

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

LCB FILE NO. R116-25I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/19/2025**

PROPOSED REGULATIONS OF THE STATE BOARD OF HEALTH

REHABILITATIVE RESIDENTIAL MENTAL HEALTH CARE

Authority: Assembly Bill 514 of the 83rd legislative session (2025) (for Rehabilitative Residential Mental Health Care)

Authority: Assembly Bill 544 of the 83rd legislative session (2025) (for modifications of license renewal dates at NAC 449.0116)

Blue italic language is new language being proposed.

~~Red strikethrough font~~ is language proposed to be omitted.

(Green language in parentheses) is a note to the drafter

Section 1. *"Administrator" defined. "Administrator" means the person appointed by a rehabilitative residential mental health care facility to have primary responsibility for the operations of the overall program of the facility.*

Sec. 2. *"Rehabilitative residential mental health care facility" means a facility that provides rehabilitative residential mental health care services as defined in Section 5 of AB514 of the 83rd legislative session.*

Sec. 3. *"Provider of rehabilitative residential mental health care for adults" means a facility that provides care to individuals 21 years of age or older.*

Sec. 4. *"Provider of rehabilitative residential mental health care for minors" means a facility that provides care to individuals up to the age of 21.*

Sec. 5. *"Resident" defined. "Resident" means a person who receives rehabilitative mental health care services from the employees and contractors of a rehabilitative residential mental health care facility while the person resides in the facility.*

Sec. 6. 1. *A rehabilitative residential mental health care facility must:*

(a) Include with the initial licensure application filed pursuant to NAC 449.011, proof that the applicant has applied for accreditation by:

- (1) The Joint Commission;*
- (2) The Commission on Accreditation of Rehabilitation Facilities;*
- (3) The Council on Accreditation; or*
- (4) Any other accrediting organization with comparable standards that is approved by the Board pursuant to subsection 2; and*

(b) Demonstrate that the proposed rehabilitative residential mental health care facility is able to comply with the requirements set forth in these regulations.

2. *An organization which accredits rehabilitative residential mental health care facilities that wishes to be recognized by the Board as an accrediting organization for the purposes of this section must submit to the Division an application on a form prescribed by the Division. The Division shall review each*

application received pursuant to this subsection and shall forward to the Board each application, including the recommendation of the Division whether to approve or deny the application. The recommendation of the Division must be based upon whether the applicant requires rehabilitative residential mental health care facilities to meet minimum requirements necessary to ensure a high level of quality. The Board may approve or deny an application submitted pursuant to this subsection.

3. If a rehabilitative residential mental health care facility fails to obtain the accreditation described in paragraph (a) of subsection 1 within 6 months after obtaining a license or fails to maintain current accreditation, or if the accreditation is revoked or otherwise no longer valid, the rehabilitative residential mental health care facility shall, as soon as practicable, cease to operate.

Sec. 7. *1. A rehabilitative residential mental health care facility shall have written policies concerning the qualifications, responsibilities and conditions of employment for each type of personnel employed by the facility, including the licensure and certification of each employee when required by law.*

2. The written policies must provide for the orientation of all employees to the policies and objectives of the rehabilitative residential mental health care facility.

3. The rehabilitative residential mental health care facility shall have evidence of a current license or certification on file at the facility for each person employed by the facility, and for each person under contract with the facility, who is required to be licensed or certified by law to perform his or her job.

Sec. 8. *1. A rehabilitative residential mental health care facility shall:*

(a) Develop and implement policies concerning the hiring of persons who will provide services.

(b) Maintain a personnel file for each employee or independent contractor who provides services.

The personnel file must contain, without limitation:

(1) Information concerning the job duties, essential functions, physical capabilities and language proficiency of the employee or contractor; and

(2) Proof that the employee or independent contractor who provides direct care services to residents must:

(i) Be currently certified in standard first aid through a course from the American Red Cross or American Heart Association or their successor organizations or, if the applicant submits proof that the course meets or exceeds the requirements of the American Red Cross or the American Heart Association or their successor organizations, an equivalent course in standard first aid; and

(ii) Have successfully completed a course in cardiopulmonary resuscitation according to the guidelines of the American Red Cross or American Heart Association or their successor organizations.

