



NOTICE OF PUBLIC WORKSHOP
Intent to Adopt Regulations

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) 439A regarding the Conrad30/J-1 Visa Waiver program and NAC 439.220. The workshop will be conducted via videoconference and/or teleconference beginning at **10:30 AM on Monday, January 27, 2020**, at the following locations:

Division of Public and Behavioral Health 4150 Technology Way, Room 303 Carson City, Nevada 89706	Division of Public and Behavioral Health Bureau of Health Care Quality and Compliance 4220 South Maryland Parkway, Suite 810, Building D Las Vegas, Nevada 89119
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This workshop will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

Agenda

1. Introduction of workshop process
2. Review of proposed amendments to NAC 439A, NAC 439.220, and Small Business Impact Statement
3. Public comment on proposed amendments of NAC 439A regarding the Conrad30/J-1 Physician Visa Waiver program
4. Public comment

Summary of amendments

- Provisions for the administration of the Physician Visa Waiver Program, including the following:
 - Increase to a \$2,000 fee for letters of support, at least half of which must be paid by the employer and employee;
 - Removal of website and address specific information
- Contract requirements entered by J-1 visa physician transferring to a new employer:
 - Remove Foreign Labor Certificate Data Center website address;
 - Require physicians to agree to begin work within 90 days of notice of transfer;
 - Require contract be for a term long enough for J-1 physician to complete the J-1 visa waiver obligation;
- Locations of employment:
 - Allow physicians to work in locations approved by the Administrator;
 - Require practices to inform patients either by posted sign, or in writing that, fees based on sliding fee scale are available for certain patients demonstrating need;
 - Submit Affidavit every 6 months demonstrating physician only working in locations approved by the Administrator;

- Administrator (Division of Public and Behavioral Health) is required to do the following:
 - Remove requirement to have Primary Care Advisory Council investigate complaints;
 - Shall, report to Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health if a violation affected the health and safety of a patient;
- Employer violations to the provisions of Conrad 30/J-1 Visa Waiver Program:
 - Allow Administrator to prohibit future participation in the program by employers with program violations for a period of two years;
 - Require employers prohibited from using the program to demonstrate changes made and ability to remain in compliance with the Conrad 30/J-1 Visa Waiver program;
 - Allow Administrator to assist J-1 physician with a transfer to a new employer in the event of a program violation by the employer;
 - Remove the requirement that the Administrator report noncompliance to the United States Department of State;
- Replace the publication in a newspaper with posting on the website of the Division of Public and Behavioral Health for any variance heard by the Board of Health.

Additional Information

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed pages must submit the material to Joseph Tucker, Manager, Primary Care Office, **no later than January 03, 2020** at the following address: Primary Care Office, 4150 Technology Way, Suite 300, Carson City, NV 89706.

Members of the public who require special accommodations or assistance at the workshop are required to notify Joseph Tucker, Manager at the above address, by telephone at (775) 684-2232, or via email jtucker@health.nv.gov at least five (5) working days prior to the date of the public workshop.

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow for adequate time to review the documents.

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: Primary Care Office, Nevada Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, NV; and Nevada State Library and Archives, 100 Stewart Street, Carson City, NV.

A copy of this notice has been posted at the workshop locations as well as the Nevada Conrad30/J-1 Physician Visa Waiver website: <http://dpbh.nv.gov/Programs/Conrad30/Conrad30-Home/>. A Copy of the notice and proposed regulations are on file for inspection and/or may be obtained in person, by mail, email at jtucker@health.nv.gov, or by calling (775) 684-2232 during normal business hours.

AGENDA POSTING LOCATIONS

Division of Public and Behavioral Health – 4150 Technology Way, First Floor Lobby, Carson City, 89706; NEVADA STATE LIBRARY AND ARCHIVES – 100 North Stewart Street, Carson City, 89701; ELKO

MEDICAID DISTRICT OFFICE – 1010 Ruby Vista Drive, Suite 103, Elko, NV 89801; MEDICAID DISTRICT OFFICE, 1210 South Valley View, Suite 104, Las Vegas, NV 89102; MEDICAID DISTRICT OFFICE, 745 W. Moana Ln., Reno, NV 89509; DIVISION OF HEALTH CARE FINANCING AND POLICY, 1100 East William Street, Suite 101, 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:

<http://dpbh.nv.gov/Programs/Conrad30/Conrad30-Home/>.

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/>

Per NRS 233B.064(2), upon adoption of any regulation, 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.