

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

LCB File No. R074-03

August 5, 2003

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

AUTHORITY: §§1-3, NRS 439.150 and 449.050.

Section 1. NAC 449.013 is hereby amended to read as follows:

449.013 1. Except as otherwise provided in NAC 449.0168, an applicant for a license to operate any of the following facilities, programs of hospice care or agencies must pay to the Health Division the following nonrefundable fees:

(a) An ambulatory surgical center.....	[\$1,200] \$2,250
(b) A facility for the treatment of irreversible renal disease	[1,530] 2,748
(c) A home office or subunit agency of a home health agency.....	[1,980] 3,034
(d) A branch office of a home health agency	[1,040] 2,000
(e) A rural clinic	[1,590] 2,160
(f) An obstetric center	[1,200] 1,564
(g) A program of hospice care	[1,450] 2,106
(h) An independent center for emergency medical care	[1,330] 2,950
(i) A nursing pool	[1,440] 1,988
(j) A facility for treatment with narcotics	[1,270] 2,482
(k) A medication unit	[500] 1,200

- (l) A referral agency ~~[1,340]~~ **2,000**
- (m) A halfway house for recovering alcohol and drug abusers ~~[1,160]~~ **2,020**
- (n) A facility for refractive laser surgery ~~[3,545]~~ **7,556**
- (o) A mobile unit..... ~~[1,500]~~ **2,090**

2. An applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

- (a) An ambulatory surgical center..... ~~[\$600]~~ **\$1,125**
- (b) A facility for the treatment of irreversible renal disease ~~[600]~~ **1,374**
- (c) A home office or subunit agency of a home health agency..... ~~[600]~~ **1,517**
- (d) A branch office of a home health agency ~~[100]~~ **1,000**
- (e) A rural clinic ~~[600]~~ **1,080**
- (f) An obstetric center ~~[600]~~ **782**
- (g) A program of hospice care ~~[600]~~ **1,053**
- (h) An independent center for emergency medical care ~~[600]~~ **1,475**
- (i) A nursing pool..... ~~[600]~~ **994**
- (j) A facility for treatment with narcotics ~~[600]~~ **1,241**
- (k) A medication unit ~~[100]~~ **600**
- (l) A referral agency ~~[600]~~ **1,000**
- (m) A halfway house for recovering alcohol and drug abusers ~~[300]~~ **1,010**
- (n) A facility for refractive laser surgery ~~[3,000]~~ **3,912**
- (o) A mobile unit..... ~~[750]~~ **1,045**

3. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by chapter 449

of NRS or the regulations adopted pursuant thereto within 1 year after the date on which he submits his application, he must submit a new application and pay the required fee to be considered for licensure.

Sec. 2. NAC 449.016 is hereby amended to read as follows:

449.016 1. Except as otherwise provided in NAC 449.0168, an applicant for a license to operate any of the following facilities must pay to the Health Division the following nonrefundable fees:

	Fee per facility	Fee per bed in the facility
(a) A skilled nursing facility	\$2,200	[\$90] \$60
(b) A hospital, other than a rural hospital	10,000	[90] 80
(c) A rural hospital	1,500	[90] 80
(d) An intermediate care facility for the mentally retarded or persons with developmental disabilities	[1,250] 1,564	[80] 184
(e) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities.....	1,200	90
(f) [A] <i>Except as otherwise provided in subsection 3, a</i> residential facility for groups	[800] 2,400	[190] 184
(g) A facility for the treatment of abuse of alcohol or drugs	[500] 782	[50] 184
(h) A facility for hospice care	[1,450] 1,564	[90] 184

- (i) A home for individual residential care ~~[710]~~ **1,764** ~~[270]~~ **184**
- (j) A facility for modified medical detoxification..... ~~[660]~~ **782** ~~[90]~~ **184**

2. An applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

	Fee per facility	Fee per bed in the facility
(a) A skilled nursing facility	\$1,100	[\$45] \$30
(b) A hospital, other than a rural hospital	5,000	[45] 40
(c) A rural hospital	750	[45] 40
(d) An intermediate care facility for the mentally retarded or persons with developmental disabilities	[600] 782	92
(e) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities.....	600	45
(f) Except as otherwise provided in subsection [3.] 4 , a residential facility for groups	[300] 1,200	92
(g) A facility for the treatment of abuse of alcohol or drugs	[300] 391	92
(h) A facility for hospice care	[600] 782	92
(i) A home for individual residential care	[100] 882	92
(j) A facility for modified medical detoxification.....	[300] 391	92

