#### APPROVED REGULATION

### OF THE STATE BOARD OF HEALTH

#### LCB File No. R057-16

Effective May 16, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§1, 2, 4-9 and 11-15, NRS 457.065 and 457.240; §3, NRS 457.065 and 457.250; §10, NRS 457.065; §16, NRS 439.150, 457.065, 457.250 and 457.260.

A REGULATION relating to cancer; revising provisions relating to certain publications adopted by reference by the State Board of Health; revising provisions governing the system for reporting information on cancer and other neoplasms established and maintained by the Chief Medical Officer; establishing the amount and the procedure for the imposition of certain administrative penalties by the Division of Public and Behavioral Health of the Department of Health and Human Services; and providing other matters properly relating thereto.

## **Legislative Counsel's Digest:**

Existing law defines the term "cancer" to mean "all malignant neoplasms, regardless of the tissue of origin, including malignant lymphoma and leukemia" and, before the 78th Legislative Session, required the reporting of incidences of cancer. (NRS 457.020, 457.230) Pursuant to Assembly Bill No. 42 of the 78th Legislative Session, the State Board of Health is: (1) authorized to require the reporting of incidences of neoplasms other than cancer, in addition to incidences of cancer, to the system for reporting such information established and maintained by the Chief Medical Officer; and (2) required to establish an administrative penalty to impose against any person who violates certain provisions which govern the abstracting of records of a health care facility relating to the neoplasms the Board requires to be reported. (Sections 2, 3 and 4 of Assembly Bill No. 42, chapter 103, Statutes of Nevada 2015, at pages 385-86 (NRS 457.230-457.250)) **Section 3** of this regulation: (1) establishes the amount of and the procedures for notice and appeal with regard to the imposition of such an administrative penalty; (2) authorizes a company that owns or operates multiple health care facilities to provide the records of those multiple health care facilities that the Board requires to be reported without segregating the information by health care facility or by provider of health care; and (3) makes a company that chooses to provide records in that manner subject to any administrative penalty imposed by the Board pursuant to section 3 for the failure of any health care facility owned or operated by the company to comply with the statutory reporting requirement.

Sections 5-16 of this regulation revise existing regulations to comport with the statutory changes made by Assembly Bill No. 42. (Sections 2, 3 and 4 of Assembly Bill No. 42, chapter 103, Statutes of Nevada 2015, at pages 385-86 (NRS 457.230-457.250))

Existing law, as amended by Assembly Bill No. 42, requires, with certain limited exceptions, a provider of health care who diagnoses or provides treatment for cancer or other neoplasms and a hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer or other neoplasms to report information on cases of cancer and other neoplasms to the system. (NRS 457.230) **Section 4** of this regulation sets forth the information that is required to be provided to the system by such a provider of health, and by a health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms. Pursuant to existing law, a provider of health care who has directly referred or previously admitted a patient to a hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms is excepted from the requirement of reporting information concerning that case to the system. (Section 2 of Assembly Bill No. 42, chapter 103, Statutes of Nevada 2015, at page 385 (NRS 457.230))

**Section 10** of this regulation sets forth the limited information that a provider of health care who has directly referred or previously admitted a patient to a hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms is authorized to provide to the Chief Medical Officer. **Section 10** does <u>not</u> require such a provider of health care to report information on cases of cancer and other neoplasms involving such a patient to the system, rather, it authorizes such a provider of health care to provide limited information to the Chief Medical Officer which the Chief Medical Officer may use to obtain the required reports from the hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms to which the patient was referred or admitted.

Existing law authorizes an agency to adopt by reference in a regulation material published by another authority if certain requirements are satisfied. (NRS 233B.040) Under existing regulations, the State Board of Health has adopted by reference the *Registry Operations and Data Standards (ROADS) Manual, 1996 edition.* (NAC 457.050) **Section 2** of this regulation provides instead that the Board adopts by reference the most current version of certain volumes of the *Standards for Cancer Registries*, the *International Classification of Diseases for Oncology* and the *Facility Oncology Registry Data Standards (FORDS)*, and any subsequent revision of those publications that have been approved by the Chief Medical Officer for use in this State.

Existing regulations specify the types of neoplasms that are required to be reported pursuant to state statute. (NAC 457.040, 457.045) **Sections 6 and 7** of this regulation amend existing regulations to instead reference the neoplasms listed in one of the publications adopted by reference in **section 2** of this regulation as the types of neoplasms which are required, with certain limited exceptions, to be reported pursuant to existing law.

Existing regulations require health care facilities to abstract information concerning malignant neoplasms and provide that information to the Chief Medical Officer. (NAC 457.050)

**Section 8** of this regulation expands: (1) the scope of the information abstracted to include information on cases of cancer and other neoplasms; and (2) the applicability of the requirement to certain providers of health care and other facilities that provide screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms.

**Section 16** of this regulation: (1) increases from \$32 to \$250 the fee that the Chief Medical Officer must collect from a health care facility from whose records regarding cases of neoplasms the Division of Public and Behavioral Health of the Department of Health and Human Services abstracts information pursuant to **section 8**; (2) expands the applicability of that fee to certain providers of health care and other facilities that provide screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms; (3) removes the fee imposed on a health care facility that abstracts information from its own records at the request of the Division; and (4) increases from \$35 to \$200 or the actual cost, whichever is higher, the fee that the Chief Medical Officer must collect from a medical researcher who obtains data from the registry.

- **Section 1.** Chapter 457 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.
- Sec. 2. 1. The State Board of Health hereby adopts by reference the most current version of:
- (a) The following volumes in the <u>Standards for Cancer Registries</u> published by the North American Association of Central Cancer Registries:
  - (1) Volume I, Data Exchange Standards and Record Descriptions;
  - (2) Volume II, Data Standards and Data Dictionary;
- (3) Volume III, <u>Standards for Completeness, Quality, Analysis, Management, Security,</u> and Confidentiality of Data;
  - (4) Volume IV, Standard Data EDITS; and
  - (5) Volume V, <u>Pathology Laboratory Electronic Reporting</u>.
- → A copy of each volume adopted by reference may be obtained, free of charge, from the

  North American Association of Central Cancer Registries at the Internet address

  https://www.naaccr.org.

