

**ERRATA TO  
PROPOSED REGULATION OF  
THE STATE BOARD OF HEALTH  
LCB File No. R002-22**

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.  
*Green bold italic* is proposed new language to LCB Draft of R002-22.

AUTHORITY: §§ 1 and 3, NRS 439.200 and 441A.120 and section 1 of Senate Bill No. 211, chapter 485, Statutes of Nevada 2021, at page 3138 (NRS 441A.315); §§ 2 and 4-15, NRS 439.200 and 441A.120.

*Sec. 1.* Chapter of 441A of NAC is hereby amended by adding thereto a new section to read as follows:

1. When making a determination pursuant to subsection 1 of NRS 441A.315, concerning which tests for sexually transmitted diseases are medically indicated for a patient, a physician, physician assistant, advanced practice registered nurse or midwife shall follow ~~the procedures set forth in “Sexually Transmitted Infections Treatment Guidelines, 2021” and “Revised Recommendations for HIV Testing of Adults, Adolescents, and Pregnant Women in Health Care Settings,” as adopted by reference in NAC 441A.200.~~ *the following recommendations as adopted by reference in NAC 441A.200:*

*(a) Guidelines for “Human Immunodeficiency Virus (HIV): Screening” published by the United States Preventive Services Task Force (USPSTF);*

*(b) Guidelines for “Chlamydia and Gonorrhea: Screening” published by the United States Preventive Services Task Force (USPSTF); and*

*(c) Guidelines for “Syphilis Infection in Nonpregnant Adolescents and Adults: Screening” published by the United States Preventive Services Task Force (USPSTF).*

2. A physician, physician assistant, advanced practice registered nurse or midwife who performs the actions required by subsection 1 of NRS 441A.315 shall:

(a) Document in the record of the patient:

(1) Whether any tests for sexually transmitted diseases were offered to the patient and, if so, which tests were offered; and

(2) For each test offered to the patient, whether the patient agreed to the performance of the test; and

(b) Communicate with the patient concerning testing for sexually transmitted diseases in accordance with “National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care,” as adopted by reference in NAC 441A.200.

~~3. For the purposes of this section and NRS 441A.315, a test is deemed to be medically indicated if the test is:~~

~~(a) Necessary to treat or care for the symptoms of an illness or injury or to diagnosis an illness or other condition that is harmful to life or health; and~~

~~(b) Commonly and customarily recognized throughout the profession of a physician, physician assistant, advanced practice registered nurse or midwife, as applicable, as appropriate for the diagnosis or treatment in the context of the setting where the diagnosis or treatment is provided.~~

**Sec. 3.** NAC 441A.200 is hereby amended to read as follows:

441A.200 1. Except as otherwise provided in subsection 2, the following recommendations, guidelines and publications are adopted by reference:

(a) The standard precautions to prevent transmission of disease by contact with blood or other body fluids as recommended by the Centers for Disease Control and Prevention in “Perspectives in Disease Prevention and Health Promotion Update: Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Bloodborne Pathogens in Health-Care Settings,” *Morbidity and Mortality Weekly Report* [37(24):377-388, June 24, 1988], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(b) The Centers for Disease Control and Prevention’s *2007 Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings*, published by the United States Department of Health and Human Services and available at no cost on the Internet at ~~[https://www.cdc.gov/infectioncontrol/pdf/guidelines/isolation-guidelines.pdf,](https://www.cdc.gov/infectioncontrol/pdf/guidelines/isolation-guidelines.pdf)~~ <https://www.cdc.gov/infectioncontrol/pdf/guidelines/isolation-guidelines-H.pdf>, or, if that Internet website ceases to exist, from the Division.

(c) The recommended guidelines for the investigation, prevention, suppression and control of communicable disease set forth by the Centers for Disease Control and Prevention in:

(1) “General Recommendations on Immunization: Recommendations of the Advisory Committee on Immunization Practices,” *Morbidity and Mortality Weekly Report* [55(RR15):1-48, December 1, 2006], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division; and

(2) *Manual for the Surveillance of Vaccine-Preventable Diseases*, ~~4th edition,~~ published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/vaccines/pubs/surv-manual/index.html>, or, if that Internet website ceases to exist, from the Division.

