

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

LCB File No. R096-14

Proposed Regulation Changes

Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

Regulations that met with changes:

- NAC432A. 200 – Application Fees

These changes include: R# – Fee Assessment Change

Section 1. Chapter 432A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 of this regulation.

Section 2. NAC 432A.200 License to operate facility: Application; investigation; issuance; return. (NRS 432A.077, 432A.141, 432A.170, 432A.175)

1. An application for an initial license to operate a facility must be:

- (a) Submitted to the Division on a form supplied by the Division; and
- (b) Accompanied by the following appropriate fee:

(1) If the facility is to provide care for 5 or 6 children.....	\$20
(2) If the facility is to provide care for 7 or more but not more than 12 children.....	60
— (3) If the facility is to provide care for 13 or more but not more than 50 children.....	100
— (4) If the facility is to provide care for 51 or more but not more than 100 children.....	150
— (5) If the facility is to provide care for 101 or more but not more than 150 children.....	200
— (6) If the facility is to provide care for 151 or more but not more than 200	250

~~children.....~~

~~(7) If the facility is to provide care for more than 200 children..... 300}~~

(3) If the facility is to provide care for 13 or more children *Base Fee of 111,
plus a 2.00
per child fee*

2. After receiving a completed application and payment of the appropriate fee, the Division shall:

(a) Conduct an investigation into the qualifications and background of:

(1) Every applicant and his or her employees, other than an educational intern who provides direct care to children for a period of less than 6 months; and

(2) Every resident of the facility who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS 432B.594;

(3) Every participant of in an outdoor youth program who is 18 years of age or older; and

(4) Every volunteer of the facility who is 18 years or age or older, with an exception of parent volunteers

(b) Inspect the buildings of the facility; and

(c) Examine the plans for care of the children and management of the facility.

4. *Each complete background application for investigation must be accompanied by the fee pursuant to subsection 4 of NRS432A.170.*

5. ~~(4)}~~ Fingerprints must be taken and applications for investigations must be made by:

(a) Every employee or a resident of the facility who is at least 18 years of age and every volunteer of the facility, with an exception of parent volunteers who is at least 18 years of age within 24 hours after the date of hiring or his or her presence in the facility, and every 5 years thereafter.

(b) Every participant in an outdoor youth program who is 18 years or older.

(c) An applicant at the time that his or her application is submitted for licensure, and then at least once every 5 years after the license is issued.

(d) A licensee every 5 years after the date his or her license is originally issued.

6. ~~5~~ The Division shall immediately notify the applicant or licensee if the investigation conducted pursuant to subsection 2 indicates that he or she or an employee or *a* resident of the facility who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS432B.594, or a participant in an outdoor youth program who is 18 years or older, or a volunteer, with an exception of parent volunteers, of the facility who is 18 years or older and who works in the facility has been convicted of any offense listed in subsection 2 of NRS 432A.170 or has a substantiated report of child abuse or neglect filed against him or her.

7. ~~6~~ The license must not be issued until the Administrator of the Division is satisfied that the proposed facility will be in compliance with the applicable codes concerning safety of human life, environmental health, and building and zoning, as established respectively by the State Fire Marshal, the State Board of Health and the appropriate local government. A report of inspection by the State Fire Marshal or the Division, finding satisfactory conditions, may be accepted by the Administrator as proof of compliance with the applicable regulations.

8. ~~7~~ With the exception of a facility that is licensed by a branch of the military or naval service of the United States, a licensee who has a license to operate a family home or a group home may not obtain a license to operate any other family home, group home or other child care facility.

9. ~~8~~ An applicant must, before a license is issued to him or her, submit to the Division a certificate stating that he or she holds a policy of insurance for protection against liability to third persons which will meet the requirement set forth in subsection 2 of NAC 432A.290. Any government, governmental agency or political subdivision of a government which operates a child care facility and is self-insured is not required to furnish a certificate of insurance to the Division.

10. ~~9~~ If the applicant and the proposed facility are in compliance with the provisions of this chapter, as shown by his or her application and related material and the investigation, a license will be issued to the applicant within 30 days after completion of the investigation.

11. ~~10~~ A licensee shall return to the Division, his or her license if he or she ceases to operate a facility, if the license has been suspended or revoked or if the license is placed on a provisional basis.