- (b) The <u>International Classification of Diseases for Oncology</u>, published by the World Health Organization. A copy of this publication may be obtained, free of charge, from the World Health Organization at the Internet address <a href="http://codes.iarc.fr/usingicdo.php">http://codes.iarc.fr/usingicdo.php</a>.
- (c) The <u>Facility Oncology Registry Data Standards (FORDS)</u>, published by the Commission on Cancer of the American College of Surgeons. A copy of this publication may be obtained, free of charge, from the American College of Surgeons at the Internet address <a href="https://www.facs.org/quality-programs/cancer/ncdb/registrymanuals/cocmanuals">https://www.facs.org/quality-programs/cancer/ncdb/registrymanuals/cocmanuals</a>.
- 2. If a publication adopted by reference in subsection 1 is revised, the Chief Medical Officer shall review the revision to determine its suitability for this State. If the Chief Medical Officer determines that the revision is not suitable for this State, the Chief Medical Officer shall file an objection to the revision with the State Board of Health within 30 days after the standards are revised. If the Chief Medical Officer does not file such an objection, the revision becomes part of the publication adopted by reference pursuant to subsection 1. If the Board determines that the revision is not suitable for this State, it will hold a public hearing to review its determination and give notice of that hearing within 6 months after the date of the publication of the revision. If, after the hearing, the Board does not revise its determination, the Board will give notice that the revision is not suitable for this State within 30 days after the hearing. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1.
- Sec. 3. 1. Before imposing an administrative penalty pursuant to this section, the Division shall give notice in the manner forth in NAC 439.345 which includes, without limitation, a time determined by the Chief Medical Officer within which the person must

correct the violation of NRS 457.250. The Division may, for good cause shown, extend the time within which the person must correct the violation.

- 2. If a person fails to correct an alleged violation of NRS 457.250 for which a notice of violation has been issued pursuant to subsection 1 within the time allowed for correction, the Division may impose an administrative penalty of not more than \$5,000 against the person.
- 3. If a person is aggrieved by a decision of the Division relating to the imposition of an administrative penalty pursuant to this section, the aggrieved person may appeal the decision pursuant to the procedures set forth in NAC 439.300 to 439.395, inclusive.
- 4. A company that owns and operates multiple health care facilities may satisfy the requirement set forth in subsection 1 of NRS 457.250 for all such health care facilities in one report without segregating by health care facility, or by provider of health care, the records subject to reporting.
- 5. If a company chooses to make the records subject to reporting available to the Chief Medical Officer or the Chief Medical Officer's representative for multiple health care facilities owned or operated by the company in the manner described in subsection 4, any administrative penalty imposed by the Board pursuant to this section for the failure of any health care facility owned or operated by the company to comply with subsection 1 of NRS 457.250 will be imposed upon the company rather than the health care facility.
- Sec. 4. 1. A provider of health care who is required to report information on cases of cancer and other neoplasms pursuant to NRS 457.230 and each health care facility and other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms must include, without limitation, the following information on the form provided to the Chief Medical Officer pursuant to NAC 457.050:

- (a) The name, address, date of birth, gender and race or ethnicity of the patient, and, if available, the social security number of the patient and the name of the primary payer from which the provider of health care or the health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and neoplasms may receive payment for the services to the patient;
- (b) Except as otherwise provided in subsection 2, the name, address and National Provider Identifier (NPI) number of the provider of health care or health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and neoplasms that is making the report;
  - (c) The date and final diagnosis of the patient;
  - (d) The anatomical site of the lesion; and
- (e) The date of the last contact with the patient and the vital status of the patient at the time of the last contact.
- 2. If a company provides information for multiple health care facilities owned or operated by the company pursuant to subsection 4 of section 3 of this regulation, the only address that is required to be included is the address of the company providing the information.
- 3. A provider of health care and a health care facility and other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms that is required pursuant to NAC 457.050 to provide the information set forth in subsection 1 and is unable to do so may request a variance from that requirement pursuant to NAC 439.200 to 439.280, inclusive, except that a variance is not necessary if the information required to be abstracted:
  - (a) Is not made available by the patient; or

- (b) Is not readily obtainable, as determined by the Division, by the provider of health care or the health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms.
- 4. To the extent that information concerning which a variance could be requested is the subject of a notice of violation pursuant to section 3 of this regulation, a health care facility, or as applicable, a company that owns or operates multiple health care facilities, may defer making a request for a variance until the time allowed for correcting the violation expires, including any extension of time to correct the violation issued by the Division.
  - **Sec. 5.** NAC 457.010 is hereby amended to read as follows:
- 457.010 As used in NAC 457.010 to 457.150, inclusive, *and sections 2, 3 and 4 of this regulation*, unless the context otherwise requires:
  - 1. "Cancer" has the meaning ascribed to it in NRS 457.020.
- 2. "Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services.
  - 3. "Health care facility" has the meaning ascribed to it in NRS 457.020.
- 4. ["Malignant neoplasm" means a virulent or potentially virulent tumor, regardless of the tissue of origin.
- 5.] "Medical laboratory" has the meaning ascribed to it in NRS 652.060.
  - [6. "Physician" means a physician licensed pursuant to chapter 630 or 633 of NRS.
  - 7. 5. "Provider of health care" has the meaning ascribed to it in NRS 629.031.
- 6. "Registry" means the office in which the Chief Medical Officer conducts the program for reporting information on cancer *and other neoplasms* and maintains records containing that information.

# **Sec. 6.** NAC 457.040 is hereby amended to read as follows:

457.040 Except as otherwise provided in NAC 457.045, the types of [malignant] neoplasms which must be reported pursuant to NRS 457.240 are as follows:

[1. Neoplasms, not otherwise specified:
— Neoplasm, malignant
— Neoplasm, metastatic
Neoplasm, malignant, uncertain whether primary or metastatic
— Tumor cells, malignant
— Malignant tumor, small cell type
— Malignant tumor, giant cell type
— Malignant tumor, fusiform cell type
— Malignant tumor, spindle cell type
2. Epithelial neoplasms, not otherwise specified:
— Carcinoma, in situ, not otherwise specified
Intraepithelial carcinoma, not otherwise specified
— Carcinoma, not otherwise specified
Epithelial tumor, malignant
— Carcinoma, metastatic, not otherwise specified
— Carcinomatosis
— Epithelioma, malignant
Large cell carcinoma, not otherwise specified
Carcinoma, undifferentiated type, not otherwise specified
— Carcinoma, anaplastic type, not otherwise specified

