

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

LCB File No. R118-04

July 30, 2004

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

AUTHORITY: §§1-8, NRS 439.890; §9, NRS 439.835 and 439.890; §10, NRS 439.875 and 439.890.

A REGULATION relating to public health; defining certain terms relating to sentinel events; setting forth the requirements for reports of sentinel events; establishing the composition of patient safety committees at certain medical facilities; and providing other matters properly relating thereto.

Section 1. Chapter 439 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 10, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of this regulation, have the meanings ascribed to them in those sections.*

Sec. 3. *“Division” means the Health Division of the Department of Human Resources.*

Sec. 4. *“Medical facility” has the meaning ascribed to it in NRS 439.805.*

Sec. 5. *“Patient” has the meaning ascribed to it in NRS 439.810.*

Sec. 6. *“Patient safety officer” has the meaning ascribed to it in NRS 439.815.*

Sec. 7. *“Provider of health care” has the meaning ascribed to it in NRS 439.820.*

Sec. 8. *“Sentinel event” has the meaning ascribed to it in NRS 439.830.*

Sec. 9. 1. *A report submitted pursuant to NRS 439.835 must be submitted on the form prescribed pursuant to subsection 4 and must include:*

(a) The unique identification code assigned to the medical facility by the Division pursuant to subsection 5;

(b) The name of the person who is making the report;

(c) The date on which the sentinel event occurred;

(d) The date and time that the medical facility was notified of the occurrence of the sentinel event;

(e) If the patient resides in this State, the county in which the patient resides;

(f) If the patient does not reside in this State, the state or country in which the patient resides;

(g) The date of birth of the patient;

(h) The gender of the patient;

(i) A description of the sentinel event; and

(j) The department of the medical facility at which the sentinel event occurred.

2. *Within 45 days after receiving notification or becoming aware of the occurrence of a sentinel event pursuant to subsection 1 or 2 of NRS 439.835, the patient safety officer of the medical facility in which the sentinel event occurred must submit a second report to the Division. A report required by this subsection must be submitted on the form prescribed pursuant to subsection 4 and must include:*

(a) The factors that contributed to the sentinel event, including, without limitation:

(1) Any medical or other condition of the patient;

(2) Any policy, procedure or process of the medical facility;

- (3) Any environmental condition of the medical facility;*
 - (4) Any behavior of a member of the staff of the medical facility;*
 - (5) Any situation present at the medical facility; and*
 - (6) Any problem involving communication or documentation at the medical facility.*
- (b) The corrective actions, if any, taken by the medical facility to address the factors that contributed to the sentinel event, including, without limitation:*
- (1) A review of the policies, procedures or processes of the medical facility;*
 - (2) Any change or development of the policies, procedures or processes of the medical facility;*
 - (3) Any disciplinary actions taken against a member of the staff of the medical facility by the medical facility;*
 - (4) Any environmental or equipment changes made in the medical facility; and*
 - (5) Any education or retraining provided to the staff of the medical facility.*
- 3. A report submitted pursuant to subsection 1 must indicate the date and time that the report was submitted to the Division. Proof satisfactory to the Division of the date and time that a report was submitted includes:*
- (a) The postmark on the package in which the report was submitted to the Division;*
 - (b) The time stamp created by a facsimile machine used to transmit the report to the Division;*
 - (c) The electronic time stamp created by a program of electronic mail used to transmit the report to the Division; and*
 - (d) Any other evidence acceptable to the Division, as indicated on the form created by the Division pursuant to subsection 4.*

4. The Division will develop a form for each report required by subsection 1 or 2. The Division will distribute copies of the forms created pursuant to this subsection to each medical facility in this State.

5. The Division will assign a unique identification code to each medical facility in this State, to be used on the reports required by subsections 1 and 2.

Sec. 10. *1. A medical facility that has fewer than 25 employees and contractors shall establish a patient safety committee composed of:*

(a) The patient safety officer of the medical facility;

(b) At least two providers of health care who treat patients at the medical facility, including, without limitation, one member of the medical staff and one member of the nursing staff of the medical facility; and

(c) The chief executive officer or chief financial officer of the medical facility.

2. A patient safety committee established pursuant to this section must meet at least once every calendar quarter.