

LCB File No. R098-06

PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH

Hearing scheduled June 16, 2006

FACILITIES FOR TREATMENT OF ABUSE OF ALCOHOL OR DRUGS

General Provisions

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

The following sections have **not** been revised or modified:

NAC 449.019, 449.022, 449.025, 449.030, 449.031, 449.034, 449.044, 449.046, 449.060, 449.064, 449.068, 449.069, 449.072, 449.079, 449.081, 449.085, 449.088, 449.091, 449.094, 449.098, 449.102, 449.105, 449.111, 449.114, 449.117, 449.121, 449.1214, 449.1218, 449.123, 449.126, 449.132, 449.135, 449.141, 449.144, 449.147, 449.150, and 449.153,

Section 1. NAC 449.108 is hereby amended to read as follows.

449.108 General requirements for programs. (NRS 449.037)

1. A residential program must:

(a) Be ~~approved~~ *certified* by the Health Division ~~[-and]~~ *in accordance with the Nevada*

Administrative Code chapter 458.

~~—(b) Meet the criteria specified in the most recently published edition of the Patient Placement Criteria for the Treatment of Substance-Related Disorders, (ASAM PPC 2R), which is hereby adopted by reference, unless the State Board of Health gives notice that the most recent revision is not suitable for this State pursuant to this paragraph. A copy of the book may be purchased from the American Society of Addiction Medicine at ASAM Publications Distribution, P.O. Box 101, Annapolis Junction, Maryland 20701-0101, at the Internet address <http://www.asam.org>, or by telephone at (800) 844-8948, for the price of \$70 for ASAM members or \$85 for nonmembers, plus shipping and handling. The State Board of Health will review each revision of~~

~~the Patient Placement Criteria for the Treatment of Substance Related Disorders to ensure its suitability for this State. If the Board determines that a revision is not suitable for this State, the Board will hold a public hearing to review its determination within 6 months after the date of the publication of the revision and give notice of that hearing. If, after the hearing, the Board does not revise its determination, the Board will give notice within 30 days after the hearing that the revision is not suitable for this State. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to this paragraph.]~~

2. At the time of admission into a residential program, there must be documentation indicating that the client has been informed of:

(a) The general nature and goal of the program;

(b) The rules governing client conduct and the infractions that can lead to disciplinary action or discharge from the program;

(c) The treatment costs, if any, to be borne by the client;

(d) The client's rights and responsibilities; and

(e) Confidentiality laws, rules and regulations.

3. The program must be periodically evaluated to ensure compliance with any applicable regulations adopted pursuant to subsection 4 of NRS 458.025.

4. The facility must provide access to medical, dental, psychological and rehabilitative services to meet the needs of all its clients, to the extent possible, with assistance from available community resources.

5. If a facility provides services through outside sources, written arrangements must be made assuring that the services are supplied directly by, or under the supervision of, qualified persons.

6. The facility must provide case management services as needed by the client either directly or by written agreement with a qualified social worker, a registered nurse or a counselor certified or licensed by the Board of Examiners for Alcohol and Drug Abuse Counselors.

7. A plan for case management services must be recorded in the client's record and must be periodically evaluated in conjunction with the client's treatment plan.

8. Each facility shall review the program at least annually. Areas reviewed must include, but need not be limited to, appropriateness of admissions, lengths of stay, discharge planning, use of services and utilization of the components of the program and outside services. Written reports of the reviews must be evaluated by the governing body, administrator and such committees as they designate. Documentation of the evaluation process must be maintained at the facility.

Sec 2. NAC 449.129 is hereby amended to read as follows:

449.129 Design, construction, equipment and maintenance. (NRS 449.037)

1. A facility must be designed, constructed, equipped and maintained in a manner that protects the health and safety of the clients and personnel of the facility and members of the general public.

2. Each facility must comply with all currently adopted life safety, fire, Health Division, local building and zoning codes. If there is a difference between state and local codes, the more stringent standards apply.

3. Facilities housing 17 or more clients must meet the requirements of the chapter titled "~~Existing~~ **New** Hotel and Dormitories," of the edition of *NFPA 101: Life Safety Code*, adopted by reference pursuant to NAC 449.0105. Those facilities housing not more than 16 clients must meet the requirements of the chapter titled "Lodging or Rooming Houses , **New**

Requirements” of the edition of *NFPA 101: Life Safety Code*, adopted by reference pursuant to NAC 449.0105.

4. A facility is deemed to be in compliance with the provisions of this section if:

(a) The facility is licensed by May 30, 2001, and:

(1) The use of the physical space in the facility is not changed; and

(2) There are no deficiencies in the construction of the facility that are likely to cause serious injury, harm or impairment to the health and welfare of the public; or

(b) Before May 30, 2001, the facility has submitted building plans to the entity designated to review such plans by the Health Division pursuant to the provisions of NAC 449.0115 and:

(1) The Health Division determines that the plans comply with standards for construction in effect before May 30, 2001;

(2) Construction of the facility is begun before February 1, 2002;

(3) The facility is constructed in accordance with those standards; and

(4) There are no deficiencies in the construction of the facility that are likely to cause serious injury, harm or impairment to the health and welfare of the public.