— Pleomorphic carcinoma
Giant cell and spindle cell carcinoma
— Giant cell carcinoma
— Spindle cell carcinoma
— Pseudosarcomatous carcinoma
— Polygonal cell carcinoma
— Spheroidal cell carcinoma
Small cell carcinoma, not otherwise specified
Reserve cell carcinoma
Round cell carcinoma
— Oat cell carcinoma
Small cell carcinoma, fusiform cell type
3. Papillary and squamous cell neoplasms:
Papillary carcinoma, in situ
Papillary carcinoma
Verrucous carcinoma
Papillary squamous cell carcinoma
Papillary epidermoid carcinoma
Squamous cell carcinoma, in situ
Epidermoid carcinoma, in situ
Intraepidermal carcinoma
Intraepithelial squamous cell carcinoma
Squamous cell carcinoma

Epidermoid carcinoma
Spinous cell carcinoma
Squamous careinoma
Squamous cell epithelioma
Squamous cell carcinoma, metastatic
Squamous cell carcinoma, keratinizing type
Squamous cell carcinoma, large cell, nonkeratinizing type
Squamous cell carcinoma, small cell, nonkeratinizing type
Squamous cell carcinoma, spindle cell type
Adenoid squamous cell carcinoma
Squamous cell carcinoma, micro-invasive
— Queyrat's erythroplasia
Bowen's disease
Intraepidermal squamous cell carcinoma, Bowen's type
Lymphoepithelial carcinoma
4. Basal cell neoplasms:
Basal cell carcinoma, not otherwise specified
Multicentric basal cell carcinoma
Basal cell carcinoma, morphea type
Basal cell carcinoma, fibroepithelial type
Basosquamous carcinoma

5. Transitional cell papillomas and carcinomas:
Transitional cell carcinoma, in situ
Transitional cell carcinoma
Transitional carcinoma
Schneiderian carcinoma
Transitional cell carcinoma, spindle cell type
Basaloid carcinoma
Cloacogenic carcinoma
Papillary transitional cell carcinoma
6. Adenocarcinomas:
Adenocarcinoma, metastatic
Scirrhous adenocarcinoma
Linitis plastica
Superficial spreading adenocarcinoma
Adenocarcinoma, intestinal type
Carcinoma, diffuse type
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Beta-cell tumor, malignant
Glucagonoma, malignant

Alpha-cell tumor, malignant
— Gastrinoma, malignant
G cell tumor, malignant
Mixed islet cell and exocrine adenocarcinoma
Cholangiocarcinoma
Bile duct carcinoma
Bile duct adenocarcinoma
Bile duct cystadenocarcinoma
Hepatocellular carcinoma
Liver cell carcinoma
Hepatoma, malignant
Combined hepatocellular carcinoma and cholangiocar-cinoma
— Trabecular carcinoma
Adenoid cystic carcinoma
Adenocarcinoma, cylindroid type
— Cribriform carcinoma
Adenocarcinoma in adenomatous polyp
Adenocarcinoma in tubular adenoma
Carcinoma in adenomatous polyp

Adenocarcinoma in polypoid adenoma
Tubular adenocarcinoma
Tubular carcinoma
Adenocarcinoma in adenomatous, polyposis coli
Solid carcinoma
Carcinoma simplex
Carcinoid tumor, malignant
Carcinoid tumor, argentaffin, malignant
Argentaffinoma, malignant
Carcinoid tumor, nonargentaffin, malignant
Musocarcinoid tumor, malignant
Goblet cell carcinoid
Composite carcinoid
Bronchiolo-alveolar adenocarcinoma
Alveolar cell carcinoma
Bronchiolo-alveolar carcinoma
Bronchiolar adenocarcinoma
Bronchiolar carcinoma
Terminal bronchiolar carcinoma
Alveolar adenocarcinoma
Alveolar carcinoma
Papillary adenocarcinoma
Adenocarcinoma in villous adenoma

Chromophobe carcinoma
Chromophobe adenocarcinoma
Acidophil adenocarcinoma
Eosinophil carcinoma
Eosinophil adenocarcinoma
Mixed acidophil-basophil carcinoma
Oxyphilic adenocarcinoma
Oncocytic carcinoma
Oncocytic adenocarcinoma
Hurthle cell carcinoma
Hurthle cell adenocarcinoma
Basophil carcinoma
Basophil adenocarcinoma
Mucoid cell adenocarcinoma
Clear cell adenocarcinoma
Clear cell adenocarcinoma, mesonephroid type
Renal cell carcinoma
Renal cell adenocarcinoma
Grawitz tumor

Granular cell carcinoma
Granular cell adenocarcinoma
Water-clear cell adenocarcinoma
Mixed cell adenocarcinoma
Follicular adenocarcinoma
Follicular carcinoma
Follicular adenocarcinoma, well differentiated type
Follicular adenocarcinoma, trabecular type
Papillary and follicular adenocarcinoma
Nonencapsulated sclerosing carcinoma
Nonencapsulated sclerosing adenocarcinoma
Nonencapsulated sclerosing tumor
Adrenal cortical carcinoma
Adrenal cortical adenocarcinoma
Adrenal cortical tumor, malignant
Endometrioid carcinoma
Endometrioid adenocarcinoma
Endometrioid cystadenocarcinoma
Endometrioid adenofibroma, malignant
Endometrioid cystadenofibroma, malignant
7. Adnexal and skin appendage neoplasms:

Skin appendage carcinoma
Adnexal carcinoma
Sweat gland adenocarcinoma
Sweat gland carcinoma
Sweat gland tumor, malignant
Apocrine adenocarcinoma
Sebaceous adenocarcinoma
Sebaceous carcinoma
Ceruminous adenocarcinoma
8. Mucoepidermoid neoplasms:
Mucoepidermoid carcinoma
— 9. Cystic, mucinous and serous neoplasms:
Cystadenocarcinoma
Serous cystadenocarcinoma
Serous adenocarcinoma
— Papillary cystadenocarcinoma
Papillocystic adenocarcinoma
Papillary serous cystadenocarcinoma
Papillary serous adenocarcinoma
Serous surface papillary carcinoma
Pseudomucinous adenocarcinoma

Pseudomucinous cystadenocarcinoma
Papillary mucinous cystadenocarcinoma
Papillary pseudomucinous
Mucinous adenocarcinoma
— Mucinous carcinoma
Colloid adenocarcinoma
Colloid carcinoma
Gelatinous adenocarcinoma
Gelatinous carcinoma
Mucous adenocarcinoma
Mucous carcinoma
Pseudomyxoma peritonei
Mucin-producing adenocarcinoma
Mucin-producing carcinoma
Mucin-secreting adenocarcinoma
Mucin-secreting carcinoma
Signet ring cell carcinoma
Signet ring cell adenocarcinoma
Metastatic signet ring cell carcinoma
Krukenberg tumor

