

LCB File No. R119-03

**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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LCB File No. R119-03

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

Chapter 442

MATERNAL AND CHILD HEALTH; ABORTION

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

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

FEES

NAC 442.222 is hereby amended.

NAC 442.222 Fees for services and supplies provided by nurse. (NRS 439.150, 439.200)

1. The fee, if any, to be charged and collected by the Bureau of Community Health of the Health Division for services and supplies provided by a nurse of the Division for Family Planning is the fee listed in the table below. The fee varies according to the annual gross income of the client's ~~immediate family~~ *total household income* in comparison to the level of poverty designated for a family of that size by the United States Department of Health and Human Services. *Any client at or below the 100% Federal Poverty Level will not be charged.*

Service or Supply	Annual Gross Income of Family (As a percentage of the Federal Poverty Level)			
	101% to 125%	>125% to 150%	>150% to 250%	>250%
Initial visit, with pap smear	{15} \$45	{28} \$55	{45} \$75	{55} \$102
Annual visit, with pap smear	{10} \$45	{25} \$55	{30} \$75	{50} \$102
Problem return visit, repeat pap smear, in addition to cost of repeat pap smear <i>laboratory analysis</i>	{4} \$25	{8} \$35	{15} \$45	{16} \$55
Problem return visit, colposcopy	{7} \$30	{32} \$60	{53} \$90	{64} \$120
Problem return visit, cervical biopsy (each)	{3} \$50	{23} \$55	{38} \$60	{47} \$65

Problem return visit, pelvic examination only	{5} \$25	{8} \$35	{10} \$45	{15} \$55
Problem return visit, <i>no testing</i>	{3} \$25	{6} \$35	{9} \$45	{12} \$55
Mini visit; Pap done by Private Medical Doctor, in addition to lab fees	{8} \$25	{10} \$35	{15} \$45	{30} \$55
Check for infection and pelvic examination, in addition to cost of laboratory analysis	{5} \$27	{10} \$54	{15} \$81	{20} \$107
Physician Consultation	{8} \$30	{16} \$35	{26} \$40	{35} \$45
Pregnancy testing and counseling	{5} \$10	{10} \$20	{15} \$30	{20} \$40
Direct Professional Nursing Service:				
Community Health Nurse (per hour)	{15} \$25	{30} \$45	{44} \$45	{50} \$85
Nurse Practitioner (per hour)	{17} \$30	{34} \$50	{49} \$50	{55} \$90
Administrative surcharge for billing, <i>if fees are not collected at time of service</i>	{2} \$5	{3} \$7	{4} \$9	{5} \$11
Counseling and education	{3} \$15	{5} \$20	{7} \$25	{10} \$30
Brief office visit	{3} \$10	{6} \$16	{9} \$22	{12} \$28
Returned check charge	{8} \$25	{10} \$25	{15} \$25	{30} \$25
Transfer of records	{1} \$5	{2} \$5	{4} \$5	{5} \$5
Fitting of diaphragm	{5} \$26	{9} \$34	{12} \$42	{18} \$50
Fitting of cervical cap	{5} \$26	{9} \$34	{12} \$42	{18} \$50
Surgical procedure for insertion of {Norplant} <i>birth control</i> implant; includes device	\$121	\$242	\$363	\$485
Surgical removal of {Norplant} <i>birth control</i> implant	\$121	\$242	\$363	\$485
Insertion of intrauterine device, <i>in</i>				

<i>addition to the cost of the device</i>	[30] \$40	[50] \$50	[60] \$60	[75] \$75
[Mirena]	[355]	[365]	[380]	[407]
[Paraguard]	[175]	[195]	[215]	[235]
Removal of intrauterine device, not with insertion	[4] \$40	[8] \$50	[12] \$60	[16] \$70
Treatment of condylomata (genital warts), [in addition to] cost of <i>treatment</i> , [checking for infection and] <i>in addition to</i> medication	[4] \$25	[8] \$50	[10] \$75	[15] \$100
Treatment with cryosurgery for dysplasia	[34] \$63	[63] \$84	[103] \$105	[125] \$126
Pelvic examination for pregnancy	[4] \$15	[8] \$30	[10] \$45	[15] \$60
<i>Vasectomy assessment, counseling, and referral</i>	\$50	\$55	\$60	\$65
Laboratory tests, other than those performed in conjunction with Annual/Initial exam:				
Hematocrit/Hemoglobin	[1] \$6	[2] \$8	[3] \$10	[5] \$12
Gonorrhea cocci gen-probe	[2] \$12	[4] \$16	[6] \$20	[8] \$24
Gonorrhea cocci <i>urine test - NAATS</i>	\$24	\$36	\$48	\$60
<i>Gonorrhea pharyngeal swab</i>	\$46	\$51	\$56	\$61
<i>Gonorrhea rectal culture</i>	\$78	\$83	\$88	\$93
Wet smear	[2] \$6	[4] \$12	[6] \$18	[8] \$24
Pap smear: Single slide	[3] \$22	[6] \$24	[9] \$26	[13] \$28
Pap smear: Double slide	\$44	[9] \$48	\$52	[17] \$56
<i>Pap smear: Thin Prep</i>	\$30	\$35	\$40	\$45

