

Amendment No. 135

Senate Amendment to Senate Bill No. 10 (BDR 40-344)

Proposed by: Senate Committee on Health and Human Services**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

RBL



Date: 4/10/2011

S.B. No. 10—Requires approval for the establishment of certain services by a health facility in larger counties. (BDR 40-344)



SENATE BILL NO. 10—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 13, 2010

Referred to Committee on Health and Human Services

SUMMARY—~~[Requires approval for the establishment of certain services by a health facility in larger counties.]~~ Revises the process for approving an amendment to the license of certain medical facilities to add certain services. (BDR 40-344)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to health care; requiring the ~~[approval of the Director of]~~ Health Division of the Department of Health and Human Services ~~[before undertaking an expenditure]~~ to apply certain standards in determining whether to approve an amendment to a license to operate certain medical facilities to ~~[provide]~~ add certain services ~~[relating to health care in certain larger counties; providing a penalty;]~~ to the license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[Existing law requires a person in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties) to obtain the approval of the Director of the Department of Health and Human Services before undertaking an expenditure for certain new construction by or on behalf of a health facility. (NRS 429A.100) Section 1 of this bill requires a person in a county whose population is 400,000 or more (currently Clark County) to obtain the approval of the Director before undertaking an expenditure for the establishment of the following new services: (1) a center for the treatment of trauma; (2) the transplant of organs; (3) the treatment of burns; (4) the performance of open heart surgery in the provision of cardiac care; and (5) the intensive care of newborn babies. Section 1 also revises the expenditures, projects and services which qualify for an exemption from the requirement of the approval of the Director.]~~ Under existing law, the State Board of Health is required to adopt regulations for the licensing standards governing certain medical facilities and other related facilities. (NRS 449.037) Existing law further provides for the Health Division of the Department of Health and Human Services to issue a license to an applicant who meets the requirements set forth in statute and regulation. (NRS 449.080) Existing law requires a licensee who has a license to operate a facility to obtain the approval of the Health Division to amend his or her license to add certain services to the license. (NRS 449.087) Section 4.5 of this bill requires the State Board of Health to adopt standards for determining whether there are an adequate number of cases in the community to be served to support approving an amendment to a license and requires

the Health Division to apply those standards in making a determination of whether to approve amending the license to add any such service.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 4.5. NRS 449.087 is hereby amended to read as follows:

449.087 1. A licensee must obtain the approval of the Health Division to amend his or her license to operate a facility before the addition of any of the following services:

- (a) The intensive care of newborn babies.
- (b) The treatment of burns.
- (c) The transplant of organs.
- (d) The performance of open-heart surgery.
- (e) A center for the treatment of trauma.

2. The Health Division shall approve an application to amend a license to allow a facility to provide any of the services described in subsection 1 if ~~(the)~~ :

(a) The applicant satisfies the requirements contained in NRS 449.080. ~~(1)~~ ;

(b) The Health Division determines on the basis of the standards adopted by the Board pursuant to subsection 4 that there are an adequate number of cases in the community to be served to support amending the license to add the service; and

(c) The Health Division determines that the applicant satisfies any other standards adopted by the Board pursuant to subsection 4.

3. The Health Division may revoke its approval if the licensee fails to maintain substantial compliance with the standards ~~(approved)~~ adopted by the Board pursuant to subsection 4 for the provision of such services, or with any conditions included in the written approval of the Director issued pursuant to the provisions of NRS 439A.100.

~~(2)~~ 4. The Board shall ~~(consider)~~ :

(a) Adopt standards which have been adopted by appropriate national organizations ~~(as a guide for adopting standards for the approval of)~~ to be used by the Health Division in determining whether there are an adequate number of cases in the community to be served to support amending the license of a licensee to add a service pursuant to this section; and

(b) Adopt such other standards as it deems necessary for determining whether to approve the provision of services pursuant to this section.

Sec. 5. This act becomes effective on July 1, 2011.