

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 INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Board of Health
LCB File No.

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider adoption of amendments to Chapter 433 of Nevada Administrative Code (NAC), Administration of Mental Health and Intellectual and Developmental Disability Programs. This public hearing is to be held in conjunction with the State Board of Health meeting on December 2, 2022.

The State Board of Health will be conducted via videoconference beginning at 9:00 am Friday, December 2, 2022, at the following locations:

Virtual Meeting Locations:

- [Click here to join the meeting](#), or
- Call in (audio only): 775-321-6111 (Phone Conference ID: 153 451 179#)

Physical Meeting Locations:

- Division of Public and Behavioral Health
Hearing Room No. 303, 3rd Floor
4150 Technology Way
Carson City, NV 89706

The proposed changes to NAC 433 include the following:

R091-22: SB 390 (2021) directs the State Board of Health (BOH) to adopt regulations imposing a surcharge on telecommunications access lines with the proceeds deposited in the Crisis Response Account in the state General Fund to fund the implementation of the 988 National Suicide Prevention Lifeline, support centers and mobile crisis teams for persons considering suicide or experiencing behavioral health crisis. This regulation adds new language to Chapter 433 of the NAC in accordance with SB 390.

1. Anticipated effects on the business which NAC # 433 regulates:

- A. *Adverse effects:* This regulation would impose costs on telecommunications providers to set up their billing systems to impose the surcharge required by this regulation. To minimize these effects, the effective date of the regulation is delayed by 90 days after it becomes law to allow

telecommunications providers sufficient time to adapt their systems to most efficiently accommodate this cost. Additionally, sub regulatory guidance has been developed to aid telecommunications providers in transferring collected surcharge amounts.

- B. *Beneficial*: No benefit to business identified.
- C. *Immediate*: No immediate benefit to business identified.
- D. *Long-term*: No long-term beneficial effects to business identified.

2. Anticipated effects on the public:

- A. *Adverse*: No adverse/negative public effects identified.
- B. *Beneficial*: This regulation will benefit the public by potentially preventing suicides by Nevadans experiencing behavioral health crisis and providing resources to stabilize them and prevent future crisis incidents and referral to behavioral health care resources. Additionally, it would benefit Nevada local governments and public safety agencies by diverting calls from Nevadans in behavioral health crisis that might otherwise be made to 911 and reduce utilization of public safety first responders and hospital emergency departments by Nevadans experiencing behavioral health crisis. Diverting calls that might otherwise be made to 911 to 988 also mitigates potentially dangerous encounters between law enforcement officers and those undergoing behavioral health crisis.
- C. *Immediate*: When the regulation becomes effective, it will generate revenues for the Crisis Response Account in the state General Fund to support the Division of Public and Behavioral Health's 988 call center, crisis stabilization centers and mobile crisis response teams.
- D. *Long-term*: Over the long term, the behavioral health crisis services supported by the Crisis Response Account could potentially reduce Nevada's relatively high suicide rate compared to other states. Additionally, there are potential future cost savings from reduced utilization of public safety first responders and hospital emergency departments by Nevadans experiencing behavioral health crisis.

3. The Division of Public and Behavioral Health in consultation with the Attorney General's Office and community stakeholders determined that there are no small businesses in the State of Nevada meeting the standard set in NRS 233B that would be affected by this regulation. The prescribed Small Business Impact Questionnaire was sent to 429 small businesses along with a copy of the proposed regulation changes, on February 28, 2022.

4. The estimated initial cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations is minor and absorbable by existing Division resources for review of annual reports by telecommunications providers and related data reporting required by federal law. Future enforcement costs could be incurred under a provision of the regulation that would require telecommunications providers to annually report to the Division the average number of lines in service per month subject to the surcharge if review of actual and projected revenues indicates potential non-compliance by telecommunications providers.

