

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R121-24

July 10, 2024

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1 and 2, NRS 439.150 and 439.200.

A REGULATION relating to domestic violence; establishing certain fees related to programs for the treatment of persons who commit domestic violence; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Health to set reasonable fees for the programs and services of the Division of Public and Behavioral Health of the Department of Health and Human Services. (NRS 439.150) Existing law further requires the Division to: (1) certify programs for the treatment of persons who commit domestic violence; and (2) adopt regulations governing the certification of such programs. The regulations adopted by the Division must include allowing a program that is located in another state to become certified in this State to provide treatment to certain persons who commit domestic violence. (NRS 439.258)

Existing regulations set forth certain requirements for a program for the treatment of persons who commit domestic violence, including, without limitation, a program that is located in another state, to become certified by the Division. (NAC 228.100-228.104) **Section 1** of this regulation sets forth fees for: (1) an application for a certificate for a program; (2) an abbreviated application for a program to operate another program; (3) an application for the renewal of a certificate for a program; (4) a certificate for a program located in another state; and (5) the renewal of a certificate for a program located in another state.

Existing regulations require an organization that operates a program to notify the Division not later than 30 days after any change to the information submitted on the application for a certificate. (NAC 228.125) **Section 2** of this regulation requires an organization to submit a fee with the notification of a: (1) change in the ownership of the organization; (2) relocation of the program; or (3) change in the director of the program. **Section 2** further requires an organization to submit a late fee with the notification if the organization notifies the Division of any change to the information more than 30 days after the change occurred.

Section 1. Chapter 228 of NAC is hereby amended by adding thereto a new section to read as follows:

The Division shall charge and collect the following fees:

- 1. For an application for a certificate for a program submitted pursuant to subsection 1 of NAC 228.100.....\$598*
- 2. For an abbreviated application for a program to operate another program submitted pursuant to subsection 4 of NAC 228.100.....\$245*
- 3. For an application for the renewal of a certificate for a program submitted pursuant to NAC 228.130.....\$299*
- 4. For a certificate for a program located in another state submitted pursuant to NAC 228.104.....\$150*
- 5. For the renewal of a certificate for a program located in another state submitted pursuant to NAC 228.104.....\$75*

Sec. 2. NAC 228.125 is hereby amended to read as follows:

228.125 1. An organization that operates a program shall notify the Division in the form prescribed by the Division not later than 30 days after any change to the information submitted pursuant to NAC 228.100, including, without limitation:

- (a) A change in the ownership of the organization;
- (b) A change of the name of the program;
- (c) A relocation of the program;
- (d) The discontinuance of the program;
- (e) A change in the director of the program; or
- (f) A change in the phone number or electronic mail address of the program.

2. An organization that notifies the Division pursuant to paragraph (a), (c) or (e) of subsection 1 shall submit with the notification a fee of \$39.

3. In addition to any fees required by subsection 2, an organization that notifies the Division of any change to the information submitted pursuant to NAC 228.100 more than 30 days after any such change shall submit with the notification a late fee of \$39.

4. If an organization that operates a program is no longer in compliance with the provisions of NAC 228.010 to 228.275, inclusive, *and section 1 of this regulation* because the only supervisor of treatment, or the only provider of treatment, employed or retained at the program is no longer employed or retained at the program, the organization shall submit, within 10 days after the person ceases to be employed or retained, a written plan describing the actions the organization will take to regain compliance with the provisions of NAC 228.010 to 228.275, inclusive, *and section 1 of this regulation* within 90 days after submission of the written plan.