

MEETING NOTICE AND AGENDA

Name of Organization: Legislative Commission's Subcommittee to Review Regulations
(NRS 233B.067 and NRS 233B.0675)

Date and Time of Meeting: Wednesday, July 21, 2010
2:00 p.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, Nevada

Note: Some members of the Subcommittee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Legislative Building
Room 4100
401 South Carson Street
Carson City, Nevada

Great Basin College
Room 137, High Tech Center
1500 College parkway
Elko, Nevada

If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "Live Meetings – Listen or View."

A G E N D A

[Items on this agenda may be taken in a different order than listed]

I. Opening Remarks

Assemblyman Marcus Conklin, Chairman

***II. Review of Administrative Regulations Submitted Pursuant to NRS 233B.067 and NRS 233B.0675. A List of the Regulations to be Considered is Attached.**

(The text of these regulations is hyperlinked to the electronic version of this agenda posted on the Nevada Legislature website:

<http://www.leg.state.nv.us/register/Indexes/RegsReviewed.htm>.

Please contact the Legal Division of the Legislative Counsel Bureau at (775) 684-6830 for a hard copy of the text of the regulations.)

III. Public Comment

(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

IV. Adjournment

***Denotes items on which the Subcommittee may take action.**

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Legal Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call (775) 684-6830 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street.

Notice of this meeting was faxed and/or e-mailed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

Notice of this meeting was faxed and/or e-mailed for posting to the following Elko, Nevada locations: Great Basin College, 1500 College Parkway

Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

**STATE AGENCY REGULATIONS TO BE REVIEWED
BY THE LEGISLATIVE COMMISSION'S
SUBCOMMITTEE TO REVIEW REGULATIONS**

July 21, 2010

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067:		
LCB NO.	NAC	AGENCY/ SUBJECT
2009 REGULATIONS		
R033-09A	639	<p>STATE BOARD OF PHARMACY A REGULATION relating to medical products; specifying the qualifications for an administrator of a medical products provider or medical products wholesaler; and providing other matters properly relating thereto Contact: Jeri Walter 775.850.1440</p>
R162-09A	120A	<p>ADMINISTRATOR OF UNCLAIMED PROPERTY A REGULATION relating to unclaimed property; establishing procedures governing requests for waivers of certain penalties and interest; establishing requirements relating to the selection of persons to be audited by the Administrator of Unclaimed Property; establishing procedures for confirming the ownership of an outstanding check or a credit balance under certain circumstances; requiring a holder that believes it is not in possession of unclaimed property to file a certain report under certain circumstances; imposing certain reporting requirements on a holder of unclaimed property that consists of securities; establishing requirements concerning the verification of certain documents; revising provisions concerning the reporting of unclaimed property; requiring copies of certain agreements to be submitted to the Administrator under certain circumstances; requiring the use of an electronic funds transfer under certain circumstances; and providing other matters properly relating thereto Contact: Mary McElhone 702.486.3907</p>
R170-09A	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION relating to public utilities; revising provisions relating to disclosures about certain electronic waste; and providing other matters properly relating thereto Contact: Samuel Crano 702.486.7237</p>

R179-09A	441A 449	STATE BOARD OF HEALTH A REGULATION relating to public health; establishing provisions for the permitting of certain offices of physicians and other facilities which provide health care; prescribing a fee for the issuance and renewal of a permit; prescribing the national accreditation required of those offices and facilities; requiring certain offices of physicians and related facilities to establish a program for the prevention and control of infections and communicable diseases; prescribing sanctions; and providing other matters properly relating thereto Contact: Janet Osalvo 775.684.4215
R197-09A	427A	AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES A REGULATION relating to intermediary service organizations; providing for the issuance of a provisional certificate; establishing a complaint and appeals process for applicants and certificate holders who are aggrieved by certain actions of the Aging and Disability Services Division of the Department of Health and Human Services; and providing other matters properly relating thereto Contact: Todd Butterworth 775.687.4452
R203-09A	449	STATE BOARD OF HEALTH A REGULATION relating to surgical centers for ambulatory patients; prescribing requirements for accreditation by a nationally recognized organization; and providing other matters properly relating thereto Contact: Janet Osalvo 775.684.4215
R211-09A	457	STATE BOARD OF PHARMACY A REGULATION relating to cancer; prescribing provisions for the Cancer Drug Donation Program; establishing the application process and requirements for participation in the Program; prescribing categories of cancer drugs that may be donated to the Program; establishing the maximum fee that may be charged for distributing and dispensing a cancer drug pursuant to the Program; and providing other matters properly relating thereto Contact: Jeri Walter 775.850.1440

