

Joe Lombardo  
Governor



Richard Whitley,  
MS  
Director



Cody Phinney,  
MPH  
Administrator

Ihsan Azzam,  
Ph.D., M.D.  
Chief Medical  
Officer

## NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Board of Health

LCB File No.085-23 relating to establish a fee for certain facilities to use the Nevada Automated Background Check System (NABS)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Chapter 439 of Nevada Administrative Code (NAC). This public hearing is to be held in conjunction with the State Board of Health meeting on March 1, 2024.

The State Board of Health will be conducted via videoconference beginning at 9:00 am on March 1, 2024, at the following locations:

- Microsoft Teams  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NTJmNtFIZGItNDFhYy00NDJiLWizMTktZTA3NTBiZDE2Mmlw%40threa.d.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22768e443d-3be6-48f0-9bb0-7e72f1276b8d%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTJmNtFIZGItNDFhYy00NDJiLWizMTktZTA3NTBiZDE2Mmlw%40threa.d.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22768e443d-3be6-48f0-9bb0-7e72f1276b8d%22%7d)
- Join By Phone  
(775) 321-6111; Phone Conference ID: 228 824 297#
- Physical Locations  
Division of Public and Behavioral Health  
Hearing Room 303  
4150 Technology Way  
Carson City, NV 89706  
  
Southern Nevada Health District  
Red Rock Trail Rooms A & B  
208 S. Decatur Blvd.  
Las Vegas, NV 89107

The proposed changes to NAC 439 include the following:

As authorized in NRS 439.948, the proposed changes to NAC 439 are as follows:

- The Division will charge a facility, hospital, agency, program or home or an intermediary service organization a fee of not more than \$14 per application to conduct an investigation into the background and personal history of a person pursuant to NRS 439.942 to 439.948, inclusive.
- A facility, hospital, agency, program or home or an intermediary service organization may recover the cost of a fee assessed pursuant to subsection 1 from the person subject to the investigation.

Vegas, NV 89119

- Nevada State Library and Archives - 100 Stewart Street, Carson City, NV, 89701

A copy of the regulations and small business impact statement can be found on-line by going to:

[https://dpbh.nv.gov/Reg/HealthFacilities/State\\_of\\_Nevada\\_Health\\_Facility\\_Regulation\\_Public\\_Workshops/](https://dpbh.nv.gov/Reg/HealthFacilities/State_of_Nevada_Health_Facility_Regulation_Public_Workshops/)

A copy of the public hearing 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:

Division of Public and Behavioral Health

727 Fairview Drive, Suite E

Carson City, NV 89701

(775) 684-1030

(775) 484-4009

[k.samuels@health.nv.gov](mailto:k.samuels@health.nv.gov)

Copies may also be obtained from the Nevada State Library at the address listed below:

Nevada State Library & Archives

100 N. Stewart Street

Carson City, NV 89701

Per NRS 233B.064(2), upon adoption of any regulation, 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.

If LCB File No. R085-23 is not approved, the Division may consider recovering this operating cost by increasing licensure fees. This would provide less flexibility for facilities to offset these expenses being able to recover the cost of the fee from the person subject to investigation.

**PUBLIC COMMENT RECEIVED**

A public workshop was held on October 6, 2023. There were four (4) participants who attended the workshop both virtually and in-person in Carson City. There was one (1) public comment, which was in support of the proposed regulation.

A small business impact questionnaire was sent to actively licensed facilities, hospitals, agencies, programs or homes and intermediary service organizations that may be economically impacted by the proposed regulations, of which fifty-two (52) responses were received. The responses to the small business impact questionnaire are included in the attached supporting materials.

**STAFF RECOMMENDATION**

Staff recommends that the State Board of Health adopt the proposed regulation amendments to NAC 439, LCB File No. R085-23.

