

Proposed Regulation of the State Board of Health
Amendments to Nevada Administrative Code (NAC) Chapter 449

Key:

~~Red strikethrough:~~ deletions

Light blue bold italics: additions

Section 1. NAC 449.079 is hereby deleted.

~~**NAC 449.079— Denial, revocation or suspension of license if facility not certified by Division; appeal. (NRS 449.0302)**~~

~~—1.— If a facility is not certified by the Division pursuant to paragraph (d) of subsection 1 of NRS 458.025, the Division shall deny an application for a license or suspend or revoke the license of the facility.~~

~~—2.— An applicant or licensee who wishes to appeal an action of the Division relating to the denial, suspension or revocation of a license may appeal the action pursuant to the procedures set forth in NAC 439.300 to 439.395, inclusive.~~

~~—[Bd. of Health, Alcohol and Drug Abuse Treatment Facilities Art. 2 §§ 2.7 2.12, eff. 3-27-76; A and renumbered as §§ 2.7 2.11, 12 27-77]—(NAC A by R035-97 & R044-97, 10-30-97; R077-01, 10-18-2001)~~

Section 2. NAC 449.126 is hereby amended as follows:

NAC 449.126 Laundry requirements. (NRS 449.0302)

1. A facility must maintain:

(a) A laundry with equipment which is adequate for the sanitary washing and finishing of linen and other washable goods; or

(b) A written agreement with a commercial establishment to provide laundry services for the facility.

2. The laundry must be situated in an area which is separate from any area where food is stored, prepared or served. The laundry must be well-lighted, ventilated, adequate in size to house the equipment and maintained in a sanitary manner. The equipment must be kept in good repair.

3. Soiled linen must be collected and transported to the laundry in washable or disposable covered containers in a sanitary manner.

4. Clean linen to be dried, ~~ironed~~, folded, transferred or distributed must be handled in a sanitary manner, specified in writing.

5. Closets for storing linen and laundry supplies must be provided and must not be used for any other purpose.

[Bd. of Health, Alcohol and Drug Abuse Treatment Facilities part Art. 11, eff. 3-27-76]—(NAC A by R035-97, 10-30-97; R077-01, 10-18-2001)

Section 3. NAC 449.15357 is hereby amended as follows:

NAC 449.15357 Laundry requirements. (NRS 449.0302)

1. Each facility shall have the proper equipment for the sanitary washing and finishing of linen and other washable goods or shall maintain a written agreement with a commercial establishment to provide laundry services.

2. The laundry area of a facility must be situated in an area of the facility that is separate and apart from any room where food is stored, prepared or served. The laundry area must be well-lighted, ventilated, adequate in size to house equipment, maintained in a sanitary manner and kept in good repair.

3. Soiled linen must be collected and transported to the laundry in washable or disposable containers in a sanitary manner. Soiled linen must not be transported through areas of the facility used for preparing or serving food.

4. Clean linen to be dried, ~~ironed~~, folded, transferred or distributed must be handled in a sanitary manner in accordance with a written plan maintained by the facility.

5. Closets for storing linen and laundry supplies must be provided and must not be used for any other purpose.

(Added to NAC by Bd. of Health by R129-99, 11-29-99, eff. 1-1-2000)

Section 4. NAC 449.154937 is hereby amended as follows:

NAC 449.154937 Telephones; listing of facility's telephone number. ([NRS 449.0302](#)) An administrator shall ensure that:

1. The facility has at least one telephone that is in good working condition in the facility; and

~~2. The telephone number of the facility is listed in the telephone directory.~~

(Added to NAC by Bd. of Health by R123-01, 12-17-2001, eff. 1-1-2002)

Section 5. NAC 449.154991 is hereby amended as follows:

NAC 449.154991 Telephones; listing of facility's telephone number. ([NRS 449.0302](#)) An administrator shall ensure that:

1. The facility has at least one telephone that is in good working condition in the facility; and

~~2. The telephone number of the facility is listed in the telephone directory.~~

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

Section 6. NAC 449.232 is hereby amended as follows:

NAC 449.232 Telephones; emergency telephone numbers for each resident; listing of facility's telephone number. ([NRS 449.0302](#))

1. Each residential facility shall have a telephone that the residents may use to make local calls.

2. A list of telephone numbers to be called in case of an emergency for each resident must be located near the telephone. The list must include the telephone number of the resident's physician and the telephone number of a friend of the resident or one of the members of the resident's family.

