

BRIAN SANDOVAL
Governor



RICHARD WHITLEY, MS
Director

MARTA JENSEN
Administrator

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH CARE FINANCING AND POLICY
1100 East William Street, Suite 101
Carson City, Nevada 89701
Telephone (775) 684-3676 • Fax (775) 687-3893
<http://dhcfp.nv.gov>

**Legislative Review of Adopted Regulations as Required by NRS 233B.066
Nevada Regulation Amendment R149-17**

The following statement is submitted for adopted amendments to Nevada Regulation Amendment R149-17

1. A clear and concise explanation of the need for the adopted regulation.

NAC 449.960 currently requires that certain institution, including hospitals, file with the Department of Health and Human Services financial statements or reports in a form and at intervals specified by the Director of the Department. The Director requires each hospital to submit for each calendar quarter completed financial and utilization report. The adopted amendments will clarify that a hospital is not required to include in such a report financial and utilization data concerning certain patients admitted to the hospital pursuant to the order of the court.

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

Copies of the proposed regulations, notices of workshop, Notices of Intent to Act Upon the Regulation were emailed to all persons on the agency's mailing list for administrative regulations and made available at the DHCFP Carson City central office, 1100 E. Williams Street, Suite 101, Carson City, NV 89701; Las Vegas DHCFP, 1210 E. Valley View Blvd. Suite 104, Las Vegas, NV 89416 and the DHCFP Web site www.dhcfp.nv.us. It was posted to all county libraries in Nevada and the Nevada State Library. The Notice of Public Hearing and the regulation to be amended were on file at the State Library and Public Library in addition the text was of the proposed regulation were available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public

On November 11, 2017 a Public Workshop was conducted via teleconference, in both Carson City and Las Vegas, at the Division of Health Care Financial and Policy (DHCFP) conference room.

There was no public comment at the Workshop. The Public Workshop Minutes contain a summary of the discussion held regarding the proposed regulation and are attached.

On May 24, 2018 a Public Hearing was held, via teleconference, in Carson City at the Nevada State Legislative Building and in Las Vegas at the Grant Sawyer Office Building. One person other than DHCFP staff attended the Public Hearing, no public comment was made.

3. The Number persons who:

- (a) **Attended each hearing:** November 11, 2017 - 15; May 24, 2018 - 7
- (b) **Testified at each hearing:** November 11, 2017 - 0; May 24, 2018 - 0
- (c) **Submitted to the agency written comments:** 0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting hearing:

- (a) **Name;**
- (b) **Telephone number;**
- (c) **Business address;**
- (d) **Business telephone number;**
- (e) **Electronic mail address; and**
- (f) **Name of entity or organization represented.**

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

Comments were solicited from affected businesses in the same manner as they were solicited from the public.

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

There were no comments made to propose changing the proposed regulation, the regulation was adopted without change.

7. 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; and

The adopted regulation will beneficially effect businesses by exempting hospitals from being required to file forensic financial and utilization data quarterly. There is no anticipated cost as a result of the implementation of these changes; therefore, no adverse effect on businesses. The adopted regulation has no anticipated effect, adverse nor beneficial, on the public.

(b) Both immediate and long-term effects.

The adopted regulation will effect businesses, both immediate and long-term, by exempting hospitals from being required to file forensic financial and utilization data quarterly. The adopted regulation has no anticipated effect on the public, short term or long term.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no cost anticipated for the implementation of these changes.

9. A description of any regulations 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.

There is no other state or federal regulations that overlap or duplicate the proposed regulation.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

N/A

11. 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.

N/A

12. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?

The proposed regulation will exempt hospitals from being required to file forensic financial and utilization data quarterly. There is no anticipated cost or burden to small businesses as a result of the exemption of forensic data.