

CHAPTER 640B
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UNLAWFUL ACTS; PENALTIES

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NRS 640B.003 Legislative declaration. The practice of athletic training is hereby declared to be a learned profession, affecting public health, safety and welfare, and subject to regulation to protect the public from the practice of athletic training by unqualified persons and from unprofessional conduct by persons who are licensed to engage in the practice of athletic training.

(Added to NRS by 2003, [896](#))

NRS 640B.005 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 640B.011](#) to [640B.120](#), inclusive, have the meanings ascribed to them in those sections.

NRS 640B.011 “Assessment” defined. “Assessment” includes taking the medical history of a patient, visually inspecting the injured portion of the body and the associated structures, palpating the bony landmarks and soft tissue and applying special tests to systematically assess the pathology and extent of the injury or condition.

NRS 640B.015 “Athlete” defined. “Athlete” means a natural person who:

1. Participates in an athletic activity conducted by:
 - (a) An intercollegiate athletic association or interscholastic athletic association; or
 - (b) A professional athletic organization; or
 - (c) An amateur athletic organization; or
2. Participates in a recreational sport activity that:
 - (a) Has officially designated coaches;
 - (b) Conducts regularly scheduled practices or workouts that are supervised by coaches; and
 - (c) Has established schedules for competitive events or exhibitions.

(Added to NRS by 2003, [894](#))

NRS 640B.021 “Athletic injury” defined. “Athletic injury” means an injury or athletic-related illness, or both, that a person sustains as a result of:

1. His participation in an athletic activity conducted by:
 - (a) An intercollegiate athletic association or interscholastic athletic association; or
 - (b) A professional athletic organization; or
 - (c) An amateur athletic organization; or
 2. His participation in a recreational sport activity that:
 - (a) Has officially designated coaches;
 - (b) Conducts regularly scheduled practices or workouts that are supervised by coaches; and
 - (c) Has established schedules for competitive events or exhibitions.
- (Added to NRS by 2003, [894](#))

NRS 640B.025 “Board” defined. “Board” means the Board of Athletic Trainers.

(Added to NRS by 2003, [894](#))

NRS 640B.031 “Direction” defined. “Direction” means an order issued by a physician to follow as a protocol, recommendation or oral order that is documented by the licensed athletic trainer or physician, or both.

(Added to NRS by 2003, [894](#))

NRS 640B.035 “Disposition” defined. “Disposition” means the application of accepted management techniques to provide the appropriate care and resources concerning an athletic injury.

(Added to NRS by 2003, [894](#))

NRS 640B.041 “Evaluation” defined. “Evaluation” includes, without limitation, the use of joint range of motion, manual muscle tests, ligamentous stress tests, neurological tests and functional capacity assessments.

(Added to NRS by 2003, [894](#))

NRS 640B.045 “Grade 5 joint mobilization” defined. “Grade 5 joint mobilization” means the movement of a joint beyond its physiological and capsular end point.

(Added to NRS by 2003, [894](#))

NRS 640B.051 “Graduate student athletic trainer” defined. “Graduate student athletic trainer” means a graduate student who:

1. Is enrolled in a graduate program of study approved by the Board; and
2. Engages in the practice of athletic training under the supervision of a licensed athletic trainer.

(Added to NRS by 2003, [894](#))

NRS 640B.055 “Joint mobilization” defined. “Joint mobilization” means a learned, skilled, passive movement of articulating surfaces of a person to relieve pain and restore functional movement of the articulating surfaces without pain to the person. The term does not include:

1. The diagnosis of a physical disability;
2. The massaging of the superficial soft tissues of the body;
3. The use of X rays or radium;
4. The use of electricity for cauterization or surgery;
5. Chiropractic adjustment as defined in [NRS 634.014](#); or
6. Grade 5 joint mobilization.

(Added to NRS by 2003, [894](#))

NRS 640B.060 “License” defined. “License” means a license issued pursuant to the provisions of this chapter.

NRS 640B.065 “Licensee” defined. “Licensee” means a person who has been issued a license as an athletic trainer pursuant to the provisions of this chapter.

NRS 640B.070 “Management” defined. “Management” means the act of controlling or influencing an injury, illness or condition.