~~3. The telephone number of the facility must be listed in the telephone directory under the name of the facility.~~

(Added to NAC by Bd. of Health, eff. 3-6-86; A by R003-97, 10-30-97; R073-03, 1-22-2004)

Section 7. NAC 449.39516 is hereby amended as follows:

NAC 449.39516 Duties and responsibilities. ([NRS 449.4308](#), [449.4327](#))

1. An intermediary service organization shall ensure that each client of the intermediary service organization and personal assistant employed by the intermediary service organization is aware of and understands:

(a) The rights and responsibilities of the client;

(b) The ethical responsibilities of the personal assistant, including, without limitation, any responsibilities concerning the confidentiality of client information;

- (c) The training requirements for the personal assistant as set forth in [NAC 449.39519](#);
 - (d) The policies and procedures to be used by the personal assistant for the control of infections, including, without limitation, the policies and procedures of the intermediary service organization and the universal precautions as defined in [NAC 441A.195](#);
 - (e) The respective responsibilities of the personal assistant and the client to properly document the needs of the person with a disability and to properly document the provision of personal assistance to that person;
 - (f) The procedures that the personal assistant will follow when responding to medical and nonmedical emergencies of the person with a disability;
 - (g) The provisions of [NRS 629.091](#) and the appropriate procedures that must be followed when providing assistance to a person with a disability pursuant to that section; and
 - (h) The procedures for a client to appeal the termination, reduction or suspension of services by the intermediary service organization.
2. An intermediary service organization shall:
- (a) Remain open for operation during regular business hours;
 - ~~(b) Maintain a telephone line at the location of the intermediary service organization that is listed on its certificate, which must be published in a public telephone directory;~~
 - ~~(b)~~ (b) Have a federal taxpayer identification number;
 - ~~(c)~~ (c) Maintain all business licenses required by state and local law;
 - ~~(d)~~ (d) Maintain a written policy concerning the manner in which complaints from clients will be documented and resolved and a log which lists all complaints filed by clients; and
 - ~~(e)~~ (e) Maintain a written policy concerning the procedures for a client to appeal the termination, reduction or suspension of services by the intermediary service organization.
3. If an intermediary service organization withholds any money from a personal assistant which must be forwarded to another person, including, without limitation, insurance premiums, fees required to be paid by the intermediary service organization pursuant to state or federal law on behalf of the personal assistant or money withheld at the request of the personal assistant, the intermediary service organization must transfer such money to the person designated for receipt of the money by the date required for such transfer.
4. An intermediary service organization may:
- (a) Employ personal assistants to provide specific medical, nursing or home health care services for a person with a disability pursuant to [NRS 629.091](#); and
 - (b) At the request of a client, assist in the development of a plan of care for a person with a disability.
5. An intermediary service organization shall not serve as the managing employer of a personal assistant.
- (Added to NAC by Bd. of Health by R167-07, eff. 1-30-2008)—(Substituted in revision for NAC 427A.821)

Section 8. NAC 449.77417 is hereby amended as follows:

NAC 449.74417 Administrator of facility. ([NRS 449.0302](#))

- 1. The governing body of a facility for skilled nursing shall appoint a qualified administrator for the facility.
- 2. The administrator:
 - ~~(a) Must be licensed under the provisions of chapter 654 of NRS; and~~
 - ~~(b)~~ (a) Is responsible for the management of the facility.
- 3. A facility for skilled nursing must be administered in a manner that enables it to use its resources effectively and efficiently in order to attain and maintain the highest practicable physical, mental and psychosocial well-being of each patient.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)**Section 2.** NAC 449.126 is hereby amended as follows:

Section 9. NAC 449.126 is hereby amended as follows:

NAC 449.74357 Laundry requirements. ([NRS 449.0302](#))

1. Each facility shall have the proper equipment for the sanitary washing and finishing of linen and other washable goods or shall maintain a written agreement with a commercial establishment to provide proper laundry services.
2. The laundry area of a facility must be situated in an area of the facility that is separate and apart from any room where food is stored, prepared or served. The laundry area must be well-lighted, ventilated, adequate in size to house equipment, maintained in a sanitary manner and kept in good repair.
3. Soiled linen must be collected and transported to the laundry in washable or disposable containers in a sanitary manner. Soiled linen must not be transported through areas of the facility used for preparing or serving food.
4. Clean linen to be dried, ~~ironed~~, folded, transferred or distributed must be handled in a sanitary manner in accordance with a written plan maintained by the facility.
5. Closets for storing linen and laundry supplies must be provided and must not be used for any other purpose.

(Added to NAC by Bd. of Health by R051-06, eff. 7-14-2006)

Section 10. Section 14 of LCB File No. R016-20 is hereby amended as follows:

~~Sec. 14. 1. Pursuant to subsection 1 of NRS 449.103, within 30 business days after the course or program is assigned a course number by the Division pursuant to section 18 of this regulation or within 30 business days of any agent or employee being contracted or hired, whichever is later, and at least once each year thereafter, a facility shall conduct training relating specifically to cultural competency for any agent or employee of the facility who provides care to a patient or resident of the facility so that the agent or employee may:~~

~~(a) More effectively treat patients or care for residents, as applicable; and~~

~~(b) Better understand patients or residents who have different cultural backgrounds, including, without limitation, patients or residents who fall within one or more of the categories in paragraphs (a) to (f), inclusive, of subsection 1 of NRS 449.103.~~

~~2. The facility shall provide the training required by subsection 1 through a course or program that is approved by the Director of the Department or his or her designee pursuant to section 17 of this regulation and is assigned a course number by the Division pursuant to section 18 of this regulation.~~

~~3. The facility shall keep documentation in the personnel file of any agent or employee of the facility of the completion of the cultural competency training required pursuant to subsection 1.~~