3. An applicant for ~~renewal of~~ a license for a residential facility for groups shall pay a fee of ~~[\$35]~~ **\$100** for each bed in the facility which is paid entirely with money from:

- (a) The supplemental security income program as defined in NRS 422.053;
- (b) The home and community-based services program pursuant to 42 U.S.C. § 1396n; or
- (c) A program for group care of adults established by a county.

4. *An applicant for the renewal of a license for a residential facility for groups shall pay a fee of \$50 for each bed in the facility which is paid entirely with money from:*

- (a) The supplemental security income program as defined in NRS 422.053;*
- (b) The home and community-based services program pursuant to 42 U.S.C. § 1396n; or*
- (c) A program for group care of adults established by a county.*

5. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by chapter 449 of NRS or the regulations adopted pursuant thereto within 1 year after the date on which he submits his application, he must submit a new application and pay the required fee to be considered for licensure.

Sec. 3. NAC 449.0168 is hereby amended to read as follows:

449.0168 1. Except as otherwise provided in subsection 2, a holder of a license to operate a medical facility, facility for the dependent, program of hospice care or referral agency who wishes or is required pursuant to NAC 449.190, 449.307, 449.7473 or 449.758 to modify his license to reflect:

- (a) A change in the name of the facility, program or agency;
- (b) A change of the administrator of the facility, program or agency;
- (c) A change in the number of beds in the facility;

(d) A change in the type of facility licensed or the addition of another type of facility to be licensed;

(e) A change in the category of residents who may reside at the facility; or

(f) A change in the designation of a staging area for a mobile unit or, if the mobile unit is operated by an independent facility, a change in the address of the independent facility,

↳ must submit an application for a new license to the Health Division and pay to the Health Division a fee of ~~[\$200.]~~ **\$250.**

2. An applicant who applies for a license pursuant to paragraph (c) of subsection 1 because of an increase in the number of beds in the facility must pay to the Health Division:

(a) A fee of ~~[\$200.];~~ **\$250;** and

(b) A fee for each additional bed as follows:

(1) If the facility is an intermediate care facility for the mentally retarded or persons with developmental disabilities ~~[\$80]~~ **\$184**

(2) ~~[(4)]~~ **Except as otherwise provided in subparagraph (3), if** the facility is a residential facility for groups ~~[\$90]~~ **184**

(3) **If the facility is a residential facility for groups and the fee for each bed in the facility is paid entirely with money from sources described in subsection 3 of NAC 449.016** **100**

(4) If the facility is a facility for the treatment of abuse of alcohol or drugs ~~[\$50]~~ **184**

~~[(4)]~~ (5) If the facility is a facility for hospice care ~~[\$90]~~ **184**

~~[(5)]~~ (6) If the facility is a home for individual residential care ~~[\$270]~~ **184**

~~[(6)]~~ (7) If the facility is a facility for modified medical detoxification ~~[\$90]~~ **184**

~~[(7)]~~ (8) If the facility is a hospital ~~[\$90]~~ **80**

[(8)] (9) If the facility is a rural hospital	[90] 80
[(9)] (10) If the facility is a skilled nursing facility [for an intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities]	[90] 60
<i>(11) If the facility is an intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities</i>	<i>90</i>

3. If the address of the home office of a home health agency has not changed, a holder of a license to operate a subunit agency or branch office of the home health agency who wishes or is required pursuant to NAC 449.758 to modify his license to reflect a change in the address of the subunit agency or branch office of the home health agency must:

- (a) Submit an application for a new license to the Health Division; and
- (b) Pay to the Health Division a fee of ~~[\$200.]~~ \$250.

4. A fee paid pursuant to this section is nonrefundable.

5. As used in this section:

- (a) “Administrator” means the person who is responsible for the daily management of a medical facility, facility for the dependent or program of hospice care.
- (b) “Independent facility” has the meaning ascribed to it in NAC 449.9701.
- (c) “Staging area” has the meaning ascribed to it in NAC 449.97018.