

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

g. Compliance Agreement with University Medical Center of Southern Nevada (UMC)

Compliance Agreement
Division of Public and Behavioral Health and University Medical Center of Southern Nevada

This Compliance Agreement is made and entered into effective on January 10, 202~~1~~², 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”), University Medical Center of Southern Nevada (“UMC”), and the State Board of Health (“Board”).

RECITALS

- A. The goal is to define the criteria for compliance for UMC and the State Board of Health (“Board”).
- B. The Nevada Administrative Code (NAC) 652.443 and 652.447 sets forth qualifications and activities to qualify for licensure as a Blood-Gas Technologist and a Blood-Gas Technician, respectively. The qualified person is required to obtain a State of Nevada laboratory personnel license and submit the associated licensure fee before any described activities may take place in the State of Nevada.
- C. Nevada Revised Statute (NRS) 449.2455 permits a hospital to enter into an agreement with the Armed Forces of the United States to authorize a medical officer employed by the Armed Forces to provide medical care in the hospital if:
- a. The medical officer holds a valid license in good standing to provide such medical care in the District of Columbia or any state or territory of the United States;
 - b. The medical care is provided as part of a training or educational program designed to further the employment of the medical officer; and
 - c. The agreement complies with the provisions of 10 U.S.C. § 1094 and any regulations or guidelines adopted pursuant thereto.
- D. UMC presently conducts trainings and educational programs for medical personnel employed by the Armed Forces, to further the expertise of military medical personnel prior to deployment or assignment. A need exists in the United States Armed Forces for their medical respiratory care personnel to attend and receive essential training that primarily resides in public health care facilities. To address this need, UMC has entered into an agreement with the Armed Forces of the United States, pursuant to NRS 449.2455, 10 U.S.C. § 1094 and this Agreement, to authorize credentialed medical personnel and credentialed respiratory care personnel to participate in a training or educational program designed to further the employment of the medical personnel.


NOW, THEREFORE, it is hereby agreed as follows:

- A. State Licensure. UMC’s agreement with the Armed Forces of the United States authorizes credentialed respiratory care personnel employed by the Armed Forces to provide respiratory care in the hospital during the course of training or an educational program and not be required to submit an application or fee associated with the Blood-Gas Technologist or Blood-Gas Technician indicated in NAC 652.443 or 652.447, respectively.
- B. Requirements. Except as otherwise provided in this Agreement, UMC, and participants in any training or educational course hosted by UMC, will maintain compliance with all applicable provisions of NAC Chapter 652. UMC will be required to ensure that the military personnel meet the requirements as set forth in NAC 652.


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 for a hospital in the State of Nevada to enter into an agreement with the United States Armed Forces to authorize respiratory care personnel employed by the United States Armed Forces to be required to obtain Nevada laboratory personnel licensure, 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.

The University Medical Center and Division of Public and Behavioral Health and the State Board of Health (“Board”).

Signed:  _____ Date: 1/7/22, 2022
Mason Van Houweling, CEO
University Medical Center of Southern Nevada

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

Signed:  _____ Date: 01/10, 2022
Ihsan Azzam, P.h.D, M.D, Chief Medical Officer

Approved by Board of Health on:

Signed: _____ Date: _____, 2022
Lisa Sherych, Executive Officer of Board of Health

Steve Sisolak
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Lisa Sherych
Administrator

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

h. Compliance Agreement with Optumserve Health Services, Inc

Compliance Agreement
Division of Public and Behavioral Health and Optumserve Health Services, Inc.

This Compliance Agreement is made and entered into effective on November 10, 2021, 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"), Optumserve Health Services, Inc., and the State Board of Health ("Board").

RECITALS

The goal is to define the criteria for compliance for Optumserve (Exempt Laboratory #11555) located at The Plaza Hotel, 1 Main St., Las Vegas, NV 89101, and the State Board of Health ("Board").

A. The Nevada Administrative Code (NAC) 652.195 allows a licensed laboratory to collect specimens or perform tests, or both, at a location other than the location set forth in its license by obtaining a permit to operate a laboratory at a temporary location.

