

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

**LCB File No. R070-04**

May 19, 2004

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

AUTHORITY: §§1 and 2, NRS 439.150 and 449.037.

A REGULATION relating to independent centers for emergency medical care; establishing standards for the design, construction, equipment and maintenance of independent centers for emergency medical care; requiring an independent center for emergency medical care to pay certain costs relating to the review of building plans for the new construction or remodeling of the center; and providing other matters properly relating thereto.

**Section 1.** NAC 449.0115 is hereby amended to read as follows:

449.0115 1. An applicant for a license or the renewal of a license to operate a medical facility, facility for the dependent or program of hospice care who wishes or is required pursuant to NAC 449.15359 , ~~[or]~~ 449.4063 *or 449.6135* to have building plans for new construction or remodeling reviewed by the Health Division must:

(a) Submit to the Health Division or have on file a current application for a license or renewal of a license;

(b) Pay to the Health Division any fees required for the issuance or renewal of a license pursuant to NAC 449.013 or 449.016; and

(c) Submit two complete sets of building plans for new construction or remodeling prepared by a registered architect, registered residential designer or licensed general contractor to the entity designated to review such plans by the Health Division.

2. All costs incurred for the review of building plans and any changes or revisions made to the plans must be borne by the applicant and paid directly to the designee of the Health Division conducting the review of the plans.

3. The costs required to be paid pursuant to subsection 2 are not refundable and are in addition to the fees charged for the issuance or renewal of the license pursuant to NAC 449.013 or 449.016.

**Sec. 2.** NAC 449.6135 is hereby amended to read as follows:

449.6135 ~~{A person may submit building plans for new construction or remodeling of an}~~

*1. An independent center for emergency medical care **must be designed, constructed, equipped and maintained in a manner that protects the health and safety of the patients and personnel of the independent center for emergency medical care and members of the general public.***

*2. An independent center for emergency medical care shall comply with all applicable:*

*(a) Federal and state laws;*

*(b) Local ordinances, including, without limitation, zoning ordinances; and*

*(c) Environmental, health, fire and local building codes,*

*↪ related to the construction and maintenance of the independent center for emergency medical care. If there is a difference between state and local requirements, the more stringent requirements apply.*

*3. Except as otherwise provided in subsection 4, before any new construction of an independent center for emergency medical care or any remodeling of an existing independent center for emergency medical care is begun, the independent center for emergency medical care must submit building plans for the new construction or remodeling to the entity*

designated to review such plans by the Health Division pursuant to the provisions of NAC 449.0115 . ~~[to determine whether the building plans comply with the provisions of NAC 449.61302 to 449.61384, inclusive. The Health Division may make recommendations for compliance with those provisions.]~~ *The entity's review of those plans is advisory only and does not constitute approval for the licensing of the independent center for emergency medical care. The Bureau shall not approve an independent center for emergency medical care for licensure until all construction is completed and a survey is conducted at the site of the independent center for emergency medical care.*

*4. An independent center for emergency medical care is not required to submit plans for remodeling to the entity designated to review such plans by the Health Division pursuant to the provisions of NAC 449.0115 if the remodeling is limited to refurbishing an area within the independent center for emergency medical care, including, without limitation, painting the area, replacing the flooring in the area, repairing windows in the area, and replacing window or wall coverings in the area.*