

NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for the Amendment of Regulations R114-26 of the
Nevada State Board of Veterinary Medical Examiners

The Nevada State Board of Veterinary Medical Examiners will hold a public hearing at 8:00 a.m. on July 30, 2026, at the Kietzke Plaza Suites Conference Room at 4600 Kietzke Ln., Building G, Reno, NV 89502 and by teleconference at 1-929-229-5741 (ID 289 107 971 809 924#). The purpose of the hearing is to receive comments from all interested persons regarding the Adoption of regulations that pertain to Chapter 638 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed regulation or amendment.

The proposed regulation creates clarifying language regarding advertisements to ensure ethical standards of advertising are transparent and do not exist to deceive the public. Also pertaining to ethical professional conduct, the proposed regulation includes language regarding ethical supervision and delegation of tasks, as well as ethical communication between veterinary professionals when delivering veterinary medical tasks within a supervisory framework.

The proposed fee increases are necessary to ensure the Board remains financially self-supporting and able to effectively carry out its statutory responsibility to protect the public through licensing, regulation, inspections, investigations, and enforcement. Board staff endeavors to increase fees only when necessary and when facing critical needs. Increases in consumer complaints, expanded public protection programs, licensee support, and services mean that the Board is in a position where fee increases are necessary to ensure that investigations, inspections, administrative actions, and enforcement remain timely and comprehensive. Current fees no longer reflect the increased costs of administering these programs, including personnel, technology, legal services, and other operational expenses. Adjusting fees will help maintain timely and efficient regulatory services while ensuring the Board has adequate resources to fulfill its public protection mission.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation is attached to this notice.

3. The estimated economic effect of the regulation on the business that it regulates and on the public.

After solicitation of licensees and practice owners, the Board only received one written public comment addressing the increase of fees. The comment did mention that the increase in fees for Veterinary-Technicians-in-Training and Licensed Veterinary Technicians would impact those licenses specifically due to lower earnings.

(a) Both adverse and beneficial economic effects.

Adverse effects: While the fee increase is not without its impact on the individual, the fee increase based on a percentage basis across all license types is meant to preserve the structure so that individual fees are adjusted to reflect the earning potential for each license level. Furthermore, spreading the fee increase across the license levels is meant to avoid overburdening one license level over another.

Beneficial effects: The Board will be able to respond promptly to the public, applicants, and licensees, ensuring that anyone contacting the Board is able to speak to someone directly and receive accurate and comprehensive information. Additionally, the Board will be able to continue to support and improve application processing times, complaint investigations, inspections, and enforcement.

(b) Both immediate and long-term effects.

Immediate: There will be an immediate effect as licensees and applicants are made aware of the fee change. All licensees will be notified with sufficient time before license renewal to ensure that they are aware of the fee change and will be able to prepare accordingly.

Long-Term: In addition to continuing to ensure the long-term success of the Board in delivering quality services to the public and veterinary professionals in Nevada, these fee adjustments will ensure that, as an agency that does not receive General Funds, the Board will operate without financial burden to the State of Nevada. Additionally, given the evolution of veterinary medicine and the increasing skills and communication between veterinary professionals within a veterinary facility, the ethical expectations of that team based care and communication standards will ensure that veterinary medicine in Nevada will be of a standard to serve public protection.

4. The estimated cost to the agency for enforcement of this regulation.

There is no estimated cost to the enforcement of this regulation.

5. A description of and citation to any regulations or other state or local governmental agencies that the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

There is no overlap or duplication of any other regulation.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required pursuant to federal law.

7. If the regulation included provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The regulation does not include provisions that are more stringent than a federal regulation.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulation increases existing fees. Additionally, the proposed regulation establishes a fee for a 'Registered Veterinary Student Extern'; however, this registration is being created because, before this change, individuals who would be applying as 'Registered Veterinary Student Externs' were registered as veterinary-technicians-in-training. The change does not increase revenue that would otherwise be collected.

Persons wishing to comment upon the proposed action of the Nevada State Board of Veterinary Medical Examiners may appear at the scheduled public hearing or may address their comments, data, views, arguments, or comments on any business impact in written form to the Nevada State Board of Veterinary Medical Examiners, 4600 Kietzke Lane, O-265, Reno, Nevada, 89502. Written submissions must be received by the Nevada State Board of Veterinary Medical Examiners 10 days prior to the hearing date. If

no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Veterinary Medical Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Nevada State Board of Veterinary Medical Examiners, 4600 Kietzke Lane, O-265, Reno, Nevada, 89502, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Board of Veterinary Medical Examiners
4600 Kietzke Lane, O-265
Reno, NV

All Nevada County Public Libraries

<https://www.nvvetboard.us/glsuiteweb/clients/nvbov/public/default.aspx>

www.notice.nv.gov

**PROPOSED REGULATION OF THE NEVADA STATE
BOARD OF VETERINARY MEDICAL EXAMINERS**

LCB File No. R114-26

June 15, 2026

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

AUTHORITY: §§ 1 and 4-6, NRS 638.070; §§ 2 and 3, NRS 638.070, 638.100, 638.122, 638.127, 638.128 and 638.132.

