

SENATE BILL NO. 292—SENATOR HARDY

MARCH 16, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Exempts physicians who are licensed in another jurisdiction from provisions governing the practice of medicine for certain purposes relating to athletics. (BDR 54-319)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to physicians; exempting physicians and osteopathic physicians who hold a valid and unrestricted license to practice in another jurisdiction from provisions governing the practice of medicine or osteopathic medicine for certain purposes relating to athletics; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires a person to be licensed by the Board of Medical  
2 Examiners or the State Board of Osteopathic Medicine before practicing medicine  
3 in this State. (NRS 630.160, 633.741) **Sections 1 and 3** of this bill provide for a  
4 temporary exemption from this requirement for a physician who holds a valid and  
5 unrestricted license to practice in another jurisdiction and is practicing medicine or  
6 osteopathic medicine for certain purposes relating to athletic competition or  
7 training. Such an exemption lasts for 10 days, but may be extended for not more  
8 than 20 additional days upon application to the Board of Medical Examiners or the  
9 State Board of Osteopathic Medicine, as applicable. A physician who is practicing  
10 under such an exemption is prohibited from: (1) practicing medicine at a medical  
11 facility; or (2) providing services to persons outside the scope of the exemption.  
12 **Sections 2 and 4** of this bill provide that a person practicing medicine or  
13 osteopathic medicine under such an exemption is not subject to regulation under  
14 chapter 630 or 633 of NRS while practicing within the scope of the exemption.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 630 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       1. *If a physician who holds a valid and unrestricted license to*  
4 *practice medicine in another state or territory of the United States*  
5 *or another country has entered into a written or oral agreement to*  
6 *provide services to members of an athletic team or organization*  
7 *and other persons affiliated with the team or organization, the*  
8 *physician is temporarily exempt from licensure and may practice*  
9 *medicine in this State while providing services pursuant to the*  
10 *agreement to members of the team or organization or other*  
11 *persons affiliated with the team or organization who are present in*  
12 *this State for the purpose of engaging in, coaching, facilitating or*  
13 *traveling to or from competition or training.*

14       2. *If a physician who holds a valid and unrestricted license to*  
15 *practice medicine in another state or territory of the United States*  
16 *or another country has been invited by the governing body of a*  
17 *national organization to provide services to persons participating*  
18 *in, coaching at or otherwise facilitating an event or training*  
19 *sanctioned or operated by the organization, the physician is*  
20 *temporarily exempt from licensure and may practice medicine in*  
21 *this State while providing services to such persons.*

22       3. *Except as otherwise provided in this subsection, an*  
23 *exemption described in this section is valid for a period of not*  
24 *more than 10 days for each competition or training session. Upon*  
25 *the application of a physician, the Board may grant an exemption*  
26 *of not more than 20 additional days for each competition or*  
27 *training session.*

28       4. *A physician who is practicing medicine under an*  
29 *exemption described in this section shall not:*

30       (a) *Practice medicine at a medical facility; or*

31       (b) *Provide services to persons who are not described in*  
32 *subsection 1 or 2, as applicable.*

33       **Sec. 2.** NRS 630.047 is hereby amended to read as follows:

34       630.047 1. This chapter does not apply to:

35       (a) A medical officer or perfusionist or practitioner of  
36 respiratory care of the Armed Forces or a medical officer or  
37 perfusionist or practitioner of respiratory care of any division or  
38 department of the United States in the discharge of his or her official  
39 duties, including, without limitation, providing medical care in a  
40 hospital in accordance with an agreement entered into pursuant to  
41 NRS 449.2455;



1 (b) Physicians who are called into this State, other than on a  
2 regular basis, for consultation with or assistance to a physician  
3 licensed in this State, and who are legally qualified to practice in the  
4 state where they reside;

5 (c) Physicians who are legally qualified to practice in the state  
6 where they reside and come into this State on an irregular basis to:

7 (1) Obtain medical training approved by the Board from a  
8 physician who is licensed in this State; or

9 (2) Provide medical instruction or training approved by the  
10 Board to physicians licensed in this State;

11 (d) *Physicians who are temporarily exempt from licensure  
12 pursuant to section 1 of this act and are practicing medicine  
13 within the scope of the exemption;*

14 (e) Any person permitted to practice any other healing art under  
15 this title who does so within the scope of that authority, or healing  
16 by faith or Christian Science;

17 ~~(e)~~ (f) The practice of respiratory care by a student as part of a  
18 program of study in respiratory care that is approved by the Board,  
19 or is recognized by a national organization which is approved by the  
20 Board to review such programs, if the student is enrolled in the  
21 program and provides respiratory care only under the supervision of  
22 a practitioner of respiratory care;

23 ~~(f)~~ (g) The practice of respiratory care by a student who:

24 (1) Is enrolled in a clinical program of study in respiratory  
25 care which has been approved by the Board;