2010 REGULATIONS		
R002-10A	632	<p>STATE BOARD OF NURSING</p> <p>A REGULATION relating to nursing; revising provisions governing licensing and certification, including renewal of a license or certificate; revising provisions governing school nurses; revising provisions governing advanced practitioners of nursing; revising provisions relating to procedures delegable to licensed practical nurses; and providing other matters properly relating thereto</p> <p>Contact: Frederick Olmstead 775.688.2620</p>
R010-10A	319	<p>DEPARTMENT OF HEALTH AND HUMAN SERVICES</p> <p>A REGULATION relating to housing; setting forth the procedures for the report to the Aging and Disability Services Division of the Department of Health and Human Services that is required to be made by certain owners of residential housing units; and providing other matters properly relating thereto</p> <p>Contact: Todd Butterworth 775.687.4452</p>
R017-10A	427A	<p>ADMINISTRATOR OF THE AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES</p> <p>A REGULATION relating to services to aging persons; revising provisions relating to advocacy for residents of facilities for long-term care, including, under certain circumstances, advocacy during the process of discharging a resident from such a facility; establishing the minimum number of hours and the content of the training of advocates required to be provided by the State Long-Term Care Ombudsman; requiring each such facility to post a notice relating to the Ombudsman and advocates; and providing other matters properly relating thereto</p> <p>Contact: Sally Ramm 775.688.2964</p>
R018-10A	427A	<p>AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES</p> <p>A REGULATION relating to services to aging persons; revising the requirements for eligibility for the program established by the Aging and Disability Services Division of the Department of Health and Human Services to provide certain community-based services to frail elderly persons; revising provisions relating to the individual assessment of and the plan of care and case management for persons enrolled in the program; revising provisions relating to the provision and scope of services available to persons enrolled in the program; revising provisions relating to a request for administrative review concerning the program; and providing other matters properly relating thereto</p> <p>Contact: Sally Ramm 775.688.2964</p>

R022-10A	486A	<p>STATE ENVIRONMENTAL COMMISSION A REGULATION relating to vehicles; adopting by reference certain regulations relating to the use of gasoline as an alternative fuel; revising certain provisions governing the applicability of provisions governing the use of alternative fuels; requiring the Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources to maintain a list of each fuel designated as an alternative fuel and to make the list available for public inspection under certain circumstances; requiring a fleet of motor vehicles to consist of a certain percentage of clean vehicles, hybrid electric vehicles or motor vehicles that are capable of using an alternative fuel; requiring the operator of a fleet to file a written report concerning the motor vehicles included in the fleet; requiring the report and any information included in the report to be certified; authorizing the State Environmental Commission to approve a variance from certain provisions governing the use of alternative fuels; revising provisions governing certain minor violations and the payment of fines to the State of Nevada relating to alternative fuels; and providing other matters properly relating thereto Contact: Adele Malone 775.687.9356</p>
R023-10A	179A	<p>DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY A REGULATION relating to records; requiring the Central Repository for Nevada Records of Criminal History to take certain action if it is determined that there is inaccurate or insufficient information relating to a record of mental health; requiring the Central Repository to make a certain form relating to records of mental health available to courts; making various changes relating to the Revolving Account to Investigate the Background of Volunteers Who Work With Children; and providing other matters properly relating thereto Contact: Julie Butler 775.684.6201</p>
R024-10A	427A	<p>AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES A REGULATION relating to persons with disabilities; revising provisions relating to the program to provide financial assistance to persons with physical disabilities for certain essential personal care; and providing other matters properly relating thereto Contact: Todd Butterworth 775.687.4452</p>

