

LCB File No. R118-03

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

NOTICE OF PUBLIC WORKSHOPS

NOTICE IS HEREBY GIVEN that the State Health Division will hold public workshops on amendments to Nevada Administrative Code (NAC) 439 and 442. There will be two workshops held on the following dates, times, and locations:

<p>JUNE 24, 2003 ELKO, NEVADA</p> <p>Elko County Court House 571 Idaho Street Room 105 Elko, Nevada Time: 9:00 a.m. – 11:00 a.m.</p> <p>Amendment of NAC 439.500 pertaining to Administration of Public Health and NAC 442.222 pertaining to Maternal and Child Health fees and donations for provision of services and medications for Nursing and Family Planning activities.</p>	<p>JUNE 26, 2003 PAHRUMP, NEVADA</p> <p>Bob Ruud Community Center Corner of Basin and Highway 60 Main Hall Pahrump, Nevada Time: 10:00 a.m. – 12:00 p.m.</p> <p>Amendment of NAC 439.500 pertaining to Administration of Public Health and NAC 442.222 pertaining to Maternal and Child Health fees and donations for provision of services and medications for Nursing and Family Planning activities.</p>
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The regulations will be presented at the October 24, 2003, Board of Health meeting for adoption, place and time to be determined.

The purpose of the proposed revised regulation for fees, Nevada Administrative Code (NAC) 439.500 and NAC 442.222 is to amend existing regulations governing the fee charged to patients for community health nursing services and medical and pharmaceutical supplies. The need for the proposed revision to NAC 439.500 and NAC 442.222 is directly related to the increased costs of medical and pharmaceutical supplies, compliance with federal mandates that were unfunded, and operating expenses. The existing fee schedules were done in 1992 and are calculated to be 65% below the State Agency's actual cost of providing services. The proposed fee increase is calculated to generate revenue sufficient to maintain necessary community health nursing services and medical and pharmaceutical supplies. Without the adoption of the proposed fee increases, the State Agency will collect approximately \$456,391 less than the budgeted costs of providing the necessary community health nursing services to the rural counties. To accommodate the lack of funding, the State Agency will need to decrease community health services, cap patient appointments, and decrease the availability of necessary medical and pharmaceutical supplies.

The proposed fee increases will have an immediate and long term beneficial effect. The fee increases will allow the State Agency to continue providing services to low income, under insured residents of rural Nevada. Additionally, the public will still be able to receive services on a sliding scale fee based on public health prices which are lower in cost than can be obtained through a private provider or emergency room.

There is no anticipated cost to the Health Division for the enforcement of the proposed regulation change. There is no duplication or overlap of federal, state or local government agency's regulations.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8 1/2" x 11" pages must submit the material to Connie Buda, Administrative Assistant II, no later than June 27, 2003, at the following address: Bureau of Community Health, 505 E. King Street, #103, Carson City, Nevada 89701.

A copy of this notice and proposed regulation amendments are on file for inspection at the following locations during normal business hours.

Bureau of Community Health, 505 E. King Street, Room 103, Carson City, Nevada
Nevada State Library and Archives; 1000 S. Stewart Street, Carson City, Nevada
Community Health Nurse, 1711 N. Roop St, Carson City, NV 89701
Community Health Nurse, 485 W. B Street, #103, Fallon, NV 89406
Community Health Nurse, 1133 Spruce Street, Gardnerville, NV 89410
Community Health Nurse, 175 Highway 50, Stateline, NV 89448
Community Health Nurse, 531 6th Street, Elko, NV 89801
Community Health Nurse, 250 S. Main Street, Eureka, NV 89316
Community Health Nurse, 102 E. Haskell Street, Winnemucca, NV 89445
Community Health Nurse, 150 Palmer Street, Battle Mountain, NV 89820
Community Health Nurse, 360 Lincoln Street, Caliente, NV 89008
Community Health Nurse, 555 East Main Street, Fernley, NV 89408
Community Health Nurse, 50 River Street, Dayton, NV 89403
Community Health Nurse, 2475 Fort Churchill, Silver Springs, NV 89429
Community Health Nurse, 26 Nevin Way, Yerington, NV 89447
Community Health Nurse, 331 First Street, Hawthorne, NV 89415
Community Health Nurse, 250 N. Highway 160, #6, Pahrump, NV 89048
Community Health Nurse, 1 Frankie Avenue, Tonopah, NV 89049
Community Health Nurse, 535 Western Avenue, Lovelock, NV 89419
Community Health Nurse, 995 Campton Street, Ely, NV 89301

Copies may also be obtained in person, by mail, or by calling (775) 684-5915. Copies are also available for review at all locations of program offices (see above) or at the following main public libraries or visit the Nevada State Health Division's website at <http://health2k.state.nv.us/adminstration/meetings/>

Battle Mountain Branch Library (Lander Co.), 625 S Broad St., Battle Mountain, NV 89820

