



**STATE OF NEVADA**  
**BOARD OF DISPENSING OPTICIANS**

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November 14, 2025

Ms. Nikki Haag, Deputy Director  
Office of Nevada Boards, Commissions, and Councils Standards  
Department of Business and Industry  
1830 E. College Pkwy, Suite 100  
Carson City, NV 89706

***Re: Proposed Regulation R074-25***

Dear Ms. Haag:

The Board of Dispensing Opticians appreciates the opportunity to submit written comments pertaining to Proposed Regulation R074-25, which is scheduled for a workshop on November 25, 2025. While we previously submitted notes to your office on October 10<sup>th</sup>, we were informed your office submitted an updated draft of the regulation to the Legislative Counsel Bureau, so we would like to update our comments and requests for revisions.

Our primary concern is that the current regulation does not adequately develop the underlying statutes, NRS 232.8413, and 232.8415, or reflect their intent. Specifically, it does not define or clarify the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards, created under NRS 232.8413. There are only two general sections included in the regulation, “General Provisions”, and “Department; powers and duties,” and neither specifies, or even outlines, the structure of the department, the scope of its powers, or any of its responsibilities. The current draft primarily focuses on the responsibilities and operations of the boards and commissions under the purview of the Office, rather than defining the role of the Office itself. The regulation should clarify the scope of authority and the specific responsibilities of the Office to enable the implementation of its functions.

Additionally, the regulation does not define several key terms that are essential to understanding the Office’s mandate. NRS 232.8415 lists the primary function of the Office as centralized administration, and tasks it with the creation of a uniform set of standards for investigations, licensing and discipline, internal controls, legal representation, and structural standards, as well as ensuring consumer protection, efficacy, and efficiency. However, “centralized administration” is not defined anywhere in the regulation, and there are no individual sections outlining specific standards or instructions for investigations, licensing and discipline, internal controls, legal representation, or structural standards. Likewise, “consumer protection,” “efficacy,” and “efficiency” are still vague, undefined terms. The regulation grants the Office the ability to audit the boards for performance, but does not list any of the standards by which they may be audited.

Another concern is that much of the language in the regulation recites already existing laws, and duplicates many of the boards' responsibilities related to data reporting. The regulation would require boards' staff to not only submit copies of any statutorily required reports to the Office, but also to include summaries of the reports, or restate the information in each report on Office-approved forms. These mandates will further burden the already overtaxed staff and monetary resources of many of the smaller boards. The regulation also mandates that the boards create their own searchable online databases for disciplinary actions, as well as keep copies of all statutorily required reports on their websites. Much of this information is currently supplied by the boards upon receipt of public records requests, however, maintaining all this information on a website will be burdensome and expensive.

In some instances, the regulation appears to create duties or powers not explicitly authorized by the statute, that are possibly beyond the scope of legislative intent. For example, boards are mandated to track bills during the legislative session, and to supply reports on their financial information to the Office, but there does not seem to be authority for this in the underlying statute. Likewise, the regulation states that boards that do not comply with the standards approved by the Office for efficacy and efficiency will be subject to discipline, including potential removal actions by the Governor's Office, or the withholding of administrative or fiscal support services. There is no statutory reference for these enforcement actions, and no mention of any administrative or fiscal support services anywhere else in the regulation, so it is unclear which services may be withheld.

To address these concerns, the Board of Dispensing Opticians respectfully suggests revisions to focus more directly on the powers, duties, and limitations of the Office itself. Additionally, providing clear definitions for the key terms used within the regulation would facilitate compliance, and ensure the Office's operations align with legislative intent of the underlying statutes.

Thank you for your time and consideration,

Jennifer Letten  
Board President

Corinne Sedran  
Executive Director