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

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to the Board's Secretary, Lisa Sherych, to be received no later than Friday, November 25, 2022 at the following address:

Secretary, State Board of Health
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706
stateBOH@health.nv.gov

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:

1. Division of Public and Behavioral Health, 4150 Technology Way, First Floor Lobby, Carson City
2. Division of Public and Behavioral Health, Bureau of Behavioral Health Wellness and Prevention, 4126 Technology Way, Carson City
3. Nevada State Library and Archives, 100 Stewart Street, Carson City
4. Washoe County District Health District, 1001 E 9TH St. B., Reno
5. Southern Nevada Health District, 1600 Pinto Ln., Las Vegas

A copy of the regulations and small business impact statement can be found on-line by going to:
https://dpbh.nv.gov/Programs/ClinicalSAPTA/Home_-_SAPTA/

A copy of the public hearing notice can also be found at Nevada Legislature's web page:
<https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained in person, by mail, or by calling the Division of Public and Behavioral Health at 775-684-4200.

Copies may also be obtained from the Nevada State Library at the address listed below:

Nevada State Library & Archives
100 N. Stewart Street
Carson City, NV 89701

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.

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Lisa Sherych
Administrator

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

DATE: November 11, 2022

TO: Lisa Sherych, DPBH Administrator

THROUGH: Cody Phinney, DPBH Deputy Administrator

FROM: Shannon Bennett, chief, Bureau of Behavioral Health Wellness and Prevention

RE: BOH Public Hearing on proposed regulation amending NAC 433

a. Purpose of the Amendment: SB 390 (2021) directs the State Board of Health (BOH) to adopt regulations imposing a surcharge on telecommunications access lines with the proceeds deposited in the Crisis Response Account in the state General Fund to fund the implementation of the 988 National Suicide Prevention Lifeline, support centers and mobile crisis teams for persons considering suicide or experiencing behavioral health crisis. The proposed regulation adds new language to Chapter 433 of the NAC in accordance with SB 390.

b. Summary of changes to NAC:

- Requires telecommunications providers to collect a surcharge of \$.35 per line on monthly customer bills and forward the proceeds to the Crisis Response Account in the state General Fund in accordance with funds transfer guidance developed by the DPBH.
- The surcharge will support a hotline for persons who are considering suicide or otherwise in a behavioral health crisis that may be accessed by dialing the digits 9-8-8. It will also fund mobile crisis teams to provide community-based intervention, including, without limitation, de-escalation and stabilization, for persons who are considering suicide or otherwise in a behavioral health crisis, collecting information by the Federal Government concerning the National Suicide Prevention Lifeline program and collaborating with the National Suicide Prevention Lifeline program and the Veterans Crisis Line program established pursuant to 38 U.S.C. § 1720F(h) to ensure consistent messaging to the public about the hotline.
- Requires telecommunications providers to report to DPBH annually the number of lines in service subject to the surcharge to help DPBH project Crisis Response Account revenues and provide a baseline to audit compliance.

If the BOH does not adopt this regulation, the DPBH would forgo a critical source of revenue that it estimates at \$15,000,000 annually to ramp up the Bureau of Behavioral Health Wellness and Prevention's Crisis Unit programs including implementation of the 988 National Suicide Prevention Lifeline and related call center contracting, support centers and mobile crisis teams for persons considering suicide or experiencing behavioral health crisis.

c. DPBH received public comment in a public workshop conducted May 20, 2022 from NAMI, the Nevada Telecommunications Association, Charter Communications, T-Mobile, NV Psychiatrist Association, CTIA, Washoe County Health and Human Services, the NV 988 Planning Coalition, the NV Psychiatric Association, Washoe County Health District and individual citizens. Additional subsequent public comment was submitted in writing by a small business reseller of VOIP services.

d. The public workshop was held at the Division of Health Care Financing and Policy, 1100 E. William St. 2nd Floor Conference Room Carson City by Microsoft Teams videoconference and telephone. A Small Business Impact Questionnaire was sent to 429 small businesses along with a copy of the proposed regulation changes, on February 28, 2022. No small business impact was found.

Additionally, DBPH staff conducted multiple videoconferences with telecommunications providers from July to September 2022 to inform the final draft of the regulation and reduce potential opposition. No parties in opposition are expected to appear before the BOH during the hearing.

e. Staff Recommendation: Staff recommends the State Board of Health adopt the proposed amendments to NAC 433 ADMINISTRATION OF MENTAL HEALTH AND INTELLECTUAL AND DEVELOPMENTAL DISABILITY PROGRAMS, LCB File No. R091-22.

f. Presenters:

Frederick L Pilot, Behavioral Health Policy Coordinator, DPBH Bureau of Behavioral Health Wellness and Prevention

Jenna Eckley, Crisis Response Fiscal Manager, DPBH Bureau of Behavioral Health Wellness and Prevention

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R091-22

August 1, 2022

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 433.708.