2. Ensure employees or independent contractors that provide direct care services comply with the policies adopted by the rehabilitative residential mental health care facility.

3. Maintain sufficient staff to meet the needs of each resident receiving services, in accordance with the individualized plan established for the resident pursuant to (section indicated above).

Sec. 9. *1. A rehabilitative residential mental health care facility shall make arrangements for obtaining services from persons professionally qualified in the field of psychiatric mental health or other specially trained persons, as needed, to assist in planning, carrying out and reviewing the provision of services. Evidence of such services must be kept on file with the rehabilitative residential mental health care facility.*

2. The need for such services must be determined initially by the assessment established pursuant to (section indicated below) and must be reviewed by on a regular basis and at least annually.

Sec. 10. 1. Except as otherwise provided in subsection 2, each natural person responsible for the operation of a rehabilitative residential mental health care facility and each employee of a rehabilitative residential mental health care facility who supervises or provides support to residents shall:

- (a) Complete not less than 8 hours of training concerning the provision of care and services to residents with mental illness within 30 days after the date of hire or before providing services to a resident, whichever is later; and
- (b) Annually complete not less than 4 hours of education concerning the provision of care and services to residents with mental illness.

2. If it is determined that a person or employee described in subsection 1 is required to receive training or continuing education, substantially equivalent to that prescribed in subsection 1, as a condition of licensure or certification under title 54 of NRS, the person or employee is not required to complete the training or continuing education, as applicable, required by subsection 1.

Sec. 11. 1. If an employee or independent contractor of a rehabilitative residential mental health care facility has reasonable cause to believe that another employee or independent contractor of the facility has abused or neglected a resident:

- (a) The employee or independent contractor with knowledge of the abuse or neglect shall report the abuse or neglect as required by NRS 200.5093 or NRS 432B.220, as applicable;
- (b) The facility must prevent the alleged perpetrator of the abuse or neglect from having further direct contact with any resident; and
- (c) An alleged perpetrator may return to working with residents only after a thorough investigation reveals the abuse or neglect did not actually occur.

Sec. 12. 1. During the term of a license to operate a rehabilitative residential mental health care facility, the licensee shall continuously maintain the rehabilitative residential mental health care facility in conformance with NAC 449.XXX to 449.XXX (these regulations).

2. Each rehabilitative residential mental health care facility shall comply with all applicable:

- (a) Federal and state laws;
- (b) Local ordinances, including, without limitation, zoning ordinances; and
- (c) Environmental, life safety, fire, health and local building codes.

Sec. 13. 1. A rehabilitative residential mental health care facility must be administered in a manner that enables the facility to use its resources effectively and efficiently to meet the needs of and provide quality care to its residents. The rehabilitative residential mental health care facility shall develop and provide services for the care of its residents based on the identified needs of those residents.

2. A rehabilitative residential mental health care facility must define in writing the scope of services provided by each department, unit or service within the facility. A written scope of services must be approved by the administration and the medical staff of the rehabilitative residential mental health care facility. Each department, unit or service within a rehabilitative residential mental health care facility shall provide residents care in accordance with its scope of services. The policies and procedures of a rehabilitative residential mental health care facility and of each department, unit or service within the facility must, to the extent necessary, be integrated with the policies and procedures of the other departments, units and services within the facility.

3. The administrator shall:

- (a) Ensure that the competence of all members of the staff of the rehabilitative residential mental health care facility is assessed, maintained and demonstrated;

(b) Provide for an orientation process for persons hired to work at the rehabilitative residential mental health care facility that includes initial job training and information; and

(c) Assess the ability of the members of the staff to fulfill their specified responsibilities.

4. The administrator shall ensure that the rehabilitative residential mental health care facility is staffed by a sufficient number of personnel, whose qualifications are consistent with their job responsibilities, to provide care to the residents admitted to the facility.

Sec. 14. 1. The administrator shall ensure the rehabilitative residential mental health care facility has an effective quality improvement program to evaluate the provision of care to its residents.

2. The quality improvement program must:

(a) Be ongoing;

(b) Include a written plan for carrying out the program; and

(c) Provide for the creation of a committee to oversee the program.