B. Due to the Declaration of Emergency for COVID-19 and the need to serve the public in the State of Nevada in the collection and testing of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, Optumserve Health Services, Inc., an exempt laboratory, will be allowed to operate at locations other than the location set forth in its license without a permit and without being a licensed laboratory at the following locations:

The Wynn Las Vegas Resort
3131 Las Vegas Blvd. South
Las Vegas, NV 89109

NOW, THEREFORE, it is hereby agreed as follows:

C. **State Licensure.** The Laboratory falls under the provisions of Nevada Administrative Code 652.

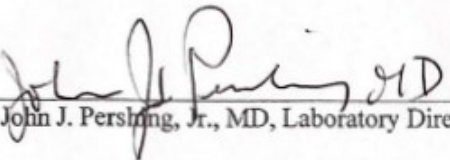
- 1) The laboratory will be allowed to perform COVID-19 specimen collection and testing at the locations which are documented in B. without obtaining a permit and without being a licensed laboratory.
- 2) The laboratory must remain in compliance with the Nevada Revised Statutes (NRS) 652.072; therefore, the patients served in the locations other than the locations set forth in its license would be patients of the laboratory director.
- 3) 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 an Office Laboratory Assistant (OLA) personnel license issued by the Division of Public and Behavioral Health (DPBH).

D. **Term of Agreement.** This Agreement shall remain in effect until the earlier of (1) the termination of the Declaration of Emergency for COVID-19, or (2) the termination of this Agreement by the State Chief Medical Officer.

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.

Optumserve Health Services, Inc., a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed: 
John J. Pershing, Jr., MD, Laboratory Director

Date: 11/12/2021, 2021

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

Signed:  Cody L. Phinney,
Deputy Administrator,
signing on behalf of Dr. Azzam
Ihsan Azzam, Ph.D., M.D., Chief Medical Officer

Date: November 16, 2021

Approved by Board of Health on:

Signed: _____
Lisa Sherych, Executive Officer of Board of Health

Date: _____, 2021

Steve Sisolak
Governor



Richard Whitley, MS
Director

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Lisa Sherych
Administrator

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

i. Compliance Agreement with E7 Health-E Windmill

**Compliance Agreement
Division of Public and Behavioral Health and E7 Health-E. Windmill**

This Compliance Agreement is made and entered into effective on November 10, 2021, 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”), E7 Health-E. Windmill, and the State Board of Health (“Board”).

RECITALS

The goal is to define the criteria for compliance for E7 Health-E. Windmill (Exempt Laboratory #7551) located at 500 E. Windmill Lane Suite 155, Las Vegas, NV 89123, and the State Board of Health (“Board”).

A. The Nevada Administrative Code (NAC) 652.195 allows a licensed laboratory to collect specimens or perform tests, or both, at a location other than the location set forth in its license by obtaining a permit to operate a laboratory at a temporary location.

B. Due to the Declaration of Emergency for COVID-19 and the need to serve the public in the State of Nevada in the collection and testing of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, E7 Health-E. Windmill, an exempt laboratory, will be allowed to operate at locations other than the location set forth in its license without a permit and without being a licensed laboratory at the following locations:

The Las Vegas Convention Center
3150 Paradise Rd.
Las Vegas, NV 89109

Mandalay Bay Convention Center
3950 Las Vegas Blvd. South
Las Vegas, NV 89119

NOW, THEREFORE, it is hereby agreed as follows:

- C. State Licensure. The Laboratory falls under the provisions of Nevada Administrative Code 652.
- 1) The laboratory will be allowed to perform COVID-19 specimen collection and testing at the locations which are documented in B. without obtaining a permit and without being a licensed laboratory.
 - 2) The laboratory must remain in compliance with the Nevada Revised Statutes (NRS) 652.072; therefore, the patients served in the locations other than the locations set forth in its license would be patients of the laboratory director.
 - 3) 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 an Office Laboratory Assistant (OLA) personnel license issued by the Division of Public and Behavioral Health (DPBH).

ci. Term of Agreement. This Agreement shall remain in effect until the earlier of (1) the termination of the Declaration of Emergency for COVID-19, or (2) the termination of this Agreement by the State Chief Medical Officer.

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.

E7 Health-E. Windmill, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed: Jonathan B. Baktari MD
Jonathan B. Baktari, MD, Laboratory Director

Date: November 10, 2021

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

Signed: Cody L. Phinney
Cody L. Phinney,
Deputy Administrator,
signing on behalf of Dr. Azzam
Ihsan Azzam, Ph.D., M.D, Chief Medical Officer

Date: November 16, 2021

Approved by Board of Health on:

Signed: _____
Lisa Sherych, Executive Officer of Board of Health

Date: _____, 2021

Steve Sisolak
Governor



Richard Whitley, MS
Director

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Lisa Sherych
Administrator

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

j. Compliance Agreement with Wellhealth, Inc

Compliance Agreement
Division of Public and Behavioral Health and Withhealth, Inc.

