

**Discussion Draft Only Before Submittal**  
**STATE OF NEVADA**

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**DEPARTMENT OF BUSINESS AND INDUSTRY**  
**OFFICE OF THE DIRECTOR**

4/25/2025

**SB 78 Amendments:**

- 1. Removal of Prior Bill Language regarding New Advisory Bodies within the Executive Branch Departments, Reversion to Original Statutes, Elimination of Consolidated Advisory Bodies, and Affected Provisions in Blue Text:**
  - Strike all sections introducing new advisory bodies within the Executive Branch of the State Government,
  - Remove any sections proposing the modification of existing advisory bodies are reverted to the original statutory language
  - Remove all new provisions introduced in the bill that are denoted in blue text and refer to the creation, modification, or consolidation of advisory bodies
  - Remove provisions consolidating existing advisory councils into new entities unless otherwise stated:
  - Ensure all references to new advisory councils, committees, or boards throughout the bill are removed or amended to revert to pre-existing structures or statutory conditions unless otherwise stated:
    - Section 1
    - Section 17-22
    - Section 24 (3) (a-yyy)
    - Section 26
    - Section 27
    - Section 28
    - Section 29
    - Section 30-78
    - Section 85
    - Section 90
    - Section 95-96
- 2. Schedule Reviews and Automatic Termination Provisions:**
  - Remove Section 29
- 3. Consolidate Advisory Bodies:**
  - Keep provisions consolidating existing advisory councils into new entities:
    - Section 25: Commission on Minority Affairs, 1 FT- Management Analyst II who supports the Commission to the Department of Health and Human Services Office of Minority Health and Equity.
- 4. Revision to Title 54 Occupational Licensing Board Memberships:** Existing requirements for board members will remain unchanged in the updated language unless otherwise stated in this

amendment.

- **Section 22 (2):** These boards will remain independent standalone boards and keep their current board makeup (g) *The Chiropractic Physicians' Board of Nevada created by NRS 634.020.* (z) *The State Board of Oriental Medicine created by NRS 634A.030.* (ee) *The State Board of Podiatry created by NRS 635.020.*
- **Section 80:** Remove the **Nevada Board of Professional Design and Environmental Specialist**
- **Section 82:**
  - **The Commission on Construction Education**
  - Members would be appointed by the Director of the Department of Business and Industry based off of recommendations from the board.
  - 7 member board
    - 1 member who is a member of the Board
    - 4 members who are representatives of the construction industry evenly distributed throughout the state
    - 2 members who have knowledge of construction education programs.
- **Section 86:**
- **The Nevada Medical Board** name will change back to **The Board of Medical Examiners**
- New Board Make-up
  - 5 licensed medical doctors
  - 2 licensed osteopathic doctors
  - 1 licenses physician assistant
  - 1 licensed respiratory care practitioner
  - 1 general public member
  - 1 member representing Indigent or Uninsured Healthcare Interests: This member must be a resident of Nevada for at least 5 years and represent the interests of persons or agencies that regularly provide healthcare to indigent, uninsured, or low-income patients. They must not be licensed under the provisions of either chapter (Medical or Osteopathic).
- **Section 89:**
  - **The Nevada Board of Healing and Rehabilitative Practice** changed to **The Nevada Board of Rehabilitative Practice and Therapy**
  - 13 members
    - New Board make-up:
      - 2 Licensed Physical Therapist,
      - 1 Licensed Physical Therapist Assistant
      - 2 Licensed Occupational Therapist,
      - 1 Licensed Occupational Therapist Assistant
      - 2 Licensed Athletic Trainers
      - 2 Licensed Speech-Language Pathologist
      - 1 Licensed Audiologist
      - 1 Hearing Aid Specialist
      - 1 General Public Member
- **Section 91:**
- **The Nevada Board of Vision, Speech and Mobility Professions** name changes to **The Nevada Optometry and Dispensing Opticians Board.**
  - 11 members to 7 members
    - New Board make-up

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- 3 licensed Optometrist
- 1 General Public Members
- 2 Licensed Ophthalmic Dispenser (Optician)
- 1 Member representing Indigent or Uninsured Healthcare Interests, This member must be a resident of Nevada for at least 5 years and represent the interests of persons or agencies that regularly provide healthcare to indigent, uninsured, or low-income patients. They must not be licensed under the provisions of either chapter.

