



NEVADA PHYSICAL THERAPY BOARD

NEW MEMBER QUICK START GUIDE

CONTENTS

▪ New Member Welcome.....	<i>Page 2</i>
▪ Getting Started.....	<i>Page 4</i>
▪ New Member Information Form.....	<i>Page 5</i>
▪ Form W-4.....	<i>Page 6</i>
Current Board Members & Staff.....	<i>Page 7</i>
▪ 2024 Board Meeting Schedule.....	<i>Page 8</i>
▪ Board Member Travel and Salary.....	<i>Page 9</i>
▪ Board Expense Form.....	<i>Page 10</i>
▪ Selection of Officers and Committees.....	<i>Page 11</i>
▪ Board and Commissions Training.....	<i>Page 16</i>
▪ Other Training and Information.....	<i>Page 17</i>
▪ Open Meeting Law.....	<i>Page 19</i>

Welcome to the Nevada Physical Therapy Board

Thank you in advance for your service to the state of Nevada as a volunteer on a professional licensing board. The staff of the Nevada Physical Therapy Board would like to congratulate you on your appointment. Since your responsibility starts now—we encourage you to begin learning about your new position. The Board website may be accessed at: <https://ptboard.nv.gov/>

A few key points will help you navigate the unfamiliar workings of a government licensing board:

1. Licensing boards are quasi-judicial bodies

This means that their work is more than advisory. Boards make decisions about the scope of practice of a profession, whether a person is qualified for licensure, and whether a violation of a statute or regulation has occurred. These processes require familiarity with the laws governing the profession, understanding of the legal processes involved, and a willingness and ability to think critically and deliberate fairly about facts and issues.

2. Boards meet in person and electronically to do business

Nevada Physical Therapy Board meetings are held six times per year. These meetings can happen either in person or telephonically/via videoconference. They are open to the public, and sometimes you may need to travel to the meeting location. The Board will pay for your travel expenses; however, you may be required to adjust your schedule—including taking time off work or missing a recreational event—to attend. Occasionally, meetings will be called on short notice; however, they are usually scheduled well in advance and tailored to participants' schedules.

3. The business of licensing is ongoing

In addition to attending scheduled public meetings, board members must be able to devote sufficient time to prepare for those meetings. Board membership also requires regular and dependable access to a computer or tablet with Internet access as board members are sometimes called upon to provide staff with guidance, input on scheduling, or vote on a matter electronically. Further, members may need to research issues in preparation to propose or evaluate regulations, review investigative material, testify in legislative hearings, or complete special projects in between meetings. Depending on what is happening in the life of the Board, a member may find himself or herself busy for a few hours a week.

4. Board members remain impartial and open to all perspectives

Board members must weigh the concerns of consumers, licensed professionals, and stakeholders without prejudice and in the public interest. A board member serves the public, and even where a member takes a seat specifically reserved for a particular constituency, the member's obligation is always to do what is in the best interest of the public.

5. Board members adhere to state law and a Code of Conduct

The Board has adopted a Code of Conduct that is intended to assure the public that the board and its individual members uphold the highest level of integrity and ethical standards as they ensure competent, safe, and ethical practice of the licensed professions they regulate in the public interest. This code requires board members to:

- *Act to advance the broad public interest*, not favor a professional or private constituency.
- *Demonstrate professional civility* for fellow board members, staff, and the public in all matters.
- *Conduct verbal and nonverbal behavior in a calm, respectful, and positive* manner that promotes sound decision-making.
- *Respect and adhere to the rules, policies, and guidelines* of the board.
- *Participate in board meetings and be responsive to staff* when requested to vote or provide input or insight outside of scheduled meetings.
- *Be prepared to address each item on the board's agenda* and request recusal only where a conflict of interest has been properly identified.
- *Manage all matters in a fair, equitable, transparent, and impartial* manner.
- *Courteously accept decisions* made by a majority of the board.
- *Strive beyond the norm to avoid any actual or perceived conflict of interest* that may compromise the integrity of the board, a board member, or a board decision.

The primary responsibility of the Board is to regulate the practice of physical therapy and to protect the public from the unauthorized, unqualified, and unregulated practice of physical therapy. Questions? You are always welcome to contact your Executive Director or Board Chair with questions or concerns.

Nevada Physical Therapy Board
3291 N. Buffalo Drive, Suite 100
Las Vegas, NV 89129
Phone: (702) 876-5535
Fax: (702) 876-2097
Website: <https://ptboard.nv.gov/>

Nevada Physical Therapy Board

GETTING STARTED

1. Contact your Board Staff and Visit the Board Office

The nerve center of your licensing program is the Board Office. All information passes through this office. The Board office is located at 3291 N. Buffalo Drive, Suite 100, Las Vegas, Nevada 89129. Phone: (702) 876-5535 | Email: ptapplication@govmail.state.nv.us | Office hours: 8:30 am - 4:00 pm, Monday through Friday.