NRS 640B.075 “Passive joint range of motion” defined. “Passive joint range of motion” means any movement of an articulating surface of a person without the active assistance of that person, which is performed with equipment or by another person.

NRS 640B.081 “Passive range of motion” defined. “Passive range of motion” means any movement of a part of a person without the active assistance of that person, which is performed with equipment or by another person.

(Added to NRS by 2003, [895](#))

NRS 640B.085 “Physician” defined. “Physician” means:

1. A physician licensed pursuant to [chapter 630 of NRS](#);
2. An osteopathic physician licensed pursuant to [chapter 633 of NRS](#);
3. A homeopathic physician licensed pursuant to [chapter 630A of NRS](#);
4. A chiropractic physician licensed pursuant to [chapter 634 of NRS](#); or
5. A podiatric physician licensed pursuant to [chapter 635 of NRS](#).

(Added to NRS by 2003, [895](#))

NRS 640B.090 “Practice of athletic training” defined.

1. “Practice of athletic training” means:

(a) The prevention, recognition, assessment, management, treatment, disposition or reconditioning of the athletic injury of an athlete:

(1) Whose condition is within the professional preparation and education of the licensed athletic trainer; and

(2) That is performed under the direction of a physician;

(b) The organization and administration of programs of athletic training;

(c) The administration of an athletic training room;

(d) The provision of information relating to athletic training to members of the public; or

(e) Any combination of the activities described in paragraphs (a) to (d), inclusive.

2. The term does not include the diagnosis of a physical disability, massaging of the superficial soft tissues of the body or the use of X rays, radium or electricity for cauterization or surgery.

(Added to NRS by 2003, [895](#))

NRS 640B.095 “Prevention” defined. “Prevention” means the application and implementation of physical conditioning programs, preparticipation screening and the monitoring of risk factors that may cause an athletic injury.

(Added to NRS by 2003, [895](#))

NRS 640B.101 “Recognition” defined. “Recognition” means the application of visual, verbal or tactile skills to acknowledge the presence of an injury, illness or other condition with an understanding

of the predisposing factors of injury and pathomechanics, which assists in the assessment of the injury, illness or other condition.

(Added to NRS by 2003, [895](#))

NRS 640B.105 “Reconditioning” defined. “Reconditioning” means the application of practical and didactic knowledge and functional criteria to evaluate readiness for return to partial or full activities.

(Added to NRS by 2003, [895](#))

NRS 640B.111 “Student athletic trainer” defined. “Student athletic trainer” means an undergraduate student who:

1. Is enrolled in an undergraduate program of study approved by the Board; and
2. Engages in the practice of athletic training under the supervision of a licensed athletic trainer.

(Added to NRS by 2003, [896](#))

NRS 640B.115 “Supervision” defined. “Supervision” means clinical on-site direction given by a licensed athletic trainer to a student athletic trainer or graduate student athletic trainer who is in the direct line of sight and within hearing distance of the licensed athletic trainer.

(Added to NRS by 2003, [896](#))

NRS 640B.120 “Treatment” defined. “Treatment” means the application of the necessary knowledge and skills to assess an injury, illness or other condition and provide appropriate care.

(Added to NRS by 2003, [896](#))

NRS 640B.145 Applicability of chapter. The provisions of this chapter do not apply to:

1. A person who is licensed pursuant to chapters 630 to 637, inclusive, or [chapter 640](#) or [640A](#) of NRS, when acting within the scope of that license.
2. A person who is employed by the Federal Government and engages in the practice of athletic training within the scope of that employment.
3. A person who is employed as an athletic trainer outside this state when engaging in the practice of athletic training within the scope of that employment in connection with an athletic event held in this state.

(Added to NRS by 2003, [896](#))

NRS 640B.155 License is revocable privilege; holder acquires no vested right. A license issued pursuant to the provisions of this chapter is a revocable privilege, and the holder of the license does not acquire thereby any vested right.

(Added to NRS by 2003, [896](#))

BOARD OF ATHLETIC TRAINERS

Organization and Administration

NRS 640B.170 Creation; appointment and qualifications of members; terms, vacancies and removal from office; limitations on civil liability; representative of general public not to participate in examination.