**PRESENTERS**

Leticia Metherell, RN, CPM, Health Program Manager III, Bureau of Health Care Quality and Compliance  
Kayla Samuels, Management Analyst II, Bureau of Health Care Quality and Compliance

2. *A facility, hospital, agency, program or home or an intermediary service organization may recover the cost of a fee assessed pursuant to subsection 1 from the person subject to the investigation.*

3. *As used in this section:*

(a) *“Facility, hospital, agency, program or home” has the meaning ascribed to it in NRS 449.119.*

(b) *“Intermediary service organization” has the meaning ascribed to it in NRS 449.4304.*

intermediary service organization, as set forth in NRS 449.4304, that may be economically impacted by the proposed regulations.

An email with a link to the Small Business Impact Questionnaire and proposed regulations were sent to actively licensed facilities, hospitals, agencies, programs or homes listed in NRS 449.119 and to intermediary service organizations as set forth in NRS 449.4304 on July 6, 2023. The questions on the questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

## SUMMARY OF RESPONSE

Summary Of Comments Received Fifty-two (52) responses were received from small businesses.*			
Will a specific regulation have an adverse economic effect upon your business? Yes – 39 No – 13	Will the regulation (s) have any beneficial effect upon your business? Yes – 6 No – 46	Do you anticipate any indirect adverse effects upon your business? Yes – 31 No – 20	Do you anticipate any indirect beneficial effects upon your business? Yes – 11 No – 41
<p>Comment Summary:</p> <ul style="list-style-type: none"> <li>-High yearly cost.</li> <li>-Additional reimbursement to employees would be expensive and unfair.</li> <li>-High recruitment/turnover rate would raise costs.</li> <li>-New fee would be incurred by every new and current employee when up for renewal.</li> <li>-No adverse impact.</li> <li>-Employees go through the hiring/background process but never come back.</li> <li>-Additional fee on top of other expenses such as unemployment, worker's compensation liability insurance, state-mandated trainings, physicals, and TB tests.</li> <li>-Significant cost for conducting business with contractors.</li> </ul>	<p>Comment Summary:</p> <ul style="list-style-type: none"> <li>-No benefits.</li> <li>-Saving a lot of money if fee is only \$14.</li> <li>-Business can shoulder fee expenses for permanent employees but not contractors.</li> <li>-Will save time and money if fee results in faster background check results.</li> </ul>	<p>Comment Summary:</p> <ul style="list-style-type: none"> <li>-Will have to cut costs in other areas to make up for the new fee.</li> <li>-Slower hiring and longer delays in hiring.</li> <li>-Higher hiring costs.</li> <li>-Decrease number of candidates, resulting in limited staff.</li> <li>-Additional expenses on contractors.</li> <li>-Raise hourly rate for the end consumer.</li> <li>-Close business.</li> <li>-More work in obtaining additional documentations.</li> <li>-Higher expenses without raise in Medicaid reimbursement rate.</li> </ul>	<p>Comment Summary:</p> <ul style="list-style-type: none"> <li>-No indirect benefits.</li> <li>-Any reduction in cost will help small businesses.</li> <li>-Make sure that contractors are properly checked even if they are not considered permanent employees of the agency.</li> <li>-</li> </ul>

background check, may result in individuals that are not serious about accepting a position from applying. It would also help offset this cost to small businesses.

- 4) Provide a description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

In considering possibilities to recover costs to the Division for conducting the determinations for background checks, staff considered a flat fee to a licensed facility, hospital, agency, program or home listed in NRS 449.119 or an intermediary service organization as set forth in NRS 449.4304 or a per-application fee to such businesses. It is anticipated that a per-application fee would reduce the impact of the proposed regulation on small businesses, as costs would be proportionate to the amount of staff of the business.

In addition, the Division will be modifying the proposed regulations to allow employers to recover the cost of the per-application fee of no greater than \$14 from each applicant. This will help to offset the direct costs to small businesses. In addition, it was noted in the responses to the small business impact questionnaire that certain applicants apply for a position but are not hired. Assessing a fee to applicants for employment for this portion of the background check, may result in dissuading individuals that are not serious about accepting a position from applying. This would also help offset this cost to small businesses.

