

**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.~~

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 449**

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 ease the burden on health care facilities by removing regulations that no longer appear to provide value within the health care facility industry.

**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 licensed health care facilities 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 Responses**

<b>Summary Of Comments Received</b> (25 responses were received out of 9,053 small business impact questionnaires distributed)			
<b>Will a specific regulation have an adverse economic effect upon your business?</b>	<b>Will the regulation (s) have any beneficial effect upon your business?</b>	<b>Do you anticipate any indirect adverse effects upon your business?</b>	<b>Do you anticipate any indirect beneficial effects upon your business?</b>
Yes - 13 No – 12	Yes - 6 No - 19	Yes - 12 No - 13	Yes - 7 No - 18
Comments:	Comments: Removal of requirements for cultural competency will have a beneficial effect on several facilities	Comments:	Comments: Elimination of cultural competency requirements will have indirect beneficial impact on facilities

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

A small business impact questionnaire was distributed to all of Nevada’s licensed health care facilities. The Bureau Chief for the Bureau of Health Care Quality and Compliance 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: This is not quantifiable, as the impact is variable depending on whether individual facilities developed their own cultural competency training programs or whether they are using third party training programs.
- Indirect Beneficial economic effects: This is not quantifiable, as the impact is variable depending on whether individual facilities developed their own cultural competency training programs or whether they are using third party training programs.

**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 provided 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 it appears the responses indicating that there may be adverse economic effects, were misaligned identified as the written comments from those same individuals explained there would be beneficial effects. A stakeholder feedback meeting was held on March 22, 2023. Several individuals commented that the modifications to cultural competency regulations would be beneficial. No one testified regarding the other changes to the health facility regulations proposed by the Division. 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 businesses it was determined that the proposed regulations would not have an adverse economic impact on small businesses and may have a 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 Paul Shubert at the Division of Public and Behavioral Health at:

Division of Public and Behavioral Health  
4150 Technology Way, Suite 300  
Carson City, NV 89701  
Paul Shubert  
Phone: 702.668.3270  
Email: [pshubert@health.nv.gov](mailto:pshubert@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



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

---

## **NOTICE OF PUBLIC WORKSHOP**

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop, in accordance with Executive Order 2023-003 (entered January 12, 2023), to consider changes to Nevada Administrative Code (NAC) Chapters 228, 442, 445A, 449, 450B, 458, and 652.

The workshop will be conducted via videoconference beginning at 9:00 AM on Friday, April 21, 2023, at the following locations:

**Meeting Link:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NDdjODI4ZTYtNDdjMy00ZmFjLWE3YjMtZTdlNWYyMjQzNzJl%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22e2f9f008-841c-437d-b037-927c30ea003e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDdjODI4ZTYtNDdjMy00ZmFjLWE3YjMtZTdlNWYyMjQzNzJl%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22e2f9f008-841c-437d-b037-927c30ea003e%22%7d)

**Join By Phone:**

+1 775-321-6111 United States, Reno  
Phone Conference ID: 636 019 077#

**Physical Location:**

*Nevada Division of Public and Behavioral Health (DPBH)*  
Hearing Room No. 303, 3<sup>rd</sup> Floor  
4150 Technology Way, Carson City, Nevada 89706

These workshops will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

**AGENDA**

1. Introduction of workshop process
2. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 228
3. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 442
4. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 445A
5. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 449
6. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 450B
7. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 458
8. Public comment on recommended amendments to Nevada Administrative Code (NAC) Chapter 652
9. General Public Comment

The proposed changes would amend Nevada Administrative Code (NAC) and are being recommended in accordance with [Governor's Executive Order #2023-003](#).

The proposed amendments provide provisions for the following:

---

4150 Technology Way, Suite 300 • Carson City, Nevada 89706  
775-684-4200 • Fax 775-687-7570 • [dphh.nv.gov](http://dphh.nv.gov)