1. The Board of Athletic Trainers is hereby created.
2. The Governor shall appoint to the Board:
 - (a) Three members who:
 - (1) Are licensed as athletic trainers pursuant to the provisions of this chapter; and
 - (2) Have engaged in the practice of athletic training or taught or conducted research concerning the practice of athletic training for the 5 years immediately preceding their appointment;

(b) One member who is licensed as a physical therapist pursuant to [chapter 640 of NRS](#) and who is also licensed as an athletic trainer pursuant to this chapter; and

(c) One member who is a representative of the public.

3. Each member of the Board:

(a) Must be a resident of this state; and

(b) May not serve more than two consecutive terms.

4. After the initial terms, the members of the Board must be appointed to terms of 3 years.

5. A vacancy on the Board must be filled in the same manner as the original appointment.

6. The Governor may remove a member of the Board for incompetence, neglect of duty, moral turpitude or malfeasance in office.

7. No member of the Board may be held liable in a civil action for any act he performs in good faith in the execution of his duties pursuant to the provisions of this chapter.

8. The member of the Board who is a representative of the public shall not participate in preparing or grading any examination required by the Board.

NRS 640B.180 Professional associations to submit lists of persons qualified for membership on Board.

1. For the appointment of any member to the Board pursuant to paragraph (a) of subsection 2 of [NRS 640B.170](#), the Nevada Athletic Trainers Association, or its successor organization, shall, at least 30 days before the beginning of a term of a member of the Board, or within 30 days after a position on the Board becomes vacant, submit to the Governor the names of not less than three persons or more than five persons who are qualified for membership on the Board for each such position. The Governor shall appoint new members or fill a vacancy from the list, or request a new list.

2. For the appointment of a member to the Board pursuant to paragraph (b) of subsection 2 of [NRS 640B.170](#), the Nevada Physical Therapists Association, or its successor organization, and the Nevada Athletic Trainers Association, or its successor organization, shall, at least 30 days before the beginning of a term of a member of the Board, or within 30 days after a position on the Board becomes vacant, jointly prepare and submit to the Governor a list of the names of not less than three persons or more than five persons who are qualified for membership on the Board for that position. The Governor shall appoint a new member or fill a vacancy from the list, or request a new list.

3. If the Nevada Athletic Trainers Association or the Nevada Physical Therapists Association, or the successor of any such organization, fails to submit nominations for a position on the Board within the periods prescribed in this section, the Governor may appoint any qualified person.

(Added to NRS by 2003, [897](#))

NRS 640B.190 Election of Chairman; meetings; quorum.

1. The Board shall:

(a) Elect from its members a Chairman at the first meeting of each year; and

(b) Meet at least three times each year at the call of the Chairman of the Board, or upon the written request of at least three members of the Board.

2. A majority of the members of the Board constitutes a quorum for the transaction of the business of the Board.

(Added to NRS by 2003, [897](#))

NRS 640B.200 Employment of Executive Secretary and other personnel; members of Board not entitled to salary; payment of per diem allowance and travel expenses.

1. The Board may employ an Executive Secretary and any other persons necessary to carry out its duties.

2. The members of the Board are not entitled to receive a salary.

3. While engaged in the business of the Board, each member and employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for officers and employees of this state generally.

(Added to NRS by 2003, [898](#))

NRS 640B.210 Fiscal year. The Board shall operate on the basis of a fiscal year beginning on July 1 and ending on June 30.

(Added to NRS by 2003, [898](#))

NRS 640B.220 Payment of expenses; deposit of money; delegation of authority to take disciplinary action; deposit of fines imposed by Board; presentment of claims for attorney's fees and costs of investigation.

1. Except as otherwise provided in subsection 4, all reasonable expenses incurred by the Board in carrying out the provisions of this chapter must be paid from the money that it receives. No part of the expenses of the Board may be paid from the State General Fund.

2. All money received by the Board must be deposited in a bank or other financial institution in this state and paid out on its order for its expenses.

3. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines and penalties related to that disciplinary action and deposit the money from the fines and penalties in a bank or other financial institution in this state.

