

**LCB File No. T020-99**

**PROPOSED TEMPORARY REGULATION OF THE HEALTH DIVISION  
OF THE DEPARTMENT OF HUMAN RESOURCES**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the State Health Division will hold a public hearing to consider amendments to Nevada Administrative Code (NAC) 440.170, 440.180, and 440.200 concerning physician attendance at death and fees for vital records. The proposed regulations provide for a broader range of "attendance at death" rules than currently exist, and also remove the fees for vital records from regulation since these fees are set in statute at NRS 440.700.

The public hearing will held at the Board of Health meeting as follows:

Date: Friday, April 9, 1999  
Time: 9:00 a.m.  
Place: Washoe County District Health Department  
Ninth and Wells Streets, Reno, Nevada

Members of the public may make oral comments at the hearing. Persons wishing to submit written testimony or documentary evidence in excess of two typed pages must submit the material by March 26, 1999, to:

Office of Vital Records and Statistics  
Bureau of Health Planning and Statistics  
505 E. King Street, Room 102  
Carson City NV 89701-4749

A copy of the notice and proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

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| Office of Vital Records<br>505 E. King Street, Room 102<br>Carson City NV 89701-4749 | Nevada State Library<br>100 Stewart Street<br>Carson City, NV 89701 |
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Copies may be obtained in person, by mail, or by calling (775) 684-4242. Copies are also available for review at public libraries in each county. For further information, call the Office of Vital Records at (775) 684-4242.

Members of the public who are disabled or require special accommodations should contact Lynn Libby at (775) 684-4200 no later than April 7, 1999, for assistance.

## NOTICE OF PUBLIC WORKSHOP

Notice is hereby given that the State Health Division will hold two public workshops to consider amendments to NAC 440.170, 440.180 and 440.200. These regulations are in Chapter 440, Vital Statistics, and deal with physician attendance at death and fees for vital records. The proposed regulations provide for a broader range of attendance at death rules than currently exist, and also remove the fees for vital records from regulation, since these fees are set in statute, NRS 40.700.

Workshops are to be held:

Date: Monday, February 22, 1999  
Time: 2:30 pm - 4:00 pm  
Place: Washoe County Health Department  
1001 E. 9th Street (9th and Wells)  
North Auditorium - Building B  
Reno, Nevada

Date: Tuesday, February 23, 1999  
Time: 10:00 am - 11:30 am  
Place: Clark County Health District  
Clemons Room  
625 Shadow Lane  
Las Vegas, Nevada

Members of the public may make oral comments at these workshops, Persons wishing to submit written testimony must submit the material no later than the meeting date at the workshop or by mail by Wednesday, February 24, 1999 to:

Bureau of Health Planning and Statistics  
505 E. King Street, Room 102  
Carson city, NV 89701-4749

For information or questions please call Jean Gunter, Program Manager, Office of Vital Records at (775) 684-4162.

LCB File No. T020-99

**PROPOSED TEMPORARY REGULATION OF THE HEALTH DIVISION  
OF THE DEPARTMENT OF HUMAN RESOURCES**

**Amendments to NAC440.170, 440.180, 440.200**

**Section 1 NAC 440.170 is hereby amended to read as follows:**

Except as provided in Section 2. [A] a death shall be considered to have been attended by a physician if

- (a) the deceased had seen the physician professionally within [10] 30 days preceding the death; or
- (b) the deceased was pronounced dead by a registered nurse in accordance with the requirements set forth in NRS 440.415; or
- (c) the deceased had received a diagnosis from a physician that he had anticipated life expectancy of not more than six months [unless the cause of death was unrelated to the purpose for which the patient consulted the physician].

**Section 2 NAC 440.180 is hereby amended to read as follows:**

[1.] If the deceased had been under a physician's care [but had not been seen by a physician within 10 days preceding his death] under the conditions set forth in Section 1 but the cause of death was unrelated to the purpose for which the patient consulted the physician, the death shall not be considered to have been attended and must be referred to the [local health officer] coroner.

[2. The health officer may then certify the death certificate unless the death was caused by unlawful or suspicious means, in which case the local health officer shall refer the case to the coroner.]

**Section 3 NAC 440.200 is hereby repealed:**

[1. The state registrar shall charge and collect the following fees:

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| For a search of the files when no copy is made, per name  | \$4 |
| For verification of a vital record, per name  | 4   |
| For a certified copy of a record of birth   | 7   |
| For a certified copy of a record of death   | 7   |
| For any correction of a record on file with the state registrar including one certified copy of the corrected record          | 13  |
| For replacement of a record and one certified copy of a new record  | 13  |
| For filing a delayed certificate of birth and providing one certified copy of the record                                      | 13  |
| For services of a notary in conjunction with other services provided by the state registrar                                   | 1   |
| For a microfiche index of marriage certificates provided to a person other than the county recorder of a county within Nevada | 200 |
| For a microfiche index of divorce certificates provided to a person other than the county recorder of a county within Nevada  | 100 |

2. Except as otherwise provided by law, the appropriate fee prescribed by this section must be assessed to each agency of this state or the Federal Government which receives any of the listed services.]