

Steve Sisolak  
Governor

Richard Whitley, MS  
Director



**DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
*Helping people. It's who we are and what we do.*



Lisa Sherych  
Administrator

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

## NOTICE OF PUBLIC HEARING

P. THERESA BRUSHFIELD, ADULT CARE SOLUTIONS LLC IS REQUESTING A VARIANCE, #734, FROM THE NEVADA STATE BOARD OF HEALTH REGULATIONS.

NOTICE IS HEREBY GIVEN that P. THERESA BRUSHFIELD, ADULT CARE SOLUTIONS LLC has requested a variance from Nevada Administrative Code (NAC) 449.211 and NAC 449.229.

A public hearing will be conducted on June 3, 2022, at 9:00 am by the Nevada State Board of Health to consider this request. This meeting will be held online.

### Meeting Locations:

- Southern Nevada Health District (SNHD)  
Red Rock Trail Rooms A and B  
280 S. Decatur Boulevard; Las Vegas, Nevada 89107
- Nevada Division of Public and Behavioral Health (DPBH)  
Hearing Room No. 303, 3<sup>rd</sup> Floor  
4150 Technology Way; Carson City, Nevada 89706

### **Join from computer using the Zoom meeting link:**

<https://zoom.us/j/94244271039?pwd=V0s1UW5aKy9pdlVTNzIzR0xLODU4dz09>

Online Conference ID Number: 942 4427 1039

Passcode: 479010

### **Join by Phone:**

1-669-900-9128 US (San Jose)

Phone Conference ID Number: 942 4427 1039

Passcode: 479010

**P. THERESA BRUSHFIELD, ADULT CARE SOLUTIONS, LLC is requesting a variance from NAC 449.211 and NAC 449.229 which states:**

**NAC 449.211 Automatic sprinkler systems. ([NRS 449.0302](#))**

1. After January 14, 1997, the Division shall withhold the issuance of an initial license to operate a residential facility that does not have an automatic sprinkler system which complies with the provisions of [chapter 477](#) of NRS and any local ordinances relating to the installation of automatic sprinkler systems.

2. Except as otherwise provided in subsection 3, a residential facility with less than seven residents that is issued a license on or before January 14, 1997, shall install an automatic sprinkler system that complies with the provisions of [chapter 477](#) of NRS and any local ordinances relating to the installation of automatic sprinkler systems if:

- (a) The ownership of the facility is transferred to a new owner;
- (b) The number of beds in the facility is increased;
- (c) The facility is currently authorized to admit or retain category 1 residents only and wishes to apply for authorization to admit or retain category 2 residents; or
- (d) The facility is not currently authorized to admit or retain residents who suffer from Alzheimer's disease or other related dementia and the facility wishes to apply for authorization to admit or retain such residents.

3. A residential facility with less than seven residents that was issued its initial license on or before January 14, 1997, may not admit or retain a category 2 resident, unless an automatic sprinkler system that complies with the provisions of [chapter 477](#) of NRS and any local ordinances relating to the installation of automatic sprinkler systems is installed in the facility. Not more than one resident who is confined to a wheelchair or who is required to use a walker may be admitted to such a facility at any time unless such an automatic sprinkler system is installed in the facility.

4. An automatic sprinkler system that has been installed in a residential facility must be inspected:
- (a) Not less than once each calendar quarter by a person who understands the manner in which the system operates and the manner in which it should be maintained; and
  - (b) Not less than once each calendar year by a person who is licensed to inspect such a system pursuant to the provisions of [chapter 477](#) of NAC.

(Added to NAC by Bd. of Health by R003-97, eff. 10-30-97)

**NAC 449.229 Requirements and precautions regarding safety from fire. ([NRS 449.0302](#))**

1. The administrator of a residential facility shall ensure that the facility complies with the regulations adopted by the State Fire Marshal pursuant to [chapter 477](#) of NRS and all local ordinances relating to safety from fire. The facility must be approved for residency by the State Fire Marshal.

2. The Bureau shall notify the State Fire Marshal or the appropriate local government, as applicable, if, during an inspection of a residential facility, the Bureau knows of or suspects the presence of a violation of a regulation of the State Fire Marshal or a local ordinance relating to safety from fire.

3. An exit door in a residential facility must not be equipped with a lock that requires a key to open it from the inside unless approved by the State Fire Marshal or his or her designee.

(Added to NAC by Bd. of Health by R003-97, eff. 10-30-97; A by R052-99, 9-27-99; R073-03, 1-22-2004; R119-10, 1-13-2011)

**The authority of the State Board of Health to consider and grant a variance from the requirements of a regulation is set forth at NRS 439.200 and NAC 439.200 – 439.280.**

Persons wishing to comment upon the proposed variance may appear at the scheduled public hearing or may submit written testimony at least five days before the scheduled hearing to:

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

Anyone wishing to testify for more than five minutes on the proposed variance must petition the Board of Health at the above address. Petitions shall contain the following: 1) a concise statement of the subject(s) on which the petitioner will present testimony; 2) the estimated time for the petitioner's presentation.

This notice has also been posted at the following locations:

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH, 4150 TECHNOLOGY WAY, CARSON CITY, NV

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH WEBSITE:

<http://dpbh.nv.gov/Boards/BOH/Meetings/Meetings/>

NEVADA STATE BOARD OF HEALTH  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
4150 Technology Way, Suite 300  
CARSON CITY, NV 89706

**APPLICATION FOR VARIANCE**

Please check the appropriate box that pertains to the NAC for which you are requesting a variance.

Division Administration  
(NAC 439, 441A, 452, 453A, & 629)

Health Care Quality & Compliance  
(NAC 449, 457, 459 & 652)

Child, Family & Community Wellness  
(NAC 392, 394, 432A, 439, 441A, & 442)

Health Statistics, Planning,  
Epidemiology and Response  
(NAC 440,450B, 452, 453, 453A, & 695C)

Public Health & Clinical Services  
(NAC 211, 444, 446, 447, 583, & 585)

Date: APRIL 24, 2022

Name of Applicant: P. Theresa Brushfield, RFA, Et al. Phone: 702-731-5941 or 702-858-2118

Mailing Address: 3021 Ocean Port Drive

City: Las Vegas State: NV Zip: 89117

We do hereby apply for a variance to \_\_\_\_\_ of the Nevada  
chapter/section NAC 449.211 & NAC 449.229  
Administrative Code (NAC). (For example: NAC 449.204)

Title of section in  
question: NAC 449.229 Requirements and precautions regarding safety from fire

Statement of existing or proposed conditions in violation of the NAC:

Modern electronic fire safety and security products like almost all electronic devices made today utilize integrated circuits or microchips.  
The Global microchip shortage components continue to be in short supply with lead times of up to one year. Allocations  
continue to restrict supply. Some component manufacturers insist on non-cancellable order with excessive lead times. Sourcing  
~~parts outside the usual distributor network resulted in some components costing 10 to 20 times more.~~ There are additional shipping delays  
beyond anyone's control. Senator Cortez-Masto has made this an issue in her re-election campaign, as it is not only a local issue but  
a worldwide event. Therefore contractors are unable to comply with the Nevada State Fire Marshal's requirements for Residential Facility for  
Groups.

