



Joe Lombardo
Governor

NEVADA HEALTH AUTHORITY
HEALTH CARE PURCHASING AND COMPLIANCE DIVISION

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SMALL BUSINESS IMPACT STATEMENT 2025

PROPOSED AMENDMENTS TO NAC 449

The Health Care Purchasing and Compliance Division has determined that the proposed regulations are unlikely to have a negative economic impact upon a small business. It is not anticipated that the proposed regulations would directly restrict the formation, operation or expansion of a small business.

A small business is defined in Nevada Revised Statutes NRS 233B as a "business conducted for profit which employs fewer than 150 full-time or part-time employees."

This small business impact statement is made pursuant to NRS 233B.0608 (3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulation on a small business in sections 1, 2, 3, and 4 below and provides the reasons for the conclusions of the agency in section 8 below followed by the certification of the person responsible for the agency.

Background

Existing law requires a person to obtain a license from the State Board of Health if the person operates 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) Senate Bill No. 260 (S.B. 260) of the 2023 Legislative Session and Senate Bill No. 299 (S.B. 290) of the 2025 Legislative Session establish specific requirements governing the operation of senior living community referral agencies while adding the requirement that a senior living community referral agency register with the Division. S.B. 260 defines the terms: (1) "senior living community referral agency" to mean a business that refers persons who are aged to senior living communities for a fee paid by the senior living community, the person who is aged or the representative of the person; and (2) "senior living community" to mean certain residential facilities and other housing arrangements that provide assistance, food, shelter or limited supervision to persons who are aged. S.B 290 excludes senior living community referral agencies from NRS 449.0305.

- 1) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which 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.

The questions on the questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will the regulations(s) 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 Response

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 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	Comment Summary: No comments submitted.	Comment Summary: - Fewer residents placed incorrectly.

	don't consider and are not knowledgeable in placing a resident in the correct facility.		
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2) Describe the manner in which the analysis was conducted.

A small business impact questionnaire was disseminated to licensed health care facilities through the Division's facility List Servs, as described in number 1. The data collected from the questionnaire was reviewed, along with a review of the proposed regulations, and applicable statutes. This information was then analyzed by a Health Facilities Inspection Manager to determine the impact of the proposed regulations on small business.

3) The estimated economic effect of the proposed regulation on the small business which it is to regulate including, without limitation both adverse and beneficial effects and both direct and indirect effects.

Adverse Economic Effects – There are no immediate adverse effects to small businesses described in the survey.

Indirect Adverse Economic Effects – There are no indirect adverse effects to small businesses described in the survey.

Beneficial Economic Effects – With oversight of those providing referrals, residents will be more likely to be placed in facilities which are appropriate for their needs.

Indirect Beneficial Economic Effects – Fewer residents will be placed incorrectly.

4) Provide a description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The Health Care Purchasing and Compliance Division has provided opportunities for licensed providers to give input and comments regarding the proposed LCB File R081-24 regulations, including the economic impact the proposed regulations may have on licensed senior living community facilities as defined in NRS 449.0179. The Division received no feedback regarding the proposed regulations and the impact to small businesses.

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

There are no anticipated costs to the agency for enforcement of the proposed regulations.

6) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the Division of Health Care Purchasing and Compliance expects to collect and the manner in which the money will be used.

The Division expects to collect sufficient funds in application and renewal fees to offset the current operating cost to register this new facility type.

- 7) An explanation of why any duplicative or more stringent provisions than federal, state or local standards regulating the same activity are necessary.

There are no duplicate or more stringent provisions regulating senior living community referral agencies.

8) Provide a summary of the reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

The Division concluded the proposed regulations will not have a negative economic impact upon a small business. 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, the proposed regulations do not apply to referral agencies.

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

Health Care Purchasing and Compliance Division
500 E. Warm Springs Rd, Ste 200
Las Vegas, NV 89119
Tina Leopard
Phone: (702) 486-6515
Email: tleopard@nvha.nv.gov

Certification by Person Responsible for the Agency

I, Cynthia Leech, Administrator of the Health Care Purchasing and Compliance Division certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and the information contained in this statement was prepared properly and is accurate.

Signature *Cynthia Leech*
Cynthia Leech (Aug 20, 2026 09:42:44 PDT)

Date: 08/20/2026