### **Add New Board**

- **Name of Board: The Nevada Board of Engineering, Surveying, and Environmental Health**
- Merged boards are The State Board of Professional Engineers and Land Surveyors and The Board of Environmental Health Specialists.
- 11 members
- New Board Make-Up
  - 4 professional engineers
  - 1 land surveyors
  - 2 environmental health specialists
  - 1 general public member
  - Chief Medical Officer
- **Name of Board: The Nevada Board of Architecture, Design, and Landscape Architects**
- Merged boards are: The State Board of Architecture, Interior Design and Residential Design and the Nevada State Board of Landscape Architecture
- 9 members
- New Board Make-up
  - 3 registered architects
  - 2 landscape architectures
  - 1 registered residential designer
  - 1 interior designer
  - 1 general public member
  - 1 specialized public member (Industry Expert in construction, engineering, environmental planning, or real estate development. Members may not represent a covered industry of the board, but are highly relevant to the board's work)
- **Nevada Board of Homeopathic Medical Examiners:**
  - This bill in current form eliminates the **Nevada Board of Homeopathic Medical Examiners** (Sec. 85 (a)) Instead, the Office of Nevada Boards, Commissions, and Councils Standards will be responsible for Licensing and Regulation.
  - The Office of Nevada Boards, Commissions, and Councils Standards will oversee the licensure, renewal, and regulation of practitioners previously regulated by the board.
  - Licensing Requirements:
    - Homeopathic Physicians must obtain initial licensure through the Office and maintain an active license as a Doctor of Medicine (M.D.) or Doctor of Osteopathic Medicine (D.O.) to remain in practice.
  - All administrative functions, disciplinary actions, and enforcement responsibilities will be managed by the Office to ensure consistent oversight and regulatory compliance.

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### **Establishment of the Homeopathic Medicine Advisory Committee:**

- A five-member advisory committee will be created within the Office of Nevada Boards, Commissions, and Councils Standards to provide expertise on modern practices, licensing standards, and regulatory updates for Homeopathic Medicine.
- The committee will:
- Advise the Office on professional and regulatory matters related to Homeopathic Medicine.
- Assist in the development and grading of licensing examinations.
- Review and provide recommendations on disciplinary matters and professional standards.

**Committee Composition:** The Committee will be appointed by the Director of Business and Industry

- **The Homeopathic Medicine Advisory Committee** will consist of:
- One (2) member licensed to practice allopathic (M.D.) or osteopathic medicine (D.O.), with experience in integrative or complementary medicine.
- Two (2) members who are advanced practitioners of homeopathy and hold a valid certification granted by the Office.
- 1 general public member

### **Oversight and Reporting**

- The Advisory Committee will report directly to the Office of Nevada Boards, Commissions, and Councils Standards, ensuring continued expertise in these specialized fields while maintaining efficiency and regulatory consistency.

### **New Board Structure:**

- **Name of Board: Nevada State Board of Accountancy**
- New Board Makeup
  - 4 licensed certified public accountants
  - 1 attorney or compliance expert (e.g., expert attorney, financial regulations, or corporate fraud prevention)
  - 2 general public members
- **Name of Board: Nevada State Board of Barbers**
- New Board Makeup
  - 2 licensed barbers, one from Clark County and one from Washoe County
  - 1 general public member
  - The Chief Medical Officer
- **Name of Board: Nevada State Contractors Board**
- New Board Makeup
  - 4 licensed contractors, 2 who reside in Clark County, 1 who resides in Washoe County, and 1 who resides from any Rural County in the State
  - 3 general public members, 1 who resides in Clark County, 1 who resides in Washoe County, and 1 who resides from any Rural County in the State
  - 1 legal/consumer protection expert (e.g., business leader, construction law attorney, or compliance expert)