NEVADA STATE BOARD OF HEALTH  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
4150 Technology Way, Suite 300  
CARSON CITY, NV 89706

**APPLICATION FOR VARIANCE**

Date of initial operation (if existing): Not Applicable

**ATTENTION: Please read this section closely. Your request for variance will be examined against these criteria:**

Any person who, because of unique circumstances, is unduly burdened by a regulation of the State Board of Health and thereby suffers a hardship and the abridgement of a substantial property right may apply for a variance from a regulation. (NAC 439.200(1))

1. The State Board of Health will grant a variance from a regulation only if it finds from the evidence presented at the hearing that:
  - (a) There are circumstances or conditions which:
    - (1) Are unique to the applicant;
    - (2) Do not generally affect other persons subject to the regulation;
    - (3) Make compliance with the regulation unduly burdensome; and
    - (4) Cause a hardship to and abridge a substantial property right of the applicant; and
  - (b) Granting the variance:
    - (1) Is necessary to render substantial justice to the applicant and enable him to preserve and enjoy his property; and
    - (2) Will not be detrimental or pose a danger to public health and safety.
2. Whenever an applicant for a variance alleges that he suffers or will suffer economic hardship by complying with the regulation, he must submit evidence demonstrating the costs of his compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable. (NAC 439.240)

**Therefore, it is important for your variance request to be as complete as possible. It is your responsibility to attach documentation supportive of your variance request.**

Statement of degree of risk of health

No negative impact to the health of the residents

From the Scottsdale Arizona 15-year report; a community that has 41,408 homes, more than 50 percent of the homes in Scottsdale, protected with fire sprinkler systems: Lives Saved In the 15 years there were 598 home fires. Of the 598 home fires, 49 were in single-family homes with fire sprinkler systems: • There were no deaths in sprinklered homes. • 13 people died in homes without sprinklers. • The lives of 13 people who would have likely died without sprinklers, were saved. Our facilities will have operatable fire sprinklers and in facilities for persons with Alzheimer's or Dementia there will be awake staffing. We believe that there will be no loss of life and minimum structural damage.



NEVADA STATE BOARD OF HEALTH  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
4150 Technology Way, Suite 300  
CARSON CITY, NV 89706

**APPLICATION FOR VARIANCE**

**Please state in detail the circumstances or conditions which demonstrate that:**

1. An exceptional and undue hardship results from a strict application of the Regulation:

Mortgage or rent payments, property taxes, business license, electric, water, gas, sewer, trash, liability insurance, landscaping or yard maintenance, fire protection quarterly maintenance, plus miscellaneous items can add up to over \$5,000.00 with a loss of income of \$6,000.00 to \$10,000 per month. Some people budgeted, quit their current employment put their life savings into this industry and now can not operate because of a world-wide situation that is not under their control. These expenses do not take into consideration the cost of maintaining their private residence. With their own expenses, i.e., food, clothing, health insurance, car payment, auto insurance and their utilities. This problem is horrifying, dismaying, and depressing, besides being a financial disaster.

2. The variance, if granted, would not:

- A. Cause substantial detriment to the public welfare.

This variance would not cause any detriment to the public welfare. People are returning to work after Covid-19 and are not able to care for their aging parent, family member or friend. Employed persons cannot leave a family member at home while they are working or doing general activities with a vulnerable person left at home alone, or in the care of someone they might feel is abusive or neglectful. As baby boomers are aging the need for our services are in demand.

- B. Impair substantially the purpose of the regulation from which the application seeks a variance.

Allowing this variance will not cause our residents to be in any jeopardy. Please note in the letter from the State Fire Marshal, facilities that were licensed in 1997 and they are sold, are not required to upgrade to the newest fire codes. For the residents who will occupy the facilities that are asking for the variance, will be properly protected because of the training of the staff to respond promptly and effectively to any fire emergency and they will have the same or better fire sprinkler systems than previously licensed facilities.

The bureau may require the following supporting documents to be submitted with and as a part of this application:

1. Legal description of property concerned

See Attached

2. General area identification map

NEVADA STATE BOARD OF HEALTH  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
4150 Technology Way, Suite 300  
CARSON CITY, NV 89706

**APPLICATION FOR VARIANCE**

- \_ 3. Plat map showing locations of all pertinent items and appurtenances
- \_ 4. Well log (if applicable)
- \_ 5. Applicable lab reports
- \_ 6. Applicable engineering or construction/remodeling information
- \_ 7. Other items (see following pages)

This application must be accompanied by evidence demonstrating the costs of your compliance with regulations or specific statutory standards. Your request will be placed on the Board of Health agenda 40 days or more after receipt in this office if accompanied by the required fee (NAC 439.210). The application and supporting documentation will form the basis for the Division of Public and Behavioral Health staff report and recommendation(s) to the Board. Failure to respond to the above statements may cause the Board to deny consideration of the application at the requested Board meeting.

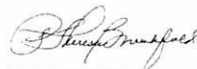
Please schedule this hearing during:

The next regularly scheduled Board of Health meeting, regardless of location.

The next scheduled meeting in Carson City.

The next scheduled meeting in Las Vegas.

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



Printed Name: P. Theresa Brushfield, RFA

Title: Applicant

Date: April 24, 2022



# Adult Care Connections, LLC

3301 Spring Mountain RD Ste. 20  
Las Vegas, NV 89102  
702.474.7171  
Theresa@adultcareconnections.com  
Adultcareconnections.com

April 24, 2021

State of Nevada  
Board of Health

SUBJECT: List of Owners to be included in the Variance Application Regarding Fire System

