

Joe Lombardo
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

**SMALL BUSINESS IMPACT STATEMENT 2023
PROPOSED AMENDMENTS TO NAC CHAPTER 228**

The Division of Public and Behavioral Health (DPBH) has determined that the proposed amendments should not have a negative economic impact upon a small business or inhibit 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.

Background

The proposed regulations are being moved forward to increase efficiencies by reducing redundant regulations as well as bringing the proposed regulations in line with the passage of SB 45 of the 2021 legislative session which removed the requirement that the Attorney General's Committee on Domestic Violence review programs for the treatment of persons who commit domestic violence and make recommendations to the Division of Public and Behavioral Health regarding certification of these programs.

1) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Pursuant to NRS 233B.0608 (2)(a), the Division of Public and Behavioral Health (Division) has requested input from Nevada's certified programs for the treatment of domestic violence as well as any members of the public that signed up for the Division's ListServ.

A Small Business Impact Questionnaire and the proposed regulations were sent to Nevada's certified programs for the treatment of domestic violence via an email with links to access the questionnaire and proposed regulations on March 23, 2023. 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) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?

5) Do you anticipate any indirect beneficial effects upon your business?

Summary of Response

Summary of Comments Received

(Six (6) responses were received out of 9,053 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?
Yes – 0 No - 6	Yes – 0 No - 6	Yes – 0 No - 6	Yes – 1 No - 5
Comments: None	Comments: None	Comments: None	Comments: More criteria and oversight on these businesses that have such a large effect on society as a whole.

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

A small business impact questionnaire was distributed to all of Nevada’s certified programs for the treatment of domestic violence, including to small businesses. A Health Program Manager analyzed the responses to determine the impact to small businesses as well as reviewed the proposed regulations being omitted to determine if there would be a negative economic impact to small businesses.

3) 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.

- Direct Adverse economic effects: None
- Indirect Adverse economic effects: None
- Direct Beneficial economic effects: None
- Indirect Beneficial economic effects: Indirect beneficial economic effects may be realized through efficiencies gained. For example, time saved by not having the director or their designee attest in writing that a person meets the supervisor or provider of treatment requirements and other efficiencies obtained when programs apply or renew a certificate for a program for the treatment of persons who commit domestic violence.

4) 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 of Public and Behavioral Health has held several opportunities for small businesses and the public to provide input and comments regarding the proposed regulations, including the economic impact the proposed

regulations may have on a small business. No modifications to the proposed regulations have been made as a result of this input because no adverse economic effects were identified. A stakeholder feedback meeting was held on March 22, 2023. No one testified on the proposed changes to NAC Chapter 228. A public workshop will be held at a future date in which testimony provided, if any, will be considered.

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

None.

6) 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.

No new fees or an increase in existing fee is being proposed.

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

There are no known duplicative or more stringent federal, state or local standards.

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


Based on the analysis conducted pursuant to section 2 and the feedback provided by small business it was determined that the proposed regulations would not have an adverse economic impact on small businesses and may have an indirect beneficial impact on small businesses.

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

Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89701
Leticia Metherell
Phone: 775-684-1045
Email: lmetherell@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 businesses and the information contained in this statement was prepared properly and is accurate.

Signature  Date: 04/05/2023