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- 1 financial/business expert (e.g., accountant, real estate developer, or construction finance expert)
- **Name of Board: The Nevada State Board of Massage Therapy**
- New Board Makeup
  - 4 licensed Massage Therapists, 2 members must be residents of Clark County, 1 member must be a resident of Washoe County, and 1 member must reside in a Rural County in this State.
  - 1 licensed reflexologist
  - 1 licensed structural integration practitioner
  - 2 general public members
  - 1 human trafficking prevention advocate (e.g., victims' rights advocate, anti-trafficking nonprofit leader, or legal expert in trafficking crimes)
  - 1 Advisory (Non-Voting) law enforcement member (same requirements as NRS 640C.160)
- **Name of Board: Nevada State Board of Pharmacy**
- New Board Makeup
  - 4 registered pharmacists
  - 1 healthcare professional (e.g., physician, nurse, or hospital administrator with experience in medication safety and drug policy)
  - 2 general public members
- **Name of Board: Private Investigators Licensing Board**
- New Board Makeup
  - 2 licensed private investigators
  - 1 licensed security professional or licensed repossession agent
  - 2 general public members
- **Name of Board: Nevada State Board of Veterinary Medical Examiners**
- New Board Makeup
  - 5 licensed veterinarians
  - 1 licensed veterinary technician
  - 1 general public member
  - 1 retired veterinarian
  - 1 animal welfare representative (e.g. shelter director, rescue organization)
- The Department shall review and adopt regulations governing board composition, including any necessary changes to ensure proportionality of representation.

## **5. Staffing and Administration**

To authorize the Department of Business and Industry (Department) in coordination with DHRM to transition existing classified staff from independent boards and commissions to the Department as needed. Additionally authorized the Department to coordinate with State Purchasing on the administration of all contracts.

1. Notwithstanding any other provision of law, as the Title 54 Occupational and Licensing boards and commissions pursuant to this chapter or other applicable provisions of law:
  - a. Qualified existing staff of the affected boards may be transferred to the Department to continue performing their respective duties under the oversight and direction of the Department, with classification alignment for classified and employees to ensure roles and

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responsibilities are accurately reflected.

b. The Department shall ensure that such staff:

- (1) The Department of Business and Industry to determine their qualifications and whether they meet the needs of the Department. Employees may or may not be hired by the Department, depending on their qualifications and the Department's operational requirements. Employees currently working out of class will transfer to the Department in positions that align with their qualifications if selected by the Department. All hiring and positions assignments shall adhere to NRS/NAC 248 to remain consistent with standard state processes for hiring new positions.
- (2) Retain benefits that meet the needs and benefits of the position in accordance with state personnel laws and regulations;
- (3) Are provided with training and resources necessary to integrate into the Department's administrative structure; and

2. The Department may adopt regulations necessary to facilitate the orderly transition of staff from independent boards to the Department as needed.
3. The Department in coordination with State Purchasing and the Attorney General shall evaluate and determine contractual compliance with but not limited to NRS 333, 334, and 338 and their related regulations. In addition to any contract not in compliance with NRS 333.810 being void and the responsibility of the signatory and head of the contracting entity (such as contracts without required approvals, no competition, or missing required contract language), the Department shall terminate any contract determined not to be in the States best interest. Where a contract is missing termination for non-appropriation language and contains promises binding beyond the current biennium, the Department may act to (a) terminate the contract for non-appropriation or (b) not comply with provisions exceeding budgetary authority (such as improper automatic renewal, penalties and/or interest which exceed contract not to exceed amounts, and related terms in conflict with state fiscal rules)
4. The Department of Business and Industry is authorized to recruit, hire, and onboard new staff as needed to support its expanded responsibilities under this Act. This authority includes creating and filling new positions necessary to meet operational demands, ensure the effective integration of transferred boards and commissions in NRS 232.8415, and maintain the delivery of services to the public. The Department shall ensure that all hiring complies with applicable state personnel laws and regulations. The Department may, within the limits of available funds, employ such persons as he or she deems necessary to provide an appropriate staff for the Office of Nevada Boards, Commissions, and Councils Standards. Such staff and employees include, without limitation:
  - a. Executive Staff
  - b. Administrative and clerical staff
  - c. Research and analytical staff,
  - d. And other persons the Deputy Director with approval of the Director determines are necessary to effectively fulfill the duties, responsibilities and obligations of the Office of Nevada Boards, Commissions, and Councils Standards.
5. Except as otherwise provided by specific statute, the Deputy Director with approval of the Director shall:
  - a. Determine the salaries and benefits of the persons employed pursuant to subsection 4, within limits of money available for the purpose; and
  - b. Adopt such rules and policies as he or she deems appropriate to establish the duties and employment rights of the persons employees pursuant to subsection 4.



