

**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.