A REGULATION relating to veterinary medicine; establishing certain requirements relating to advertising by a veterinarian; revising the schedule of fees charged and collected by the Nevada State Board of Veterinary Medical Examiners; providing that failure to pay certain fees may be grounds for disciplinary action; establishing a fee for an application for registration as a registered veterinary student extern; revising certain duties of supervising veterinarians; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Nevada State Board of Veterinary Medical Examiners to adopt regulations necessary to carry out the provisions of law relating to veterinary medicine. (NRS 638.070) **Section 1** of this regulation prohibits a veterinarian from making, disseminating or causing to be made or disseminated any advertising, including any testimonial or endorsement, which: (1) contains any false, deceptive or misleading statement, claim or material omission; or (2) uses the terms “board eligible” or “board qualified.” **Section 1** also requires each veterinarian to comply with all applicable federal laws, regulations and guidelines of the Federal Trade Commission relating to the use of testimonials or endorsements in advertising.

Existing law requires and authorizes the Board to adopt by regulation certain fees relating to licenses, registrations and permits issued by the Board. (NRS 638.070, 638.100, 638.122, 638.127, 638.128, 638.132) Existing regulations set forth those fees. (NAC 638.035) Existing law makes a violation of a regulation of the Board grounds for disciplinary action. (NRS 638.140, 638.147) **Section 2** of this regulation: (1) revises certain fees relating to licenses, registrations and permits issued by the Board; and (2) provides that the failure to pay such a fee which is required to be paid in accordance with the applicable provisions of existing law and regulations may be grounds for disciplinary action.

Under regulations of the Board that have not yet been approved by the Legislative Commission and filed with the Secretary of State, certain students at an accredited school of veterinary medicine who meet certain requirements may apply to register with the Board as a registered veterinary student extern. (Section 5 of LCB File No. R026-26) **Sections 3 and 5** of this regulation, which become effective only if those regulations are approved by the Legislative

Commission and filed with the Secretary of State, establish a fee for an application for registration as a registered veterinary student extern.

Existing regulations impose certain duties on supervising veterinarians, including that a supervising veterinarian is responsible for ensuring that no person performs certain tasks or duties that are specific to licensees or registrants unless the person holds the appropriate license or registration to do so. (NAC 638.057) **Section 4** of this regulation instead: (1) prohibits a supervising veterinarian from delegating, directing or assigning any task, responsibility or duty to a person that is outside the scope of practice which is appropriate for that person; (2) requires a supervising veterinarian to ensure that all licensees and registrants are performing tasks, responsibilities or duties only within the scope of practice which is appropriate for the licensee or registrant; (3) requires a supervising veterinarian to facilitate open communication with each person under his or her supervision and allow each such person, without fear of retaliation, to express concerns regarding or refuse to perform a task, responsibility or duty for which the person believes he or she is not prepared or not qualified; and (4) prohibits a supervising veterinarian from unduly pressuring or requiring any person under his or her supervision to perform any task, responsibility or duty for which the person is not qualified.

Section 1. Chapter 638 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A veterinarian shall not make, disseminate or cause to be made or disseminated any advertising, including, without limitation, any testimonial or endorsement, which:

(a) Contains any false, deceptive or misleading statement or claim, including, without limitation, a material omission that is intended to create a false, deceptive or misleading impression; or

(b) Uses the terms “board eligible” or “board qualified.”

2. Each veterinarian shall comply with all applicable federal laws, regulations and guidelines of the Federal Trade Commission relating to the use of testimonials or endorsements in advertising.

Sec. 2. NAC 638.035 is hereby amended to read as follows:

638.035 1. Except as otherwise provided in subsections 2 and 3, the Board will charge and collect the following fees:

For an application and examination for a license to practice veterinary medicine	\$500
For an application for a license by endorsement to practice veterinary medicine	500
For an application for a license to practice veterinary medicine as a diplomate.....	500
For an application for a license to practice as a veterinary technician	[220] 250
For an application or examination for a license to practice as a euthanasia technician.....	500
For a 2-year registration to practice as a veterinary technician in training	[60] 70
For a permit to operate a facility owned by a licensed veterinarian, other than a mobile clinic	[500] 575
For a permit to operate a facility not owned by a licensed veterinarian, other than a mobile clinic	[700] 840
For a permit to operate a mobile clinic	[150] 180
For a permit to operate a nonprofit facility	200
For a registration to practice animal chiropractic.....	[200] 240
For a registration to practice animal physical therapy	[200] 240
For a registration to practice as an equine dental provider.....	[220] 240
For a temporary license to practice veterinary medicine	[150] 200
For the reinstatement of a veterinary or diplomate license	[525] 640
For the reinstatement of a veterinary technician license	[200] 220