**Bryan Grosh**

**Happy Valley Care Home**

Category II 10-Beds

Residential facility which provides care to persons with Alzheimer's disease

Facility Address: 6791 Elmdale Place, Clark County, Las Vegas NV. 89103

**Richard Sanders**

**Henderson Senior Care Home**

Category II 10-Beds

Residential facility which provides care to persons with Alzheimer's disease

Facility Address: 2690 Celebrate Court, Clark County, Henderson, Nevada, 89074

**Analyn Bolus Lua-Diaz**

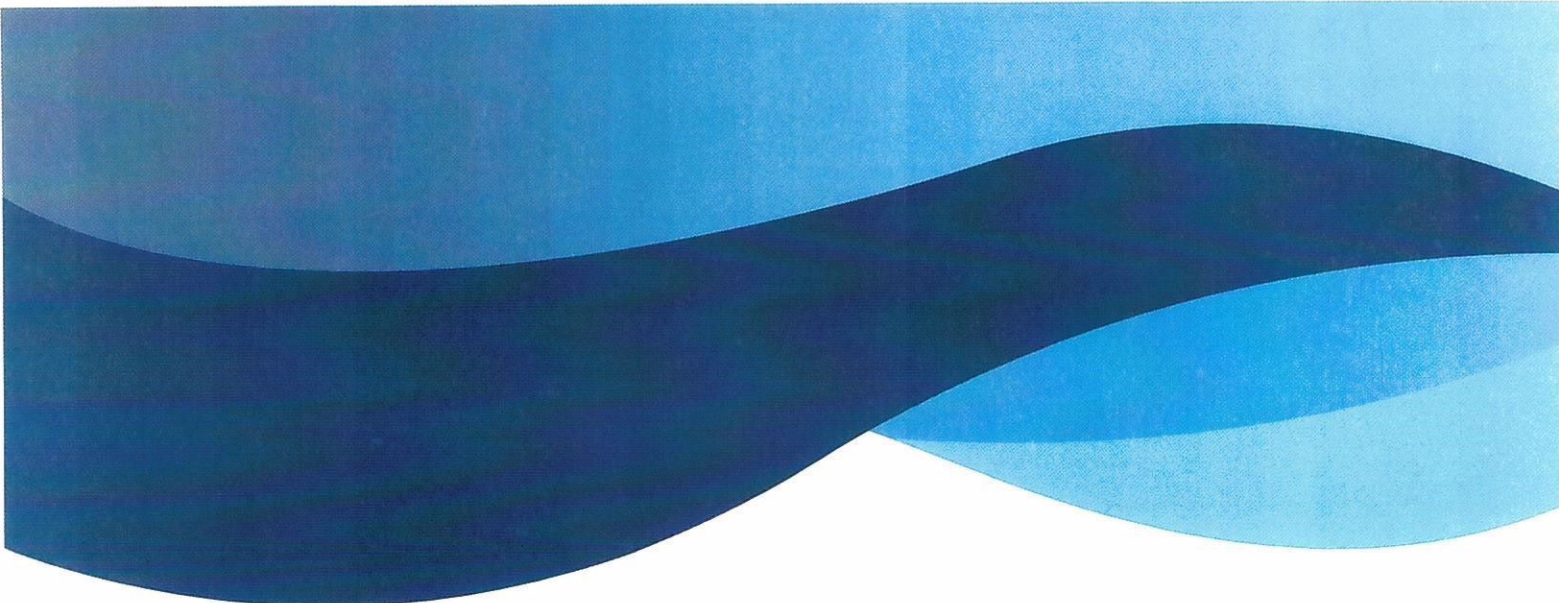
**Green Valley Memory Care, Inc.**

Category II 9-Beds

Residential facility which provides care to persons with Alzheimer's disease

Facility Address: 2321 Thayer Street, Clark County, Henderson, Nevada, 89074





April 24, 2022  
Board of Health  
Page 2

**FRANK MANCIA**  
**LUMINOUS HORIZONS**

Category II 10-Beds

Residential facility which provides care to persons with Alzheimer's disease

Facility Address: 2321 Thayer Street, Clark County, Henderson, Nevada, 89074

**BIAR ATEM**  
**NAME TO BE ANNOUNCED AT LATER DATE**

Category II 10-Beds

Residential facility which provides care to persons with Alzheimer's disease

Facility Address:

923 Jason Alexander Avenue

Clark County, North Las Vegas, Nevada, 89031

Sincerely,

*Theresa Brushfield*

## Adult Care Connections, LLC

3301 Spring Mountain RD Ste. 20  
Las Vegas, NV 89102  
702.474.7171  
Theresa@adultcareconnections.com  
Adultcareconnections.com

April 11, 2022

Department of Public Safety  
State of Nevada Fire Marshall Division  
State Fire Marshal Mike Dzyak  
107 Jacobsen Way  
Carson City, Nevada 89711

Re: New and Existing Residential Facility for Groups

Dear Fire Marshal Dzyak:

My name is P. Theresa Brushfield, RFA of Adult Care Connections, LLC. I haven't had the pleasure of working with you, but I have worked with your predecessors over the last 26 years.

We represent 8 facilities that are or will be 10-bed Residential Facilities for Groups Category II, 5 that our applying for a new license, and 3 that our doing a change of ownership. We all have been affected by the Covid-19 pandemic and the current supply chain shortages.

The contractor that we have been working with has not been able to acquire the parts needed for the horns and strobes lighting and has been told that they cannot expect a shipment until sometime late August 2022, and there is no guarantee that the products will arrive by that date.

We are asking is there a way that these facilities that have a fully functional sprinkler system could be given a 6-to-9-month provisional certificate of compliance, while waiting for the contractor to complete the alarm system.

One of applicant suggest a Fire Watcher, however after reviewing the guidelines for such a person it is financially impossible for a 10-bed facility to afford the cost.



April 11, 2022


It would be financially feasible for the facilities to have awake staff 24-hours per day, seven days a week, even though they may not be a facility with a dementia endorsement.

For the facilities that are doing a change of ownership (CHOW) we heard that they are right now considered "Grandfathered-in" and do not require any upgrades of the Fire Systems to the current standards.

The people have invested anywhere from \$75,000 to over \$200,000.00 in the start-up cost and it will be an extreme hardship as they continue paying their overhead cost to State, County and local municipalities, mortgages, liability, and workmen's compensation policies (required by local business license agencies before issuance of a license), utilities and all the upkeep cost. We need to be able to assist these individuals, by allowing a provisional certificate of occupancy. Thank you for your consideration.

Yours very truly,

ADULT CARE CONNECTIONS, LLC



P. Theresa Brushfield, RFA

cc: Bryan Grosh  
Richard Sanders  
Analyn Lua Diaz  
Elena and Nicole Kealoha  
Biar Atem  
Jetaime Castor  
Elaine Manliclic  
Frank Mancia  
HCQC Bureau Chief F. Paul Shubert  
Amir Bringard, Health Facilities Inspection Manager  
State Fire Marshal Bureau Chief Albert Ruiz

Steve Sisolak  
Governor



Nevada Department of  
**Public Safety**  
Dedication Pride Service

George Togliatti  
Director

Sheri Brueggemann  
Deputy Director

## Nevada State Fire Marshal Division

Stewart Facility  
107 Jacobsen Way  
Carson City, Nevada 89711  
Telephone (775) 684-7501 - Fax (775) 684-7518

Mike Dzyak  
State Fire Marshal

April 19, 2022

Adult Care Connections  
Attn: Theresa Brushfield  
3301 Spring Mountain RD Ste. 20  
Las Vegas, NV 89102

Tel: (702) 474-7171

Re: New and Existing Residential Facilities for Groups

Dear Ms. Brushfield,

As a Certificate of Compliance issued by the State Fire Marshal is a final document needed for occupancy and it indicates that a certain facility, whether it be a group home or any other business type, is fully compliant with all applicable codes and standards, the Division of the State Fire Marshal is unable to issue a provisional certificate. In the realm of fire protection systems, an occupancy is fully compliant and suitable for occupancy or not fully compliant and not suitable for occupancy.

