

HEALTH DIVISION

Public Health and Clinical Services, Community Health Nursing Program

April 13, 2012

LCB File # R145-11

Information Statement per NRS 233B.066

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Public comment was solicited by the Notice of Public Hearing posted at Health Division locations, State Library and Archives, county libraries and mailed notification of the Notice of Public Hearing to affected stakeholders. Two public workshops were held, videoconferenced to Battle Mountain, Fallon, Winnemucca, Caliente, Hawthorne, Ely, Lovelock and Pahrump. There was no public testimony provided during the State Board of Health Public Hearing on April 12, 2012:

A summary of the Hearing for Amendment of Nevada Administrative Code, Chapters 439.500 and 442.222 can be obtained by contacting the Community Health Nursing Program, 4150 Technology Way, Suite 101, Carson City, Nevada, 89706.

2. The number of persons who:

(a) Attended the hearing;

(b) Testified at each hearing; and

(c) Submitted to the agency written statements.

Mary Wherry, Deputy of Clinical Services for the Community Health Nursing Program presented the proposal to amend Nevada Administrative Code, Chapters 439.500 and 442.222. No one provided testimony or submitted written statements.

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

A Small Business Impact Questionnaire was sent to all providers in the rural and frontier areas of Nevada along with a copy of the proposed regulation changes, on November 23, 2011. Out of 208 small business impact questionnaires distributed, only 1 response was received. The following is the response:

Summary of Comments Received (1 response was received out of 208 small business impact questionnaires distributed)			
Will a specific regulation have an adverse economic effect upon your business?	Will the regulation (s) have any beneficial effect upon your business?	Do you anticipate any indirect adverse effects upon your business?	Do you anticipate any indirect beneficial effects upon your business?
N/A	N/A	N/A	N/A

Number of Respondents out 208	Adverse economic effect?	Beneficial effect?	Indirect adverse effects?	Indirect beneficial effects?
1	NO	NO	NO	NO

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4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The statement should also explain the reasons for making any changes to the regulation as proposed.

There were no changes made to the proposed regulations that were approved by the State Board of Health on April 13, 2012.

5. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

a. Both adverse and beneficial effects; and

➤ Beneficial effects:

There is no beneficial effect on the small businesses in rural or frontier Nevada.

The Sliding Fee Schedule will match medical coding requirement which will have a beneficial effect on the public.

➤ Adverse effects:

There is no adverse effect on the small businesses in rural or frontier Nevada.

There is no adverse effect on the public.

b. Both immediate and long term effects.

- Immediate effects: There is no immediate effect for the proposed regulations.
- Long term effects: Updating the regulations will allow the program to be compliant with federal law in a timely, cost-effective manner.

6. The estimated cost to the agency for enforcement of the proposed regulation.

The estimated cost to the agency for enforcement of the proposed regulations is minimal.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulatory federal agency.

There is no known overlap or duplication of the proposed regulations with other state, federal, or other government agencies regulations.

8. The regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

Per our Title X Grant Program Guidelines, the Community Health Nursing Program must maintain a financial management system that meets the standards specified in Subpart C of 45 CFR Part 74 or Subpart C of 45 CFR Part 92. A schedule of discounts must be developed and implemented with sufficient proportional increments so that inability to pay is never a barrier to service. A schedule of discounts is required for individuals with family incomes between 101% and 250% of the Federal poverty level. Fees must be waived for individuals with family incomes above this amount who, as determined by the service site project director, are unable, for good cause, to pay for family planning services. Therefore, these regulations will bring us in compliance with the Federal regulations.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

No new fees or increases in existing fees will occur as a result of these proposed regulations. Instead, our fees will be re-structured.

10. If the proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formulation, operation or expansion of a small business. What methods did the agency use in determining the impact of the regulation on a small business?

It is not anticipated that these proposed regulations would impose a direct and significant economic burden upon a small business.