

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

LCB File No. R124-12

September 13, 2012

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

AUTHORITY: §1, NRS 439.150, 439.200, 449.0302 and 449.050; §2, NRS 439.150, 439.200 and 449.0302.

A REGULATION relating to health; establishing the fees that the Health Division of the Department of Health and Human Services will charge for the issuance and renewal of a license to operate a facility for the care of adults during the day; expanding the circumstances under which the Health Division is authorized to charge and collect fees relating to the costs of investigating complaints against licensees; and providing other matters properly relating thereto.

Section 1. NAC 449.013 is hereby amended to read as follows:

449.013 1. Except as otherwise provided in NAC 449.0168, an applicant for a license to operate any of the following facilities, programs of hospice care or agencies must pay to the Health Division the following nonrefundable fees:

- (a) An ambulatory surgical center..... \$9,784
- (b) A home office or subunit agency of a home health agency 5,168
- (c) A branch office of a home health agency 5,358
- (d) A rural clinic..... 4,058
- (e) An obstetric center..... 1,564
- (f) A program of hospice care 7,054
- (g) An independent center for emergency medical care 4,060

(h) A nursing pool.....	4,602
(i) A facility for treatment with narcotics	5,046
(j) A medication unit.....	1,200
(k) A referral agency.....	2,708
(l) A facility for refractive surgery.....	6,700
(m) A mobile unit.....	2,090
(n) An agency to provide personal care services in the home.....	1,374
<i>(o) A facility for the care of adults during the day which has 50 clients or fewer</i>	<i>2,154</i>
<i>(p) A facility for the care of adults during the day which has 51 clients or more</i>	<i>3,398</i>

2. An applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

(a) An ambulatory surgical center.....	\$4,892
(b) A home office or subunit agency of a home health agency	2,584
(c) A branch office of a home health agency	2,679
(d) A rural clinic.....	2,029
(e) An obstetric center.....	782
(f) A program of hospice care	3,527
(g) An independent center for emergency medical care	2,030
(h) A nursing pool.....	2,301
(i) A facility for treatment with narcotics	2,523
(j) A medication unit.....	600

(k) A referral agency	1,354
(l) A facility for refractive surgery	3,350
(m) A mobile unit.....	1,045
(n) An agency to provide personal care services in the home.....	687
<i>(o) A facility for the care of adults during the day which has 50 clients or fewer</i>	<i>1,077</i>
<i>(p) A facility for the care of adults during the day which has 51 clients or more</i>	<i>1,699</i>

3. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by chapter 449 of NRS or the regulations adopted pursuant thereto within 1 year after the date on which the applicant submits his or her application, the applicant must submit a new application and pay the required fee to be considered for licensure.

Sec. 2. NAC 449.01685 is hereby amended to read as follows:

449.01685 ~~[1.]~~ The Health Division may charge and collect a fee from any licensee who is involved in a complaint submitted to the Health Division ~~[by a consumer]~~ to recover the costs of investigating the complaint after the investigation is completed . ~~[and the complaint is substantiated.]~~ The fee will be based upon the hourly rate established for each surveyor of health facilities as determined by the budget of the Health Division.

~~[2.—As used in this section, “substantiated” means supported or established by evidence or proof.]~~