The Executive Director (ED) oversees operations and staff and ensures all Board programs function effectively. The ED will begin your onboarding by providing:

- W-9 and any other relevant employment paperwork
- Agency orientation and overview | Board Member Manual
- Salary & reimbursement forms
- List of current board members and key staff, and position descriptions
- Strategic Plan | Board member training requirements
- Financial reports, including the approved budget for the current year
- Calendar and schedule of upcoming meetings and events

2. Contact your Board Chair

The Chair serves as the contact point for every board member on board issues, setting goals and objectives for the board and ensuring that they are met.

3. Read your Statutes & Regulations

Statutes equal your board's legal authority. Regulations are the board clarification of the statutory authority given by the Nevada Legislature. The Practice Act consists of Chapters 640 of the Nevada Revised Statutes and the Nevada Administrative Code. These are the most important documents you will need to do your job.

4. Review your Board Website

The Board website provides information for the public/consumers, applicants, and licensed physical therapists and physical therapist assistants. Licensee verifications, license applications, instructions, FAQs, and many useful resources exist on this site <https://ptboard.nv.gov/>.

5. Review your Board Member Manual

This is your handbook for service as an occupational licensing board member. Great responsibility rests on your shoulders now, and this guide can help. Focus first on:

- Responsibilities of a Board Member
- Open Meeting Law
- Public Meeting Information
- Board Governance
- Leadership Positions



Nevada Physical Therapy Board

NEW BOARD MEMBER INFORMATION FORM

Please complete the information below and return this form to the Board Office.

Name _____ (as it appears on your driver's license (for official purposes))

Professional Designation _____

Address _____

Home Phone _____ Business Phone _____

Cell Phone _____ Preferred E-Mail _____

Preferred Phone Number Type

- Cell Phone
- Home Phone
- Business Phone

Profession / Industry Experience _____

Occupations (including previous) _____

Company Name: _____

Title: _____

Service on other Boards / Membership in other associations _____

Please provide your bio (2-3 paragraphs) and a headshot. This will be posted on the website.

Note: You can use any email and phone number you'd like, but we highly recommend you have a separate email address exclusively for Board business because all board member emails/accounts are subject to public record requests.

Employee's Withholding Certificate

Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay.
Give Form W-4 to your employer.
Your withholding is subject to review by the IRS.

2023

Step 1: Enter Personal Information	(a) First name and middle initial _____	(b) Social security number _____
	Address _____	
	City or town, state, and ZIP code _____	
	(c) <input type="checkbox"/> Single or Married filing separately <input type="checkbox"/> Married filing jointly or Qualifying surviving spouse <input type="checkbox"/> Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for yourself and a qualifying individual.)	

Complete Steps 2–4 ONLY if they apply to you; otherwise, skip to Step 5. See page 2 for more information on each step, who can claim exemption from withholding, other details, and privacy.

Step 2: Complete this step if you (1) hold more than one job at a time, or (2) are married filing jointly and your spouse also works. The correct amount of withholding depends on income earned from all of these jobs.

Multiple Jobs or Spouse Works

Do only one of the following.

(a) Reserved for future use.

(b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below; or

(c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for the other job. This option is generally more accurate than (b) if pay at the lower paying job is more than half of the pay at the higher paying job. Otherwise, (b) is more accurate

TIP: If you have self-employment income, see page 2.

Complete Steps 3–4(b) on Form W-4 for only ONE of these jobs. Leave those steps blank for the other jobs. (Your withholding will be most accurate if you complete Steps 3–4(b) on the Form W-4 for the highest paying job.)

Step 3: Claim Dependent and Other Credits	If your total income will be \$200,000 or less (\$400,000 or less if married filing jointly): Multiply the number of qualifying children under age 17 by \$2,000 \$ _____ t Multiply the number of other dependents by \$500t \$ _____ Add the amounts above for qualifying children and other dependents. You may add to this the amount of any other credits. Enter the total here	3	\$ _____
Step 4 (optional): Other Adjustments	(a) Other income (not from jobs). If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here.t This may include interest, dividends, and retirement income	4(a)	\$ _____
	(b) Deductions. If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here	4(b)	\$ _____
	(c) Extra withholding. Enter any additional tax you want withheld each pay period	4(c)	\$ _____

Step 5: Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, correct, and complete.