3. The committee to oversee the program shall:

(a) Take and document appropriate remedial action to address deficiencies found through the quality improvement program;

(b) Document the outcome of any remedial action taken; and

(c) Initiate any assessments required by the quality improvement program.

4. When the findings of an assessment relate to the performance of an individual licensed practitioner, the medical staff shall determine how such a finding will be used in any peer review, ongoing monitoring and periodic evaluations of the competence of the practitioner. If the findings of the assessment relate to the performance of a person who is not a licensed practitioner, the administrator shall determine how the finding will be used in evaluating the competence of the person.

Sec. 15. 1. The buildings of a rehabilitative residential mental health care facility must be solidly constructed with adequate space and safeguards for each resident. The condition of the physical environment must be maintained in a manner that ensures the safety and well-being of residents.

2. A rehabilitative residential mental health care facility shall develop and carry out a comprehensive plan for emergency preparedness which:

(a) Addresses internal and external emergencies, both local and widespread; and

(b) Is based on current standards for disaster management and fire safety.

3. The administrator and employees of a rehabilitative residential mental health care facility shall ensure that the residents are adequately protected from fire and other disasters.

Sec. 16. A rehabilitative residential mental health care facility must ensure:

1. Portable fire extinguishers are installed throughout the facility at the direction of the governmental entity that has jurisdiction over fire safety at the facility.

2. Each portable fire extinguisher available at a facility is inspected, recharged and tagged at least once each year by a person certified by the State Fire Marshal to conduct such inspections.

3. Each exit is maintained free of obstructions.

4. Smoke detectors are installed and maintained at the facility at the direction of the governmental entity that has jurisdiction over fire safety at the facility.

5. Smoking does not occur in the facility.

6. An extinguishing receptacle approved by the governmental entity that has jurisdiction over fire safety at the facility is placed in each area on the premises of the facility where smoking is allowed.

Sec. 17. 1. A rehabilitative residential mental health care facility shall not have more residents than the number of beds indicated on its license.

2. Each license issued to a rehabilitative residential mental health care facility shall indicate whether the facility is;

- (a) a provider of rehabilitative residential mental health care for adults, or
- (b) a provider of rehabilitative residential mental health care for minors.

3. A rehabilitative residential mental health care facility shall only admit and retain residents in accordance with the designation on the license.

Sec. 18. 1. A rehabilitative residential mental health care facility shall provide a resident access to their belongings as appropriate based on the needs of the resident and the phase of treatment of the resident.

2. A rehabilitative residential mental health care facility shall provide a clean and comfortable bed and mattress for each resident. Bed linens, blankets, pillows, washcloths and towels that are clean and in good condition must be provided to each resident. A rehabilitative residential mental health care facility shall have such systems as are necessary to ensure that an adequate supply of clean linens is provided to each resident.

3. A rehabilitative residential mental health care facility shall provide each resident with necessary bedside equipment and supplies based on the needs of the resident. The necessary equipment and supplies must include, without limitation, equipment for personal hygiene. The equipment and supplies must be maintained in a sanitary manner.

4. A rehabilitative residential mental health care facility shall provide:

- (a) Adequate lighting levels; and
- (b) Comfortable and safe temperature levels.

Sec. 19. 1. A rehabilitative residential mental health care facility shall establish organized housekeeping services planned, operated and maintained to provide a clean, safe and sanitary environment. Adequate personnel, using accepted practices and procedures, must keep the rehabilitative residential mental health care facility free from offensive odors, accumulations of dirt, rubbish, dust and safety hazards.

2. The rehabilitative residential mental health care facility shall ensure that cleaning is performed in a manner that minimizes the spread of pathogenic organisms.

3. A rehabilitative residential mental health care facility shall develop and carry out standards and systems for the operation of laundry services. Laundry services, whether owned by the rehabilitative residential mental health care facility or provided pursuant to a contract, must:

- (a) Meet standards for a safe work environment for employees; and
- (b) Address issues relating to the control of infections.

4. A rehabilitative residential mental health care facility shall develop and carry out written policies relating to the handling, storage, transportation and processing of its linens.

