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DIVISION OF PUBLIC & BEHAVIORAL HEALTH

Agency: Substance Use Prevention Treatment and Recovery Services BBHWP

LCB File Number: R055-24

INFORMATIONAL STATEMENT PER NRS 233B.066

The purpose of the proposed amendment of the regulations to Nevada Administrative Code (NAC) 458.342 is an omission of “a complete set of fingerprints and written permission authorizing the Division to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report and the amount of the fees charged by the Central Repository and the Federal Bureau of Investigation for the handling of the fingerprint cards and issuance of the reports of criminal histories”. This summary of changes is an amendment to omit a statement that will best align with the Governor’s Executive Order for Regulations to the Application for Certification of a detoxification technician in NAC 458.342. The reason for deleting the additional requirements from the NAC is due to the federal requirement that any background requirements are in statute, and not in a regulation as duplicative.

The public comment was solicited through an announcement at the SAB Advisory Board meeting and during presentation notification of how to write in and provide a public response was instructed. Documents for the public workshop were also posted in office by the elevators at 4126 Technology Way, Suite 200, Carson City, NV 89706. The public response provided one response from the public. There was one response for Public Comment received from the 9053 small business impact questionnaires distributed. The Public Workshop was held on Friday, April 21, 2023, at 9:00 AM PST. The agenda can be found in the Notice of Public Workshop. The single response answered affirmatively to a specific regulation having an adverse economic effect upon their business and anticipate indirect adverse effects. The single response also answered negatively to the regulation having a beneficial effect upon their business and do not anticipate any indirect beneficial effects.

There were four persons from the BBHWP that attended the hearing on September 6, 2024, at 9 AM PST, where they were supporting the Bureau of Behavioral Health Wellness and Prevention (BBHWP) for the testimony by Stephanie Cook, Deputy Bureau Chief of the BBHWP on behalf of Shannon Bennett, Bureau Chief. Written statements were submitted prior to the meeting to request approval to move forward with the regulations. The motion to move forward carried.

The estimated economic effect of the regulation on the business which it is to regulate and on the public is positive because of the prevention of duplicate fees on the participant and on the business. The estimated cost to the agency for enforcement of the proposed regulation would be administrative for the omission of the duplicative regulation.

The regulation that was duplicated is in NAC 458.342. This regulation does not include any provisions which are more stringent than a federal regulation which regulates the same activity. This regulation does not establish a new fee or increase an existing fee.

The regulation was adopted without changes. The reasons for adopting the proposed regulation without changes is due to the proposed regulation being an omission of criteria that was a duplicate. No changes were required for the adoption of omission.