

**ADOPTED REGULATION OF THE
AGING AND DISABILITY SERVICES DIVISION OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R015-12

Effective September 14, 2012

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

AUTHORITY: §1, NRS 427A.705 and 427A.727.

A REGULATION relating to intermediary service organizations; revising provisions relating to the submission of fingerprints with an application for a certificate to operate an intermediary service organization; and providing other matters properly relating thereto.

Section 1. NAC 427A.815 is hereby amended to read as follows:

427A.815 1. The Division will prescribe the form for an application to apply for a certificate.

2. An applicant for a certificate must submit with his or her application ~~[two complete sets of his or her fingerprints and written permission authorizing the Division to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant.]~~ *written verification, on a form prescribed by the Division, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository for Nevada Records of Criminal History and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of*

Investigation for a report on the applicant's background and to such other law enforcement agencies as the Division deems necessary.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R015-12

The Aging and Disability Services Division of the Department of Health and Human Services adopted regulations assigned LCB File No. R015-12 which pertain to chapter 427A of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. Statement of need for and purpose of the proposed regulation.

Require evidence that the applicants' fingerprints have been submitted to the central repository of the Nevada records of criminal history or the results of criminal history report prepared by the central repository as applicable be provided to the Aging and Disability Services Division. This eliminates the step of having the Aging and Disability Services Division collect the fingerprints and submit them to the central repository.

2. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of public workshop was posted on February 28, 2012 and the workshop was held on March 20, 2012. Notice of public hearing was posted on May 4, 2012 and the public hearing was held on June 5, 2012. Posting included e-mailing notices to public libraries in all counties in which Aging and Disability Services Division does not have an office, to all Division offices, to a list of other public places where interested parties would see the notice. The notice was also posted on the Division website. Summaries of the public response can be obtained from the Aging and Disability Services Division.

3. The number of persons who: (a) attended each hearing; (b) testified at each hearing; and (c) submitted to the agency written statements.

Attending the public workshop were 20 people in Carson City, five people in Las Vegas, and two people in Elko. There was no testimony at the public workshop, and no written comments were received. Attending the public hearing were 14 people in Carson City, four people in Las Vegas, and three people in Elko. There were no public comments and no written comments received at the public hearing.

4. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Not applicable. No existing businesses will be affected. Future applicants for a certificate will follow different procedures, but all costs remain the same.

5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No change was made from the proposed regulation because no comments or suggestions were received from any stakeholders. The regulation was discussed with them before it was proposed.

6. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- a. Both adverse and beneficial effects;**
- b. Both immediate and long-term effects;**
None.

7. The estimated cost to the agency for enforcement of the adopted regulation.
None

8. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.
None

9. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.
Not applicable

10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.
Not applicable