

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

**LCB File No. R066-23**

November 30, 2023

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

AUTHORITY: § 1, NRS 439.150, 439.200, 457.240 and 459.201.

A REGULATION relating to public health; establishing certain fees to support the system for the reporting of information on cancer and other neoplasms; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Chief Medical Officer to establish and maintain a system for the reporting of information on cancer and other neoplasms. (NRS 457.230) Existing law requires the State Board of Health to adopt regulations to prescribe a fee for the issuance or renewal of registration of a radiation machine that is in addition to the standard issuance or renewal fee. Existing law requires the Division of Public and Behavioral Health of the Department of Health and Human Services to use the money collected from those fees to support the system for the reporting of information on cancer and other neoplasms. (NRS 457.240) This regulation establishes fees for the issuance or renewal of the registration of a radiation machine to be used for that purpose.

**Section 1.** NAC 459.161 is hereby amended to read as follows:

459.161 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 ~~131~~ 4 and ~~161~~ 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 registration fee or renewal fee, as applicable, 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.*

~~131~~ 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.