(d) The recommended guidelines for the investigation, prevention, suppression and control of communicable diseases contained in *Control of Communicable Diseases Manual*, ~~20th~~ **21st** edition, published by the American Public Health Association and available for the price of ~~\$38.50~~ **\$59.50** for members and ~~\$55.00~~ **\$85.00** for nonmembers from the American Public Health Association, 800 I Street, N.W., Washington, D.C. 20001-3710, or at the Internet address <http://www.apha.org>.

(e) The recommended guidelines for the investigation, prevention, suppression and control of communicable diseases contained in *Red Book: ~~2015~~ 2021 Report of the Committee on Infectious Diseases*, ~~30th~~ **32nd** edition, published by the American Academy of Pediatrics and available for the price of ~~\$75.00~~ **\$119.95** for members and \$149.95 for nonmembers from the American Academy of Pediatrics, ~~141 Northwest Point Boulevard, Elk Grove Village, Illinois~~

~~60007,]~~ 345 Park Boulevard, Itasca, Illinois 60143, or at the Internet address

~~http://www.aap.org.]~~ <https://shop.aap.org>.

(f) The recommendations for the testing, treatment, prevention, suppression and control of chancroid, *Chlamydia trachomatis*, gonococcal infection, granuloma inguinale, lymphogranuloma venereum, ~~and]~~ infectious syphilis *and human immunodeficiency virus* as are specified in “Sexually Transmitted ~~[Diseases]~~ *Infections* Treatment Guidelines, ~~[2006,] 2021,~~” *Morbidity and Mortality Weekly Report* ~~[55(RR11):1-94, August 4, 2006,] [70(4):1-187, July 23, 2021]~~, published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(g) The recommendations for the counseling of and effective treatment for a person having active tuberculosis or tuberculosis infection as set forth in:

(1) “Controlling Tuberculosis in the United States: Recommendations from the American Thoracic Society, CDC, and the Infectious Diseases Society of America,” *Morbidity and Mortality Weekly Report* [54(RR12):1-81, November 4, 2005], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division;

(2) “Treatment of Tuberculosis,” *Morbidity and Mortality Weekly Report* [52(RR11):1-77, June 20, 2003], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division;

(3) “Targeted Tuberculin Testing and Treatment of Latent Tuberculosis Infection,” *Morbidity and Mortality Weekly Report* [49(RR06):1-54, June 9, 2000], published by the United

States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division;

(4) The recommendations of the Centers for Disease Control and Prevention for preventing and controlling tuberculosis in correctional and detention facilities set forth in “Prevention and Control of Tuberculosis in Correctional and Detention Facilities: Recommendations from CDC,” *Morbidity and Mortality Weekly Report* ~~[55(RR9):1-44,]~~ [\[55\(RR09\):1-44](#), July 7, 2006], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division; and

(5) “Guidelines for the Investigation of Contacts of Persons with Infectious Tuberculosis: Recommendations from the National Tuberculosis Controllers Association and CDC,” *Morbidity and Mortality Weekly Report* [54(RR15):1-37, December 16, 2005], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(h) The recommendations of the Centers for Disease Control and Prevention for preventing the transmission of tuberculosis in facilities providing health care set forth in “Guidelines for Preventing the Transmission of *Mycobacterium tuberculosis* in Health-Care Settings, 2005,” *Morbidity and Mortality Weekly Report* [54(RR17):1-141, December 30, 2005], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(i) “Case Definitions for Infectious Conditions Under Public Health Surveillance,” *Morbidity and Mortality Weekly Report* [46(RR10):1-55, May 2, 1997], published by the United States

Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(j) “Recommended Antimicrobial Agents for Treatment and Postexposure Prophylaxis of Pertussis: 2005 CDC Guidelines,” *Morbidity and Mortality Weekly Report* [54(RR14):1-16, December 9, 2005], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(k) “Updated Recommendations for Isolation of Persons with Mumps,” *Morbidity and Mortality Weekly Report* [57(40):1103-1105, October 10, 2008], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(l) “Recommendations for Partner Services Programs for HIV Infection, Syphilis, Gonorrhea, and Chlamydial Infection,” *Morbidity and Mortality Weekly Report* [57(RR09):1-83, November 7, 2008], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

(m) “Facility Guidance for Control of Carbapenem-resistant ~~Enterobacteriaceae~~ Enterobacteriaceae (CRE),” published by the United States Department of Health and Human Services and available at no cost from the Centers for Disease Control and Prevention ~~of the United States Department of Health and Human Services~~ on the Internet at ~~<https://www.cdc.gov/hai/organisms/cre/cre-toolkit/index.html>,~~ <https://www.cdc.gov/hai/pdfs/cre/CRE-guidance-508.pdf>, or, if that Internet website ceases to exist, from the Division.

