

LCB File No. R180-09

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

CHAPTER 449

Fees

These regulation changes are being proposed in accordance with Assembly Bill 123, of the 2009 legislative session and the Governor's approved budget for the 2010 - 2011 biennium.

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 the provisions set forth as section 2, inclusive, of this regulation.

Sec. 2. *“Outpatient setting” defined. “Outpatient setting” has the meaning ascribed to it in NAC 449.*

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

NAC 449.013 License *or Permit* and renewal fees to operate ambulatory surgical center, facility for treatment of irreversible renal disease, home office, subunit agency or branch office of home health agency, rural clinic, obstetric center, program of hospice care, independent center for emergency medical care, nursing pool, facility for treatment with narcotics, medication unit, referral agency, halfway house for recovering alcohol and drug abusers, facility for refractive surgery, mobile unit, ~~[and]~~ facility for transitional living for released offenders, *and outpatient setting*; expiration of application for license *or permit*; refund of certain fees.

1. Except as otherwise provided in subsection 4 and NAC 449.0168, an applicant for a license *or permit* 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] 7,140
(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 surgery.....	7,556
(o) A mobile unit.....	2,090
(p) A facility for transitional living for released offenders.....	2,020
<i>(q) An outpatient setting.....</i>	<i>..... 3,570</i>

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

(a) An ambulatory surgical center.....	.. [1,785] \$3,570
(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 surgery.....	3,912
(o) A mobile unit.....	1,045
(p) A facility for transitional living for released offenders.....	1,010
<i>(q) An outpatient setting.....</i>	<i>1,785</i>

3. An application for a license *or permit* 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 *or a permit*.

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.