

Joe Lombardo
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

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

DIVISION OF PUBLIC & BEHAVIORAL HEALTH
BUREAU OF BEHAVIORAL HEALTH WELLNESS AND PREVENTION
SUBSTANCE ABUSE PREVENTION AND TREATMENT AGENCY

LCB FILE NO. R117-22

Informational Statement per NRS 233B.066

1. SB 69 (2021) directs the Board of Health to adopt regulations providing for the certification of substance use disorder prevention coalitions, which are coalitions of persons and entities who possess knowledge and experience related to the prevention of substance misuse and substance use disorders. The proposed change to NAC 458 complies with this legislative mandate by updating and revising existing regulations for oversight of providers certified by the Substance Abuse Prevention and Treatment Agency (SAPTA) within the Division of Public and Behavioral Health (DPBH). The updated language clarifies certification requirements using more current terminology and removes stigmatizing language.

2. Public comment was solicited at a public workshop conducted virtually and by telephone by the Bureau of Behavioral Health Wellness and Prevention on January 9, 2023 and by email notification to interested parties using the SAPTA listserv. In addition, public comment was solicited by the Board of Health at a hearing to adopt the proposed regulation held on January 20, 2023. Public comment both at the workshop and public hearing was in support of the proposed regulation with no opposition expressed.

A copy of this summary can be obtained from Autumn Blattman, Executive Assistant, Division of Public and Behavioral Health by emailing a.blattman@health.nv.gov.

3. Twenty-six people including DPBH staff attended the combined virtual public workshop held on January 9, 2023 for this and two other proposed regulations. Seventy-six people including DPBH staff were in virtual attendance at the Board of Health public hearing at which this and two other proposed Bureau regulations were presented:

- Autumn Blattman, Executive Assistant, Division of Public and Behavioral Health
- Dorothy Edwards, Washoe Regional Behavioral Health Policy Board

- Misty Vaughan Allen, Statewide Suicide Prevention Coordinator, Division of Public and Behavioral Health
- Shannon Bennett, Health Bureau Chief, Division of Public and Behavioral Health
- Frederick Pilot, Behavioral Health Policy Coordinator, Division of Public and Behavioral Health
- Stephanie Cook, SAPTA Treatment Manager, Division of Public and Behavioral Health
- Stephanie Herrera, Program Officer III, Division of Public and Behavioral Health
- Dr. Tedd McDonald, County Health Officer, Central Nevada Health District
- Mark E Disselkoen, University of Nevada, Reno
- J Malikowski
- Mary McVicker
- Shannon Litz, Public Information Officer, Department of Health and Human Services, Director's Office
- (719) 651-3835
- Tom Smith, State Board of Health Member
- Bobbie Sullivan, Emergency Medical Services Manager, Division of Public and Behavioral Health
- Sandy Stamates, Washoe Regional Behavioral Health Policy Board
- Sabrina Brasuell
- Jacqui Ragin
- Kelly Marschall, President, Social Entrepreneurs, Inc.
- Judith Bittner, State Board of Health Member
- Shana Rinehart, Management Analyst I, Contractor, Division of Public and Behavioral Health
- Jon Pennell, State Board of Health Member
- Ben Byrd, Outside Counsel, Charter Communications
- Lyndsey Tsiopos, Marriage and Family Therapist
- Abigail Bailey, Social Services Program Specialist II, Division of Public and Behavioral Health
- Trudy Larson, State Board of Health Member
- (817) 690-8453
- Janice Hadlock-Burnett, Health Bureau Chief, Division of Public and Behavioral Health
- Ankita Makhani
- Lori Baumann, Clark County School District
- Cody Phinney, Deputy Administrator, Division of Public and Behavioral Health
- Tiana Jones, Health Program Specialist II, Division of Public and Behavioral Health
- Gerard Keegan, CTIA
- Brooke Maylath, Health Facilities Inspector, Division of Public and Behavioral Health
- (702) 776-3500
- Valerie Cauhape, Rural Regional Behavioral Health Policy Board
- (702) 250-9199
- Alyson McCormick, City of Sparks
- Misty Grimmer, Vice President of Public Affairs, The Ferraro Group
- Lisa Sherych, Administrator, Division of Public and Behavioral Health
- Pierron Tackes, Deputy Attorney General, Attorney General's Office
- Shelly Polanco, Vibrant
- Jake
- Teresa Hayes, Health Program Manager III, Division of Public and Behavioral Health
- Helen Foley
- Kayla Villegas, Administrative Assistant III, Division of Public and Behavioral Health
- (702) 383-2000
- AJ Holly Huth, Youth Services Manager, The LGBTQ+ Community Center of Southern Nevada
- J'Amie Webster-Frederick, Health Program Specialist II, Division of Public and Behavioral Health
- Fermin Leguen, District Health Officer, Southern Nevada Health District
- Andre Wade
- (775) 544-7090

