

NOTICE OF PUBLIC HEARING

Intent to Adopt Regulations

(LCB File No. R090-16)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider adoption of new regulation. The newly proposed regulation will be heard in the order placed on the State Board of Health agenda.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on Friday, December 9, 2016 at the following locations:

Division of Public & Behavioral Health 4150 Technology Way Room #303 Carson City, NV	Southern Nevada Health District 280 S. Decatur Red Rock Conference Room Las Vegas, NV	Division of Aging & Disability Services Early Intervention Services 1020 Ruby Vista Drive, Suite 102 Elko, NV
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The new proposed regulation include the following:

- Develop regulations as directed in Nevada Revised Statute (NRS) 433.324;
 - Establish regulatory provisions of community based living arrangement services (CBLA), which are individualized services and designed to maximize a person's independence; and
 - Requires for a person or governmental entity to hold a provisional certificate or certificate by the Division to provide CBLA services or receive payment of these services.
1. Anticipated effects on the businesses to be regulated:
 - A. *Adverse Effects:* LLC's have expressed financial concerns of not knowing what the impact will be to their business in written and public comment.
 - B. *Beneficial:* The businesses have responded in both written and public comment that the training opportunities that will be provided by the Division are positive. In addition, the specific background disqualifications make it easier for the businesses to "weed out" individuals who will not be a good fit. Lastly, there was positive public comment that there was not a licensing fee through the Division.
 - C. *Immediate:* The stated beneficial effects would be immediate impacts as soon as the proposed regulations become effective.
 - D. *Long-Term:* The long-term impacts was the unknown of the adverse effect per the Providers on their business.
 2. Anticipated effects on the public:
 - A. *Adverse Effects:* None anticipated.
 - B. *Beneficial:* Increased public health and safety for the State, clients, providers and community.
 - C. *Immediate:* Increased public health and safety for the State, clients, providers and community.

D. *Long-Term*: Increased public health and safety for the State, clients, providers and community.

3. The estimated cost to the Division of Public and Behavioral Health for enforcement of the regulations is that additional staff time will be needed to review and approve each provider application, certification process, training, and re-certification in addition to monitoring and audits.
4. The proposed regulations do not add or increase any fees.
5. The proposed regulations do not overlap or duplicate any other Nevada state regulations.
6. Per NRS 233B.0608 (3), all methods were considered and detailed for small businesses to ensure the impact on the small businesses for community based living arrangements. In addition, a Small Business Impact Questionnaire was distributed to supporting living arrangements providers and statewide housing stakeholders on August 15, 2016 by mail.
7. 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 an against it adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

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 November 30, 2016 at the following address:

Secretary, 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 or inspection and/or may be copied at the following locations during normal business hours:

Division of Public and Behavioral Health
4150 Technology Way, Suite 200
Carson City, NV 89706

Division of Public and Behavioral Health
3811 W. Charleston Blvd., Suite 104
Las Vegas, NV 89102

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

Copies may be obtained in person mail or by calling SNAMHS at (702) 486-6238 in Las Vegas.

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

http://dpbh.nv.gov/Reg/MedicalLabs/Notice_of_Public_Workshops_and_Proposed_Regulations/

A copy of the public hearing notice can also be found on the Legislative Council Bureau's web page:

<https://www.leg.state.nv.us/App/Notice/A/>

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 Street
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