Carson City Library, 900 North Roop St. Carson City, NV 89701
Churchill County Library, 533 S. Main St. Fallon, NV 89406
Clark County Library, 1401 East Flamingo Road, Las Vegas, NV 89110
Douglas County Library, 1625 Library Lane, (PO Box 337) Minden, NV 89423
Elko County Library, 720 Court St. Elko, NV 89801
Eureka Branch Library, 210 South Monroe St., Eureka, NV 89316
Goldfield Public Library (Esmeralda Co.), Corner of Crook and Ramsey, (PO Box 430)
Goldfield, NV
Henderson District Public Library, 280 South Water Street, Henderson, NV 89105
Humboldt County Library, 85 East 5th St., Winnemucca, NV 89445
Lincoln County Library, 93 Maine St., (PO Box 330) Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Library, 125 A St., (PO Box 1390) Hawthorne, NV 89415
Pahrump Library District, 701 East Street, Pahrump, NV 89041
Pershing County Library, 1125 Central, (PO Box 781) Lovelock, NV 89419
Storey County Library, 95 South R St., (PO Box 14) Virginia City, NV 89440
Tonopah Public Library (Nye Co.), 167 Central, (PO Box 449) Tonopah, NV 89049
Washoe County Library, 301 South Center St., (PO Box 2151) Reno, NV 89505
White Pine County Library, 950 Campton St., Ely, NV 89301

Members of the public who are disabled and require special accommodations or assistance at the workshop are to notify Connie Buda, Administrative Assistant II, in writing at the Bureau of Community Health, 505 E. King St., #103, Carson City, Nevada 89701, no later than June 13, 2003.

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

NOTICE OF PUBLIC WORKSHOPS

NOTICE IS HEREBY GIVEN that the State Health Division will hold public workshops on amendments to Nevada Administrative Code (NAC) 439 and 442. There will be a workshop held on the following date, time, and location:

July 28, 2003
FALLON, NEVADA

County Administrative Building
Commissioner's Chamber
155 N. Taylor St.
Fallon, Nevada
Time: 10:00 a.m. – 12:00 p.m.

Amendment of NAC 439.500 pertaining to Administration of Public Health and NAC 442.222 pertaining to Maternal and Child Health fees and donations for provision of services and medications for Nursing and Family Planning activities.

The regulations will be presented at the October 24, 2003, Board of Health meeting for adoption, place and time to be determined.

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There is no anticipated cost to the Health Division for the enforcement of the proposed regulation change. There is no duplication or overlap of federal, state or local government agency's regulations.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8 1/2" x 11" pages must submit the material to Connie Buda, Administrative Assistant II, no later than July 28, 2003, at the following address: Bureau of Community Health, 505 E. King Street, #103, Carson City, Nevada 89701.

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Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

LCB File No. R118-03

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

Chapter 439

ADMINISTRATION OF PUBLIC HEALTH

EXPLANATION: *Italicized* material is new; material in is to be deleted.

NOTE: Only those sections being changed are provided in this document.

FEES

NAC 439.500 is hereby amended.

NAC 439.500 Fees and donations for provision of services and medications. (NRS 439.150, 439.200)

1. *No one is denied services for the inability to pay.* For persons who are able to pay, the fees to be charged and collected by the Bureau of Community Health of the Health Division for the services and medications provided by the nurses of the bureau are as follows:

Services and medications	Category I ≤ 249%	Category II ≥ 250%
Administering vaccine against influenza or pneumonia, <i>in addition to the cost of the vaccines</i>	\$15	\$20
Administering vaccine against both influenza and pneumonia, <i>in addition to the cost of the vaccines</i>	\$15	\$20
Administering an injection prescribed by a physician.....	7 \$15	10 \$20
Administering an immunization for a child who is less than 20 years of age against one or more diseases that may be prevented with a vaccine, such as diphtheria, polio, measles, mumps, rubella, pertussis, tetanus, hemophilus B influenza, <i>chickenpox (varicella), hepatitis A, hepatitis B, pneumonia (PCV7)</i> and others as may be available.....	6 \$15	8 \$20
Administering an immunization for a person who is 20 years of age or older against one or more diseases that may be prevented with a vaccine, such as diphtheria, polio, measles, mumps, rubella,		

