

**PROPOSED REGULATION OF THE
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB FILE NO. R086-20I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/17/2020**

Section 1. Chapter 422A of NAC is hereby created by adding thereto the provisions set forth as sections 2 to 9, inclusive of this regulation.

Section 2. *As used in this chapter, unless the context otherwise requires:*

1. *“Director” means the Director of the Department per NRS 422A.660.*
2. *“Account” means the Diapering Resources Account of the Division created pursuant to NRS 422A.660.*
3. *“Department” means the Department of Health and Human Services.*
4. *“Division” means the Division of Public and Behavioral Health.*
5. *“Grantee” means an organization receiving money from the Division.*
6. *“Administrator” means the Administrator of the Division.*

Section 3. *The recipient of a grant pursuant to NRS 422A.660 must submit any information that the State Board of Health determines is necessary for the Administrator or his or her designee to determine the purposes for which such a grant was used and evaluate the outcomes of services provided using such grants using a form developed by the Division provided upon initial award.*

Section 4

1. *The Administrator or his or her designee will approve grants in accordance with the grant guidelines.*
2. *The Division shall make any proposed substantive change to the grant guidelines available for public review and comment at least 2 weeks before the approval of the changes.*
3. *An application for a grant must be completed in accordance with the grant guidelines approved by the Administrator or his or her designee for the type of grant for which the applicant is applying. The grant guidelines will be available not less than 3 months before the announced deadline for filing the application.*
4. *If an application is received by the Division after the announced deadline for filing, the application will not be considered and will be returned to the applicant.*
5. *A copy of the grant guidelines approved by the Administrator or his or her designee may be obtained from the Nevada Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, Nevada 89706, at no cost, or on the Internet at <<http://dpbh.nv.gov/Programs/MIP/MIP-Home/>>.*

Section 5.

1. *The Division will examine each application for completeness, accuracy and compliance with the grant guidelines applicable to the type of grant for which the applicant is applying.*

2. *A panel selected by the Division will review the application and make a recommendation in accordance with the grant guidelines and the panel review process approved by the Administrator or his or her designee for the type of grant for which the applicant is applying.*

3. *The panel shall base the review solely on the application materials submitted by the applicant, including the application form, narrative, budget and any supplemental material that conforms to the grant guidelines applicable to the type of grant for which the applicant is applying.*

4. *An applicant is not required to attend the meeting of a panel to review the application of the applicant, and an absence from the meeting will not prejudice the review of the application by the panel.*

5. *The Division shall make any proposed substantive change to a panel review process available for public review and comment at least 4 weeks before the Administrator or his or her designee acts to approve the change. A copy of the proposed substantive change may be obtained from the Nevada Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, Nevada 89706, at no cost, or on the Internet at <<http://dpbh.nv.gov/Programs/MIP/MIP-Home/>>.*

6. *The Administrator or his or her designee will review the recommendation of the panel and the review process used by the panel, and the Administrator or his or her designee will determine whether to approve the grant and the amount of any grant so approved.*

Section 6.

1. *A grantee must comply with all requirements set out in the grants management packet provided by the Division.*

2. *The Division will make any proposed substantive change to the grants management packet available for public review and comment at least 2 weeks before the Administrator or his or her designee acts to approve the change. A copy of the grants management packet may be obtained from the Nevada Division of Public and Behavioral Health, 4150 Technology Way, Suite 300, Carson City, Nevada 89706, at no cost, or on the Internet at <<http://dpbh.nv.gov/Programs/MIP/MIP-Home/>>.*

3. *A grantee must file a final report form with the Division in accordance with the grant guidelines and the grants management packet. If a grantee fails to file a final report form, the Division will notify the grantee in writing that the grant application does not comply with the grant guidelines and the grants management*

packet. The Division will not accept a new grant application from an applicant that does not comply with the grant guidelines and the grants management packet.

4. A grantee shall notify the Division of any proposed change to a program or project that was outlined in the application of the grantee. The Division must give approval for the proposed change before the grantee may make the proposed change.

5. A grantee shall notify the Division of any change in the essential personnel involved in a program or project.

6. A grant may be terminated or reduced by the Division 15 days after the Division gives notification to the grantee that the grant application does not comply with the grant guidelines and the grants management packet, that there have been changes to the budget of the Division or as directed by the Office of the Governor. The termination or reduction does not affect any commitment which, in the judgment of the Division, has become firm before the effective date of the termination.

7. The records of a project or program, including, without limitation, a copy of the original application, financial records, supporting documents and any other record related to the grant, must be retained by a grantee and made available for review by the Division for at least 3 years after the completion of the project.

8. Upon a violation or willful avoidance of any provision contained in this chapter, the Administrator or his or her designee may refuse to approve a grant or may withdraw financial support, in whole or in part, after consultation with the applicant or subgrantee.

Section 7. *If any provision of the regulations contained in this chapter, or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision contained in this chapter or its application which can be given effect without the invalid provision or application, and to this end the provisions contained in this chapter are hereby declared to be severable.*