

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

**LCB File No. R095-06**

May 22, 2006

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

AUTHORITY: §§1 and 2, NRS 449.037; §§3 and 4, NRS 439.150, 439.200, 449.037 and 449.050.

A REGULATION relating to facilities for transitional living for released offenders; establishing the fees that the Health Division of the Department of Health and Human Services will charge for the issuance and renewal of a license to operate such a facility; authorizing a licensee who operates such a facility to pay the fee for renewal of the license to the Health Division in two installments under certain circumstances; and providing other matters properly relating thereto.

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

*“Facility for transitional living for released offenders” has the meaning ascribed to it in NRS 449.0055.*

**Sec. 2.** NAC 449.012 is hereby amended to read as follows:

449.012 As used in NAC 449.012 to 449.0168, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 449.0121 to 449.0127, inclusive, *and section 1 of this regulation* have the meanings ascribed to them in those sections.

**Sec. 3.** NAC 449.013 is hereby amended to read as follows:

449.013 1. Except as otherwise provided in *subsection 4 and* NAC 449.0168, an applicant for a license to operate any of the following facilities, programs of hospice care or agencies must pay to the Health Division the following nonrefundable fees:

- (a) An ambulatory surgical center..... \$3,570
- (b) A facility for the treatment of irreversible renal disease ..... 2,748
- (c) A home office or subunit agency of a home health agency..... 3,034
- (d) A branch office of a home health agency ..... 2,000
- (e) A rural clinic ..... 2,160
- (f) An obstetric center ..... 1,564
- (g) A program of hospice care ..... 2,106
- (h) An independent center for emergency medical care ..... 2,950
- (i) A nursing pool ..... 4,272
- (j) A facility for treatment with narcotics ..... 2,482
- (k) A medication unit ..... 1,200
- (l) A referral agency ..... 2,000
- (m) A halfway house for recovering alcohol and drug abusers ..... 2,020
- (n) A facility for refractive laser surgery ..... 7,556
- (o) A mobile unit..... 2,090
- (p) A facility for transitional living for released offenders..... 2,020*

2. ~~[An]~~ *Except as otherwise provided in subsection 4, an* applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

- (a) An ambulatory surgical center..... \$1,785
- (b) A facility for the treatment of irreversible renal disease ..... 1,374

(c) A home office or subunit agency of a home health agency.....	1,517
(d) A branch office of a home health agency .....	1,000
(e) A rural clinic .....	1,080
(f) An obstetric center .....	782
(g) A program of hospice care .....	1,053
(h) An independent center for emergency medical care .....	1,475
(i) A nursing pool .....	2,136
(j) A facility for treatment with narcotics .....	1,241
(k) A medication unit .....	600
(l) A referral agency .....	1,000
(m) A halfway house for recovering alcohol and drug abusers .....	1,010
(n) A facility for refractive laser surgery .....	3,912
(o) A mobile unit.....	1,045
<b><i>(p) A facility for transitional living for released offenders.....</i></b>	<b><i>1,010</i></b>

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.

***4. Pursuant to NRS 449.050, if an application for a license to operate a facility for transitional living for released offenders or the renewal of such a license is denied, any amount of a fee paid pursuant to paragraph (p) of subsection 1 or paragraph (p) of subsection***

*2 that exceeds the expenses and costs incurred by the Health Division must be refunded to the applicant.*

**Sec. 4.** NAC 449.0164 is hereby amended to read as follows:

449.0164 An applicant for the renewal of a license for a residential facility for groups, a halfway house for recovering alcohol and drug abusers, ~~or~~ a home for individual residential care *or a facility for transitional living for released offenders* may pay the fee required for the renewal of his license in two equal installments if:

1. On or before November 1 of the calendar year in which his license expires, he submits a complete application for the renewal of the license which includes, without limitation:

(a) The first installment payment which is equal to one-half the amount of the fee required for the renewal of the license pursuant to NAC 449.013 or 449.016, as appropriate;

(b) An additional fee of \$100 for the administrative costs of billing and collecting such payments; and

(c) A signed payment agreement and a confession of judgment for the total amount of the second installment payment which may be filed with a court of competent jurisdiction if he fails to make the second installment payment in accordance with the agreement;

2. On or before April 15 of the calendar year for which the license is renewed, he submits the second installment payment for the remainder of the fee required for the renewal of the license pursuant to NAC 449.013 or 449.016, as appropriate; and

3. He has not failed to make a payment in accordance with any other similar agreement.