

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

LCB File No. R097-06

June 7, 2006

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

AUTHORITY: §§1 and 2, NRS 449.037.

A REGULATION relating to residential facilities for groups; requiring such a facility to obtain an endorsement from the Health Division of the Department of Health and Human Services before providing “assisted living services”; requiring such a facility that provides “assisted living services” to develop certain policies and procedures and to provide certain services; 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:

1. Each residential facility that wishes to provide “assisted living services” must apply to the Health Division to obtain an endorsement on its license authorizing the residential facility to provide “assisted living services.”

2. The Health Division may deny an application for an endorsement that is made pursuant to subsection 1 or revoke an existing endorsement granted pursuant to subsection 1 if the residential facility for which the applicant is applying or the residential facility which has an endorsement does not satisfy the requirements set forth in this section or subsections 7 and 8 of NRS 449.037.

3. If a residential facility provides “assisted living services,” the written policies that the residential facility is required to develop pursuant to NAC 449.258 must include, without limitation, procedures to be followed:

(a) To ensure that the residential facility complies with the requirements set forth in subsections 7 and 8 of NRS 449.037;

(b) By the administrator to ensure that residents of the residential facility whose physical or mental condition is declining over time are identified;

(c) To obtain a medical professional to assess and monitor, as necessary, but not less than once every quarter in each calendar year, each resident of the residential facility whose physical or mental condition is declining over time; and

(d) To provide services to residents of the residential facility pursuant to the assessment and monitoring performed pursuant to paragraph (c).

4. The administrator of a residential facility that provides “assisted living services” shall ensure that:

(a) A medical professional is notified whenever there has been a significant change in the physical or mental condition of a resident of the residential facility whose physical or mental condition is declining over time; and

(b) The residential facility maintains a list of resources for financial assistance and other social services that may decrease the need for a resident of the residential facility whose physical or mental condition is declining over time to move out of the residential facility.

5. The services provided by a residential facility that provides “assisted living services” must include, without limitation, services that will enable the residential facility to retain residents who have the medical needs or conditions described in NAC 449.2712 to 449.2734, inclusive, and 449.275.

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

449.156 As used in NAC 449.156 to 449.2768, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 449.1565 to 449.178, inclusive, have the meanings ascribed to them in those sections.