4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3, the Board shall deposit all money collected from the imposition of fines and penalties with the State Treasurer for credit to the State General Fund. If money has been deposited in the State General Fund pursuant to this subsection, the Board may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

(Added to NRS by 2003, [898](#))

General Powers and Duties

NRS 640B.250 Preparation, maintenance and disclosure of certain information regarding applicants and licensees; record of proceedings and transactions; seal; enforcement of chapter.

1. The Board shall prepare and maintain a separate list of:

(a) The licensees.

(b) The applicants for a license.

(c) The licensees whose licenses have been revoked or suspended within the preceding year.

2. The Board shall, upon request, disclose the information included in each list and may charge a fee for a copy of a list.

3. The Board shall:

(a) Prepare and maintain a record of its proceedings and transactions;

(b) Adopt a seal of which each court in this state shall take judicial notice; and

(c) Enforce the provisions of this chapter and any regulations adopted pursuant thereto.

(Added to NRS by 2003, [897](#))

NRS 640B.260 Adoption of regulations. The Board shall adopt regulations to carry out the provisions of this chapter, including, without limitation, regulations that establish:

1. The passing grades for the examinations required by [NRS 640B.310](#) and [640B.320](#);

2. Appropriate criteria for determining whether an entity is an intercollegiate athletic association, interscholastic athletic association, professional athletic organization or amateur athletic organization;
3. The standards of practice for athletic trainers; and
4. The requirements for continuing education for the renewal of a license of an athletic trainer. The requirements must be at least equivalent to the requirements for continuing education for the renewal of a certificate of an athletic trainer issued by the National Athletic Trainers Association Board of Certification or its successor organization.

NRS 640B.270 Inspection of offices and facilities of persons practicing athletic training. A member of the Board, an employee of the Board or a person designated by the Board may inspect any office or facility where a person is engaged in the practice of athletic training to determine whether each person who is engaged in the practice of athletic training in that office or facility is in compliance with the provisions of this chapter and any regulations adopted pursuant thereto.

LICENSES

General Provisions

NRS 640B.300 License required to practice athletic training; certain acts prohibited without license; exception for certain student athletic trainers; injunctions against unlicensed activities.

1. Except as otherwise provided in subsection 2, unless he has been issued a license as an athletic trainer by the Board pursuant to the provisions of this chapter, a person shall not:
 - (a) Engage in the practice of athletic training;
 - (b) Hold himself out as licensed or qualified to engage in the practice of athletic training; or
 - (c) Use in connection with his name any title, words, letters or other designation intended to imply or designate him as a licensed athletic trainer.
2. A student athletic trainer or graduate student athletic trainer may engage in the practice of athletic training while under the supervision of a licensed athletic trainer.
3. If the Board determines that a person has engaged, or is about to engage, in any act or practice that constitutes, or will constitute, a violation of the provisions of this section, the Board may make an application to an appropriate court for an order enjoining that act or practice, and upon a showing by the Board that the person has engaged, or is about to engage, in that act or practice, the court shall issue an injunction against that act or practice. Such an injunction does not prevent a criminal prosecution for that act or practice.

NRS 640B.310 Requirements for licensure: Qualifications; application; fingerprints; fees; examination; exceptions and limitations.

1. An applicant for a license as an athletic trainer must:
 - (a) Be of good moral character;
 - (b) Be a citizen of the United States or lawfully entitled to remain and work in the United States;
 - (c) Have at least a bachelor's degree in a program of study approved by the Board;
 - (d) Submit an application on a form provided by the Board;
 - (e) Submit a complete set of his fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;
 - (f) Pay the fees prescribed by the Board pursuant to [NRS 640B.410](#); and
 - (g) Except as otherwise provided in subsection 2 and [NRS 640B.320](#), pass the examination prepared by the National Athletic Trainers Association Board of Certification or its successor organization.

2. An applicant who submits proof of his current certification as an athletic trainer by the National Athletic Trainers Association Board of Certification, or its successor organization, is not required to pass the examination required by paragraph (g) of subsection 1.

3. An applicant who fails the examination may not reapply for a license for at least 1 year after he submits his application to the Board.