Additionally, the Division would take into account the recuperation of these operating costs from the implementation of the proposed regulations when considering any analysis of licensing fees, lessening any future potential fee adjustments. The flexibility of being able to recover the new fee from an applicant, at a minimum, provides a small business the opportunity to offset these costs whereas the same opportunity may not present itself if these operating costs became part of any future potential fee adjustments.

- 5) The estimated cost to the agency for enforcement of the proposed regulation.

There are no anticipated costs to the agency for enforcement of the proposed regulations.

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

The Division expects to collect sufficient funds to offset the current operating cost to conduct an investigation into the background and personal history of a person pursuant to NRS 439.942 to 439.948.

- 7) An explanation of why any duplicative or more stringent provisions than federal, state or local standards regulating the same activity are necessary.

There are no known duplicate or more stringent provisions regulating to the same activity.

- 8) Provide a summary of the reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

The Division concluded the proposed regulations may have a negative economic impact upon a small business. With the modification to the proposed regulations allowing a small business to recover the not more than \$14 application fee from an applicant, and having the amount that may be recovered to be no more than \$14 per applicant, it is anticipated that the proposed regulations would not directly restrict the formation, operation or expansion of a small business. The reason for the conclusion is based on industry feedback which indicated there would be an adverse economic impact on businesses and the modification to the proposed regulations to help reduce the impact on small businesses. The Division anticipates the proposed regulations, with the modification to allow the facility to recover costs of the fee

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# DEPARTMENT OF HEALTH AND HUMAN SERVICES



NEVADA DIVISION of PUBLIC  
and BEHAVIORAL HEALTH



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## SMALL BUSINESS IMPACT STATEMENT 2023

ATTACHMENT A

This attachment contains all of the comments received from the 52 responses received from small businesses.

### SUMMARY OF RESPONSE

Summary Of Comments Received Fifty-two (52) responses were received from small businesses.			
Will a specific regulation have an adverse economic effect upon your business? Yes – 39 No – 13	Will the regulation (s) have any beneficial effect upon your business? Yes – 6 No – 46	Do you anticipate any indirect adverse effects upon your business? Yes – 31 No – 20	Do you anticipate any indirect beneficial effects upon your business? Yes – 11 No – 41
<p>Comments:</p> <ul style="list-style-type: none"> <li>-The estimated yearly cost \$700.00</li> <li>-Given that staffing is already difficult and there has been a significant amount of turnover, this added cost will have adverse effects as we already reimburse employees the \$70 or so dollars for their fingerprints. So adding on more fees on top of that would be unfair.</li> <li>-NRS 439.942 to 439.948, due to the continuing recruiting of personnel and higher wages this additional fee will cost the community an additional \$1,700. ----We recruit an average of 10 employees per month.</li> <li>-We were already hit severely by being required to pay for COVID fit testing. These range from \$75 - \$375 per test. We spent around \$20,000</li> </ul>	<p>Comments:</p> <ul style="list-style-type: none"> <li>- There are no benefits to charging small business more fees. It will just add to our operating costs which then affects our bottom line.</li> <li>- Only negative financial impact, no additional positive gain to this fee.</li> <li>- Saving a lot of money if fee is only 14.00</li> <li>- We believe the business can</li> </ul>	<p>Comments:</p> <ul style="list-style-type: none"> <li>- We have to cut costs in other areas to make up for the new fees if added.</li> <li>- Slower hiring process, longer delays in hiring, bleeding OT in an already bled staff crisis post covid.</li> <li>- we have limited financial costs but this will be very high human costs in terms of loss</li> <li>- Higher financial costs for hiring new employees</li> </ul>	<p>Comments:</p> <ul style="list-style-type: none"> <li>- No benefits, only increased financial burdon on small businesses that are already incurring higher/inflated hiring costs for new associates</li> <li>- Any reduction of cost will only help survive our small business ( 20 employees)</li> <li>- The indirect beneficial benefit of our Home Health Agency is that we are sure that those Contrators that we</li> </ul>

negatively impact our small business financially.

