

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

LCB File No. R123-99

September 1, 1999

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

AUTHORITY: §2, NRS 439.150, 449.037 and 449.050; §§1, 3-7, NRS 449.037.

Section 1. NAC 449.01225 is hereby amended to read as follows:

449.01225 ~~["Freestanding facility"]~~ *"Facility* for hospice care" has the meaning ascribed to it in NAC 449.0172.

Sec. 2. NAC 449.016 is hereby amended to read as follows:

449.016 1. Except as otherwise provided in NAC 449.0168, an applicant for a license to operate any of the following medical facilities or facilities for the dependent must pay to the health division a nonrefundable fee of \$50 for each bed in the facility and the following nonrefundable fees:

- (a) A skilled nursing facility\$1,200
- (b) A hospital1,200
- (c) An intermediate care facility for the mentally retarded or persons with developmental disabilities.....750
- (d) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities1,200
- (e) A residential facility for groups.....500

- (f) A facility for the treatment of abuse of alcohol or drugs500
- (g) A ~~freestanding~~ facility for hospice care.....1,200

2. An applicant for the renewal of such a license must pay to the health division a nonrefundable fee of \$35 for each bed in the facility and the following nonrefundable fees:

- (a) A skilled nursing facility\$1,100
- (b) A hospital1,100
- (c) A rural hospital600
- (d) An intermediate care facility for the mentally retarded or persons with developmental disabilities.....600
- (e) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities600
- (f) A residential facility for groups300
- (g) A facility for the treatment of abuse of alcohol or drugs300
- (h) A ~~freestanding~~ facility for hospice care.....600

3. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by chapter 449 of NRS or the regulations adopted pursuant thereto within 1 year after the date on which he submits his application, he must submit a new application and pay the required fee to be considered for licensure.

Sec. 3. NAC 449.0172 is hereby amended to read as follows:

449.0172 ~~["Freestanding facility"]~~ ***"Facility*** for hospice care" has the meaning ascribed to it in ~~[NRS 449.006.]~~ ***section 3 of chapter 93, Statutes of Nevada 1999.***

Sec. 4. NAC 449.0173 is hereby amended to read as follows:

449.0173 “Governing body” means the person or group of persons responsible for carrying out and monitoring the administration of a program of hospice care or for the operation of a ~~freestanding~~ facility for hospice care.

Sec. 5. NAC 449.0181 is hereby amended to read as follows:

449.0181 The health division shall not issue a license to operate a ~~freestanding~~ facility for hospice care unless the program of hospice care which it provides complies with the requirements of NAC 449.017 to 449.0188, inclusive.

Sec. 6. NAC 449.0187 is hereby amended to read as follows:

449.0187 A ~~freestanding~~ facility for hospice care must comply with the following requirements:

1. A program of hospice care must be provided for each inpatient pursuant to a written plan of care established pursuant to NAC 449.0186.
2. Nursing services must be provided 24 hours per day in accordance with the plan of care for each patient.
3. Medication must be dispensed to each patient according to the instructions of the patient’s physician or the medical director.
4. Treatment must be administered to a patient pursuant to the instructions of the physician of the patient or the plan of care for the patient.
5. Each patient must be maintained in a clean and well-groomed manner.
6. Each patient must be protected from accidents, injuries and infections.
7. At least one registered nurse must be on duty for each work shift, providing direct care to patients.

8. A written plan of the procedures to be followed during a local disaster, a widespread disaster or a disaster which occurs within the **[freestanding]** facility for hospice care must be adopted. The plan must:

(a) Provide procedures designed to protect each patient and to care for any casualty which may arise from such a disaster;

(b) Be reviewed and the procedures set forth therein rehearsed by all members of the staff at least once in each quarter of the year; and

(c) Be approved by the health division.

9. A private room with an adjoining bath must be provided for each patient.

10. An anteroom, a room adjoining the room of each patient or a private area must be provided and furnished with a bed and chairs for use by the members of the patient's family.

Sec. 7. NAC 449.0188 is hereby amended to read as follows:

449.0188 A person licensed to administer a program of hospice care or to operate a **[freestanding]** facility for hospice care shall maintain the continuity of service provided to each patient pursuant to NAC 449.017 to 449.0188, inclusive, during the term of his license.