

NOTICE OF PUBLIC HEARING

Intent to Adopt Regulations

(LCB File No. R134-16)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Chapter 458 of Nevada Administrative Code (NAC), Abuse of Alcohol and Drugs. This public hearing is to be held in conjunction with the State Board of Health meeting on June 9, 2017.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on Friday, June 9, 2017 at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room #303 Carson City, NV 89706	Southern Nevada Health District 280 S. Decatur Blvd Las Vegas, NV 89107	Division of Aging and Disability Services Early Intervention Services 1020 Ruby Vista Drive, Suite 102 Elko, NV
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The proposed changes to NAC 458 include the following:

Tribal entities may operate evaluation center programs and treatment for substance-related disorders in the same geographic area regardless of population.

1. Anticipated effects on the businesses which NAC 458 regulates:
 - A. *Adverse effects:* The Division of Public and Behavioral Health (DPBH) has determined that the proposed amendment is not expected to have a negative impact on the formation, operation or expansion of most small businesses that provide services for substance-related disorders. Only one small business owner indicated possible revenue loss due to the proposed regulation.
 - B. *Beneficial:* The proposed amendment may help Tribal businesses which use limited resources within a combined entity to serve a population with specific cultural and behavioral health needs.
 - C. *Immediate:* None.
 - D. *Long-term:* Only one small business owner indicated anticipated revenue loss due to the proposed regulation over the course of 2017 – 2018, and potentially in subsequent years going forward.

2. Anticipated effects on the public:
 - A. *Adverse:* None.
 - B. *Beneficial:* As noted previously, the proposed amendment may help Tribal businesses which use limited resources within a combined entity to serve a population

with specific cultural and behavioral health needs. Although an Indian tribe may be located in a county of over 100,000 population, its members may still be isolated and underserved in their access to substance use services, especially services that are culturally appropriate. Allowing Tribal operators to provide both evaluation and treatment services could enable access to more effective treatment services.

C. *Immediate*: None.

D. *Long-term*: Enhanced access to more effective treatment services could increase over time.

3. There will be no cost to the Division of Public and Behavioral Health associated with enforcement of the proposed regulation.

The proposed regulations do not overlap or duplicate any other Nevada state or known federal regulations.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to the Board's Secretary, Cody Phinney, to be received no later than May 30, 2017, at the following address:

Secretary, Cody Phinney
State Board of Health
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow Board members adequate time to review the documents.

A copy of the notice and 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
4126 Technology Way, Suite 200
Carson City, 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/Programs/ClinicalSAPTA/Home> - [SAPTA/](#)

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 (775) 684-4190 in Carson City.

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
1401 East Flamingo Road
Las Vegas, NV 89119

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 Streets
Goldfield, NV 89013-0484

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

Henderson District Public Library
280 South Green Valley Parkway
Henderson, NV 89012

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 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.