

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 449.

The workshop will be conducted via videoconference beginning at 8:15 AM on Tuesday, March 6, 2018, at the following locations:

Division of Public and Behavioral Health 4150 Technology Way, Suite 303 Carson City, NV 89706	Southern Nevada Health District 280 S. Decatur Blvd Red Rock Trail Conference Room Las Vegas, NV 89107
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This workshop 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 449
3. Public Comment

The proposed changes will revise Chapter 449 of the Nevada Administrative Code and are being proposed in accordance with NRS 449.0302 and Senate Bill's 71, 324, 388 and 482 of the 2017 Legislative Session.

The proposed regulations provide provisions for the following:

- 1) Establish standards for licensing of employment agencies that provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home; standards relating to the fees charged by such employment agencies; regulations governing the licensing of such employment agencies; and regulations establishing requirements for training the persons who contract with such employment agencies to provide such nonmedical services in accordance with Senate Bill 388.
- 2) Establish a system for rating each health care facility located in a county whose population is 100,000 or more and which is licensed to have more than 70 beds on the compliance by the facility with the provisions of section 1.8 of Senate Bill 482 and NRS 449.241 to 449.2428 and establishes an appeal process for a finding concerning a violation of the provisions of section 1.8 of SB 482 and NRS 449.241 to 449.2428 in accordance with Senate Bill 482.
- 3) Clarifies the characteristics of the posting requirements of the Centers for Medicare and Medicaid Services (CMS) star rating, such as font and signage size. The actual posting of the CMS star rating by a medical facility or facility for the dependent that receives a star rating from CMS is to be done in accordance with SB 482.
- 4) Authorizes employees of residential facility for groups, an agency to provide personal care services in the home or a facility for the care of adults during the day, with the consent of the person receiving services to check vital signs, administer insulin using an auto-injection device and conduct a blood glucose test on a person using a device for monitoring blood glucose approved by the FDA in accordance with Senate Bill 324. The regulations also require the tasks described above to be performed in conformance with the Clinical Laboratory Improvement Amendments (CLIA) of 1988, Public Law No. 100-578, 42 USC 263a, if applicable, and any other applicable federal law or regulation and clarifies when conformance with CLIA is applicable, for these purposes. The

regulations also prohibit the use of a blood glucose monitoring device on more than one person and requires a person to receive training before performing the tasks noted above.

- 5) Increases the administrative penalty that may be imposed if a medical facility or facility for the dependent violates any provision related to its licensure, including any provision of NRS 439B.410 or 449.030 to 449.2428, inclusive, or any condition, standard or regulation adopted by the Board of Health, from not more than \$1,000 to not more than \$5,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum, as authorized by Senate Bill 71. The proposed regulations also establish an administrative penalty to be imposed if a violation causes harm or the risk of harm to more than one person, as required by Senate Bill 71.

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 Program Manager III 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 Program Manager III, 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 Program Manager III 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 the Division of Public and Behavioral Health's web page:

http://dpbh.nv.gov/Reg/HealthFacilities/State_of_Nevada_Health_Facility_Regulation_Public_Workshops/

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/>

Copies may be obtained in person, by mail, or by calling the Division of Public and Behavioral Health at (775) 684-1030 in Carson City or (702) 486-6515 in Las Vegas.

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

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.