Sec. 20. 1. A rehabilitative residential mental health care facility shall:

1. Provide a sanitary environment to avoid sources and transmission of infections and communicable diseases;

2. Develop and carry out an active program for the prevention, control and investigation of infections and communicable diseases;

3. Develop a system for identifying, reporting, investigating and controlling infections and communicable diseases of residents and personnel of the rehabilitative residential mental health care facility; and

4. Maintain a record of incidents within the rehabilitative residential mental health care facility related to infections and communicable diseases.

Sec. 21. *A rehabilitative residential mental health care facility shall establish and implement a policy concerning visitation by family, friends or acquaintances of residents.*

Sec. 22. *A rehabilitative residential mental health care facility shall:*

1. *Maintain a record for each resident evaluated or treated in the rehabilitative residential mental health care facility.*
2. *Ensure that each record is accurately written, promptly completed, properly filed, retained and accessible. A rehabilitative residential mental health care facility shall use a system for identification and record maintenance that ensures the integrity of the authentication of the record and protects the security of all entries to the record.*
3. *Ensure that the record of a resident is retained in accordance with the provisions of NRS 629.051.*
4. *Ensure that each record of a resident includes information:*
 - (a) *Demonstrating the justification for the admission of the resident;*
 - (b) *Supporting the diagnosis of the resident; and*
 - (c) *Describing the progress of the resident and his or her response to medication and services received.*
5. *Ensure all entries to a record of a resident are legible and complete, and authenticated and dated promptly by the person who is responsible for ordering, providing or evaluating the services provided. In authenticating the record, the person shall include his or her name and discipline. Authentication may include the signature or written initials of the person or a computer entry by the person.*
6. *Ensure all records of a resident document the following information, as appropriate:*
 - (a) *The diagnosis of the resident at the time of admission;*
 - (b) *The results of all consultative evaluations of the resident and the appropriate findings by clinical and other staff involved in caring for the resident;*
 - (c) *Documentation of any complications suffered by the resident;*
 - (d) *All orders of practitioners, reports of treatment, records of medication and other information necessary to monitor the condition of the resident;*
 - (e) *A discharge summary that includes a description of the outcome of the stay at the rehabilitative residential mental health care facility, the disposition of the resident and the provisions for follow-up care that have been provided to the resident; and*
 - (f) *The final diagnoses of the resident.*
7. *Ensure that the record of a resident is completed not later than 30 days after the date on which he or she is discharged from the rehabilitative residential mental health care facility.*

Sec. 23. *1. The needs of each resident must be assessed by qualified personnel of the rehabilitative residential mental health care facility throughout the resident's stay with the facility and the facility must provide each resident with the appropriate care at the time that the care is needed. The assessment must be comprehensive and accurate according to the condition of the resident.*

2. *Each resident must receive, and the rehabilitative residential mental health care facility shall provide, individualized care and treatment based on the assessment of the resident that is appropriate to the needs of the resident and the severity of the condition from which the resident is suffering.*
3. *Each resident must be reassessed according to the policy of the rehabilitative residential mental health care facility:*
 - (a) *When there is a significant change in the resident's condition;*
 - (b) *When there is a significant change in the resident's diagnosis; or*
 - (c) *To determine the resident's response to the care that he or she is receiving.*

Sec. 24. *A rehabilitative residential mental health care facility shall:*

1. Have a process for discharge planning that applies to all residents;
2. Develop and carry out policies and procedures regarding the process for discharge planning;
3. Ensure activities relating to discharge planning are conducted in a manner that does not contribute to delays in the discharge of the resident;
4. Ensure the evaluation of the needs of a resident relating to discharge planning and the discharge plan for the resident are documented in his or her record; and
5. Ensure the discharge plan is discussed with the resident or the person acting on behalf of the resident.

Sec. 25. A rehabilitative residential mental health care facility shall keep a separate record regarding each resident for whom services are provided. Each such record must include the information needed for providing services and periodic reevaluation of the needs of the resident who is receiving services. The record must be:

1. Kept in a secure location, on the premises of the facility; and
2. Made available for review by the person who is receiving services or his or her guardian, if applicable, and the Division.

