

**NEVADA STATE BOARD OF MASSAGE THERAPY  
SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS 233B**

**The purpose of this form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the Nevada State Board of Massage Therapy. Note: Small business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS 233B.0382).**

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

**ANSWER:**

This regulation creates a schedule for the assessment of a fee to provide certificates for massage, reflexology, and structural integration establishments. During the process of working on AB 179, the staff of the Board reached out to current licensees and establishments verbally to determine the impact of an establishment certificate. The impact was most significant for individuals in private practice with only one (1) treatment room; therefore, the Board moved forward with a minimal fee to assist in covering costs associated with the inspection process and issuance of the certificate and no fee to the individuals with only one (1) treatment room.

2. Describe the manner in which the analysis was conducted:

**ANSWER:**

The analysis was performed via verbal conversations with multiple establishment owners and with professional organizations in the state.

3. Describe the estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation: a.) Both adverse and beneficial effects and b.) Both direct and indirect effects.

**ANSWER:**

Sole-proprietors with only 1 treatment room will have no impact from this regulation. Since establishments are already inspected at a minimum of annually, the single treatment room establishments will have no fee associated with the issuance of the establishment certificate. To cover the costs associated with generating the certificate and offsetting costs associated with the inspection of establishments the Board proposes to charge establishments with 2-7 treatment rooms a minimal fee of \$15, for 8-20 treatment rooms \$25, for 21-40 treatment rooms \$35, and for more than 40 treatment rooms \$50.

The benefit of having establishment certificates is to provide both the establishment and the local jurisdictions with proof of satisfactory inspection by the Nevada State Board of Massage Therapy. The certificate also provides for public safety by allowing the public

to identify locations that have met the compliance standards for health and hygiene determined to ensure public safety.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small business and a statement regarding whether the agency actually used any of these methods.

**ANSWER:**

The Board listened to the stakeholders regarding the impact of additional fees to their operating costs. After hearing from the sole-proprietor single treatment room operators and representatives from the Nevada Chapter of the American Massage Therapy Association, the Board moved forward with the no cost platform for single treatment room establishments so as not to have an adverse effect on these small businesses.

5. Describe the estimated cost to the agency for enforcement of the proposed regulation.

**ANSWER:**

The cost for inspection of establishments is nearly 50% of the Boards cost of operation. This cost has been carried by the licensees in the past with the establishment owners not providing for any of the expense. This regulation will help to offset this cost and allow the Board to continue to operate without an increase in the licensing fees charged to the individual massage therapist, reflexologist, or structural integrationist.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

**ANSWER:**

The annual revenue generated by this regulation change is estimated to be less than \$9,000. The revenue will be used to pay for processing of the establishment certification documents and issuance of the certificates including printing, postage, file maintenance and other associated costs. There may be some costs incurred by the Board if any establishments are not in compliance.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state, or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

**ANSWER:**

The amendments are not duplicative.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small business.

**ANSWER:**

The Board has been providing inspection of the establishments to ensure the health and safety of the public since the Board's inception. The impact of these regulatory changes are minimal on small business and the Board has made every effort to keep the cost impact to those business as low as possible while still providing for the health, safety and welfare of the public.

I hereby certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business and that the information contained in this statement was prepared properly and is accurate.

  
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Sandra J. Anderson, Executive Director  
Nevada State Board of Massage Therapy