Urinalysis (reagent strip)	{1} \$6	{2} \$12	{3} \$18	{6} \$24
Blood test for syphilis, <i>in addition to venipuncture</i>	{2} \$6	{4} \$12	{6} \$18	{8} \$24
Test for human immunodeficiency virus antibody, <i>in addition to venipuncture</i>	{5} \$8	{10} \$16	{15} \$24	{20} \$32
Chlamydia screening gen-probe	{2} \$12	{4} \$16	{6} \$20	{8} \$24
Chlamydia screening <i>urine test – NAATS</i>	\$24	\$36	\$48	\$60
<i>Human Papilloma Virus (HPV) Typing</i>	\$85	\$90	\$95	\$100
Testing or collection of specimen for other sexually transmitted diseases	{3} \$12	{5} \$22	{7} \$33	{10} \$44
Drawing fee for venipuncture	{1} \$8	{2} \$10	{3} \$12	{4} \$14
Endometrial Biopsies/Other Biopsy	\$85	\$90	\$95	\$100
Contraceptive Supplies:				
Intrauterine device for insertion by Physician:				
<i>Mirena</i>	\$355	\$365	\$380	\$407
Paragard	{30} \$175	{45} \$195	{85} \$215	{95} \$235
Birth control pills/ <i>per</i> cycle	{3} \$7	{4} \$9	{5} \$11	{10} \$13
Emergency contraception kit	{5} \$7	{5} \$9	{5} \$11	{5} \$13
Contraceptive injection of Depo-Provera, in addition to cost of visit to clinic	{11} \$26	{22} \$31	{32} \$36	{40} \$41
<i>Contraceptive injection of Lunelle, in addition to cost of visit to the clinic</i>	\$26	\$31	\$36	\$41
Condoms (per package of 12)	{1} \$6	{2} \$7	{3} \$8	{4} \$9

Diaphragm	{4} \$20	{6} \$25	{8} \$30	{10} \$35
Contraceptive foam or jelly for diaphragm	{2} \$6	{3} \$7	{4} \$8	{5} \$9
Contraceptive sponge {(per package of 12)} (4 pack)	{3} \$12	{4} \$14	{6} \$16	{8} \$18
Contraceptive film (per box of 12)	{2} \$9	{3} \$10	{5} \$11	{6} \$12
Contraceptive vaginal suppositories	{2} \$10	{3} \$12	{5} \$14	{6} \$16
Cervical cap	{15} \$18	{20} \$22	{30} \$33	\$45
<i>Contraceptive Nuva Ring (Each)</i>	\$28	\$32	\$36	\$40
<i>Contraceptive Patch OrthoEvra (Each)</i>	\$15	\$19	\$23	\$27
Basal thermometer	{5} \$7	{8} \$10	{10} \$13	{15} \$16
Other nonprescriptive supplies	{1} \$2	{2} \$3	{3} \$4	{4} \$5
Book on natural family planning	{3} \$4	{5} \$7	\$10	\$15
Other medications and services:				
Medicine for infection	{5} \$10	{6} \$13	{8} \$17	{10} \$20
<i>Medicine for Gonorrhea infection</i>	\$21	\$25	\$29	\$33
<i>Medicine for Chlamydia infection</i>	\$15	\$19	\$23	\$27
Vaginal medication	{5} \$20	{9} \$22	{12} \$24	{18} \$26
Medicine for parasites	{3} \$6	{5} \$7	{7} \$8	\$9

2. No fee for the services or supplies set forth in subsection 1 is charged if the annual gross income of the client's ~~{immediate family}~~ *total household income* is equal to or less than the level of poverty designated for a family of that size. Such a client will be requested to make a donation to help defray the cost of the services or supplies he/*she* has received. A client who is required to pay a fee may be denied services or supplies for continued nonpayment of the fee.

3. For the purposes of this section, a teenager is considered a family of one.