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Governor

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Director



**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



Lisa Sherych
Administrator

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Chief Medical Officer

SMALL BUSINESS IMPACT STATEMENT 2022

PROPOSED AMENDMENTS TO NAC 441A

The Division of Public and Behavioral Health (DPBH) has determined that the proposed amendments should have no direct and significant economic burden upon small businesses or directly restrict the formation, operation or expansion of a small business in Nevada.

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 by the person responsible for the agency.

Background

AB 181 (2021) mandates certain health care providers designated by the State Board of Health (BOH) who know of, or provide services to, a person who has attempted suicide or is suspected of having attempted suicide to report that fact pursuant to regulations adopted by the BOH. The proposed regulation adds new language to NAC441A:

1. Defining suicide attempts;
2. Specifying health care providers and settings subject to mandatory reporting of attempted suicides;
3. Specifying patient information designated health care providers and settings must report;
4. Establishing procedural requirements for reporting of attempted suicides.

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.

Pursuant to NRS 233B.0608 (2)(a), the Division of Public and Behavioral Health requested input from health care providers including the Nevada Rural Hospitals Partners and the Nevada Hospital Association.

A Small Business Impact Questionnaire was disseminated through the SAPTA Listserv, the Substance Abuse Block Grant Agencies, the SAPTA Advisory Board, the BHPAC, and the HCQC Listserv. It was posted on the SAPTA website as well along with a copy of the proposed regulation changes, on August 1, 2022. The questions on the 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 Response

Summary Of Comments Received One (1) response was received out of 827 small business impact questionnaires distributed			
Will a specific regulation have an adverse economic effect upon your business?	Will the regulation (s) have any beneficial effect upon your business?	Do you anticipate any indirect adverse effects upon your business?	Do you anticipate any indirect beneficial effects upon your business?
No = 1 Yes = 0 Response/Unknown = 0	No = 1 Yes = 0 Response/Unknown = 0	No = 1 Yes = 0 Response/Unknown = 0	No = 1 Yes = 0 Response/Unknown = 0

Number of Respondents out of 827	Adverse economic effect?	Beneficial effect?	Indirect adverse effects?	Indirect beneficial effects?
No	0	0	0	0
Yes	0	0	0	0

2) Describe the manner in which the analysis was conducted.

The Division of Public and Behavioral Health has supplied wide range of opportunities to relevant health care providers in Nevada to submit input and comments regarding the proposed amendment to NAC 441A, including any economic impact this amendment may produce for small businesses. A Public Workshop will be held on September 29, 2022, for the purpose of soliciting further input from this statewide community regarding the proposed regulation change and how it may impact their operations and incomes. All comments will be considered carefully for possible further revision to the regulation to reduce adverse economic impact on small businesses.

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.

As reflected in the table above, Summary of Responses, no small business owners anticipate any adverse or beneficial economic effects associated with the proposed regulation and did not expect any direct or indirect effects.

- 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.**

Not relevant since no adverse impact on small business found.

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

There will be no cost to the agency associated with enforcement of the proposed regulation.

- 6) **If the proposed regulation provides a new fee or increases an existing fee, the total annual amount DPBH expects to collect and the manner in which the money will be used.**

The proposed regulations do not provide for a new fee or increase existing fees.

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

No increases in the number or the level of stringency of standards, regardless of entity, are considered necessary.

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

No small business impact identified in survey of known health care providers in Nevada.

Any other persons interested in obtaining a copy of the summary may e-mail, call, or mail in a request to Frederick Pilot at the Division of Public and Behavioral Health at:

Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89701
Frederick Pilot
Phone: (775) 461-6537
Email: fpilot@health.nv.gov

Certification by Person Responsible for the Agency

I, Lisa Sherych, Administrator of the Division of Public and Behavioral Health 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  Date: 09/14/2022