### **Nevada Administrative Code (NAC) Chapter 228**

1. Removes the following:
  - a. NAC 228.101 and NAC 228.102(1)(b) to bring into compliance with removal of requirements in Senate Bill 45 of the 2021 Legislative Session;
  - b. Section 6(10)(a) and (b) of LCB File No. R071-20, as each supervisor or provider of treatment must be individually approved and this can be easily verified, if needed; and,
  - c. Section 7(2)(d)(1), (2), and (5), and Section 7(4)(b), (4)(b)(1), and (4)(b)(2), of LCB File No. R071-20, as proof of continuing education completion will be conducted via an audit process, which will save program applicants a lot of time when submitting their renewals.
2. Editions within Nevada Administrative Code (NAC) Chapter 228 (edits to 228.101 and 228.102) would benefit health facilities and those hired as an employee or independent contractor by removing barriers in the certification process.
3. Editions to Section 6 of LCB File No. R071-20 will reduce extra burden on Domestic Violence Treatment Program providers. Each supervisor or provider of treatment must be individually approved, and this can be easily verified, if needed. The programs will still be required to provide the names/supervisors during the application process which can be used to verify the individuals have appropriate approval; therefore, the section being omitted is not needed.
4. Editions to Section 7 of LCB File No. R071-20 will reduce additional barriers for providing proof of continuing education completion. This will be conducted via an audit process, similar to what the Board of Nursing does which will save Program applicants a lot of time when submitting their renewals because they won't have to upload all of their supervisor and provider CEU documents which will create a less burdensome, more efficient application process.
5. The removal of this NAC subsection will reduce barriers to the public and business in accordance with the Governor's Executive Order 2023-003.

### **Nevada Administrative Code (NAC) Chapter 442**

1. Removes NAC 442.080 in its entirety, as the bureau name is outdated and there is no need for the Bureau Chief to inform employees; all employees are already required to take a class on confidential health information.
2. Removal of NAC 442.080 eliminates regulation requirement of the Bureau Chief to provide all employees information regarding regulations relating to confidential materials. Recommendations for deletion within Chapter 442 would remove regulatory requirement for action that can be achieved with Bureau level policy.
3. The removal of this NAC subsection will reduce barriers to the public and business in accordance with the Governor's Executive Order 2023-003.

### **Nevada Administrative Code (NAC) Chapter 445A**

1. Changes NAC 445A.547 from "outside" to "within" in the section title and in (1) and removes the annual permit to sell or distribute bottled water produced in a plant located outside of the state in NAC 445A.589.
2. Provisions or deletions within Nevada Administrative Code (NAC) Chapter 445A outlined above update provisions for Nevada companies producing bottled water for distribution within this State and benefit bottled water companies with out-of-state water plants by removing the permit requirements to sell or distribute bottled water within Nevada. It is unrealistic for Nevada to permit water that is bottled in other parts of the country or world but would still allow Environmental Health Services to have the authority to address complaints about bottled water sold outside of its jurisdiction.
3. Recommended amendment to NAC 445A.589 would eliminate a fee of \$175 annually if the water production plant is outside the State of Nevada.
4. The removal of this NAC subsection will reduce barriers to the public and business in accordance with the Governor's Executive Order 2023-003.

### **Nevada Administrative Code (NAC) Chapter 449**

1. Removes the following:

- a. NAC 449.079 in its entirety, as this section affects licensed facilities for the treatment of alcohol or other substance use disorders;
  - b. The word “ironed” from NAC 449.126(4), NAC 449.15357(4), and NAC 449.74357(4) to reduce time during staffing storages, as well as relieving overall burden on industry;
  - c. NAC 449.154991(2), NAC 449.232(3), NAC 449.154937(2), and NAC 449.39516(2)(b), due to telephone directory regulations not being utilized anymore;
  - d. NAC 449.77417(2)(a) which clarifies confusion of enforcing authority; and,
  - e. Section 14 of LCB File No. R016-20 in its entirety to eliminate the annual requirement for cultural competency training.
2. Editions to NAC 449.079 includes the requirement for a licensed facility for the treatment of alcohol or other substance use disorders to obtain certification in accordance with NRS 458.025. This requirement was stricken from the statutory definition in 2015 by Senate Bill 500. The result was the statutory definition NRS 449.00455 for a facility for the treatment of alcohol or other substance use disorders does not require certification in order to be licensed. Repealing this section implements legislative intent.
  3. Editions to NAC 449.126, NAC 449.15357, and NAC 449.74357 reduce extra work required by the facility by excluding the requirement for ironing. This may also help relieve workload during staff shortages.
  4. Editions to NAC 449.15499, NAC 449.232, NAC 449.154937, and NAC 449.39516 eliminates language regarding requirements for facilities to be listed in a phone directory, which is no longer utilized.
  5. Editions to NAC 449.77417 clarifies authority for requirements outlined already through Nevada Revised Statutes (NRS). Current regulation under this section provides the ability of a SNF and ICF to apply for a variance, which is not applicable, as this requirement is outlined in statute. Statutes take precedence over the regulation, and as one of the restrictions to variances, the Board does not have the authority to vary a statute. Removing this language will prevent future occurrences of facilities attempting to vary the statute, by using the regulatory language. Further, the statutory requirements remain in place, so removing this language does nothing to diminish the requirements.
  6. @Editions to Section 14 of LCB File No. R016-20 eliminate the annual requirement for cultural competency training, reducing extreme financial burden on facilities.
  7. Recommendations for amendment or deletion within Chapter 449 would clarify and remove extraneous verbiage that is outdated or covered by other regulations and remove barriers for business.