— 10. Ductal, lobular and medullary neoplasms:
Intraductal carcinoma, noninfiltrating
Intraduct carcinoma, in situ
Infiltrating duct carcinoma
Infiltrating duct adenocarcinoma
— Duct carcinoma
Duct cell carcinoma
— Ductal carcinoma
Comedocarcinoma, noninfiltrating
Comedocarcinoma
Juvenile carcinoma of the breast
Secretory carcinoma of the breast
Noninfiltrating intraductal papillary adenocarcinoma
Noninfiltrating intracystic carcinoma
Medullary carcinoma
Medullary adenocarcinoma
Parafollicular cell carcinoma
— C cell carcinoma
Medullary carcinoma with amyloid stroma
Solid carcinoma with amyloid stroma
Medullary carcinoma with lymphoid stroma
Lobular carcinoma, in situ

Lobular carcinoma, noninfiltrating
Lobular carcinoma
Lobular adenocarcinoma
Infiltrating lobular carcinoma
Infiltrating ductular carcinoma
— Inflammatory carcinoma
Inflammatory adenocarcinoma
Paget's disease, mammary
Paget's disease of breast
Paget's disease and infiltrating duct carcinoma of breast
Paget's disease, extramammary
Acinar cell carcinoma
Acinic cell adenocarcinoma
Acinar adenocarcinoma
— 11. Complex epithelial neoplasms:
Adenosquamous carcinoma
Adenocarcinoma with squamous metaplasia
Adenocarcinoma with cartilaginous and osseous metaplasia
Adenocarcinoma with spindle cell metaplasia
Adenocarcinoma with apocrine metaplasia
Thymoma, malignant

Thymic carcinoma
12. Specialized gonadal neoplasms:
Theca cell carcinoma
Thecoma, malignant
Granulosa cell tumor, malignant
Granulosa cell carcinoma
Androblastoma, malignant
Arrhenoblastoma, malignant
Sertoli cell carcinoma
Leydig cell tumor, malignant
Interstitial cell tumor, malignant
—13. Paragangliomas and glomus tumors:
Paraganglioma, malignant
Extra-adrenal paraganglioma, malignant
Nonchromaffin paraganglioma, malignant
Pheochromocytoma, malignant
Pheochromoblastoma
Glomangiosarcoma
Glomoid sarcoma
—14. Nevi and melanomas:

Nodular melanoma
Balloon cell melanoma
Amelanotic melanoma
Malignant melanoma in junctional nevus
Precancerous malanosis
Malignant melanoma in precancerous melanosis
Hutchinson's melanotic freckle
Lentigo maligna
Malignant melanoma in Hutchinson's melanotic freekle
Lentigo maligna melanoma
Superficial spreading melanoma
Malignant melanoma in giant pigmented nevus
Epithelioid cell melanoma
Epithelioid cell melanosarcoma
Spindle cell melanoma
Spindle cell melanoma, type A
Spindle cell melanoma, type B
Mixed epithelioid and spindle cell melanoma
Blue nevus, malignant
— 15. Soft tissue tumors and sarcomas:
Sarcoma

Soft tissue tumor, malignant
Mesenchymal tumor, malignant
Sarcomatosis
Spindle cell sarcoma
Giant cell sarcoma
Pleomorphic cell sarcoma
Small cell sarcoma
Round cell sarcoma
Epithelioid cell sarcoma
— 16. Fibromatous neoplasms:
<del>Fibrosarcoma</del>
Fibromyxosarcoma
Periosteal fibrosarcoma
Periosteal sarcoma
Fascial fibrosarcoma
Infantile fibrosarcoma
Congenital fibrosarcoma
Fibrous histiocytoma, malignant
Fibroxanthoma, malignant
Fibroxanthosarcoma
— Dermatofibrosarcoma protuberans

Liposarcoma
Fibroliposarcoma
Liposarcoma, well differentiated type
Myxoid liposarcoma
Embryonal liposarcoma
Round cell liposarcoma
— Pleomorphic liposarcoma
Mixed type liposarcoma
— 17. Myomatous neoplasms:
— Leiomyosarcoma
— Epithelioid leiomyosarcoma
— Angiomyosarcoma
— Myosarcoma
— Rhabdomyosarcoma
Rhabdosarcoma
— Pleomorphic rhabdomyosarcoma
— Mixed type rhabdomyosarcoma
—Embryonal rhabdomyosarcoma
Sarcoma botryoides
Botryoid sarcoma

Alveolar rhabdomyosarcoma

18. Complex mixed and stromal neoplasms:
Endometrial stromal sarcoma
Endometrial sarcoma
Stromal sarcoma
— Mixed tumor, malignant
Mixed tumor, salivary gland type malignant
Carcinoma in pleomorphic adenoma
Mullerian mexed tumor
Mesodermal mexed tumor
Nephroblastoma
Epithelian nephroblastoma
Mesenchymal nephroblastoma
Embryonal hepatoma
Carcinosarcoma
Carcinosarcoma, embryonal type
Mixed mesenchymal sarcoma
Embryonal sarcoma
— 19. Fibroepithelial neoplasms:

— Brenner tumor, malignant
— Cystosarcoma phyllodes, malignant
20. Synovial neoplasms:
Synovial sarcoma
Synovioma
Synovioma, malignant
Synovial sarcoma, spindle cell type
Synovial sarcoma, epithelioid cell type
Synovial sarcoma, biphasic type
Clear cell sarcoma of tendons and aponeuroses
—21. Mesothelial neoplasms:
Mesothelioma, malignant
Mesothelial sarcoma
Fibrous mesothelioma, malignant
Fibrous mesothelioma
Epithelioid mesothelioma, malignant
Epithelioid mesothelioma
Mesothelioma, biphasic type, malignant
Mesothelioma, biphasic type
22. Germ cell neoplasms:
Seminoma

Seminoma, anaplastic type
Spermatocytic seminoma
Spermatocytoma
Germinoma
Embryonal carcinoma
Embryonal adenocarcinoma
Endodermal sinus tumor
Yolk sac tumor
Polyvesicular vitelline tumor
Orchioblastoma
Embryonal carcinoma, infantile type
Polyembryoma
Embryonal carcinoma, polyembryonal type
Teratoma, malignant
Embryonal teratoma
Teratoblastoma, malignant
Mixed embryonal carcinoma and teratoma
Malignant teratoma, undifferentiated type
Malignant teratoma, anaplastic type
Malignant teratoma, intermediate type
Dermoid cyst with malignant transformation

