

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

LCB FILE NO. R066-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/18/2023**

REVISED PROPOSED REGULATION

May 19, 2023

Italics, blue: New proposed language

~~[Red]~~: Removed language

AUTHORITY: Assembly Bill 471 of the 81st Legislative Session (2021); NRS 439.150, 439.200; NRS 457.065, 457.240; NRS 459.201; NRS 449.0302-449.0303, 449.0305, 449.050 CHAPTER 457- CANCER

NAC 459.161 Fees; failure to submit fee; refund of fee paid in error. (NRS 439.150, 439.200, 459.201, 653.460)

1. Except as otherwise provided in subsection ~~[6]~~ 7, an application for the registration of a radiation machine submitted pursuant to NAC 459.154 must be accompanied by a nonrefundable fee for each X-ray tube, electron source or source of ionizing radiation which is installed in the radiation machine, as follows:

- (a) Medical use, other than mammography, \$500.
- (b) Veterinary use, \$150.
- (c) Dental use, \$140.
- (d) Industrial use, \$200.
- (e) Academic use, \$150.
- (f) Accelerator, \$550.

2. Except as otherwise provided in subsections ~~[3]~~ 4 and ~~[6]~~ 7, if the Division issues a registration certificate pursuant to NAC 459.156, the registrant must, for each year the certificate is valid, submit to the Division a nonrefundable renewal fee in an amount equal to the appropriate fee set forth in subsection 1.

3. Upon the issuance or renewal of a registration for a radiation machine the registrant shall pay to the Division a nonrefundable fee equal to 6 percent of the renewal fee set forth in subsection 1. The Division shall use the fees collected pursuant to this subsection during the immediately following fiscal year to support the system for the reporting of information on cancer and other neoplasms.

~~[3]~~ 4. The renewal fee must be electronically received by the Division not later than the date on which the registration expires unless, before that date, the registrant electronically submits to the Division pursuant to NAC 459.162 a notice that the registrant has transferred ownership of the radiation machine, placed the radiation machine in storage or disposed of the radiation machine. If the fee or notice is not electronically received by that date, the registrant must electronically submit to the Division in the form prescribed by the Division:

- (a) An application for renewal of the registration;
- (b) A fee in an amount that is equal to the appropriate fee set forth in subsection 1; and
- (c) A fee for late payment of \$56 per registration.

~~[4]~~ 5. Except as otherwise provided in subsection ~~[6]~~ 7, an application for the issuance of a duplicate registration certificate for a radiation machine or for the person installing, servicing or repairing radiation machines must be accompanied by a nonrefundable fee of \$25.

~~[5]~~ 6. Any application for registration or renewal of registration which is not accompanied by the appropriate fees will not be acted upon by the Division until such fees are paid.

~~[6]~~ 7. If a payment was made in error, the Division will refund the fee collected pursuant to this section, after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.

(Added to NAC by Bd. of Health, eff. 9-1-89; A 1-24-92; 11-1-95; R149-03, 12-3-2003; R085-06, 11-13-2006; R149-07, 1-30-2008; R144-13, 10-13-2016; R021-18, 12-30-2019; R043-20, 12-29-2020)