A fire alarm system is an integral component of the protection features of the building in both terms of occupant warning and evacuation as well as initiating an emergency response. Without a fully functioning fire alarm system, the occupants are at risk and even more so those requiring evacuation assistance or mobility challenged. Furthermore, the International Fire Code (2018) as adopted by the State Fire Marshal states that "it shall be unlawful to occupy any portion of a building until the required fire detection, alarm and suppression systems have been tested and approved" (IFC 2018 section 901.5.1). The State Fire Marshal is obligated to enforce the code as adopted by the State of Nevada and will not endorse a provisional certificate of compliance and assume any liability for doing so.

As you have pointed out, there are avenues that are allowed by the International Fire Code to address this issue and that is with the implementation of a fire watch. We understand that there are cost considerations for the use of a fire watch, however, the cost of any injuries or loss of life due to a partial system will far outweigh the cost of a fire watch.



Concerning those facilities that are solely undergoing a change of ownership, if there are no additions, tenant improvements, change to egress or any other construction, they will be enforced to the code in which they were initially given a certificate of compliance. The new facilities must comply with today's standards to receive a certificate of compliance from the State Fire Marshal.

A handwritten signature in black ink, appearing to read "Mike Dzyak", with a stylized, cursive script.

Mike Dzyak  
Fire Marshal  
Department of Public Safety



7165 BRIDGEVIEW AVE. LAS VEGAS, NV 89147  
P: 702-331-5066 F: 702-331-0255 E: [dfpinclv@hotmail.com](mailto:dfpinclv@hotmail.com)  
[www.dignityfirelv.com](http://www.dignityfirelv.com) License# 86354 Limit \$200,000.00

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April 20, 2022

To: Theresa Brushfield – President, Adult Care Connections, LLC

From: Paul J Sebastian – Director, Dignity Fire Protection, Inc.  
Jan R Matias – President, Dignity Fire Protection, Inc.

Re: Fire Alarm Systems Required by The HCQC and the State Fire Marshal

SUBJECT: Fire Alarm Devices Alternative Method

As the production of the required Fire Alarm System Devices is delayed due to the limited supply of semiconductors and other unforeseen reasons. You may be aware of the delay this is causing our current projects and will cause the future projects.

We are writing this in response to your letter to propose an Alternative Method to the dilemma we have at hand. As you mentioned, The required Approved Low Frequency Horn Strobe Alarms and System Smoke Detectors are nonexistent at the present time.

As the Director of Dignity Fire Protection Inc., We are proposing to Install Alternative Devices to temporarily replace the required low frequency horn & strobe and system smoke detectors into whichever devices are available and in stock by our suppliers and will be acceptable by the Local Authority Fire Department and Nevada State Fire Marshal as a temporary replacement.

However, These alternative devices and any alternate method permit if needed will be an extra cost to the property owners that are willing to support this proposal. In doing this, We are able to temporarily "complete" and satisfy the requirement by HCQC and Nevada State Fire Marshal until the Approved Devices are available for purchase. We can by then request for another Inspection to prove that the Alternative Devices has been replaced and Approved Devices are installed and in compliance with the Submitted Approved Local Authority Fire Department and Nevada State Fire Marshal Fire Alarm Plans.

Respectfully,  
DIGNITY FIRE PROTECTION, INC

*"fire systems with dignity"*

*paulsebastian*

Paul J Sebastian, Director

# Honeywell

## HONEYWELL FIRE SOLUTIONS

12 Clintonville Road  
Northford, CT 06472  
[www.firelite.com](http://www.firelite.com)  
[www.silentknight.com](http://www.silentknight.com)  
[www.systemsensor.com](http://www.systemsensor.com)

August 11, 2021

Dear Honeywell Distributor,

Earlier this year we sent an update regarding the global semiconductor and other commodity shortages. While we were hoping that the impact would be short-term, due to circumstances outside of our control, lead times for products remain extended.

Our Integrated Supply Chain (ISC) team continues to work tirelessly to procure the components from alternative suppliers and is working alongside our Engineering and Quality teams to validate additional suppliers. Even with these efforts, and significant investments to secure all available supplies, we anticipate that we will not see a significant improvement in this environment for the short-term. This is a dynamic situation where the specific SKUs impacted vary from day-to-day and week-to-week. Please continue to check order status through [mybuildings.honeywell.com](http://mybuildings.honeywell.com), as we sometimes may improve delivery from the initial shipment date provided.

In cases where an escalation is required due to a critical customer issue, please continue to work with your Regional Sales Manager so we can manage these exceptions through our escalation processes. Our leadership team will continue to work towards prioritizing escalation requests to allocate products in a reasonable and appropriate manner where supplies are severely constrained.

Thank you for your patience, loyalty and understanding and we will continue to keep you updated as we navigate these challenges.

Sincerely,

Daraius Patell  
VP/General Manager  
Honeywell Fire Americas

# Sweet Valley Home Care

6791 Elmdale Pl. Las Vegas, NV. 89103  
323-710-1331  
[Bryan.Grosh.KWagent@gmail.com](mailto:Bryan.Grosh.KWagent@gmail.com)

4/22/2022

Nevada Department of Health and Human Services  
Division of Public and Behavior Health  
Bureau of Health Care Quality and Compliance  
Paul Shubert Bureau Chief  
4220 S. Maryland Pkwy Las Vegas, NV 89119  
T: (702) 486-6515 F: (702) 486- 6520

Re: Variance Request from the Board of Health

Dear Mr. Paul Shubert,

My Name is Bryan Grosh and I am in the process of renovating 6791 Elmdale Pl. Las Vegas, NV 89103 to make it ready for a 10 bed Adult Care Facility.

Considering the latest news regarding material shortages, Dignity Fire Protection Inc. recently briefed me on delays regarding horn strobes and smoke detectors. Based on our conversations, The owners of Dignity Fire Protection Inc and I discovered their distributors (Dignity Fire Protection's) are experiencing shortages from their suppliers-Honeywell. Even worse, Honeywell is experiencing shortages from their suppliers – vendors over sea. So, the possibility of acquiring horn strobes and smoke detectors from a different retailers/providers are highly unlikely.



Over the last 24 hours, I reached out to 13 other Fire Protection companies in Clark County and spoke to 1 company. The salesperson from Pye-Barker Fire & Safety had a similar response to Dignity Fire Protection. He said, "Components for the fire alarm systems are on back order for 1-3 months, but even that timeline is not guarantee". Pye-Bakers Fire & Safety's "no guaranteed" message is consistent with the message from Dignity Fire protection Inc. as the back-order release date continue to be pushed out. As evident from the distributor and manufacturer emails below, Dignity Fire Protection Inc ordered components in January; however, the components will not be released until September.

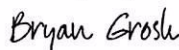
After speaking with several professional in the industry, I have concluded there are 3 options: 1) administrative 2) mechanical and 3) operational options. Due to the submission timeline, these will need to be discuss in further detail. The administrative option would allow operators to develop a Fire Watch Plan amongst the staff to ensure a safe facility. The (2) mechanical option will allow for contractors to install alternate (like for like) horn strobes and smoke detectors- provided components are available. And lastly, operators would have the option to operate as a 2-bed facility with impunity to fees and process times.