Struma ovarii, malignant
— 23. Trophablastic neoplasms:
Malignant hydatidiform mole
Choriocarcinoma
Chorionepithelioma
Chorioepithelioma
Choriocarcinoma combined with teratoma
Choriocarcinoma combined with embryonal carcinoma
Malignant teratoma, trophoblastic type
— 24. Mesonephromas:
Mesonephroma, malignant
Mesonephric adenocarcinoma
Kupffer cell-sarcoma
Hemangioendothelioma, malignant
Hemangioendothelial sarcoma
Kaposi's sarcoma
Multiple hemorrhagic sarcoma
Hemangiopericytoma, malignant

25. Lymphatic vessel tumors:
Lymphangiosarcoma
Lymphangioendothelial sarcoma
Lymphangioendothelioma, malignant
— 26. Osteomas and osteosarcomas:
Osteosarcoma
Osteogenic sarcoma
Osteochondrosareoma
Osteoblastic sarcoma
Chondroblastic osteosarcoma
Fibroblastic osteosarcoma
Osteofibrosarcoma
Telangiectatic osteosarcoma
Osteosarcoma in Paget's disease of bone
Juxtacortical osteogenic sarcoma
Parosteal osteosarcoma
Periosteal osteogenic sarcoma
27. Chondromatous neoplasms:
Chondrosarcoma
Fibrochondrosarcoma
— Chondroblastoma, malignant

— 28. Giant cell tumors:
Giant cell tumor of bone, malignant
Osteoclastoma, malignant
Giant cell sarcoma of bone
Malignant giant cell tumor of soft parts
29. Miscellaneous bone tumors:
Ewing's sarcoma
Ewing's tumor
Endothelial sarcoma of bone
Adamantinoma of long bones
Tibial adamantinoma
— 30. Odontogenic tumors:
Odontogenic tumor, malignant
Odontogenic carcinoma
Odontogenic sarcoma
Intraosseous carcinoma
Ameloblastoma, malignant
Adamantinoma, malignant
Ameloblastic fibrosarcoma
Ameloblastic sarcoma
Odontogenic fibrosarcoma

<del>31.</del>	Miscellaneous tumors:
	Caraniopharyngioma
	- Pineloma
	Chordoma
<del>32.</del>	Gliomas:
	Glioma, malignant
	Glioma
	Gliosarcoma
	Gliomatosis cerebri
	Mixed glioma
	Mixed oligo-astrocytoma
	Subependymal glioma
	Subependymoma
	Subependymal astrocytoma
	Subependymal giant cell astrocytoma
	Choroid plexus papilloma, malignant
	Choroid plexus papilloma, anaplastic type
	<del>Ependymoma</del>
	Epithelial ependymoma
	Ependymoma, anaplastic type
	<del>Ependymoblastoma</del>

Papillary ependymoma
Myxopapillary ependymoma
Astrocytoma
Cystic astrocytoma
Astrocytoma, anaplastic type
Protoplasmic astrocytoma
Gemistocytic astrocytoma
Gemistocytoma
Fibrillary astrocytoma
Fibrous astrocytoma
Pilocytic astrocytoma
Piloid astrocytoma
Juvenile astrocytoma
Spongioblastoma
Spongioblastoma polare
Glioblastoma
Glioblastoma multiforme
Spongioblastoma multiforme
Giant cell glioblastoma
Glioblastoma with sarcomatous component

Primitive polar spongioblastoma
Oligodendroglioma, anaplastic type
— Desmoplastic medulloblastoma
Circumscribed arachnoidal cerebellar sarcoma
— Cerebral sarcoma
— 33. Neuroepitheliomatous neoplasms:
Ganglioneuroblastoma
Neuroblastoma
Sympathicoblastoma
Sympathicogonioma
Sympathogonioma
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Terotoid medulloepithelioma
Neuroepithelioma
Spongioneuroblastoma
— Olfactory neurogenic tumor

Esthesioneurocytoma
Esthesioneuroblastoma
Olfactory neuroblastoma
<u>Esthesioneuroepithelioma</u>
Olfactory neuriepithelioma
— 34. Meningiomas:
Meningioma, malignant
— 35. Nerve sheath tumors:
Neurofibrosarcoma
Neurosarcoma
Neurilemmoma, malignant
Schwannoma, malignant
— 36. Granular cell tumors and alveolar soft part sarcoma:
Granular cell tumor, malignant
Granular cell myoblastoma, malignant
Alveolar soft part sarcoma
37 Lymphomas not otherwise specified or diffuse:

Lymphoma
Malignant lymphoma, diffuse
Malignant lymphoma, non-Hodgkin's type
Malignant lymphoma, undifferentiated cell type
Malignant lymphoma, undifferentiated cell type, non-Burkitt's
Malignant lymphoma, stem cell type
Stem cell lymphoma
Malignant lymphoma, convoluted cell type
Malignant lymphoma, lymphoblastic, convoluted cell type
Lymphosarcoma
Malignant lymphoma, lymphoplasmacytoid type
Malignant lymphoma, immunoblastic type
Malignant lymphoma, mixed lymphocytic-histiocytic, not otherwise specified
Malignant lymphoma, centroblastic-centrocystic, diffuse
Germinoblastoma, diffuse
Malignant lymphoma, follicular center cell
Malignant lymphoma, lymphocytic, well differentiated
Malignant lymphoma, lymphocytic, intermediate differentiation

Malignant lymphoma, germinocytic
Malignant lymphoma, follicular center cell, cleaved
Malignant lymphoma, lymphocytic, poorly differentiated
Prolymphocytic lymphosarcoma
Malignant lymphoma, centroblastic type
Malignant lymphoma, follicular center cell, noncleaved
— 38. Reticulosarcomas:
Reticulosarcoma
Reticulosarcoma, pleomorphic cell type
Reticulosarcoma, nodular
— 39. Hodgkin's disease:
Hodgkin's disease
Lymphogranuloma, malignant
Lymphogranulomatosis, malignant
Malignant lymphoma, Hodgkin's type
Hodgkin's disease, lymphocytic predominance
Hodgkin's disease, mixed cellularity
Hodgkin's disease, lymphocytic depletion
Hodgkin's disease, lymphocytic depletion, diffuse fibrosis
Hodgkin's disease, lymphocytic depletion, reticular type
Hodgkin's disease, nodular sclerosis
Hodgkin's disease, nodular sclerosis, cellular phase
Hodgkin's paragranuloma
Troughin o paragranarona