#### **Nevada Administrative Code (NAC) Chapter 450B**

1. Removes NAC 450B.456, NAC 450B.457, NAC 450B.458, and NAC 450B.459 due to the DPBH Emergency Medical Services Office not regulating dispatchers.
2. Editions within Nevada Administrative Code (NAC) Chapter 450B outlined above would remove Nevada regulations regarding certification of emergency medical dispatchers. Dispatchers use a nationally accredited program. DPBH has not issued an Emergency Medical Dispatcher certification with approximately 5 years. Upon discussion with dispatcher supervisors, the removal of these sections would reduce barriers since the current regulations do not benefit dispatchers or their organizations.
3. The removal of this NAC subsection will reduce barriers to the public and business in accordance with the Governor’s Executive Order 2023-003.

#### **Nevada Administrative Code (NAC) Chapter 458**

1. Removes NAC 458.342(2)(e) due to duplication of background checks.
2. Editions within Nevada Administrative Code (NAC) Chapter 458 outlined above would update provisions for Nevada detoxification technician certifications by removing the redundant requirement of obtaining fingerprinting. Treatment agencies may already have a process in place for obtaining background checks; therefore, there is no need for both the treatment agency and the Division to conduct background checks.
3. The removal of this NAC subsection will reduce barriers to the public and business in accordance with the Governor’s Executive Order 2023-003.

## **Nevada Administrative Code (NAC) Chapter 652**

1. Removes NAC 652.600 in its entirety due to not being used in the past and no plans for the program to use these in the future.
2. Editions within Nevada Administrative Code (NAC) Chapter 652 outlined above would update Nevada regulation by removing certification requirements to be an approved program for training laboratory technicians. Eliminates NAC 652.600 Program of training for certification as technicians. Approved training is listed in previous sections of NAC 652 as well as NRS 652.
3. The removal of this section will reduce barriers to the public and business in accordance with the Governor's Executive Order 2023-003.

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 the Executive Assistant of the Division of Public and Behavioral Health, Autumn Blattman at the following email or address:

Division of Public and Behavioral Health  
ATTN: Autumn Blattman  
4150 Technology Way, Suite 300  
Carson City, NV 89706  
[a.blattman@health.nv.gov](mailto:a.blattman@health.nv.gov)  
775-684-5850

Members of the public who require special accommodations or assistance at the workshops are required to notify Autumn Blattman by emailing [a.blattman@health.nv.gov](mailto:a.blattman@health.nv.gov) at the Division of Public and Behavioral Health, or by calling 775-684-5850 at least five (5) working days prior to the date of the public workshop.

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:

1. Division of Public and Behavioral Health, 4150 Technology Way, Carson City, NV 89706
2. Division of Public and Behavioral Health, Rawson Neal Psychiatric Hospital, 1650 Community College Dr., Las Vegas, NV 89146
3. Nevada State Library and Archives, 100 Stewart Street, Carson City, NV, 89701

A copy of the regulations and small business impact statement can be found on the Division of Public and Behavioral Health's web page, at the following locations:

1. NAC Chapters 228, 449, and 652: [State of Nevada Health Facility Regulation Public Workshops \(nv.gov\)](#)
2. NAC Chapter 458: [Home - SAPTA \(nv.gov\)](#)
3. NAC Chapter 445A: [Trending Health Topics \(nv.gov\)](#)
4. NAC Chapter 442: [Maternal, Child and Adolescent Health \(MCH\) \(nv.gov\)](#)
5. NAC Chapter 450B: [EMS \(nv.gov\)](#)
6. All recommendations for NAC removals: [2023 Nevada State Board of Health \(nv.gov\)](#)

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, NV 89706
2. Division of Public and Behavioral Health, Rawson Neal Psychiatric Hospital, 1650 Community College Dr., Las Vegas, NV 89146
3. Nevada State Library and Archives, 100 Stewart St., Carson City, NV 89701

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

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.