Sec. 26. 1. A rehabilitative residential mental health care facility that provides assistance to residents in the administration of medications shall maintain:

- (a) A log for each medication received by the facility for use by a resident of the facility. The log must include:
 - (1) The type and quantity of medication received by the facility;
 - (2) The date of its delivery;
 - (3) The name of the person who accepted the delivery;
 - (4) The name of the resident for whom the medication is prescribed; and
 - (5) The date on which any unused medication is removed from the facility or destroyed.
- (b) A record of the medication administered to each resident, including, without limitation, any over-the-counter medication or dietary supplement. The record must include:
 - (1) The type of medication administered;
 - (2) The date and time that the medication was administered;
 - (3) The date and time that a resident refuses, or otherwise misses, an administration of medication; and
 - (4) Instructions for administering the medication to the resident that reflect each current order or prescription of the resident's physician, physician assistant or advanced practice registered nurse.
2. An employee may provide or administer an over-the-counter medication or dietary supplement only if the resident's physician, or another specifically qualified professional has approved the medication or dietary supplement in writing. The over-the-counter medication or dietary supplement must be administered in accordance with the written instructions of the physician, or other specifically qualified professional.

Sec. 27. 1. Only members of the staff of the rehabilitative residential mental health care facility who are legally authorized to administer medications may do so.

2. Security of all medications must be maintained in accordance with applicable state law.

Sec. 28. 1. Except as otherwise provided in this section, an order for a medication or biological must be in writing and signed by the practitioner who is responsible for the care of the resident, or other appropriate professional person authorized by state or federal law to order the medication or biological.

2. When a telephone or verbal order is used to order a medication or biological, the order must be:

(a) Accepted only by a person who is authorized by the policies and procedures of the rehabilitative residential mental health care facility and those policies and procedures must be consistent with state law; and

(b) Signed or initialed by the prescribing practitioner in accordance with the policies and procedures of the rehabilitative residential mental health care facility and state law.

3. An order for a medication or biological must include the name of the medication or biological and the dosage, time or frequency of administration and route of administration.

Sec. 29. 1. Errors in administering medications to a resident, adverse reactions to medications received by a resident and incompatibilities between a medication and a resident must be immediately reported to the attending physician of the resident and, if appropriate, to the committee that oversees the quality improvement program established pursuant to (section indicated above).

2. Misuses and losses of controlled substances must be reported, in accordance with all applicable state and federal laws, to the person responsible for the facility's pharmaceutical services and the administrator.

3. Information relating to drug interactions, drug therapy, side effects, toxicology, dosage indications for use and routes of administration must be made available to the professional members of the staff of the rehabilitative residential mental health care facility.

Sec. 30. 1. A rehabilitative residential mental health care facility shall:

(a) Furnish each common area with comfortable furniture.

(b) Provide a dining area with a sufficient number of tables and chairs to provide seating for the number of residents for which the facility is licensed. The tables and chairs must be sturdy, of proper height for dining and have surfaces that are easily cleaned.

(c) Provide a kitchen that allows for the sanitary preparation of food and is furnished with equipment that is clean and in good working condition.

(d) Ensure that all perishable food is refrigerated at a temperature of 41 degrees Fahrenheit or less, all frozen food is kept at a temperature of 0 degrees Fahrenheit or less and all stored foods have not expired.

(e) Ensure that food is not stored for longer than the length of time recommended by the United States Department of Health and Human Services in "Storage Times for the Refrigerator and Freezer," which is hereby adopted by reference. This chart may be obtained:

(1) From the United States Department of Health and Human Services for free at 200 Independence Avenue, S.W., Washington, D.C. 20201, and at the Internet address <https://www.foodsafety.gov/keep/charts/storagetimes.html>; or

(2) Under the circumstances described in subsection 4, on an Internet website maintained by the Division.

2. Except as otherwise provided in this section, the most current version of the guidelines adopted by reference pursuant to paragraph (e) of subsection 1 which is published will be deemed to be adopted by reference.

3. If the Division determines that an update of or revision to the guidelines adopted by reference pursuant to paragraph (e) of subsection 1 are not appropriate for use in the State of Nevada, the Division shall present this determination to the State Board of Health and the State Board of Health will not adopt the update or revision, as applicable.