As you are aware, many of us have invested anywhere from \$75,000- to over \$200,000 in the startup cost and it will be an extreme hardship as we continue to carrying renovation cost, overhead cost to state, county, and local municipalities, mortgages, liability, and workers' compensation policies, utilities, and upkeep cost.

We thank you for your help and we look forward to a mutually beneficial outcome: patients, facility owners, and the Bureau of Health Care Quality and Compliance.

Sincerely,

Bryan Grosh

DocuSigned by:  
  
5A970A68648A4BA...

Notes: <sup>1</sup>The other 2 Fire protection companies were unavailable, messages were sent.

Darren from Delta Fire systems can speak with great authority on the supply constraints. For more info. (775)798-1055. <https://www.deltafiresystems.com/services>

The screenshot shows the Honeywell Store website. At the top, there is a navigation bar with the Honeywell logo and 'Store' text. Below this is a search bar and a shopping cart icon. A secondary navigation bar lists categories: HEATING & COOLING, AIR QUALITY, HOME CONVENIENCE, HOME SECURITY, and SAFETY & POWER. Below the navigation is a breadcrumb trail: Home > Customer Service.

**QUICK LINKS**

- E-Mail Notifications
- Changing or Canceling your or
- Order Status and Tracking
- Request an Invoice
- Items Out of stock or on Backo
- Back To Main Menu

**ITEMS OUT OF STOCK OR ON BACKORDER**

**Items out of Stock**

From time to time it is unavoidable that stock shortages will occur, why?

- Demand for an item is much higher than expected and our manufacturer needs time to restock our supply
- The manufacturer has an unforeseen backorder of an item due to a shortage of parts, materials, etc.
- Delivery delays can be caused by transportation strikes, natural disasters such as floods, tornadoes, snow or rain storms, etc.
- The estimated in stock date of an item is subject to change at any time, but we try to maintain the most accurate information that is available to us.

**Back Ordered Items**

Popular or new items may sell out quickly and temporarily be put on back order while our warehouse waits to re-stock those items. Ordering an item that is currently on back order is a worry-free way to ensure that you will be first in line for the new inventory and that the item which you ordered will be sent out to you as soon as our warehouse receives it.

**Order Questions:**  
[sales@honeywellstore.com](mailto:sales@honeywellstore.com)  
Thank You For Shopping With Us!

**Office Hours:**  
Monday through Friday  
9:00am - 5:00pm CST

**Honeywell | Store**

Vince Graves <[vgraves@alarmax.com](mailto:vgraves@alarmax.com)>

Tue 4/19/2022 10:49 AM

To: You

 Dignity Fire Quote Tax Thaye...   
39 KB

Quote attached. Here are the lead times:

ES-50X	x1	Current lead time per the Honeywell website is 4/28/22
SD365	x6	2 days
BG-12LX	x3	In stock
PC2WL	x12	In stock
PC2WL-LF	x6	Currently BO until 9/29/22
P2RHK-120	x1	4-5 days

Thank you!

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**From:** Vince Graves <[vgraves@alarmax.com](mailto:vgraves@alarmax.com)>  
**Sent:** Wednesday, March 23, 2022 1:09 PM  
**To:** 'Dignity Fire Protection' <[dfpinclv@hotmail.com](mailto:dfpinclv@hotmail.com)>  
**Subject:** RE: 6591 ELMDALE FA

Everything is in stock except the 2WB and the PC2WLLF.

2WB on BO until 8/22/22  
PC2WLLF on BO until 09/2/22

That is per the website.

Thank you!



Vince Graves <vgraves@alarmax.com>

Wed 3/9/2022 1:33 PM

To: You

You got it! Everything is in stock except the following:

2WB	x7
PC2WL-LF	x6

Thank you!

q



Pc2wl lf - ms10 orders



Vince Graves <vgraves@alarmax.com>

Wed 1/26/2022 8:32 AM

To: You

Negative. Here are the current backorder dates:

MS10	6/14/22
PC2WL-LF	7/12/22
P2WL-LF	7/19/22

Wish I had better news.

Thank you!

Vince Graves  
Inside Sales

5850 Polaris Ave #1500  
Las Vegas, NV 89118  
Ph: 702.940.5000  
Fax: 702.940.5001  
vgraves@alarmax.com

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# Fax failed

Home Office

Wednesday, 04-27-2022 18:30

7027315971

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Job #</u>	<u>Length</u>	<u>Speed</u>	<u>Fax Name/Number</u>	<u>Pages</u>	<u>Status</u>
04-27-2022	18:29	SCAN	135	0:00	0	7756847570	0	NO ANSWER

## Adult Care Connections, LLC

3301 Spring Mountain RD Ste. 20  
Las Vegas, NV 89102  
702.474.7171  
Theresa@adultcareconnections.com  
dultcareconnections.com

### FAX COVER SHEET

**TO:** Lisa Sherych, Administrator  
**FAX:** 775-684-7570  
**PHONE:** 775-684-7500  
**DATE:** [Date of Fax]  
**SUBJECT:** Variance Applications

**FROM:** P. Theresa Brushfield, RFA  
**FAX:** 702-731-5971  
**PHONE:** 702-858-2118 (Mobile)  
**# OF PAGES:** 18

Re: 449.229 and 449.211

# Scan Log

Scan to e-mail failed.

## Details

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Date: 04-27-2022-183048

Primary SMTP Gateway:

Connection failure: <-10>  
E-mail server not set up.

Mail server response:: N/A

Secondary SMTP Gateway:

Connection failure: <-10>  
E-mail server not set up.

Mail server response:: N/A

Compliance Agreement  
Division of Public and Behavioral Health and Canyon Pointe Dental Group

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Canyon Pointe Dental Group, and the State Board of Health (“Board”).

RECITALS

- A. The goal is to define the criteria for compliance for Canyon Pointe Dental Group (Exempt Laboratory #11667) located at 10870 W. Charleston Blvd., Las Vegas, NV 89135, and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).
- C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Canyon Pointe Dental Group, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. The Canyon Pointe Dental Group Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.
- B. Requirements. Except as otherwise provided in this Agreement, Canyon Pointe Dental Group will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.
- C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.



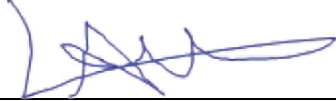
IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Canyon Pointe Dental Group, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed:  EA4B23C00683456...  
Justina Hernandez, DMD, Laboratory Director

Date: 3/11/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

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

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health and Green Valley Smiles Dentistry

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Green Valley Smiles Dentistry, and the State Board of Health (“Board”).

RECITALS

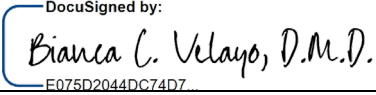
- A. The goal is to define the criteria for compliance for Green Valley Smiles Dentistry (Exempt Laboratory #11666) located at 2570 Wigwam Pkwy., Henderson, NV 89074, and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).
- C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Green Valley Smiles Dentistry, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. The Green Valley Smiles Dentistry Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.
- B. Requirements. Except as otherwise provided in this Agreement, Green Valley Smiles Dentistry will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.
- C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.

