

## LCB File No. R076-01

### PROPOSED REGULATION OF THE STATE BOARD OF HEALTH

(This proposed regulation was adopted as LCB File No. T034-01)

#### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN that the State Health Division will hold public hearing and act on amendments to Nevada Administrative Code (NAC) 449. The hearing is scheduled to begin at 9:00 a.m. on Friday, September 7, 2001, at the Washoe County District Health Department, 1001 East 9<sup>th</sup> Street, South Auditorium, Reno, Nevada.**

#### PLAN REVIEW

The revised regulation is needed to allow payment for a review of architectural documents directly from a provider to the private Sector Company that will be conducting the review for new construction and remodeling of existing buildings. The Health Division pursuant to a recommendation from the State Board of Health has provided an "Intent to Award" notice to "P&D Consultants" in Las Vegas, Nevada to conduct the plan reviews. NAC 449.0165 was revised to require that providers submit two sets of architectural documents and specifications directly to the designated plan review agency of the Health Division. The regulation also states that the costs of the review and any subsequent reviews will be borne by the provider and paid directly to the designated plan review agency. The effects will be long term due to the intent of the Health Division to continue to have a private sector company conduct the plan reviews. The benefit to providers is a faster turn around time for the completion of the plan review and qualified architects and engineers will conduct the review. No anticipated effects on the public. The estimated cost to the agency would include the expenses associated with the request for proposal process every few years. Bureau staff that are currently responsible for completing the plan reviews and life safety code/physical environment surveys will be utilized for monitoring and answering questions for the private sector company. At this time we do not anticipate increased personnel costs associated with this regulation modification. Other local county government agencies also require submittal of architectural documents for review as a condition of receiving a building permit. For example, Clark and Washoe Counties. The State Fire Marshal's office and the Bureau of Health Protection Services require submittal of architectural documents. These agencies all have a fee associated with the review and with the building permit. There is no overlap of a Federal regulation. The Federal regulations do not require a review of architectural documents. The current fee for plan review is \$360.00 and \$130.00 to review any changes or revisions to the plans. This language has been revised to state the following: "All costs incurred for the review of architectural documents and any changes or revisions made to the documents must be borne by the applicant and paid directly to the health division's designee conducting the plan review". The fees will increase, however, they will be equitably based on the size of the building project

## **FACILITY FOR THE TREATMENT OF ABUSE OF ALCOHOL OR DRUGS**

The proposed revised regulations for a Facility for the Treatment of Abuse for Alcohol and Drugs have had no major revisions since 1976. The revised regulations incorporate current standards for treatment of Abuse for Alcohol and Drugs and allow for a program of Social Model Detoxification. The regulations allow for a 24-hour residential treatment facility to provide treatment for abuse of alcohol or drugs. If the facility chooses, it may have a special designation for a Social Model detoxification program. A social model detoxification program will be a social model with no requirements for medical professionals except for the initial physical assessment. The clients must have a physical assessment and review of their medical and drug history by a physician, nurse practitioner, registered nurse or physician assistant within 24 hours after the client is admitted to assure the clients are appropriate for a psychosocial detoxification program. Case management services are provided rather than social services; thus allowing for certified or licensed Alcohol and Drug Abuse counselors to provide the services. It is anticipated that the revision will have beneficial effects on the business by allowing for greater access for individuals with alcohol and drug addiction problems. It will allow licensed or certified Alcohol and Drug Abuse counselors to provide case management services rather than social services by a licensed social worker. It is anticipated that the revision of these regulations will be beneficial for the public by allowing for a greater number of individuals with alcohol and drug additions access to rehabilitative services/programs. There will be no increase in cost for the Bureau of Licensure and Certification to enforce the proposed regulations. Sections that may overlap other state agencies are outlined below. These overlap with the Bureau of Alcohol and Drug Abuse certification regulations.

- Section 18                      NAC 449.088 Policies and Procedures
- Section 24                      NAC 449.108 Residential program
- Section 25                      NAC 449.111 Administrator: Qualification and duties
- Section 26                      NAC 449.114 Employees: General Provisions
- Section 36                      NAC 449.150 Records of clients
- Section 37                      NAC 449.153 Discrimination prohibited.

The regulations do not overlap or duplicate any federal regulation. The proposed regulations do not have provisions which are more stringent than a federal regulation that regulates the same activity. The proposed regulations do not establish any new fee or increasing an existing fee.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to the Board's Secretary by August 23, 2001.