This Compliance Agreement is made and entered into effective on January 4, 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”), Withhealth, Inc., and the State Board of Health (“Board”).

RECITALS

The goal is to define the criteria for compliance for Withhealth, Inc. (Exempt Laboratory #11595) located at 2861 Moonlight Bay Lane, Las Vegas, NV 89128, and the State Board of Health (“Board”).

A. The Nevada Administrative Code (NAC) 652.195 allows a licensed laboratory to collect specimens or perform tests, or both, at a location other than the location set forth in its license by obtaining a permit to operate a laboratory at a temporary location.

B. Due to the Declaration of Emergency for COVID-19 and the need to serve the public in the State of Nevada in the collection and testing of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, Withhealth, Inc., an exempt laboratory, will be allowed to operate at locations other than the location set forth in its license without a permit and without being a licensed laboratory at the following locations:

Park MGM Las Vegas
3770 Las Vegas Blvd. South
Las Vegas, NV 89109

NOW, THEREFORE, it is hereby agreed as follows:

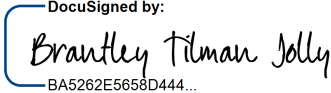
- C. State Licensure. The Laboratory falls under the provisions of Nevada Administrative Code 652.
- 1) The laboratory will be allowed to perform COVID-19 specimen collection and testing at the locations which are documented in B. without obtaining a permit and without being a licensed laboratory.
 - 2) The laboratory must remain in compliance with the Nevada Revised Statutes (NRS) 652.072; therefore, the patients served in the locations other than the locations set forth in its license would be patients of the laboratory director.
 - 3) 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 an Office Laboratory Assistant (OLA) personnel license issued by the Division of Public and Behavioral Health (DPBH).

D. Term of Agreement. This Agreement shall remain in effect until the earlier of (1) the termination of the Declaration of Emergency for COVID-19, or (2) the termination of this Agreement by the State Chief Medical Officer.

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.

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

Signed:  _____
BA5262E5658D444...
Brantley T. Jolly, Jr., MD, Laboratory Director

Date: 1/4/2022, 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: _____, 2022

Approved by Board of Health on:

Signed: _____
Lisa Sherych, Executive Officer of Board of Health

Date: _____, 2022

Steve Sisolak
Governor



Richard Whitley, MS
Director

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Lisa Sherych
Administrator

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

k. Compliance Agreement with Aloha Xpress Medical, LLC

Compliance Agreement
Division of Public and Behavioral Health and Aloha Xpress Medical, LLC

This Compliance Agreement is made and entered into effective on January 19, 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”), Aloha Xpress Medical, LLC, and the State Board of Health (“Board”).

RECITALS

The goal is to define the criteria for compliance for Aloha Xpress Medical, LLC (Exempt Laboratory #11446) located at 4510 S. Eastern Ave., Las Vegas, NV 89119, and the State Board of Health (“Board”).

A. The Nevada Administrative Code (NAC) 652.195 allows a licensed laboratory to collect specimens or perform tests, or both, at a location other than the location set forth in its license by obtaining a permit to operate a laboratory at a temporary location.

B. Due to the Declaration of Emergency for COVID-19 and the need to serve the public in the State of Nevada in the collection and testing of specimens for the purpose of COVID-19 laboratory testing by a CLIA certified laboratory, Aloha Xpress Medical, LLC, an exempt laboratory, will be allowed to operate at locations other than the location set forth in its license without a permit and without being a licensed laboratory at the following locations:

Wynn Resorts & Casino
3131 Las Vegas Blvd. South
Las Vegas, NV 89109

Barclays
2280 Corporate Circle
Henderson, NV 89074

NOW, THEREFORE, it is hereby agreed as follows:

- C. **State Licensure.** The Laboratory falls under the provisions of Nevada Administrative Code 652.
- 1) The laboratory will be allowed to perform COVID-19 specimen collection and testing at the locations which are documented in B. without obtaining a permit and without being a licensed laboratory.
 - 2) The laboratory must remain in compliance with the Nevada Revised Statutes (NRS) 652.072; therefore, the patients served in the locations other than the locations set forth in its license would be patients of the laboratory director.
 - 3) 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 an Office Laboratory Assistant (OLA) personnel license issued by the Division of Public and Behavioral Health (DPBH).