- We finally get the bill pass to get raise now you want to take it away by charging for fingerprints on top of they have to pay for fringed at a finger print place.
- If you lower the cost for small business it will only help to survive
- We have only seven(07) permanent employees under our employ, the new regulations will greatly impact the profitability of our small business. We usually conduct business with healthcare licensed professional contractors who have their own business licences and we also run background checks on them which are not considered permanent employees of ours.
- More costs being pushed to the employer and if the employer is only private pay, they rates for the consumers will be increased again. Each time a new fee is charged to the employer for a caregiver cost, then the employer has to make up the margin shortfall somewhere else. There seems to be a myth that employers make a lot of money doing home care. For large hospitals and ALF's, this won't represent a big cost but for a little home care agency, this is another cost to them with little to no return on the investment. If charged to employers, with a current industry average caregiver turnover of 65%, assuming I hire 100 people a year, this is a charge of \$1,400 annually of which \$910 will be a complete waste of a cost due to turnover. If the fee is to be no more than \$14, an aspiring applicant can afford this fee and if they want to work in this industry and not just be a free-rider, then they should be responsible for paying this fee.
- what ever regulation you refer to, any increase in cost for small business is killing the business! we dont get any increases from any government contract and yet everybody is increasing. how can we get pca s working for us now?

more questions to answer this with a true yes.

- MORE EXPENSES ON THE PART OF THE PROVIDERS
- MORE EXPENSES IN THE PART OF THE PROVIDER AND A DUPLICATION TO THE NRS 449.123
- MORE EXPENSE IN THE PART OF THE PROVIDER
- If this Regulation will be passed, this amount is an additional burden on the part of the providers. Providers are already suffering on the 25% increased of the Gross Price Index.
- No savings, even add to the cost with no benefits
- more expenses
- No beneficial effect because it will add to our expenses
- No benefit when it can increase expenses
- No benefit when there's increase in expenses
- There will be no beneficial effect when there's increase in expenses
- more expense
- If this regulation will be passed, this amount is additional burden on the part of the providers. Providers are already suffering

county home maker )

- Indirectly we may have to change our hiring practices to limit the amount of people we have to run. This will for sure have negative effects on the business.
- we would probably close our doors because we cant afford to run a business while having so many fees for running a business is so high we cant stay above water due to the reimbursement received.
- eventually closing our door for not making enough money.
- MORE WORK IN THE PART OF THE PROVIDER IN DOING ALL THOSE DOCUMENTATIONS
- MORE WORK IN OBTAINING ALL THOSE DOCUMENTATIONS
- MORE WORK IN OBTAINING ALL THOSE DOCUMENTATIONS
- Providers anticipate indirect adverse effect upon our business because most of our clients are Medicaid Recipients and there was no increase on the services rates payments to providers for almost 10 years.

- INCREASED SINCE 2014. And now here comes another FEE for DPBH for another BACKGROUND CHECK for a new hired caregiver ADDING to our operational expenses.
- The SALARY of the caregivers have INCREASED ALMOST 40%, While the MEDICAID WAIVER CLAIMS for our RECIPIENTS HAVE NEVER BEEN INCREASED SINCE 2014. And now here comes another FEE for DPBH for another BACKGROUND CHECK for a new hired caregiver ADDING to our operational expenses.
- The SALARY of caregivers have INCREASED ALMOST 40%, while the Medicaid Waiver Claims for our Recipients have never been INCREASED SINCE 2014. Then here comes another FEE that the DPBH is asking a \$14.00 for Background Investigation for a new caregiver adding to our operational expenses.
- No benefit when there's increase in expense
- more expenses



just lower what we already is having a hard time trying to offer.