A REGULATION relating to behavioral health; requiring a telecommunications provider to impose a surcharge on certain telecommunications lines; prescribing the manner for transferring money from the surcharge to the Division of Public and Behavioral Health of the Department of Health and Human Services; requiring a telecommunications provider to report certain information concerning the surcharge; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Health to adopt regulations to impose a surcharge on certain telecommunications lines to support the implementation of a hotline for persons who are considering suicide or otherwise in a behavioral health crisis. Existing law also requires the Board to adopt regulations prescribing the manner in which telecommunications providers are required to collect and transfer the money collected from the surcharge to the Division of Public and Behavioral Health of the Department of Health and Human Services. (NRS 433.708) This regulation: (1) imposes a surcharge of 35 cents per month on each telecommunications line for which such a surcharge is required by existing law; and (2) sets forth the manner by which a telecommunications provider is required to transfer the money to the Division. This regulation also requires each telecommunications provider to submit to the Division a monthly report of the total amount of surcharges collected and the total number of lines for which the surcharge was collected during the immediately preceding month.

Section 1. Chapter 433 of NAC is hereby amended by adding thereto a new section to read as follows:

A telecommunications provider that provides an access line or trunk line described in subsection 1 of NRS 433.708 shall:

1. *Collect from each customer of the telecommunications provider a surcharge of 35 cents per month for each such line;*
2. *Transfer the money collected from the surcharge imposed pursuant to subsection 1 to the Division by:*
 - (a) *Requesting from the Division verbally over the telephone the account and routing information for the Crisis Response Account created by NRS 433.708;*
 - (b) *On or before the 15th of each month, transferring the money collected from the surcharge during the immediately preceding month to the Division using Cash Concentration and Disbursement Plus electronic payments through the Automated Clearing House of the Bureau of the Fiscal Service of the United States Department of the Treasury; and*
 - (c) *Attaching an addenda field to each transfer of funds, which:*
 - (1) *May contain not more than 80 characters; and*
 - (2) *Must contain any information that will be needed to identify the transfer, including, without limitation:*
 - (I) *Identification of the “Division of Public and Behavioral Health” as the recipient of the transfer;*
 - (II) *Identification of the “Crisis Response Account” as the account to which the transfer is being made;*
 - (III) *The account number of the provider; and*
 - (IV) *The billing period to which the transfer applies;*
3. *Before transferring money pursuant to subsection 2, notify the Division by electronic mail of the incoming fund transfer intended for the Crisis Response Account; and*

4. At the time of each transfer of money pursuant to subsection 2, provide to the Division a written report of the total amount of surcharges collected during the immediately preceding month and the total number of lines for which the surcharge was collected during the immediately preceding month.

**ERRATA TO PROPOSED REGULATION OF THE STATE BOARD OF HEALTH
LCB FILE NO. R091-22**

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted. *Green bold italic* is proposed new language to LCB Draft of R091-22.

[Section 1. Chapter 433 of NAC is hereby amended by adding thereto a new section to read as follows:

A telecommunications provider that provides an access line or trunk line described in subsection 1 of NRS 433.708 shall:

- 1. Collect from each customer of the telecommunications provider a surcharge of 35 cents per month for each such line;*
 - 2. Transfer the money collected from the surcharge imposed pursuant to subsection 1 to the Division by:
 - (a) Requesting from the Division verbally over the telephone the account and routing information for the Crisis Response Account created by NRS 433.708;*
 - (b) On or before the 15th of each month, transferring the money collected from the surcharge during the immediately preceding month to the Division using Cash Concentration and Disbursement Plus electronic payments through the Automated Clearing House of the Bureau of the Fiscal Service of the United States Department of the Treasury; and*
 - (c) Attaching an addenda field to each transfer of funds, which:
 - (1) May contain not more than 80 characters; and*
 - (2) Must contain any information that will be needed to identify the transfer, including, without limitation:
 - (I) Identification of the “Division of Public and Behavioral Health” as the recipient of the transfer;*
 - (II) Identification of the “Crisis Response Account” as the account to which the transfer is being made;*
 - (III) The account number of the provider; and*
 - (IV) The billing period to which the transfer applies;****
- 3. Before transferring money pursuant to subsection 2, notify the Division by electronic mail of the incoming fund transfer intended for the Crisis Response Account; and*
- 4. At the time of each transfer of money pursuant to subsection 2, provide to the Division a written report of the total amount of surcharges collected during the immediately preceding month and the total number of lines for which the surcharge was collected during the immediately preceding month.]*

