

LCB File No. R119-05

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

FACILITIES FOR SKILLED NURSING

These amendments were brought before the public during workshops held on April 28, 2005 in Las Vegas and on April 29, 2005 in Reno. It is planned that these regulation amendments will go before the State Board of Health for adoption during the October 14, 2005 meeting.

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

This is the only section being modified.

Licensing and Administration of Facility

Section 1. NAC 449.74411 is hereby amended to read as follows:

NAC 449.74411 Applicability of license; limitation on number of patients; liability coverage. (NRS 449.037)

1. A facility for skilled nursing must be operated and conducted in the name designated on the license for the facility, with the name of the person responsible for its operation also appearing on the face of the license. The license is not transferable.

2. A facility for skilled nursing shall not admit more patients to the facility than the number of beds for which it is licensed, except in emergencies. A facility that admits more patients to the facility than the number of beds for which it is licensed shall immediately notify the Bureau of the additional admissions.

3. A facility for skilled nursing shall ~~;~~
~~—(a)~~ Retain proof that it is adequately covered against liabilities resulting from claims incurred in the course of its operation. ~~;~~ ~~and~~
~~(b) Verify the coverage at the time it submits its annual application for the renewal of its license.]~~

SMALL BUSINESS IMPACT STATEMENT

Proposed Amendment of Nevada Administrative Code (NAC)

FACILITIES FOR SKILLED NURSING

Background:

The purpose of the proposed revised regulations for skilled nursing facilities at NAC 449.74411 will eliminate the need to submit certain documents for renewal of the license.

Interested individuals can obtain a copy of the information packet, including the Small Business Impact Questionnaire, sent to all licensed facilities, from Shirley Rains, Administrative Assistant IV, Bureau of Licensure and Certification, 1550 East College Parkway, Suite 158, Carson City, Nevada 89703

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Pursuant to NRS 233B.0608 (2) (a), the BLC has requested input from operators of Skilled Nursing Facilities.

A Small Business Impact Questionnaire was sent to skilled nursing facilities along with written correspondence detailing the proposed amendments, including a copy of the proposed regulation changes, on { date }. The questions on the questionnaire were:

- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

The specific responses to these questions may be found in the attached document titled: “Small Business Impact Questionnaire Summary – Facilities for Skilled Nursing”. Below is a table indicating the number of responses.

Total Number of Responses:	5	
Q2- # having Direct Adverse Effect:	0	Economic Effect
Q3- # having Direct Beneficial Effect:	0	General Effect
Q4- # having Indirect Adverse Effect:	0	General Effect
Q5- # having Indirect Beneficial Effect:	0	General Effect

2. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate including without limitation both adverse and beneficial effects and both direct and indirect effects.

Modifying the language at NAC 449.74411 will have no adverse economic effect on skilled nursing facilities because it actually eliminates requirements for documents to be submitted along with a renewal application.

3. A description of the methods that BLC considered to reduce the impact of the proposed regulation on small businesses and statement regarding whether the agency actually used those methods.

There is no anticipated negative impact on skilled nursing facilities.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the agency for enforcement of the proposed amendments.

5. Total amount BLC expects to collect from any fees and the manner in which the money will be used.

No new fees will be collected pursuant to these revisions.

6. An explanation of why any duplicative or more stringent provisions than federal, state or local standards regulating the same activity are necessary.

No duplication or more stringent provision are either created or already in existence.