- Add more cost to an already burdensome list of cost requirements to employee in our field
- Increasing the fee of not more than \$14 per application to conduct an investigation into the background and personal history of a person pursuant to NRS 439.942 to 439.948 will greatly affect the the financial stability of Residential facility for groups because we are already receiving minimum payment from lower income resident and we are striving hard just to survive with the inflation as well the cost of food, rent and employees salary . Adding more fees for Residential Facility for Groups gives more burden on our financial status.
- I like the proposal and what the money would be for, but what would be the turn around time to check into the history of the applicant? If we have to wait 30 to 45 days for an answer it is not worth the wait. I would also want to know what information would be gathered exactly?

EVERLASTING SENIOR CARE HAVE 3 Caregivers including the Owner and the Administrator. Each new Caregiver hired, we spend \$875.00 per caregiver. Such as follows:

1. NAC 449.0302 16 hours Medication Training, - - - - \$290.00,
  2. NRS 449.123 Background check/Fingerprinting, - - \$80.00,
  3. NAC 449.200 Physical Examination, - - - - - \$180.00,
  4. NAC 449.200 TB Test or Quantiferon Plus Gold, - - - \$150.00,
  5. NAC 449.200 CPR / First Aid, - - - - - \$75.00,
  6. NAC 449.103 Cultural Competency Training, - - - - - \$100.00
- Total initial expenses for a new hire Caregiver - - \$875.00  
PLUS another Background Check by DPBH - - \$14.00

instead it will be additional expenses. If this regulation will be passed, this amount is additional burden on the part of the providers. Providers are already suffering on the 25% increase of the Gross Price Index.

number of the Medicaid recipients became TRIPLE as one of the reasons of sometimes not accepting level one clients.

- \$14.00 seems to be a small amount , but if I add this up to the many fees and regulations and trainings that I have to come up with my small business, it does make a big impact on my financial responsibility to my already struggling small business.
- extra costs. gross price index increased by 20% for the last three years that affects the income of the business. in addition, the salary of the caregivers increased by 40% because of the shortage of manpower.
- Providers anticipate indirect adverse effects upon our business because most of our clients are medicaid recipients and there was no increase on the service rates payments to providers for almost 10 years. For the last three years, the numbers of the medicaid recipients became triple.

Although the \$14 per staff is a small amount but when

the total picture of the facility expenses, there is no beneficial effect on our care home business. We object this proposed regulation  
- Since this proposed regulation is an additional expenses, there is no indirect beneficial affects on the part of the providers.

Plus another Background check  
by DPBH -----  
\$14.00

GRAND TOTAL EXPENSES TO  
HIRE A NEW CAREGIVER -----  
-\$889.00

- EVERLASTING SENIOR CARE have 3  
caregivers including the Owner and  
the Administrator. Every time we  
hire a new caregiver we are  
spending \$875.00 per caregiver to  
comply with all the documentations  
for employment. The following  
documents are as follows:

1. NAC 449.0302 16 Hours  
Medication Training -----  
\$290.00

2. NRS 449.123 Background Check  
/ Fingerprinting ----- 80.00

3. NAC 449.200 Physical  
Examination -----  
\$180.00

4. NAC 449.200 TB Test /  
Quantiferon Plus Gold -----  
\$150.00 Plus X-ray if positive \$?

5. NAC 449.200 CPR / First Aid  
Training ----- \$75.00

6. NAC 449.103 Cultural  
Competency Training -----  
\$100.00

TOTAL INITIAL EXPENSES for a  
new hired caregiver -----  
-\$875.00

PLUS another Background  
investigation by DPBH -----  
--- \$14.00

GRAND TOTAL EXPENSES to  
hire new caregiver -----  
-- \$889.00

- NRS 439.942  
14x5, around \$70 or more annually  
on top of all other expenses, ex,  
trainings, medical requirements,  
etc.. will definitely increase our cost  
especially with new employee hire.  
- With more than \$1000 employee  
training and certification for newly  
hired this is another expenses for  
new employee this will be  
another.expenses for us. the regular  
background upon hite should be  
enough.