26 (2) Is employed by a medical facility, as defined in NRS  
27 449.0151; and

28 (3) Provides respiratory care to patients who are not in a  
29 critical medical condition or, in an emergency, to patients who are in  
30 a critical medical condition and a practitioner of respiratory care is  
31 not immediately available to provide that care and the student is  
32 directed by a physician to provide respiratory care under the  
33 supervision of the physician until a practitioner of respiratory care is  
34 available;

35 ~~(g)~~ (h) The practice of respiratory care by a person on himself  
36 or herself or gratuitous respiratory care provided to a friend or a  
37 member of a person's family if the provider of the care does not  
38 represent himself or herself as a practitioner of respiratory care;

39 ~~(h)~~ (i) A person who is employed by a physician and provides  
40 respiratory care or services as a perfusionist under the supervision of  
41 that physician;

42 ~~(i)~~ (j) The maintenance of medical equipment for perfusion or  
43 respiratory care that is not attached to a patient; and

44 ~~(j)~~ (k) A person who installs medical equipment for  
45 respiratory care that is used in the home and gives instructions



1 regarding the use of that equipment if the person is trained to  
2 provide such services and is supervised by a provider of health care  
3 who is acting within the authorized scope of his or her practice.

4 2. This chapter does not repeal or affect any statute of Nevada  
5 regulating or affecting any other healing art.

6 3. This chapter does not prohibit:

7 (a) Gratuitous services outside of a medical school or medical  
8 facility by a person who is not a physician, perfusionist, physician  
9 assistant or practitioner of respiratory care in cases of emergency.

10 (b) The domestic administration of family remedies.

11 **Sec. 3.** Chapter 633 of NRS is hereby amended by adding  
12 thereto a new section to read as follows:

13 *1. If an osteopathic physician who holds a valid and*  
14 *unrestricted license to practice osteopathic medicine in another*  
15 *state or territory of the United States or another country has*  
16 *entered into a written or oral agreement to provide services to*  
17 *members of an athletic team or organization and other persons*  
18 *affiliated with the team or organization, the osteopathic physician*  
19 *is temporarily exempt from licensure and may practice osteopathic*  
20 *medicine in this State while providing services pursuant to the*  
21 *agreement to members of the team or organization or other*  
22 *persons affiliated with the team or organization who are present in*  
23 *this State for the purpose of engaging in, coaching, facilitating or*  
24 *traveling to or from competition or training.*

25 *2. If an osteopathic physician who holds a valid and*  
26 *unrestricted license to practice osteopathic medicine in another*  
27 *state or territory of the United States or another country has been*  
28 *invited by the governing body of a national organization to provide*  
29 *services to persons participating in, coaching at or otherwise*  
30 *facilitating an event or training sanctioned or operated by the*  
31 *organization, the osteopathic physician is temporarily exempt from*  
32 *licensure and may practice osteopathic medicine in this State*  
33 *while providing services to such persons.*

34 *3. Except as otherwise provided in this subsection, an*  
35 *exemption described in this section is valid for a period of not*  
36 *more than 10 days for each competition or training session. Upon*  
37 *the application of an osteopathic physician, the Board may grant*  
38 *an exemption of not more than 20 additional days for each*  
39 *competition or training session.*

40 *4. An osteopathic physician who is practicing osteopathic*  
41 *medicine under an exemption described in this section shall not:*

42 (a) *Practice osteopathic medicine at a medical facility; or*

43 (b) *Provide services to persons who are not described in*  
44 *subsection 1 or 2, as applicable.*



1       **Sec. 4.** NRS 633.171 is hereby amended to read as follows:  
2       633.171 1. This chapter does not apply to:

3       (a) The practice of medicine or perfusion pursuant to chapter  
4       630 of NRS, dentistry, chiropractic, podiatry, optometry, respiratory  
5       care, faith or Christian Science healing, nursing, veterinary medicine  
6       or fitting hearing aids.

7       (b) A medical officer of the Armed Forces or a medical officer  
8       of any division or department of the United States in the discharge  
9       of his or her official duties, including, without limitation, providing  
10       medical care in a hospital in accordance with an agreement entered  
11       into pursuant to NRS 449.2455.

12       (c) Osteopathic physicians who are called into this State, other  
13       than on a regular basis, for consultation or assistance to a physician  
14       licensed in this State, and who are legally qualified to practice in the  
15       state where they reside.

16       ***(d) Osteopathic physicians who are temporarily exempt from***  
17       ***licensure pursuant to section 3 of this act and are practicing***  
18       ***osteopathic medicine within the scope of the exemption.***

19       2. This chapter does not repeal or affect any law of this State  
20       regulating or affecting any other healing art.

21       3. This chapter does not prohibit:

22       (a) Gratuitous services of a person in cases of emergency.

23       (b) The domestic administration of family remedies.

24       **Sec. 5.** This act becomes effective upon passage and approval  
25       for the purpose of adopting regulations and performing any other  
26       preparatory administrative tasks that are necessary to carry out the  
27       provisions of this act, and on January 1, 2018, for all other purposes.