Hodgkin's granuloma
Hodgkin's sarcoma
40. Lymphomas, nodular or follicular:
Malignant lymphoma, nodular
Malignant lymphoma, follicular
Nodular lymphosarcoma
Follicular lymphosarcoma
Brill-Symmer's disease
Giant follicular lymphoma
Lymphocytic lymphoma, nodular
Malignant lymphoma, mixed lymphocytic-histiocytic, nodular
Malignant lymphoma, centroblastic-centrocytic, follicular
Germinoblastoma, follicular
Malignant lymphoma, lymphocytic, well differentiated, nodular
Malignant lymphoma, lymphocytic, intermediate differentiation, nodular
Malignant lymphoma, follicular center cell, cleaved, follicular
Malignant lymphoma, lymphocytic, poorly differentiated, nodular
Malignant lymphoma, centroblastic type, follicular
Germinoblastic sarcoma, follicular
Malignant lymphoma, follicular center cell, noncleaved, follicular
—41. Mycosis fungoides:
— Mycosis fungoides
Sezary's disease

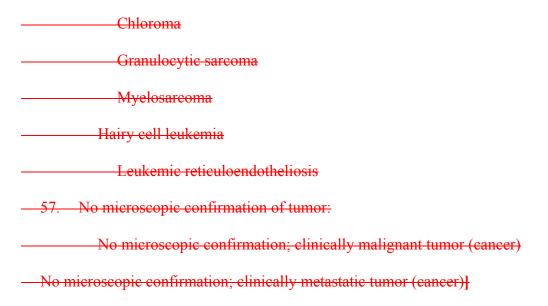
Sezary's syndrome
42. Miscellaneous reticuloendothelial neoplasms:
Malignant histiocytosis
Malignant reticuloendotheliosis
Malignant reticulosis
Histiocytic medullary reticulosis
Letterer-Siwe's disease
—43. Plasma cell tumors:
Plasma cell myeloma
Plasmacytic myeloma
Myeloma, not otherwise specified
Plasma cell tumor, malignant
Plasma cell sarcoma
—44. Mast cell tumors:
Systemic tissue mast cell disease
45. Burkitt's tumor:

Burkitt's tumor
Burkitt's lymphoma
Malignant lymphoma, undifferentiated, Burkitt's type
Malignant lymphoma, lymphoblastic, Burkitt's type
—46. Leukemias:
—————Leukemia
Acute leukemia
Stem cell leukemia
Blast leukemia
Blastic leukemia
Undifferentiated leukemia
Subacute leukemia
Chronic leukemia
Aleukemic leukemia
—47. Compound leukemias:
Compound leukemia
Mixed leukemia
—48. Lymphoid leukemias:
Lymphoid leukemia
Lymphocytic leukemia
Lymphatic leukemia
Acute lymphoid leukemia
Subacute lymphoid leukemia

Chronic lymphoid leukemia
Aleukemic lymphoid leukemia
Prolymphocytic leukemia
49. Plasma cell leukemias:
Plasma cell leukemia
Plasmacytic leukemia
— 50. Erythroleukemias:
Erythroleukemia
Erythremic myelosis
Acute erythremia
— Di Guglielmo's disease
Guglielmo's disease
Acute erythremic myelosis
Chronic erythremia
—51. Lymphosarcoma cell leukemias:
Lymphosarcoma cell leukemia
—52. Myeloid leukemias:
— Myeloid leukemia
Granulocytic leukemia
Acute myeloid leukemia

Acute granulocytic leukemia
Blastic granulocytic leukemia
Acute Myelogenous leukemia
Myeloblastic leukemia
Acute myelocytic leukemia
Acute myelomonocytic leukemia
Acute myelosis
Subacute myeloid leukemia
Chronic myeloid leukemia
Chronic granulocytic leukemia
Myelocytic leukemia
Chronic myelogenous leukemia
Chronic myelomonocytic leukemia
Naegeli-type monocytic leukemia
Chronic myelosis
Aleukemic myeloid leukemia
Aleukemic granulocytic leukemia
Aleukemic myelogenous leukemia
Aleukemic myelosis
Neutrophilic leukemia
Acute promyelocytic leukemia
—53. Basophilic leukemias:
Basophilic leukemia

— 54. Eosinophilic leukemias:
Eosinophilic leukemia
55. Monocytic leukemias:
Monocytic leukemia
Histiocytic leukemia
Schilling-type monocytic leukemia
Acute monocytic leukemia
Acute monocytoid leukemia
Subacute monocytic leukemia
Subacute monacytoid leukemia
Chronic monocytic leukemia
Chronic monocytoid leukemia
Aleukemic monocytic leukemia
Aleukemic monocytoid leukemia
— 56. Miscellaneous leukemias:
Mast cell leukemias
Thrombocytic leukemia



- 1. Any neoplasm that is listed in the <u>International Classification of Diseases for Oncology</u>, as adopted by reference in section 2 of this regulation, with a behavior code of in situ or malignant; and
- 2. Any solid tumor of the brain or central nervous system, including, without limitation, the meninges and intracranial endocrine structures, that is listed in the <u>International</u>

  <u>Classification of Diseases for Oncology</u>, as adopted by reference in section 2 of this regulation, with a behavior code of benign, uncertain malignant potential, in situ or malignant.
  - **Sec. 7.** NAC 457.045 is hereby amended to read as follows:
- 457.045 Carcinoma in situ of the cervix *uteri* and [noninvasive] cervical intraepithelial *neoplasia*, basal and squamous cell carcinomas of the skin *and prostatic intraepithelial neoplasia* are not required to be reported pursuant to NAC 457.040.
  - **Sec. 8.** NAC 457.050 is hereby amended to read as follows:
- 457.050 1. [Each] Except as otherwise provided in section 4 of this regulation, each provider of health care who is required to report information on cases of cancer and other neoplasms pursuant to NRS 457.230 and each health care facility and other facility that

provides screening, diagnostic or therapeutic services to patients with respect to cancer and
other neoplasms shall provide to the Chief Medical Officer information concerning [malignant]
such neoplasms by [abstracting] :