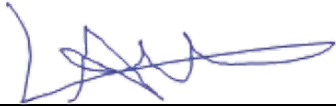
IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Green Valley Smiles Dentistry, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed:  \_\_\_\_\_  
Bianca C. Velayo, DMD, Laboratory Director

Date: 3/1/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  \_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022



Compliance Agreement  
Division of Public and Behavioral Health and Henderson Dental Group and Orthodontics

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Henderson Dental Group and Orthodontics, and the State Board of Health (“Board”).

RECITALS

A. The goal is to define the criteria for compliance for Henderson Dental Group and Orthodontics (Exempt Laboratory #11664) located at 545 Marks St., Henderson, NV 89014, and the State Board of Health (“Board”).

B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).

C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Henderson Dental Group and Orthodontics, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

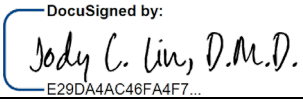
A. State Licensure. The Henderson Dental Group and Orthodontics Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.

B. Requirements. Except as otherwise provided in this Agreement, Henderson Dental Group and Orthodontics will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.

C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.

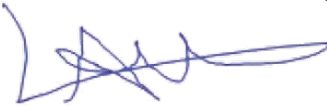
IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Henderson Dental Group and Orthodontics, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health (“Board”).

Signed:  \_\_\_\_\_  
Jody C. Lin, DMD, Laboratory Director

Date: 3/2/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  \_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health and Mountain Dental Group

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Mountain Dental Group, and the State Board of Health (“Board”).

RECITALS

- A. The goal is to define the criteria for compliance for Mountain Dental Group (Exempt Laboratory #11665) located at 9285 S. Cimarron Rd., Las Vegas, NV 89178, and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).
- C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Mountain Dental Group, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

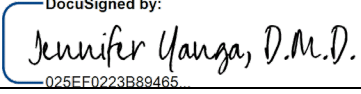
NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. The Mountain Dental Group Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.
- B. Requirements. Except as otherwise provided in this Agreement, Mountain Dental Group will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.
- C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.




IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Mountain Dental Group, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health (“Board”).

Signed:  \_\_\_\_\_  
Jennifer Yanga, DMD, Laboratory Director

Date: 3/2/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  \_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health and Sahara Modern Dentistry

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Sahara Modern Dentistry, and the State Board of Health (“Board”).

RECITALS

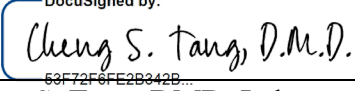
- A. The goal is to define the criteria for compliance for Sahara Modern Dentistry (Exempt Laboratory #11662) located at 4950 W. Sahara Ave., Las Vegas, NV 89146, and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).
- C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Sahara Modern Dentistry, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. The Sahara Modern Dentistry Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.
- B. Requirements. Except as otherwise provided in this Agreement, Sahara Modern Dentistry will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.
- C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.


IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Sahara Modern Dentistry, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health (“Board”).

Signed:  \_\_\_\_\_  
Cheng S. Tang, DMD, Laboratory Director

Date: 3/5/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  \_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health and Union Village Modern Dentistry

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Union Village Modern Dentistry, and the State Board of Health (“Board”).

RECITALS

A. The goal is to define the criteria for compliance for Union Village Modern Dentistry (Exempt Laboratory #11661) located at 1135 Vitality Dr., Henderson, NV 89011, and the State Board of Health (“Board”).

B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).

C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Union Village Modern Dentistry, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

A. State Licensure. The Union Village Modern Dentistry Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.


B. Requirements. Except as otherwise provided in this Agreement, Union Village Modern Dentistry will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.

C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.



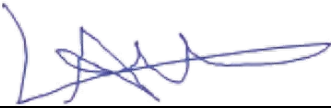
IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Union Village Modern Dentistry, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed:  \_\_\_\_\_  
Sarah S. Oweis, DMD, Laboratory Director

Date: 3/3/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  \_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health and Diamond Dental Group and Orthodontics

This Compliance Agreement is made and entered into effective on February 28, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Diamond Dental Group and Orthodontics, and the State Board of Health (“Board”).

RECITALS


- A. The goal is to define the criteria for compliance for Diamond Dental Group and Orthodontics (Exempt Laboratory #11663) located at 4380 Blue Diamond Rd., Las Vegas, NV 89139, and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.397 sets forth which persons are qualified in the State of Nevada to serve as a director of an exempt laboratory that performs tests that have been categorized by the Food and Drug Administration (FDA) as waived laboratory tests. The qualified person defined by NAC 652.397 do not include dentists licensed pursuant to chapter 631 of the Nevada Revised Statutes (NRS).
- C. A need exists in the State of Nevada for licensed dental practices to collect and test human specimens by performing tests designated by the FDA as “waived laboratory tests” under the federal Clinical Laboratory Improvement Amendments (CLIA) regulations. To address this need, Diamond Dental Group and Orthodontics, an exempt laboratory, will be permitted to have a dentist licensed in the State of Nevada be qualified to serve as its laboratory director.

NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. The Diamond Dental Group and Orthodontics Exempt Laboratory shall be permitted to have a dentist licensed in the State of Nevada serve as its laboratory director. The laboratory will be conducting waived laboratory tests and shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.
- B. Requirements. Except as otherwise provided in this Agreement, Diamond Dental Group and Orthodontics will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed dentist who accepts the responsibility of being the laboratory director of an exempt laboratory performing waived laboratory testing will be required to ensure that the laboratory meets the requirements for exempt laboratories as set forth in NAC 652.155.
- C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow dentists that are licensed by the State of Nevada to be qualified laboratory directors of Exempt laboratories, or until the State Chief Medical Officer terminates this agreement.

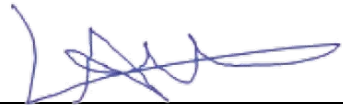
IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Diamond Dental Group and Orthodontics, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health (“Board”).

Signed: DocuSigned by:  
  
B5E10D31956D451...  
Zarina Sicat, DDS, Laboratory Director

Date: 3/1/2022, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

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

Date: March 15, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022

Compliance Agreement  
Division of Public and Behavioral Health,  
Southern Hills Hospital & Medical Center Lab,  
Emergency Room (ER) at Las Vegas Blvd. a Dept. of So. Hills Hosp. and Med. Ctr., and  
Emergency Room (ER) at the Lakes a Dept. of So. Hills Hosp. and Med. Ct.

This Compliance Agreement is made and entered into effective on April 13, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada ("BHCQC"), Southern Hills Hospital & Medical Center Lab, Emergency Room (ER) at Las Vegas Blvd. a Dept. of So. Hills Hosp. and Med. Ctr., Emergency Room (ER) at the Lakes a Dept. of So. Hills Hosp. and Med. Ct., and the State Board of Health ("Board").

