

LCB File No. R124-05

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

**BUSINESSES THAT PROVIDE REFERRALS TO
RESIDENTIAL FACILITIES FOR GROUPS**

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.

Section 1. NAC 449.27823 is hereby amended to read as follows:

NAC 449.27823 License not required by certain persons to make referrals; application for licensure. (NRS 449.0305, 449.037)

1. A licensed nurse or social worker working in a medical facility or a facility for the dependent licensed by the Bureau may make a referral for a client of the facility or program to a residential facility for groups without first obtaining a license to operate as a referral agency. A person employed by this State or the governing body of any county or city within this State, who is employed in a position in which his duties require him to make referrals for clients to residential facilities for groups, may make such referrals without first obtaining a license to operate as a referral agency.

2. An applicant for a license to operate as a referral agency must submit to the Division a completed application on a form provided by the Division. The *initial* application must include, without limitation:

(a) Evidence that the applicant has obtained a contract of insurance for protection against liability to third persons which may be incurred while operating as a referral agency; and

(b) The physical address of the applicant where the records of the referral agency will be maintained.

SMALL BUSINESS IMPACT STATEMENT

Proposed Amendment of Nevada Administrative Code (NAC)

BUSINESSES THAT PROVIDE REFERRALS TO RESIDENTIAL FACILITIES FOR GROUPS

Background:

The purpose of the proposed revised regulations for businesses that provide referrals to residential facilities for groups at NAC 449.27823 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 Businesses that Provide Referrals to Residential Facilities for Groups.

A Small Business Impact Questionnaire was sent to businesses that provide referrals to residential facilities for groups 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?

There were no responses received for businesses that provide referrals to residential facilities for groups

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.

The language modification at NAC 449.27823 will have no adverse economic effect on businesses that provide referrals to residential facilities for groups 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 businesses that provide referrals to residential facilities for groups.

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.