

## SMALL BUSINESS IMPACT STATEMENT 2016

### PROPOSED AMENDMENTS TO NAC 450B LCB File No. R068-16

The Division of Public and Behavioral Health (DPBH) has determined that the proposed amendments should not have any adverse effects upon a small business or negatively impact the formation, operation or expansion of a small business in Nevada.

A small business is defined in Nevada Revised Statutes (NRS) 233B as a "business conducted for profit which employs fewer than 150 full-time or part-time employees."

This small business impact statement is made pursuant to NRS 233B.0608 (3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulation on a small business in sections 1, 2, 3, and 4 below and provides the reasons for the conclusions of the agency in section 8 below followed by the certification by the person responsible for the agency.

#### **Background**

DPBH's Emergency Medical Systems (EMS) Program determined that the existing Nevada Administrative Code (NAC) 450B needs to be reviewed and regulation additions and changes proposed. Some of the changes are a result of the new Nevada Revised Statutes (NRS) that were passed in the 2015 Legislature. The proposed regulations include regulation language and revisions on program fees, permits and endorsements for Community Paramedicine, special event medical plans and EMS training programs.

#### **1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Pursuant to NRS 233B.0608 (2)(a), the DPBH has requested input from stakeholders, small businesses and EMS providers.

A Small Business Impact Questionnaire was sent to EMS services through the EMS Committee listserv along with a copy of the proposed regulation changes, on June 2, 2016. The listserv reaches approximately 2,180 individuals in the EMS industry in Nevada such as Clinical Coordinators, Program Directors and Fire Chiefs. The questionnaire was also obtainable on the DPBH, EMS website. 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

<b>Summary Of Comments Received</b> (Zero (0) responses were received out of 2,183 small business impact questionnaires distributed)			
<b>Will a specific regulation have an adverse economic effect upon your business?</b>	<b>Will the regulation(s) have any beneficial effect upon your business?</b>	<b>Do you anticipate any indirect adverse effects upon your business?</b>	<b>Do you anticipate any indirect beneficial effects upon your business?</b>
NA	NA	NA	NA

**2) Describe the manner in which the analysis was conducted.**

Analysis was conducted by not receiving any questionnaires.

**3) The estimated economic effect of the proposed regulation on the small business which it is to regulate including, without limitation both adverse and beneficial effects and both direct and indirect effects.**

There is no estimated economic effects of the proposed regulations on 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.**

The DPBH has held several opportunities for EMS agencies to provide input and comments regarding the proposed NAC 450B regulations, including the economic impact the proposed regulations may have. No modifications to the proposed regulations have been made due to no input. A workshop will be held on July 14, 2016, allowing further input by the public and EMS agencies regarding the proposed regulations and their impact. These comments will be taken into consideration for possible further revisions to the regulations to reduce the economic impact on services.

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

There is no anticipated cost 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.**

For State Fiscal Year 2015, the total revenue for License and Fees was \$13,795 and the proposed fees increase will have an additional revenue generated of \$51,338.

New penalty fees are being proposed, including EMS providers operating without a license, reoccurring inspection violations, and failing to report required EMS data. That revenue is estimated at \$28,550.

New and revised EMS operating fees should generate an additional \$79,888 and this will be specifically used for EMS program operating costs. Revised certification and licensing fees should generate an extra \$65,847 in revenue, and this will be used specifically for education and training costs, per NRS 450B.1505.

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

At this time there are no duplicative or more stringent provisions than federal, state or local standards.

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

The agency concludes the proposed regulations will produce negligible impact on small businesses. Most of NAC 450B had proposed regulation changes, but didn't appear to have economic impact on small business. Most proposed changes were to provide additional clarification to existing regulations while adding or updating others to current industry standards and practices.

Any other persons interested in obtaining a copy of the summary may e-mail, call, or mail in a request to Minden Hall at the Division of Public and Behavioral Health at:

Division of Public and Behavioral Health  
Attn: Minden Hall  
4150 Technology Way, Suite 200  
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**Certification by Person Responsible for the Agency**

I, Cody L. Phinney, Administrator of the Division of Public and Behavioral Health certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and the information contained in this statement was prepared properly and is accurate.

Signature \_\_\_\_\_ Date: \_\_\_\_\_