Sign Here

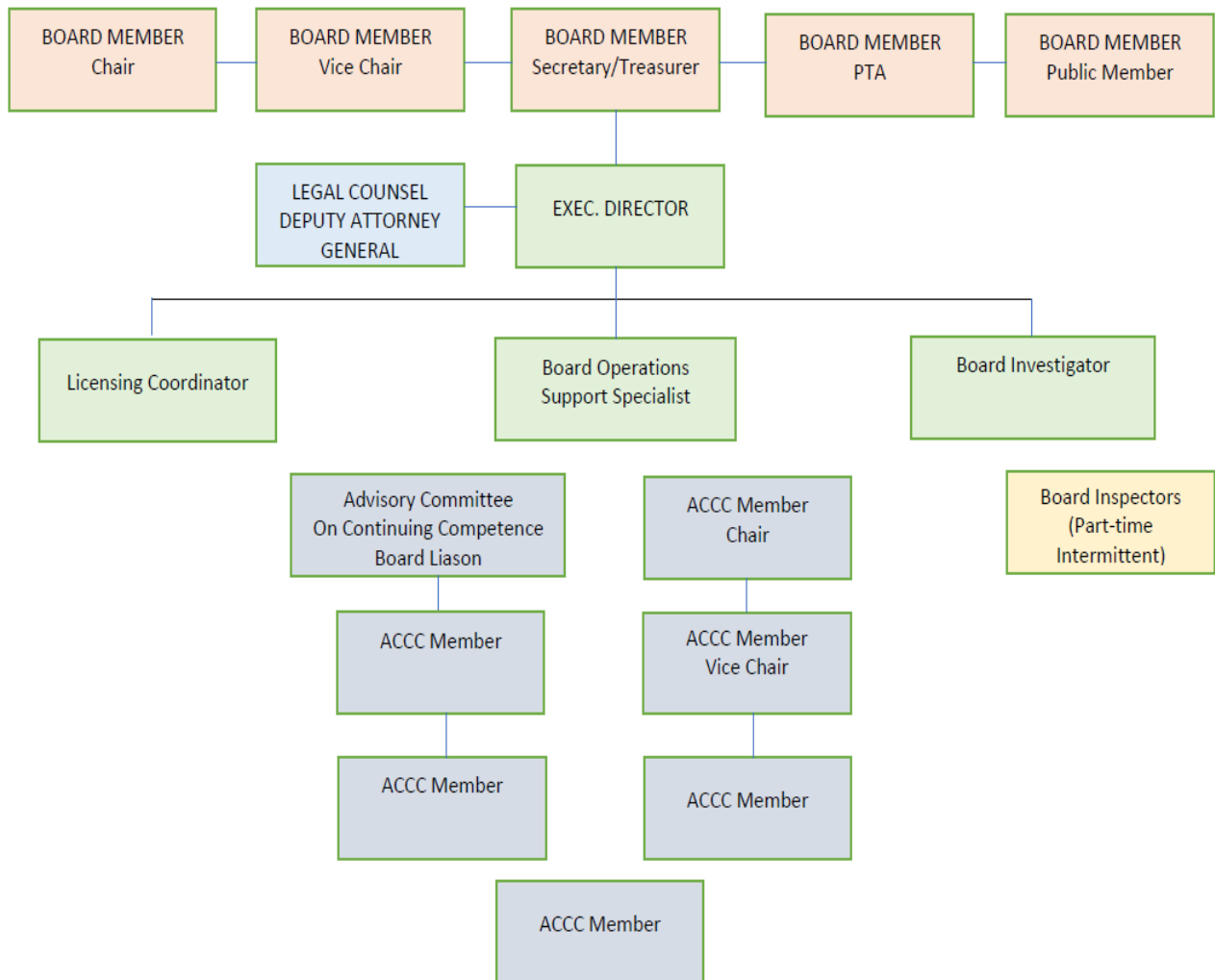
Employee's signature (This form is not valid unless you sign it.) **Date**

Employers Only	Employer's name and address _____	First date of employment _____	Employer identification number (EIN) _____



NEVADA PHYSICAL THERAPY BOARD

ORGANIZATIONAL CHART





2024 BOARD MEETING SCHEDULE

JANUARY 12, 2024

MARCH 15, 2024

MAY 10, 2024

JULY 12, 2024

SEPTEMBER 27, 2024

DECEMBER 6, 2024

FSBPT MEETING SCHEDULE

Meeting dates and Webinar Info available at:
<https://www.fsbpt.org/News-Events/Events/Meetings>

Educator's Workshop

Leadership Issues Forum

Annual Education Meeting



BOARD MEMBER TRAVEL AND SALARY

1. TRAVEL POLICY

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

2. TRAVEL APPROVAL

Board Chair approval is required for all board member travel, except for travel to regularly scheduled board, committee, or task force meetings to which the board member is assigned. Unscheduled travel plans shall be submitted in writing to the Executive Director, who will then seek the approval of the Board Chair.