For the biennial renewal of an active license to practice veterinary medicine, including, without limitation, a license by endorsement and a diplomate license	[500] 600
For the biennial renewal of an inactive license to practice veterinary medicine	[275] 330
For the biennial renewal of a license to practice as a veterinary technician	[150] 180
For the biennial renewal of a license to practice as a euthanasia technician.....	[250] 300
For the biennial renewal of a registration to practice as an animal physical therapist	[200] 240
For the biennial renewal of a registration to practice as an animal chiropractor	[200] 240
For the biennial renewal of a registration to practice as an equine dental provider.....	[200] 240
For the biennial renewal of a permit for a facility owned by a licensed veterinarian, other than a mobile clinic	[400] 480
For the biennial renewal of a permit for a facility not owned by a licensed veterinarian, other than a mobile clinic	[700] 840
For the biennial renewal of a permit to operate a mobile clinic.....	[100] 120
For the biennial renewal of a permit for a nonprofit facility.....	200
For a duplicate of a license, registration or permit described in this section	[20] 25

2. If an applicant or licensee is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a reserve component thereof or the National Guard, the Board will charge and collect one-half of the fee established pursuant to subsection 1.

3. The Board will reduce the fee charged and collected for the application for any license, registration or permit set forth in subsection 1, including any fee reduced pursuant to subsection 2, by 50 percent if the license, registration or permit is issued on or after June 30 of the immediately preceding even-numbered year.

4. The fees charged and collected pursuant to this section are not refundable.

5. *Failure to pay a fee which is required pursuant to this section, in accordance with the applicable provisions of this chapter and chapter 638 of NRS, may be grounds for disciplinary action.*

6. For the purposes of this section, a facility is “owned by a licensed veterinarian” if one or more licensed veterinarians hold at least 10 percent of the total ownership interest, solely or jointly, of the facility.

Sec. 3. NAC 638.035 is hereby amended to read as follows:

638.035 1. Except as otherwise provided in subsections 2 and 3, the Board will charge and collect the following fees:

NEW
SECOND
PARALLEL
SECTION

For an application and examination for a license to practice veterinary medicine	\$500
For an application for a license by endorsement to practice veterinary medicine	500
For an application for a license to practice veterinary medicine as a diplomate.....	500
For an application for a license to practice as a veterinary technician.....	250
For an application or examination for a license to practice as a euthanasia technician.....	500
For a 2-year registration to practice as a veterinary technician in training	70

<i>For an application for registration as a registered veterinary student extern</i>	<i>70</i>
For a permit to operate a facility owned by a licensed veterinarian, other than a mobile clinic	575
For a permit to operate a facility not owned by a licensed veterinarian, other than a mobile clinic	840
For a permit to operate a mobile clinic	180
For a permit to operate a nonprofit facility	200
For a registration to practice animal chiropractic.....	240
For a registration to practice animal physical therapy	240
For a registration to practice as an equine dental provider.....	240
For a temporary license to practice veterinary medicine	200
For the reinstatement of a veterinary or diplomate license	640
For the reinstatement of a veterinary technician license	220
For the biennial renewal of an active license to practice veterinary medicine, including, without limitation, a license by endorsement and a diplomate license	600
For the biennial renewal of an inactive license to practice veterinary medicine	330
For the biennial renewal of a license to practice as a veterinary technician	180
For the biennial renewal of a license to practice as a euthanasia technician.....	300
For the biennial renewal of a registration to practice as an animal physical therapist	240
For the biennial renewal of a registration to practice as an animal chiropractor	240

For the biennial renewal of a registration to practice as an equine dental provider.....	240
For the biennial renewal of a permit for a facility owned by a licensed veterinarian, other than a mobile clinic	480
For the biennial renewal of a permit for a facility not owned by a licensed veterinarian, other than a mobile clinic	840
For the biennial renewal of a permit to operate a mobile clinic.....	120
For the biennial renewal of a permit for a nonprofit facility.....	200
For a duplicate of a license, registration or permit described in this section	25

2. If an applicant or licensee is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a reserve component thereof or the National Guard, the Board will charge and collect one-half of the fee established pursuant to subsection 1.

3. The Board will reduce the fee charged and collected for the application for any license, registration or permit set forth in subsection 1, including any fee reduced pursuant to subsection 2, by 50 percent if the license, registration or permit is issued on or after June 30 of the immediately preceding even-numbered year.

