

**PROPOSED REGULATION OF
THE DIVISION OF PUBLIC AND BEHAVIORAL HEALTH OF
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R039-20

May 1, 2020

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

AUTHORITY: §§1 and 2, NRS 449.0302 and 449.2418.

A REGULATION relating to healthcare; defining the term “unit” for certain purposes relating to hospital staffing; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires certain hospitals located in a county whose population is 100,000 or more (currently, Clark and Washoe Counties) to establish a staffing committee to develop: (1) a written policy that sets forth the circumstances under which a licensed nurse or certified nursing assistant may refuse or object to a work assignment; and (2) a staffing plan that is adequate to meet the needs of the patients of the hospital. (NRS 449.242, 449.2421, 449.2423) Existing law further requires one-half of the membership of a staffing committee to be members of the licensed nursing staff and certified nursing assistants who are providing direct patient care at the hospital. (NRS 449.242) Those members must consist of: (1) one member representing each unit of the hospital who is a licensed nurse elected by the licensed nursing staff who are providing direct patient care on that unit; and (2) one member representing each unit who is a certified nursing assistant elected by the certified nursing assistants who are providing direct patient care on that unit. (NRS 449.242) Existing law also provides for the election of alternate members to represent the licensed nursing staff and certified nursing assistants who provide direct patient care on each unit. (NRS 449.242)

Existing law provides that, effective July 1, 2020, the term “unit” has the meaning ascribed to it by regulation of the Division of Public and Behavioral Health of the Department of Health and Human Services. (NRS 449.2418) **Section 1** of this regulation defines the term “unit” to mean a component of a health care facility for providing patient care that is defined by the scope of health care service provided. The term includes, without limitation, a group, department, section or wing of a hospital.

Section 1. Chapter 449 of NAC is hereby amended by adding thereto a new section to read as follows:

As used in NRS 449.241 to 449.2428, inclusive, unless the context otherwise requires, “unit” means a component of a health care facility for providing patient care that is defined by the scope of health care service provided. The term includes, without limitation, a group, department, section or wing of a hospital.

Sec. 2. This regulation becomes effective on:

1. The date on which this regulation is filed by the Legislative Counsel with the Secretary of State; or

2. July 1, 2020,

↳ whichever occurs later.