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Governor

NEVADA HEALTH AUTHORITY
HEALTH CARE PURCHASING AND COMPLIANCE DIVISION

NVHA.NV.GOV



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Director

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Administrator

INFORMATIONAL STATEMENT PER NRS 233B.066
LCB FILE NO. R107-26 (PREVIOUSLY R081-24)

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

The purpose of the proposed regulations is to modify and create regulations in accordance with 1) Senate Bill 260 of the 2023 Legislative Session, establishing requirements and development of regulations for a new facility type, Senior Living Community Referral Agencies, and 2) Senate Bill 299 of the 2025 Legislative Session which excluded senior living community referral agencies from the definition of a business that provides referrals and changed the licensure requirement to a registration requirement with the Division. It also required the development of regulations by the Division. S.B 290 excludes senior living community referral agencies from NRS 449.0305.

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.

An email with a link to the Small Business Impact Questionnaire and proposed regulations were sent to actively licensed residential facilities for groups, homes for individual residential care, skilled nursing facilities, community-based living arrangements, businesses that provide referrals to group housing arrangements, transitional living facilities for released offenders and agencies to provide personal care services in the home. pursuant to NAC chapter 449 and other interested parties on May 16, 2024.

The questions on the small business impact questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

Summary of Responses

Summary Of Comments Received			
Two (2) responses were received from small businesses.			
Will a specific regulation have an adverse economic effect upon your business? Yes – 1 No – 1	Will the regulation (s) have any beneficial effect upon your business? Yes – 2 No – 0	Do you anticipate any indirect adverse effects upon your business? Yes – 1 No – 1	Do you anticipate any indirect beneficial effects upon your business? Yes – 2 No – 0
Comment Summary: No comments submitted.	Comment Summary: - Currently referral agencies, marketeers, are only interested in their	Comment Summary: No comments submitted.	Comment Summary: - Fewer residents placed incorrectly.

	placement fee. I have witnessed this not only with referral people but case workers in hospitals and rehabilitation centers. There lacks over site, which results in residents being placed in home which are inappropriate for their needs. Simply, they don't consider and are not knowledgeable in placing a resident in the correct facility.		
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Public Workshop – April 8, 2026

The public workshop was attended by several public attendees, but no comments were made by attendees regarding the proposed regulations.

Written Feedback

No written feedback was received from the time results were recorded regarding the small business impact questionnaire, through the date of public hearing and thereafter.

Public Hearing – August 5, 2026

A public hearing was held on August 5, 2026, before the Administrator of the Health Care Purchasing and Compliance Division. No testimony was provided either in support or opposition of the regulations and the Administrator voted to approve the regulations.

How other interested persons may obtain a copy of the summary

Any other persons interested in obtaining a copy of the summary may e-mail, call, or mail in a request to the Health Care Purchasing and Compliance Division at:

Health Care Purchasing and Compliance Division
Bureau of Health Care Quality and Compliance
727 Fairview Drive, Suite E
Carson City, NV 89701
Phone: 775-684-1030
Email: pio@nvha.nv.gov

3. A statement indicating the number of persons who attended each hearing, 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 and/or provided written statements at each hearing regarding the proposed regulation, the following information, if provided to the agency conducting the hearing:

- (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 – April 8, 2026

There were several Health Care Purchasing and Compliance Division and other State of Nevada agency staff participants who attended the public workshop virtually. No one from the public attended in-person.

There was no testimony provided by members of the public.

Public Hearing – August 5, 2026

There were several individuals that attended the public hearing virtually, including Health Care Purchasing and Compliance Division staff and other State of Nevada agency staff. The Division of Health Care Purchasing and Compliance staff also intended in-person. Of those attending the public hearing, none of the public provided testimony.

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.

Pursuant to NRS 233B.0608 (1)(a) (b), the Division of Health Care Purchasing and Compliance, before conducting the public workshop for the proposed regulation, made a concerted effort to determine whether the proposed regulations are likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business.

After receiving data from the solicitation of small businesses (please see item 2 above) a summary was generated and titled “Small Business Impact Statement”. This statement was included in both the notices for the public workshop and the public hearing.

How other interested persons may obtain a copy of the summary

Any other persons interested in obtaining a copy of the summary may e-mail, call, or mail in a request to the Division of Health Care Purchasing and Compliance at:

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727 Fairview Drive, Suite E
Carson City, NV 89701
Phone: 775-684-1030
Email: pio@nvha.nv.gov

5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The proposed regulations were amended on December 10, 2025 to include provisions outlined in Senate Bill 299 of the 2025 Legislative Session, no other changes were made to the proposed regulations, because the Division received no negative feedback prior to the adoption hearing.

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.**

Anticipated effects on the businesses which NAC Chapter 449 regulates:

Adverse Effects:

- There are no immediate adverse effects to small businesses described in the survey.
- There are no anticipated direct adverse effects on the industry or businesses.

Beneficial Effects:

- Establishing standards for Senior Living Community Referral Agencies will allow a new applicant to apply and receive a registration valid for two years as well as allow for regulatory oversight of the operation of this new facility type.

Immediate effects:

- The financial impacts, both adverse and beneficial, would be immediate upon passage of the proposed regulations.

Long-term effects:

- The long-term impacts, both adverse and beneficial, would continue for the long term until such time as the proposed regulations are amended in a manner that would change the impact.

Anticipated effects on the public:

Adverse effects:

- There are no anticipated adverse effects to the public.

Beneficial effects:

- Increased number of referral agencies.

Immediate effects:

- The beneficial impacts may not be realized immediately because it will take time to register and inspect new agencies.

Long-Term effects:

- The beneficial impacts would remain long-term as agencies become registered to provide these services.

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

The estimated cost to the agency for enforcement of the proposed regulations is negligible since licensure application fees are established to cover the costs of regulating rehabilitative residential mental health care facilities.

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.

Senate Bill 299 of the 2025 Legislative Session excluded senior living community referral agencies from the definition of a business that provides referrals. A business that provides referrals to residential facilities for groups and other group housing arrangements is required to obtain a license... "Except as otherwise provided in subsection 5, a person must obtain a license from the Board to operate a business that provides referrals to residential facilities for groups or any other group housing arrangement that provides assistance, food, shelter or limited supervision to a person with a mental illness, intellectual disability, developmental disability or physical disability or who is aged or infirm." (NRS 449.0305). A senior living community referral agency is defined as "a person who refers persons who are aged to senior living communities for a fee..." (NRS 449.0181) A senior living community is defined as "A home for individual residential care, residential facility for groups, facility for intermediate care, facility for skilled nursing, assisted living facility or retirement home or village that primarily provides services to persons who are aged; or any other group housing arrangement that provides assistance, food, shelter or limited supervision to persons who are aged." (NRS 449.01079). NRS 449.0305(5) excludes senior living community referral agencies from NRS 449.0305. Unless a referral agency is acting as both a referral agency and a senior living community referral agency, NRS 449.0305 does not apply to referral agencies.

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

There are no other state or federal regulations addressing the same activity.

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.

The estimated total annual amount the Division expects to collect is unknown because we do not know the number of facilities that will apply for registration as senior living community referral agencies. This estimate is provided only for purposes of illustrating an amount based on the number of applicants. The initial registration fee is \$2,708 and is valid for two years before requiring renewal at the lower fee of \$1,354.

If five (5) new applicants apply in the next year ($5 \times \$ = \$ 2,708$) total = \$ 13,540.

The fees collected would be used to cover the Division's operating costs related to the work associated with governing the registration, regulation and investigation of senior living community referral agencies.