4. The fees charged and collected pursuant to this section are not refundable.

5. Failure to pay a fee which is required pursuant to this section, in accordance with the applicable provisions of this chapter and chapter 638 of NRS, may be grounds for disciplinary action.

6. For the purposes of this section, a facility is “owned by a licensed veterinarian” if one or more licensed veterinarians hold at least 10 percent of the total ownership interest, solely or jointly, of the facility.

Sec. 4. NAC 638.057 is hereby amended to read as follows:

638.057 1. A supervising veterinarian:

(a) Is responsible for determining the competency of the licensed veterinary technician, veterinary technician in training or veterinary assistant under his or her supervision to perform delegated tasks of animal health care.

(b) Shall ensure that the licensed veterinary technician, veterinary technician in training or veterinary assistant performs the tasks of animal health care delegated to the licensed veterinary technician, veterinary technician in training or veterinary assistant in a manner which is consistent with good veterinary medical practice.

(c) Shall make all decisions relating to the diagnosis, treatment, management and future disposition of an animal.

(d) Shall examine an animal before delegating any tasks to the licensed veterinary technician, veterinary technician in training or veterinary assistant. The examination must be conducted at such time as good veterinary medical practice requires, consistent with the particular task of animal health care which is delegated.

(e) ~~Is responsible for ensuring that:~~
~~—(1) Unlicensed personnel do~~ *Shall* not ~~[perform]~~ *delegate, direct or assign any tasks, responsibilities or duties to a person under his or her supervision* that are ~~[specific to licensed veterinary technicians or licensed veterinarians];~~

~~—— (2) A person does not perform tasks as a veterinary technician in training unless~~ *outside the scope of practice which is appropriate for* the person . ~~[is registered pursuant to NAC 638.0525; and~~

~~—— (3) A person does not perform]~~

(f) Shall ensure that all licensees and registrants are performing tasks ~~[as a veterinary assistant except]~~, *responsibilities and duties only within the scope of practice which is appropriate for the licensee or registrant,* as ~~[provided in NAC 638.0602 and 638.06025.]~~ *applicable.*

(g) Shall facilitate open communication with each person who is under his or her supervision and allow each such person, without fear of reprisal or retaliation, to express concerns regarding or refuse to perform a task, responsibility or duty for which the person believes he or she is not prepared or not qualified.

(h) Shall not unduly pressure or require any person under his or her supervision to perform any task, responsibility or duty for which the person is not qualified.

2. A supervising veterinarian who ~~[does not comply with]~~ *violates* the requirements of this section may be subject to disciplinary action.

Sec. 5. Section 5 of LCB File No. R026-26 is hereby amended to read as follows:

Sec. 5. 1. Except as otherwise prohibited by law, a person may perform the tasks of a licensed veterinary technician which are described in subsection 2, 3 or 4 of NAC 638.053 under the immediate or direct supervision of a supervising veterinarian, as applicable, if he or she is registered with the Board pursuant to this section.

2. To be registered as a registered veterinary student extern, a person must:

(a) Submit to the Board an application on a form prescribed by the Board;

(b) Be actively enrolled in a school of veterinary medicine accredited by the Council on Education of the American Veterinary Medical Association as a student who:

- (1) Has successfully completed at least one semester; and
 - (2) Is not a third-year or fourth-year student;
- (c) Be 18 years of age or older;
- (d) Be of good moral character;
- (e) Pass an examination administered by the Board relating to the laws and regulations of this State governing veterinary medicine; ~~and~~

- (f) Submit to the Board proof:
- (1) That the person has completed at least 1,000 hours of work experience at one or more veterinary facilities; and
 - (2) Of employment and supervision by a licensed veterinarian at each veterinary facility where the person will be employed as a registered veterinary student extern ~~and~~;
- and*

(g) Pay to the Board the fee required pursuant to NAC 638.035.

3. After confirming that an applicant complies with all the requirements of subsection 2, the Executive Director of the Board shall, unless he or she has good cause to deny the registration, issue a letter of registration for a registered veterinary student extern to the veterinarian in charge of each facility where the registered veterinary student extern is employed or will be employed.

4. A registration pursuant to this section is valid for as long as the registered veterinary student extern is in compliance with the requirements of subsection 2.

Sec. 6. 1. This section and sections 1, 2 and 4 of this regulation become effective on the date on which this regulation is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070.

2. Sections 3 and 5 of this regulation become effective only if LCB File No. R026-26 is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070. Sections 3 and 5 of this regulation become effective on the later of:

(a) The date on which this regulation is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070; or

(b) The date on which LCB File No. R026-26 is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070.