RECITALS

The goal is to define the criteria for compliance for Southern Hills Hospital & Medical Center Lab (Licensed Laboratory #3945) located at 9300 W. Sunset Rd., Las Vegas, NV 89148, ER at Las Vegas Blvd. a Dept. of So. Hills Hosp. and Med. Ctr. (Licensed Laboratory #11314) located at 10770 Las Vegas Blvd. S., Las Vegas, NV 89183, ER at the Lakes a Dept. of So. Hills Hosp. and Med. Ct. (Licensed Laboratory #8851) located at 3325 S. Fort Apache, Las Vegas, NV 89117 (collectively, "Southern Hills Hospital Labs"), and the State Board of Health ("Board").

A. The Nevada Administrative Code (NAC) 652.400 provides:

1. The general supervisor of a licensed laboratory shall oversee the technical and administrative functions of the laboratory and may supervise other personnel as assigned by the director.
2. The general supervisor shall be on the premises during all hours in which routine tests are being performed. The presence of the supervisor is not required during the performance of emergency testing procedures after scheduled work hours, but he or she shall review these procedures during his or her next period of duty.

B. The Nevada Administrative Code (NAC) 652.420 defines the duties of a Clinical Laboratory Technologist (CLT) as:

1. Performs tests which require the exercise of independent judgment, under minimum supervision or review by the director or general supervisor, in those specialties for which the technologist has had adequate education, training and experience and in which he or she has demonstrated a proficiency; and
2. Supervise, if necessary, the work of the medical technicians and laboratory assistants.

C. The Nevada Administrative Code (NAC) 652.440 defines the duties of a Medical Technician (MT) as:

1. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a Waived laboratory test.



2. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a Moderate Complexity laboratory test, or
3. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a High Complexity laboratory test only if:
  - A) The results of the test are read directly from an instrument; and
  - B) The test requires no interpretation and no intervention by the operator of the test during its analytic phase.

D. The Southern Hills Hospital Labs are subject to the provisions of NAC Chapter 652.

E. Due to the limited number of general supervisors of a licensed laboratory in the State of Nevada and the need to provide essential oversight of a licensed laboratory, Southern Hills Hospital Labs seek a waiver of NAC 652.400(2).

NOW, THEREFORE, it is hereby agreed as follows:

F. State Licensure. The Southern Hills Hospital Labs fall under the provisions of NAC Chapter 652.

G. Terms of Compliance. The requirements of NAC 652.400(2) are waived for Southern Hills Hospital Labs, subject to the following stipulations:

- 1) The hospital main laboratory will be allowed to identify and assign a general supervisor from the main licensed hospital laboratory to oversee the daily routine laboratory testing that takes place at one (1) stand-alone ER or ED that is directly associated with the hospital.
- 2) The stand-alone ER or ED laboratory must have on the premises during all hours of operation, a person that meets the qualifications of a:
  - a) A person that meets the qualifications of NAC 652.410, or
  - b) A person that meets the qualifications of NAC 652.420, or
  - c) A person that meets the qualifications of NAC 652.440.
- 3) The general supervisor that is assigned to oversee the ER or ED daily laboratory testing will be required to be on-site of the associated ER or ED at least once a month and maintain documentation of the monthly visit. The on-site visit will provide oversight and ensure compliance for the pre-analytic, analytic, and post-analytic phases of laboratory testing of the stand-alone ER or ED.
- 4) All laboratory personnel that will be performing human specimen collection and/or performing laboratory testing, will be required to meet the requirements for qualification stated in NRS 652.210(1) or submit an application and pay the applicable fee for laboratory personnel certification that is commensurate with the category of laboratory testing in which they are performing according to the qualifications defined in NAC.

H. Term of Agreement. This Agreement shall remain in effect until June 3, 2022. If a longer period is required, this agreement would need to be approved by the Board of Health. If the Board of Health grants approval, this agreement will extend until such time as the provisions in NAC Chapter 652 have been changed to allow for a general supervisor from the main laboratory of a hospital, to oversee the daily routine testing of one (1) stand-alone ER or ED that is directly associated with the hospital without being physically on-site of the ER or ED during routine hours of laboratory testing. The State Chief Medical Officer may terminate this agreement without cause, upon written notice.

I. Requirements. Except as otherwise provided in this Agreement, the Laboratory will maintain compliance with all applicable provisions of NAC Chapter 652.

IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Southern Hills Hospital & Medical Center Lab, ER at Las Vegas Blvd. a Dept. of So. Hills Hosp. and Med. Ctr., and ER at the Lakes a Dept. of So. Hills Hosp. and Med. Ct., all medical laboratories that are licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed: Jonathan Hughes MD  
Jonathan H. Hughes, MD, Laboratory Director  
Southern Hills Hospital & Medical Center Lab

Date: April 18, 2022

Signed: Jonathan Hughes MD  
Jonathan H. Hughes, MD, Laboratory Director  
ER at Las Vegas Blvd. a Dept. of So. Hills Hosp. and Med. Ctr.

Date: April 18, 2022

Signed: Jonathan Hughes MD  
Jonathan H. Hughes, MD, Laboratory Director  
ER at the Lakes a Dept. of So. Hills Hosp. and Med. Ct.

Date: April 18, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed: Cody K. Phinney For Dr. Ihsan Azzam  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: 04/22, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022



Compliance Agreement  
Division of Public and Behavioral Health,  
Mountainview Hospital Main Lab,  
ER at Aliante a Dept. of Mt. View Hospital, and  
ER at Skye Canyon, a Dept. of Mountainview Hospital

This Compliance Agreement is made and entered into effective on April 13, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Mountainview Hospital Main Lab, ER at Aliante a Dept. of Mt. View Hospital., ER at Skye Canyon, a Dept. of Mountainview Hospital, and the State Board of Health (“Board”).

RECITALS

The goal is to define the criteria for compliance for Mountainview Hospital Main Lab (Licensed Laboratory #1501) located at 3100 N. Tenaya Way Fl. 1., Las Vegas, NV 89128, ER at Aliante a Dept. of Mt. View Hospital (Licensed Laboratory #9853) located at 7207 Aliante Pkwy, North Las Vegas, NV 89084, ER at Skye Canyon, a Dept. of Mountainview Hospital (Licensed Laboratory #11381) located at 9860 W. Skye Canyon Dr., Las Vegas, NV 89166 (collectively “Mountainview Hospital Labs”), and the State Board of Health (“Board”).

A. The Nevada Administrative Code (NAC) 652.400 provides:

1. The general supervisor of a licensed laboratory shall oversee the technical and administrative functions of the laboratory and may supervise other personnel, as assigned by the director.
2. The general supervisor shall be on the premises during all hours in which routine tests are being performed. The presence of the supervisor is not required during the performance of emergency testing procedures after scheduled work hours, but he or she shall review these procedures during his or her next period of duty.

B. The Nevada Administrative Code (NAC) 652.420 defines the duties of a Clinical Laboratory Technologist (CLT) as:

1. Performs tests which require the exercise of independent judgment, under minimum supervision or review by the director or general supervisor, in those specialties for which the technologist has had adequate education, training and experience and in which he or she has demonstrated a proficiency; and
2. Supervise, if necessary, the work of the medical technicians and laboratory assistants.

