

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

**LCB File No. R135-99**

September 27, 1999

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-13, NRS 439.150, 652.100 and 652.130.

**Section 1.** Chapter 652 of NAC is hereby amended by adding thereto a new section to read as follows:

*“Outpatient center of a laboratory” means a facility at a permanent location which is:*

- 1. Operated by a licensed laboratory; and*
- 2. Used to collect specimens and perform any test which is classified as a waived test pursuant to Subpart A of Part 493 of Title 42 of the Code of Federal Regulations.*

**Sec. 2.** NAC 652.010 is hereby amended to read as follows:

652.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 652.020 to 652.148, inclusive, *and section 1 of this regulation*, have the meanings ascribed to them in those sections.

**Sec. 3.** NAC 652.320 is hereby amended to read as follows:

652.320 1. ~~[The]~~ *Except as otherwise provided in this subsection, the* bureau shall inspect periodically the premises and operation of ~~[laboratories. Those laboratories]~~ *each laboratory, including, without limitation, the premises of an outpatient center of the laboratory, if any. A laboratory that is* subject to inspection by ~~[any]~~ *an* accrediting organization

approved by the Health Care Financing Administration pursuant to 42 C.F.R. §§ 493.501 to 493.521, inclusive, ~~are~~ *is* not required to be inspected by the bureau if the reports of the inspections are available to the bureau.

2. The bureau shall report deficiencies noted at the time of each inspection by forwarding to the director a statement of deficiencies and a form for the director to submit a plan of correction. The director shall return the form to the bureau, containing thereon the plan of correction for each of the deficiencies, within 10 working days after he receives the form. The plan must indicate the date by which each deficiency will be corrected.

**Sec. 4.** NAC 652.450 is hereby amended to read as follows:

652.450 1. A laboratory assistant may perform only those procedures requiring the degree of skill commensurate with his education, training, and technical abilities. ~~He~~ *Except as otherwise provided in NRS 652.217 and NAC 652.155, a laboratory assistant* may not independently perform laboratory procedures, but may assist manually under direct supervision.

2. ~~To be certified as a laboratory assistant, a person must be a high school graduate or the equivalent who, after graduation, has demonstrated an ability in laboratory procedures during 6 months of training, approved by the board, in a laboratory.~~

~~3.]~~ A blood-gas assistant may work only under the constant direct supervision of a blood-gas technologist or the director. To be certified as a blood-gas assistant, a person must be a high school graduate or the equivalent who is currently being trained in the determination of blood gases.

**Sec. 5.** NAC 652.488 is hereby amended to read as follows:

652.488 The following nonrefundable fees will be charged:

1. Licensure of laboratory

Initial:

Annual test volume less than 25,000 .....	\$550
Annual test volume at least 25,000 but less than 100,000 .....	800
Annual test volume 100,000 or more.....	1,150

Biennial renewal:

Annual test volume less than 25,000 .....	400
Annual test volume at least 25,000 but less than 100,000.....	600
Annual test volume 100,000 or more.....	800
Inspection conducted pursuant to NAC 652.320 .....	300

Reinstatement:

Annual test volume less than 25,000 .....	550
Annual test volume at least 25,000 but less than 100,000.....	800
Annual test volume 100,000 or more.....	1,150

2. Licensure of director

Initial.....	\$250
Biennial renewal.....	150
Reinstatement .....	250

3. Registration of laboratory operated pursuant to NRS 652.235 which is nonexempt pursuant to NAC 652.155

Initial.....	\$300
Biennial renewal.....	200
Reinstatement .....	300
Inspection pursuant to NAC 652.320 .....	100

4. Registration of laboratory operated pursuant to NRS 652.235 which is exempt pursuant to NAC 652.155

Initial.....	\$100
Biennial renewal.....	50
Inspection pursuant to NAC 652.320.....	100

5. Certification of personnel

Initial:

General supervisor.....	\$150
Technologist.....	75
Technician.....	75
Point-of-care test analyst.....	50
Laboratory, blood-gas or office laboratory assistant.....	40

Biennial renewal:

General supervisor.....	100
Technologist.....	50
Technician.....	50
Point-of-care test analyst.....	40
Laboratory, blood-gas or office laboratory assistant.....	30

Reinstatement:

General supervisor.....	150
Technologist.....	75
Technician.....	75
Point-of-care test analyst.....	50

Laboratory, blood-gas or office laboratory assistant .....	40
6. Placement of license or certificate in inactive status .....	\$20
7. Issuance of original duplicate license or certificate .....	\$20
8. Permit to operate laboratory at temporary location.....	\$35
9. Change of location of laboratory.....	\$160
10. Change of director of laboratory .....	\$160
11. Inspection for additional specialties and subspecialties in which tests will be performed at laboratory .....	\$160

FLUSH plus \$50 for each additional specialty or subspecialty

***12. Inspection of an outpatient center of a laboratory (per site)***

***Initial inspection..... \$100***

***Inspection at time of biennial renewal..... 50***

***13. If the bureau conducts an inspection of a laboratory that is located outside of this state, the bureau shall assess the expenses that the bureau incurs as a result of the inspection to the laboratory. The laboratory shall reimburse the bureau for the expenses assessed pursuant to this subsection.***