

DIVISION OF PUBLIC & BEHAVIORAL HEALTH
Health Protection and Preparedness Bureau
Office of Vital Records and Statistics
LCB File No. R021-19

Informational Statement per NRS 233B.066

1. A clear and concise explanation of the need for the adopted regulation;

The need for this regulation change is to provide funding to implement SB463 (2019) and AB010 (2019).

SB463 (2019) provides that a Coroner may establish a program to promote the mental health of employees of the coroner and any person impacted as a result of providing services in his or her professional capacity in response to an incident involving mass casualties within the county. The Coroner may also develop a program that provides bereavement services to members of the public within the county. Additional fees for certified copy of a death certificate have been added to provide mental health services for participating counties.

AB010 (2019) provides that when an offender is released from prison by expiration of his or her term of sentence, by pardon or by parole, the Director of the Department of Corrections shall provide the offender with a photo identification card issued by the Department and information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment. The Director shall not provide an offender with a photo identification unless the photo identification card clearly indicates whether the Director has verified the full legal name and age of the offender by obtaining an original or certified copy of the documents required by the Department of Motor Vehicles pursuant to NRS 483.290 or 483.860, as applicable, furnished as proof of the full legal name and age of an applicant for a driver's license or identification card.

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

The Office of Vital Records distributed 3,999 Small Business Impact Questionnaires and proposed regulations were posted on the Division's website on July 3, 2019. A Public Workshop took place on July 29, 2019 at 9 am. At the Public Workshop, the Small Business Impact Statement was presented. No one from any government entity other than the Division of Public and Behavioral Health attended. Only two members of the public attended. However, no one testified nor made a public comment.

3. A statement indicating the number of persons who attended each meeting or workshop, testified at each hearing, and submitted written statements regarding the proposed regulation. This statement should include for each person identified pursuant to this section that testified at each hearing and/or submitted written statements regarding the proposed regulation, the following information, if provided to the agency conducting the hearing or workshop:
 - (a) Name
 - (b) Telephone Number
 - (c) Business Address
 - (d) Business telephone number
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented

Public Workshop – July 29, 2019 at 9 am

Carson City Attendees

- Jeanna Jacob, Dignity Health, Ferrari Public Affairs

Las Vegas Attendees

- Susan Zannis, Southern Nevada Health District, 280 S Decatur Blvd, Las Vegas, NV 89107

Phone In Attendees

- No calls

No one testified nor made public comment.

Public Hearing – September 30, 2019 at 9 am

Carson City Attendees

- No Attendees

Las Vegas Attendees

- No Attendees

Phone In Attendees

- Linda Anderson, Chief Deputy Attorney General
- Dr. Randall Todd, Washoe County

No one testified. The only question was when this new fee structure would become effective.

4. A description of how comment was solicited (i.e., notices) from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

The Office of Vital Records distributed 3,999 Small Business Impact Questionnaires and proposed regulations were posted on the Division's website on July 3, 2019. A return of the questionnaire was requested and thirteen (13) questionnaires were returned. Out of the returned questionnaires only one indicated any adverse impact. The funeral home stated while the price has nothing to do with them, they were concerned customers would "negatively attach the price increase to the funeral home".

The Notice for Public Workshop was distributed and posted on the Division's website on July 3, 2019. The Public Workshop took place on July 29, 2019 at 9 am. At the Public Workshop, the Small Business Impact Statement was presented. However, no one testified nor made a public comment.

The Notice for Public Hearing was distributed and posted on the Division's website on August 29, 2019. The Public Hearing took place on September 30, 2019 at 9 am. A summary of the Small Business Impact Statement and an overview of the proposed regulation changes were presented. Only one member of the public attended. However, no one testified. The only question was when this new fee structure would become effective.

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

N/A

6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:
 - (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long-term effects.

There are no estimated economic effects of the proposed regulations on small businesses. The Legislature and the Division determined that any impact on the public would be appropriately justified to meet the needs of the community.

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

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

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

At this time, there are no duplicative or more stringent provisions than federal, state or local standards.

9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions; and

At this time, there are no duplicative or more stringent provisions than federal, state or local standards.

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

Per SB463 (2019), participating counties will receive \$4.00 per death certificate sold. There is an additional \$1.00 fee added to cover the cost of the new Electronic Death Registry System.

Birth Certificates and related amendment products will also go up an additional \$5.00 per product sold. One dollar of this increase will go to cover the costs of new Electronic Birth Registry System. The rest will be used to support the anticipated costs of AB010 (2019) where all prisoners exiting the prison system will get a no-cost birth certificate to enable them to obtain employment. These costs include additional staff, materials, standard overhead costs and any unforeseen costs.

The total annual amount the agency projects to collect is \$145,000.00.

NOTE: The Informational statement is essential. If this statement is not included with the final regulations or is incomplete or inaccurate, LCB will return the regulation to the agency. Unless a statement is supplied, the LCB will not submit the regulation to the Legislative Commission, and the regulation never becomes effective (NRS 233B.0665).