Proposed Regulation of the State Board of Health

Authority: NRS 433.708, NRS 439.150

Chapter 433 of the NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 5, inclusive, of this regulation.

Section 1. Definitions.

1. "Telecommunication provider" or "telephone company" defined. "Telecommunication provider" or "telephone company" has the same meaning as ascribed to it in NRS 704.027.

2. "Telecommunication service" defined. "Telecommunication service" has the same meaning as ascribed to it in NRS 704.028.

3. "Access line" defined. "Access line" has the same meaning as ascribed to it in NRS 704.006(2).

4. "Trunk line" defined. "Trunk line" has the same meaning as ascribed to it in NRS 704.008.

5. "Commercial mobile communication services" defined. "Commercial mobile communication services" means an interconnected voice calling service available to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public as defined at 47 CFR § 20.3(a) and (b).

6. "Voice calling service" defined. "Voice calling service" means voice service capable of dialing the digits 9-8-8 to access the National Suicide Prevention Lifeline, provided to each customer of that service whose place of primary use is in Nevada.

(a) "Place of primary use" means the street address representative of where the customer's use of the mobile telecommunications service primarily occurs as defined by 4 U.S. Code § 124(8) which must be:

(1) The residential street address or the primary business street address of the customer; and

(2) Within the licensed service area of the home service provider.

7. "IP-enabled voice services" defined. "IP-enabled voice services" has the same meaning as ascribed to it in NRS 704.685(3)(b).

Sec. 2. *To sufficiently support the uses set forth in Section 5(2) of Senate Bill 390 (2021) and produce the revenue projected in the budget for the Division approved by the Legislature, a surcharge of 35 cents is imposed on the following, per month:*

1. *Each access line providing of stand-alone telephone service furnished to a residential customer;*
2. *Each access line of each customer of a company that provides commercial mobile communication services;*
3. *Each access line providing IP-enabled voice services; and*
4. *Trunk lines.*

Sec. 3. The companies and providers shall collect the surcharge as described in subsection 2 each month from their customers and remit the money collected to the Crisis Response Account within the Division of Public and Behavioral Health or its designated agent in accordance with Funds Transfer Instructions for Telecommunications Providers and subsequent sub regulatory guidance.

Sec. 4. Within 90 days of the effective date of this regulation, telecommunications providers identified in Sec. 1.1 shall report to the Board of Health or its designated agent the average number of lines in service per month in each of the categories identified in Sec. 2 in the previous calendar year and annually each April 1st thereafter. This information shall be regarded as proprietary information regarding trade secret and subject to the provisions of NRS 333.333.

Sec. 5. The surcharge described in Sec. 2 shall be imposed 90 days after this regulation becomes law.

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Director

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SMALL BUSINESS IMPACT STATEMENT 2022

PROPOSED AMENDMENTS TO NAC 433A

The Division of Public and Behavioral Health (DPBH) has determined that the proposed amendments should have no adverse effect upon a small business or the formation, operation or expansion of a small business in Nevada.

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

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

Senate Bill 390 was passed during the 2021 legislative session. The bill indicated the State Board of Health shall adopt regulations to impose a surcharge on each access line of each customer of a company that provides commercial mobile communication services or IP-enabled voice services in this State in accordance with 47 U.S.C. § 251a and each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in this State. Those companies and providers shall collect the surcharge from their customers and transfer the money collected to the Division pursuant to regulations adopted by the State Board of Health. The amount of the surcharge must be sufficient to support the uses set forth in subsection 2, except that the amount of the surcharge must not exceed 35 cents for each access line or trunk line

The Division of Public and Behavioral Health, in consultation with the Attorney General's Office and community stakeholders, determined that there are no small businesses in the State of Nevada, meeting the standard set in NRS 233B, that would be affected by this regulation through a sent survey.

