

LCB File No. R147-04

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

Note: Section 1 of this regulation was previously sections 4 and 5 of R071-04; this language will not be included in the adopted version of that regulation.

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

Section 1. Chapter 449 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A residential facility shall not claim that it provides “assisted living services” unless:

(a) The facility has obtained an endorsement on its license that authorizes it to operate as a residential facility which provides assisted living services.

(b) Before authorizing a person to move into the facility, the facility makes a full written disclosure to the person regarding what services of personalized care will be available to the person and the amount that will be charged for those services throughout the resident’s stay at the facility.

(c) The residents of the facility reside in their own living units which:

(1) Contain toilet facilities and a sleeping area or bedroom; and

(2) Are shared with another occupant only upon consent of both occupants.

(d) The facility provides personalized care to the residents of the facility and the general approach to operating the facility incorporates these core principles:

(1) The facility is designed to create a residential environment that actively supports and promotes each resident’s quality of life and right to privacy;

(2) The facility is committed to offering high-quality supportive services that are developed by the facility in collaboration with the resident to meet the resident's individual needs;

(3) The facility provides a variety of creative and innovative services that emphasize the particular needs of each individual resident and his personal choice of lifestyle;

(4) The operation of the facility and its interaction with its residents supports, to the maximum extent possible, each resident's need for autonomy and the right to make decisions regarding his own life;

(5) The operation of the facility is designed to foster a social climate that allows the resident to develop and maintain personal relationships with fellow residents and with persons in the general community;

(6) The facility is designed to minimize and is operated in a manner which minimizes the need for its residents to move out of the facility as their respective physical and mental conditions change over time; and

(7) The facility is operated in such a manner as to foster a culture that provides a high-quality environment for the residents, their families, the staff, any volunteers and the community at large.

(e) The facility provides the services required pursuant to NAC 449.271 to 449.2734, inclusive, to enable a resident who has a medical need or condition described in NAC 449.271 to 449.2734, inclusive, to be permitted to remain a resident of the facility.

2. As used in this section, "living units" means:

(a) For a facility with less than 11 residents, the entire home.

(b) For a facility with 11 or more residents, individual accommodations within the facility.

Sec. 2. NAC 449.156 is hereby amended to read as follows:

449.156 As used in NAC 449.156 to 449.2766, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 449.1565 to 449.176, inclusive, have the meanings ascribed to them in those sections.