- (a) Abstracting, at a minimum, the information described in section 4 of this regulation on a form prescribed by the Chief Medical Officer or a designee thereof : and
- (b) Except as otherwise provided in subsection 7, submitting that information on a quarterly basis using an electronic means approved by the Chief Medical Officer or the designee.
  - 2. *Each*:
- (a) Provider of health care described in subsection 1 shall provide the information to the Chief Medical Officer required pursuant to subsection 1:
- (1) For any initial diagnosis made or treatment initiated for cancer or other neoplasms in the first quarter of a calendar year, on or before June 30 of the same calendar year;
- (2) For any initial diagnosis made or treatment initiated for cancer or other neoplasms in the second quarter of a calendar year, on or before September 30 of the same calendar year;
- (3) For any inital diagnosis made or treatment initiated for cancer or other neoplasms in the third quarter of a calendar year, on or before December 30 of the same calendar year; and
- (4) For any initial diagnosis made or treatment initiated for cancer or other neoplasms in the fourth quarter of a calendar year, on or before March 30 of the subsequent calendar year; and

- (b) Health care facility and other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms shall provide the information to the Chief Medical Officer required pursuant to subsection 1 within 6 months after a patient is admitted, initially diagnosed with or treated for cancer or another neoplasm.
- 3. Except as otherwise provided in subsection [3,] 4, each provider of health care described in subsection 1 and each health care facility and other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms shall abstract information in conformance with the standards for abstracting information concerning [malignant] neoplasms [of the Commission on Cancer of the American College of Surgeons as] set forth in [the Registry Operations and Data Standards (ROADS) Manual, 1996 edition, which is hereby adopted by reference, and any subsequent revision or amendment to the standards established by the Commission on Cancer of the American College of Surgeons. A copy of the manual may be obtained from the American College of Surgeons, 633 North Saint Clair Street, Chicago, Illinois 60611–3211, for the price of \$25.
- 3. The Chief Medical Officer shall review any revision or amendment to the standards specified in subsection 2 to determine whether the revision or amendment is appropriate for this State. Tenl:
- (a) Volumes I to V, inclusive, of the <u>Standards for Cancer Registries</u>, as adopted by reference in section 2 of this regulation; and
- (b) The <u>Facility Oncology Registry Data Standards (FORDS)</u>, as adopted by reference in section 2 of this regulation.
- 4. Ninety days after [the standards] a publication specified in subsection [2 are] 3 is revised , [or amended,] a provider of health care described in subsection 1 and a health care facility or

to cancer and other neoplasms shall abstract information in conformance with the revision [or amendment] unless the Chief Medical Officer files an objection to the [amendment or] revision [with the State Board of Health within 10 days after the standards are revised or amended.

—4.] pursuant to section 2 of this regulation.

- 5. A provider of health care described in subsection 1 and a health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms which does not use the staff of the Division to abstract information from its records shall cause to have abstracted and reported to the Division the [malignant neoplasms listed] neoplasms described in NAC 457.040 in the manner required by this section.
- [5.] 6. If a provider of health care or a health care facility [with 100 beds or more does not use the staff of the Division to abstract information from its records concerning malignant neoplasms, it shall cause to have abstracted and reported to the Division, pursuant to subsection 4, the malignant neoplasms listed in NAC 457.040 using an electronic means approved by the Chief Medical Officer or the designee, unless an exemption from this requirement is granted by the] or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms fails to comply with subsection 5, the Division shall give the provider of health care or the health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms at least 30 days after the time limit set forth in subsection 2 to comply with subsection 5 before the Division abstracts information from the records of the provider of health care facility or other facility that provides screening, diagnostic or

therapeutic services to patients with respect to cancer and other neoplasms and the Chief Medical Officer H charges the fee set forth in NAC 457.150.

- 7. The Chief Medical Officer may waive the requirement of submitting the information by electonic means pursuant to subsection 1 if the Chief Medical Officer determines that such a waiver is in the best interests of the general public.
- 8. If a provider of health care described in subsection 1 initially diagnoses a case of cancer or another neoplasm, the provider of health care is required to provide the information set forth in section 4 of this regulation with regard to the initial diagnosis of cancer or other neoplasm. If the provider of health care does not provide treatment for the cancer or other neoplasm, the provider of health care's responsibility to report information on that case of cancer or other neoplasm pursuant to this section and NRS 457.230 ends.
- 9. As used in this section, "initial diagnosis" or "initially diagnosed" means that the provider of health care or the health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms was the first provider of health care or the health care facility or other facility to designate a cancer code in the medical record of the patient and to inform the patient of his or her diagnosis. The term does not include the preparation of a diagnostic tool, including, without limitation, an image, if that diagnostic tool will be interpreted by another provider of health care or another health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms for the purpose of diagnosing cancer or another neoplasm.
  - **Sec. 9.** NAC 457.053 is hereby amended to read as follows:

- 457.053 1. A medical laboratory that obtains a specimen of human tissue which, upon examination, shows evidence of cancer *or other neoplasms* shall, within 10 working days after the date that the pathology report is completed, provide information concerning its findings to the Chief Medical Officer using an electronic means approved by the Chief Medical Officer or a designee thereof.
- 2. The information provided by a medical laboratory pursuant to subsection 1 must include, without limitation [:], for each specimen which shows evidence of cancer or other neoplasms which are subject to reporting pursuant to NAC 457.040:
- (a) The name, address, date of birth, gender and social security number of the person from whom the specimen was obtained;
- (b) The name and the address or telephone number of the [physician] provider of health care who ordered the examination of the specimen;
- (c) The name and the address or telephone number of the medical laboratory that examined the specimen;
  - (d) The final diagnosis from the pathology report; and
  - (e) Any other relevant information from the pathology report, including, without limitation:
    - (1) The anatomical site of the lesion;
    - (2) The size of the lesion;
    - (3) The stage of the disease and the grade of tumor;
    - (4) The lesion margin status, if available; and
    - (5) Lymphatic involvement, if available.
  - **Sec. 10.** NAC 457.057 is hereby amended to read as follows:

- 457.057 1. [Except as otherwise provided in subsection 3, a physician] A provider of health care who has a case of cancer or another neoplasm in which [he or she diagnoses] the provider of health care has directly referred or previously admitted a patient [as having cancer or provides treatment to a patient with cancer shall,] to a hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms is not required to provide information concerning the case to the Chief Medical Officer pursuant to NAC 457.050, but may, within [10] 30 working days after the date of the [diagnosis or the date of the first treatment,] referral or admission, provide information to the Chief Medical Officer concerning the case on a form prescribed by the Chief Medical Officer or a designee thereof, or by an electronic means approved by the Chief Medical Officer or the designee.
- 2. Information provided by a **[physician]** *provider of health care* pursuant to subsection 1 **[must]** *may* include, without limitation:
- (a) The name, address, date of birth [, gender, race or ethnicity, and social security number] and gender of the patient;
- (b) The name and the address or telephone number of the [physician] provider of health care making the report;
  - (c) The date and final diagnosis [from the pathology report;] of the patient; and
  - (d) [Any other relevant information from the pathology report, including, without limitation:
- (1) The anatomical site of the lesion;
- (2) The size of the lesion;
  - (3) The stage of the disease and the grade of tumor;
- (4) The lesion margin status, if available; and