4. If the guidelines adopted by reference pursuant to paragraph (e) of subsection 1 cease to exist, the last version of the guidelines that was published shall be deemed to be the current version.

Sec. 31. 1. A rehabilitative residential mental health care facility shall:

1. Provide each resident with a nourishing, palatable, well-balanced diet that meets the daily nutritional and dietary needs of the resident.
2. Ensure that the menu for a resident meets the nutritional needs of the resident in accordance with:
 - (a) Recognized dietary practices; and
 - (b) The dietary orders of the practitioners responsible for the care of the resident.
3. Ensure that not fewer than three meals are served daily to residents and not more than 15 hours elapse between the evening meal and breakfast served the following day.
4. Ensure that nourishment is provided between meals as required by diet prescription and is available to each resident unless otherwise ordered by the physician of the resident.
5. Except as otherwise provided in this subsection, ensure that menus are followed. A meal may vary from the planned menu if the change is noted in writing in the records maintained by the dietary service.
6. Ensure that persons who are responsible for therapeutic diets have sufficient knowledge of food values to make appropriate substitutions when necessary.

Sec. 32. A rehabilitative residential mental health care facility shall ensure that:

1. Adequate space for the preparation and service of food is provided;
2. Adequate space is maintained to accommodate equipment, personnel and procedures necessary for the proper cleaning and sanitizing of dishes and other utensils; and
3. In providing for the preparation and serving of food, a rehabilitative residential mental health care facility with more than 10 residents must:
 - (a) Comply with the standards prescribed in chapter 446 of NRS and chapter 446 of NAC; and
 - (b) Obtain the necessary permits from the Division.

Sec. 33. 1. A rehabilitative residential mental health care facility shall store, prepare, distribute and serve food under sanitary conditions.

2. A rehabilitative residential mental health care facility shall maintain on its premises at least a 1-week supply of staple foods and at least a 2-day supply of perishable foods. The supplies must be appropriate to meet the requirements of the menu. All food must be of good quality and procured from sources approved or considered satisfactory by federal, state and local authorities.

Sec. 34. A rehabilitative residential mental health care facility shall ensure that a resident receives a therapeutic diet when ordered by a qualified health care professional.

Sec. 35. 1. A rehabilitative residential mental health care facility with more than 10 residents, must maintain an organized dietary service that is staffed by an adequate number of personnel to ensure the needs of all the residents are met. The dietary service must be integrated with the other departments, units and services within the rehabilitative residential mental health care facility.

2. A rehabilitative residential mental health care facility shall ensure that all personnel who provide the dietary services are trained in basic techniques of food sanitation.

Sec. 36. 1. A rehabilitative residential mental health care facility shall ensure that:

1. The facility has a safe and sufficient supply of water, adequate drainage and an adequate system for the disposal of sewage.
2. Each faucet for a sink, tub, shower or other similar fixture is operable with hot and cold running water.
3. Each toilet is operational.

4. *Each container used to store garbage outside of the facility is kept reasonably clean and covered to prevent rodents from entering the container.*
5. *Each container used to store garbage in the kitchen is covered with a lid or kept in an enclosed cupboard that is clean and prevents infestation by rodents and insects.*
6. *The premises of the facility are free of:*
 - (a) *Offensive odors, insects, rodents and accumulation of dirt, garbage or other refuse; and*
 - (b) *Hazards, including, without limitation, obstacles that impede the free movement of residents inside and outside of the facility.*
7. *Each window in the facility that is capable of being opened and each door that is left open to provide ventilation is screened to prevent insects from entering the facility.*
8. *The facility has sufficient electrical lighting to ensure the comfort and safety of residents.*
9. *The temperature of the facility does not exceed 82 degrees Fahrenheit or drop below 68 degrees Fahrenheit.*
10. *The facility remains in compliance with all applicable federal, state and local laws, regulations and ordinances concerning sanitation, safety and accessibility for persons with disabilities.*

-Requirements specific to providers of rehabilitative residential mental health care for minors-

Sec. 37. 1. *A facility for minors shall notify the parent of or other person legally responsible for a resident who is an alleged victim of abuse or neglect and ensure that the alleged victim receives appropriate medical assessment and treatment.*

