

PROPOSED TEMPORARY REGULATION OF THE STATE BOARD OF HEALTH
Amendments to Nevada Administrative Code (NAC) Chapter 433
Relating to the 988 National Suicide Prevention Lifeline
Errata to First Draft

Explanation – Language in *blue italics* is proposed regulatory language; ~~[omitted material]~~ is material to be omitted from the proposed regulations; *green bold italic* is new proposed regulatory language.

AUTHORITY: NRS 433.708, NRS 439.150

Section 1. Chapter 433 of the NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 6, inclusive, of this regulation.

Section 2. *Definitions. The below definitions shall apply only for the purposes as set established by NRS 433.708.*

- 1. “Telecommunication provider” or “telephone company” defined. “Telecommunication provider” or “telephone company” has the same meaning as ascribed to it in NRS 704.027.*
- 2. “Telecommunication service” defined. “Telecommunication service” has the same meaning as ascribed to it in NRS 704.028.*
- 3. “Access line” defined. “Access line” has the same meaning as ascribed to it in NRS 704.006(2).*
- 4. “Trunk line” defined. “Trunk line” has the same meaning as ascribed to it in NRS 704.008.*
- 5. “Commercial mobile communication services” defined. “Commercial mobile communication services” ~~[means an interconnected voice calling service available to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public as defined at 47 CFR § 20.3(a) and (b)]~~ has the same meaning as ascribed to it as 47 U.S. Code 332(d).*
- 6. “Voice calling service” defined. “Voice calling service” means voice service capable of dialing the digits 9-8-8 to access the National Suicide Prevention Lifeline, provided to each customer of that service whose place of primary use is in Nevada. (a) “Place of primary use” means the street address representative of where the customer’s use of the mobile telecommunications service primarily occurs as defined by 4 U.S. Code § 124(8) which must be: (1) The residential street address or the primary business street address of the customer; and (2) Within the licensed service area of the home service provider.*
- 7. “IP-enabled voice services” defined. “IP-enabled voice services” has the same meaning as ascribed to it in NRS 704.685(3)(b).*

Section 3. *To sufficiently support the uses set forth ~~[in Section 5(2) of Senate Bill 390 (2021)]~~ at NRS 433.708 and produce the revenue projected in the budget for the Division approved by the Legislature, a surcharge of 35 cents is imposed on the following, per month:*

- 1. Each access line providing of stand-alone telephone service furnished to a residential customer;*

2. Each access line of each customer of a company that provides commercial mobile communication services;

3. Each access line providing IP-enabled voice services; and

4. Trunk lines.

Section 4. *The companies and providers shall collect the surcharge as described in Section 3 each month from their customers and remit the money collected to the Crisis Response Account within the Division of Public and Behavioral Health or its designated agent in accordance with Funds Transfer Instructions for Telecommunications Providers and subsequent sub regulatory guidance.*

Section 5. *Within 90 days of the effective date of this regulation, [~~telecommunications providers identified in Sec. 1.1~~] all providers of telecommunications services identified in Sec. 1 shall report to the Board of Health or its designated agent the average number of lines in service per month in each of the categories identified in Section 3 in the previous calendar year and annually each April 1st thereafter. This information shall be regarded as proprietary information regarding trade secret and subject to the provisions of NRS 333.333.*

Section 6. *The surcharge described in Section 3 shall be imposed 90 days after this regulation becomes law.*