

Errata – LCB File No. R134-18P

Blue italic = Proposed language found in LCB File No. R134-18P

[Red italic in brackets] = Proposed omitted material found in LCB File No. R134-18P

Green italic = New language proposed as Errata

Sec. 9. Fire Safety

- 1. Portable fire extinguishers must be visible and accessible and installed throughout each facility at the direction of the fire authority having jurisdiction. Each portable fire extinguisher available at a facility must be inspected, recharged and tagged at least once each year by a person certified by the State Fire Marshal to conduct such inspections. Fire extinguishers must be multipurpose, Class ABC extinguishers.*
- 2. Exits must be maintained free of obstructions.*
- 3. Smoke detectors must be installed at the direction of the fire authority having jurisdiction and must be maintained operational.*
- 4. Each facility shall prohibit smoking within the facility ~~and within 25 feet of the facility~~.*
- 5. If the facility allows for smoking outside the facility, in those areas where smoking is allowed, there must be an extinguishing receptacle approved by the local fire authority.*

Sec. 18. NAC 433.348 is hereby amended to read as follows:

433.348 A provider shall:

1. Comply with any state or federal statute or regulation as required for the Division to receive state or federal money for the provision of services, including, without limitation, any standard of care set forth in:
 - (a) The State Plan for Medicaid; and
 - (b) The Medicaid Services Manual established by the Division of Health Care Financing and Policy of the Department of Health and Human Services.
2. Comply with all applicable state or federal requirements concerning fiscal management, reporting and employment.
3. Comply with the individualized plan prepared pursuant to NAC 433.360 for each person who receives services.
4. Assure the health and welfare of persons receiving services. Any assessment by the Division of a provider's compliance with the requirements of this subsection must be based upon the self-reporting of persons receiving services from the provider, the observations of members of the staff of the Division and any other information available to the Division.
5. Establish internal procedures for quality assurance.
6. Promptly report to the Division any change in the officers or ownership of the provider.
7. Cooperate with any investigation by the Division.
- 8. Monitor the living environment of persons receiving services from the provider and establish policies to immediately assist such persons who are living in unsafe or unhealthy environmental conditions to correct those conditions or in find alternative residences.*
- 9. Develop and implement policies concerning the hiring of persons who will provide services.*
- 10. Maintain a personnel file for each employee or independent contractor who provides*

services. A personnel file must contain, without limitation:

(a) Information concerning the job duties, essential functions, physical capabilities and language proficiency of the employee or contractor; and

(b) Proof that the employee or independent contractor is in compliance with the requirements of section 5 of this regulation, if applicable.

11. Ensure that each employee or independent contractor who provides services is capable of:

(a) Carrying out the responsibilities established in the individualized plan established pursuant to NAC 433.360 for each person to whom the employee or independent contractor provides services and properly qualified by training and experience to do so; and

(b) Communicating effectively with each person to whom the employee or independent contractor provides services.

12. Comply with the policies adopted by the Commission of Behavioral Health pursuant to NRS 433.314(1).

Rationale: The errata proposed in this section is necessary to ensure all providers comply with clinical standards for mental health services established by the Commission of Behavioral Health.