

Steve Sisolak
Governor



Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



Lisa Sherych
Administrator

Ihsan Azzam,
Ph.D., M.D.
Chief Medical Officer

DIVISION OF PUBLIC & BEHAVIORAL HEALTH

Bureau of Child, Family and Community Wellness

Maternal, Child, and Adolescent Health Section

LCB File No. R086-20P

Informational Statement per NRS 233B.066

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

The need for the regulation is in detailing processes by which the Division of Public and Behavioral Health (DPBH) Administrator or their designee will approve and administer grants made pursuant to Nevada Revised Statutes (NRS) 422A.660 from the Diapering Resources Account of the DPBH.

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.

Public comment and feedback were solicited from the community and partners during a public workshop which was held on January 11, 2022. The only public comment that was offered during this workshop was from Kim Amato of Baby's Bounty and Assemblywoman Maggie Carlton of the United Labor Agency of Nevada and comments were positive and supportive of Division's efforts in relation to the diapering resources. No concerns were voiced at the public workshop. Information on the public workshop can be accessed at the following website:

[http://dpbh.nv.gov/Programs/Maternal,_Child_and_Adolescent_Health_\(MCH\)/](http://dpbh.nv.gov/Programs/Maternal,_Child_and_Adolescent_Health_(MCH)/).

Public comment and feedback were solicited at the public hearing of the State Board of Health, held on March 4, 2022. No public comment was given during this meeting for R086-20P.

Anyone interested in obtaining further information can contact the Bureau of Child, Family, and Community Wellness at 4150 Technology Way Suite 200, Carson City, NV 89706.

3. A statement indicating the number of persons who attended each hearing, testified at each hearing, and submitted written statements regarding the proposed regulation. This statement should include for each person identified pursuant to this section that testified and/or provided written statements at each hearing regarding the proposed regulation, the following information, if provided to the agency conducting the 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

A public workshop held on January 11, 2022, and nine (9) persons attended, including Division of Public and Behavioral Health staff. The names of the attendees are Kim Amato, Assemblywoman Maggie Carlton, Linda Anderson, Steve Messinger, Brian R. (no last name provided), Evelyn Dryer, Desiree Wenzel, Vickie Ives, and Karissa Loper. Verbal comments in support of the regulation were provided by Kim Amato, Founder, Baby's Bounty (kim@babysbounty.org) and Assemblywoman Maggie Carlton, Executive Director of the United Labor Agency of Nevada (services@ulan.org, 1201 N. Decatur Blvd., Ste. 106, Las Vegas, NV 89108, 702-648-3500).

A public hearing was held on March 4, 2022. At that hearing were 86 attendees. That number includes the members of the Board of Health, staff of the Division of Public and Behavioral Health, staff from other state agencies, as well as members of the public. As there were other items on the agenda, it is possible that not all those that signed in were in attendance for LCB File No R086-20P. No one testified in support of or against the proposed regulation or provided written statements during the hearing. Please see the attached document for the list of attendees.

4. A description of how comment was solicited (i.e., notices) from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Pursuant to NRS 233B.0608 (2) (a), The Division of Public and Behavioral solicited comments, as well as distributed draft copies of the regulation via email and the Bureau of Child, Family, and Community Wellness Diapering Resources Committee listserv to professional diapering resource agencies across the state.

A Small Business Impact Questionnaire was sent to professional diapering resource agencies statewide along with a copy of the proposed regulation changes, on September 28, 2021; a summary of responses is below.

Summary of Response

Summary of Comments Received			
<p>(There were {3} responses, only {2} from small businesses, received out of {13} small business impact questionnaires distributed or by email in response to the information posted on the Division website here: https://dpbh.nv.gov/Programs/Maternal,_Child_and_Adolescent_Health_(MCH)/)</p>			
(Q#1) Will a specific regulation have an adverse economic effect upon your business?	(Q#2) Will the regulation(s) have any beneficial effect upon your business?	(Q#3) Do you anticipate any indirect adverse effects upon your business?	(Q#4) Do you anticipate any indirect beneficial effects upon your business?
{ 0 } "Yes" Responses	{ 2 } "Yes" Responses	{ } "Yes" Responses	{ 2 } "Yes" Responses
{2 } "No" Responses	{ 0 } "No" Responses	{ 2 } "No" Responses	{ } "No" Responses
<p>Comments (Q#1): No comments.</p> <p>Comments (Q#2):</p> <p>1-Cost savings of \$12,000 to \$15,000 per year.</p> <p>2- The Women and Children’s Center of the Sierra (WACCS) has administered a diaper bank for the past 18 years. We distribute between 9,000 and 11,000 diapers monthly to women and single dads who live at 185% of poverty or less (the 185% of poverty mirrors Women Infants and Children requirements for services). We currently budget \$4,000 annually for diapers. We spend whatever we need to ensure an adequate supply of diapers given how many we receive in donations and through diaper drives. None of these are predictable.</p> <p>Comments (Q#3): No comments.</p> <p>Comments (Q#4):</p> <p>1-Greater access to community resources thru case management.</p> <p>2-WACCS has started working with the Food Bank of Northern Nevada so that we can accompany their Mobile Harvest food distribution program into impoverished communities where moms have a difficult time getting to our office. We believe that ideally, we can bring services to the people. This, of course, will greatly increase the number of diapers needed. Funding through the State program would help this expansion of services be successful.</p>			

Anyone interested in obtaining further information can contact the Bureau of Child, Family, and Community Wellness at 4150 Technology Way Suite 200, Carson City, NV 89706.

