

RESIDENT HANDBOOK SECTION X: APPENDICES

APPENDIX II – STATE BOARD OF MEDICAL EXAMINERS NRS FOR MISCONDUCT

NEVADA REVISED STATUTES 630.301 through 630.3066

(Misconduct)

GROUND FOR INITIATING DISCIPLINARY ACTION OR DENYING LICENSURE

nt or relatives of patient. The following acts, among others, constitute grounds
or denying licensure:

relating to the practice of medicine or the ability to practice medicine. A

intended or tends to influence the physician's objective evaluation or treatment of a patient.

- b. Dividing a fee between licensees except where the patient is informed of the division of fees and the division of fees is made in proportion to the services personally performed and the responsibility assumed by each licensee.
- c. Referring, in violation of NRS 439B.425, a patient to a health facility, medical laboratory

- VI. Performing, without first obtaining the informed consent of the patient or his family, any procedure or prescribing any therapy which by the current standards of the practice of medicine are experimental.
- VII. Continual failure to exercise the skill or diligence or use the methods ordinarily exercised under the same circumstances by physicians in good standing practicing in the same specialty or field.
- VIII. Making or filing a report which the licensee or applicant knows to be false or failing to file a record or report as required by law or regulation.
- IX. Failing to comply with the requirements of NRS 630.254.
- X. Habitual intoxication from alcohol or dependency on controlled substances.
- XI. Failure by a licensee or applicant to report, within 30 days, the revocation, suspension or surrender of his license to practice medicine in another jurisdiction.
- XII. Failure to be found competent to practice medicine as a result of an examination to determine medical competency pursuant to NRS 630.318.

(Added to NRS by 1983, 302; A 1985, 2238; 1987, 199, 800, 1554, 1575)

NRS 630.3062 Failure to maintain proper medical records; altering medical records; making false report; failure to file or obstructing required report; failure to allow inspection and copying of medical records; failure to report other person in violation of chapter or regulations. The following acts, among others, constitute grounds for initiating disciplinary action or denying licensure:

- I. Failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient.
- II. Altering medical records of a patient.
- III. Making or filing a report which the licensee knows to be false, failing to file a record or report as required by law or willfully obstructing or inducing another to obstruct such filing.
- IV. Failure to make the medical records of a patient available for inspection and copying as provided in NRS 629.061.
- V. Failure to comply with the requirements of NRS 630.3068.
- VI. Failure to report any person the licensee knows, or has reason to know, is in violation of the provisions of this chapter or the regulations of the Board.

(Added to NRS by 1985, 2223; A 1987, 199; 2001, 767; 2002 Special Session, 19; 2003, 3433)

NRS 630.3065 Willful disclosure of privileged communication; willful failure to comply with statute or regulation governing practice of medicine. The following acts, among others, constitute grounds for initiating disciplinary action or denying licensure:

- I. Willful disclosure of a communication privileged pursuant to a statute or court order.
- II. Willful failure to comply with:
 - a. A regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician
 - b. A court order relating to this chapter
 - c. A provision of this chapter.

- III. Willful failure to perform a statutory or other legal obligation imposed upon a licensed physician, including a violation of the provisions of NRS 439B.410.

(Added to NRS by 1983, 302; A 1985, 2238; 1987, 200; 1989, 1663; 1993, 2302)

NRS 630.3066 Prescribing or administering certain controlled substances for treatment of intractable pain not grounds for initiating disciplinary action. A physician is not subject to disciplinary action solely for:

- I. Prescribing or administering to a patient under his care a controlled substance which is listed in schedule II, III, IV or V by the State Board of Pharmacy pursuant to NRS 453.146, if the controlled substance is lawfully prescribed or administered for the treatment of intractable pain in accordance with regulations adopted by the Board.
- II. Engaging in any activity in accordance with the provisions of chapter 453A of NRS.

(Added to NRS by 1977, 1647; A 1983, 337; 1995, 1734; 2001, 768, 3073)