

NOTICE OF PUBLIC HEARING

Intent to Adopt Regulations
(LCB File No. R090-18)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Nevada Administrative Code (NAC) Chapter 652, LCB File No. R090-18 with associated errata, relating to medical laboratory personnel certification or licensure, as applicable, by endorsement. This public hearing is to be held in conjunction with the State Board of Health meeting on March 6, 2020.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on March 6, 2020 at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room #303 Carson City, NV 89706	Grant Sawyer Building 555 E Washington Ave Suite 1400 Las Vegas, NV 89101
---	--

The proposed changes to NAC 652 (LCB File No. R090-18) with associated errata establishes the criteria required for medical laboratory personnel to obtain a license or certificate, as applicable, by endorsement in accordance with Nevada Revised Statutes (NRS) 622.530 and NRS 652.125.

1. Anticipated effects on the businesses which NAC 652 regulates:

- A. *Beneficial*: No direct economic beneficial effects are anticipated as the certification/licensing costs are the same for a regular (non-endorsement) license as for a license for endorsement but if a background check is required, there may be additional background check processing fees for an applicant for a certificate/license by endorsement.
- B. *Adverse*: For applicants who chose to obtain certification/licensure through endorsement, there may be additional background check processing fees.
- C. *Immediate*: If an applicant for licensure/certification by endorsement is required to obtain a background check in accordance with NRS Chapter 622 and the proposed regulations, the immediate adverse financial effect would be the cost to obtain the background check. Although the requirement for the background check may cause a delay in issuing a certificate/license in certain cases, there may be other instances in which applying by endorsement may result in a quicker turn-around time, which

would be a benefit.

- D. *Long-term*: As there is no statutory requirement for ongoing background checks, no long-term adverse effects are anticipated. No long-term beneficial effects are anticipated.

2. Anticipated effects on the public:

- A. *Adverse*: No adverse effects on the public are anticipated.
- B. *Beneficial*: Although the requirement for the background check may cause a delay in issuing a certificate/license in certain cases there may be other instances in which applying by endorsement may result in a quicker turn-around time, which would be a benefit.
- C. *Immediate*: No immediate adverse or beneficial effects on the public are anticipated.
- D. *Long-term*: No long-term adverse or beneficial effects on the public are anticipated.

3. The estimated cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations.

NRS 622.530 (2) (g) requires applicants for a license by endorsement to pay applicable fees for the issuance of a license that are otherwise required for a person to obtain a license; therefore, the Division would collect fees based on existing fees outlined in current regulations to pay for the enforcement of the proposed regulations. There may be an additional cost to the agency due to the increased workload to process background checks for medical laboratory personnel by endorsement, as this would be a new workload for the Division. It is too soon to determine if this workload will require additional staff or if the Division will be able to fully integrate it into the workload of its current staff; therefore, additional costs have not been added at this point, but this may be re-evaluated at a future date.

The proposed regulations do not overlap or duplicate any other Nevada state 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, Lisa Sherych, to be received no later than February 14, 2020 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 for inspection and/or may be copied at

the following locations during normal business hours:

Nevada Division of Public and Behavioral Health
727 Fairview Drive, Suite E
Carson City, NV 89701

Nevada State Library
100 Stewart Street
Carson City, NV 89701

Nevada Division of Public and Behavioral Health
4220 S. Maryland Parkway, Suite 810, Building D
Las Vegas, NV 89119

A copy of the regulations and small business impact statement can 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 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.

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

Lyon County Library

93 Maine Street
Pioche, NV 89043-0330

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.