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### **6. The Commission on Postsecondary Education:**

- **Section 50:** Leave the Commission on Postsecondary Education within the Employment Security Division of the Department of Employment, Training, and Rehabilitation.
- **Section 73:** Leave the Administrator responsible for the administration, through the Administrator of the Commission on Postsecondary Education of the provisions of NRS 394.383 to 394.560

### **7. Transfer of Funds to Merged Board Accounts**

1. Notwithstanding any other provision of law, all monies currently held by independent occupational and licensing boards that are subject to merger under Senate Bill 78 shall be transferred to the accounts of the newly established merged boards as designated by this legislation.
2. The transfer of funds shall include, but not be limited to, all fees, fines, assessments, grants, and other revenues, along with any reserve funds and assets held in trust or designated for board operations.
3. The Department of Business and Industry, in collaboration with the State Treasurer's Office, shall oversee the transfer process to ensure the accurate and complete reallocation of funds to the appropriate accounts of the merged boards.
4. Any contractual obligations or liabilities tied to the funds of the independent boards shall transfer to the merged boards along with the associated funds, maintaining continuity of financial responsibilities.
5. The Department of Business and Industry shall promulgate any necessary regulations to facilitate the smooth and efficient transfer of funds and address any issues arising during the implementation of this provision.

### **8. BDR's:**

**Section 13:** 1. A board, commission, council or similar body under the purview of the Office pursuant to NRS 232.8415 may ~~not~~ request that any person or governmental entity submit to the Legislative Counsel a request for the drafting of a legislative measure on behalf of the board, commission, council or similar body other than as set forth in this section.

2. If a board, commission, council or similar body under the purview of the Office pursuant to NRS 232.8415 wishes that a request for the drafting of a legislative measure be submitted to the Legislative Counsel on behalf of the board, commission, council or similar body, *shall* submit the request to the *Director and* Deputy Director ~~[for approval. If the Deputy Director approves the request: (a) Except as otherwise provided in paragraph (b), the Deputy Director shall forward the request to the Governor or the Governor's designated representative. If the Governor or the Governor's designated representative approves the request, he or she may submit the request to the Legislative Counsel pursuant to 25 NRS 218D.175. (b) If the board, commission, council or similar body is an authorized nonlegislative requester entitled to submit a request for the drafting of a legislative measure pursuant to NRS 218D.175 to 218D.220, inclusive, the board, commission, council or similar body may submit the request to the Legislative Counsel in accordance with the applicable provisions of NRS 218D.175 to 218D.220, inclusive.]~~

### **9. Executive Directors of Boards appointments:**

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**Section 88(2):** There are existing frameworks that are beneficial to successful transition, including the determination that the following boards' Executive Directors may elect to continue in their role for the following boards:

- Nursing
- Medical
- Pharmacy
- Contractors'
- Cosmetology

For all other Executive Director positions, the Department of Business and Industry will make recommendations to the respective boards as to the confirmation of proposed Executive Directors consistent with their interest, skill, and prior performance. Generally, related to Executive Directors, including those continued from prior roles or retained otherwise:

The Executive Director:

- (a) Is in the unclassified service of this State and appointed by the Board;
- (b) Serves at the pleasure of the Board, except that the Executive Director may only be removed by the joint action of the Board and the Director of the Department of Business and Industry upon a finding of incompetence, neglect of duty, commission of an act that constitutes moral turpitude, misfeasance, malfeasance or nonfeasance in office or for any other good cause;
- (c) Need not be a member of the Board or a licensee of the Board; and
- (d) Must devote his or her entire time to his or her duties and shall not engage in any other gainful employment or occupation.