The Division estimates a 35-cent fee will bring in \$13,000,000 annually for the Crisis Response Account. Pursuant to NRS 233B.0608 (2)(a), the Division of Public and Behavioral Health requested input from behavioral health facilities and small business telecommunications via email.

A Small Business Impact Questionnaire was sent to 429 small businesses along with a copy of the proposed regulation changes, on February 28, 2022. The questions on the questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Please list each regulation and explain the adverse impact. Indicate the estimated dollar amount(s) you believe the adopted regulations will cost you over one calendar year with a brief explanation as to how the dollar amount was calculated.
- 4) Will the regulation(s) have any beneficial effect upon your business?
- 5) If so, please explain and include any cost savings you believe the adopted regulations will save your business over one calendar year with an estimated dollar amount, if applicable.

- 6) Do you anticipate any indirect adverse effects upon your business?
- 7) Please explain the indirect adverse effects.
- 8) Do you anticipate any indirect beneficial effects upon your business?
- 9) Please explain the indirect beneficial effects.

Summary of Response

Summary Of Comments Received (0 responses were received out of 429 small business impact questionnaires distributed)			
Will a specific regulation have an adverse economic effect upon your business?	Will the regulation (s) have any beneficial effect upon your business?	Do you anticipate any indirect adverse effects upon your business?	Do you anticipate any indirect beneficial effects upon your business?
0	0	0	0

Number of Respondents out of 429	Adverse economic effect?	Beneficial effect?	Indirect adverse effects?	Indirect beneficial effects?
0	0	0	0	0

1) Describe the manner in which the analysis was conducted.

A small business impact questionnaire was distributed via email to: all Nevada telecommunication companies and Nevada-licensed Peer support recovery organizations, Rural Clinics, Mobile Units, Medical Detox Facilities, Outpatient Facilities, Alcohol/Drug Abuse Treatment Facilities, Community Triage Centers, Psychiatric Residential Treatment Facilities, Transitional Living Facilities for Released Offenders, Halfway Houses for Recovering Alcohol and Drug Abusers, and Hospitals on February 28, 2022. This questionnaire was open for two weeks, soliciting feedback. There were no responses to this request for feedback, nor were any staff directly contacted by constituents.

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

There is no identified beneficial or adverse effect, direct or indirect, on small business in Nevada. NRS 233B.0608 requires the DPBH to determine whether the proposed regulation imposes *a direct and significant economic burden upon a small business.*

The direct economic burden of these regulations is on the companies that provide commercial mobile communication services or IP-enabled voice services. All identified telecommunication business were requested

to complete a small business impact survey, in which zero respondents answered, nor was staff contacted by any agency reporting difficulties answering the survey. However, there is estimated direct beneficial effect for the non-profits and government entities that will be impacted by this regulation.

2) Provide a description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The Division worked with small businesses and telecommunications when developing this proposal to ensure the regulation would not negatively impact their organizations. They have been consulted with since the beginning of the process through surveys, a planned public workshop (mentioned below), and email updates via Listserv to: Nevada-licensed Peer support recovery organizations, Rural Clinics, Mobile Units, Medical Detox Facilities, Outpatient Facilities, Alcohol/Drug Abuse Treatment Facilities, Community Triage Centers, Psychiatric Residential Treatment Facilities, Transitional Living Facilities for Released Offenders, Halfway Houses for Recovering Alcohol and Drug Abusers, and Hospitals.

The Division of Public and Behavioral Health has held several opportunities to provide input and comments regarding the proposed regulations, including the economic impact the proposed regulations may have on small businesses. Modifications to the proposed regulations have been made as a result of this input. A workshop will be held on May 20th, 2022, at 9:00 AM allowing for further input regarding the proposed regulations and how they will impact small businesses.

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

The agency does not anticipate a cost for the enforcement of the proposed regulation.

4) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount DPBH expects to collect and the manner in which the money will be used.

The Division estimates a 35-cent fee will bring in \$13,000,000 annually for the Crisis Response Account. The money will be used in accordance with SB 390. As used in sections 2 to 6, inclusive, of this act, unless the context otherwise requires, “National Suicide Prevention Lifeline program” means the National Suicide Prevention Lifeline program established by 42 U.S.C. § 290bb-36c.