R031-10A	385A	<p>STATE BOARD OF EDUCATION A REGULATION relating to education; prescribing the differentiated corrective actions, consequences and sanctions that apply to public schools that are designated as demonstrating need for improvement for 4 or more consecutive years; prescribing provisions governing actions that may be taken for public schools that are designated as demonstrating need for improvement for 3 or more consecutive years; and providing other matters properly relating thereto Contact: Christina Harper 775.687.9226</p>
R035-10A	645B 645F	<p>COMMISSIONER OF MORTGAGE LENDING A REGULATION relating to mortgages; providing certain requirements related to independent contractors, including, without limitation, loan processors and underwriters; providing various requirements related to the unique identifier of a residential mortgage loan originator; establishing a method for a person with a license to change an electronic mail address; providing certain requirements related to residential mortgage loan originators and real estate brokerage activities; providing for certain interaction with the Nationwide Mortgage Licensing System and Registry, including, without limitation, the sharing of information with the Registry; providing various requirements related to the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008; providing certain requirements related to procedures, terms and deadlines related to the issuance, maintenance, renewal and reinstatement of a license as a mortgage broker or mortgage agent; providing various requirements related to exemptions and certificates of exemption; requiring a surety bond for certain persons; providing an application for a corporate office; revising requirements for maintaining certain records; revising the timing of the payment of various fees; revising certain requirements related to advertising; revising various requirements related to initial education courses, continuing education, and written tests; and providing other matters properly relating thereto Contact: Sheila Walther 775.684.7055</p>

R038-10A	645E	<p>COMMISSIONER OF MORTGAGE LENDING A REGULATION relating to mortgages; providing various requirements relating to procedures, terms and deadlines related to the issuance, maintenance, renewal and reinstatement of a license as a mortgage banker; providing certain requirements related to exemptions and certificates of exemption; providing various requirements related to the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008; establishing a method for a person with a license to change an electronic mail address; providing for various interaction with the Nationwide Mortgage Licensing System and Registry, including, without limitation, the sharing of information with the Registry; providing certain requirements related to independent contractors, including, without limitation, loan processors and underwriters; requiring a surety bond for certain persons; revising the definition of and various requirements related to a qualified employee; providing certain requirements related to the unique identifier of a residential mortgage loan originator; revising various requirements related to advertising; revising the procedure for closing an office; revising the timing of the payment of certain fees; and providing other matters properly relating thereto Contact: Sheila Walther 775.684.7055</p>
R040-10A	445B	<p>STATE ENVIRONMENTAL COMMISSION A REGULATION relating to air pollution; repealing provisions governing Clean Air Mercury Rule operating permits to construct; and providing other matters properly relating thereto Contact: John Walker 775.687.9308</p>
R042-10A	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION relating to public utilities; prescribing the requirements for electric utilities to recover certain amounts based on the measurable and verifiable effects of the implementation of energy efficiency and conservation programs approved by the Public Utilities Commission of Nevada; amending various provisions concerning the information which an electric utility must include in the resource plan filed with the Commission; and providing other matters properly relating thereto Contact: Samuel Crano 702.486.7237</p>

R045-10A	179A	<p>CENTRAL REPOSITORY FOR NEVADA RECORDS OF CRIMINAL HISTORY</p> <p>A REGULATION relating to records; requiring the Central Repository for Nevada Records of Criminal History to make a form for the transmittal of information relating to records of mental health available to courts; establishing procedures for a person who is the subject of information relating to records of mental health held by the Central Repository to review and correct information which is inaccurately or insufficiently contained in the record of mental health; and providing other matters properly relating thereto</p> <p>Contact: Julie Butler 775.684.6201</p>
R061-10A	445A	<p>STATE ENVIRONMENTAL COMMISSION</p> <p>A REGULATION relating to public water systems; revising the date upon which certain federal regulations are adopted by reference; amending the frequency of sanitary surveys for public water systems using solely groundwater; requiring a preliminary engineering report to include certain information if it includes certain treatment processes; requiring public water systems to keep records of documentation required to comply with certain federal regulations; requiring public water systems using surface water to comply with certain standards for disinfection; and providing other matters properly relating thereto</p> <p>Contact: Jennifer Carr 775.687.9515</p>