

[Nev. Rev. Stat. §§ 630.003 through 630.049.]

§§ 630.003 through 630.049: Physicians, Physician Assistants, Medical Assistants, Perfusionists and Practitioners of Respiratory Care -- General Provisions

§ 630.003. Legislative declaration.

1. The Legislature finds and declares that:

(a) It is among the responsibilities of State Government to ensure, as far as possible, that only competent persons practice medicine, perfusion and respiratory care within this State;

(b) For the protection and benefit of the public, the Legislature delegates to the Board of Medical Examiners the power and duty to determine the initial and continuing competence of physicians, perfusionists, physician assistants and practitioners of respiratory care who are subject to the provisions of this chapter;

(c) The Board must exercise its regulatory power to ensure that the interests of the medical profession do not outweigh the interests of the public;

(d) The Board must ensure that unfit physicians, perfusionists, physician assistants and practitioners of respiratory care are removed from the medical profession so that they will not cause harm to the public; and

(e) The Board must encourage and allow for public input into its regulatory activities to further improve the quality of medical practice within this State.

2. The powers conferred upon the Board by this chapter must be liberally construed to carry out these purposes for the protection and benefit of the public.

§ 630.005. Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 630.007 to 630.026, inclusive, have the meanings ascribed to them in those sections.

§ 630.007. “Administrative physician” defined.

“Administrative physician” means a physician who is licensed only to act in an administrative capacity as an:

1. Officer or employee of a state agency;

2. Independent contractor pursuant to a contract with the State; or

3. Officer, employee or independent contractor of a private insurance company, medical facility or medical care organization, and who does not examine or treat patients in a clinical setting.

§ 630.010. “Board” defined.

“Board” means the Board of Medical Examiners.

§ 630.0122. “Healing art” defined.

“Healing art” means any system, treatment, operation, diagnosis, prescription or practice for the ascertainment, cure, relief, palliation, adjustment or correction of any human disease, ailment, deformity, injury, or unhealthy or abnormal physical or mental condition for the practice of which long periods of specialized education and training and a degree of specialized knowledge of an intellectual as well as physical nature are required.

§ 630.0129. “Medical assistant” defined.

1. “Medical assistant” means a person who:

(a) Performs clinical tasks under the supervision of a physician or physician assistant; and

(b) Does not hold a license, certificate or registration issued by a professional licensing or regulatory board in this State to perform such clinical tasks.

2. The term does not include a person who performs only administrative, clerical, executive or other nonclinical tasks.

§ 630.0135. “Medical facility” defined.

“Medical facility” has the meaning ascribed to it in NRS 449.0151.

§ 630.0137. “Perfusion” defined.

1. “Perfusion” means the performance of functions which are necessary to provide for the support, treatment, measurement or supplementation of a patient’s cardiovascular, circulatory or respiratory system or other organs, or any combination of those activities, and to ensure the safe management of the patient’s

physiological functions by monitoring and analyzing the parameters of the patient's systems or organs under the order and supervision of a physician.

2. The term includes, without limitation:

- (a) The use of extracorporeal circulation and any associated therapeutic and diagnostic technologies; and
- (b) The use of long-term cardiopulmonary support techniques.

3. As used in this section, "extracorporeal circulation" means the diversion of a patient's blood through a heart-lung bypass machine or a similar device that assumes the functions of the patient's heart, lungs, kidney, liver or other organs.

§ 630.0138. "Perfusionist" defined.

"Perfusionist" means a person who is licensed to practice perfusion by the Board.

§ 630.014. "Physician" defined.

"Physician" means a person who has complied with all the requirements of this chapter for the practice of medicine.

§ 630.015. "Physician assistant" defined.

"Physician assistant" means a person who is a graduate of an academic program approved by the Board or who, by general education, practical training and experience determined to be satisfactory by the Board, is qualified to perform medical services under the supervision of a supervising physician and who has been issued a license by the Board.

§ 630.020. "Practice of medicine" defined.

"Practice of medicine" means:

- 1. To diagnose, treat, correct, prevent or prescribe for any human disease, ailment, injury, infirmity, deformity or other condition, physical or mental, by any means or instrumentality, including, but not limited to, the performance of an autopsy.
- 2. To apply principles or techniques of medical science in the diagnosis or the prevention of any such conditions.

3. To perform any of the acts described in subsections 1 and 2 by using equipment that transfers information concerning the medical condition of the patient electronically, telephonically or by fiber optics, including, without limitation, through telehealth, from within or outside this State or the United States.

4. To offer, undertake, attempt to do or hold oneself out as able to do any of the acts described in subsections 1 and 2.

§ 630.021. “Practice of respiratory care” defined.

“Practice of respiratory care” includes:

1. Therapeutic and diagnostic use of medical gases, humidity and aerosols and the maintenance of associated apparatus;
2. The administration of drugs and medications to the cardiopulmonary system;
3. The provision of ventilatory assistance and control;
4. Postural drainage and percussion, breathing exercises and other respiratory rehabilitation procedures;
5. Cardiopulmonary resuscitation and maintenance of natural airways and the insertion and maintenance of artificial airways;
6. Carrying out the written orders of a physician, physician assistant, certified registered nurse anesthetist or an advanced practice registered nurse relating to respiratory care;
7. Techniques for testing to assist in diagnosis, monitoring, treatment and research related to respiratory care, including the measurement of ventilatory volumes, pressures and flows, collection of blood and other specimens, testing of pulmonary functions and hemodynamic and other related physiological monitoring of the cardiopulmonary system; and
8. Training relating to the practice of respiratory care.

§ 630.023. “Practitioner of respiratory care” defined.

“Practitioner of respiratory care” means a person who is:

1. Certified to engage in the practice of respiratory care by the National Board for Respiratory Care or its successor organization; and
2. Licensed by the Board.

§ 630.024. “Respiratory care” defined.

1. “Respiratory care” means the treatment, management, diagnostic testing, control and care of persons with deficiencies and abnormalities associated with the cardiopulmonary system. The term includes inhalation and respiratory therapy.

2. The term does not include any task performed in accordance with the regulations adopted by the State Board of Health pursuant to NRS 449.0304 and 449.4309.

§ 630.025. “Supervising physician” defined.

“Supervising physician” means an active physician licensed and in good standing in the State of Nevada who supervises a physician assistant.

§ 630.0257. “Telehealth” defined.

“Telehealth” has the meaning ascribed to it in NRS 629.515.

§ 630.026. “Temporarily licensed perfusionist” defined.

“Temporarily licensed perfusionist” means a person temporarily licensed to practice perfusion by the Board pursuant to NRS 630.2696.

§ 630.045. Purpose of licensing; license is revocable privilege.

1. The purpose of licensing physicians, perfusionists, physician assistants and practitioners of respiratory care is to protect the public health and safety and the general welfare of the people of this State.

2. Any license issued pursuant to this chapter is a revocable privilege.

§ 630.047. Applicability of chapter.

1. This chapter does not apply to:

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

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

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

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

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

(d) Physicians who are temporarily exempt from licensure pursuant to NRS 630.2665 and are practicing medicine within the scope of the exemption;

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

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

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

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

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

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

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

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

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

(k) A person who installs medical equipment for respiratory care that is used in the home and gives instructions regarding the use of that equipment if the person is trained to provide such services and is supervised by a provider of health care who is acting within the authorized scope of his or her practice.

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

3. This chapter does not prohibit:

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

(b) The domestic administration of family remedies.

§ 630.049. Place at which act constituting practice of medicine deemed to occur.

For the purposes of this chapter, any act that constitutes the practice of medicine shall be deemed to occur at the place where the patient is located at the time the act is performed.