D. **Term of Agreement.** This Agreement shall remain in effect until the earlier of (1) the termination of the Declaration of Emergency for COVID-19, or (2) the termination of this Agreement by the State Chief Medical Officer.

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

Aloha Xpress Medical, LLC, a medical laboratory licensed by the Division of Public and Behavioral Health and the State Board of Health ("Board").

Signed: David F. Dye, DC
David F. Dye, DC, Laboratory Director

Date: 1/20, 2022

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

Signed: Cody L. Phinney
Cody L. Phinney,
Deputy Administrator,
signing on behalf of Dr. Azzam
Ihsan Azzam, Ph.D., M.D., Chief Medical Officer

Date: 2/03, 2022

Approved by Board of Health on:

Signed: _____
Lisa Sherych, Executive Officer of Board of Health

Date: _____, 2022

Steve Sisolak
Governor

Richard Whitley, MS
Director



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Lisa Sherych
Administrator

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

I. Compliance Agreement with Valley Hospital Medical Center

Compliance Agreement
Division of Public and Behavioral Health and Valley Hospital Medical Center

This Compliance Agreement is made and entered into effective on the 7 day of February, 2022, by, between, and among the Division of Public and Behavioral Health and Valley Hospital Medical Center, License #667-HOS.

RECITALS:

A. The goal of this compliance agreement is to enable Valley Hospital Medical Center to temporarily lease the 2nd Floor area within the off-campus hospital location at 150 E. Harmon Ave, Las Vegas, to a vendor for the provision of a clinic providing monoclonal antibody (MAB) infusions. Leasing licensed hospital bed space for provision of services by a third-party vendor would normally require a bed decrease application to ensure that area of the hospital is not included on the license. It is the intent of this agreement to approve this temporary use of the hospital bed space without requiring changes to the hospital licensure, in an effort to ensure the hospital may return to use of the bed space as soon as the MAB clinic ceases operations.

B. The State has requested a partnership in leasing the unoccupied 2nd floor licensed hospital space. This space will be specifically utilized to provide outpatient MAB therapy to patients and will not be co-mingled with any inpatient services as the entire second floor is and will remain unoccupied for inpatients for the term of the agreement. The vendor has agreed that the permitted use shall not include any of the following ancillary services: in-patient care, out-patient surgery, radiology, pharmacy, laboratory, physical therapy services (including without limitation, inhalation therapy, pulmonary, physiological therapy), EKG or EEG, or other similar services.

C. The infusion therapy will be provided in the existing acute care rooms which exceeds any outpatient requirements for utilities, med gases, temps/humidity, etc., as outlined in the Federal Guidelines Institute (FGI) requirements. During the outpatient procedure, patients will have access to the provided televisions and restrooms in the specific care space. The MAB vendor will also have services arranged for all necessary ancillary functions such as housekeeping or dietary needs.

D. The lease between Valley Hospital and the MAB provider is a thirty (30) day arrangement that can be extended or terminated with a seven (7) day notice. The state has indicated they would like to use this space 30-90 days based on the need in the community and the continued monitoring of COVID rates in the Las Vegas Valley. These outpatient therapy infusions would be a lower level of care than the current licensure of the area, therefore no additional changes in space would be necessary.

E. Nevada Administrative Code (NAC) 439.280(3) provides the following: In those areas of the State which are not in a health district, or in case of a regulation enforced exclusively by the State Board of Health, the State Health Officer may postpone the enforcement of and agree to a schedule for compliance with the regulation. If the period needed by such a person to comply exceeds 45 days, the schedule must be submitted to the Nevada State Board of Health for approval.

NOW, THEREFORE, it is hereby agreed as follows:

1. The State Health Officer agrees to the above described temporary use of the currently licensed hospital area without requiring changes to the hospital licensure.

TERM OF AGREEMENT:

2. This Agreement shall remain in effect for a period not to exceed 45 days. If a longer period is required, this agreement will need approval by the Board of Health.


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

VALLEY HOSPITAL MEDICAL CENTER

Signed: 
CLAUDE WISE, Administrator

Date: 2/7, 22

NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

Signed: 
IHSAN AZZAM, Nevada State Health Officer

Date: 2/8, 22

Approved by Board of Health on:

Signed: _____
LISA SHERYCH, Administrator, Division of Public and Behavioral Health,
Executive Officer of Board of Health

Date: _____, 22