Secretary, State Board of Health  
Nevada State Health Division  
Capitol Complex  
505 E. King Street, Room 201  
Carson City, NV 89701-4797

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow Board members adequate time to review the documents.

Members of the public who are disabled and require special accommodations or assistance at the meeting are required to notify Yvonne Sylva, Secretary, Board of Health, in writing at the Nevada State Health Division, 505 E. King Street, Room 201, Carson City, NV 89701, or by calling (775) 687-4740 no later than August 23, 2001.

A copy of this notice and the proposed regulation amendments are on file for inspection at the following locations during normal business hours:

Bureau of Licensure and Certification, 1550 E. College Pkwy, Suite 158, Carson City, Nevada (775) 687-4475.  
Bureau of Licensure and Certification, 4220 S. Maryland Parkway, Suite 810, Las Vegas, Nevada (702) 486-6515.  
Bureau of Licensure and Certification, 1755 E. Plumb Lane, Suite 241, Reno, Nevada (775) 688-2888  
Emergency Medical Services, 850 Elm Street, Elko, Nevada (775) 753-1154.  
Emergency Medical Services, 100 Frankie, Tonopah, Nevada (775) 482-3722.

Copies may be obtained in person, by mail, or by calling (775) 687-4475. Copies are also available for review at all physical locations of program offices (see above) or the following main public libraries in each county:

Carson City Library, 900 North Roop St. Carson City, NV 89701  
Churchill County Library, 533 S. Main St. Fallon, NV 89406  
Clark County Library, 4020 Maryland Parkway, Las Vegas, NV 89119  
Douglas County Library, 1625 Library Lane, (PO Box 337) Minden, NV 89423  
Elko County Library, 720 Court St. Elko, NV 89801  
Goldfield Public Library (Esmeralda Co.), Corner of Crook and Ramsey, (PO Box 430) Goldfield, NV 89013  
Eureka Branch Library, 10190 Monroe St., Eureka, NV 89316  
Humboldt County Library, 85 East 5th St., Winnemucca, NV 89445  
Battle Mountain Branch Library (Lander Co.), 6255 Broad St., Battle Mountain, NV 89820  
Lincoln County Library, 63 Maine St., (PO Box 330) Pioche, NV 89043  
Lyon County Library, 20 Nevin Way, Yerington, NV 89447  
Mineral County Library, 125 A St., (PO Box 1390) Hawthorne, NV 89415  
Pershing County Library, 125 Central, (PO Box 781) Lovelock, NV 89419  
Storey County Library, 95 South R St., (PO Box 14) Virginia City, NV 89440  
Tonopah Public Library (Nye Co.), 171 Central, (PO Box 449) Tonopah, NV 89049  
Washoe County Library, 301 South Center St., (PO Box 2151) Reno, NV 89505  
White Pine County Library, 950 Campton St., Ely, NV 89301

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

**LCB File No. R076-01**

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

**FEES**

**EXPLANATION** – Italicized material is new; material in ~~⊞~~ is to be deleted.

**NOTE:** Only those sections being changed are provided in this document.

Section 1 NAC 449.0165 Additional license and renewal fees for review of building plans related to new construction or remodeling at certain facilities. (NRS 439.150, 449.037, 449.050)

An applicant for a license or the renewal of a license to operate a medical facility, facility for the dependant or program of hospice care who wishes or is required pursuant to NAC 449.15359 or 449.4063 to have building plans for new construction or remodeling reviewed by the health division must:

~~[1. — Submit to the health division the building plans and his application for a license or renewal of a license; and~~

~~— Pay to the health division:~~

~~— (a) For the initial review of each plan submitted, a fee of \$360.; and~~

~~— (b) For each subsequent review of a plan submitted, a fee of \$130.]~~

*1. Submit to the health division or have on file a current application for a license and the fees pursuant to 449.050.*

*2. Submit two sets of complete architectural documents and specifications to the designated plan review agency of the Health Division. All costs incurred for the review of*

*architectural documents and any changes or revisions made to the documents must be borne by the applicant and paid directly to the health division's designee conducting the plan review.*

The fees required to be paid pursuant to this subsection are not refundable and are in addition to the fees charged for the issuance or renewal of the license pursuant to NAC 449.013 or 449.016.