- (5) Lymphatic involvement, if available.] The name and the address or telephone number of the hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms to which the patient was referred or admitted.
- 3. [A physician is not required to provide information pursuant to this section if the patient is directly referred to or has been previously admitted to a hospital, medical laboratory or other facility which is required to report similar information pursuant to this chapter.] The Chief Medical Officer or a designee thereof may contact a provider of health care regarding a patient of the provider of health care who was directly referred or previously admitted to a hospital, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms if the Chief Medical Officer determines it is necessary for the abstraction of the required data relating to the incidence of cancer and other neoplasms.
  - **Sec. 11.** NAC 457.060 is hereby amended to read as follows:
- 457.060 All documents in the possession of the registry which contain names of patients, [physicians, hospitals] providers of health care, health care facilities or other facilities that provide screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms or medical laboratories are confidential except the list of names of [hospitals which report information to the registry and the list of names of] medical laboratories, health care facilities or other facilities that provide screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms which report information to the registry.
  - **Sec. 12.** NAC 457.090 is hereby amended to read as follows:

- 457.090 1. If confidential information of the registry is to be mailed to a [physician or] provider of health care, health care facility [,] or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms, the envelope or container must be addressed directly to the [physician] provider of health care or to the person designated by the health care facility or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms, to receive such information.
- 2. The Chief Medical Officer shall keep a list of the persons who have been designated by the chief administrator of the health care facility *or other facility that provides screening*, *diagnostic or therapeutic services to patients with respect to cancer and other neoplasms* to receive confidential information of the registry.
  - **Sec. 13.** NAC 457.110 is hereby amended to read as follows:
- 457.110 1. The Chief Medical Officer or person employed in the registry shall not disclose the existence or nonexistence in the registry of a record concerning any patient or disclose other information about the patient except to:
  - (a) The **[physician]** provider of health care who treated the patient;
- (b) The health care facility, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms where the patient was treated;
- (c) A health care facility, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms or a registry connected with [that facility] one of those entities which has participated or is participating in treating the patient; [or]

- (d) Other states' cancer registries or federal cancer control organizations with which the Department of Health and Human Services has entered into data sharing agreements which ensure confidentiality; or
  - (e) A qualified researcher in cancer.
- 2. If a request for information about a patient is made over the telephone by the [physician] provider of health care who treated the patient or by a representative of the health care facility, medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms in which the patient was treated, and the caller is not known to the employee who receives the call at the registry, the employee must verify the identity of the caller in the manner described in NAC 457.130.
  - **Sec. 14.** NAC 457.120 is hereby amended to read as follows:
- 457.120 The Chief Medical Officer or person employed in the registry may provide confidential medical information in the registry concerning a patient's medical treatment for cancer with any health care facility, *medical laboratory or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms* or registry connected with [the facility] *one of those entities* which has participated or is participating in treating that patient's illness if the person seeking the information:
  - 1. Has been identified in the manner described in NAC 457.130;
- 2. Furnishes the employee of the registry with specific information, other than the patient's name, which is sufficient to identify the patient without using his or her name; and
- 3. Gives assurances to the employee of the registry that the confidentiality of the information will be maintained to the same extent as is required in NAC 457.010 to 457.150, inclusive [4], and sections 2, 3 and 4 of this regulation.

- **Sec. 15.** NAC 457.140 is hereby amended to read as follows:
- 457.140 1. A person who desires to use the confidential records of individual patients or the statistical data of the registry for the purpose of scientific research into cancer must apply in writing to the Chief Medical Officer. The applicant must:
  - (a) Set forth in the application:
- (1) His or her qualifications as an epidemiologist, [physician] provider of health care or employee of a bona fide program of research into cancer or other qualification for using confidential information and statistical data in the registry; and
  - (2) A description of the research project in which that information will be used.
- (b) Sign a statement, on a form furnished by the Chief Medical Officer or a designee thereof, in which the applicant agrees not to make any copies of the records, and to maintain the confidentiality of the information in the records in the manner required by NAC 457.010 to 457.150, inclusive [...], and sections 2, 3 and 4 of this regulation.
  - (c) Agree to [submit]:
- (1) Submit to the Chief Medical Officer or the designee for review and approval any proposed publication which is based on or contains information obtained from the registry [.];
- (2) Notify the Chief Medical Officer if, at any time during the research project or before publishing any results, the applicant finds evidence of an increased risk or a decreased survival rate for cancer as compared to other states in either:
  - (I) A geographical area of this State; or
- (II) A particular group of persons in this State, including, without limitation, a group of persons identifiable by age, gender, race, ethnicity, occupation, lifestyle or place of residence; and

(3) Include in any publication which is based on or contains information obtained from the registry the following disclosure in substantially the following form:

The views expressed herein are solely those of the author and do not necessarily reflect the views of the Division of Public and Behavioral Health of the Department of Health and Human Services.

- 2. The Chief Medical Officer or the designee must:
- (a) Before a researcher is allowed access to information in the registry, make a written finding that [he or she] the researcher is qualified as a researcher and has a need for the information; and
- (b) [Before any material based on or containing information from the registry is published by the researcher, examine and give written approval for the proposed publication.] Notify the Division as soon as practicable after the Chief Medical Officer receives notice of a finding described in subparagraph (2) of paragraph (c) of subsection 1. The Division shall independently assess the validity of the finding before the material may be published or released by the researcher.
  - **Sec. 16.** NAC 457.150 is hereby amended to read as follows:
  - 457.150 The Chief Medical Officer shall charge and collect from:
- 1. A provider of health care who is required to report information on cases of cancer and other neoplasms pursuant to NRS 457.230 or a health care facility [] or other facility that provides screening, diagnostic or therapeutic services to patients with respect to cancer and other neoplasms, a fee of [\$32] \$250 for each abstract prepared by the Division from the records

of the *provider of health care or the* health care facility [and a fee of \$8 for each abstract prepared by the health care facility from its own records.] or other facility.

2. A medical researcher [or other person] who obtains [information] data from the registry, a fee of [\$35] \$200 or the actual cost of [furnishing the information,] providing the data, whichever is [larger.] more.