3. TRAVEL ARRANGEMENTS

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

4. TRAVEL CLAIMS

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

5. COMPENSATION

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

State of Nevada

Physical Therapy Board

BOARD EXPENSE SHEET

NAME: _____

	Date						Totals
Board Meeting/Board Business (\$150/day)							
Board Prep Day (\$150/day)							
IBM Case Review (\$50/hr - NTE \$150/day)							
Board Inspector Activity (\$25/hr)							
Board Investigator Activity (\$45/hr)							
ACCC Meeting (\$80/day)							
ACCC Prep Day (\$150/day)							
TRAVEL							
Airfare							
Mileage (@.58/mile) Enter # miles _____							
Parking							
Taxi Fare							
Hotel (In-state rate)							
Hotel (Out-of-state rate)							
PER DIEM							
Breakfast (\$16.00)							
Lunch (\$17.00)							
Dinner (\$31.00)							
Incidental Expense (\$5.00)							
MISCELLANEOUS							
Telephone							
Postage							
Office Supplies							
Host Fund							
Other							

Print Name: _____

Total Expenses: _____

Signature: _____

Date: _____

Receipts must be attached for all travel, per diem and miscellaneous expenses.

Rev. 1/13/2023



1. SELECTION OF OFFICERS AND COMMITTEES

A. ELECTION OF OFFICERS

Each year, the NVPTB shall select a Board Chair, Vice-Chair, Secretary-Treasurer, and a liaison to the Advisory Committee on Continuing Competency (ACCC), from among its members. Officers shall serve a term of one year. An officer may be re-elected and serve for more than one term. Note: This election traditionally occurs in November.

B. ELECTION OF DELEGATES

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

C. OFFICER VACANCIES

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

D. COMMITTEE OR TASK FORCE APPOINTMENTS

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

E. ATTENDANCE AT COMMITTEE OR TASK FORCE MEETINGS

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

2. LEADERSHIP POSITIONS: DUTIES & RESPONSIBILITIES

A. BOARD CHAIR

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

B. VICE-CHAIR

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

C. SECRETARY/TREASURER

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

D. LIAISON – ADVISORY COMMITTEE ON CONTINUING COMPETENCY

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

E. BOARD MEMBER

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

F. EXECUTIVE DIRECTOR

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

1) Financial Leadership

- a. The Executive Director develops and maintains a business model that provides financial management and sustained financial health.
- b. Develop and implement financial policies and procedures, and monitor performance
 - Develop an annual budget, establish income and expense parameters, and determine specific expenditures within approved budget lines
 - Report to the board on cash flow, budget to actual, and other key financial measures
 - Provide for periodic audits and financial reviews and respond to auditor findings
 - Ensure adequate segregation of financial duties so that no one person is

involved in all aspects of financial transactions

2. Programs

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

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

3. People

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

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

4. Board Support

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

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

3. OTHER POLICIES AND PROCEDURES

A. BOARD MEMBER CONTACT INFORMATION

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

B. COMMUNICATIONS: OTHER ORGANIZATIONS/INDIVIDUALS/MEDIA

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

C. RESIGNATION OF BOARD MEMBERS

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

D. REMOVAL OF BOARD MEMBER

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

E. BOARD MEMBER TRAINING REQUIREMENTS

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



Boards and Commissions Training Materials

Website: https://ag.nv.gov/Hot_Topics/Training_Materials/



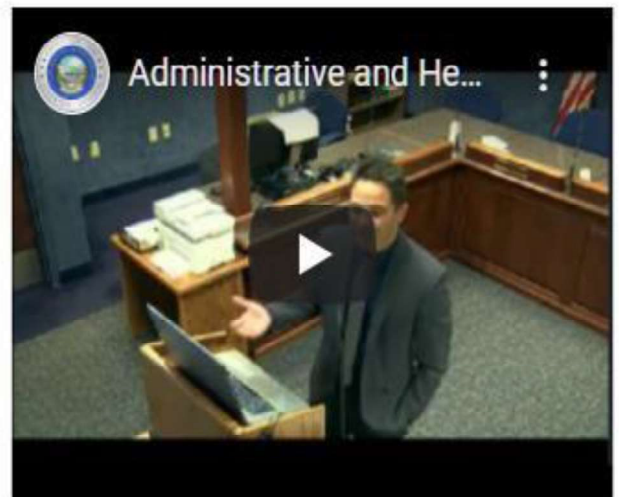
[Open Meeting Law Presentation](#)