NRS 640B.320 Preparation of examinations. If the National Athletic Trainers Association Board of Certification, or its successor organization, if any, ceases to exist or ceases to prepare the examination required by [NRS 640B.310](#), the Board shall designate another appropriate national organization to prepare the test. If the Board determines that no such organization exists, the Board shall prepare or cause to be prepared a test which must be offered not less than two times each year.

NRS 640B.330 Licensure of persons who are licensed in other jurisdictions.

1. Except as otherwise provided in subsection 2, the Board shall issue a license as an athletic trainer, without examination, to an applicant who is licensed to engage in the practice of athletic training in another state, territory or possession of the United States, or the District of Columbia if the applicant submits to the Board:

- (a) An application on a form prescribed by the Board; and
- (b) The fees prescribed by the Board pursuant to [NRS 640B.410](#).

2. The Board shall not issue a license pursuant to this section unless the jurisdiction in which the applicant is licensed had requirements at the time the license was issued that the Board determines are substantially equivalent to the requirements for a license as an athletic trainer set forth in this chapter.

NRS 640B.340 Payment of child support: Statement by applicant for license; grounds for denial of license; duty of Board. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements for the issuance or renewal of a license set forth in this chapter, an applicant for the issuance or renewal of a license to engage in the practice of athletic training must submit to the Board:

- (a) The social security number of the applicant; and
- (b) The statement prescribed by the Welfare Division of the Department of Human Resources pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the person's social security number and the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or
- (b) A separate form prescribed by the Board.

3. A license to practice athletic training may not be issued or renewed by the Board if the applicant:

- (a) Fails to submit his social security number required pursuant to subsection 1;
- (b) Fails to submit the statement required pursuant to subsection 1; or
- (c) Indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by

the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

NRS 640B.350 Display of license. Each person licensed to practice as an athletic trainer shall display his license conspicuously at each place where he engages in the practice of athletic training.

Scope of Practice

NRS 640B.370 Requirements to conduct evaluation of athletic injury or perform joint mobilization; authority to perform passive range of motion or passive joint range of motion.

1. A person who is licensed as an athletic trainer shall not conduct an evaluation of an athletic injury or perform joint mobilization unless the person has earned at least a master's degree in athletic training or a comparable area of study, as determined by the Board.

2. A person who is licensed as an athletic trainer and has not earned a master's degree in athletic training or a comparable area of study, as determined by the Board, may perform passive range of motion or passive joint range of motion.

Expiration and Renewal; Fees

NRS 640B.400 Expiration of licenses; procedure for renewal.

1. Each license to engage in the practice of athletic training expires on June 30 of each year and may be renewed if, before the license expires, the licensee submits to the Board:

(a) An application on a form prescribed by the Board;

(b) Proof of his completion of the requirements for continuing education prescribed by the Board pursuant to [NRS 640B.260](#); and

(c) The fee for the renewal of his license prescribed by the Board pursuant to [NRS 640B.410](#).

2. A license that expires pursuant to the provisions of this section may be restored if the applicant:

(a) Complies with the provisions of subsection 1;

(b) Submits to the Board proof of his ability to engage in the practice of athletic training; and

(c) Submits to the Board:

(1) The fee for the restoration of an expired license; and

(2) For each year that the license was expired, the fee for the renewal of a license prescribed by the Board pursuant to [NRS 640B.410](#).

3. If the Board determines that an applicant has not submitted satisfactory proof of his ability to engage in the practice of athletic training, the Board may require the applicant to:

(a) Pass an examination prescribed by the Board; and

(b) Engage in the practice of athletic training under the supervision of a person designated by the Board for a period prescribed by the Board.

NRS 640B.410 Fees. The Board shall, by regulation, prescribe the following fees which must not exceed:

Application for a license.....	\$250
Examination for a license.....	350
Application for a license without examination.....	350
Annual renewal of a license.....	350
Restoration of an expired license.....	350
Issuance of a duplicate license.....	50

DISCIPLINARY ACTION

NRS 640B.700 Grounds for disciplinary action; authorized disciplinary action.