(n) “Interim ~~guidance~~ *Guidance* for a *Public* Health Response to Contain Novel or Targeted Multidrug-resistant Organisms ~~(MRDOs),”~~ *(MDROs),*” published by the United States Department of Health and Human Services and available at no cost from the Centers for Disease Control and Prevention ~~of the United States Department of Health and Human Services~~ on the Internet at ~~https://www.cdc.gov/hai/outbreaks/docs/Health-Response-Contain-MDRO.pdf,~~ <https://www.cdc.gov/hai/pdfs/containment/Health-Response-Contain-MDRO-H.pdf>, or, if that Internet website ceases to exist, from the Division.

(o) The guidelines for the prevention, postexposure management and control of rabies as specified in the “Compendium of Animal Rabies Prevention and Control, 2016,” published by the National Association of State Public Health Veterinarians and available at no cost on the Internet at <http://nasphv.org/documentsCompendiaRabies.html>, or, if that Internet website ceases to exist, from the Division.

(p) “Carbapenemase Producing Carbapenem-Resistant Enterobacteriaceae (CP-CRE) 2018 Case Definition,” published by the United States Department of Health and Human Services and available at no cost on the Internet at ~~https://www.cdc.gov/nndss/conditions/carbapenemase-producing-carbapenem-resistant-enterobacteriaceae/case-definition/2018/,~~ <https://ndc.services.cdc.gov/case-definitions/carbapenemase-producing-carbapenem-resistant-enterobacteriaceae-2018/>, or, if that Internet website ceases to exist, from the Division.

(q) “*Revised Recommendations for HIV Testing of Adults, Adolescents, and Pregnant Women in Health-Care Settings,*” *Morbidity and Mortality Weekly Report* [55(RR14):1-17, September 22, 2006], published by the United States Department of Health and Human Services and available at no cost on the Internet at <http://www.cdc.gov/mmwr>, or, if that Internet website ceases to exist, from the Division.

*(r) The recommendations for offering culturally and linguistically appropriate services set forth in “National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care,” published by the United States Department of Health and Human Services and available at no cost on the Internet at <https://thinkculturalhealth.hhs.gov/clas>, or, if that Internet website ceases to exist, from the Division.*

*(s) “Human Immunodeficiency Virus (HIV) Infection: Screening,” published by the United States Preventive Services Task Force and available at no cost on the Internet at <https://www.uspreventiveservicestaskforce.org>, or, if that Internet website ceases to exist, from the Division.*

*(t) “Syphilis Infection in Nonpregnant Adolescents and Adults: Screening,” published by the United States Preventive Services Task Force and available at no cost on the Internet at <https://www.uspreventiveservicestaskforce.org>, or, if that Internet website ceases to exist, from the Division.*

*(u) “Chlamydia and Gonorrhea: Screening,” published by the United States Preventive Services Task Force and available at no cost on the Internet at <https://www.uspreventiveservicestaskforce.org>, or, if that Internet website ceases to exist, from the Division.*

2. Except as otherwise provided in this subsection, the most current version of a recommendation, guideline or publication adopted by reference pursuant to subsection 1 which is published will be deemed to be adopted by reference. If both the state and local health authorities determine that an update of or revision to a recommendation, guideline or publication described in subsection 1 is not appropriate for use in the State of Nevada, the Chief Medical Officer will present this determination to the Board and the update or revision, as applicable, will not be adopted. If the agency or other entity that publishes a recommendation, guideline or publication described in subsection 1 ceases to publish the recommendation, guideline or publication:

(a) The last version of the recommendation, guideline or publication that was published before the agency or entity ceased to publish the recommendation, guideline or publication shall be deemed to be the current version; and



(b) The recommendation, guideline or publication will be made available on an Internet website maintained by the Division.