

NOTICE OF PUBLIC WORKSHOP

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) Chapter 652.

The workshop will be conducted via videoconference beginning at 10:00 AM on Friday, September 30, 2016, at the following locations:

Division of Public and Behavioral Health Bureau of Health Care Quality and Compliance 727 Fairview Drive, Suite E Carson City, NV 89701	Division of Public and Behavioral Health Bureau of Health Care Quality and Compliance 4220 South Maryland Parkway, Suite 810, Building D Las Vegas, NV 89119
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These workshops will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

AGENDA

1. Introduction of workshop process
2. Public comment on proposed amendments to Nevada Administrative Code Chapter 652
3. Public Comment

The proposed changes will revise Chapter 652 of the Nevada Administrative Code and are being proposed in accordance with NRS 652.125 and NRS 652.090.

The proposed regulations provide provisions for the following:

- 1) Brings the proposed regulations in compliance with Assembly Bill (AB) 243 of the 2015 Legislative Session which directs that any regulations adopted by the Board of Health must not require the laboratory director in which only an HIV waived test is performed to be a licensed physician. It also does not require personnel performing the test to obtain certification as an assistant if the person submits proof of successful completion of training approved by the Division.
- 2) Expands the types of healthcare professionals that can serve as an exempt laboratory director.
- 3) Deems a laboratory licensed pursuant to Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) of Chapter 652 which is also permitted as defined in NRS 450B.100 and certified laboratory personnel who work in the laboratory, to have met the payment of required certification and licensure fees, as applicable.
- 4) Clarifies that a permit to operate a laboratory at a temporary location expires 90 days after the effective date of the permit.
- 5) Clarifies that exempt laboratories must adopt nationally recognized laboratory safety guidelines.
- 6) Expands the certification that an applicant that holds a doctorate degree can use to qualify to be a licensed or registered laboratory director.
- 7) Outlines the fee to be assessed for a laboratory that only performs waived HIV tests.
- 8) Instead of requiring a \$300 application fee plus \$50 for each additional specialty or subspecialties in which tests will be performed, the proposed regulations allow a laboratory to add as many tests as it wants to on one application for a flat rate of \$300.
- 9) Brings proficiency testing standards in line with federal regulation requirements.
- 10) Provides a method for a technologist to obtain the required one year of experience in Nevada instead of having to go out of state to obtain the experience, if they don't already have the experience.

- 11) Changes the time a provisional certificate is good for from 180 days after the date of issue with the ability to request no more than three provisional certificates to one provisional certificate that cannot be renewed which would be good for 18 months.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to Leticia Metherell, Health Facilities Inspection Manager at the following address:

Division of Public and Behavioral Health
727 Fairview Drive, Suite E
Carson City, NV 89701
775-684-1073 (FAX)

Members of the public who require special accommodations or assistance at the workshops are required to notify Leticia Metherell, Health Facilities Inspection Manager, in writing to the Division of Public and Behavioral Health, 727 Fairview Drive, Suite E, Carson City, Nevada, 89701, or by calling (775) 684-1030 at least five (5) working days prior to the date of the public workshop.

You may contact Leticia Metherell, Health Facilities Inspection Manager by calling 775-684-1045 for further information on the proposed regulations.

A copy of the notice and the proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

Division of Public and Behavioral Health
727 Fairview Drive, Suite E
Carson City, NV

Division of Public and Behavioral Health
4220 S. Maryland Parkway, Suite 810, Bldg D
Las Vegas, NV

Nevada State Library and Archives
100 Stewart Street
Carson City, NV

A copy of the regulations and small business impact statement can be found on-line by going to:
http://dpbh.nv.gov/Reg/MedicalLabs/Notice_of_Public_Workshops_and_Proposed_Regulations/

A copy of the public workshop notice can also be found at Nevada Legislature's web page:
<https://www.leg.state.nv.us/App/Notice/A/>

A copy of this notice has been posted at the following locations:

1. Division of Public and Behavioral Health, 4150 Technology Way, First Floor Lobby, Carson City
2. Nevada State Library and Archives, 100 Stewart Street, Carson City
3. Legislative Building, 401 S. Carson Street, Carson City
4. Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas
5. Washoe County District Health Department, 9TH and Wells, Reno
6. Division of Public and Behavioral Health's web page: <http://health.nv.gov/>

Copies may be obtained in person, by mail, or by calling (775) 684-1030.

Copies may also be obtained from any of the public libraries listed below:

Carson City Library
900 North Roop Street
Carson City, NV 89702

Churchill County Library
553 South Main Street
Fallon, NV 89406

Clark County District Library
833 Las Vegas Boulevard North
Las Vegas, NV 89101

Douglas County Library
1625 Library Lane
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Esmeralda County Library
Corner of Crook and 4th Street
Goldfield, NV 89013-0484

Eureka Branch Library
210 South Monroe Street
Eureka, NV 89316-0283

Henderson District Public Library
280 South Water Street
Henderson, NV 89105

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445-3095

Lander County Library
625 South Broad Street
Battle Mountain, NV 89820-0141

Lincoln County Library
93 Maine Street
Pioche, NV 89043-0330

Lyon County Library
20 Nevin Way
Yerington, NV 89447-2399

Mineral County Library
110 1st Street
Hawthorne, NV 89415-1390

Pahrump Library District
701 East Street
Pahrump, NV 89041-0578

Pershing County Library
1125 Central Avenue
Lovelock, NV 89419-0781

Storey County Library
95 South R Street
Virginia City, NV 89440-0014

Tonopah Public Library
167 Central Street
Tonopah, NV 89049-0449

Washoe County Library
301 South Center Street
Reno, NV 89505-2151

White Pine County Library
950 Campton Street
Ely, NV 89301-1965

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.