

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

LCB File No. R072-04

May 19, 2004

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

AUTHORITY: §§1-3, NRS 439.150 and 449.037.

A REGULATION relating to medical facilities; establishing standards for the design, construction, equipment and maintenance of obstetric centers; requiring an obstetric center to pay certain costs relating to the review of building plans for the new construction or certain remodeling of the obstetric center; and providing other matters properly relating thereto.

Section 1. NAC 449.0115 is hereby amended to read as follows:

449.0115 1. An applicant for a license or the renewal of a license to operate a medical facility, facility for the dependent or program of hospice care who wishes or is required pursuant to NAC 449.15359, ~~or~~ 449.4063 *or 449.6114* to have building plans for new construction or remodeling reviewed by the Health Division must:

(a) Submit to the Health Division or have on file a current application for a license or renewal of a license;

(b) Pay to the Health Division any fees required for the issuance or renewal of a license pursuant to NAC 449.013 or 449.016; and

(c) Submit two complete sets of building plans for new construction or remodeling prepared by a registered architect, registered residential designer or licensed general contractor to the entity designated to review such plans by the Health Division.

2. All costs incurred for the review of building plans and any changes or revisions made to the plans must be borne by the applicant and paid directly to the designee of the Health Division conducting the review of the plans.

3. The costs required to be paid pursuant to subsection 2 are not refundable and are in addition to the fees charged for the issuance or renewal of the license pursuant to NAC 449.013 or 449.016.

Sec. 2. NAC 449.6114 is hereby amended to read as follows:

449.6114 ~~[Before the construction of a facility or alteration to an existing obstetric center is begun, the building plans for the construction may be submitted]~~

1. An obstetric center must be designed, constructed, equipped and maintained in a manner that protects the health and safety of the patients and personnel of the obstetric center and members of the general public.

2. An obstetric center shall comply with all applicable:

(a) Federal and state laws;

(b) Local ordinances, including, without limitation, zoning ordinances;

(c) Environmental, health and local building codes; and

(d) Fire and safety codes, including, without limitation, those codes relating to ingress and egress of occupants, placement of smoke alarms, fire extinguishers or sprinkler systems, and fire escape routes,

↪ related to the construction and maintenance of the obstetric center. If there is a difference between state and local requirements, the more stringent requirements apply.

3. Except as otherwise provided in subsection 4, before any new construction of an obstetric center or any remodeling of an existing obstetric center is begun, the obstetric center

must submit building plans for the new construction or remodeling to the entity designated to review such plans by the Health Division pursuant to the provisions of NAC 449.0115. *The entity's review of those plans is advisory only and does not constitute approval for the licensing of the obstetric center. The Bureau shall not approve an obstetric center for licensure until all construction is completed and a survey is conducted at the site of the obstetric center.*

4. An obstetric center is not required to submit plans for remodeling to the entity designated to review such plans by the Health Division pursuant to the provisions of NAC 449.0115 if the remodeling is limited to refurbishing an area within the obstetric center, including, without limitation, painting the area, replacing the flooring in the area, repairing windows in the area, and replacing window or wall coverings in the area.

Sec. 3. NAC 449.61146 is hereby amended to read as follows:

449.61146 1. Each birth room in an obstetric center must:

(a) Be maintained in a condition which is adequate and appropriate to provide for the equipment, staff, supplies and any emergency procedures required during the period of labor, delivery and recovery for the physical and emotional care of the maternal patient, any person accompanying the maternal patient for support and the newborn baby;

(b) Have at least 256 square feet with a minimum room dimension of 16 feet;

(c) Be located so as to provide unimpeded, rapid access to an exit of the building which will accommodate emergency transportation vehicles and equipment; and

(d) Have facilities immediately available to the birth room for the washing of hands.

2. The obstetric center shall provide toilet and bathing facilities for use by a maternal patient, including:

- (a) A toilet and lavatory maintained in or adjacent to the vicinity of the birth room; and
- (b) A shower which is clean and in good repair.

3. Hallways and doors which provide entry into, exit from and access within the obstetric center and birth rooms must be of adequate width and configuration to accommodate the maneuvering of a stretcher from an ambulance, a wheelchair and other emergency equipment.

4. The obstetric center must have an adequate supply of hot and cold running water under pressure for human consumption and other purposes relating to the care of the maternal patient and newborn baby.

5. If office-based prenatal or other health care is provided at the obstetric center, the consultation and examining rooms for that care must be separate from the birth rooms.

~~{6.—The obstetric center must meet all applicable fire and safety codes for ordinary construction of a building with specific attention to ingress and egress of occupants, placement of smoke alarms, fire extinguisher or sprinkler systems and fire escape routes.}~~