



NEVADA STATE BOARD OF MASSAGE THERAPY
POLICY AND PROCEDURE

Subject: Ethical Behavior	Policy No. 2.3.1	
	Issued By: Board	Distribution: Nevada State Board of Massage Therapy Members and Employees
	Amends/Supersedes	
Reference(s): NRS 281A, Nevada Ethics in Government Manual for public offices and public employees by the Nevada Commission on Ethics; NAC 284.746 through 284.770, the Governor's Executive Order 2011-02, and the Department's Prohibitions and Penalties.		Effective Date: 11/20/2019 Update: 01/10/2024

I. PURPOSE

This policy is intended to provide guidance to the Nevada State Board of Massage Therapy (NSBMT) Board members and employees in order to establish ethical boundaries for their actions in the conduct of Board business.

II. POLICY

It is the policy of the NSBMT members and employees to maintain high standards of honesty, integrity, impartiality, and conduct to ensure the proper performance of Board business and maintain the public's confidence.

III. SCOPE

This policy shall apply to all NSBMT members and employees.

IV. RESPONSIBILITY

- A. Board Members and Employees are responsible for complying with the requirements of this policy.
- B. Supervisors are responsible for:
 - 1. Informing current incumbent employees periodically of the content and intent of this policy.
 - 2. Taking disciplinary action when an employee is in violation of this policy.

- C. The Executive Director shall be responsible for:
1. Providing assistance to supervisors and employees in the interpretation and explanation of this policy.
 2. Assisting management in determining action to be taken if an employee violates this policy.
 3. Working with Board members and legal counsel to ensure member compliance.
 4. Assisting Board or Staff members in making arrangements for additional training if requested.

V. PROCEDURES

A. Ethics Requirements for Public Officers and Employees:

Employees shall follow the ethics requirements as written in Executive Order 2011-02, “Establishing Ethics Requirements for Certain Public Officers and Employees”, which states in part: “High ethical standards are essential in maintaining the integrity of public officers and employees’ commitment to the public. Public confidence in government is strengthened by ethical standards that assure decisions are made with the interests of the public at large in mind”.

1. A public officer or employee covered by this order is prohibited from accepting a gift or other compensation, either directly or indirectly, that might be intended to influence or reward the individual in the performance of official business.
2. The term “gift” includes any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.
3. In addition to the prohibition on gifts, the Executive Director shall ensure that those who do business with the State of Nevada and those who receive grant funds from the State of Nevada are notified of Nevada’s ethics requirements upon their initial contact with the State or as soon as practicable thereafter.

B. Violations of Ethical Standards:

Additionally, NAC 284.746 through 284.770, describe specific activities that violate ethical standards and in which state employees are prohibited. The following activities include, but are not all inclusive of possible ethics violations:

1. No employee may seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity that would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
2. No employee may use his/her position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself/herself, any member of his/her household, any business entity with which he/she or a member of his/her household is associated, or any other person.

3. An employee shall not enter into a private contract with the State in any capacity that may be construed as an extension of his/her assigned duties or responsibilities to the State.
4. If an employee acquires, through his/her public duties or relationships, any information which by law or practice is not at the time available to people generally, he/she may not use the information to further the economic interests of himself/herself or any other person or business entity.
5. No employee may suppress any governmental report or other document because it might unfavorably affect his/her private financial interest.
6. No employee may directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving, any assessment, subscription, monetary or non-monetary contribution for a political purpose from anyone who is in the same department and who is a subordinate of the solicitor.
7. No employee may engage in political activity during the hours of his state employment to improve the chances of a political party or a person seeking office.
8. An employee who is aware of unethical behavior should report that behavior to the Executive Director. If the employee believes that the Executive Director has participated in unethical behavior the employee should report that behavior go to legal counsel or the Chair.

C. Ethics Training:

Ethics training is available at both https://ag.nv.gov/Hot_Topics/Training_Materials/ and <https://ethics.nv.gov/Training/videos/>. Additionally, in-person training from the Nevada Commission on Ethics can be arranged by request of the Executive Director, please inform them if interested.

VI. POLICY EXCEPTION

On occasion there are special circumstances that may require an exception to this policy be granted. Exceptions, while not common, require the approval of the Executive Director.

VII. POLICY COMMUNICATION

All supervisors and managers of the NSBMT will provide their employees with a copy of this policy. Employees needing clarification should contact the Executive Director for assistance.

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with federal regulations and state law.