1. The Board may refuse to issue a license to an applicant, or may take disciplinary action against a licensee, if, after notice and a hearing, the Board determines that the applicant or licensee:

- (a) Has submitted false or misleading information to the Board or any agency of this state, any other state, the Federal Government or the District of Columbia;
- (b) Has violated any provision of this chapter or any regulation adopted pursuant thereto;
- (c) Has been convicted of a felony, a crime relating to a controlled substance or a crime involving moral turpitude;
- (d) Is addicted to alcohol or any controlled substance;
- (e) Has violated the provisions of [NRS 200.5093](#) or [432B.220](#);
- (f) Is guilty of gross negligence in his practice as an athletic trainer;
- (g) Is not competent to engage in the practice of athletic training;
- (h) Has failed to provide information requested by the Board within 60 days after he received the request;
- (i) Has engaged in unethical or unprofessional conduct as it relates to the practice of athletic training;
- (j) Has been disciplined in another state, a territory or possession of the United States, or the District of Columbia for conduct that would be a violation of the provisions of this chapter or any regulations adopted pursuant thereto if the conduct were committed in this state;
- (k) Has solicited or received compensation for services that he did not provide;
- (l) If the licensee is on probation, has violated the terms of his probation; or
- (m) Has terminated his professional services to a client in a manner that detrimentally affected that client.

2. The Board may, if it determines that an applicant for a license or a licensee has committed any of the acts set forth in subsection 1, after notice and a hearing:

- (a) Refuse to issue a license to the applicant;
- (b) Refuse to renew or restore the license of the licensee;
- (c) Suspend or revoke the license of the licensee;
- (d) Place the licensee on probation;
- (e) Impose an administrative fine of not more than \$5,000;
- (f) Require the applicant or licensee to pay the costs incurred by the Board to conduct the investigation and hearing; or
- (g) Impose any combination of actions set forth in paragraphs (a) to (f), inclusive.

NRS 640B.710 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a licensee, the Board shall deem the license to be suspended at the end of the 30th day after the date the court order was issued unless the Board receives a letter issued to the licensee by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the licensee has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Board shall reinstate a license that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to

[NRS 425.550](#) to the licensee stating that the licensee has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

NRS 640B.720 Investigations and hearings; examination of witnesses; payment of fees and mileage; issuance and enforcement of subpoenas.

1. The Board may conduct investigations and hold hearings to carry out its duties pursuant to the provisions of this chapter.

2. In such a hearing:

(a) Any member of the Board may administer oaths and examine witnesses; and

(b) The Board or any member thereof may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

3. Each witness who is subpoenaed to appear before the Board is entitled to receive for his attendance the same fees and mileage allowed by law to a witness in a civil case. The amount must be paid by the party who requested the subpoena. If any witness who has not been required to attend at the request of any party is subpoenaed by the Board, his fees and mileage must be paid from the money of the Board.

4. If any person fails to comply with the subpoena within 10 days after it is issued, the Chairman of the Board may petition a court of competent jurisdiction for an order of the court compelling compliance with the subpoena.

5. Upon such a petition, the court shall enter an order directing the person subpoenaed to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why he has not complied with the subpoena. A certified copy of the order must be served upon the person subpoenaed.

6. If it appears to the court that the subpoena was regularly issued by the Board, the court shall enter an order compelling compliance with the subpoena. The failure of the person to obey the order is a contempt of the court that issued the order.

NRS 640B.730 Certain records relating to investigation deemed confidential; certain records relating to disciplinary action deemed public records; cooperation with other agencies.

1. Any records or information obtained during the course of an investigation by the Board are confidential until the investigation is completed. Upon completion of the investigation, the records and information are public records if:

(a) Disciplinary action was taken by the Board as a result of the investigation; or

(b) The person who was investigated submits a written request to the Board asking that the information and records be made public records.

2. The provisions of this section do not prohibit the Board from cooperating with another licensing board or any agency that is investigating a licensee, including, without limitation, a law enforcement agency.

UNLAWFUL ACTS; PENALTIES

NRS 640B.900 Unlawful acts; penalties; prosecution by district attorney.

1. A person who violates any provision of this chapter is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$2,000 for each offense.

2. If the Board has reason to believe that a person has violated a provision of this chapter or a regulation adopted pursuant thereto, the Board shall report the facts to the district attorney of the county where the violation occurred, who may cause appropriate criminal proceedings to be brought against that person.