### 10. Terms and Term Limits:

**Section 81:** add language stating that new appointments would be staggered to prevent all members expiring at the same time.

### 11. Lobbying:

**Section 11 (d):** Remove this section ~~[Services pertaining to activities designed to influence the passage or defeat of any legislation;]~~

### 12. Websites:

*Sec. 15 1. The Office shall maintain an Internet website through which any board, commission, council or similar body under its purview pursuant to NRS 232.8415 may post Information in the performance of official acts of the applicable body. 2. ~~A board, commission, council or similar body under the purview of the Office pursuant to NRS 232.8415 may not post any information on any Internet website other than the Internet website maintained pursuant to subsection 1.~~*

### 13. Board Personnel:

**Sec. 83** NRS 628.090 is hereby amended to read as follows: 628.090

1. Annually the Board shall elect a President and a Secretary-Treasurer from among its members.
2. The Board may employ such personnel, including ~~[attorneys,]~~ *attorneys*, investigators and other professional consultants, and arrange for such assistance as the Board may require for the performance of its duties.



**14. State Compact:**

Notwithstanding any other provision of law, any interstate compact or similar multistate agreement entered into by the State of Nevada that:

- (a) Was enacted by the Nevada Legislature prior to or during the 2025 Legislative Session; and
- (b) Relates to an occupational or professional licensing board whose duties and responsibilities are being transferred, merged, or otherwise consolidated under the Office of Boards, Commissions, and Councils Standards pursuant to this act, shall be deemed to be transferred to and administered by the successor board or regulatory body created or restructured under this act. The successor board shall assume all duties, obligations, and authorities necessary to fulfill the terms of the compact and shall serve as the State's designated representative for any such compact or agreement.
- (c) The Office of Boards, Commissions, and Councils Standards shall coordinate with affected boards and agencies to ensure a seamless transition of compact responsibilities and may adopt any policies or procedures necessary to implement this section.

**15. Grant Funding:**

- Notwithstanding any other provision of law, each board created pursuant to Title 54 of NRS, including any board that is merged, restructured, or otherwise brought under the Office of Boards, Commissions, and Councils Standards as provided in this act, is authorized to apply for, accept, and expend grants or other forms of financial assistance from any federal, state, local, or private source, subject to any applicable limitations or requirements imposed by law or the granting entity.
- Any grant funds received by a Title 54 board must be used in accordance with the purpose and conditions of the grant and accounted for separately from other board funds.
- The Office of Boards, Commissions, and Councils Standards may provide administrative support and oversight, including grant administration and compliance, to ensure accountability and maximize funding opportunities across all Title 54 boards.

**16. Advisory Boards to Title 54 boards:**

- Any advisory board, advisory committee, or similar advisory body that, as of July 1, 2025, exists in association with a board created pursuant to Title 54 of NRS, shall continue to operate in its advisory capacity under the successor board following any merger, consolidation, or restructuring carried out pursuant to this act.
- Any board created pursuant to Title 54 of NRS that is not merged but remains a standalone entity and that maintains one or more advisory boards or committees, shall retain those advisory bodies, which shall continue to perform their duties and functions in accordance with applicable law and regulations.

**17. Sec. 12. Account in State General Fund**

*1. The Office of Nevada Boards, Commissions and Councils Standards Account is hereby created in the State General Fund. The Account must be administered by the Deputy Director and may be expended only to carry out the provisions of NRS 232.8413 and 232.8415 and sections 3 to 16, inclusive, of this act.*

*2. The interest and income earned on the money in the Account, after deducting applicable charges, must be credited ~~[to the Account]~~ [back to the board].*

*3. Any money in the Account and any unexpended appropriations made to the Account from the State General Fund remaining at the end of a fiscal year do not revert to the State General Fund, and the balance in the Account ~~[must be carried forward to the next fiscal year]~~ is reverted back to the board.*

*4. The Deputy Director may apply for and accept any gift, grant, donation or appropriation for deposit in the Account.*

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