pertussis, tetanus, <i>hemophilus B influenza, chickenpox (varicella), hepatitis A, hepatitis B</i> , and other as may be available.....	{6} \$15	{8} \$20
Administering <i>hepatitis A or</i> hepatitis B vaccine to a person who is not otherwise eligible to receive the vaccine free of charge pursuant to any program of the state or Federal Government, in addition to the cost of the vaccine.....	{10} \$15	{10} \$20
Providing a duplicate immunization record after providing an initial record.....	{1} \$10	{2} \$10
Administering immune globulin or hepatitis B immune globulin, when ordered by a physician as prophylaxis following exposure to an infectious disease, in addition to the cost of the vaccine.....	{7} \$15	{10} \$20
Performing a physical examination of one system.....	{7} \$26	{10} \$39
Performing a physical examination of an adult, including, but not limited to, an examination of height, weight, heart, lungs, vision, hearing and reflexes, and completing any form.....	{20} \$40	{30} \$60
Performing a physical examination of a child, including screening of developmental status, height, weight, hemoglobin, counseling concerning diet, sleep, elimination, growth and development, and completing any report to a child care facility or school.....	{20} \$40	{30} \$60
Performing a physical examination of an infant, including a physical and developmental evaluation of the infant and parental counseling and education, per year.....	{35} \$40	{45} \$60
Performing a physical examination to screen for cancer, including a pap smear and examination of the breasts, screening for testicular cancer and screening for colorectal cancer.....	{35} \$60	{50} \$90
Performing a colposcopy examination to screen for cancer.....	{32} \$90	{64} \$120
<i>Performing an endometrial biopsy to screen for cancer.....</i>	\$85	\$100
Performing a cervical biopsy and endocervical curettage to screen for cancer.....	{23} \$44	{47} \$66
Performing cryosurgery procedures for dysplasia.....	\$63	{125} \$126
Performing on-going screening of an adult, including necessary surveillance and counseling, checking blood pressure and screening for, without limitation, chronic illness, diabetes, hypertension,		

obesity, complications of pregnancy, lung disease and heart disease, per year.....	{35} \$45	{50} \$60
<i>Performing a</i> Tuberculosis skin test (<i>PPD</i>).....	{5} \$20	{8} \$25
Testing and counseling for human immunodeficiency virus.....	{15} \$30	{20} \$45
Testing for a sexually transmitted disease other than human immunodeficiency virus, in addition to the cost for the laboratory analysis.....	{15} \$27	{20} \$44
{Laboratory tests, other than those performed in conjunction with an annual or initial examination: Hematoerit or hemoglobin}	{3}	{5}
{Test, by kit, or fecal occult blood}	{6}	{8}
{Urinalysis (reagent strip)}	{3}	{6}
{Drawing fee for venipuncture}	{3}	{4}
Testing, <i>other than pregnancy tests</i> , or collection of specimen not specified in this table, in addition to the cost for the laboratory analysis.....	\$7	\$10
Dispensing and providing instruction in the use of medication, in addition to the cost of the medicine provided, per medication.....	{7} \$15	{10} \$20
{Administering medication for hormone replacement therapy, in addition to the cost of the hormone replacement}	{15}	{25}
Direct professional nursing service: Community Health Nurse <i>II (CHN II)</i> , (per hour).....	{44} \$45	{50} \$85
{Nurse practitioner} <i>Advanced Practitioner of Nursing (CHN III)</i> , (per hour).....	{49} \$50	{55} \$90
Administering medication or providing instruction in the use of antibiotic medication for sexually transmitted diseases, in addition to the cost of the medicine provided.....	{0} \$20	{15} \$30
Providing instruction for the control of parasites, in addition to the cost of the medicine provided.....	{5} \$15	{15} \$20
Processing a check returned for insufficient funds.....	\$25	\$25
Completing a form or record upon the request of a person relating to the health of that person, when a physical examination is not		

required.....	5 \$15	8 \$20
<i>Vaccines</i>		
<i>Hepatitis A (per dose).....</i>	\$20	\$25
<i>Hepatitis B (per dose).....</i>	\$30	\$35
<i>Hepatitis A/B Combo - Twinrix.....</i>	\$50	\$60
<i>Flu vaccine.....</i>	\$10	\$20
<i>Pneumonia vaccine.....</i>	\$15	\$20
[Hormone Replacements]		
[Estrogen].....	25	30
[Progestin].....	15	20
[Prempro].....	35	40
<i>Laboratory Tests</i>		
<i>Chlamydia, GC, or RPR.....</i>	\$12	\$24
<i>Chlamydia/Gonorrhea urine test – NAATS.....</i>	\$24	\$48
<i>HIV analysis.....</i>	\$15	\$30
<i>Hepatitis A, B, or C analysis.....</i>	\$18	\$28
<i>Hematocrit or hemoglobin.....</i>	\$8	\$12
<i>Pertussis.....</i>	\$65	\$85
<i>Fecal occult blood.....</i>	\$8	\$12
<i>Urinalysis (reagent strip)/Multistix.....</i>	\$8	\$12
<i>Drawing fee for venipuncture.....</i>	\$8	\$14
<i>Laboratory tests, other than those performed in conjunction with an annual or initial examination.....</i>	\$8	\$12

2. A person who is not able to pay a fee listed in subsection 1 will be asked to make a donation to help cover the cost of the service or medication.

3. For the purposes of this section, a person will be charged the fees listed in:

(a) Category I if the annual gross income of *the client's ~~his immediate family~~ total household income* is not more than 249 percent of the poverty level designated by the United States Department of Health and Human Services.

(b) Category II if the annual gross income of the *client's ~~his immediate family~~ total household income* is at least 250 percent of the poverty level designated by the United States Department of Health and Human Services.