C. The Nevada Administrative Code (NAC) 652.440 defines the duties of a Medical Technician (MT) as:

1. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a Waived laboratory test.
2. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a Moderate Complexity laboratory test, or



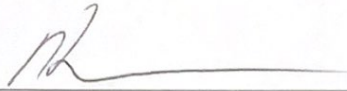
3. May perform a test if the test is classified pursuant to 42 C.F.R. Part 493, Subpart A, as a High Complexity laboratory test only if:
  - A) The results of the test are read directly from an instrument; and
  - B) The test requires no interpretation and no intervention by the operator of the test during its analytic phase.
- D. The Mountain View Hospital Laboratories are subject to the provisions of NAC Chapter 652.
- E. Due to the limited number of general supervisors of a licensed laboratory in the State of Nevada and the need to provide essential oversight of a licensed laboratory, Mountainview Hospital Laboratories seek a waiver of NAC 652.400(2).

NOW, THEREFORE, it is hereby agreed as follows:


- F. State Licensure. The Mountain View Labs fall under the provisions of NAC Chapter 652.
- G. Terms of Compliance. The requirements of NAC 652.400(2) are waived for Mountain View Labs, subject to the following stipulations:
  - 1) The hospital main laboratory will be allowed to identify and assign a general supervisor from the main licensed hospital laboratory to oversee the daily routine laboratory testing that takes place at one (1) stand-alone ER or ED that is directly associated with the hospital.
  - 2) The stand-alone ER or ED laboratory must have on the premises during all hours of operation, a person that meets the qualifications of a:
    - a) A person that meets the qualifications of NAC 652.410, or
    - b) A person that meets the qualifications of NAC 652.420, or
    - c) A person that meets the qualifications of NAC 652.440.
  - 3) The general supervisor that is assigned to oversee the ER or ED daily laboratory testing will be required to be on-site of the associated ER or ED at least once a month and maintain documentation of the monthly visit. The on-site visit will provide oversight and ensure compliance for the pre-analytic, analytic, and post-analytic phases of laboratory testing of the stand-alone ER or ED.
  - 4) All laboratory personnel that will be performing human specimen collection and/or performing laboratory testing, will be required to meet the requirements for qualification stated in NRS 652.210(1) or submit an application and pay the applicable fee for laboratory licensure that is commensurate with the category of laboratory testing in which they are performing according to the qualifications defined in NAC.
- H. Term of Agreement. This Agreement shall remain in effect until June 3, 2022. If a longer period is required, this agreement would need to be approved by the Board of Health. If the Board of Health grants approval, this agreement will extend until such time as the provisions in NAC Chapter 652 have been changed to allow for a general supervisor from the main laboratory of a hospital, to oversee the daily routine testing of one (1) stand-alone ER or ED that is directly associated with the hospital without being physically on-site of the ER or ED during routine hours of laboratory testing. The State Chief Medical Officer may terminate this agreement without cause, upon written notice.
- I. Requirements. Except as otherwise provided in this Agreement, the Laboratory will maintain compliance with all applicable provisions of NAC Chapter 652.

IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

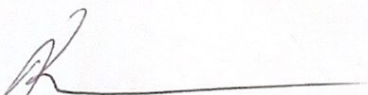
Mountainview Hospital Main Lab, ER at Aliante a Dept. of Mt. View Hospital, and ER at Skye Canyon, a Dept. of Mountainview Hospital, all medical laboratories that are licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed:   
Kevin L. Golden, MD, Laboratory Director  
Mountainview Hospital Main Lab

Date: April 19, 2022

Signed:   
Kevin L. Golden, MD, Laboratory Director  
ER at Aliante a Dept. of Mt. View Hospital


Date: April 19, 2022

Signed:   
Kevin L. Golden, MD, Laboratory Director  
ER at Skye Canyon, a Dept. of Mountainview Hospital

Date: April 19, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

For Dr. Ihsan Azzam

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

Date: 04/22, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022



Compliance Agreement  
Division of Public and Behavioral Health and Henderson Hospital Point of Care Testing

This Compliance Agreement is made and entered into effective on May 12, 2022, by, between, and among the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Nevada Department of Health and Human Services of the State of Nevada (“BHCQC”), Henderson Hospital Point of Care Testing, and the State Board of Health (“Board”).

RECITALS

A. The goal is to define the criteria for compliance for the Henderson Hospital Point of Care Testing, a Licensed laboratory (license #8847 LIC) located at 1050 W. Galleria Dr. Henderson, NV 89011, and the State Board of Health (“Board”).

B. The Nevada Administrative Code (NAC) 652.454 sets forth which persons are qualified in the State of Nevada to serve as a Point-of-Care test analyst. The qualified persons defined by NAC 652.454 do not include Certified Nursing Assistants or students enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation.

C. A need exists in the State of Nevada for Certified Nursing Assistants and students enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation to be able to perform only glucose testing that has been categorized by the Federal Drug Administration (FDA) as a Waived laboratory test. To address this need, Henderson Hospital Point of Care Testing, a Licensed laboratory, will be permitted to have a Certified Nursing Assistant or a student enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation licensed in the State of Nevada, be qualified to apply for and obtain a Point-of-Care analyst license and perform Waived glucose testing in their healthcare facility.

NOW, THEREFORE, it is hereby agreed as follows:

A. State Licensure. Henderson Hospital Point of Care Testing shall be permitted to have Certified Nursing Assistants and students enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation to be able to perform only glucose testing that has been categorized by the Federal Drug Administration (FDA) as a Waived laboratory test and to apply for and obtain a Point-of-Care analyst laboratory personnel license. The laboratory shall comply with all other the provisions of Nevada Administrative Code (NAC) 652.


B. Requirements. Except as otherwise provided in this Agreement, Henderson Hospital Point of Care Testing will maintain compliance with all applicable provisions of NAC Chapter 652. The licensed laboratory director who accepts the responsibility of being the laboratory director of a Licensed laboratory performing waived glucose testing by Certified Nursing Assistants and students enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation, will be required to ensure that the individuals

have applied for and obtained their Point-of-Care analyst laboratory personnel license from the BHCQC and maintain documentation of training and competency.

C. Term of Agreement. This Agreement shall remain in effect until such time as the provisions in NAC Chapter 652 have been changed to allow Certified Nursing Assistants and students enrolled in an accredited school of professional nursing or a graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation to be licensed by the State of Nevada as Point-of-Care analysts, or until the State Chief Medical Officer terminates this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

Henderson Hospital Point of Care Testing, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed:   
\_\_\_\_\_  
Todd C. Murry, MD, Laboratory Director

Date: 5/13/, 2022

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
BUREAU OF HEALTH CARE QUALITY AND COMPLIANCE

Signed:  on behalf of Dr. Azzam  
\_\_\_\_\_  
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: 05/18, 2022

Approved by Board of Health on:

Signed: \_\_\_\_\_  
Lisa Sherych, Executive Officer of Board of Health

Date: \_\_\_\_\_, 2022