

## **NOTICE OF PUBLIC HEARING**

Intent to Adopt Regulations  
(LCB File NO. R033-16)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Chapter 442 of Nevada Administrative Code (NAC), Maternal and Child Health; Abortion. This public hearing is to be held in conjunction with the State Board of Health meeting on September 9, 2016. The NAC 442 regulation changes will be heard in the order placed on the State Board of Health agenda.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on Friday, September 9, 2016 at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room #303 Carson City, Nevada	Southern Nevada Health District 280 South Decatur Blvd Red Rock Conference Room Las Vegas, Nevada	Division of Aging and Disability Services Early Intervention Services 1020 Ruby Vista Drive, Suite 102 Elko, Nevada
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The proposed regulations to NAC 442 include the following: The proposed addition/change of regulations in LCB File No. R033-16 include provisions for:

- Proposed regulations LCB File No. R033-16 went through the Public Workshop and Small Business Impact Statement process to amend existing regulations NAC 442.020 through 442.050, inclusive, relating to moving Newborn Screening from out of state to the University of Nevada, Reno, Public Health Laboratory.
- Nevada will no longer utilize an out of state entity for the processing and testing of Newborn Screening Kits which will now be conducted at the Nevada Public Health Laboratory.
- Every hospital or obstetric center is required to purchase newborn screening kits from the State Public Health Laboratory for appropriate processing and testing.
- The State Public Health Laboratory shall establish the price for the newborn screening test kits.
- Hospital personnel will continue to uphold specific standards in an effort to comply with the regulation amendment.

1. Anticipated effects on the business which NAC 442 regulates:

- A. *Adverse effects*: None anticipated; possible adverse effects noted in the Small Business Impact Summary relate to fees, but the proposed changes repeal NAC 440.210 relating to fees to be paid to the Division.

- B. *Beneficial*: An out of state laboratory will no longer be utilized for Newborn Screening. Amends and modifies existing language to make regulations more clear, current and compatible with reflecting the move of Newborn Screening to the University of Nevada, Reno, Public Health Laboratory.
  - C. *Immediate*: The stated adverse and beneficial effects would be immediate impacts as soon as the proposed regulations become effective.
  - D. *Long-term*: The long term impacts would be the same as the immediate impacts as it is not be expected that the impacts would go away.
2. Anticipated effects on the public:
- A. *Adverse*: None anticipated; possible adverse effects noted in the Small Business Impact Summary relate to fees, but the proposed changes repeal NAC 440.210 relating to fees to be paid to the Division.
  - B. *Beneficial*: Increased public health and safety.
  - C. *Immediate*: Increased public health and safety.
  - D. *Long-term*: Increased public health and safety.
3. At this time, there is no estimated cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations. Enforcement of the proposed regulations will be incorporated into current administrative, registration, licensing and inspection processes.
4. The amendments do not increase any existing fees.
5. The proposed regulations do not overlap or duplicate any other Nevada state regulations or proposed regulations.
6. Per NRS 233B.0608(3), A Small Business Impact Questionnaire (SBIQ) and Small Business Impact Statement (SBIS) will be submitted for approval at the September 9, 2016 Board of Health.
7. Per NRS 233B.064(2), upon adoption of any regulation, 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.
8. 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, Cody L. Phinney, to be received no later than August 30, 2016 at the following address:

Secretary, State Board of Health  
Division of Public and Behavioral Health  
4150 Technology Way, Suite 300  
Carson City, NV 89706

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.

A copy of the notice and proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

Division of Public and Behavioral Health  
675 Fairview Drive, Suite 218  
Carson City, NV 89701-5629

Division of Public and Behavioral Health  
4220 S. Maryland Parkway, Bldg. D, Ste. 810  
Las Vegas, NV 89119

Nevada State Library and Archives  
100 Stewart Street  
Carson City, NV 89701

Copies may be obtained in person, by mail, or by calling the Maternal, Child and Adolescent Health Section at (775) 684-4232 in Carson City.

A copy of the regulations and this notice can also be found on-line by going to:

<http://dpbh.nv.gov>

<http://www.leg.state.nv.us/Register/2016Register/R033-16P.pdf>

<http://www.leg.state.nv.us/App/Notice/A>

Copies may also be obtained from any of the public libraries listed below:

Carson City Library  
900 North Roop Street  
Carson City, NV 89702

Churchill County Library  
553 South Main Street  
Fallon, NV 89406

Clark County District Library  
1401 East Flamingo Road  
Las Vegas, NV 89119

Douglas County Library  
1625 Library Lane  
Minden, NV 89423

Elko County Library  
720 Court Street  
Elko, NV 89801

Esmeralda County Library  
Corner of Crook and 4<sup>th</sup> Street  
Goldfield, NV 89013-0484

Eureka Branch Library  
80 South Monroe Street  
Eureka, NV 89316-0283

Henderson District Public Library  
280 South Green Valley Parkway  
Henderson, NV 89012

Humboldt County Library  
85 East 5<sup>th</sup> Street  
Winnemucca, NV 89445-3095

Lander County Library  
625 South Broad Street  
Battle Mountain, NV 89820-0141

Lincoln County Library  
93 Maine Street  
Pioche, NV 89043-0330

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447-2399

Mineral County Library  
110 1<sup>st</sup> Street  
Hawthorne, NV 89415-1390

Pahrump Library District  
701 East Street  
Pahrump, NV 89041-0578

Pershing County Library  
1125 Central Avenue  
Lovelock, NV 89419-0781

Storey County Library  
95 South R Street  
Virginia City, NV 89440-0014

Tonopah Public Library  
167 Central Street  
Tonopah, NV 89049-0449

Washoe County Library  
301 South Center Street  
Reno, NV 89505-2151

White Pine County Library  
950 Campton Street  
Ely, NV 89301-1965