

Digest for Adopted Regulation R_145-11

The State Board of Health has general supervision over nonadministrative matters relating to the preservation of the health and lives of citizens in this State, is authorized to set fees for programs and services of the Health Division of the Department of Health and Human Services and may adopt regulations to protect and promote the public health generally. (NRS 439.150, 439.200) The Health Division has established community health nursing clinics which provide various services and supplies to clients. Existing regulations provide a sliding schedule of fees, based on various percentages of the federally designated levels signifying poverty, for services and supplies provided by the clinics. Those regulations divide the services and supplies provided into those concerning “family planning,” which are funded pursuant to the Title X of the Public Health Service Act federal grant program, and all other medical services. (NAC 439.500, 442.222)

Sections 1 and 2 of this regulation delete the existing sliding schedules of fees and instead require the Health Division to establish a sliding schedule of fees with the approval of the State Board of Health. The sliding schedule of fees is required to be posted on the Internet and in community health nursing clinics and will be available upon request from the clinics and the Health Division.

Section 1 of this regulation further authorizes a clinic to refuse to provide services or supplies to a person if that person has not paid fees owed for prior services or supplies from such a clinic. However, **section 2** of this regulation provides that in no case may family planning services or supplies be denied. **Section 2** also provides that a client who is seeking family planning services and who has a household income below the federal poverty guidelines must not be charged a fee.