5. If, after consideration of public comment, the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The statement should also explain the reasons for making any changes to the regulation as proposed.

R086-20P was adopted without any changes as a result of the respective public hearings because no negative comments nor suggested changes were received by the Division.

6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:
- (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long-term effects.

Anticipated effect on regulated businesses:

- a) Adverse effect: There is no anticipated adverse effect.
- b) Beneficial effect: This regulation creates a pathway and processes for the administration of grants to help underserved Nevadans access diapers and diapering supplies.
- c) Immediate effect: Entities wishing to provide diapers and diapering supplies in Nevada will be able to apply for grants from the Diapering Resources Account of the DPBH.
- d) Long-term effect: Entities wishing to provide diapers and diapering supplies in Nevada will be able to apply for grants from the Diapering Resources Account of the DPBH.

Anticipated effect on the public:

- a) Adverse effect: There is no anticipated adverse effect on the public.
- b) Beneficial effect: The public will have more access to diapers and diapering resources as there will be a process by which to administer grants from the Diapering Resources Account of the DPBH.
- c) Immediate effect: There is no anticipated immediate effect on the public until funds are brought into the account through successful grant procurement.
- d) Long-term effect: The public will have more access to diapers and diapering resources as there will be a process by which to administer grants from the Diapering Resources Account of the DPBH.

7. The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the agency for enforcement of the proposed regulation.

8. 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, name the regulating federal agency.

There are no duplicative or more stringent provisions than federal, state or local standards regulating the same activity.

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

There are no provisions in the regulation which are more stringent than a federal regulation which regulate the same activity.

10. If the regulation establishes a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not establish a new fee or increase an existing fee.

NOTE: The Informational statement is essential. If this statement is not included with the final regulations or is incomplete or inaccurate, LCB will return the regulation to the agency. Unless a statement is supplied, the LCB will not submit the regulation to the Legislative Commission, and the regulation never becomes effective (NRS 233B.0665).

Attached: List of Attendees at Board of Health, March 4, 2022

<i>Name (Original Name)</i>	<i>User Email</i>
Joseph Filippi	jpfilippi@health.nv.gov
Paul Shubert	
Tedd McDonald MD/Waterfall Clinic/CCHO	
Patrick Hughes	
Charlotte Stewart	
Jon Pennell	
Vickie Ives	
Ofelia Gentscheff	
B. Putnam	
17752204109	
Charles Smith	
Leticia Metherell	
Casey Rodgers	
Carol Shank	
Cody Phinney	
Rex Gifford# AAIII# DPBH	
Nicki Aaker	
Shannon Ernst	
Tyler Shaw - FRPA	
Linda Anderson	
iPhone	
John Packham	
Tyler Shaw - FRPA	
Charlotte Stewart	
Casey Rodgers	
iPhone	
Charles Smith	
Carol Shank	
Linda Anderson	
Patrick Hughes	
Marena Works	
Shannon Ernst	
Tyler Shaw - FRPA	
17754300034	
Monica's iPad	
17757272830	
Alan's iPhone	
Brad Waples	
Johnathon Fayeghi S.66107	
Mommy's I Phone	
Leguen# Southern Nevada Health District	
Stephanie Vanhooser	

Seres Sosnowski-Abueg
Judith Andrews Bittner
Julia Peek# Nevada DHHS
Ken Kubes (A618618)
Pierron Tackes
Kyle Devine
A618618
17028375852
Ihsan Azzam
17024864000
Lisa Sherych
Kevin Dick
Sean Applegate
Brett
Steve Messinger--NVPCA
Brooke Maylath
Colleen Lyons# MD
Valerie Balen
Lindsey Doolittle (she/her)
Kat S.
Teresa Hayes (DPBH-EHS)
17757381553
Megan Comlossy
Edith Duarte
Lindsey's iPhone
Tammy Ritter
Rebekah iPad
Debra Songer
Keibi Mejia
Randi Ranae
Evelyn Dryer
Patti Brouhard
17028011704
17024612908
Kent Ervin
Cassie Hall
Troy Ross
Randi Ranae
Jim's iPhone
Isabelle Eckert
Katania @ Health Freedom Nevada
17757720343
17753575521
Raffi Rodrigo