[Ethics in Government Presentation](#)



[Administrative Rulemaking Presentation](#)



[Administrative and Hearing Procedure Presentation](#)



[State Contracting and Audits Presentation](#)



[Nevada Public Records Act Presentation](#)

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

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

A. OUTREACH & PUBLIC INFORMATION

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

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

B. OTHER RESOURCES

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

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

2. Important Links

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

- NRS 640 <https://www.leg.state.nv.us/NRS/NRS-640.html>
- NAC 640 <https://www.leg.state.nv.us/NAC/NAC-640.html>

- Federation of State Boards of Physical Therapy: <http://fsbpt.org>

- Nevada Ethics in Government Law NRS 281A and NAC281A:
 - <https://www.leg.state.nv.us/NRS/NRS-281A.html>;
 - <https://www.leg.state.nv.us/NAC/NAC-281A.html>

- Nevada Open Meeting Law found in NRS 241:
<https://www.leg.state.nv.us/NRS/NRS-241.html>

- Nevada Attorney General's Office, Open Meeting Law Manual:
www.ag.state.nv.



Open Meeting Law

- [Open Meeting Law Opinions](#)
- [Open Meeting Law Enforcement Unit](#)
- [Download Open Meeting Law Manual](#)
- [General Complaint Form](#)

A Guide to the Nevada Open Meeting Law

The Nevada Open Meeting Law (OML) was enacted in 1960 to ensure that the actions and deliberations of public bodies be conducted openly. This brochure provides a brief overview of the law, but is not intended to address all provisions of the OML or all issues that arise under the OML. For additional information, see the full text of the OML set forth in chapter [241 of the Nevada Revised Statutes \(NRS\)](#). For additional guidance on the OML, see the Nevada Open Meeting Law Manual published by the Office of the Attorney General, and the Open Meeting Law Compliance Checklist, as well as Open Meeting Law Opinions of the Office of the Attorney General.

When does the OML apply .

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

Is a meeting going to occur .

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

Has proper notice been given of the meeting .

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

The notice must be posted at the principal office of the public body (or if there is no principal office, at the building in which the meeting is to be held), and posted at not less than three other separate, prominent places within the jurisdiction of the public body. Notice must be posted no later than 9 a.m. on the third working day prior to the meeting – do not count the day of the meeting.

Written notice must be mailed, at no charge, to those who have requested written notice, and delivered to the United States Postal Service no later than 9 a.m. of the third working day before the meeting. Remember, you must inform persons who have requested notice in the first notice sent to them that their request lapses after six months.

Does the agenda comply with the OML .

The OML requires that the agenda for the meeting consist of a clear and complete statement of the topics to be considered during the meeting.

The agenda must include a list describing the items on which action may be taken and clearly denoting that action may be taken on those items.

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

Is agenda support material available .

The OML requires that at least one copy of the agenda, proposed ordinance or regulation which will be discussed at the meeting, and any other supporting material (except material confidential by law) be provided at no charge to any person who requests it. The material must be made available at a public place once the material has been distributed to members of the public body, and at the public meeting.

Was the public comment period conducted in accordance with the OML .

The OML requires that a period during the meeting be designated for public comment. The public comment period should not be restricted to speaking on non-agenda items unless the public is permitted to speak on agenda items as they are heard.

Reasonable rules and regulations which ensure orderly conduct of a public meeting may be adopted by a public body, and reasonable restrictions, including time limits, can be imposed on speaking. Any rule that limits or restricts public comment must be clearly articulated on the agenda. Remember, any practice or policy that discourages or results in preventing public comment, even if technically in compliance with the law, may violate the spirit and intent of the OML.

Exemptions and Exceptions from the OML .

Nevada law provides for some exemptions from the requirements of the OML, such as judicial proceedings, certain proceedings of state and local ethics commissions, and meetings of the legislature and legislative committees.

There are also certain exceptions to the OML which allow a public body to temporarily close its meeting to the public. The OML

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

Always check the NRS to see if a particular proceeding is exempt or excepted from the OML.

Minutes and recordings under the OML.

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

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

Violations of the OML.

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

A member of a public body may be guilty of a misdemeanor if he willfully violates the OML.

For additional information, please contact:

Office of the Attorney General
Phone (775) 684-1100 or (702) 486-3420
Fax (775) 684-1108 or (702) 486-3768



Select Language ▼