- Michael Frye, Senior Systems Director, Signature Healthcare Services
- Elyse Monroy-Marsala, Public Health Diversity Advisor, University of Nevada, Reno
- (775) 250-0169
- Linda Anderson, Public Health Policy Analyst, Nevada Public Health Foundation
- Julia Ratti, Washoe Regional Behavioral Health Board
- Leah- Desert Parkway
- (323) 869-9069
- Amanda Brock, Community and Marketing Manager, Quest Counseling
- Barry Cole, Nevada Psychiatric Association
- Allison Genco, Public Health Resource Officer, Governor’s Office
- Mark DiNuzio, CCI Southwest
- Keibi Mejia
- Lea Case, Nevada Psychiatric Association
- Donna Laffery, Ferrari Reeder Public Affairs
- Vanness Dunn, Outreach Coordinator, Nevada Literacy Council
- LL Papert, Silver State Equality
- Lana Robards, Board Member, Northern Nevada Regional Behavioral Health Policy Board
- Erin Walker, Project AWARE Manager, Nevada State Public Charter Schools Authority
- Joseph Fillippi, Jr., Nevada Rural Hospital Partners
- Tiffany Smink, Charter Communications
- Jack Mayes, Executive Director, Nevada Disability Advocacy and Law Center
- Camalot Tood, Writer/Reporter, Nevada Current
- Scott Phillips

4. Pursuant to NRS 233B.0608 (2)(a), the Division of Public and Behavioral Health has requested input from substance use prevention and treatment businesses. A Small Business Impact Questionnaire was disseminated through the SAPTA Listserv, the Substance Abuse Block Grant Agencies, the SAPTA Advisory Board, the BHPAC, and the HCQC Listserv. It was posted on the SAPTA website as well along with a copy of the proposed regulation changes, on August 1, 2022.

The questions on the questionnaire were:

- 1) How many employees are currently employed by your business?
- 2) Will a specific regulation have an adverse economic effect upon your business?
- 3) Will the regulation(s) have any beneficial effect upon your business?
- 4) Do you anticipate any indirect adverse effects upon your business?
- 5) Do you anticipate any indirect beneficial effects upon your business?

Summary of Response

Summary of Comments Received

(There were { 1 } responses received out of {827} small business impact questionnaires distributed)

(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	{ 0 } “Yes” Responses	{ 0 } “Yes” Responses	{ 0 } “Yes” Responses
{ 1 } “No” Responses	{ 1 } “No” Responses	{ 1 } “No” Responses	{ 1 } “No” Responses
<u>Comments (Q#1):</u> <u>Comments (Q#2):</u> <u>Comments (Q#3):</u> <u>Comments (Q#4):</u>			

A copy of this summary can be obtained from Autumn Blattman, regulatory coordinator, Division of Public and Behavioral Health by emailing a.blattman@health.nv.gov.

5. The regulation was adopted with a minor change to Section 9 (1)(a), adding in “Text Revision” immediately following “5th Edition” to reference the most current version, by the Board of Health on January 20, 2023

6. Anticipated effects on the business which NAC 458 regulates:

- A. *Adverse effects:* None identified.
- B. *Beneficial:* Substance abuse prevention and treatment businesses will benefit from clearer and more user-friendly updates to existing regulations.
- C. *Immediate:* Substance abuse prevention and treatment businesses will benefit from clearer and more user-friendly updates to existing regulations.
- D. *Long-term:* Substance abuse prevention and treatment businesses will benefit from clearer and more user-friendly updates to existing regulations.

Anticipated effects on the public:

- A. *Adverse:* None identified.
- B. *Beneficial:* This regulation will help ensure substance use prevention and treatment agencies provide quality services to the community based on certification criteria. All individuals receiving services

should benefit from the quality of services provided.

C. *Immediate*: This regulation will help ensure substance use prevention and treatment agencies provide quality services to the community based on certification criteria. All individuals receiving services should benefit from the quality of services provided.

D. *Long-term*: This regulation will help ensure substance use prevention and treatment agencies provide quality services to the community based on certification criteria. All individuals receiving services should benefit from the quality of services provided.

7. The estimated cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations is minor and absorbable within existing Division resources.

8. The proposed regulations do not overlap or duplicate any other Nevada state or federal regulations.

9. The regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

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