Sec. 38. 1. *A facility for minors shall:*

- (a) *Develop and carry out policies and procedures for admitting residents; and*
- (b) *Ensure that each resident, or the parent, guardian or other person legally responsible for the resident, receives information about the proposed care of the resident.*

-Requirements specific to providers of rehabilitative residential mental health care for adults-

Sec. 39. 1. *A facility for adults shall:*

- (a) *Develop and carry out policies and procedures for admitting residents; and*
- (b) *Ensure that each resident receives information about the proposed care of the resident.*

Sec. 40. 1. *A facility for adults must not be operated at the same address as a facility for minors, unless the operations are entirely separate, to ensure there's no comingling of minor residents and adult residents.*

Sec. 41. NAC 449.0116 is modified as follows:

449.0116

1. *After December 31, 2025, Except as otherwise provided in subsection 2, a licensee who wishes to renew his or her license must submit a complete application for renewal to the Division on or before the expiration of the license pursuant to NRS 449.089 (as modified by AB 544 of the 2025 legislative session) November 15 of the calendar year in which the license expires. The existing license shall be deemed valid until the submitted application for renewal is evaluated and a final determination is made by the Division concerning whether to renew the license. The Division may require an inspection of the*

~~facility to ensure that it meets the requirements of NAC 449.002 to 449.99939, inclusive, before deciding whether to renew a license.~~

~~2. A licensee who, without good cause, files an application for the renewal of his or her license after the license date set forth in subsection 1, but on or before December 31 of the calendar year in which the license expires and who wishes to renew the license must pay:~~

~~(a) The fee required for the renewal of the license pursuant to NAC 449.013 or 449.016, as appropriate; and~~

~~(b) An additional charge equal to one half the amount of the fee required for the renewal of the license pursuant to NAC 449.013 or 449.016, as appropriate.~~

~~32. A licensee who fails to file an application for the renewal of his or her license before the license expires after the license expires pursuant to the date set forth in subsection 1 is not eligible to renew the license and, if he or she wishes to be licensed, must submit an renewal application and fee equivalent to the facility type for which they are licensed pursuant to NAC 449.013(1) or NAC 449.016(1), as applicable. A facility that fails to submit an application and pay such fee within 30 days after expiration of the license, is subject to disciplinary action pursuant to NRS 449.160 and imposition of administrative sanctions pursuant to NAC 449.9982 to NAC 449.99939 for a new license.~~

Sec. 42. NAC 449.016 is modified as follows:

NAC 449.016

1. Except as otherwise provided in NAC 449.0168, an applicant for a license to operate any of the following facilities must pay to the Division the following nonrefundable fees:

	Fee Per Facility	Fee per bed in the facility
(new subparagraph q) <i>(q) A rehabilitative residential mental health care facility...</i>	\$9,530	\$62

2. An applicant for the renewal of such a license must pay to the Division the following nonrefundable fees:

	Fee Per Facility	Fee per bed in the facility
(new subparagraph q) <i>(q) A rehabilitative residential mental health care facility...</i>	\$4,765	\$31

3. An applicant for a license or for the renewal of a license for a residential facility for groups shall pay a fee of \$35 for each bed in the facility if the facility is paid less than \$1,000 per month for services provided to each bed in the facility.

4. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by chapter 449 of NRS or the regulations adopted thereto within 1 year after the date on which he or she submits his or her application, the applicant must submit a new application and pay the required fee to be considered for licensure.

5. Upon the issuance or renewal of a license to operate a facility for the treatment of irreversible renal disease, facility for hospice care, hospital, facility for intermediate care or facility for skilled nursing, the licensee shall pay to the Division a nonrefundable fee equal to 6 percent of the renewal fee set forth in subsection 2. The Division shall use the fees collected pursuant to this subsection during the

immediately following fiscal year to support the system for the reporting of information on cancer and other neoplasms.

6. Pursuant to NRS 449.050, if an application for a license to operate a facility for transitional living for released offenders or the renewal of such a license is denied, any amount of a fee paid pursuant to paragraph (n) of subsection 1 or paragraph (n) of subsection 2 that exceeds the expenses and costs incurred by the Division must be refunded to the applicant.