

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

**LCB File No. R138-07**

November 29, 2007

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

AUTHORITY: §1, NRS 449.037; §§2-8, NRS 450B.795.

A REGULATION relating to emergency medical services; providing for the delegation of certain duties of the State Board of Health to a county or district board of health; requiring hospitals and providers of emergency medical services in certain counties to participate in the collection of data relating to waiting times at hospitals; and providing other matters properly relating thereto.

**Section 1.** NAC 449.331 is hereby amended to read as follows:

449.331 1. A hospital shall develop and carry out policies and procedures to ensure that emergency services and medical care are provided in accordance with NRS 439B.410 *and 450B.790* and 42 C.F.R. § 489.24 ~~[ ]~~ *and to ensure compliance with the provisions of NRS 450B.795.*

2. All general hospitals not having their own long-term facility shall have transfer agreements with long-term care facilities. Transfer agreements between facilities must be in writing and on file at each facility concerned. The agreements must provide for:

(a) The transfer of patients between facilities whenever the need for transfer is medically determined; and

(b) The exchange of appropriate medical and administrative information between facilities.

**Sec. 2.** Chapter 450B of NAC is hereby amended by adding thereto the provisions set forth as sections 3 to 8, inclusive, of this regulation.

*Sec. 3. As used in sections 3 to 8, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

*Sec. 4. "Hospital" has the meaning ascribed to it in NRS 449.012.*

*Sec. 5. "Provider of emergency medical services" has the meaning ascribed to it in NRS 450B.795.*

*Sec. 6. 1. A county or district board of health may submit to the Health Division a request for the State Board of Health to delegate its duties set forth in NRS 450B.795. The Health Division shall forward a request submitted pursuant to this subsection to the State Board.*

*2. A request submitted pursuant to subsection 1 must be in writing and must include, without limitation, a:*

*(a) Statement which indicates that the county or district board of health has the ability to carry out the duties set forth in NRS 450B.795;*

*(b) Statement which indicates that each hospital and each provider of emergency medical services located in the county will participate in the collection of data;*

*(c) Description of the system that will be used to collect data in the county;*

*(d) List of the persons appointed to the advisory committee required pursuant to subsection 7 of NRS 450B.795;*

*(e) Description of the process that will be used to review the circumstances of waiting times for the provision of emergency services and care which exceed 30 minutes; and*

*(f) Statement that the county or district board of health will require each hospital and provider of emergency medical services located in the county to contribute equally to the cost of carrying out the collection of data pursuant to NRS 450B.795.*

*3. Upon receiving a written request pursuant to subsection 1, the State Board of Health will determine at its next regularly scheduled meeting whether to delegate to the county or district board of health its duties set forth in NRS 450B.795. The State Board will provide written notice to the county or district board of health of its decision to approve or deny the request.*

*4. Upon receiving notification of the approval of a request submitted pursuant to subsection 1, the county or district board of health shall carry out the duties of the State Board of Health set forth in NRS 450B.795.*

*5. A county or district board of health that carries out the duties set forth in NRS 450B.795 shall submit to the State Board of Health a quarterly report in the form prescribed by the State Board. Each quarterly report must include, without limitation:*

*(a) The dates of the meetings of the advisory committee required pursuant to subsection 7 of NRS 450B.795;*

*(b) A summary of each incident in which the waiting time for the provision of emergency services and care exceeds 30 minutes; and*

*(c) A summary of the circumstances surrounding waiting times for the provision of emergency services and care that exceed 30 minutes.*

**Sec. 7. 1.** *A hospital located in a county that participates in the collection of data pursuant to NRS 450B.795 shall report the information required pursuant to subsection 5 of that section to:*

*(a) The State Board of Health; or*

*(b) If the State Board has delegated its duties to the county or district board of health in the county in which the hospital is located, the county or district board of health.*

*2. A provider of emergency medical services located in a county whose population is less than 400,000 that participates in the collection of data pursuant to NRS 450B.795 shall report the information required pursuant to subsection 5 of that section to:*

*(a) The State Board of Health; or*

*(b) If the State Board has delegated its duties to the county or district board of health in the county in which the provider of emergency medical services is located, the county or district board of health.*

**Sec. 8.** *Each hospital and each provider of emergency medical services located in a county that participates in the collection of data pursuant to NRS 450B.795 must contribute equally to the cost of purchasing hardware, software, equipment and other resources necessary to carry out the collection of data pursuant to NRS 450B.795.*