
- **Massachusetts:** Massachusetts has a Board of Registration in Medicine, which is responsible for regulating both MDs and DOs in the state.
- **Michigan:** The Michigan Board of Medicine regulates both MDs and DOs, providing unified oversight and regulation.
- **New Jersey:** New Jersey has a State Board of Medical Examiners, which governs the practice of both MDs and DOs.
- **New York:** The New York State Education Department's Office of the Professions regulates both MDs and DOs through the Board for Medicine.
- **North Carolina:** The North Carolina Medical Board regulates both MDs and DOs.
- **Rhode Island:** Rhode Island has a single Board of Medical Licensure and Discipline for both allopathic and osteopathic physicians.
- **West Virginia:** In 2023, West Virginia passed legislation to combine its medical and osteopathic boards into one, now called the West Virginia Board of Medicine, which regulates both MDs and DOs.
- **Virginia:** The Virginia Board of Medicine regulates both MDs and DOs, encompassing allopathic and osteopathic physicians.

## CONCLUSION

Consolidating the Board of Medical Examiners and the State Board of Osteopathic Medicine enhances operational efficiency, ensures regulatory consistency, fosters interdisciplinary collaboration, and increases public trust. This unified approach supports Nevada's healthcare system by streamlining oversight, adapting to industry changes and advocating for comprehensive, accessible, and patient-centered care.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Maintaining Core Professional Expertise:** The board should have a strong representation of licensed MDs and DOs to ensure expertise across both medical fields while retaining positions for specialized professionals such as a physician assistant and respiratory care practitioner.
- **Ensuring Representation for Public Interests:** Including a member of the general public without affiliations with the healthcare professions maintains transparency, fairness, and accountability.

### Reference:

Alaska State Medical Board, <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/StateMedicalBoard.aspx>

Delaware Board of Medical Licensure and Discipline, <https://dpr.delaware.gov/boards/medicalpractice/>

Georgia Composite Medical Board, <https://medicalboard.georgia.gov/>

Hawaii Medical Board, <https://cca.hawaii.gov/pvl/boards/medical/>

Illinois Department of Financial & Professional Regulation (IDFPR) - Division of Professional Regulation, <https://idfpr.illinois.gov/dpr.html>

Maryland Board of Physicians, <https://www.mbp.state.md.us/>

Massachusetts Board of Registration in Medicine, <https://www.mass.gov/orgs/board-of-registration-in-medicine>

Michigan Board of Medicine & Board of Osteopathic Medicine and Surgery, <https://www.michigan.gov/lara/bureau-list/bpl/health/hp-lic-health-prof/medical>

New Jersey State Board of Medical Examiners, <https://www.njconsumeraffairs.gov/bme/Pages/default.aspx>

New York State Office of the Professions - Medicine, <https://www.op.nysed.gov/professions-index>

North Carolina Medical Board, <https://www.ncmedboard.org/>

Rhode Island Board of Medical Licensure and Discipline, <https://rules.sos.ri.gov/organizations/agency/425>

West Virginia Board of Medicine, <https://wvbom.wv.gov/>

Virginia Board of Medicine, <https://www.dhp.virginia.gov/Boards/Medicine/>



## NEVADA OPTOMETRY AND DISPENSING OPTICIANS BOARD

**Merge** the following occupational boards:

- The Nevada State Board of Optometry – NRS 636.030
- The Board of Dispensing Opticians – NRS 637.030

Merging Optometry and Dispensing Opticians Boards would create several important healthcare service benefits, particularly in terms of patient care, healthcare access and interdisciplinary coordination. Here are some of the key benefits:

### KEY SIMILARITIES ACROSS THE BOARDS

1. **Licensure and Regulation:** Both boards have the responsibility to evaluate the qualifications of applicants, issue licenses, and enforce the regulations governing their respective fields. They share the function of maintaining licensure standards, conducting examinations and disciplining licensees for violations of standards.
2. **Investigations and Hearings:** Each board has the authority to investigate complaints, hold hearings, issue subpoenas and take disciplinary action against licensees. This shows alignment in their regulatory oversight.
3. **Adoption of Regulations:** Both boards have the authority to adopt and enforce regulations necessary to carry out the provisions of their respective chapters. Whether related to standards of practice, fees, or other areas of governance, the process of rulemaking is similar across these boards.
4. **Records and Reporting:** Both boards are required to maintain records of proceedings and report relevant information, such as disciplinary actions, to the public or state agencies. Each board also has provisions for keeping certain records confidential as necessary.

### NEW BOARD MAKE-UP (5 MEMBERS)

- **2 Licensed Optometrists:** Representing the State Board of Optometry, which has 546 licensees, and 10 complaints required an investigation. This member must be currently practicing optometry in Nevada.
- **2 Licensed Ophthalmic Dispensers (Opticians):** Representing the State Board of Opticians, which has 512 licensees, and 5 complaints required an investigation. This member must have been actively engaged in ophthalmic dispensing for at least three years immediately preceding the appointment.
- **1 General Public Member:** Ensuring the interests of the general public are represented. These members must not be licensed in any of the professions overseen by the board and must not be related to anyone who is. They should also not have any pecuniary interests in these fields.

## CONCLUSION

Merging the regulatory boards for optometrists and dispensing opticians offers a forward-thinking solution to enhance efficiency, consistency, and public trust in the oversight of vision care professions. By streamlining administrative functions, fostering collaboration among professionals, and simplifying processes for consumers, a unified board can address existing challenges while delivering long-term cost savings and improved regulatory outcomes. Drawing on successful examples from Ohio and California, such a merger not only ensures cohesive policy development but also strengthens accountability and transparency, benefiting both the professions it regulates and the public they serve. This strategic consolidation represents a significant step toward modernizing and optimizing the regulation of vision care in Nevada.

## BENEFITS OF CONSOLIDATION

1. **Unified Oversight:** A single board provides cohesive oversight of vision-related professions, ensuring consistent standards and practices across the state.
2. **Improved Access to Quality Eye Care:** The board initiatives would focus on ensuring widespread access to quality eye care, particularly in underserved areas.
3. **Improved Consumer Protection:** The merged board would lead to more efficient regulatory processes, improved consumer protection, and better access to quality eye care services throughout the state.
4. **Inter-Professional Coordination:** A single board fosters better collaboration between optometrists and opticians, leading to improved service delivery and integration of care.

## JUSTIFICATION AND BALANCING CONSIDERATIONS

- **Proportional Representation:** The equal representation of optometrists and opticians reflects the relatively comparable number of licensees in each profession (546 optometrists and 512 opticians). This ensures that the voices of both groups are equally heard in the regulatory process, fostering collaboration and preventing dominance by one profession.
- **Complaint Volume Consideration:** The board's composition also aligns with the workload associated with complaints requiring investigations—10 for optometrists and 5 for opticians. The proportional representation ensures sufficient expertise to handle these cases effectively.
- **Avoiding Professional Bias:** While professional representation is essential, there is a need to balance it with public input to ensure the board's decisions do not unduly favor the regulated professions over consumer interests. The general public member provides this counterbalance.
- **Consumer Protection:** The composition ensures that while professional standards are upheld, the public's voice is not overshadowed, maintaining a focus on consumer safety and service quality.

### References:

Ohio Vision Professionals, <https://vision.ohio.gov/home>

California Department of Consumer Affairs, <https://optometry.ca.gov/>