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

Not applicable.

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

No analysis was required since no effect on small business was identified. See previous answers for further explanation.


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

Division of Public and Behavioral Health
4126 Technology Way, Suite 200

Carson City, NV 89701
Veronica Portillo-Bradford
Phone: (775) 684-4295
Email: vportillo@health.nv.gov

Certification by Person Responsible for the Agency

I, Lisa Sherych, Administrator of the Division of Public and Behavioral Health certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business; this statement was prepared properly and is accurate.

Signature:  _____ Date: 04/27/2022 _____

Steve Sisolak
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Richard Whitley, MS
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Ihsan Azzam,
Ph.D., M.D.
Chief Medical Officer

NOTICE OF PUBLIC WORKSHOP

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) Chapter 433.

The workshop will be conducted via videoconference beginning at 9am on May 20th, 2022. The meeting will be held virtually in accordance with NRS 233B. Please see the following information regarding attendance.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

Or call in (audio only)
+1 775-321-6111, 700736779#

Phone Conference ID: 700 736 779#

This workshop will be conducted in accordance with NRS 223B, Nevada's Open Meeting Law.

AGENDA

1. Introduction of workshop process – Kendall Holcomb
2. Overview of proposed changes – Kendall Holcomb
3. Public comment on proposed amendments to Nevada Administrative Code Chapter 433
4. Public Comment
5. Adjournment

Overview of Proposed Changes

The proposed changes will revise Chapter 433 of the Nevada Administrative Code and are being proposed in accordance with NRS 439.150 and NRS 433.

Senate Bill 390 was passed during the 2021 legislative session. The bill indicated the State Board of Health shall adopt regulations to impose a surcharge on each access line of each customer of a company that provides commercial mobile communication services or IP-enabled voice services in this State in accordance with 47 U.S.C. § 251a and each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in this State. Those companies and providers shall collect the surcharge from their customers and transfer the money collected to the Division pursuant to regulations adopted by the State Board of Health. The amount of the surcharge must be sufficient to support the uses set

forth in subsection 2, except that the amount of the surcharge must not exceed 35 cents for each access line or trunk line

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to Veronica Portillo-Bradford, Health Program Specialist at vportillo@health.nv.gov or at the following address:

Division of Public and Behavioral Health
Bureau of Behavioral Health Wellness and Prevention
4126 Technology Way, Suite 200
Carson City, NV 89706

Members of the public who require special accommodations or assistance at the workshops are required to notify Veronica Portillo-Bradford in writing to the Division of Public and Behavioral Health, 4126 Technology Way, Suite 200, Carson City, NV 89706, by email at vportillo@health.nv.gov, or by calling 775-684-4295 at least five (5) working days prior to the date of the public workshop.

You may contact Veronica Portillo-Bradford by calling 775-684-4295 for further information on the proposed regulations or how to obtain copies of the supporting documents.

A copy of the notice and the proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

List of offices where the proposed regulation will be on file for inspection:

Division of Public and Behavioral Health
4126 Technology Way, Suite 200
Carson City, NV 89706

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

A copy of the regulations and small business impact statement can be found on the Division of Public and Behavioral Health's web page: https://dpbh.nv.gov/Programs/ClinicalSAPTA/Home_-_SAPTA/

A copy of the public workshop notice can also be found at Nevada Legislature's web page: <https://www.leg.state.nv.us/App/Notice/A/>

A copy of this notice has been posted at the following locations:

1. Division of Public and Behavioral Health, 4150 Technology Way, First Floor Lobby, Carson City
2. Division of Public and Behavioral Health, Bureau of Behavioral Health Wellness and Prevention, 4126 Technology Way, Carson City
3. Nevada State Library and Archives, 100 Stewart Street, Carson City
4. Washoe County District Health District, 1001 E 9TH St. B., Reno
5. Southern Nevada Health District, 1600 Pinto Ln., Las Vegas

Copies may be obtained in person, by mail, or by calling the Division of Public and Behavioral Health at (775) 684-4095 in Carson City.

Per NRS 233B.064(2), upon adoption of any regulations, 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.