- 14x5, around \$70 or more annually  
on top of all other expenses, ex,  
trainings, medical requirements,

2. NRS 449.123 Background check / Fingerprinting -----  
 \$80.00  
 3. NAC 449.200 Physical Examination -----  
 -- \$180.00  
 4. NAC 449.200 TB Test / Quantiferon Plus Gold -----  
 - \$150.00 +X-ray if positive \$?  
 5. NAC 449.200 CPR / First Aid Training -----  
 \$75.00  
 6. NAC 449.103 Cultural Competency Training -----  
 --- \$100.00  
 TOTAL INITIAL EXPENSES for a new caregiver -----  
 ----- \$875.00  
 Plus another Background Investigation FEE by DPBH -----  
 ----- \$14.00  
 GRAND TOTAL EXPENSES TO HIRE A NEW CAREGIVER -----  
 ----- \$889.00

- \$14.00 seems to be a small amount , but if I add this up to the many fees and regulations and trainings that I have to come up with my small business, it does make a big impact on my financial responsibility to my already struggling small business.  
 - There are enough charges being charged by the State I think enough is enough. charges on:  
 Resident per bed, licensing, deficiencies, changing survey grades from A,B,C,D, cultural competencies, etc...  
 - Home care providers are already spending around \$900 every time there is a new hire caregiver / staff. We are already aware that the hiring of manpower is a biggest challenges to all businesses at present. The NRS 449.123/ NRS 449.174 (Background check) already costs around \$80 for a newly hired employee then additional \$14 is a big amount to our sourcing income. If a facility needs to comply to this regulation (if it will be passed) and granting that there are 10 newly hired staff / renewal in a year, there will be additional \$140 additional expenses to the provider.

Joe Lombardo  
*Governor*



Richard Whitley,  
MS  
*Director*

**DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**  
 **NEVADA DIVISION OF PUBLIC  
and BEHAVIORAL HEALTH**



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MPH  
*Administrator*

Ihsan Azzam,  
Ph.D., M.D.  
*Chief Medical  
Officer*

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## 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 439.

The workshop will be conducted via videoconference beginning at 2:00 PM on Friday October 6, 2023, at the following locations:

Physical Meeting Location:

- Health Care Quality and Compliance, Carson City Office  
Conference Room  
727 Fairview Drive, Suite E  
Carson City, Nevada 89701

Virtual Meeting Locations:

- [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTqzZDEyMTUtMmE3OS00NTc4LTgyZDUtMzMxZDI2YjkyMDQw%40thread.v2/0?context=%7b%22tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%2277748e73-656b-40d9-949f-19bb4b67e8e9%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTqzZDEyMTUtMmE3OS00NTc4LTgyZDUtMzMxZDI2YjkyMDQw%40thread.v2/0?context=%7b%22tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%2277748e73-656b-40d9-949f-19bb4b67e8e9%22%7d)
- Phone Call-In Number: 775-321-6111  
Phone Conference ID: 637 383 921#

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 439.
3. General Public Comment

The proposed changes will revise Chapter 439 of the Nevada Administrative Code and are being proposed in accordance with Nevada Revised Statutes (NRS) 439.948.

The proposed regulations allow the Division to add a new fee as follows:

The Division may charge a facility, hospital, agency, program or home listed in NRS 449.119 or an intermediary service organization as set forth in NRS 449.4304, a fee of not more than \$14 per application to conduct an investigation into the background and personal history of a person pursuant to NRS 439.942 to 439.948.

A facility, hospital, agency, program or home listed in NRS 449.119 or an intermediary service organization as set forth in NRS 449.4304 may recover the cost from the individual subject to the investigation into the

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.