

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

**LCB FILE NO. R091-22I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 06/10/2022**

## 988 Fee Regulation for Adoption by State Board of Health

Authority: NRS 439. 150 and NRS 433 as amended by Section 5 of Senate Bill 390 (2021) as follows:

### **Senate Bill 390 Sec. 5.**

1. The State Board of Health shall adopt regulations to impose a surcharge on each access line of each customer of a company that provides commercial mobile communication services or IP-enabled voice services in this State in accordance with 47 U.S.C. § 251a and each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in this State. Those companies and providers shall collect the surcharge from their customers and transfer the money collected to the Division pursuant to regulations adopted by the State Board of Health. The amount of the surcharge must be sufficient to support the uses set forth in subsection 2, except that the amount of the surcharge must not exceed 35 cents for each access line or trunk line. **Telecommunications agencies will have 90-day implementation upon approval.**

### Proposed Regulation of the State Board of Health

LCB FILE NO. RXXX-

***Section 1. Chapter 433 of NAC is hereby amended by adding thereto the provisions set forth as section 2, inclusive, of this regulation.***

#### ***Section 2.***

- 1. To sufficiently support the uses set forth in subsection 2 of Section 5 of Senate Bill 390 (2021) and produce the revenue projected in the budget for the Division approved by the Legislature, a surcharge of 35 cents is imposed on the following, per month:***
  - a. Each access line of each customer of a company that provides commercial mobile services or IP-enabled voice services in this State in accordance with 47 U.S.C. § 251a; and***
  - b. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in this State.***
- 2. The companies and providers shall collect the surcharge as described in subsection 1 from their customers per month and transfer the money collected to the Crisis Response Account within the Division of Public and Behavioral Health:***
  - a. Telecommunications providers will;***
    - i. Request account and routing information, which will only be given verbally over the phone.***
    - ii. Establish use of CCD Plus format for ACH payment.***
    - iii. Transfer the funds via ACH payment to the treasurer's office with Addenda field complete by the 15<sup>th</sup> of every month.***
    - iv. Addenda field can contain up to eighty (80) characters and should include information that will be needed to identify payment;***
      - 1. Division of Public and Behavioral Health***
      - 2. Crisis Response Account***
      - 3. Account Number***
      - 4. Billing Period***

- v. *Email Division notification that an incoming funds transfer is ready to be sent, prior to transfer.*
- vi. *Provide a monthly written report at the time of electronic transfer to the Division of Public and Behavioral Health to include total amount of surcharge collected on total amount of lines.*