

**PROPOSED REGULATION OF THE DIVISION OF HEALTH  
CARE FINANCING AND POLICY OF THE DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

**LCB File No. R089-12**

July 5, 2012

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

AUTHORITY: §§1 and 2, NRS 422.390.

A REGULATION relating to public welfare; making various changes relating to disproportionate share payments made to certain hospitals; and providing other matters properly relating thereto.

**Section 1.** NAC 422.065 is hereby amended to read as follows:

422.065 “Public hospital” means:

1. A hospital owned by a state or local government, including, without limitation, a hospital district ~~[ ]~~ *located in Nevada*; or
2. A hospital that is supported in whole or in part by tax revenue ~~[ ]~~ *generated in Nevada*, other than tax revenue received for medical care which is provided to Medicaid patients, indigent patients or other low-income patients.

**Sec. 2.** NAC 422.115 is hereby amended to read as follows:

422.115 1. Except as otherwise provided in subsection 2, the Division will initially distribute for:

- (a) Pool A, which consists of all public hospitals in counties whose population is ~~[400,000]~~ *700,000* or more, total annual disproportionate share payments in the amount of \$66,650,000

plus 90 percent of the total amount of disproportionate share payments distributed by the State in that fiscal year which exceeds \$76,000,000;

(b) Pool B, which consists of all private hospitals in counties whose population is ~~400,000~~ 700,000 or more, total annual disproportionate share payments in the amount of \$1,200,000 plus 2.5 percent of the total amount of disproportionate share payments distributed by the State in that fiscal year which exceeds \$76,000,000;

(c) Pool C, which consists of all private hospitals in counties whose population is 100,000 or more but less than ~~400,000,~~ 700,000, total annual disproportionate share payments in the amount of \$4,800,000 plus 2.5 percent of the total amount of disproportionate share payments distributed by the State in that fiscal year which exceeds \$76,000,000;

(d) Pool D, which consists of all public hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of \$900,000 plus 2.5 percent of the total amount of disproportionate share payments distributed by the State in that fiscal year which exceeds \$76,000,000; and

(e) Pool E, which consists of all private hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of \$2,450,000 plus 2.5 percent of the total amount of disproportionate share payments distributed by the State in that fiscal year which exceeds \$76,000,000.

2. A hospital may not receive a disproportionate share payment unless the hospital meets all the requirements:

- (a) Established by federal and state statutes and regulations; and
- (b) As prescribed in the State Plan for Medicaid.